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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 74-00325J
(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: T. Eileen French
Address: 218 Hwy 28; Salmon, Idaho 83467
Name: E. Dan French
Address: Rt. 1 Box 94; Salmon, Idaho 83467
Name: Paul E. and Wilma C. Fisher
Address: 12 Fisher Lane; Salmon, Idaho 83467
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.

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:

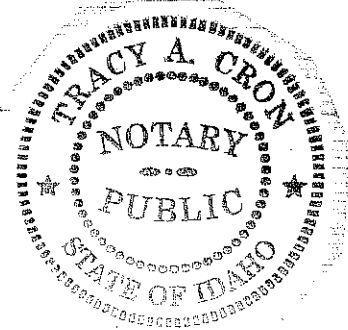
(Name of person filing objection)

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)

Lawrence 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 6-28, 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: T. Eileen French
Address: 218 Hwy 28; Salmon, Idaho 83467
Name: E. Dan French
Address: Rt. 1 Box 94; Salmon, Idaho 83467
Name: Paul E. and Wilma C. Fisher
Address: 12 Fisher Lane; Salmon, Idaho 83467
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: 74-325J
NAME AND ADDRESS: T EILEEN FRENCH
218 HWY 28
SALMON ID 83467

E DAN FRENCH
RT 1 BOX 94
SALMON ID 83467

PAUL E FISHER JR
12 FISHER LN
SALMON ID 83467

WILMA C FISHER
12 FISHER LN
SALMON ID 83467

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.

SOURCE: LEMHI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 2.620 CFS

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

PRIORITY DATE: 04/01/1869

POINT OF
DIVERSION: T21N R23E S30 NWNESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.080 CFS
IRRIGATION	3/15 11/15	2.620 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

Mixed	T21N R22E S15		T21N R22E S15		T21N R22E S15		T21N R22E S15	
	SWNE	10.00	SENW	17.00	NESE	25.00	SESE	7.00
	T21N R22E S15	NESW	2.00					
	T21N R22E S15	NWSE	28.00					

STOCKWATER same as IRRIGATION

89 ACRES TOTAL

This right authorizes the irrigation of 88.9 total acres.

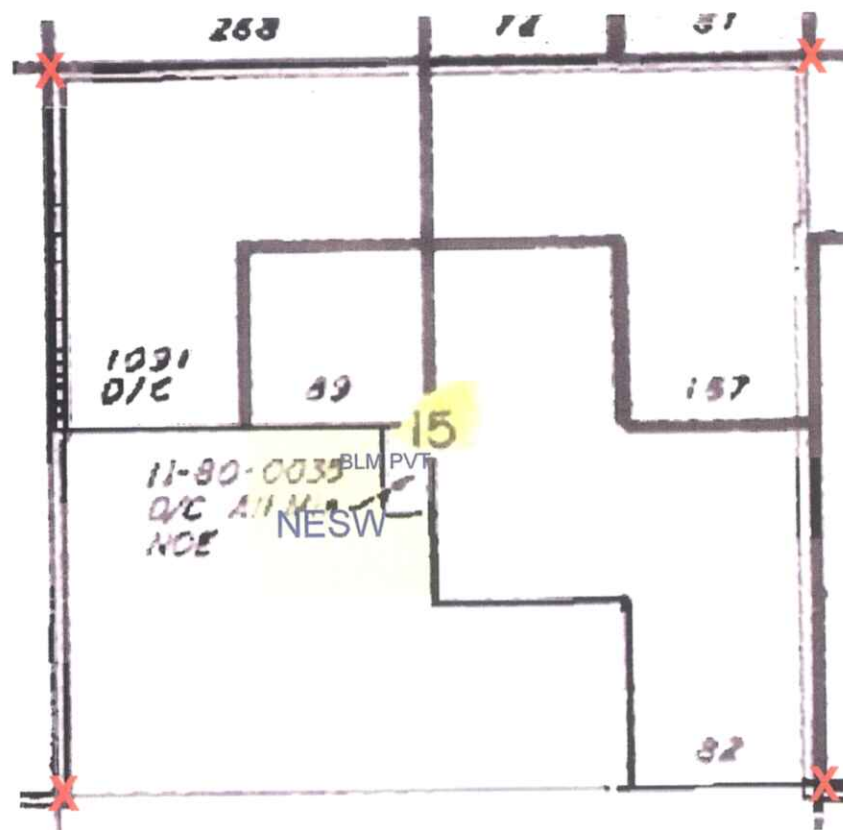
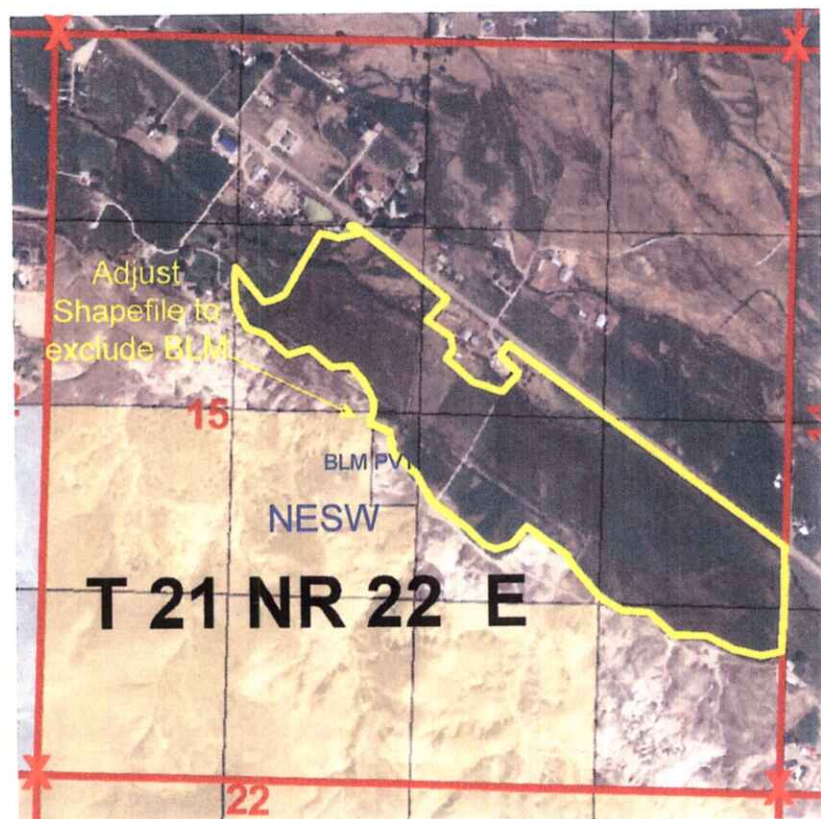
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

74-00325J



- Since S15 NESW 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."