

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 77-14222
(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: Warren Townsite (c/o Dale Bitner)
Address: P.O. Box 62; Midvale, Idaho 83645

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 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

)

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

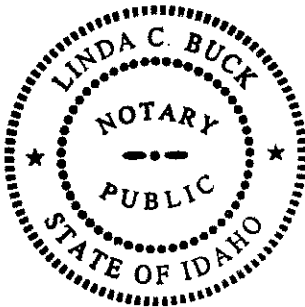
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

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:

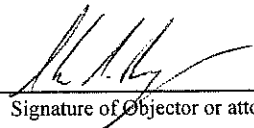
Name: Warren Townsite (c/o Dale Bitner)
Address: P.O. Box 62; Midvale, Idaho 83645
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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: 77-14222
NAME AND ADDRESS: WARREN TOWNSITE
PO BOX 62
MIDVALE ID 83645

Mixed POUs:

-The places 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: 3.000 CFS

PRIORITY DATE: 07/03/1913

POINT OF

DIVERSION: T22N R06E S12 SWNE Lot 6 Within IDAHO County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

DOMESTIC

01/01 12/31

0.250 CFS

FIRE PROTECTION

01/01 12/31

3.000 CFS

PLACE OF USE: DOMESTIC Within IDAHO County

Mixed

T22N R06E S11

NENE

T22N R06E S11

SENE

T22N R06E S12 Lot 4 SWNW

T22N R06E S12 Lot 5 SENW

T22N R06E S12

NESW

T22N R06E S12

MWSW

Mixed

FIRE PROTECTION same as DOMESTIC

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

77-14222



1. Since the NENE and 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. Please adjust the shapefile boundary to exclude public land.

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

IDAHO COUNTY 049
COEUR D'ALENE DISTRICT

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

INDEX TO SEGREGATED TRACTS			ORIGINAL SURVEY	
TRACT NO.	T	R	SEC	SUBDIVISION
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All Tr. included in 1 00167 Let Pl 167 Tract of
Cong 1/23/1953 completed 12/22/1960. All NE
Surface Mgmt by USFS including

1 00167-A-1 Sec 12 NE 1/4 Old Resurvey No 1
1 00167-A-2 Sec 12 NE 1/4 Old Resurvey No 1
1 00167-A-3 Sec 11 SE 1/4 Old Resurvey No 2
1 00167-A-4 Sec 12 SE 1/4 Old Resurvey No 3
1 00167-A-5 Sec 12 SE 1/4 Old Resurvey No 4

