

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 21-13016
(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: Stimson Island Park, LLC
Address: 5623 Willowcreek Road; N. Las Vegas, NV 89031

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.

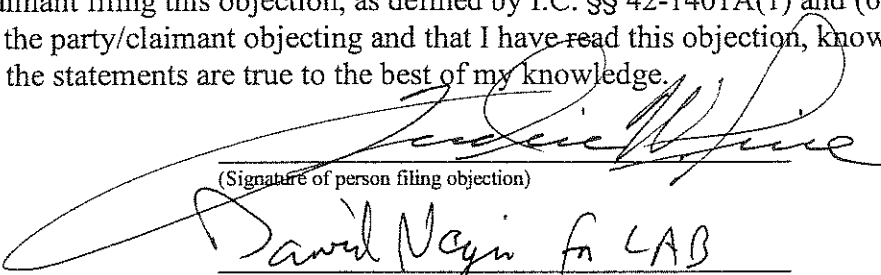
County of ADA

)

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.

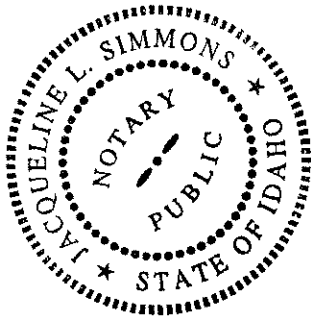

(Signature of person filing objection)

David Noyin for LAB
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

23rd of 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: Stimson Island Park, LLC
Address: 5623 Willowcreek Road; N. Las Vegas, NV 89031

Name:
Address: ;

Name:
Address: ;

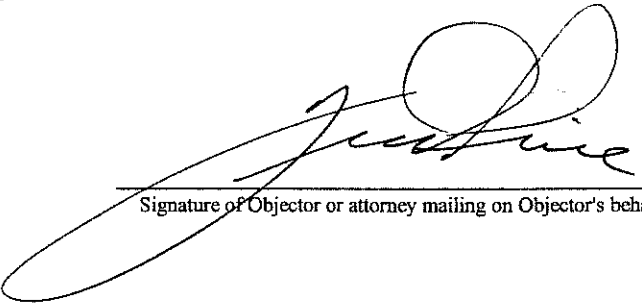
Name:
Address: ;

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: 21-13016
NAME AND ADDRESS: STIMSON ISLAND PARK LLC
5623 WILLOWCREEK RD
N. LAS VEGAS NV 89031
SOURCE: SPLIT CREEK
QUANTITY: The quantity of water under this right shall not exceed 13,000 gallons per day.

Mixed POUs:

-Place of Use identified below contains both public and private land.
-Clarify such that it is clear that only private land is intended.

POU on BLM:

-Claimant is not authorized to graze public land.
TRIBUTARY: SNAKE RIVER

PRIORITY DATE: 08/02/1920
POINT OF DIVERSION: T12N R44E S4 NESE Within FREMONT County
PURPOSE AND PERIOD OF USE:

	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	06/01 10/15	0.030 CFS
PLACE OF USE:	STOCKWATER Within FREMONT County		
	T12N R44E S05 NESE	T12N R44E S05 NWSE	
	T12N R44E S05 SWSE	T12N R44E S05 SESE	
	T12N R44E S08 NENE	T12N R44E S08 SWNE	
	T12N R44E S08 SENE	T12N R44E S09 NWNE	
Mixed:	T12N R44E S09 NENW	T12N R44E S09 NWNW	Mixed
Mixed:	T12N R44E S09 SWNW	T12N R44E S10 SWNE	BLM
	T12N R44E S10 SENW	T12N R44E S10 NESE	
	T12N R44E S10 NWSE		

