

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase 21-02142
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: City of St. Anthony
Address: 420 N. Bridge St., Suite A; St. Anthony, Idaho 83445

Name:
Address: ;

Name:
Address: ;

Name:
Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be: See attached.

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

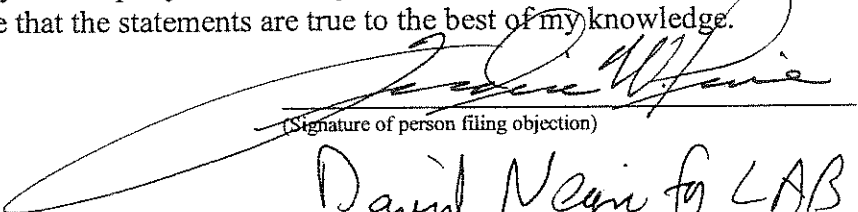
) ss.

County of ADA

)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

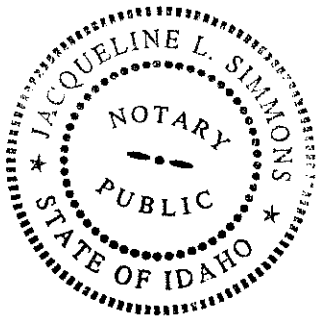
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

David Negin for LAB
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 23rd May 2006

Jacqueline L. Simmons
Jacqueline L. Simmons



Notary Public for State of Idaho

Residing at: Boise, ID.

My Commission Expires: 04-07-2011

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.**
You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on May 23, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

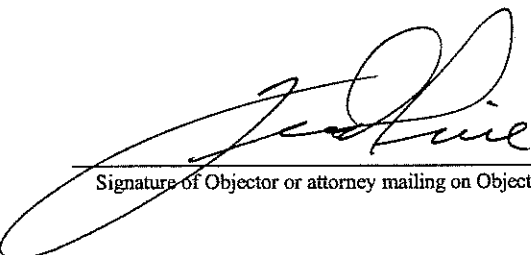
Name: City of St. Anthony
Address: 420 N. Bridge St., Suite A; St. Anthony, Idaho 83445
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf

01/12/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 21-2142

NAME AND ADDRESS: CITY OF ST ANTHONY
420 N. BRIDGE STREET SUITE A
ST ANTHONY ID 83445

POUs on BLM

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.810 CFS

PRIORITY DATE: 03/22/1966

POINT OF

DIVERSION: T08N R40E S36 SWSESE Within FREMONT County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

MUNICIPAL

01/01 12/31

3.810 CFS

PLACE OF USE:

Place of use is within the service area of the City of St. Anthony municipal water supply system as provided for under Idaho Law.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RightID586991 21-242

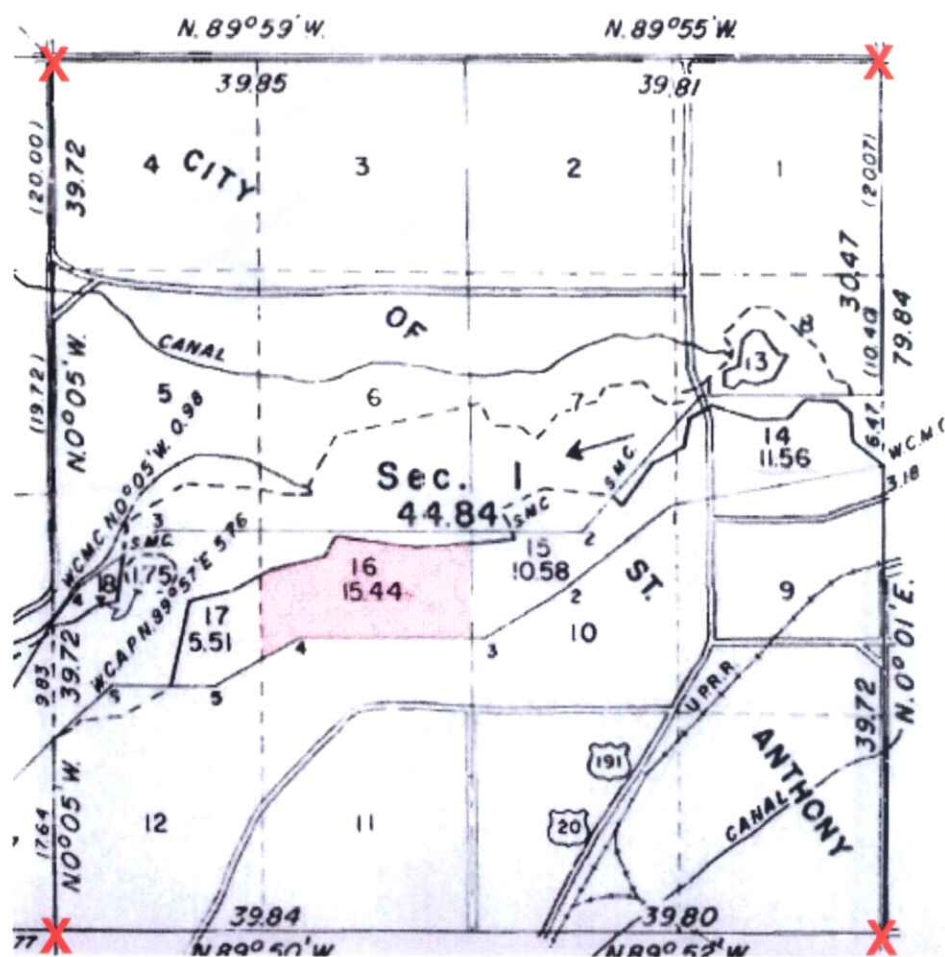
Place(s) of use:

