

RECEIVED

JUL 19 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 69-11521
(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: Soulen Livestock Co.

Address: 1760 Fairmont Dr.; Weiser, Idaho 83672

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. See attached POU. 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)

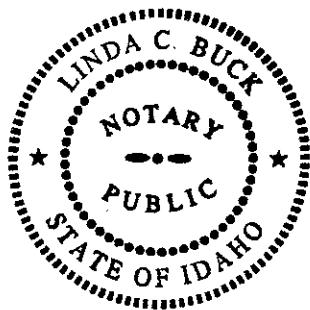
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

July 18, 2006
Linda C. Buck
Linda C. Buck



Notary Public for State of Idaho
Residing at: Mountain Home, ID.
My Commission Expires: 12-21-2011

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 July 18th, 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: Soulen Livestock Co.
Address: 1760 Fairmont Dr ; Weiser, Idaho 83672

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

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

RIGHT NUMBER: 69-11521

POU on BLM:

-Claimant is not authorized to farm public land

NAME AND ADDRESS: SOULEN LIVESTOCK CO
1760 FAIRMONT DR
WEISER ID 83672

SOURCE: STURGILL CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 4.000 CFS

PRIORITY DATE: 12/31/1952

The appropriator shall exercise this right in a manner that recognizes the historic practice that the use of water for power generation is incidental to the rights of others to the use of water for other purposes. The appropriator shall not make a delivery call for hydropower generation except as against junior hydropower rights

POINT OF
DIVERSION:

T15N R06W S10 SESESE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	1.400 CFS
POWER	01/01 12/31	4.000 CFS

PLACE OF USE:

IRRIGATION Within WASHINGTON County

T15N R06W S03 Lot 2 NWNE	0.60	T15N R06W S03	SWNE	11.00	
T15N R06W S03 Lot 3 NENW	4.60	T15N R06W S03	SENW	6.80	
T15N R06W S03	NWSE	7.30	T15N R06W S03	SWSE	3.40
T15N R06W S03	SESE	3.30	T15N R06W S10	NENE	6.30
T15N R06W S10	SENE	12.00	T15N R06W S10	NESE	7.30
T15N R06W S10	SESE	1.10	T16N R06W S33	NESE	0.30
T16N R06W S34	NWSW	3.90	T16N R06W S34	SWSW	2.10