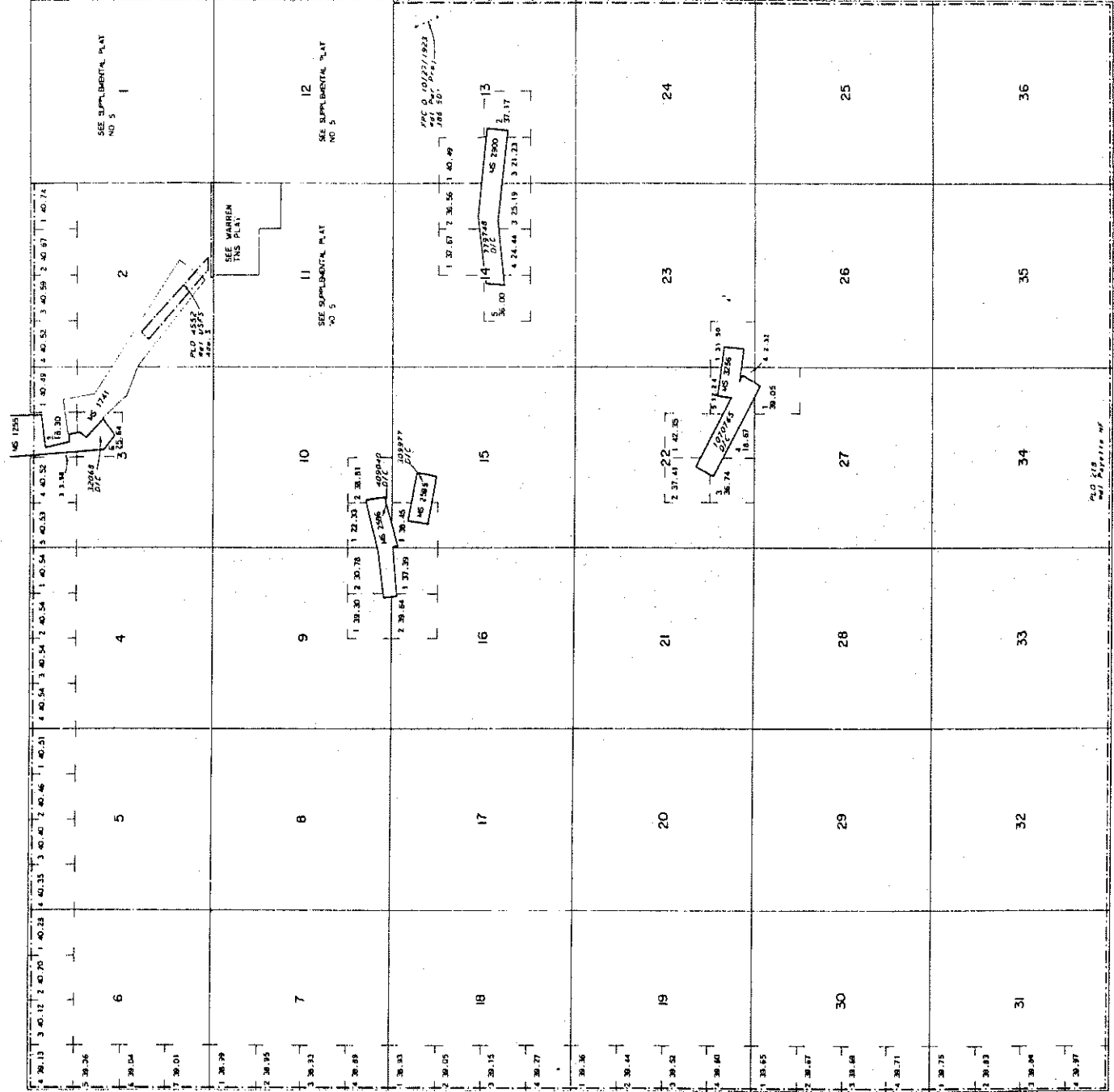
1 07547 Ref USFS Res S Prop
Sec 12: NE 6

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

CURRENT TO
FEB 23 1966

USE PLATS

Lat 42°12' N
Long 115°40' W



WARNING STATEMENT
This plat is the Bureau's Meridian in Title and should be used
only for the purpose stated.