Place of Use Legal Description: MUNICIPAL FREMONT County

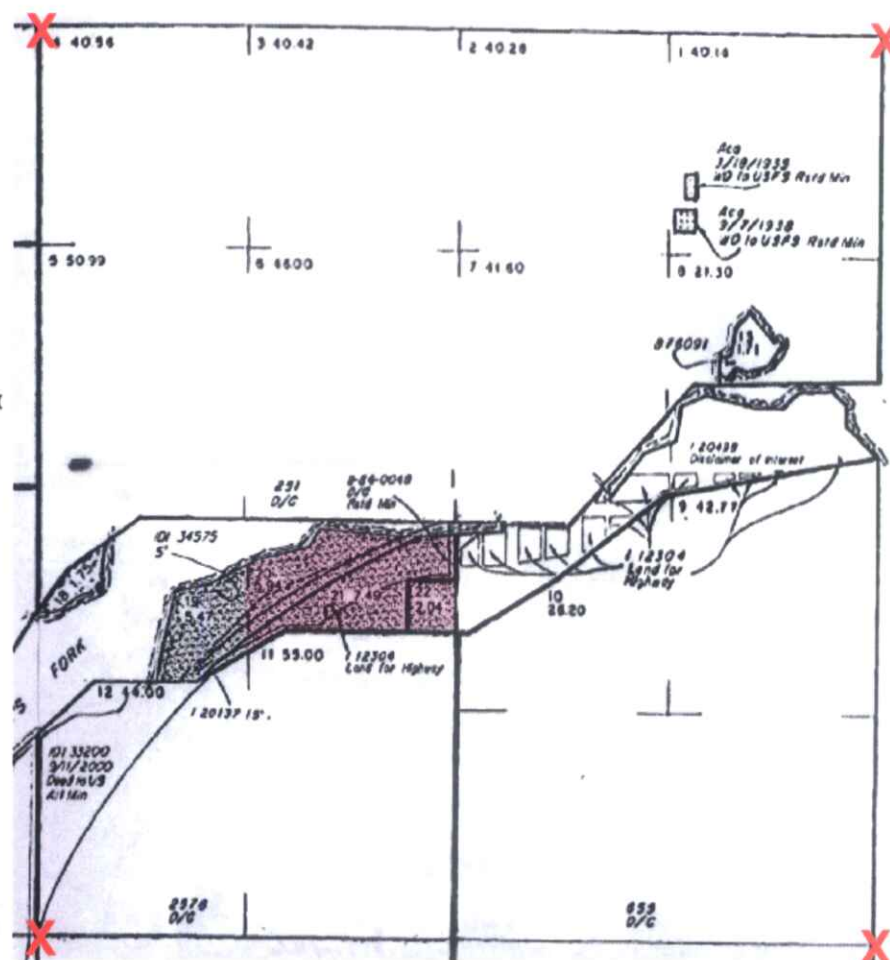
Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
07N	40E	1	1	NENE		2	NWNE		7	SWNE		7	SWNE	
				SENE		8	SENE		9	SENE		13	SENE	
			14	SENE										
			3	NENW		4	NWNW		5	SWNW		6	SENW	
			6	SENW										
			11	NESW		16	NESW	Mix	5	NWSW		18	NWSW	BLM
			12	SWSW	BLM									
			9	NESE		10	NWSE		15	NWSE			SWSE	
				SESE										
			2	1 NENE			SENE							
			6	NESE										
08N	41E	12		NENE			NWNE			SENE				
				NENW			SWNW			SENW				
			6	3 NENW		4	NWNW		5	SWNW				
			10	NWSW		11	SWSW							
			7	1 NWNW		2	SWNW							
			25	SWSE			SESE							
			36	NENE			NWNE			SWNE			SENE	
				NESW			SWSW			SESW				
				NESE			NWSE			SWSE			SESE	
			30	4 SWSW			SESW							
			31	NENW		1	NWNW		2	SWNW			SENW	
				NESW		3	NWSW		4	SWSW			SESW	
				NWSE			SWSE							

