

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 21-12906
(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: The Nature Conservancy
Address: 116 1st Ave N; Hailey, Idaho 83333-8411

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: See attached.
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 a portion of the use is claimed. The claimant's use of Federal land for irrigated agricultural use is unauthorized and these POUs should be removed. T

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)

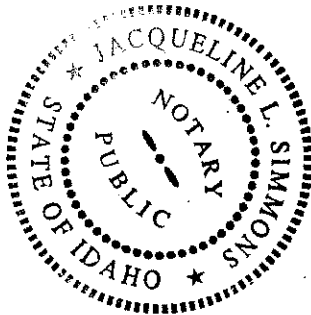
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry A. Brown
(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 24, 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:

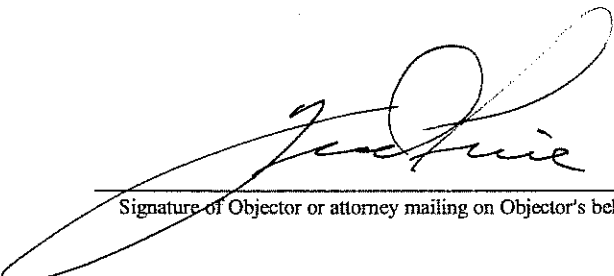
Name: The Nature Conservancy
Address: 116 1st Ave N; Hailey, Idaho 83333-8411
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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: 21-12906

NAME AND ADDRESS: THE NATURE CONSERVANCY
116 1ST AVE N
HAILEY ID 83333-8411

POUs on BLM:

-Claimant is not authorized to farm public lands.

SOURCE: HENRYS FORK

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.140 CFS

The quantity of water under this right for stockwater use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 11/25/1902

POINT OF

DIVERSION: T15N R43E S36 SESESW Within FREMONT County

PURPOSE AND

PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/31	2.140 CFS
STOCKWATER	01/01 12/31	0.230 CFS

PLACE OF USE: IRRIGATION Within FREMONT County

BLM

T14N R43E S01 Lot 1 NENE	40.00	T14N R43E S01 Lot 2 NWNE	38.00
T14N R43E S01 SWNE	37.00	T14N R43E S01 SENE	40.00
T14N R43E S01 Lot 3 NENW	39.00	T14N R43E S01 Lot 4 NWNW	40.00
T14N R43E S01 SWNW	40.00	T14N R43E S01 SENW	40.00
T14N R43E S01 NESW	40.00	T14N R43E S01 SESW	40.00
T14N R43E S01 NESE	40.00	T14N R43E S01 NWSE	38.00
T14N R43E S01 SWSE	40.00	T14N R43E S01 SESE	37.00
T14N R44E S06 Lot 4 NWNW	33.00	T14N R44E S06 Lot 5 SWNW	34.00
T14N R44E S06 NESW	40.00	T14N R44E S06 Lot 6 NWSW	34.00
T14N R44E S06 Lot 7 SWSW	34.00	T14N R44E S06 SESW	40.00
T14N R44E S07 NENE	40.00	T14N R44E S07 NWNE	40.00
T14N R44E S07 SWNE	40.00	T14N R44E S07 SENE	40.00
T14N R44E S07 NENW	40.00	T14N R44E S07 Lot 1 NWNW	19.00
T14N R44E S07 Lot 2 NWNW	9.30	T14N R44E S07 Lot 3 SWNW	28.00
T14N R44E S07 Lot 4 SWNW	4.50	T14N R44E S07 Lot 4 SENW	27.00
T14N R44E S07 Lot 7 SENW	8.90	T14N R44E S07 Lot 6 NESW	1.50
T14N R44E S07 Lot 7 NESW	37.00	T14N R44E S07 Lot 8 NWSW	35.00
T14N R44E S07 Lot 9 SWSW	36.00	T14N R44E S07 SESW	38.00
T14N R44E S07 Lot 5 NESE	37.00	T14N R44E S07 Lot 12 NESE	1.50
T14N R44E S07 Lot 6 NWSE	9.00	T14N R44E S07 Lot 6 NWSE	27.00
T14N R44E S07 Lot 6 NWSE	0.20	T14N R44E S07 Lot 10 NWSE	40.00
T14N R44E S07 Lot 11 SESE	18.00	T14N R44E S07 Lot 12 SESE	8.60
T14N R44E S07 Lot 13 SESE	0.30	T14N R44E S08 Lot 2 SWSW	11.00
T14N R44E S08 Lot 3 SWSW	25.00	T14N R44E S17 Lot 1 NWNW	38.00
T14N R44E S17 Lot 2 NWNW	0.30	T14N R44E S17 Lot 4 NWNW	0.10
T14N R44E S18 Lot 1 NENE	0.20	T14N R44E S18 Lot 1 NENE	0.10
T14N R44E S18 Lot 2 NENE	2.40	T14N R44E S18 Lot 3 NENE	34.00
T14N R44E S18 Lot 8 NENE	0.30		

