

COPY

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MAY 26 2005

DEPARTMENT OF
NATURAL RESOURCES

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)
) A. Subcase Number: 21-0116
) (Insert water right number)
Case No. 39576)
)
)
)
)
)
)
)
)
)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: State of Idaho,
Department of Lands
Address: 954 W. Jefferson
P. O. Box 83720
Boise, Idaho 83720-0050
Daytime Phone: (208) 334-0200

Name and Address of Attorney, if any:

Attorney Name: LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER (ISB # 2597)
Deputy Attorney General
Attorney Address: Office of the Attorney General
700 W. Jefferson, Room 210
P.O. Box 44449
Boise, ID 83711-4449
Attorney Phone No. (208) 334-2400

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

Name: Natural Guardian Ltd Partnership
Address: 2880 N 55 W
Idaho Falls, ID 83402

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. ☐ **Points of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: Not applicable.
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: The place of use should exclude lands owned by the State of Idaho, Department of Lands.

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 State of Idaho, Department of Lands, owns lands within the place of use for water right no. 21-0116. The claimant has no authority to develop a water right on these state owned lands. The state owned lands occur in section 12, Twp. 13 N., Rge. 40 E. B.M. and sections 7, 22, 28, & 29, Twp. 13 N., Rge. 41 E. B.M. Maps 1 through 5 are attached hereto and incorporated by reference. Maps 1 through 5 illustrate the area of overlap between the claimed place of use and the state land.

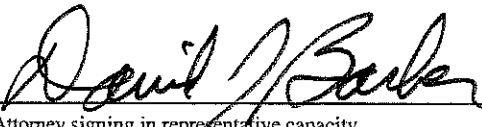
F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

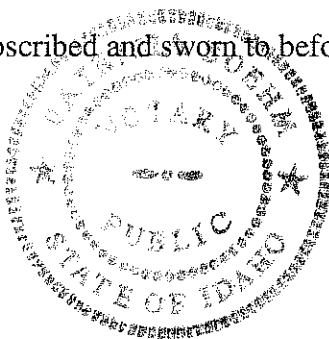
DAVID J. BARBER, Deputy Attorney General, duly sworn, upon oath, deposes and says:

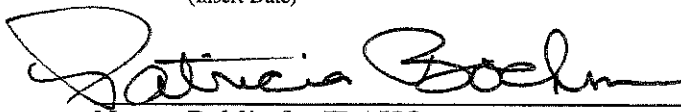
That the State of Idaho, Department of Lands, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Lands, which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on: May 24, 2006
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 11/6/09

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 25, 2006, I caused the original and the copies of this objection, including all attachments, to be served on the following persons by the method designated:

