

RECEIVED

JUN 30 2006

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 74-00317A
(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: Shiner Ranch, Inc.
Address: P.O. Box 26; Lemhi, Idaho 83465-0025
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 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 is unauthorized. Claimant's water right should not include this POU.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

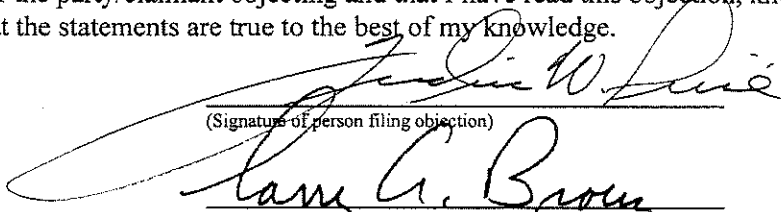
) ss.

County of ADA

)

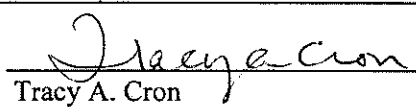
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.


(Signature of person filing objection)

Lang G. Brown
(Attorney signing in representative capacity)

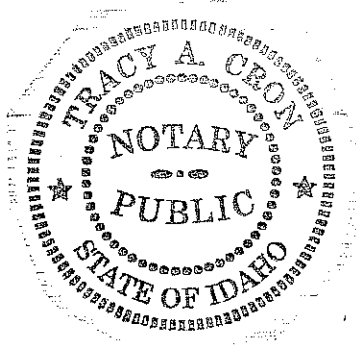
Subscribed and sworn to before me on: June 28, 2006


Tracy A. Cron

Notary Public for State of Idaho

Residing at: Meridian, Idaho

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 6-28, 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: Shiner Ranch, Inc.
Address: P.O. Box 26; Lemhi, Idaho 83465-0025
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

01/19/2006

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

RIGHT NUMBER: 74-317A
NAME AND ADDRESS: SHINER RANCH INC
PO BOX 26
LEMHI ID 83465-0025

POU on BLM:
-Claimant is not authorized to farm public land.

SOURCE: YEARIAN CREEK TRIBUTARY: LEMHI RIVER
QUANTITY: 2.670 CFS
PRIORITY DATE: 02/01/1910

POINT OF
DIVERSION: T16N R24E S35 SESE Within LEMHI County
T16N R24E S36 NWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	3/15 11/15	2.670 CFS
PLACE OF USE: IRRIGATION Within LEMHI County		
T16N R24E S33 NWSE	28.00	T16N R24E S33 SWSE 26.00
T16N R24E S35 SESW	3.00	T16N R24E S35 NESE 2.00
T16N R24E S35 SESE	4.00	

63 ACRES TOTAL

This right authorizes the irrigation of 62.6 total acres.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

TOWNSHIP 18 NORTH RANGE 24 EAST OF THE BOISE MERIDIAN, IDAHO

LEWIS COUNTY 059
SALMON DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS			
TRACT NO.	ORIGINAL SURVEY	SEC.	SUBDIVISION
1			
2			
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50. 1/14/1923 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

1. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

2. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

3. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

4. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

5. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

6. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

7. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

8. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

9. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

10. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

11. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

12. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

13. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

14. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

15. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

16. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

17. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
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Sec 2 3/1/1910

18. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

19. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

20. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

21. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

22. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
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23. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
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24. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

25. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

26. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
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Sec 2 3/1/1910

27. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
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Sec 2 3/1/1910

28. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

29. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
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Sec 2 3/1/1910

30. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

31. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

32. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

33. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

34. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

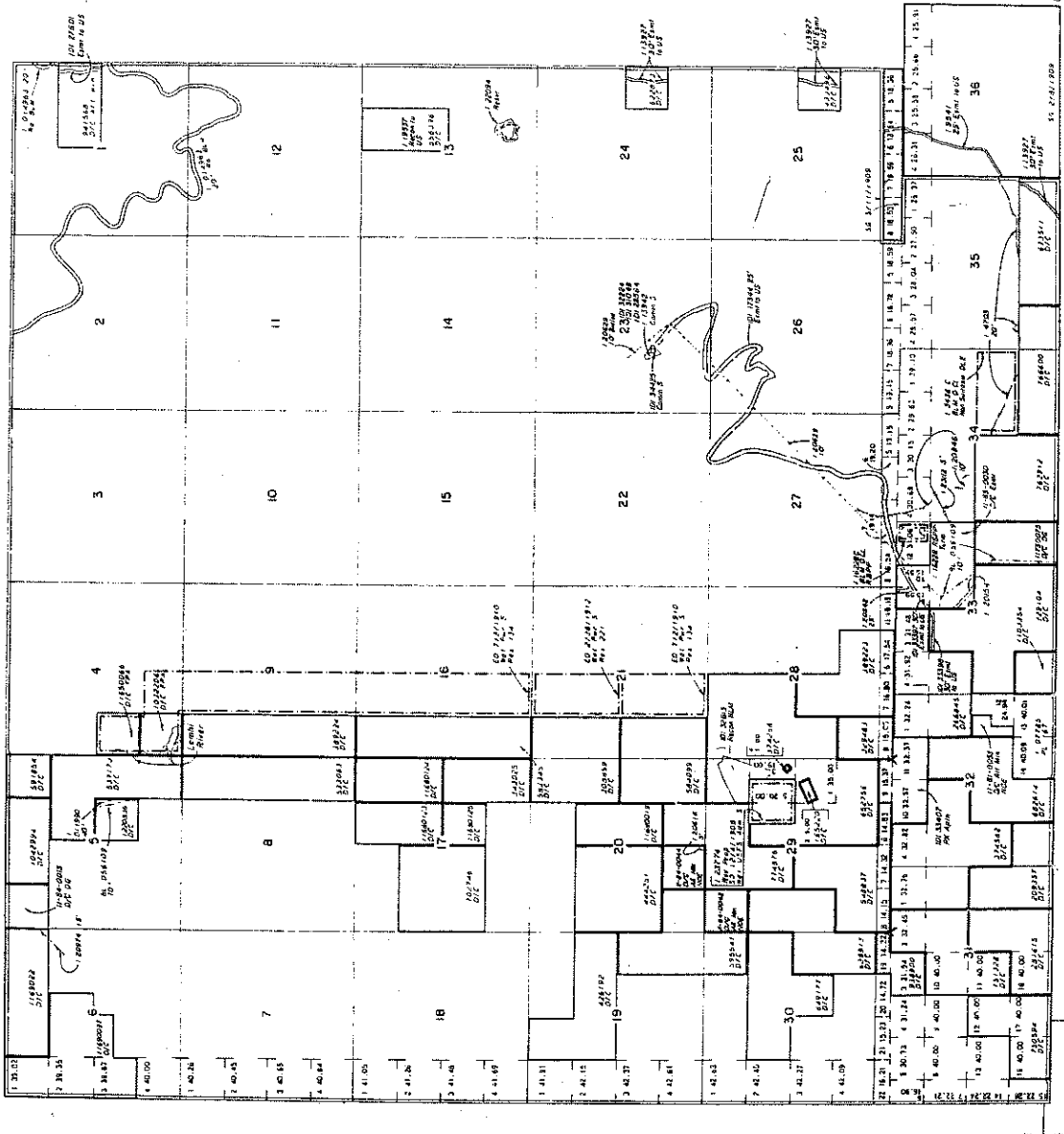
35. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
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36. 2/23/1911 Sec 1 to Enter Sub 1 to Sec 22 P.D.
Per 5. Sec 13a to 7/1/1910
Sec 2 3/1/1910

