

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 37-00857
(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: Donald T. Bray
Address: P.O. Box 194; Bliss, Idaho 83314-0094

Name: Lye Lake Ranch
Address: P.O. Box 94; Bliss, Idaho 83314-0094

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 a portion of the 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)

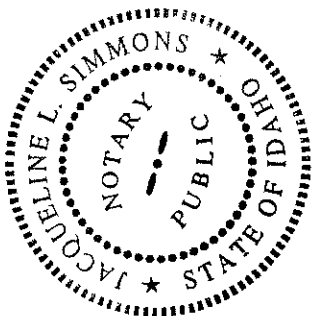
Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

May 22, 2007

Jacqueline L. Simmons

Jacqueline L. Simmons
Notary Public for State of Idaho
Residing at: Boise, Idaho
My Commission Expires: 04-07-2011



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 May 22nd, 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:

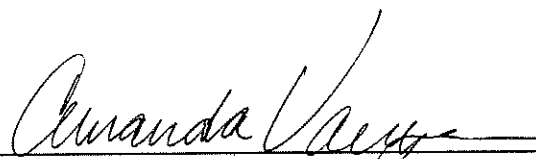
Name: Donald T. Bray
Address: P.O. Box 194; Bliss, Idaho 83314-0094
Name: Lye Lake Ranch
Address: P.O. Box 94; Bliss, Idaho 83314-0094
Name:
Address: ;
Name:
Address: ;

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

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

RIGHT NUMBER: 37-857

POU on BLM:

NAME AND ADDRESS: DONALD T BRAY
PO BOX 194
BLISS ID 83314-0094

-Claimant is not authorized to farm public land.

LYE LAKE RANCH
PO BOX 94
BLISS ID 83314-0094

SOURCE: DRY CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 8.000 CFS
190.00 AFY

All storage uses described by rights 37-7754, 37-2780, 37-2778, 37-856,
and 37-857 when combined shall not exceed the reservoir storage capacity
of 4365 acre-feet.

PRIORITY DATE: 02/01/1917

POINT OF
DIVERSION: T04S R14E S6 SENESE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION FROM STORAGE	04/01 10/31	190.00 AFY
IRRIGATION STORAGE	01/01 12/31	190.00 AFY
DIVERSION TO STORAGE	01/01 12/31	8.000 CFS

PLACE OF USE: IRRIGATION STORAGE in GOODING County

T04S R13E S25	NWSW	T04S R13E S25 Lot 1	SWSW
T04S R13E S26	SENE	T04S R13E S26 Lot 7	SESE
T04S R13E S35 Lot 1	NENE	T04S R13E S35 Lot 4	SWNE
T04S R13E S35 Lot 5	SENE	T04S R13E S36 Lot 1	NWNW
T04S R13E S36 Lot 2	SWNW		

IRRIGATION FROM STORAGE in GOODING County

T04S R13E S33	SWNE	5.00	T04S R13E S33	SENE	10.00
T04S R13E S33	NESE	14.00	T04S R13E S33	NWSE	5.00

BLM

34 ACRES TOTAL

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

Right includes accomplished change in place of use pursuant to Section
42-1425, Idaho Code.

