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JUL 27 2016

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 77-04219
(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: Kenneth R. and Tammie Walters
Address: P.O. Box 31; Riggins, Idaho 83549

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 descriptions for element nine (POU) contain both public and private lands. This claim describes some authorized use of public land. The description should be specific enough to exclude Federal land where such activity is not authorized.

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)

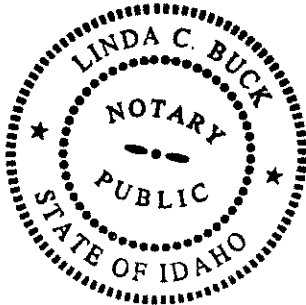
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

July 24, 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 15th, 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:

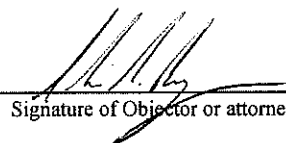
Name: Kenneth R. and Tammie Walters
Address: P.O. Box 31; Riggins, Idaho 83549
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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

03/29/2006

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

RIGHT NUMBER:	77-4219	Mixed POU:
NAME AND ADDRESS:	TAMMIE WALTERS PO BOX 31 RIGGINS ID 83549	-The places of use described below contains both private and public lands.
	KENNETH R WALTERS PO BOX 31 RIGGINS ID 83549	POU on BLM:
		-The place of use described below has been resurveyed into Lots 22 and 23.

SOURCE:	UNNAMED STREAM	TRIBUTARY: WEST LAKE CREEK
QUANTITY:	1.000 CFS	

Right Numbers 77-4089 and 77-4219 are limited to a total combined diversion rate of 1.02 cfs.

PRIORITY DATE: 09/01/1925

POINT OF DIVERSION:

T24N R02E S6 SE1/4 Within IDAHO County
T24N R01E S23 NENE Rediversion Within IDAHO County
T24N R02E S31 NE1/4 Injection Within IDAHO County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.000 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

Mixed	T24N R01E S13	SE1/4	8.00	T24N R01E S13	NW1/4	2.00	
Mixed	T24N R01E S14	SW1/4	1.00	T24N R01E S14	SE1/4	0.50	Mixed
	T24N R01E S14	NE1/4	16.00	T24N R01E S14	NW1/4	12.00	Mixed
BLM	T24N R01E S14 Lot 12	NW1/4	3.00	T24N R01E S14 Lot 14	NW1/4	3.00	
Mixed	T24N R01E S14	SW1/4	3.00	T24N R01E S14	SE1/4	0.50	

51 ACRES TOTAL

Right Numbers 77-4089 and 77-4219 are limited to the irrigation of a combined total of 51 acres in a single irrigation season.

