

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 69-10040
(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: Wild Horse Ranch Partnership
Address: 1095 Calf Pen Road; Council, Idaho 83612

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 legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land..

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.

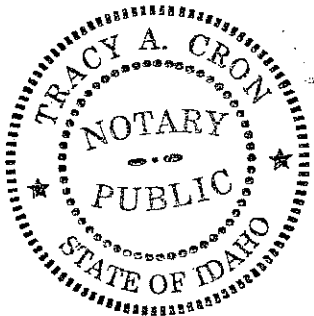
Fredric W. Price
(Signature of person filing objection)

David Noyri for LAB
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

5/24/06

Tracy A. Cron
Tracy A. Cron



Notary Public for State of Idaho

Residing at: Meridian, ID.

My Commission Expires: 08-22-2009

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 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: Wild Horse Ranch Partnership
Address: 1095 Calf Pen Road; Council, Idaho 83612

Name:
Address: ;

Name:
Address: ;

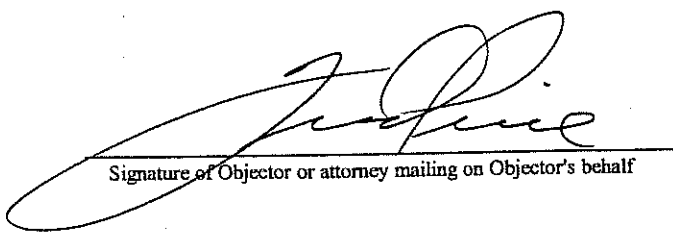
Name:
Address: ;

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

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

RIGHT NUMBER: 69-10040 NAME AND ADDRESS: WILD HORSE RANCH PARTNERSHIP 1095 CALF PEN RD COUNCIL ID 83612 SOURCE: NO BUSINESS CREEK QUANTITY: 0.160 CFS The quantity of water under this right shall not exceed 13,000 gallons per day. PRIORITY DATE: 05/01/1924 POINT OF DIVERSION: T17N R04W S3 SENW Within ADAMS County PURPOSE AND PERIOD OF USE: <table border="0" style="width: 100%;"> <tr> <th style="text-align: left;"><u>PURPOSE OF USE</u></th> <th style="text-align: left;"><u>PERIOD OF USE</u></th> <th style="text-align: left;"><u>QUANTITY</u></th> </tr> <tr> <td>STOCKWATER</td> <td>01/01 12/31</td> <td>0.160 CFS</td> </tr> </table> PLACE OF USE: <u>STOCKWATER Within ADAMS County</u> <table border="0" style="width: 100%;"> <tr> <td style="width: 33%;">T17N R04W S03</td> <td style="width: 33%;">NWNE</td> <td style="width: 33%;">T17N R04W S03</td> <td style="width: 33%;">NENW</td> </tr> <tr> <td>T18N R04W S34</td> <td>SESW</td> <td>T18N R04W S34</td> <td>SWSE</td> </tr> </table>	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>	STOCKWATER	01/01 12/31	0.160 CFS	T17N R04W S03	NWNE	T17N R04W S03	NENW	T18N R04W S34	SESW	T18N R04W S34	SWSE	Mixed POU: -The Place of Use identified below contains both private and public lands. -Clarify such that it is clear only private land is intended. TRIBUTARY: WILDHORSE RIVER
<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>													
STOCKWATER	01/01 12/31	0.160 CFS													
T17N R04W S03	NWNE	T17N R04W S03	NENW												
T18N R04W S34	SESW	T18N R04W S34	SWSE												

