

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)

A. Subcase 37-00817
(Insert water right number)

Case No. 39576)

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

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. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING**

Name: Faulkner Hayhook Ranches, Inc.

Address: 755 US Highway 30; Bliss, Idaho 83314

Name: C. Tom Arkoosh (attorney)

Address: P.O. Box 32; Gooding, Idaho 83330

Name:

Address: ;

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☐ Name and Address
2. ☐ Source
3. ☐ Quantity
4. ☐ Priority Date
5. ☐ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☒ Place of Use See attached.

11. **Recommendation:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

REASONS SUPPORTING RESPONSE:

The objector is seeking to add POUs and acres that were not recommended by IDWR. The POU described as T04S, R12E, S26, SWNW describes federal public land and 1 acre of irrigation that is not authorized by BLM.

E.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of ADA)

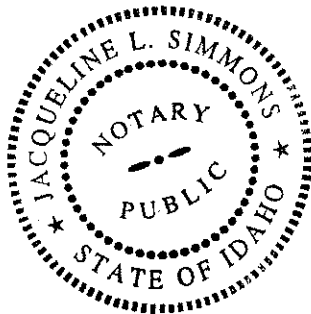
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing response)

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

Fredric W. Price
(Signature of person filing response)

Larry A. Bana
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 5-29-07



Jacqueline L. Simmons
~~Linda B. Buck~~

Notary Public for State of Idaho

Residing at: Mountain Home, Idaho, Boise

My Commission Expires: 12-21-2011 ~~04-07-2011~~

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, 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.

F.

CERTIFICATE OF MAILING

I certify that on May 29th, 2007, I mailed the original and copies of this response, 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:

Faulkner Hayhook Ranches, Inc., c/o Jim Faulkner
755 US Highway 30; Bliss, Idaho 83314

3. One copy to the party who filed the objection at the following address:

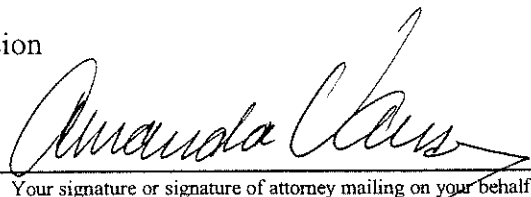
Faulkner Hayhook Ranches, Inc.
755 US Highway 30; Bliss, Idaho 83314
C. Tom Arkoosh (attorney)
P.O. Box 32; Gooding, Idaho 83330

4. 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


Your signature or signature of attorney mailing on your behalf

37-00817

SF-1 claim elements

COPY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-21972
Date Received: 11/21/2006
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FAULKNER HAYHOOK RANCHES INC
C/O JIM FAULKNER
755 US HWY 30
BLISS ID USA 83314

Phone: (208) 948-9104

2. Date of Priority:

3. Source: UNNAMED STREAM Trib. to: CALF CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04S	12E	27	NE NE SE	GOODING	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION STORAGE	01/01	12/31		13
IRRIGATION FROM STORAGE	03/15	11/15		13

7. Total Quantity Appropriated is:
13 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

Fish Propagation

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04S	12E	26	NE	SW	IRRIGATION FROM STORAGE	6
			SW	NW	IRRIGATION FROM STORAGE	1
			NW	SW	IRRIGATION FROM STORAGE	18
			SW	SW	IRRIGATION FROM STORAGE	5
Section Acres						30
04S	12E	27	NE	SE	IRRIGATION FROM STORAGE	3
			SW	SE	IRRIGATION FROM STORAGE	9
			SE	SE	IRRIGATION FROM STORAGE	8
			NE	SW	IRRIGATION STORAGE	
Section Acres						20
04S	12E	34	NE	NE	IRRIGATION FROM STORAGE	14
			SW	NE	IRRIGATION FROM STORAGE	10
			SE	NE	IRRIGATION FROM STORAGE	24
			NW	NE	IRRIGATION FROM STORAGE	35
Section Acres						83
Total Acres						133

11. Place of use in counties: GOODING

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

Claim is for pond in NESE Section 27

Pond volume is calculated to be 13 acre feet. Consumptive use for irrigation in this area is 4.0 acre feet per acre. Therefore, Irrigation from Storage is limited to irrigation of 3.25 acres per season.

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Pres of
Title
Faulkner Haybrook Ranches Inc that I have signed the foregoing
Organization
document in the space below as Pres of
Title

Faulkner Haybrook Ranches Inc and that the statements contained in the
Organization
foregoing document are true and correct. James E Faulkner
Signature of Authorized Agent
Faulkner Haybrook Ranches Inc.
Title and Organization

11/28/06
Date

State of Idaho)

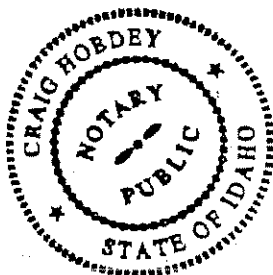
County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this
of November 2006

