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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 77-02021
(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: Silver King, Ltd. (from Dir Rpt)

Address: 2560 S. Cole Road; Boise, Idaho 83709

Name: Silver King, Ltd. (from NCAP)

Address: 5028 W. Baywood; Boise, Idaho 83703

Name: David Hammerquist (attorney for claimant)

Address: 599 W. Bannock St.; Boise, Idaho 83701

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 public land.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

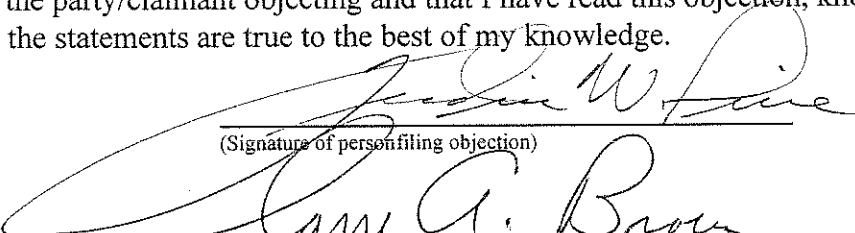
) ss.

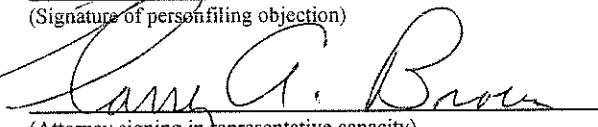
County of ADA

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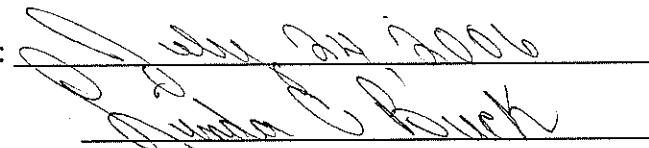
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

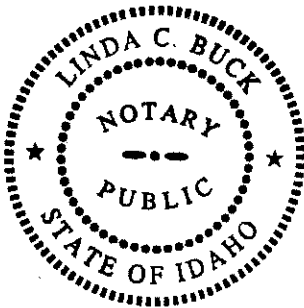
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on:


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 25th, 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:

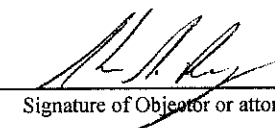
Name: Silver King, Ltd. (from Dir Rpt)
Address: 2560 S. Cole Road; Boise, Idaho 83709
Name: Silver King, Ltd. (from NCAP)
Address: 5028 W. Baywood; Boise, Idaho 83703
Name: David Hammerquist (attorney for claimant)
Address: 599 W. Bannock St.; Boise, Idaho 83701
Name:
Address: ;

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

03/25/2006

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

RIGHT NUMBER: 77-2021
NAME AND ADDRESS: SILVER KING LTD
2560 S COLE RD
BOISE ID 83709

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: SLAUGHTER CREEK

TRIBUTARY: WARREN CREEK

QUANTITY: 0.090 CFS

Unauthorized Use:

PRIORITY DATE: 07/03/1913

-Claimant is not recognized to conduct mining on federal public land.

POINT OF DIVERSION: T22N R06E S12 NESWNE Lot 6 Within IDAHO County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE
MINING

PERIOD OF USE
01/01 12/31

QUANTITY
0.090 CFS

PLACE OF USE: MINING Within IDAHO County

Mixed

T22N R06E S11 SENE
T22N R06E S12 Lot 5 SENW

T22N R06E S12 Lot 4 SWNW

Unauthorized use

Unauthorized use

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 - License

77-02021



1. Since the SENE of Section 11 contains both private and public lands, please insert the following language under place of use to clarify such that only private land is intended:

“Place of use does not include federal public land.”

2. Claimant is not authorized to mine in S12 Lot 4 and Lot 5. Remove these POUs

IDAHO COUNTY.. 049.
COEUR D'ALENE DISTRICT

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

[illegible]

All IP included in 1 DB167 Set PL 167 (Act of Cong 7/23/1955) completed 12/22/1960. All HF surface water by USFS excluding