SCALE in Chains

ND 5 -

IDAHO COUNTY 049
COEUR D'ALENE DISTRICT

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL Sec 1, 11, 12

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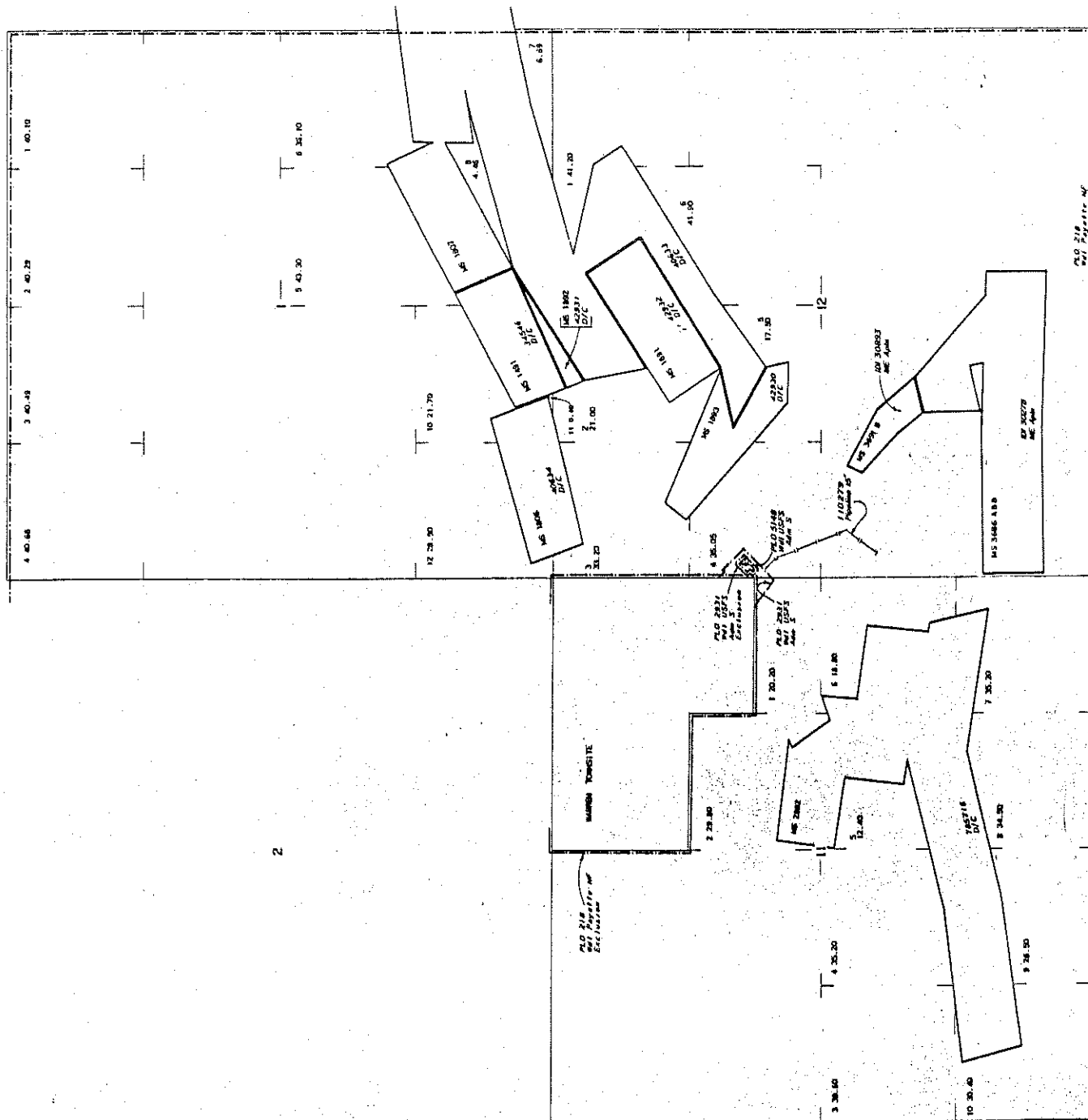
All IP included in 1 (8167 Det PL 167 Act. R.
Cong 7/23/1955) completed 12/22/1960. All inf
surface light by USFS including

1 CB167-N-1 Sec 12 NW Old Rescue No 1 5
1 CB167-N-2 Sec 12 NW Old Rescue No 1
1 CB167-N-3 Sec 11 SE Old Rescue No 2
1 CB167-N-4 Sec 12 SW Old Rescue No 3
1 CB167-N-5 Sec 12 SE Old Rescue No 4

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

CURRENT TO	CURRENT TO
001 20 199	

USE PLATS:



IDAHO COUNTY
COEUR D'ALENE DISTRICT

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

WARREN
TOWNSITE PLAT
SHEET 3

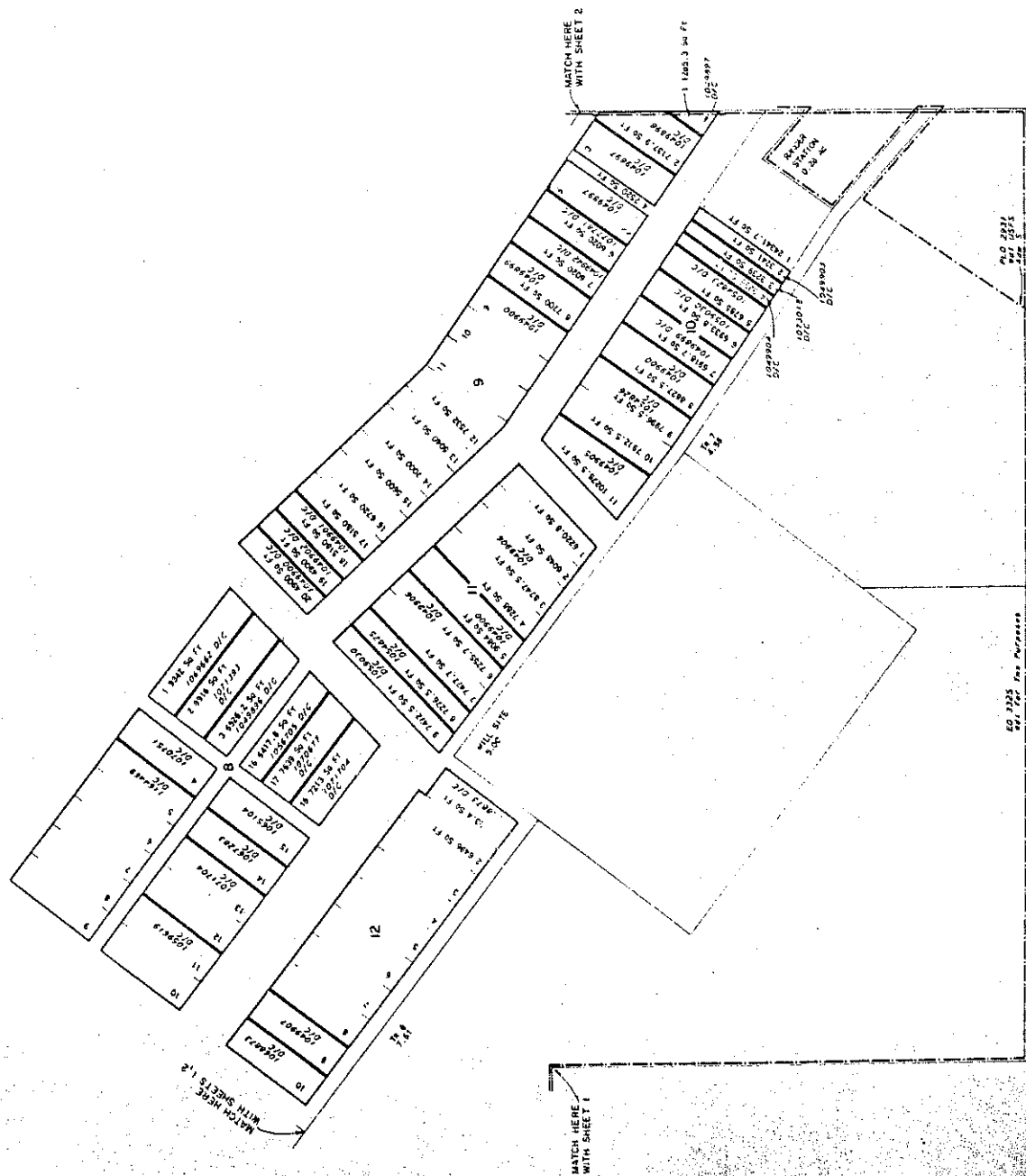
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FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
MAY 13 1975	