1. Original to:

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

HAND DELIVERY

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

Natural Guardian Ltd Partnership
2880 N 55 W
Idaho Falls, ID 83402

U.S. MAIL

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

STATEHOUSE MAIL

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

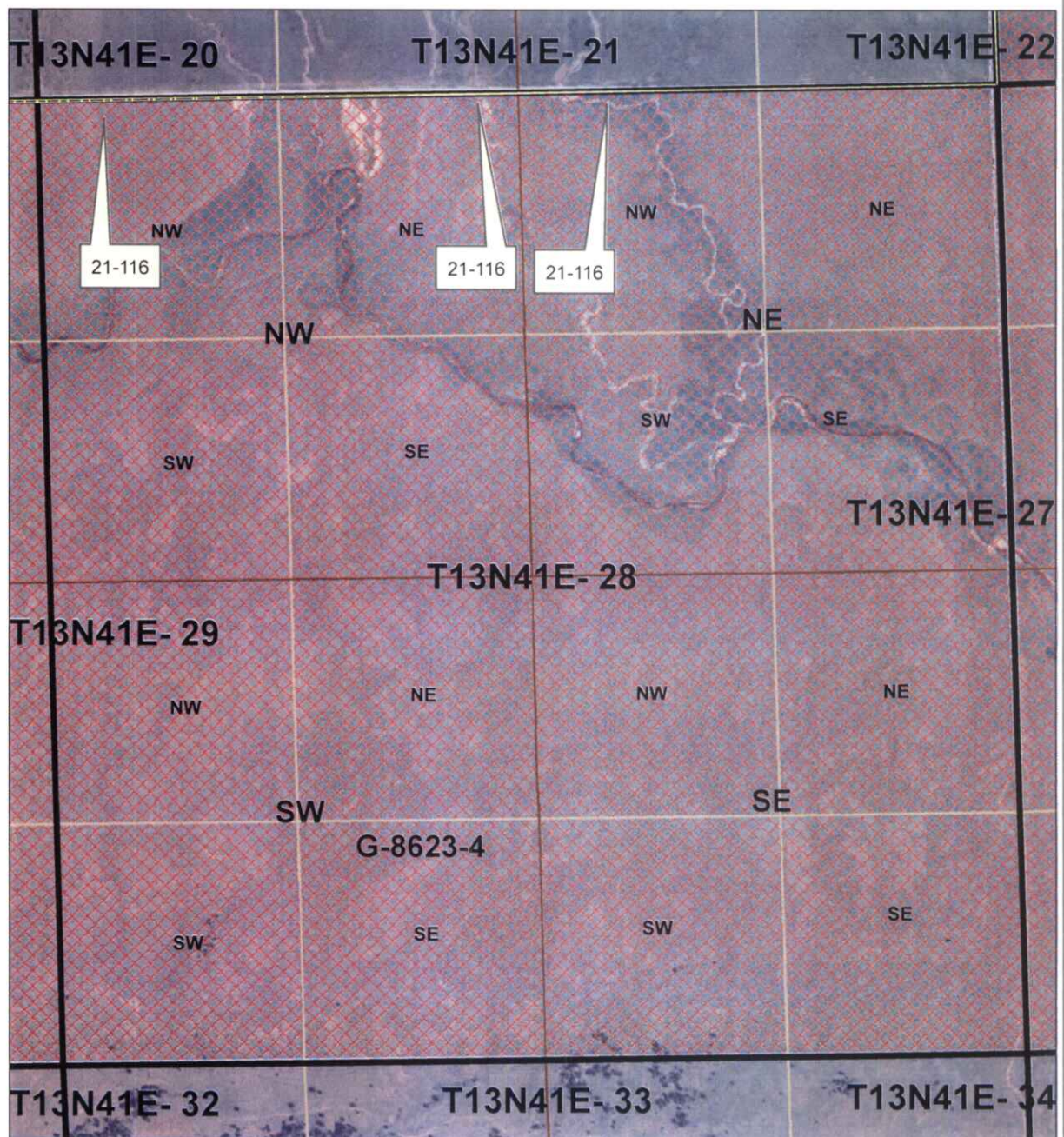
U.S. MAIL

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

(not applicable)



Signature of Objector or attorney
Mailing on Objector's behalf



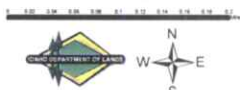
Legend

- ★ Point of Diversion
- Govt Lots
- PlaceOfUse
- Stateland
- Sections
- Quarter
- QuarterQuarter