BLM

POWER Within WASHINGTON County

T15N R06W S03 SWNE

78 ACRES TOTAL

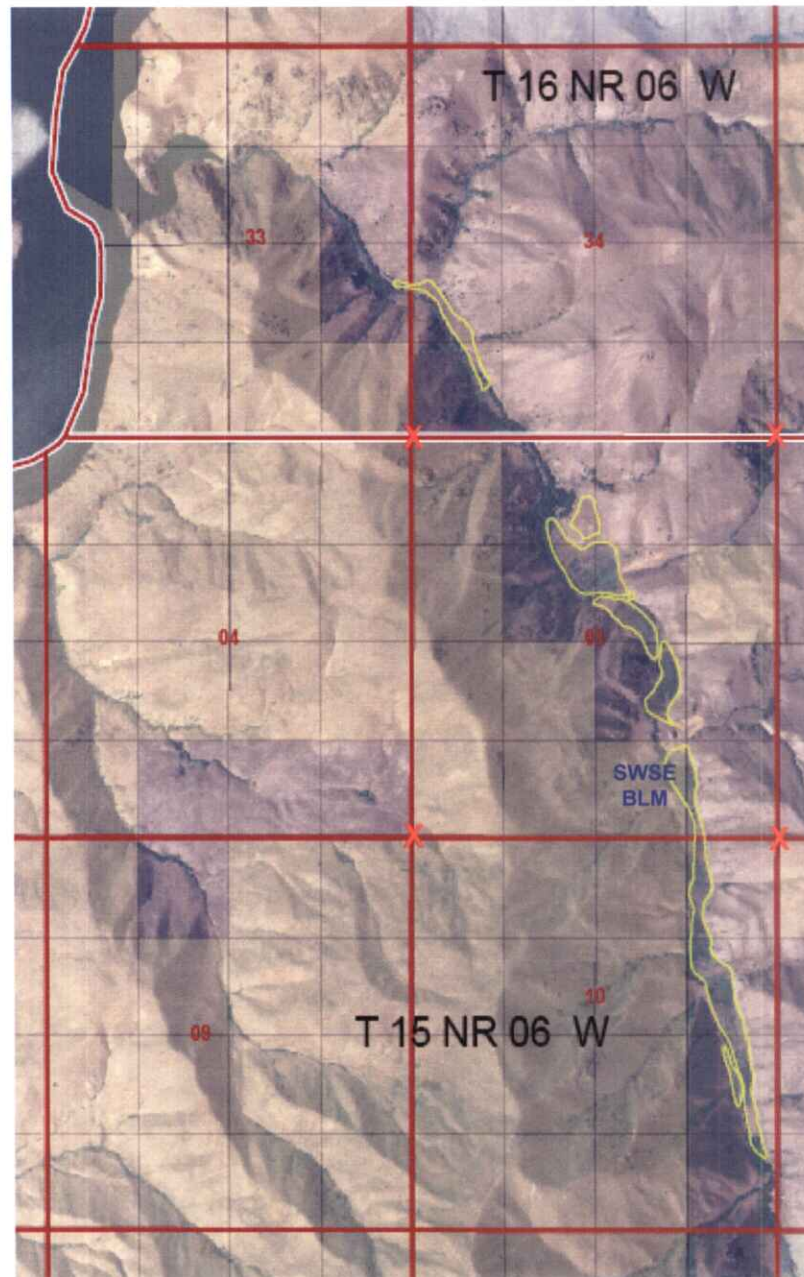
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