21-02142 & 21-12994
T07N R40E

Previous Survey

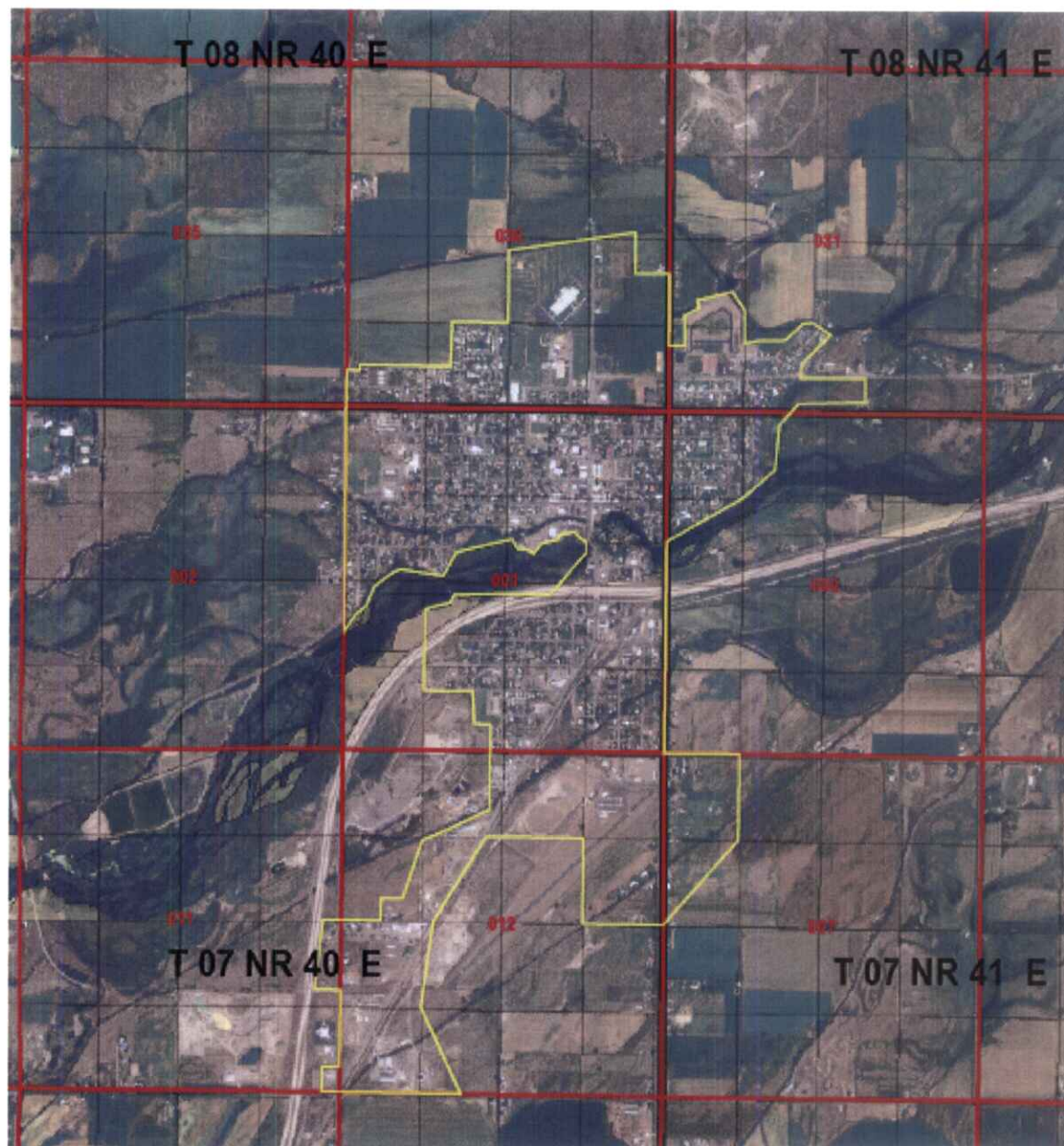


New Survey

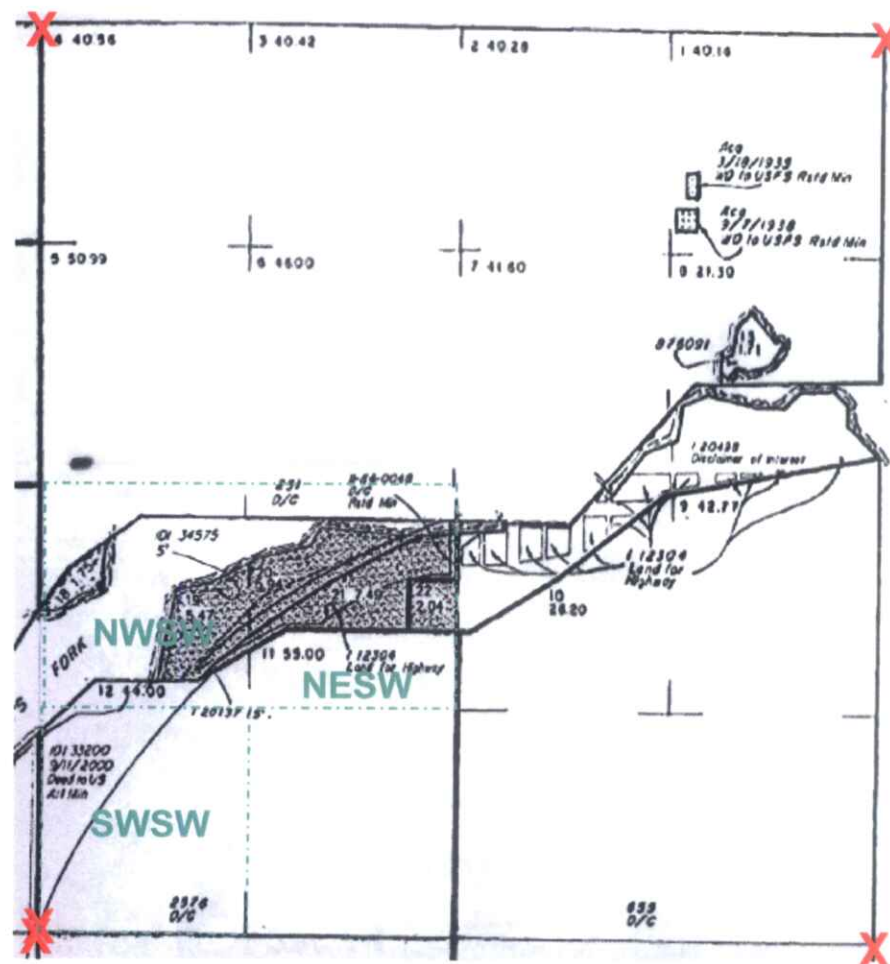


Lot 16 has been resurveyed to Lot 20, Lot 21, and Lot 22

21-02142 & 21-12994



21-02142 & 21-12994
T07N R40E



Lot 12 (SWSW) is public land and outside the digital boundary.

Lot 18 (SWSW) is public land and outside the digital boundary.

TOWNSHIP 7 NORTH RANGE 4Q EAST OF THE BOISE MERIDIAN, IDAHO

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

INDEX TO SEGREGATED TRACTS											
TRACT NO.	7	8	9	10	11	12	13	14	15	16	17
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FOR GREEN EFFECTING DISPOSAL OR USE OF
UNDEVELOPED LANDS REFER TO MAPS OF
WISSELL-NECOS DOCUMENTS

DATE	FILE
JUL 30 2004	CURRENT TO