

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 69-11512
(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: Magness Racing Ventures, Inc.
Address: 4343 S. Holly St.; Englewood, CO. 80111

Name: c/o Sharon Magness-Blake

Address: ;

Name: Rocking M Cattle Co.

Address: 5360 N. Franklin St.; Denver, CO. 80216

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 a portion of the use is claimed. The stream source claimed does not pass through the public land recommended. 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)

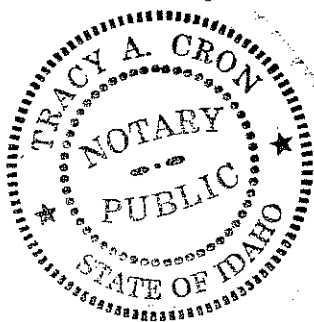
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

David Mcginnis for LAR
(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: Magness Racing Ventures, Inc.
Address: 4343 S. Holly St.; Englewood, CO. 80111
Name: c/o Sharon Magness-Blake
Address: ;
Name: Rocking M Cattle Co.
Address: 5360 N. Franklin St.; Denver, CO. 80216
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: 69-11512

NAME AND ADDRESS: MAGNESS RACING VENTURES INC
ATTN SHARON MAGNESS BLAKE
4343 S HOLLY ST
ENGLEWOOD CO 80111

ROCKING M CATTLE CO
C/O ROY M MOORE
5360 N FRANKLIN ST
DENVER CO 80216

POU on BLM:

-The Place of Use identified below does not
have an instream stockwater source.

SOURCE: RAFT CREEK
UNNAMED STREAM

TRIBUTARY: SNAKE RIVER
TRIBUTARY: RAFT CREEK

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 12/31/1900

POINT OF
DIVERSION:

T14N R06W S5 SWNE Begin of Stream Flow Within WASHINGTON County
T15N R06W S27 SWNE Begin of Stream Flow Within WASHINGTON County
T15N R06W S27 NWNW Begin of Stream Flow Within WASHINGTON County
T15N R06W S27 NESW End of Stream Flow Within WASHINGTON County
T15N R06W S27 SWSE Begin of Stream Flow Within WASHINGTON County
T15N R06W S28 SWSW End of Stream Flow Within WASHINGTON County
T15N R06W S28 SESW Begin of Stream Flow Within WASHINGTON County
T15N R06W S28 SESW End of Stream Flow Within WASHINGTON County
T15N R06W S28 SESE End of Stream Flow Within WASHINGTON County
T15N R06W S29 SWSE End of Stream Flow Within WASHINGTON County
T15N R06W S31 NESE End of Stream Flow Within WASHINGTON County
T15N R06W S32 SENE Begin of Stream Flow Within WASHINGTON County
T15N R06W S32 SENW End of Stream Flow Within WASHINGTON County
T15N R06W S32 SWSW End of Stream Flow Within WASHINGTON County
T15N R06W S33 SWSW Begin of Stream Flow Within WASHINGTON County
T15N R06W S34 NENW Begin of Stream Flow Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE:

STOCKWATER Within WASHINGTON County

T14N R06W S04 Lot 3 NENW	T14N R06W S04 Lot 4 NWNW
T14N R06W S05 Lot 1 NENE	T14N R06W S05 Lot 2 NWNE
T14N R06W S05 SWNE	T14N R06W S05 SENE
T14N R06W S05 Lot 3 NENW	T14N R06W S05 Lot 4 NWNW
T14N R06W S05 SWNW	T14N R06W S05 SENW
T15N R06W S27 NWNE	T15N R06W S27 SWNE
T15N R06W S27 SENE	T15N R06W S27 NENW
T15N R06W S27 NWNW	T15N R06W S27 SWNW
T15N R06W S27 SENW	T15N R06W S27 NESW

	T15N R06W S27	NWSW	T15N R06W S27	SWSW
	T15N R06W S27	SESW	T15N R06W S27	NESE
	T15N R06W S27	NWSE	T15N R06W S27	SWSE
	T15N R06W S27	SESE	T15N R06W S28	NENE
	T15N R06W S28	NWNE	T15N R06W S28	SWNE
	T15N R06W S28	SENE	T15N R06W S28	SWNW
	T15N R06W S28	SENW	T15N R06W S28	NESW
	T15N R06W S28	NWSW	T15N R06W S28	SWSW
	T15N R06W S28	SESW	T15N R06W S28	NESE
	T15N R06W S28	NWSE	T15N R06W S28	SWSE
	T15N R06W S28	SESE	T15N R06W S29	NESE
	T15N R06W S29	NWSE	T15N R06W S29	SWSE
	T15N R06W S29	SESE	T15N R06W S31	NESE
	T15N R06W S32	NENE	T15N R06W S32	NWNE
	T15N R06W S32	SENE	T15N R06W S32	NENW
BLM	T15N R06W S32	NWNW	T15N R06W S32	SWNW
	T15N R06W S32	SENW	T15N R06W S32	SWSW
	T15N R06W S32	SESW	T15N R06W S32	NESE
	T15N R06W S32	NWSE	T15N R06W S32	SWSE
	T15N R06W S32	SESE	T15N R06W S33	NENE
	T15N R06W S33	NWNE	T15N R06W S33	NWNW
	T15N R06W S33	NESW	T15N R06W S33	SWSW
	T15N R06W S33	SESW	T15N R06W S33	NESE
	T15N R06W S33	NWSE	T15N R06W S34	NENE
	T15N R06W S34	NWNE	T15N R06W S34	SWNE
	T15N R06W S34	SENE	T15N R06W S34	NENW
	T15N R06W S34	NWNW		

