

COPY

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MAY 26 2005

DEPARTMENT OF
WATER 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)

Case No. 39576)

A. Subcase Number: 69-10084

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: State of Idaho, Department of Fish & Game
Address: 700 W. Jefferson, Room 210
P.O. Box 25
Boise, Idaho 83707

Daytime Phone: (208) 334-2400

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: State of Idaho
Dept of Fish & Game
Address: PO Box 25
Boise ID 83707

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: Please see attached water right description.
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point(s) of diversion**
Should be: Please see attached water right description.
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: Please see attached water right description.

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):

2. Source

The Director's Report does not describe the source correctly. In addition, the Director's Report includes points of diversion and places of use that are outside administrative basin no. 69.

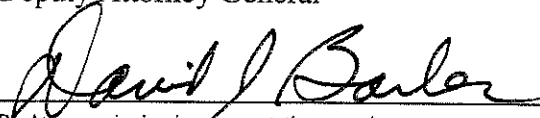
F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

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

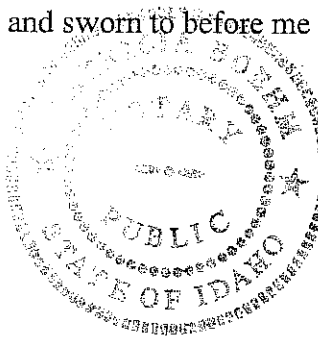
That the State of Idaho, Department of Fish and Game, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Fish and Game which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (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 25, 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:

State of Idaho
Department of Fish and Game
Statehouse Mail
600 S. Walnut St.
P.O. Box 25
Boise, ID 83707

STATEHOUSE MAIL

3. Copies to:

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

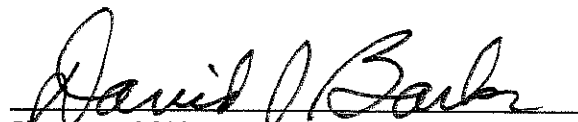
STATEHOUSE MAIL

United States Department of Justice
Environment and Natural Resource Division
550 W. 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

RIGHT NUMBER: 69-10084

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF FISH & GAME
PO Box 25
Boise, ID 83707

SOURCE: LONG GULCH CREEK TRIBUTARY: EAST BROWNLEE CREEK
~~PINE CREEK~~ TRIBUTARY: ~~WEISER RIVER~~
~~POLE CREEK~~ TRIBUTARY: ~~PINE CREEK~~
~~UNNAMED STREAM~~ TRIBUTARY: ~~PINE CREEK~~
SPRING TRIBUTARY: EAST BROWNLEE CREEK

QUANTITY: 0.230 CFS

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

PRIORITY DATE: 06/01/1969

POINTS OF DIVERSION:

T16N R04W S9 NENNWW Within WASHINGTON County
T16N R04W S17 NESWNW Within WASHINGTON County
T16N R04W S18 NWSSENW Within WASHINGTON County
T16N R04W S18 NESWSW Within WASHINGTON County
~~T16N R04W S18 SESESE Within WASHINGTON County~~
~~T16N R04W S19 SESENW Within WASHINGTON County~~
~~T16N R04W S20 NWSWNE Within WASHINGTON County~~

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.230 CFS

PLACE OF USE: STOCKWATER Within WASHINGTON County

T16N R04W S09	NWNW	T16N R04W S17	SWNW
T16N R04W S18	NENW	T16N R04W S18	SWSW
~~T16N R04W S18~~	~~SESE~~	~~T16N R04W S19~~	~~SENW~~
~~T16N R04W S20~~	~~SWNE~~		

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
Stockwater use is for 1000 range cattle.