TOWNSHIP 4 SOUTH RANGE 13 EAST OF THE BOISE MERIDIAN, IDAHO

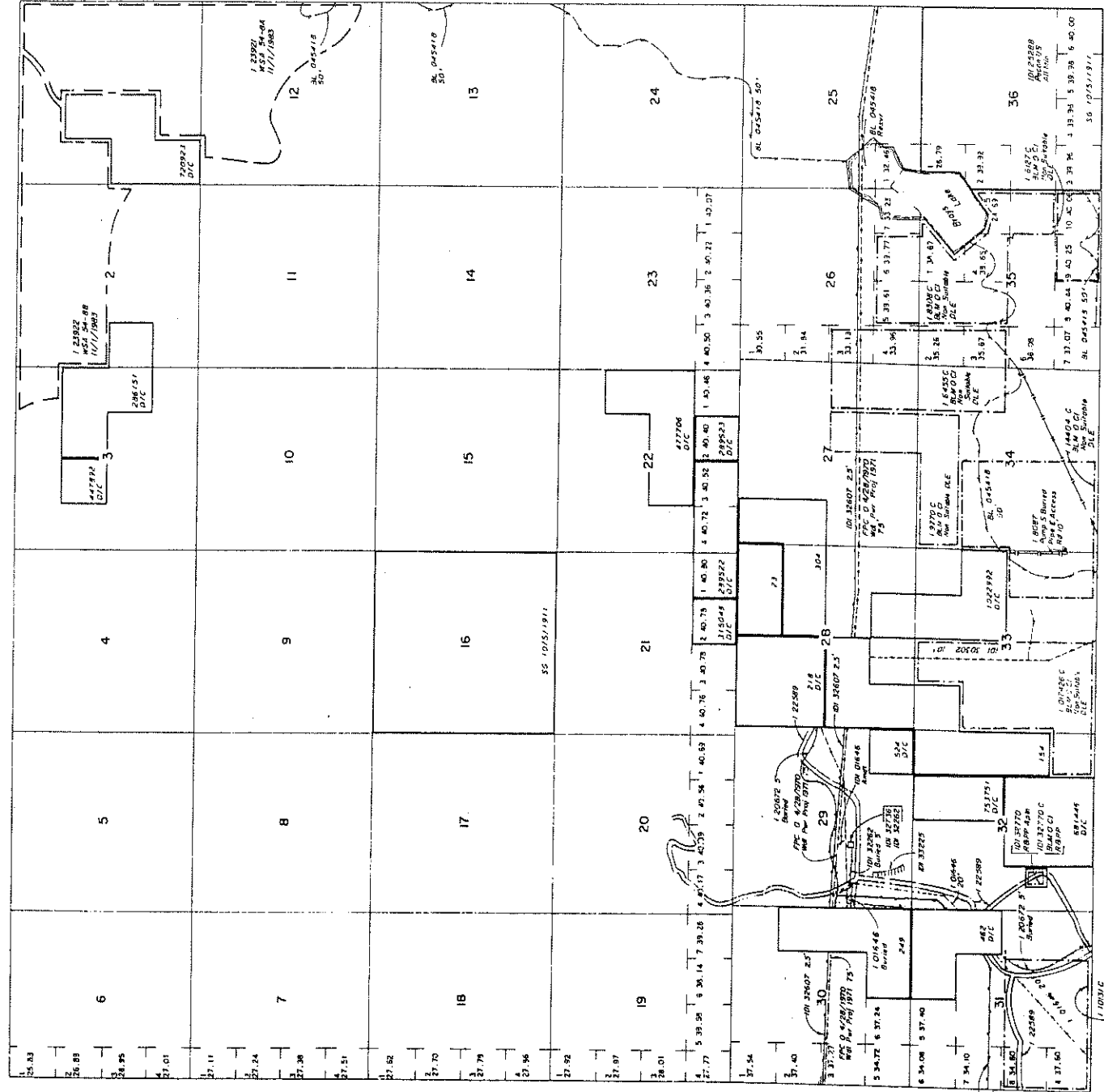
GOODING COUNTY 047

SHOSHONE DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS			
TRACT NO	T	R	SEC
1	2	3	4
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97	98	99	100



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

WARNING STATEMENT: This plat is the best representation of the land shown on the original survey. It is not a legal document and should not be used as such. The original survey is the only authority for the location and extent of the land shown on this plat. The plat is subject to change without notice.