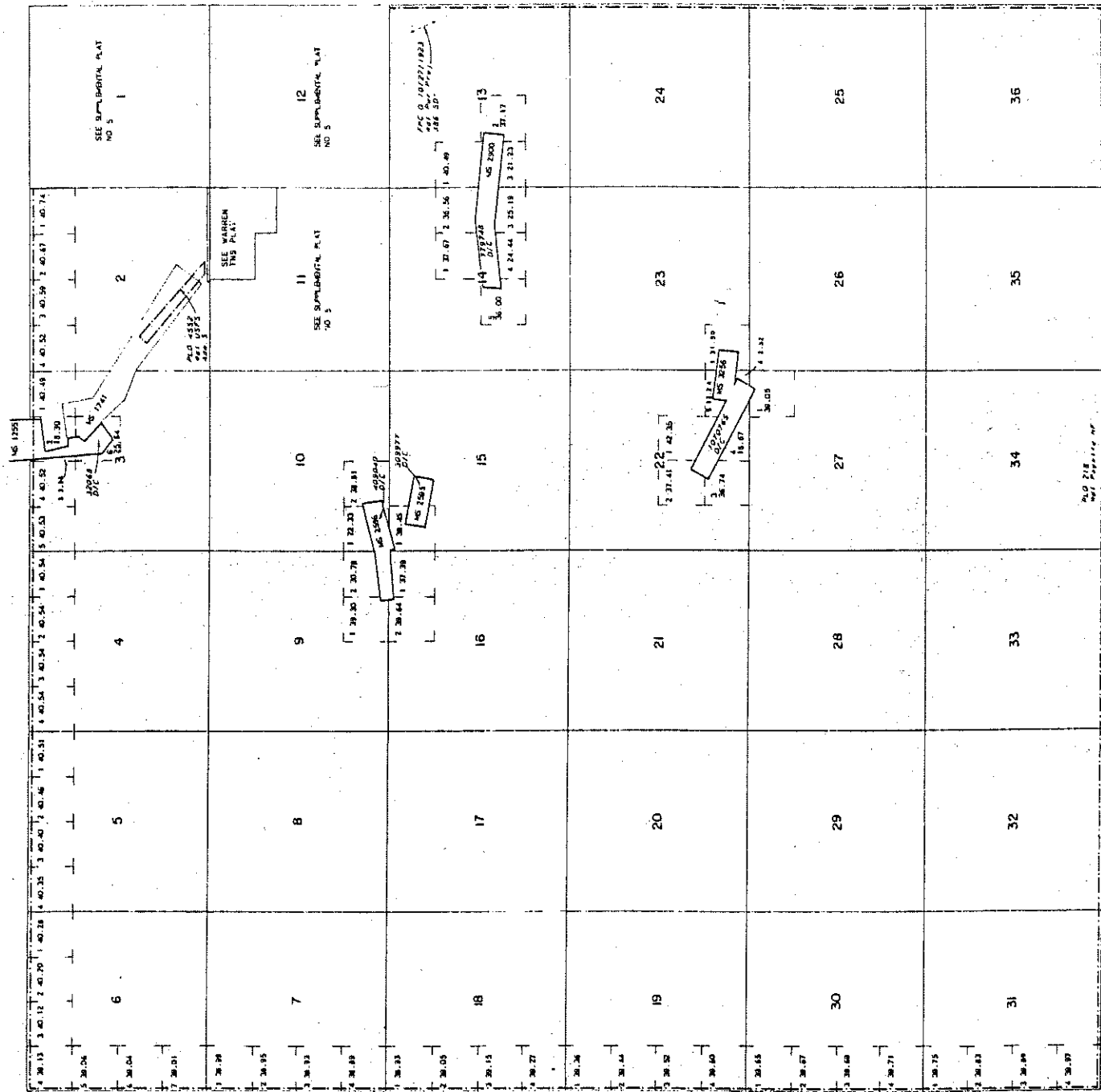
1	06167-N-1	Sec 12 SW	Old Rescue Well 5
1	06167-N-2	Sec 12 NW	Old Rescue No 1
1	06167-N-3	Sec 12 SE	Old Rescue No 2
1	06167-N-4	Sec 12 SW	Old Rescue No 3
1	06167-N-5	Sec 12 SE	Old Rescue No 4

Sec 12: M35
1 0750 M01 M55 5 400

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

CURRENT TO	CURRENT TO
FEB 23 1968	

USE PLAYS:



Aug 21 1977

ADMINISTRATIVE DIVISION

CALL in Chains

Figure 1

COEUR D'ALENE DISTRICT

505

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL Sec 1, 11, 12

[illegible]

All IP included in 1 58167 Det Pl 167 1 671 of
Cong 7/23/1955 completed 12/22/1960. All RF
surface Agent by USFS including

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| 1 | 00167-N-1 | Sec 12 NW | Old Resque Well 5 |
| 1 | 00167-N-2 | Sec 12 NW | Old Resque No 1 |
| 1 | 00167-N-3 | Sec 11 SE | Old Resque No 2 |
| 1 | 00167-N-4 | Sec 12 SW | Old Resque No 3 |
| 1 | 00167-N-5 | Sec 12 SE | Old Resque No 4 |

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

CLIENT TO	CLASS # TO
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USE PLATS:

