

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 74-01117
(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: Isabel Whitson
Address: P.O. Box 22; 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 legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

E.

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)

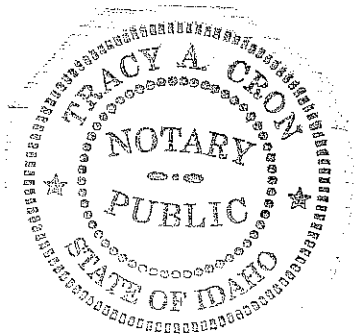
Subscribed and sworn to before me on: June 28, 2006

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 6-29, 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:

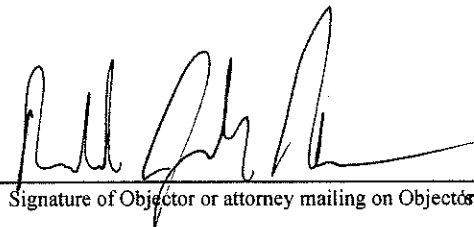
Name: Isabel Whitson
Address: P.O. Box 22; Lemhi, Idaho 83465
Name:
Address: ;
Name:
Address: ;
Name: *
Address: ;

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

01/19/2008

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

RIGHT NUMBER: 74-1117 **Mixed POU:**
NAME AND ADDRESS: ISABEL WHITSON -The place of use described below contains both private and
PO BOX 22 public lands.
LEMHI ID 83465 -Clarify such that it is clear only private land is intended.
SOURCE: WASTE WATER TRIBUTARY: HAYDEN CREEK
QUANTITY: 0.020 CFS
PRIORITY DATE: 04/01/1908
POINT OF
DIVERSION: T16N R24E S29 SENE Within LEMHI County
PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	3/15 11/15	0.020 CFS

PLACE OF USE: IRRIGATION Within LEMHI County
Mixed

T16N R24E S29	SENE	1.00
---------------	------	------

1 ACRES TOTAL

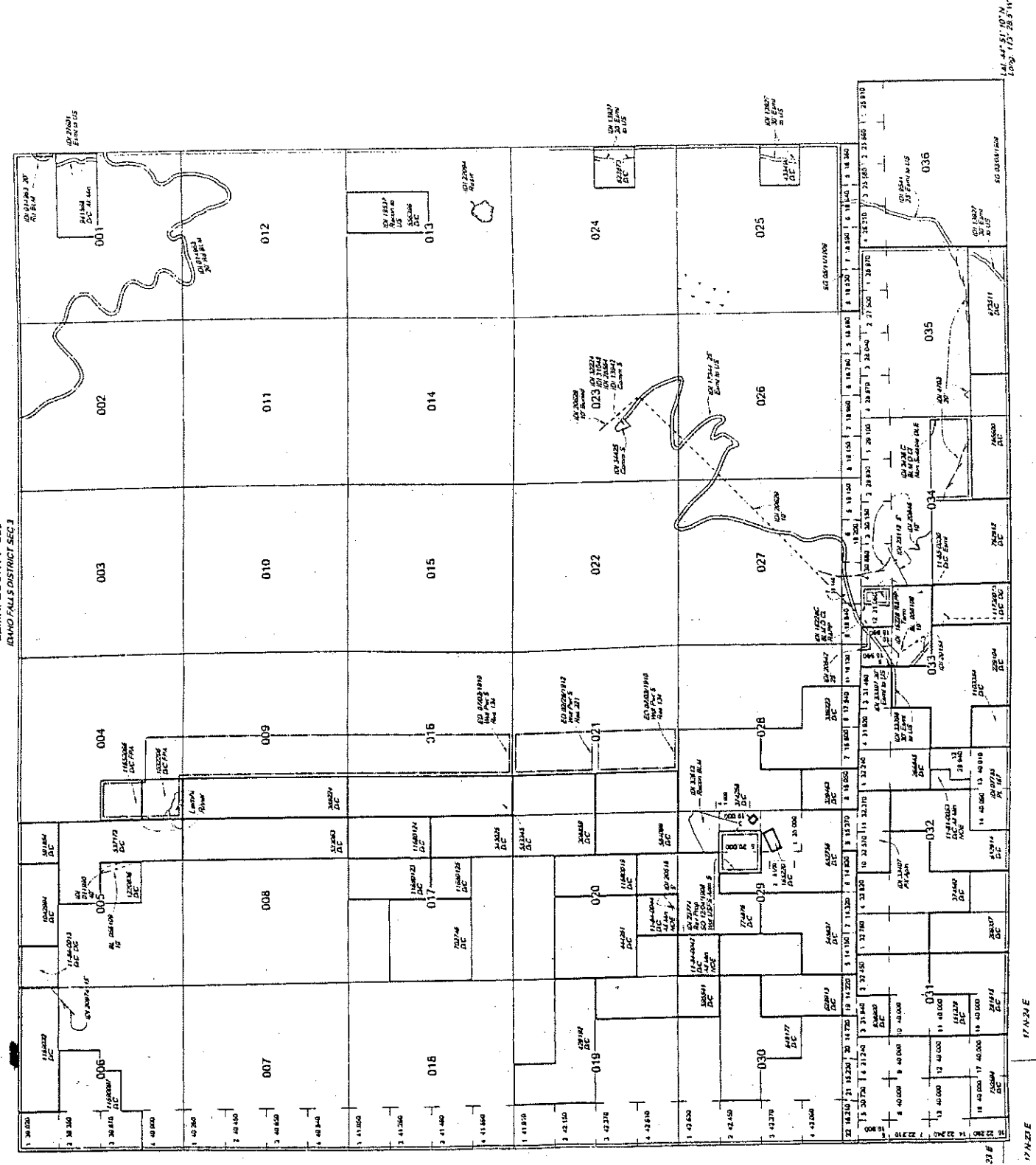
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