BLM

BLM

BLM

STOCKWATER Within FREMONT County

	T14N R44E S07	NENE	T14N R44E S07	NWNE	
	T14N R44E S07	SWNE	T14N R44E S07	SENE	
	T14N R44E S07	NENW	T14N R44E S07	NWNW	BLM
Mixed	T14N R44E S07	Lot 4 SWNW	T14N R44E S07	SENW	
	T14N R44E S07	NESW	T14N R44E S07	NWSW	BLM
	T14N R44E S07	SWSW	T14N R44E S07	SESW	
	T14N R44E S07	NESE	T14N R44E S07	NWSE	
	T14N R44E S07	SWSE	T14N R44E S07	SESE	
	T14N R44E S08 Lot 2	SWSW	T14N R44E S08 Lot 3	SWSW	
	T14N R44E S17 Lot 1	NWNW	T14N R44E S17 Lot 2	NWNW	
	T14N R44E S17 Lot 3	NWNW	T14N R44E S17 Lot 4	NWNW	
	T14N R44E S18 Lot 1	NENE	T14N R44E S18 Lot 2	NENE	
	T14N R44E S18 Lot 3	NENE	T14N R44E S18 Lot 7	SENE	
	T14N R44E S18 Lot 8	SENE			

1461.2 ACRES TOTAL

This right is limited to the irrigation of 155 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 1498.2 acres in a single irrigation season. Combined Right Nos. 131-178, 21-179, 21-11182, 21-12906

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.