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.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

69-11512

T 15 NR 06 W

T 14 NR 06 W

B-POD
POU = Begging of
stream flow and
Place of Use

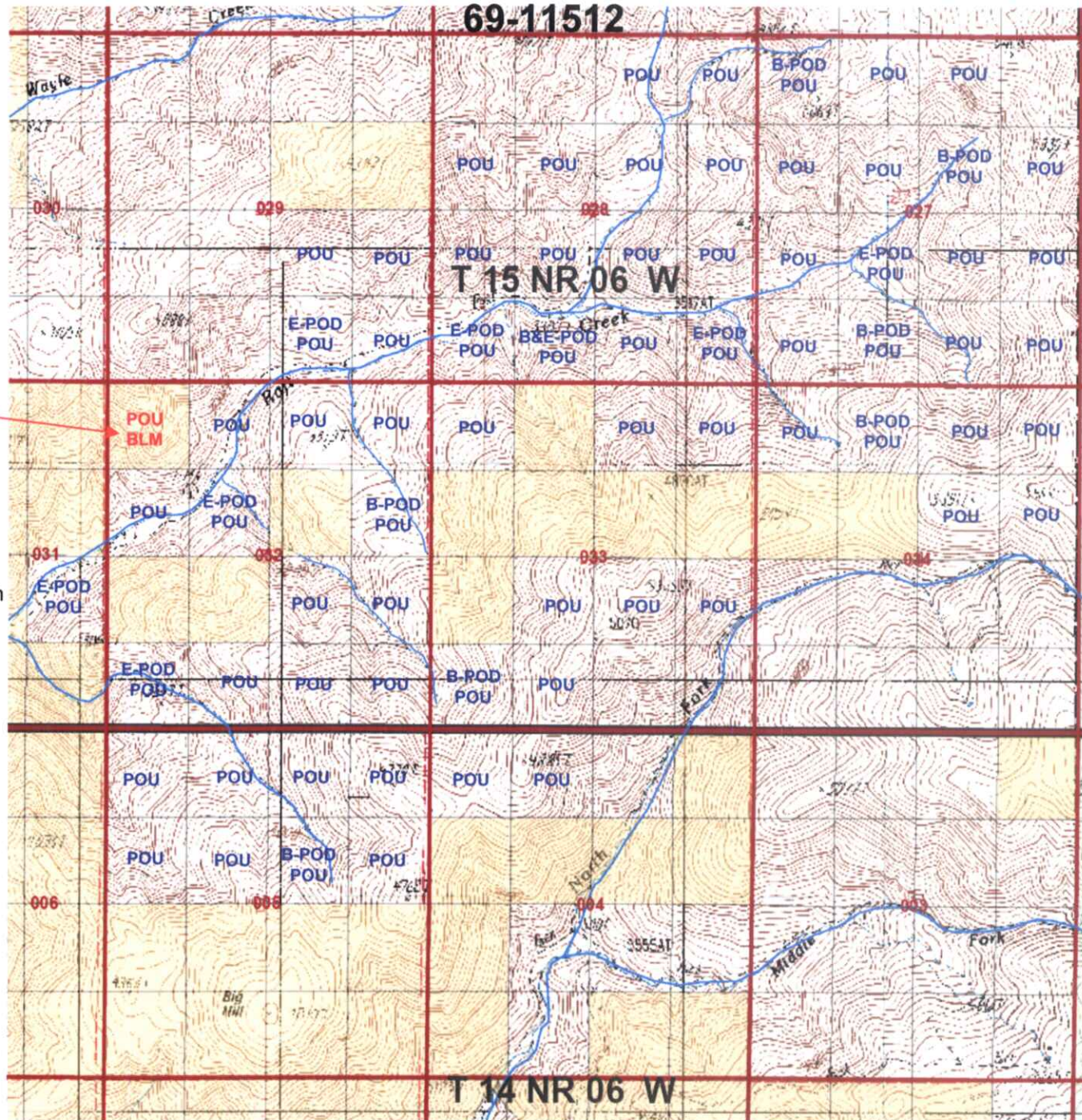
E-POD
POU = End of
stream flow and
Place of Use