Place of Use Basin 21 Part 1 Sequence Number 21-116

Map 4 of 5
T13N41E - SEC 28

05/23/2006
Scale 1:10,500



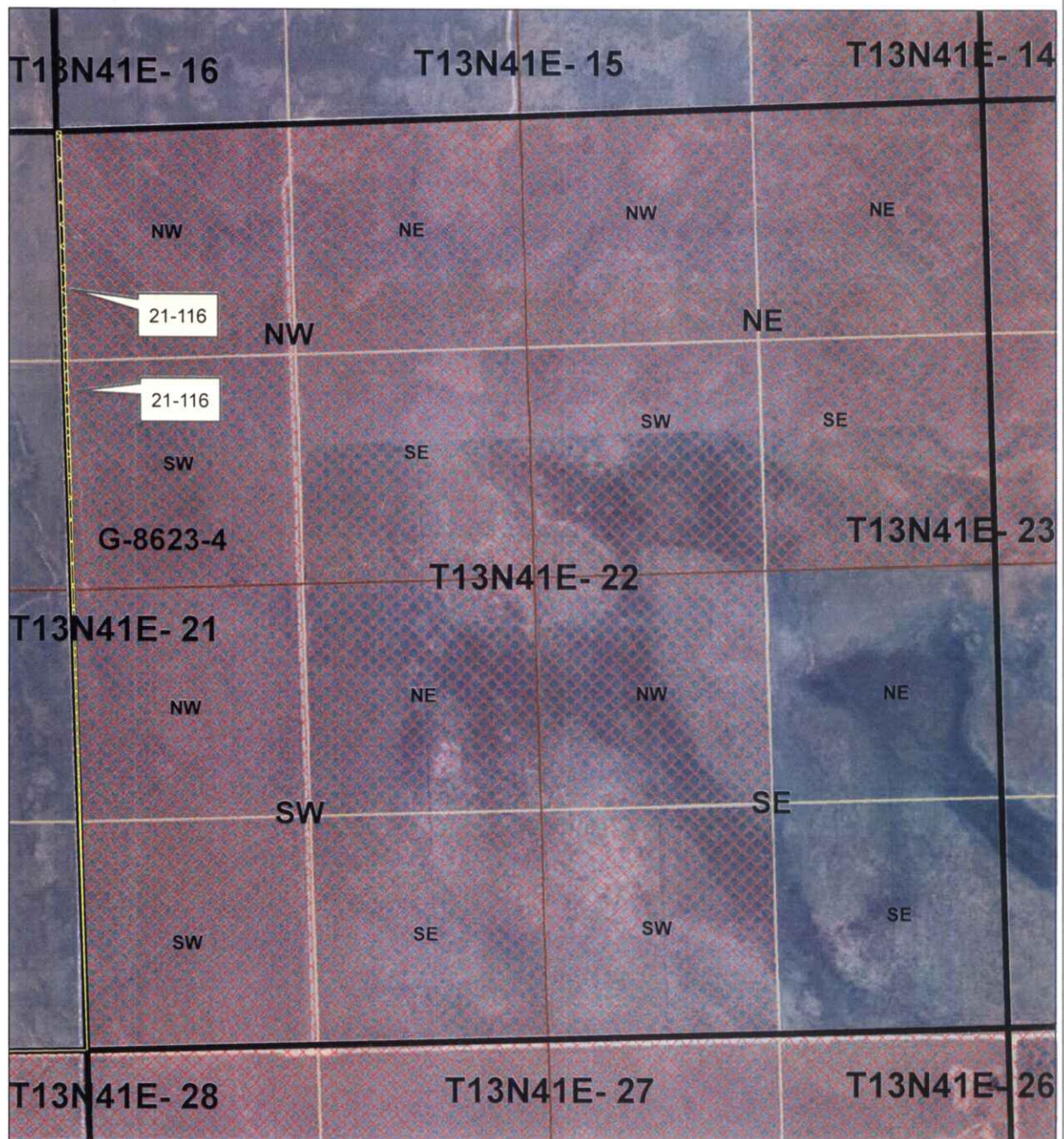
Map Notes

Projection: Idaho Transverse Mercator, NAD 27
Map Notes and Data Sources
Map 4 of 5
Place of Use 21-116 Priority Date 08/09/1902
Idaho Ownership Clearlist 04/24/1902
Grazing Lease: G-8623-4
State Land 10/07/05
IDWR Directors Report POU & POD
Public Land Survey System (PLSS)

Disclaimer:
This map has been compiled using the best information available to the Idaho Department of Lands at the time and may be updated and/or revised without notice. In situations where known accuracy and completeness is required, the user has the responsibility to verify the accuracy of the map and the underlying data sources.

Vicinity Map Basin 21





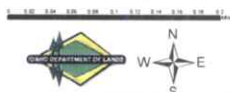
Legend

- ★ Point of Diversion
- Govt Lots
- PlaceOfUse
- Stateland
- Sections
- Quarter
- QuarterQuarter