SCALE IN CHAINS: 0 10 20 30 40

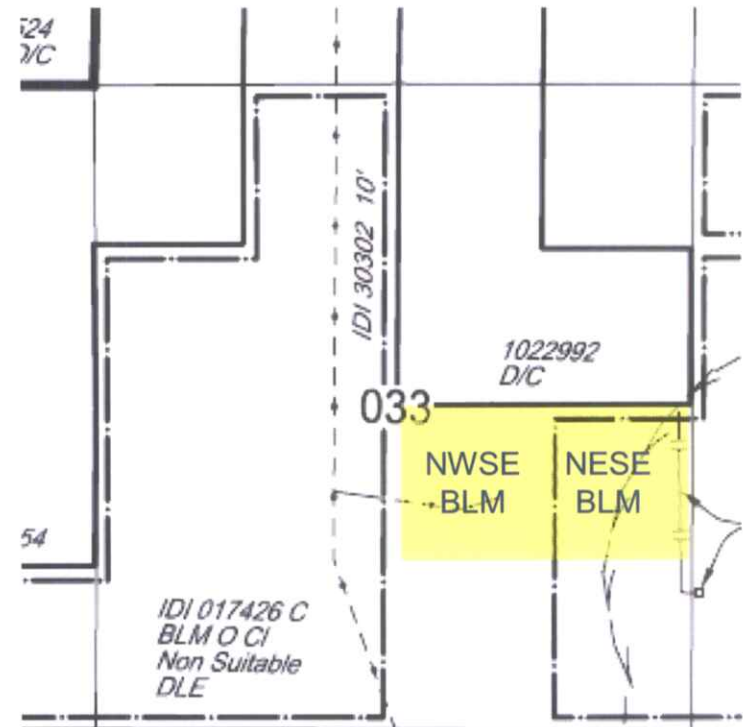
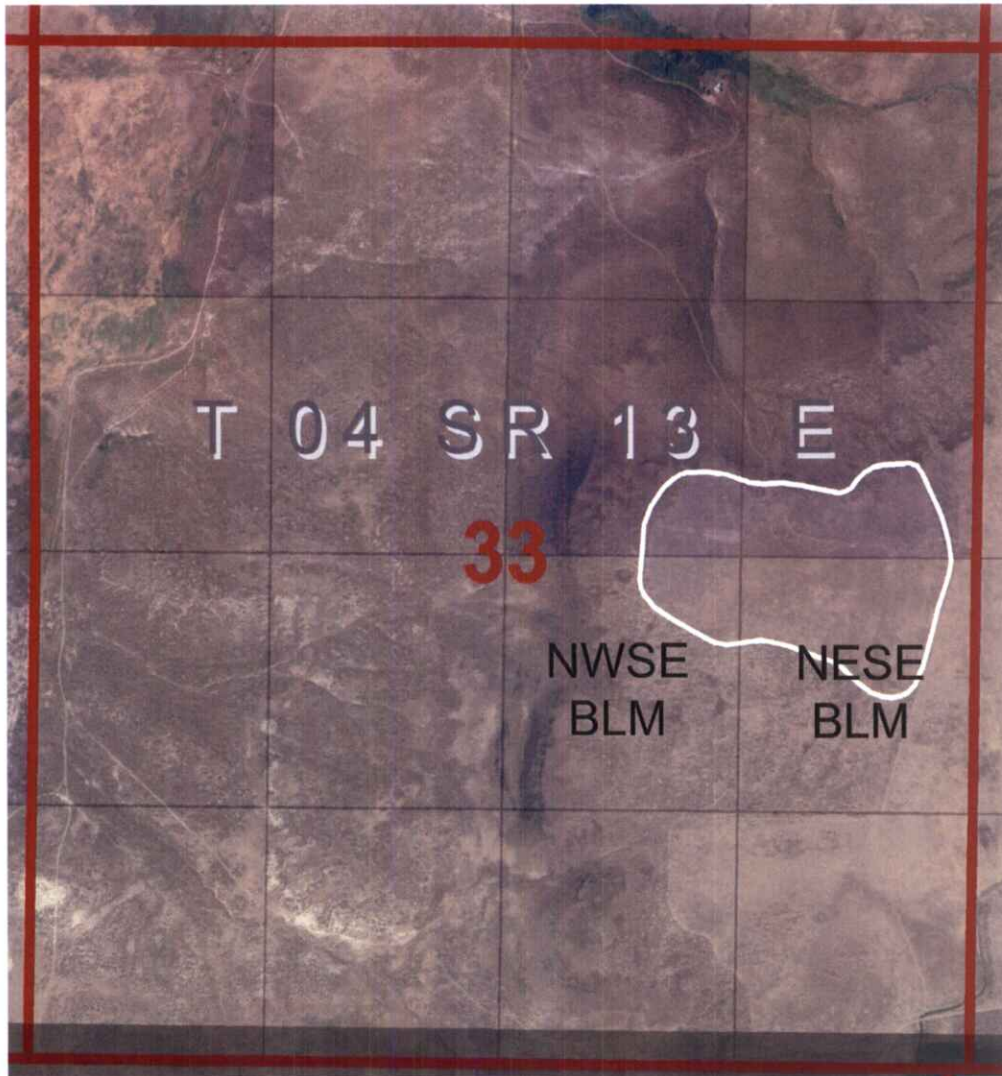
DATE: 11/1/1983

BY: [Signature]

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

37-00857

Donald T. Bray / Lye Lake Ranch



POU on BLM:

- Claimant is not authorized to farm public land.
- Remove BLM and adjust shapefile accordingly