IDAHO COUNTY
COEUR D'ALENE DISTRICT

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

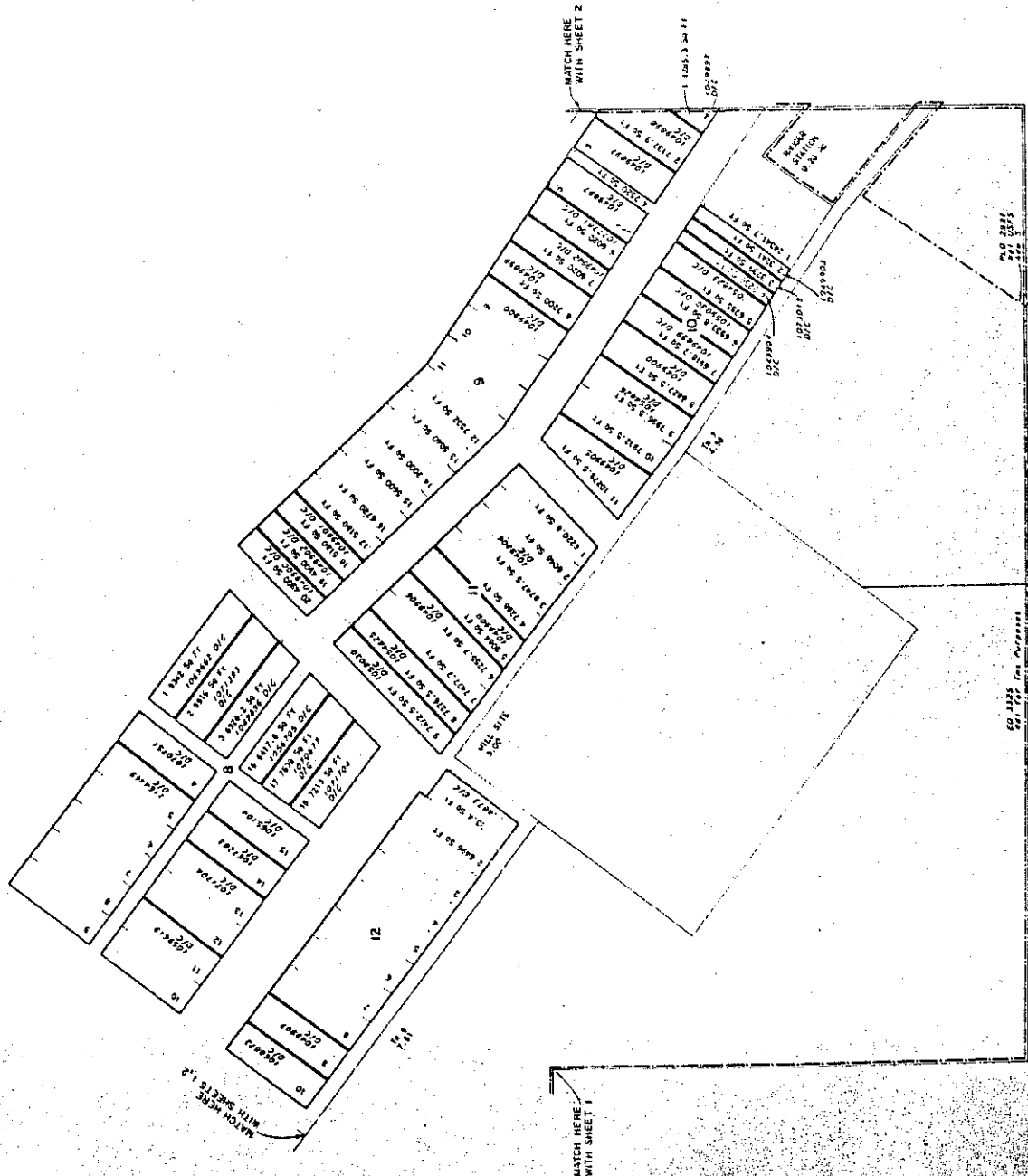
WARREN
TOWNSITE PLAT
SHEET 3

[illegible]

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

USE PLATS:	COMMIT TO	COMMIT TO
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CALL 1-800-



IDAHO COUNTY
COEUR D'ALENE DISTRICT

NO 3
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

WARREN
TOWNSITE PLAT
SHEET 2

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FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS, REFER TO MODEL OF
INSTRUCTIONS

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

CURRENT TO MAY 17 1975	CURRENT TO
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Box 100
St. Louis, Mo. 63101
Tel: 314-241-2244