Place of Use

Basin 21 Part 1
Sequence Number 21-116
Map 3 of 5
T13N41E - SEC 22
 05/23/2006

Scale 1:11,002



Map Notes

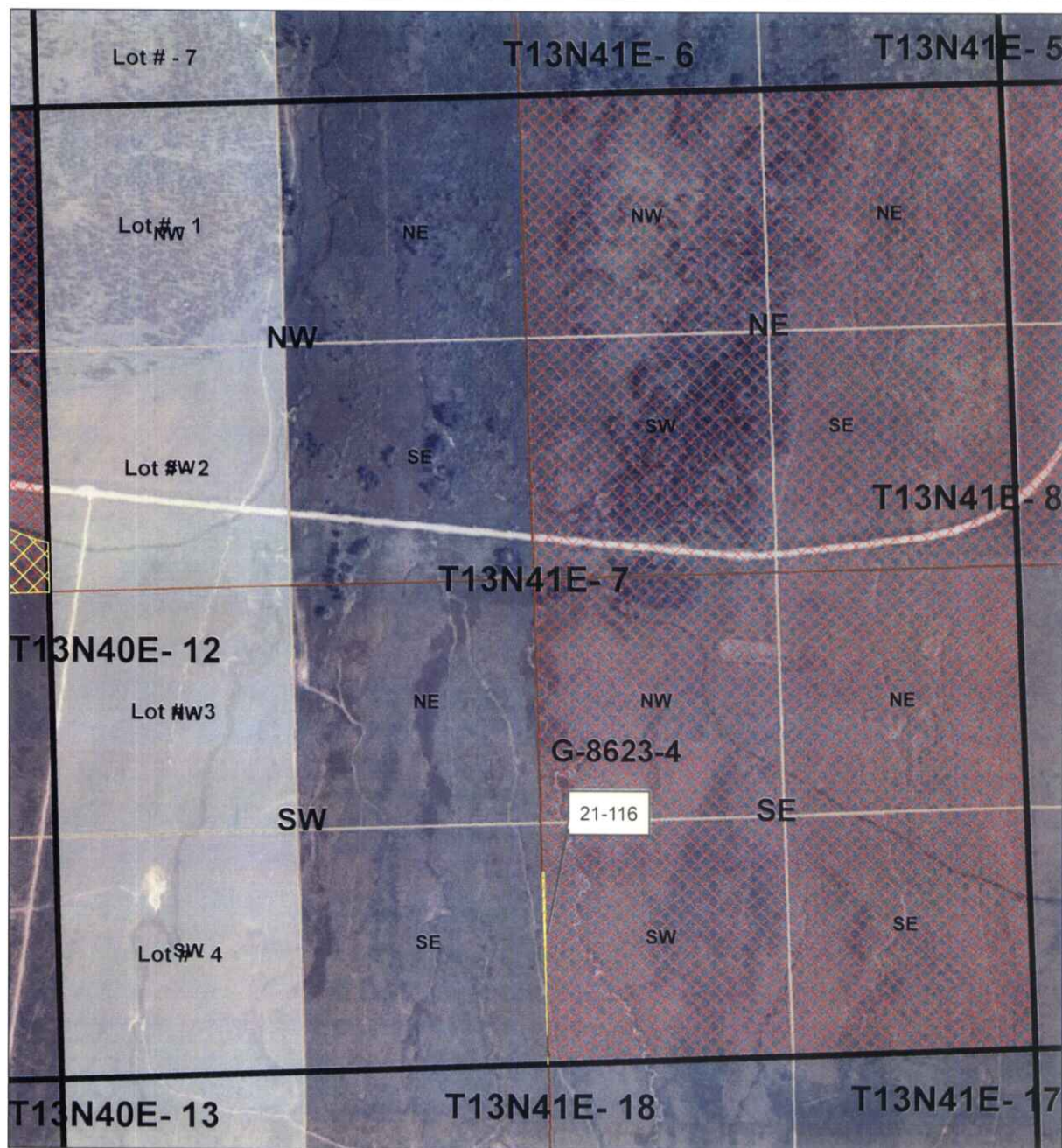
Projection: Idaho Transverse Mercator, NAD 27
 Map Notes and Data Sources
 Map 3 of 5
 Place of Use 21-116 Priority Date 06/09/1902
 Idaho Ownership Clearlist 04/24/1902
 Grazing Lease: G-8623-4
 State Land 10/07/05
 IDWR Directors Report POU & POD
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Vicinity Map

Basin 21





Legend

- ★ Point of Diversion
- Govt Lots
- PlaceOfUse
- Stateland
- Sections
- Quarter
- QuarterQuarter

