

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 69-10565  
(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: United States of America  
Address: 1387 South Vinnell Way; Boise, ID 83709-1657  
Name: Bureau of Land Management  
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:

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 land wherein lies this claim has been patented (# 11-93-0007) to the State of Idaho on 11-13-1992. BLM will seek Voluntary Dismissal of this claim with prejudice if the State does not wish to take possession of it.

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)

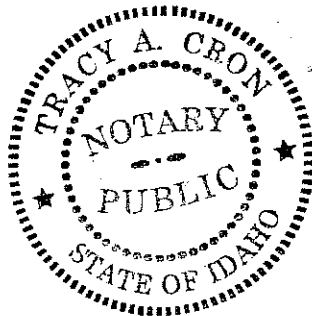
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

*Fredric W. Price*  
(Signature of person filing objection)

*David Nagai 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: United States of America  
Address: 1387 South Vinnell Way; Boise, ID 83709-1657  
Name: Bureau of Land Management  
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

03/21/2006

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

RIGHT NUMBER: 69-10565

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE ID 83709-1657

SOURCE: POND

TRIBUTARY: SINKS

QUANTITY: 0.070 CFS  
0.10 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 01/01/1887

POINT OF

DIVERSION: T16N R05W S9 NESESW Within WASHINGTON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>   | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-------------------------|----------------------|-----------------|
| STOCKWATER STORAGE      | 1/01 12/31           | 0.10 AFY        |
| STOCKWATER FROM STORAGE | 1/01 12/31           | 0.10 AFY        |
| STOCKWATER              | 1/01 12/31           | 0.070 CFS       |

PLACE OF USE: STOCKWATER Within WASHINGTON County

T16N R05W S09 SESW

STOCKWATER STORAGE Within WASHINGTON County

T16N R05W S09 SESW

STOCKWATER FROM STORAGE Within WASHINGTON County

T16N R05W S09 SESW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

BLM RECORD ID = 6901481220

Stockwater use is for 286 range cattle

# The United States of America

To all to whom these presents shall come, Greeting:

IDI-27201

## WHEREAS

### State of Idaho

is entitled to a land patent pursuant to the Act of October 21, 1976 (Section 206, 90 Stat. 2756; 43 U.S.C. 1716) for the following described lands:

#### Boise Meridian, Idaho

T. 16 N., R. 4 W.,  
sec. 8, NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
sec. 17, NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
sec. 18, E $\frac{1}{2}$ NE $\frac{1}{4}$ .

T. 16 N., R. 5 W.,  
sec. 2, lot 3;  
sec. 4, NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
sec. 5, N $\frac{1}{2}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
sec. 6, lots 1, 5, and 6;  
sec. 8, SE $\frac{1}{4}$ NE $\frac{1}{4}$  and E $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
sec. 9, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
sec. 10, SW $\frac{1}{4}$ ;  
sec. 11, NE $\frac{1}{4}$ ;  
sec. 15, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
sec. 19, lots 3 and 4 and E $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
sec. 21, NW $\frac{1}{4}$ NE $\frac{1}{4}$  and N $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
sec. 23, SE $\frac{1}{4}$ NW $\frac{1}{4}$  and E $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
sec. 24, E $\frac{1}{2}$ NW $\frac{1}{4}$ .

T. 16 N., R. 6 W.,  
sec. 1, NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
sec. 10, E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
sec. 14, S $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
sec. 23, SE $\frac{1}{4}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ ;  
sec. 24, SW $\frac{1}{4}$  and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
sec. 25, W $\frac{1}{2}$ ;  
sec. 26, N $\frac{1}{2}$  and N $\frac{1}{2}$ S $\frac{1}{2}$ ;  
sec. 27, NW $\frac{1}{4}$ NW $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
sec. 28, SE $\frac{1}{4}$ NE $\frac{1}{4}$  and NE $\frac{1}{4}$ SE $\frac{1}{4}$ .

T. 17 N., R. 4 W.,  
sec. 6, lots 6 and 7 and E $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
sec. 7, lots 1 and 2, E $\frac{1}{2}$ NW $\frac{1}{4}$  and NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
sec. 18, lots 1, 3, and 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and E $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
sec. 19, lots 1 and 5, E $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , and N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ .

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T. 17 N., R. 5 W.,

sec. 1, E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
sec. 11, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
sec. 12, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
sec. 13, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and N $\frac{1}{2}$ S $\frac{1}{2}$ ;  
sec. 14, E $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
sec. 23, NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
sec. 24, E $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
sec. 25, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
sec. 27, SW $\frac{1}{4}$ NE $\frac{1}{4}$  and NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
sec. 28, E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$  and S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
sec. 32, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
sec. 34, S $\frac{1}{2}$ ;  
sec. 35, SE $\frac{1}{4}$ SE $\frac{1}{4}$ .