SCALE IN FAD

Note: All logs unless otherwise noted contain 7000 Sq Ft

WATCH HERE
WITH SHEETS 1-3

TOWNSHIP 22 NORTH RANGE 6 EAST OF THE BOISE MERIDIAN, IDAHO

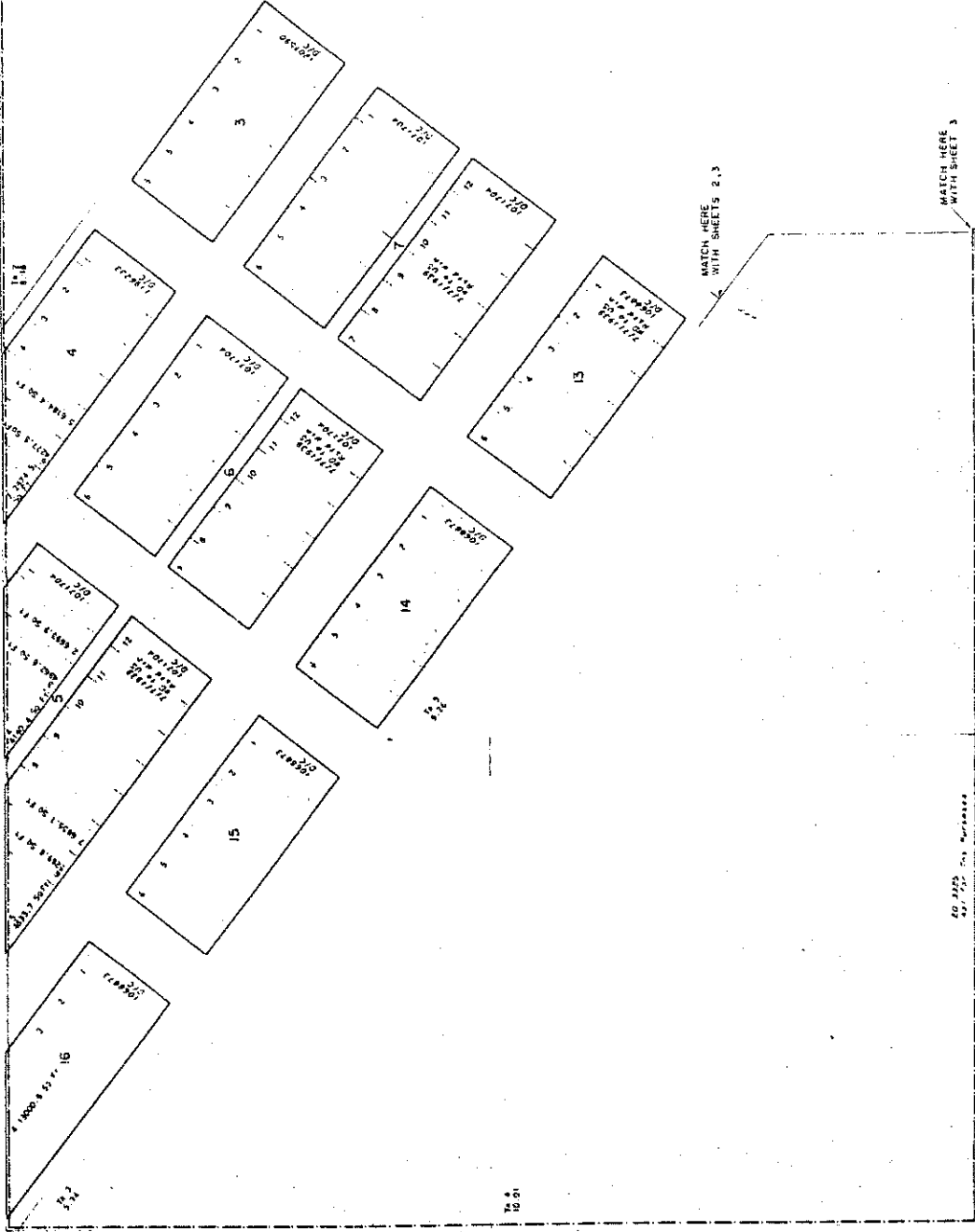
IDAHO COUNTY
COEUR D'ALENE DISTRICT

NO. 2
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MATCH HERE
WITH SHEET 2

WARREN TOWNSITE PLAT SHEET 1

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Note: All data unless otherwise noted represent 7900 Sq. Ft.

FOR ORDERS EFFECTING DISPOSAL OR USE OF
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MISCELLANEOUS DOCUMENTS

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SCALE IN FEET

TOWNSHIP 22 NORTH RANGE 6 EAST OF THE BOISE MERIDIAN, IDAHO

IDAHO - COUNTY 049
COEUR D'ALENE DISTRICT

NO 1

INDEX MAP

WARREN TOWNSITE