Place of Use Basin 21 Part 1 Sequence Number 21-116

Map 2 of 5
T13N41E - SEC 07

05/23/2006
Scale 1:10,500



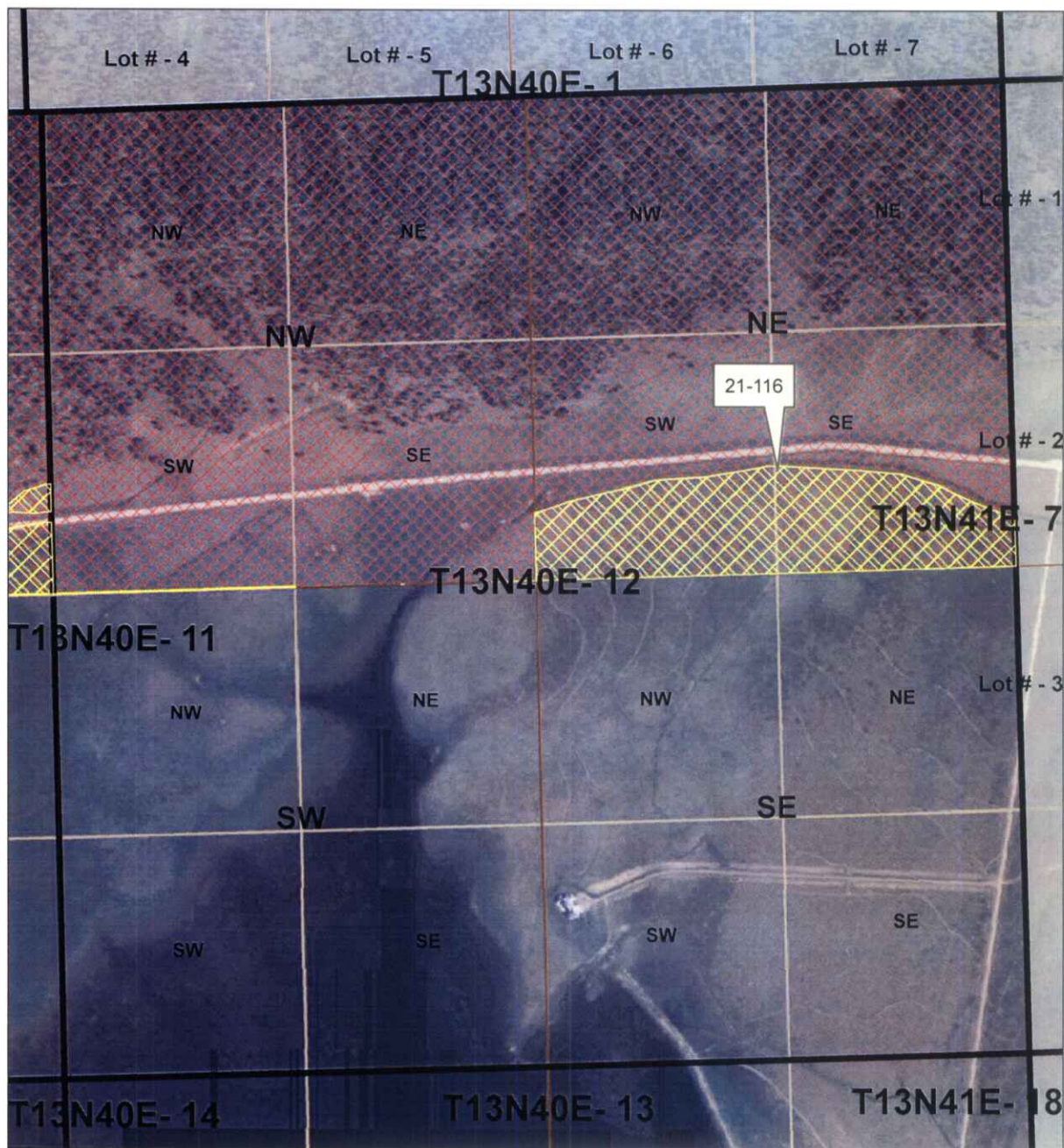
Map Notes

Projection: Idaho Transverse Mercator, NAD 27
Map Notes and Data Sources
Map 2 of 5
Place of Use 21-116 Priority Date 08/09/1902
Idaho Ownership Clearlist 06/09/1908
Grazing Lease: G-8623-4
State Land 10/07/05
IDWR Directors Report POJ & POD
Public Land Survey System (PLSS)

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Vicinity Map Basin 21





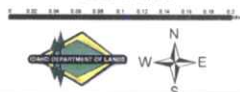
Legend

- ★ Point of Diversion
- Govt Lots
- PlaceOfUse
- Stateland
- Sections
- Quarter
- QuarterQuarter

