

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: State of Idaho,
Department of Lands
954 W. Jefferson
P. O. Box 83720
Boise, Idaho 83720-0050
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: The Idaho Department of Lands, hereinafter the "IDL," owns the SWSW of section 23 and NWNW of section 26 all in Twp. 17N, Rge. 05W B.M. The water right for these lands should be held in the name of IDL.

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 IDL is the owner of the SWSW of section 23 and NWNW of section 26 all in Twp. 17N, Rge. 05W B.M. The State of Idaho, Department of Fish and Game, hereinafter referred to as the "IDFG," leases this land in accordance with IDL Miscellaneous Lease # M-5040 for use as a wildlife management area.

The water right needs to be split. The IDL should hold a separate water right for the land which it owns. The IDF&G should hold a separate water right for the land, which 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 Lands, 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 Lands, 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. WARDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER
Deputy Attorney General

Deputy Attorney General

David J. Barber

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: 2/8/2012

S.F. 1 – Objection
Amended 10-16-97

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

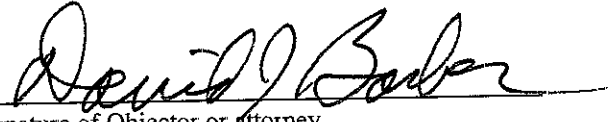
STATEHOUSE MAIL

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 cursive script, appearing to read "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: 3-10011A

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 ~~NENWNWSW~~ Begin ~~End~~-of Stream Flow Within WASHINGTON County
T17N R05W S23 ~~SWSWNESWSW~~ Begin of Stream Flow Within WASHINGTON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
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	NWNW

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 HISTORICAL 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