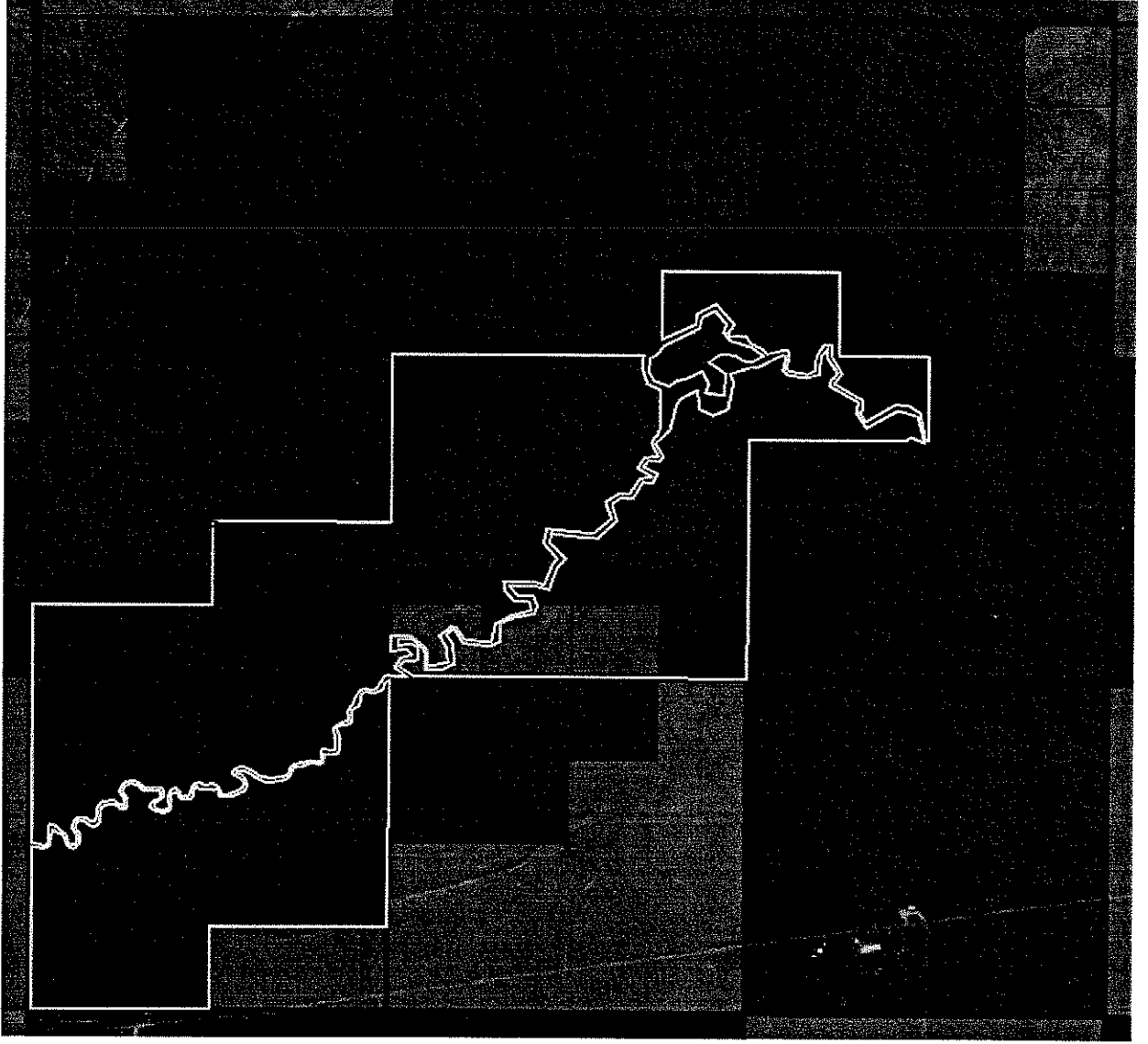
The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THIS RIGHT IS A COMBINATION OF RIGHTS #01-00168 & 01-00178 CHANGE OF OWNERSHIP 5/4/94 SC

