

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 01-10457
(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: Roger & Kathy Poole
Address: 775 N. 3200 E.; Menan, Idaho 83434
Name: Corey Poole
Address: 776 N. 3028 E.; Menan, Idaho 83434
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 description for element nine (POU) above may include Federal land. The description should be made to be specific enough to exclude Federal 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)

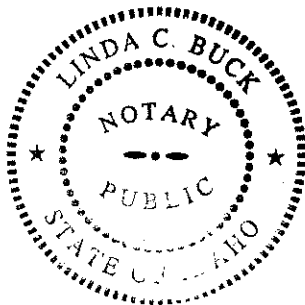
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Lang A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

04-16-07
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 4-17, 2007, 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:

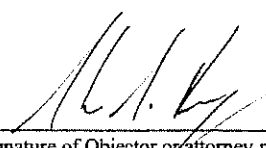
Name: Roger & Kathy Poole
Address: 775 N. 3200 E.; Menan, Idaho 83434
Name: Corey Poole
Address: 776 N. 3028 E.; Menan, Idaho 83434
Name:
Address: ;
Name:
Address: ;

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

Mixed POU:
-Place of Use identified below contain both public and private land.
-Please clarify such that only private land is intended

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.700 CPS

Mixed	T05N R37E S22	SESW	3.20	T05N R37E S22	SWSE	2.40	Mixed
	T05N R37E S22 Lot 5	SWSE	18.00	T05N R37E S22 Lot 6	SESE	10.00	
	T05N R37E S26	SWNE	40.00	T05N R37E S26	SENE	34.00	
	T05N R37E S26	NWNW	17.00	T05N R37E S26 Lot 1	SWNW	6.90	
	T05N R37E S26 Lot 2	SENW	35.00	T05N R37E S26 Lot 5	SENW	0.20	
	T05N R37E S27 Lot 1	NWNE	38.00	T05N R37E S27	SENE	5.20	
	T05N R37E S27 Lot 7	SENE	16.00	T05N R37E S27	NENW	2.90	
	T05N R37E S27 Lot 2	NENW	26.00	T05N R37E S27 Lot 3	NWNW	17.00	
	T05N R37E S27	SWNW	3.00	T05N R37E S27 Lot 4	SWNW	38.00	
	T05N R37E S27	SENW	40.00	T05N R37E S27	NESW	11.00	
T05N R37E S27 Lot 5	NESW	27.00	T05N R37E S27	NWSW	29.00	Mixed	
T05N R37E S27 Lot 5	NWSW	2.10	T05N R37E S27	SESW	6.50		
T05N R37E S27	NESE	0.30	T05N R37E S28	NENE	2.00		
Mixed	T05N R37E S28	SENE	10.00	T05N R37E S28	NESE	1.90	

442.6 ACRES TOTAL

This right is limited to the irrigation of 135 acres within the place of use described above in a single irrigation season.

Use of the rights listed below is limited to the irrigation of a combined total of 442.6 acres in a single irrigation season. Combined Right Nos.: 25-245, 25-11218, 25-11219, 1-10457, and 1-10460.

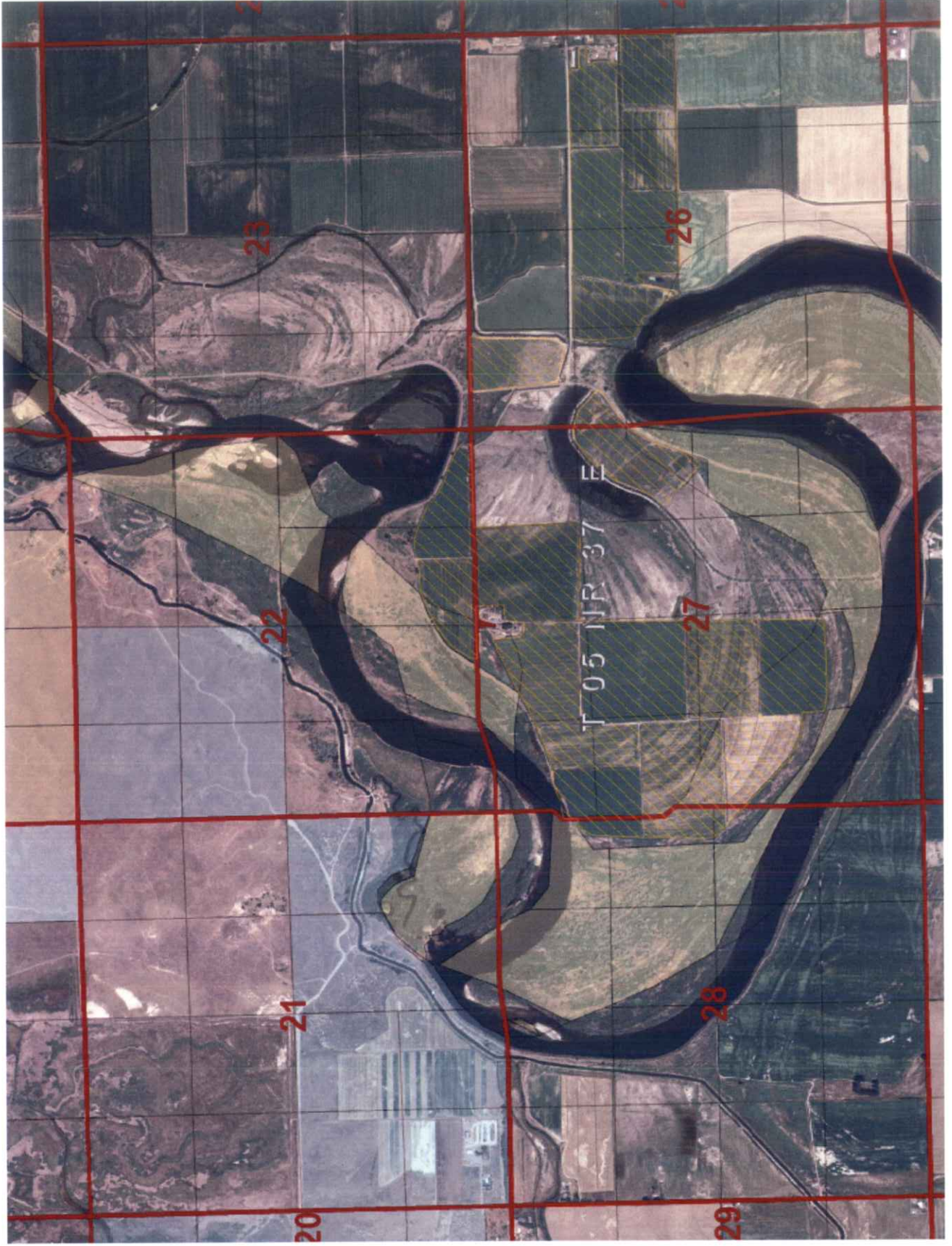
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 - Decreed

Use of this right is combined with water from Long Island Irrigation Co.
Right includes accomplished change in place of use pursuant to Section
42-1425, Idaho Code.
Right includes accomplished change in point of diversion pursuant to Section
42-1425, Idaho Code.
This right is a split from former right 25-230.
Water is delivered through Bear Trap Canal.

01-10457 & 01-10460
Poole



Poolle

Mixed POUs:

- The POU's identified below contain both private and public land. Please clarify such that only private land is intended by inserting the following language under place of use:

"Place of use does not include federal public land."³³