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

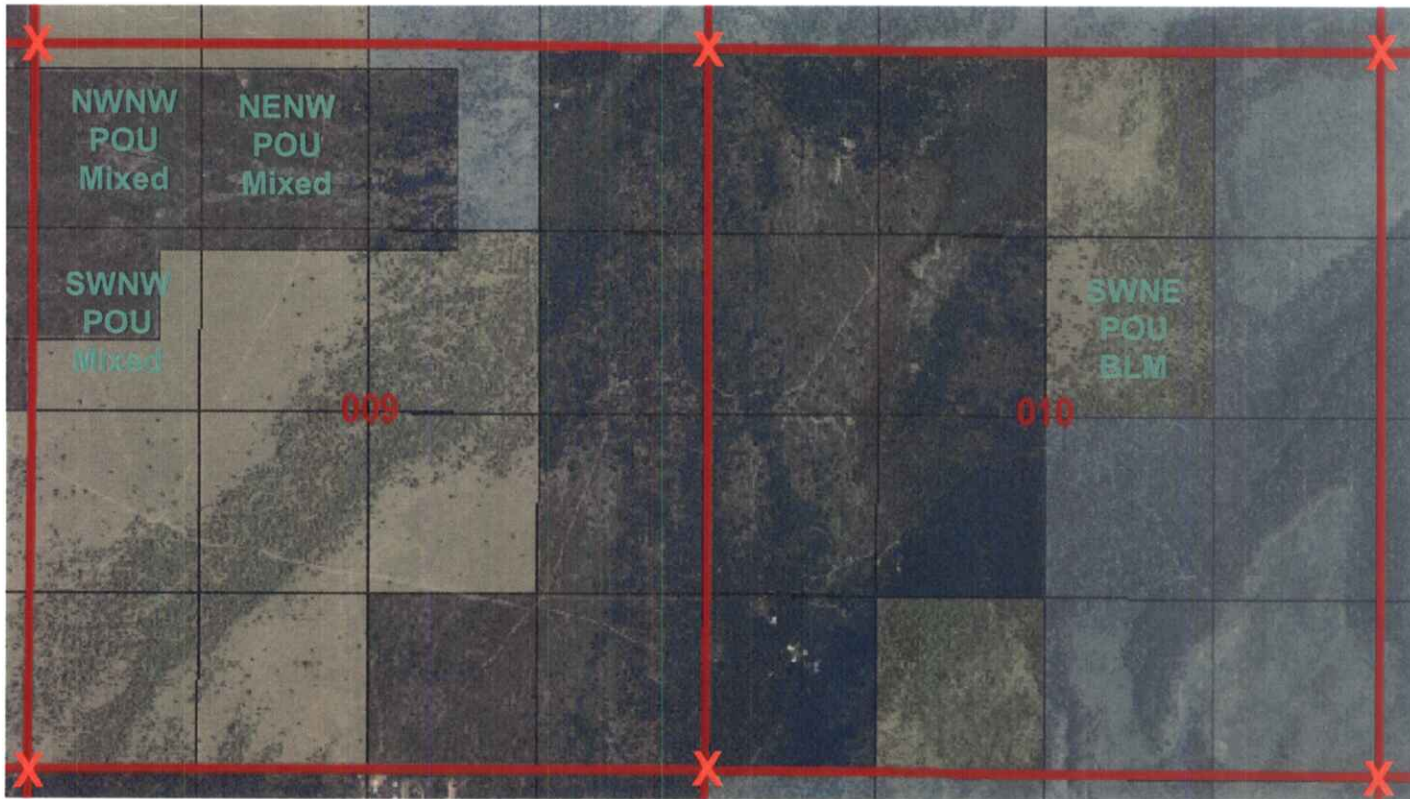
21-13016
T12N R44E



POU = Place of Use

POU Mixed = Place of Use
containing both private and public
lands – see next for detail

21-13016
T12N R44E



1. Since the NENW, NWNW, and SWNW, S09 contains both private and public lands, please insert the following language under place of use to clarify this POU such that only private land is intended:

"The place of use does not include federal public lands."

2. Claimant is not authorized to graze public land.
Remove SWNE, S10 from recommendation

FREMONT COUNTY 043
IDAHO FALLS DISTRICT SEC 15

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

SEC 11/5/1907 Adm S Split Creek For Sta
Sec 2: USA

1101502Z FEB 67 1671 ACT OF CONG 7/23/1951)
(555)
SFSN AT 2500 FT SURFACE WGT BY USN
COMPLETED 4/12/1951. ALL VF SURFACE WGT BY USN

[illegible]

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

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USE PLAYS.

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SCALE in Chains

WARNING STATEMENT

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST

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