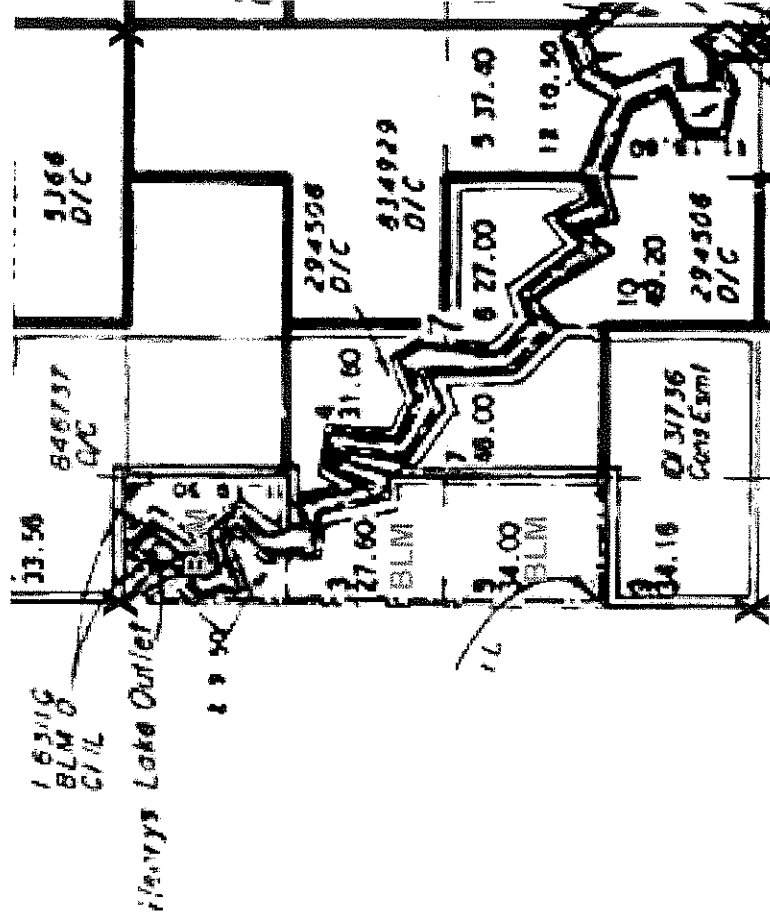
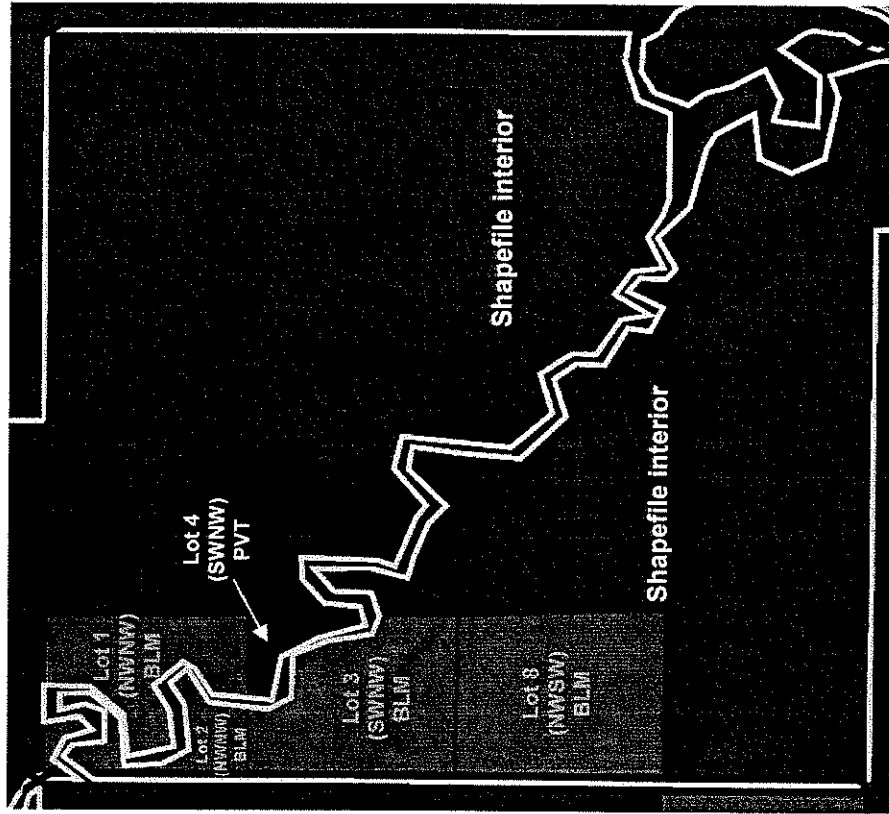
RENUMBERED FROM 01-10380

21-11192, and 21-12906



21-111192, and 21-12906

T14N R44E



- Irrigation POUs: Remove T14N R44E S07 Lot 1 (NWNW), Lot 2 (NWNW), Lot 3 (SWNW), and Lot 8 (NWSW).
- Stockwater POUs: Remove T14N R44E S07 NWNW and NWSW as they are public land. Since T14N R44E S07 SWNW contains both public and private land, clarify SWNW as Lot 4 (SWNW) which is private land.

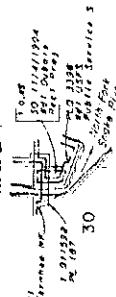
STATUS OF PUBLIC OWNED
LAND AND MINERAL TITLESSTATUS OF PUBLIC OWNED
LAND AND MINERAL TITLES

MONTANA

[illegible]

01532 Set PL 167 last of Cong 7/23/1951
15612/10 painted
all 48 surface water 1953

ENLARGED DIAGRAM
SEC 30 107 1



6-17-80

FOR ORDERS EFFECT TO DISPOSAL OF USE OF
UNIDENTIFIED LANDS REFER TO NEED OF
MISCELLANEOUS DOCUMENTS

10-10-68
10-10-68
10-10-68

055 621-3

8. 10. 1991 6.000
10. 12. 1991 1.000

MS. A. 9. 2. 5. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838

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