USE PLAYS

Being Mor
T 22 M



EO 3325
521 07

Note: All lots unless otherwise noted contain 7000 Sq Ft

SCALE in feet

IDAHO COUNTY
COEUR D'ALENE DISTRICT

NO 3
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

WARREN
TOWNSITE PLAT
SHEET 2

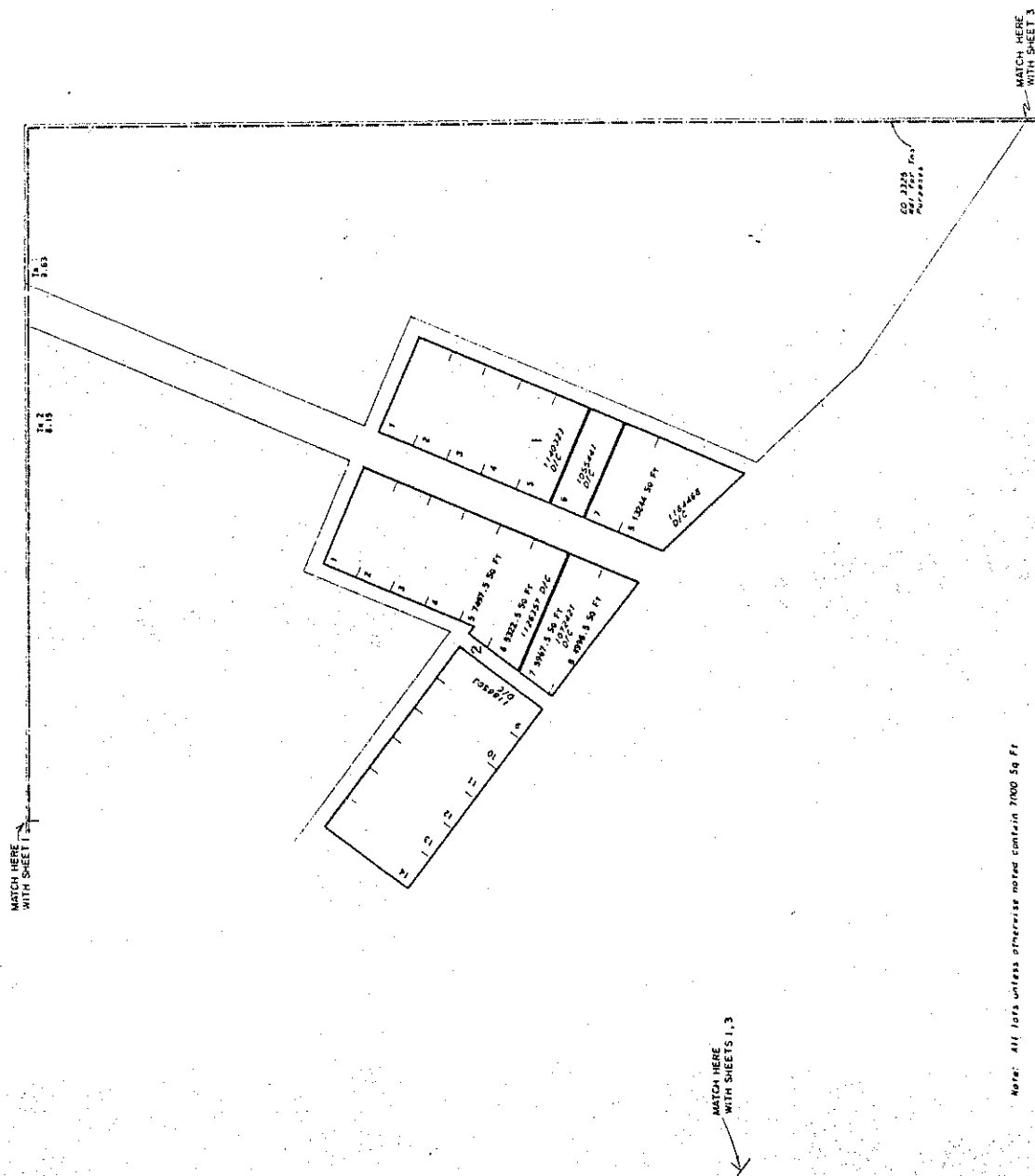
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FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS: REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

CURRENT TO	CURRENT TO
51-1-1916	51-1-1916

USE PLAYS*

11-22-1
 11-22-1
 11-22-1



Note: All lots unless otherwise noted contain 7000 Sq Ft

SCALE in feet

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

IDAHO COUNTY
COEUR D'ALENE DISTRICT

MATCH HERE
WITH SHEET 2



ED 1125
40' x 100' 1/4 Sec. 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

Note: All lots unless otherwise noted contain 1/400 Sq. Ft.

SCALE in feet
50 100 200

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IDAHO COUNTY 049
COEUR D'ALENE DISTRICT

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WARREN TOWNSITE