Containing 6,221.70 acres.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES, unto the above-named claimant the lands above described; TO HAVE AND TO HOLD the said lands with all the rights, privileges, immunities, and appurtenances of whatsoever nature, thereunto belonging, unto the said claimant, its successors and assigns, forever;

EXCEPTING AND RESERVING TO THE UNITED STATES:

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States. Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945.
2. The right to itself, its permittee or licensee, to enter upon, occupy and use, any part or all of the E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ SW $\frac{1}{4}$ , sec. 1; S $\frac{1}{2}$ NW $\frac{1}{4}$  and N $\frac{1}{2}$ SW $\frac{1}{4}$ , sec. 12; SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and N $\frac{1}{2}$ SE $\frac{1}{4}$ , sec. 13; SE $\frac{1}{4}$ NE $\frac{1}{4}$ , sec. 24; and SE $\frac{1}{4}$ NE $\frac{1}{4}$ , sec. 25, T. 17 N., R. 5 W., Boise Meridian, lying within 50 feet of the center line of the transmission line right-of-way of the Idaho Power Company Project No. 1971 authorized by Federal Power Commission Order dated September 15, 1958, for the purposes set forth in and subject to the conditions and limitations of Section 24 of the Federal Power Act of June 10, 1920, as amended (16 U.S.C. 818).
3. The right to itself, its permittee or licensee, to enter upon, occupy and use, any part or all of the E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , sec. 1; SW $\frac{1}{4}$ NW $\frac{1}{4}$  and NW $\frac{1}{4}$ SW $\frac{1}{4}$ , sec. 12; S $\frac{1}{2}$ NW $\frac{1}{4}$  and N $\frac{1}{2}$ SW $\frac{1}{4}$ , sec. 13; and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ , sec. 25, T. 17 N., R. 5 W., Boise Meridian, lying within 75 feet of the center line of the transmission line right-of-way of the Idaho Power Company Project No. 1971 authorized by Federal Power Commission Order dated September 26, 1963, for the purposes set forth in and subject to the conditions and limitations of Sec. 24 of the Federal Power Act of June 10, 1920, as amended (16 U.S.C. 818).

Patent Number 11-93-0007

IDI-27201

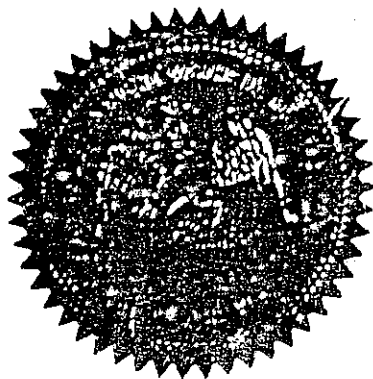
4. A right-of-way for that road noted under serial number IDI-011571 and all appurtenances thereto, constructed by the United States through, over, or upon the land so patented, and the right of the United States, its agents or employees, to maintain, operate, repair or improve the same so long as needed or used for or by the United States.

SUBJECT TO:

1. Those rights for telephone line purposes granted to Cambridge Telephone Company, its successors or assigns, by Right-of-Way No. IDI-13431, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761), as to the NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , sec. 11; NW $\frac{1}{4}$ NE $\frac{1}{4}$ , sec. 14; and NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and E $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , sec. 23, T. 17 N., R. 5 W., Boise Meridian.
2. Those rights for highway purposes granted to the Idaho Department of Transportation, its successors or assigns, by Right-of-Way No. IDI-08581, pursuant to the Act of November 9, 1921 (42 Stat. 212), as to the NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , sec. 11; NW $\frac{1}{4}$ NE $\frac{1}{4}$ , sec. 14; and NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and E $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , sec. 23, T. 17 N., R. 5 W., Boise Meridian.

SUBJECT TO THE FOLLOWING:

The patentee covenants and agrees to preserve and maintain all ruts and related evidence in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and E $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , sec. 23, T. 17 N., R. 5 W., to preserve the historic character of the Oregon Trail North Alternate.



IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Boise, Idaho  
the THIRTIETH day of NOVEMBER  
in the year of our Lord one thousand nine hundred and  
NINETY-TWO and of the Independence of the  
United States the two hundred and SEVENTEENTH

By L. F. Zed  
Deputy State Director for Operations

TOWNSHIP 16 NORTH RANGE 5 WEST OF THE BOISE MERIDIAN, IDAHO

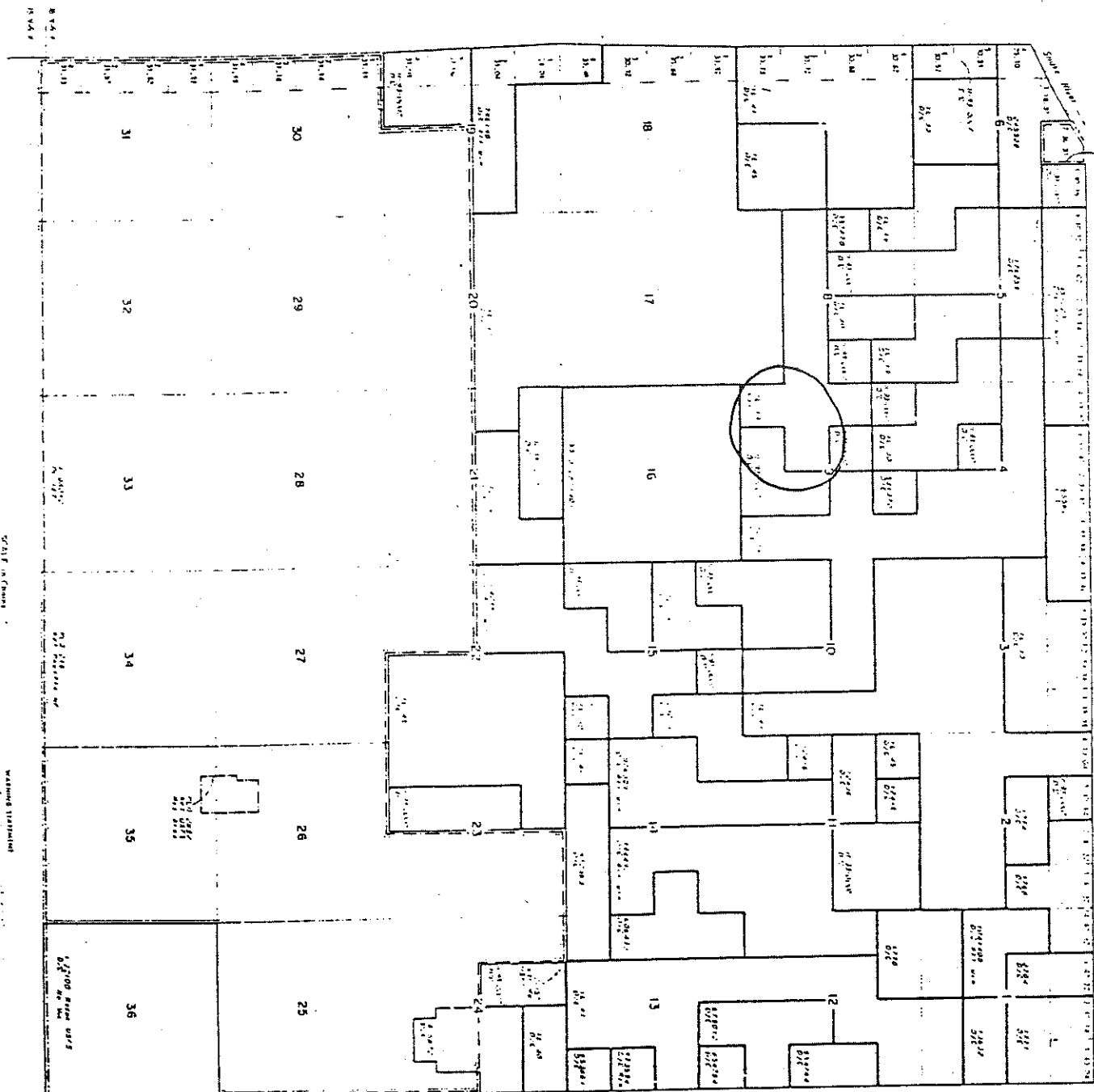
WASHINGTON COUNTY OUT  
AND DISTRICT NO. 3

STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL TITLES

MT PLAT

| INDEX TO SEGREGATED TRACTS |         |            |       |
|----------------------------|---------|------------|-------|
| TRACT NO.                  | SECTION | SUBSECTION | OWNER |
| 1                          | 1       | 1          |       |
| 2                          | 1       | 2          |       |
| 3                          | 1       | 3          |       |
| 4                          | 1       | 4          |       |
| 5                          | 1       | 5          |       |
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| 35                         | 1       | 35         |       |
| 36                         | 1       | 36         |       |

LANDS SEG. BY ACT OF CONG. (1862-1894)  
EXCEPTED BY ACT OF CONG. (1894-1906)



FOR OTHER EFFECTING BENEFICIAL USE OF  
LANDS AND MINERAL RIGHTS IN MOUNTAIN  
DISTRICTS OF IDAHO

| SECTION | OWNER |
|---------|-------|
| 1       |       |
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| 35      |       |
| 36      |       |

Scale of Feet

Surveyed

Scale