LEMHI COUNTY 089
IDaho Falls District Sec 3



DISCLAIMER
This is a map of a specific section of the Boise Meridian, Idaho. It is not a survey of the entire Boise Meridian, Idaho. The map is not a guarantee of title or ownership. It is a map of the Boise Meridian, Idaho.

SCALE 1" = 20' 30"

17N-24E

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS

REMARKS ON CHAL SURVEY

TRACT NO. 1. SEC. 1. SEC. 2. SEC. 3. SEC. 4. SEC. 5. SEC. 6. SEC. 7. SEC. 8. SEC. 9. SEC. 10. SEC. 11. SEC. 12. SEC. 13. SEC. 14. SEC. 15. SEC. 16. SEC. 17. SEC. 18. SEC. 19. SEC. 20. SEC. 21. SEC. 22. SEC. 23. SEC. 24. SEC. 25. SEC. 26. SEC. 27. SEC. 28. SEC. 29. SEC. 30. SEC. 31. SEC. 32. SEC. 33. SEC. 34. SEC. 35. SEC. 36.

SO 05/14/1923 Open to Entry Subj to Sec 24 FPA Part 5 Rpt
134 EO 07/02/1910
Sec 4. SWSV

12/27/1960 AN PO surface right by BLM

12/27/1960 AN PO surface right by BLM

PLG 2239 12/21/1960 Open to Entry Subj to Sec 24 FPA Part 5
Rpt 134 EO 07/02/1910 Part 5 Rpt 221 EO 02/28/1912