FOR OWNERS EFFECTING REVISIONS TO USE OF
MISCELLANEOUS DOCUMENTS

CURRENT TO	CURRENT TO
MAR 25 1910	
1910	

DATE
T 181
R 24E

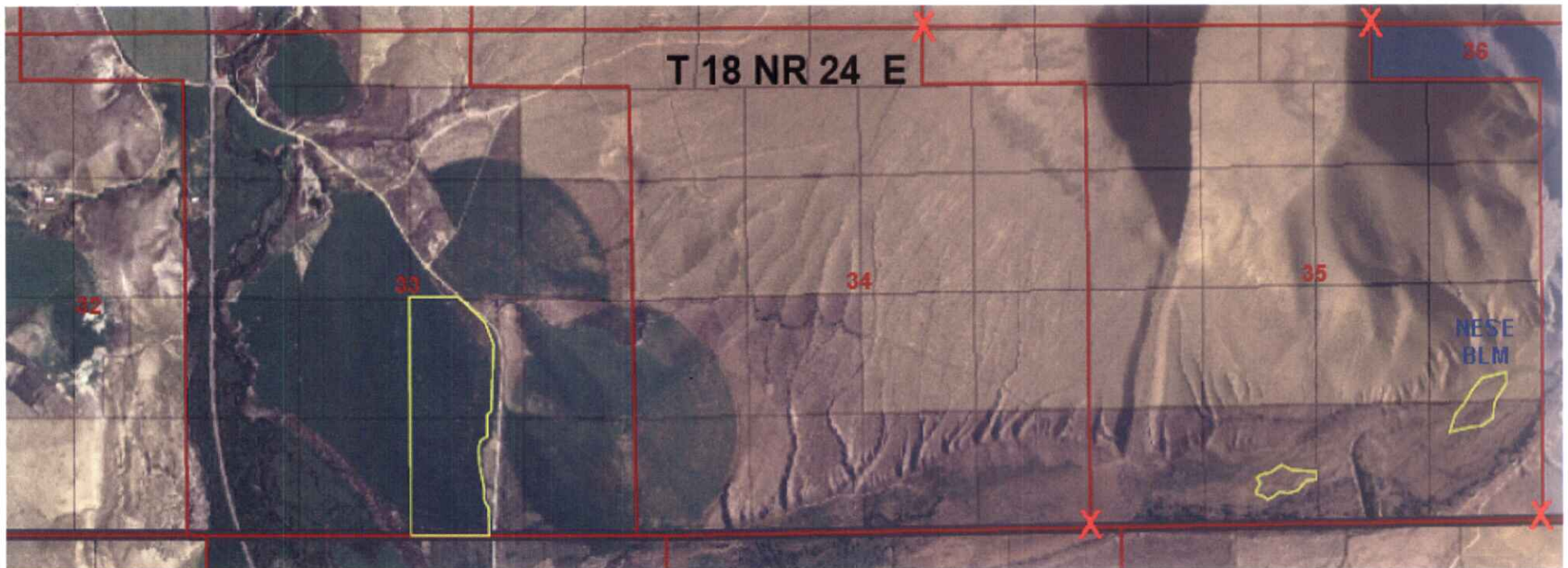


THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST
ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE
THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITH-
DRAWAL ORDER

THIS PLAT IS THE RESULT OF A SURVEY MADE BY THE
BUREAU OF LAND MANAGEMENT, U.S. DEPARTMENT OF THE
INTERIOR, AND IS SUBJECT TO THE FOLLOWING CONDITIONS:
1. The land is reserved for the use of the public.
2. The land is subject to the right of eminent domain.
3. The land is subject to the right of condemnation.
4. The land is subject to the right of expropriation.
5. The land is subject to the right of appropriation.
6. The land is subject to the right of occupation.
7. The land is subject to the right of possession.
8. The land is subject to the right of ownership.
9. The land is subject to the right of control.
10. The land is subject to the right of disposal.

SCALE IN CHAINS
0 10 20 30 40

74-00317A



- Claimant is not authorized to farm public land.
- Remove T18N R24E S35 NESE 2.0 acres from recommendation.
- Adjust shapefile accordingly.

