

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 74-01032
(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: Andrew M. and Kathleen M. Knight

Address: P.O. Box 71; Lemhi, Idaho 83465

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 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)

Larry A. Brown
(Attorney signing in representative capacity)

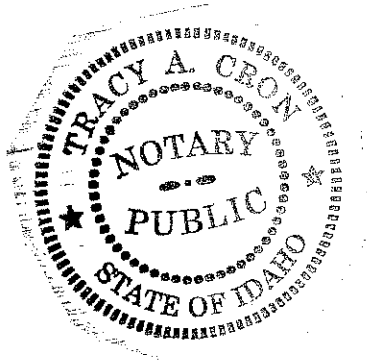
Subscribed and sworn to before me on: June 28, 2006

Tracy A. Cron
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 6-29, 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: Andrew M. and Kathleen M. Knight

Address: P.O. Box 71; Lemhi, Idaho 83465

Name:

Address: ;

Name:

Address: ;

Name: *

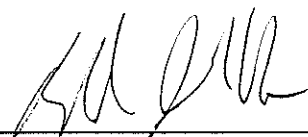
Address: ;

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: 74-1032
NAME AND ADDRESS: ANDREW M KNIGHT
PO BOX 71
LEMHI ID 83465
KATHLEEN M KNIGHT
PO BOX 71
LEMHI ID 83465

Mixed POU:

-The place of use described below contains both private and public lands.
-Clarify such that it is clear only private land is intended.

POU on BLM:

-Claimant is not authorized to farm public land.

SOURCE: HAYDEN CREEK TRIBUTARY: LEMHI RIVER
QUANTITY: 6.640 CFS
PRIORITY DATE: 04/01/1920
POINT OF DIVERSION: T17N R23E S14 SWSW Within LEMHI County
PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>		<u>PERIOD OF USE</u>		<u>QUANTITY</u>	
STOCKWATER		1/01	12/31	0.040 CFS	
IRRIGATION		3/15	11/15	6.600 CFS	
PLACE OF USE:	<u>IRRIGATION Within LEMHI County</u>				
T18N R24E S32	SWNE	36.00	T18N R24E S32	SENE	6.00
T18N R24E S32	SENW	10.00	T18N R24E S32	NESW	39.00
T18N R24E S32	NWSW	6.00	T18N R24E S32	SWSW	16.00
T18N R24E S32	SESW	24.00	T18N R24E S32	NESE	19.00
T18N R24E S32	NWSE	35.00	T18N R24E S32	SESE	2.00
<u>STOCKWATER same as IRRIGATION</u>					
193 ACRES TOTAL					

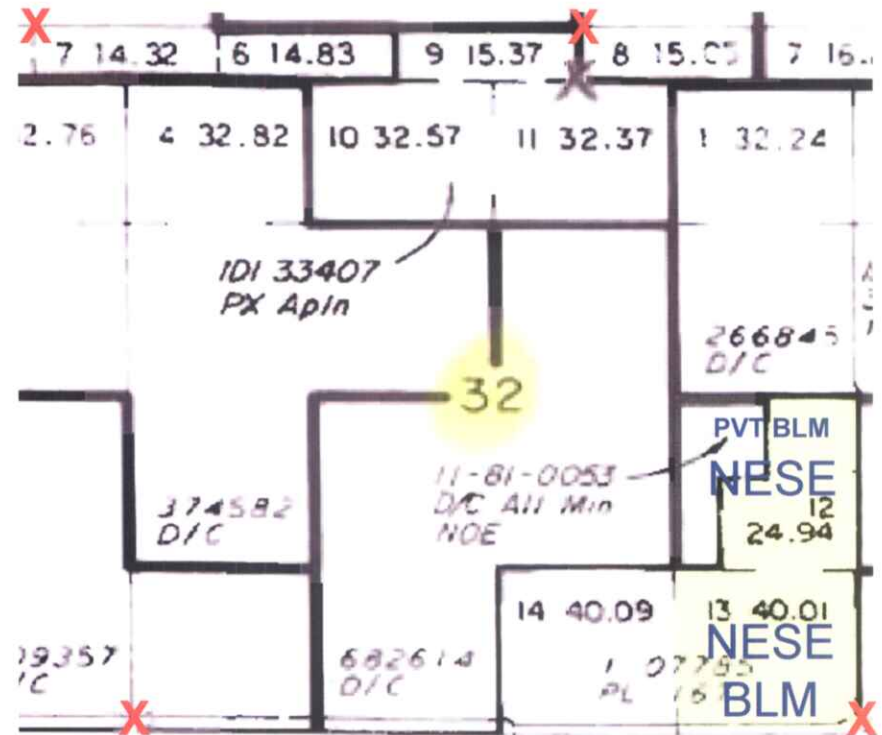
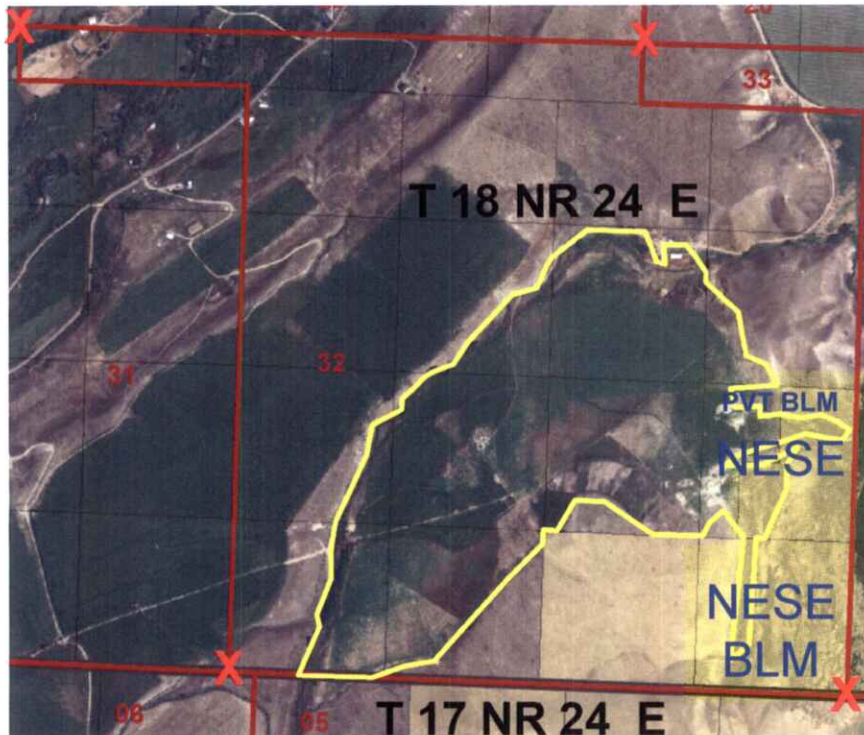
This right authorizes the irrigation of 194.0 total acres.

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

74-01032



1. Claimant is not authorized to farm public land. Remove SESE S32 T18N R22E from the recommendation.
-Adjust shapefile accordingly
2. Since S32 NESE contains both private and public lands, please insert the following language under place of use to clarify these POUs such that only private land is intended:

"Place of use does not include federal public land."
3. Adjust Shapefile to exclude BLM Land within NESE S32.