Place of Use Basin 21 Part 1 Sequence Number 21-116

Map 1 of 5
T13N40E - SEC 12

05/23/2006
Scale 1:10,500



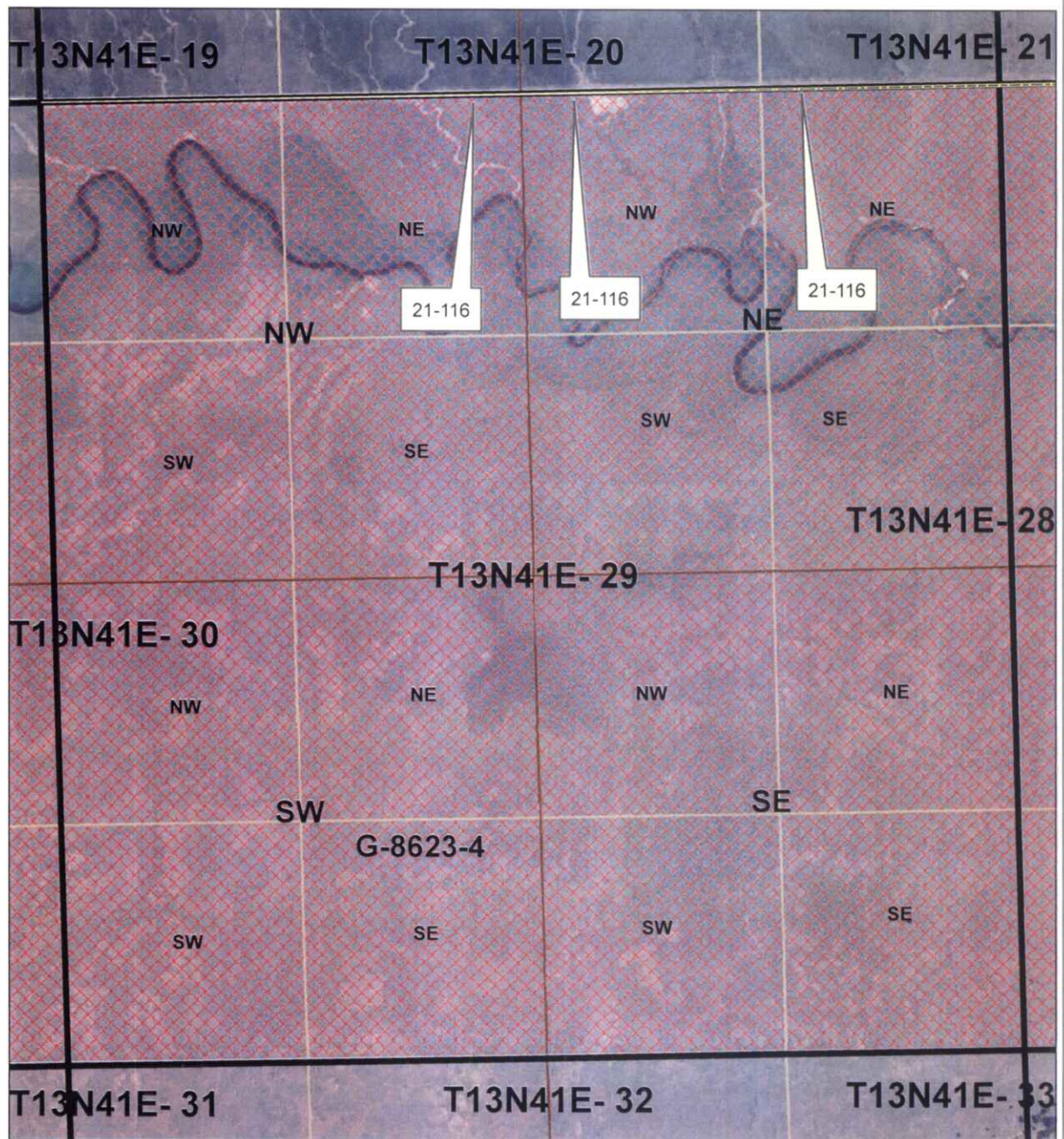
Map Notes

Projection: Idaho Transverse Mercator, NAD 27
Map Notes and Data Sources
Map 1 of 5
Place of Use 21-116 Priority Date 08/09/1902
Idaho Ownership Clearlist 06/09/1908
Grazing Lease: G-8623-4
State Land 10/07/05
IDWR Directors Report POU & POD
Public Land Survey System (PLSS)

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Vicinity Map Basin 21





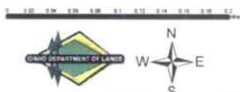
Legend

- ★ Point of Diversion
- Govt Lots
- PlaceOfUse
- Stateland
- Sections
- Quarter
- QuarterQuarter

Place of Use Basin 21 Part 1 Sequence Number 21-116

Map 5 of 5
T13N41E - SEC 29
05/23/2006

Scale 1:10,500



Map Notes

Projection: Idaho Transverse Mercator, NAD 27
Map Notes and Data Sources
Map 5 of 5
Place of Use 21-116 Priority Date 08/09/1902
Idaho Ownership Clearlist 05/09/1908
Grazing Lease: G-8623-4
State Land 10/07/05
IDWR Directors Report POU & POD
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Vicinity Map Basin 21

