

DEPARTMENT OF
WATER RESOURCES

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: State of Idaho
Dept. of Fish & Game
Address: PO Box 25
Boise, ID 83707

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: See Reasons Supporting Objection and Attachment I.
2. ☒ **Source**
Should be: Brownlee Creek and Brownlee Reservoir
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Points of Diversion**
Should be: _____
6. ☒ **Instream Flow Description**
Should be: See Attachment I
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See Reasons Supporting Objection and Attachment I.
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):

This water right provides for grazing use of the Cecil D. Andrus Wild Life Management Area, hereinafter the "AWMA." The AWMA is composed primarily of intermingled lands owned by the Idaho Department of Fish and Game, hereinafter the "IDF&G," and by the Idaho Department of Lands, hereinafter the "IDL." The IDL and the IDF&G have executed Miscellaneous Lease #M-5040 for the IDF&G use of the lands owned by the IDL.

This water right needs to be split. The IDF&G should hold this water right for the lands that it owns. The IDL should hold this water right for the lands that it owns.

Water impounded behind Brownlee Reservoir provides water for this stockwatering use most of the time. When Brownlee Reservoir is at minimum pool level, Brownlee Creek is the source of water for this stockwatering use. Brownlee Reservoir inundates most of the previous bed of Brownlee Creek at maximum pool level.

F.

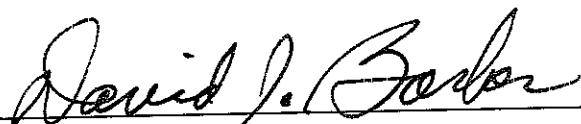
VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

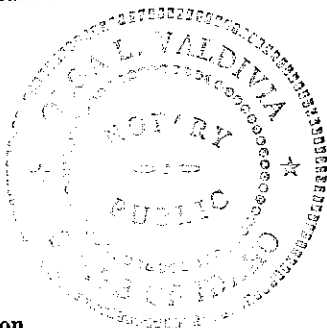
DAVID J. BARBER, Deputy Attorney General, duly sworn, upon oath, deposes and says:

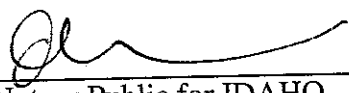
That the State of Idaho, Department of Fish and Game, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Fish and Game, which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on: October 30, 2006
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/5/2012

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 October 30, 2006, I caused the original and the copies of this objection, including all attachments, to be served on the following persons by the method designated:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
Twin Falls, Idaho 83303

U.S. MAIL

2. One copy to the owner of the water right at the following address:

State of Idaho
Dept. of Fish and Game
600 S. Walnut St.
Boise, ID 83712

STATEHOUSE MAIL

3. Copies to:

State of Idaho,
Department of Lands
954 W. Jefferson
P. O. Box 83720
Boise, ID 83720—0050

STATEHOUSE MAIL

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

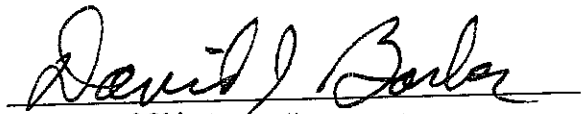
STATEHOUSE MAIL

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

U.S. MAIL

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

(not applicable)

A handwritten signature in black ink, reading "David J. Barber", written over a horizontal line.

Signature of Objector or attorney
Mailing on Objector's behalf

ATTACHMENT I

08/14/2006

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

RIGHT NUMBER: 3-10011B

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707

SOURCE: BROWNLEE CREEK and BROWNLEE RESERVOIR SNAKE RIVER TRIBUTARY: COLUMBIA
SNAKE RIVER

QUANTITY: 0.020 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 09/01/1958

POINT OF DIVERSION:

T17N R05W S26 SESENW Begin of Stream Flow Within WASHINGTON County
T17N R05W S26 NWNENW End of Stream Flow Within WASHINGTON County
T17N R05W S23 NWSSESW Begin End of Stream Flow Within WASHINGTON County
T17N R05W S23 SNWNWSW End Begin of Stream Flow Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE:

IRRIGATION Within WASHINGTON County

T17N R05W S23	NWSW	~~T17N R05W S23~~ ~~SWSW~~
T17N R05W S26	NENW	T17N R05W S26 ~~NWSESW~~

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF
HISTORIAL BENEFICIAL USE.

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

STOCKWATER 1000 HEAD OF CATTLE