B&E-POD
POU = Begin & End
of stream flow and
Place of Use

POU – Place of Use

POU
BLM = Place of Use on
public land

-Public land NWNW,
S31 has no instream
stockwater source –
remove NWNW, S31
from recommendation



STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

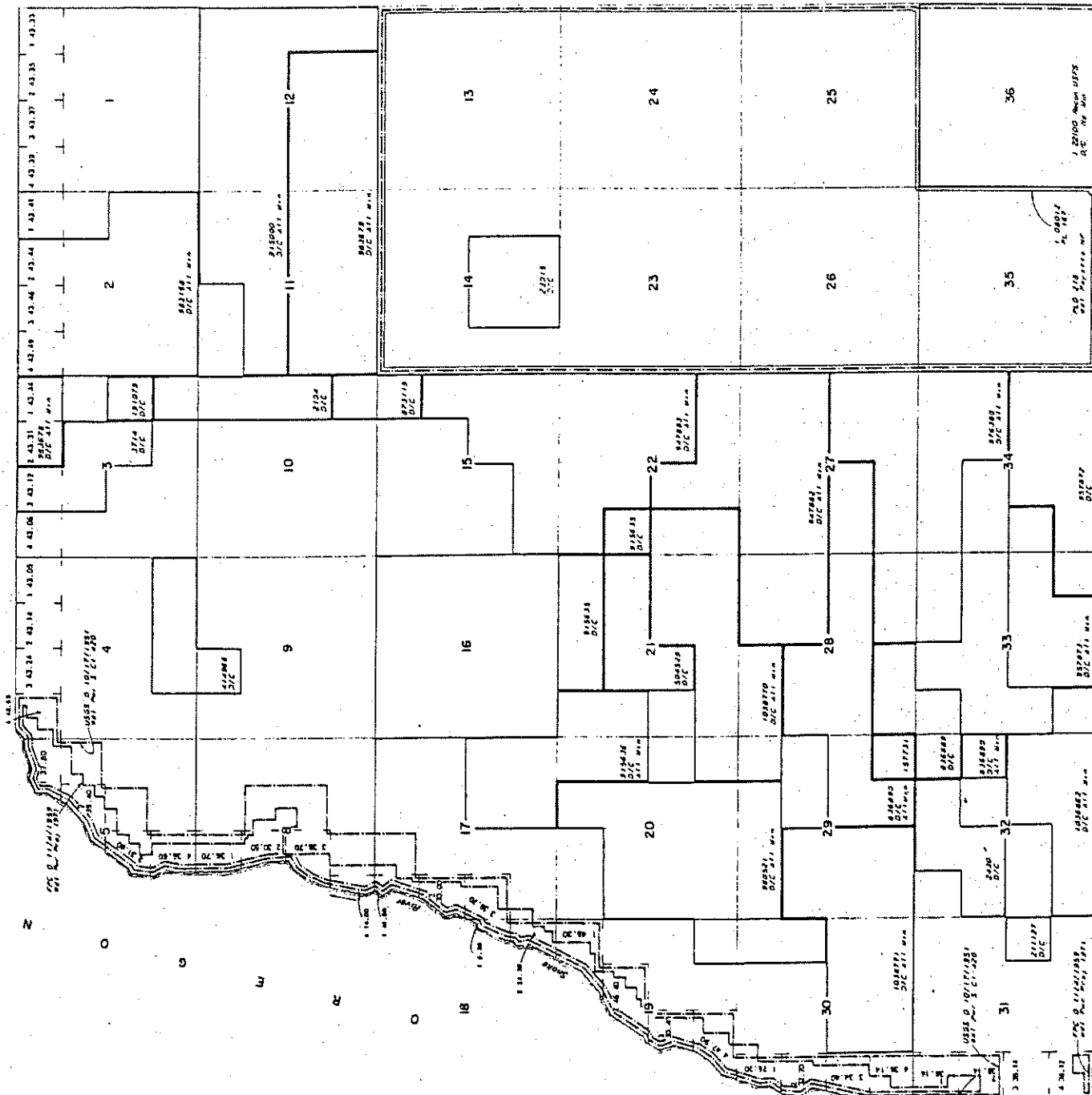
100012 Per PL 857 Act of Cong 7/23/19551
completed 4/4/1961. All HF surface mount by USFS

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

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MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
APR 1 1974	

USE PLATE



Lat. 25° 58' N Long. 117° 01' W