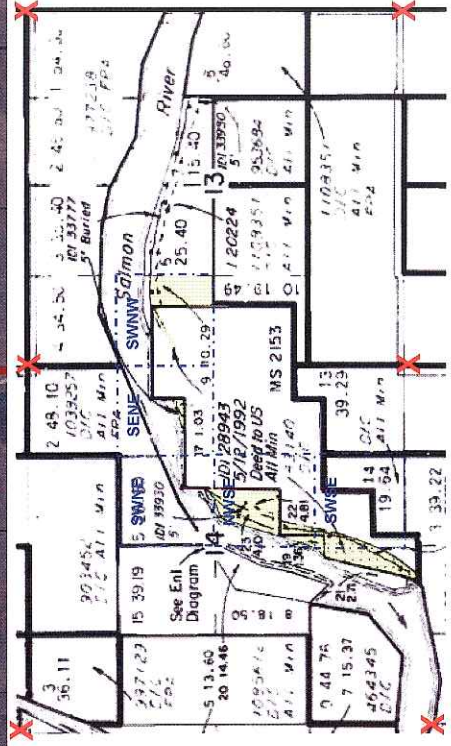
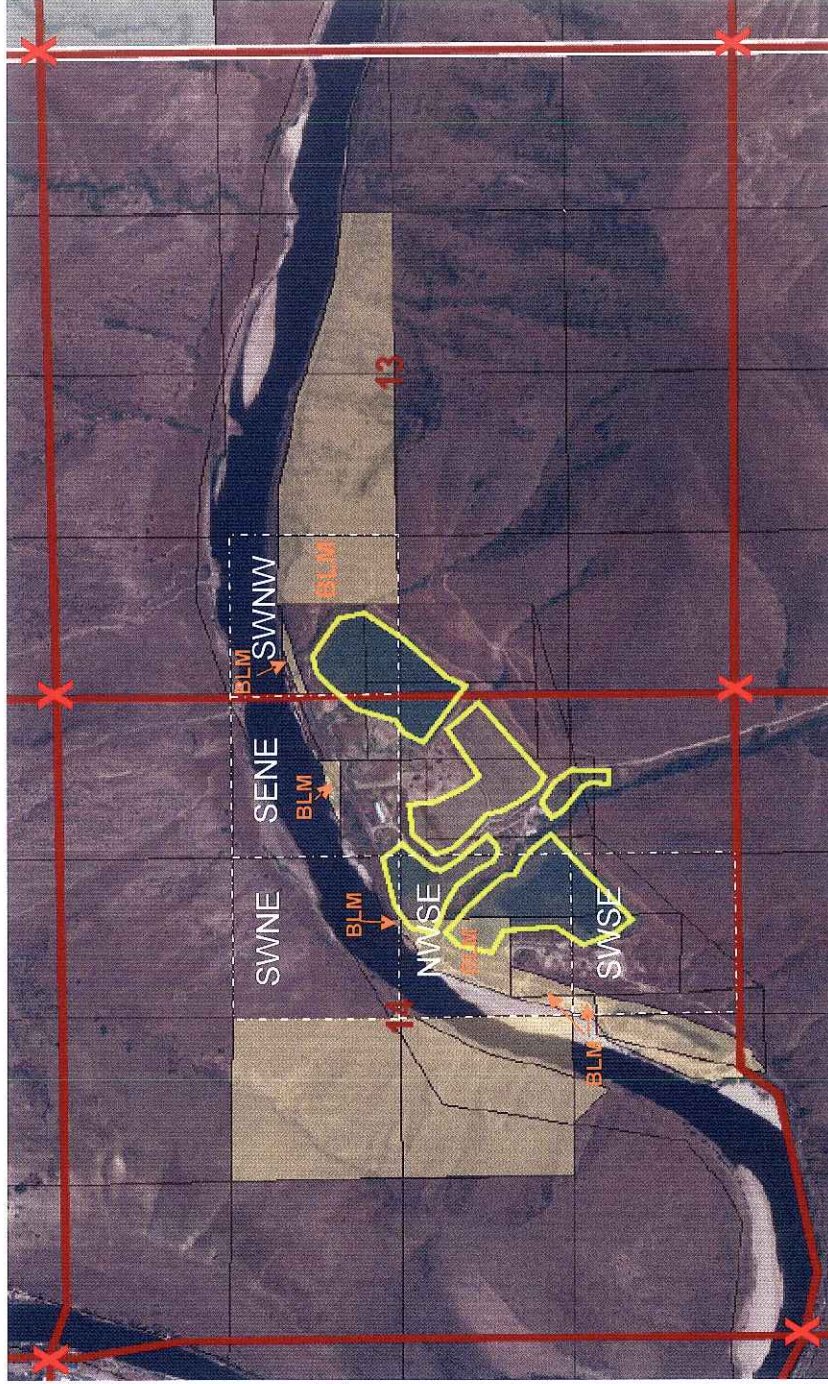
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

WATER FROM UNNAMED STREAM INJECTED INTO SHORTS CR. IN SEC. 31, 24N., 2 E. & REDIVERTED IN SEC. 23, 24N., 1 E., SEE MAP.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

77-04219
T24N R01E



-Places of use describe both Private and Public land.