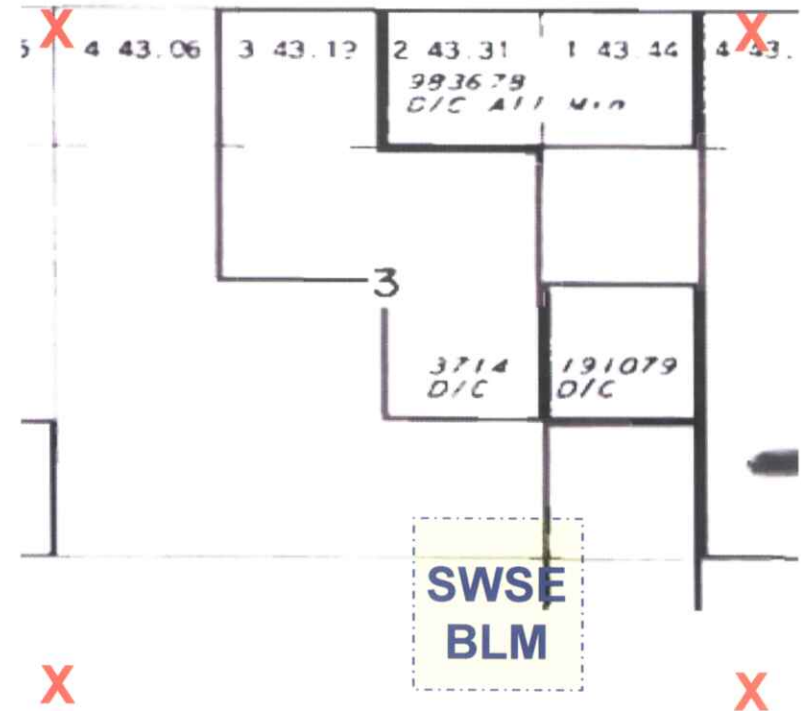
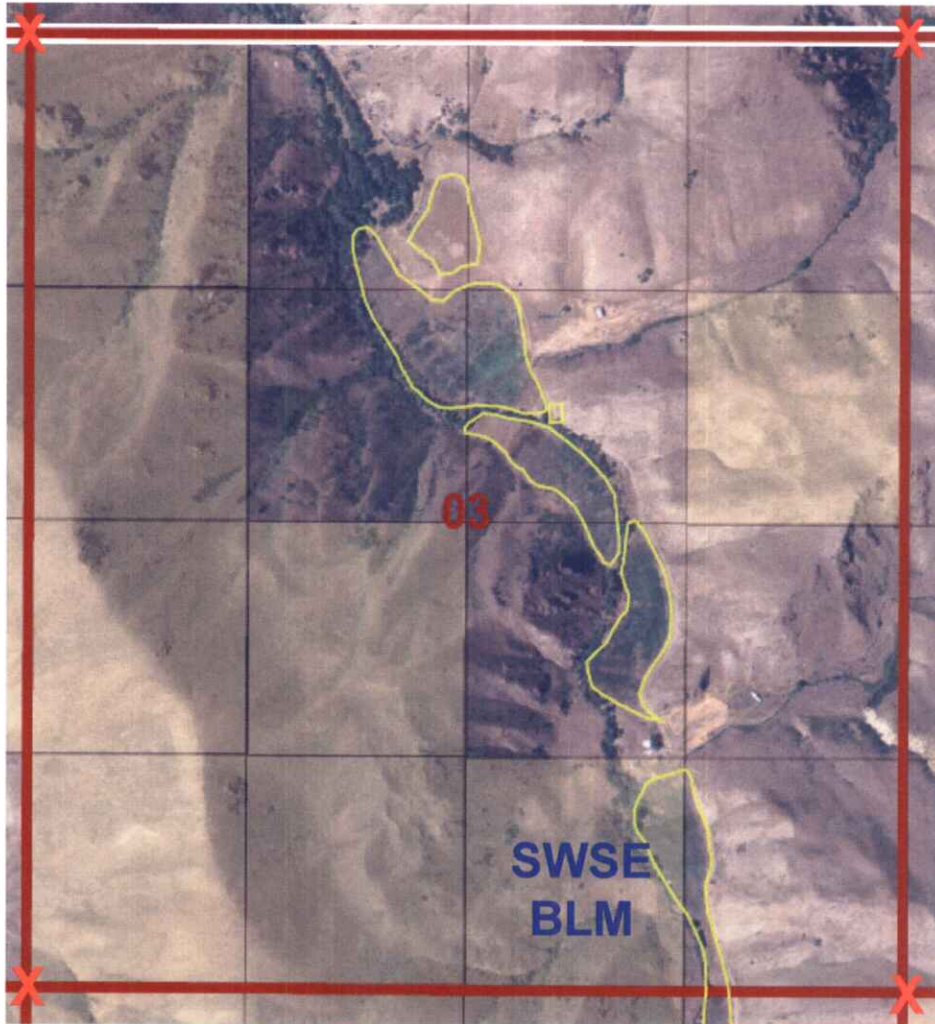
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is renumbered from former right 67-10049

69-11521



69-11521
T15N R06W S03



- Claimant is not authorized to farm public land.
- Remove T15N R06W S03 SWSE 3.40 acres from recommendation and adjust shapefile accordingly.