Sec 9. E2W2
Sec 16. E2W2
Sec 21. E2W2

12/27/1960 AN PO surface right by BLM

12/27/1960 AN PO surface right by BLM

12/27/1960 AN PO surface right by BLM

12/27/1960 AN PO surface right by BLM

12/27/1960 AN PO surface right by BLM

12/27/1960 AN PO surface right by BLM

12/27/1960 AN PO surface right by BLM

12/27/1960 AN PO surface right by BLM

12/27/1960 AN PO surface right by BLM

12/27/1960 AN PO surface right by BLM

12/27/1960 AN PO surface right by BLM

12/27/1960 AN PO surface right by BLM

12/27/1960 AN PO surface right by BLM

12/27/1960 AN PO surface right by BLM

12/27/1960 AN PO surface right by BLM

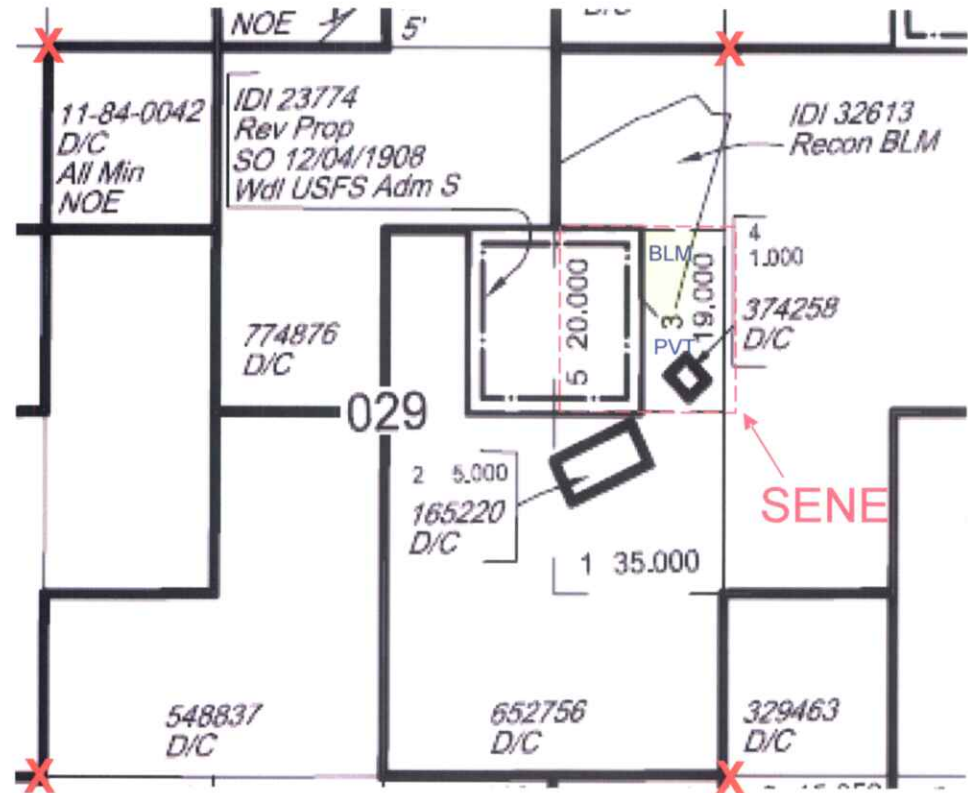
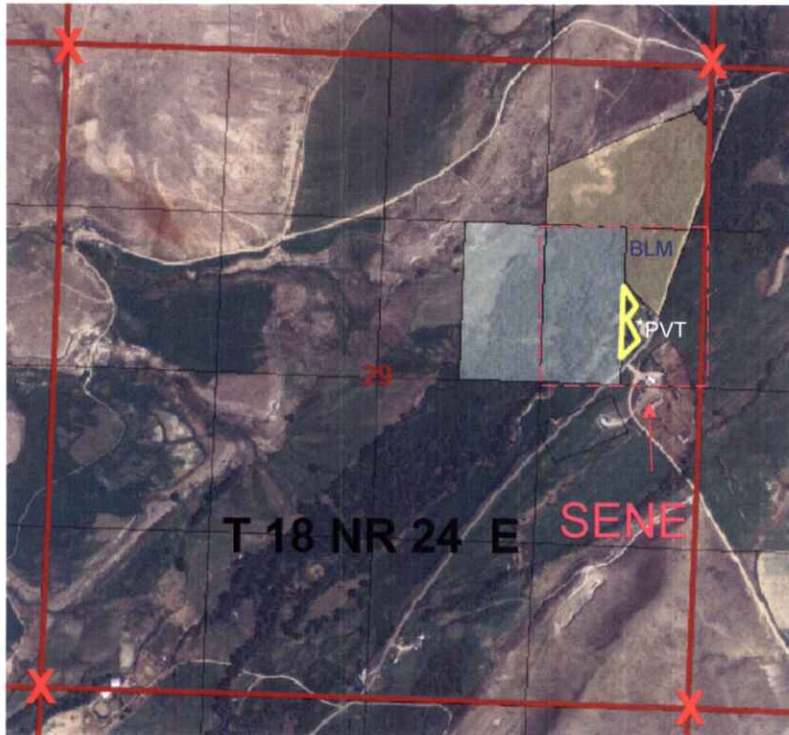
12/27/1960 AN PO surface right by BLM

12/27/1960 AN PO surface right by BLM

12/27/1960 AN PO surface right by BLM

12/27/1960 AN PO surface right by BLM

74-01117



1. Since S29 SENE 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."