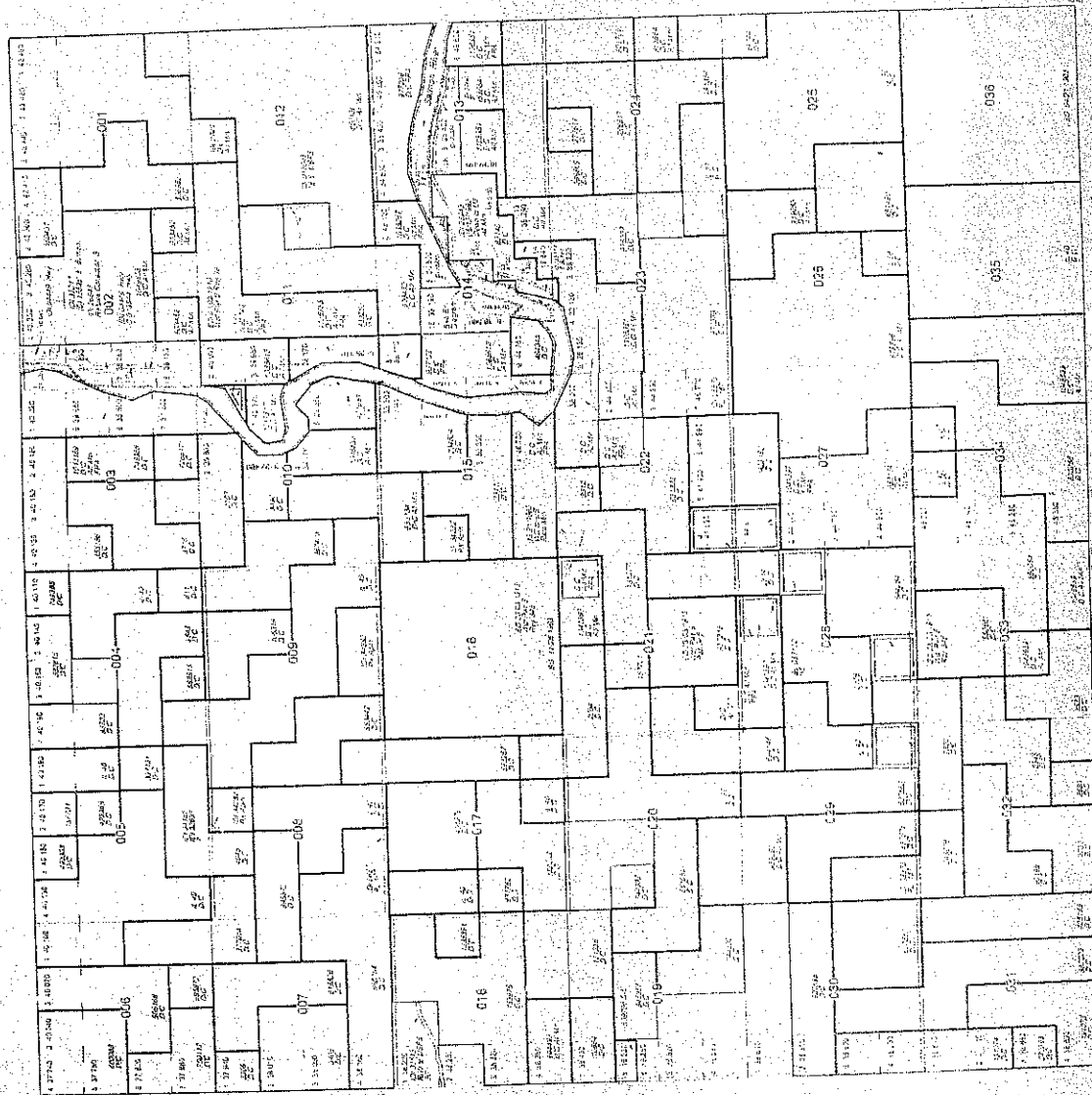
-Place of use T24N R01E S14 Lot 12 (NWSE) has been resurveyed to Lots 22 and 23.

-Side note: It look like T24N R01E S14 Lot 14 (NWSE) should actually be Lot 14 (SWSE) as Lot 14 does not extend into the NWSE.

STATUS OF PUBLIC (COMMON)
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

IDAHO COUNTY 049
POEUR D'ALENE DISTRICT

INDEX TO SEGREGATED FACTS

[illegible]

50-10438-1