TOWNSHIP 15 NORTH RANGE 6 WEST OF THE BOISE MERIDIAN, IDAHO

WASHINGTON COUNTY 087

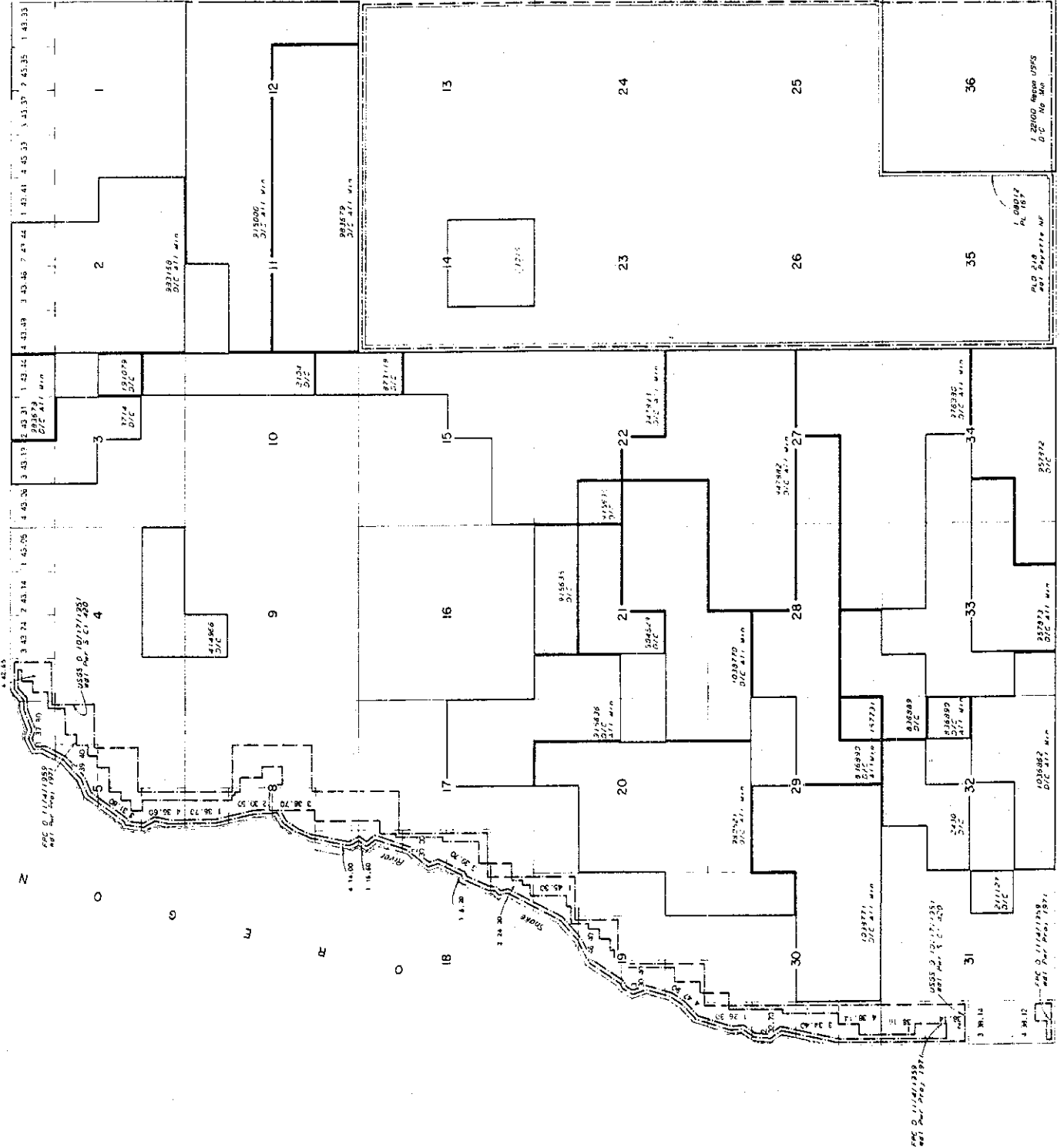
BOISE DISTRICT SEC 2

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACT			
TRACT NO	T	R	SEC
1	1	1	1
2	1	1	2
3	1	1	3
4	1	1	4
5	1	1	5
6	1	1	6
7	1	1	7
8	1	1	8
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34	1	1	34
35	1	1	35
36	1	1	36

1 0012 Plat Act of Cong 7/23/19
Completed 4/4/196 All NF Surface Map



FOR ORDERS EFFECTING DISPOSAL OR USE
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

CURRENT TO

USE PLATS

Let 48' 35' 4
Long 117' 01' 8