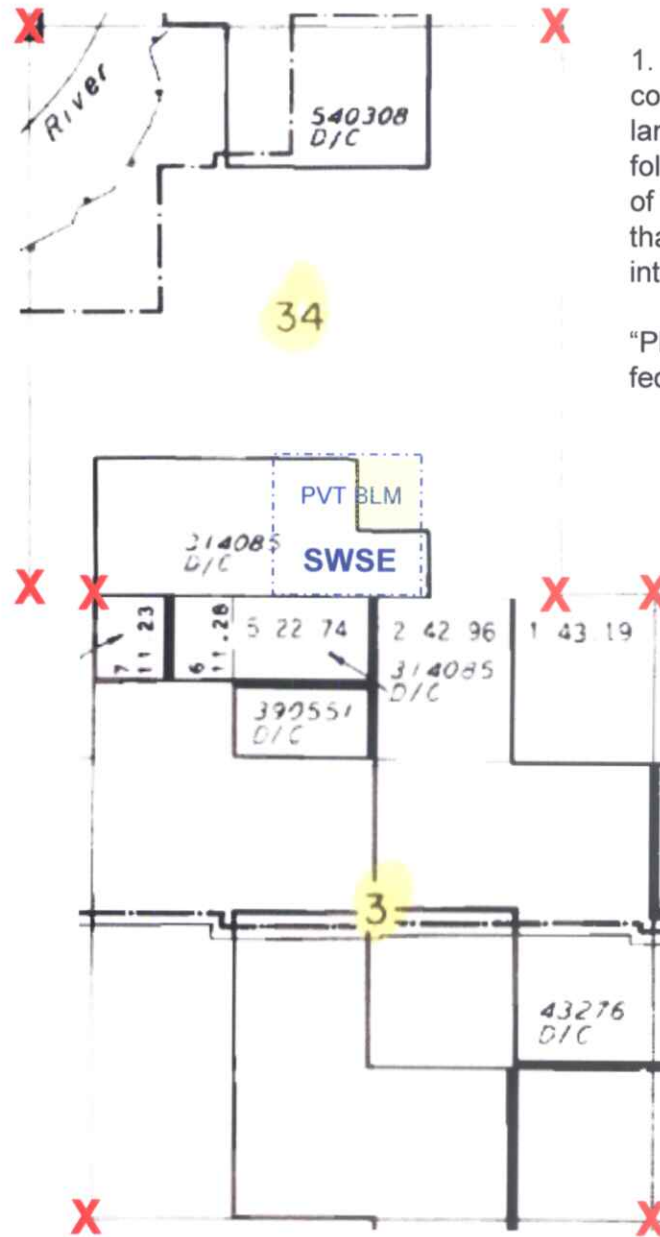
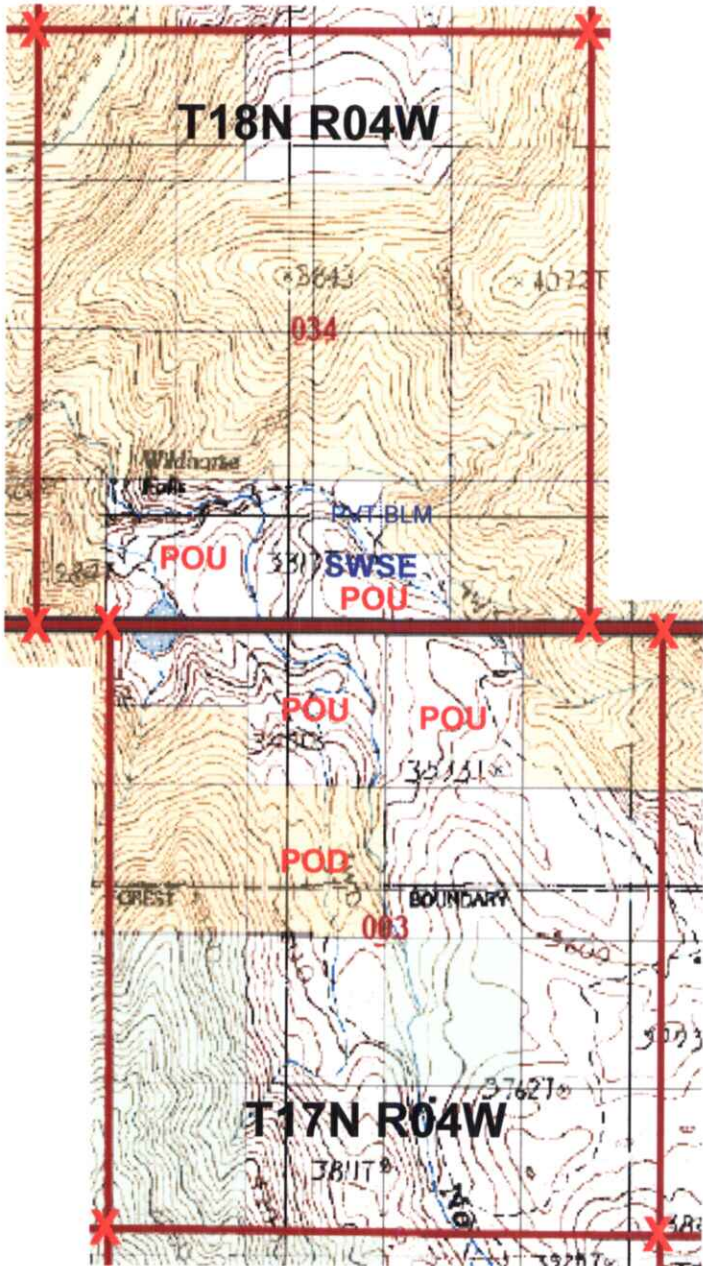
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

69-10040



1. Since the SWSE S34 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:

“Place of use does not include federal public lands.”

ADAMS COUNTY 003
BOISE DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

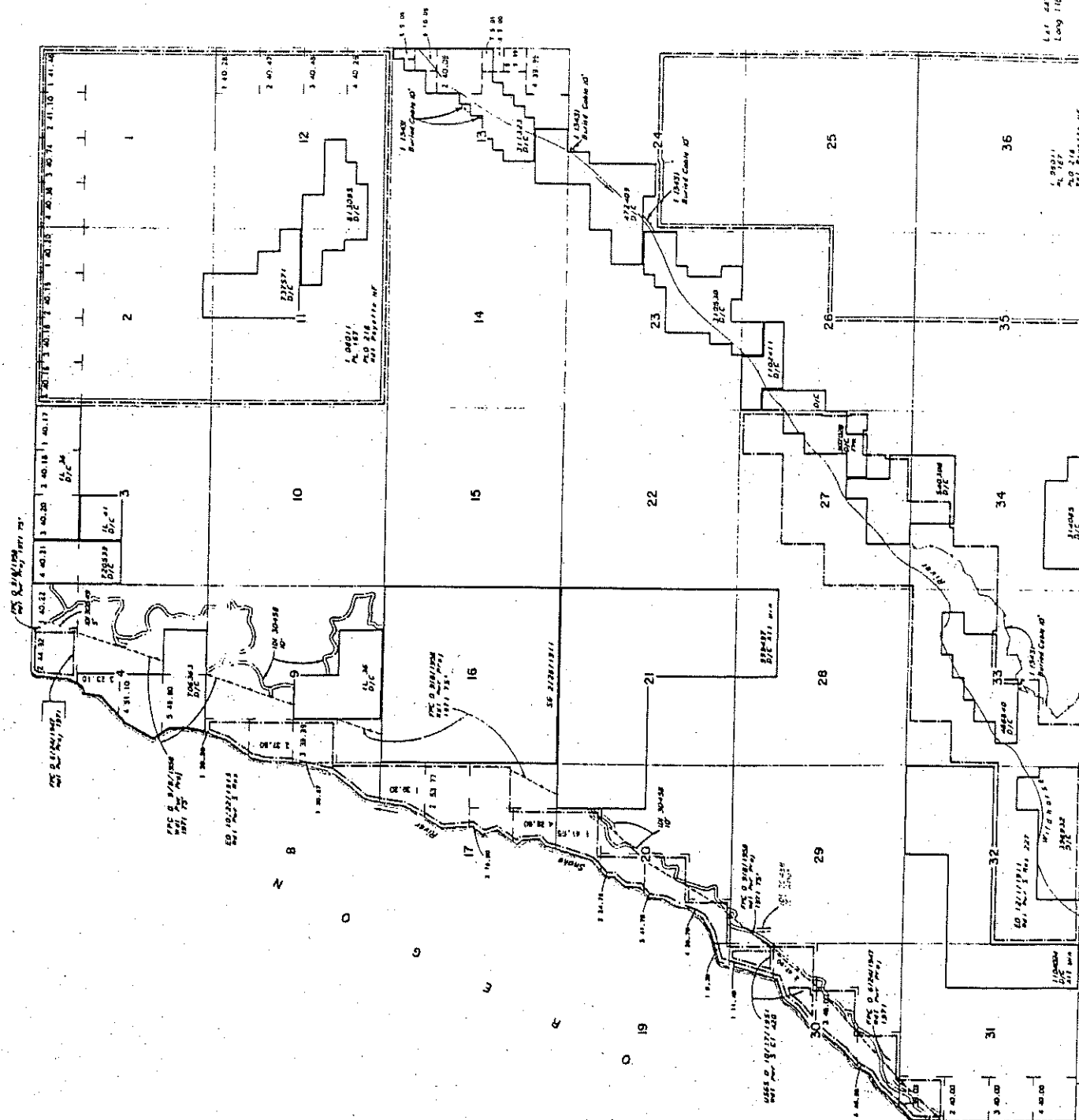
[illegible]

FBI 0 6/24/1971
 SAC 30: Eagle Island (unsurveyed)

1 CB011 Det PL 167 (Act of Cong 7/22/1955)
completed 8/22/1962 All RF surface mounted by USSF

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

COMPANY TO	COMPANY TO
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E 025 17815.13 26.10.04

STATUS-OF PUBLIC-DOMAIN
LAND AND MINERAL TITLESMT PLAT[illegible]

1 09012 Get PL 157 (Act of Cong 7/23/1955)
complete 4/4/1951. All of surface water by USFS

10301 E 9167 AVE # 201
1551/ET/1 BUNGALOW
SASH AT JAWA BUNGALOW IN THE

CURRENT TO	CURRENT TO
USE PLATS	

8,500 511 ECU
N.500 80 100