29th
Craig Hobdey
Notary Public

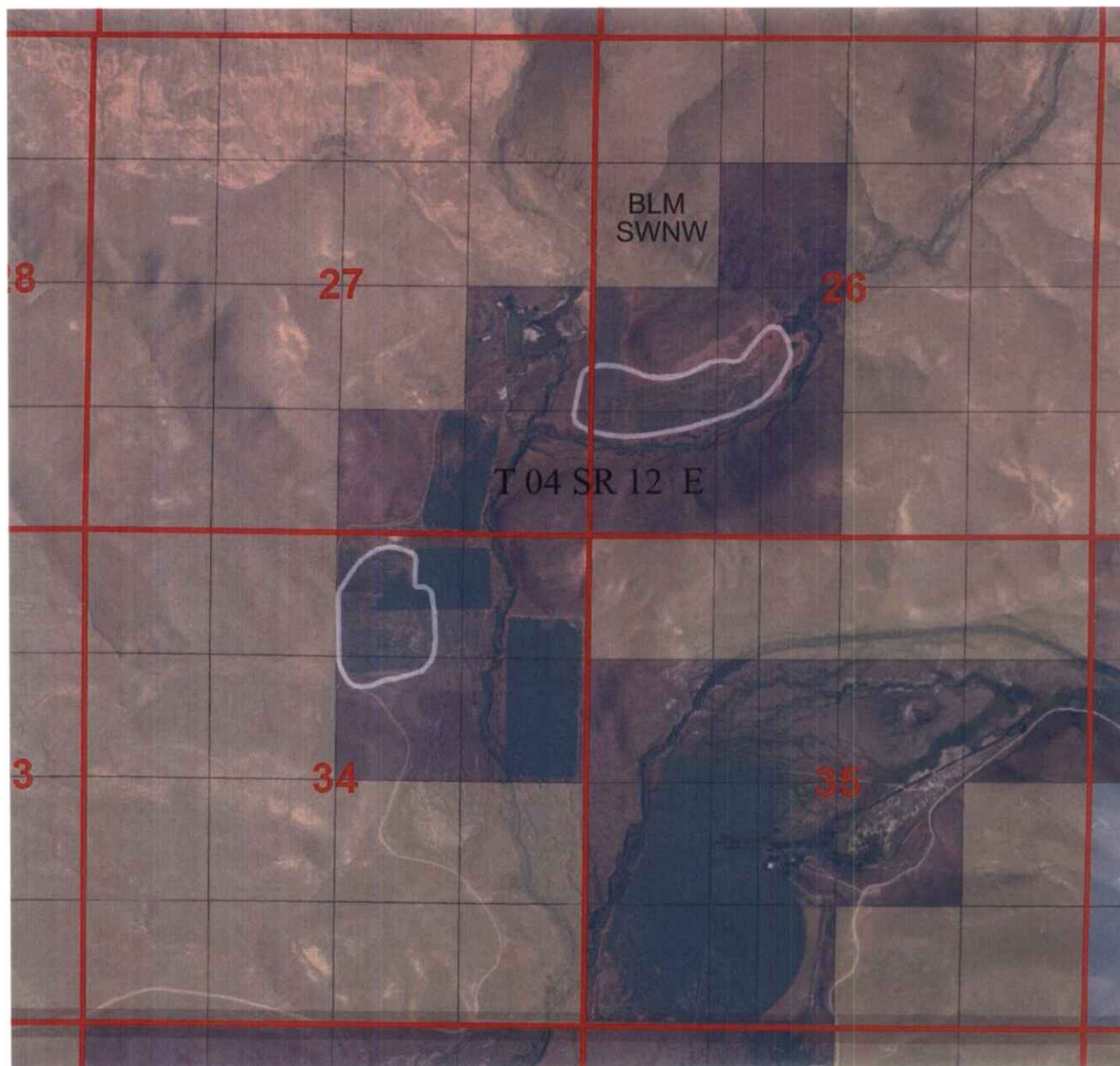
Residing at Gooding

My commission Expires 10-24-12



37-00817

Recommended Shapefile



12/02/2006

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

RIGHT NUMBER: 37-817

NAME AND ADDRESS: FAULKNER HAYHOOK RANCHES INC
C/O JIM FAULKNER
755 US HWY 30
BLISS ID 83314

SOURCE: CALF CREEK

TRIBUTARY: CLOVER CREEK

QUANTITY: 1.200 CFS

PRIORITY DATE: 04/01/1904

POINT OF

DIVERSION: T04S R12E S26 SWSWNE Within GOODING County

T04S R12E S27 NENESE Within GOODING County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

1.200 CFS

PLACE OF USE: IRRIGATION in GOODING County

T04S R12E S26	NESW	10.00	T04S R12E S26	NWSW	14.00
T04S R12E S26	SWSW	6.00	T04S R12E S26	SESW	0.20
T04S R12E S27	NESE	1.20	T04S R12E S27	SESE	0.60
T04S R12E S34	NWNE	23.00	T04S R12E S34	SWNE	5.00

60 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.

Director's Report Recommendation

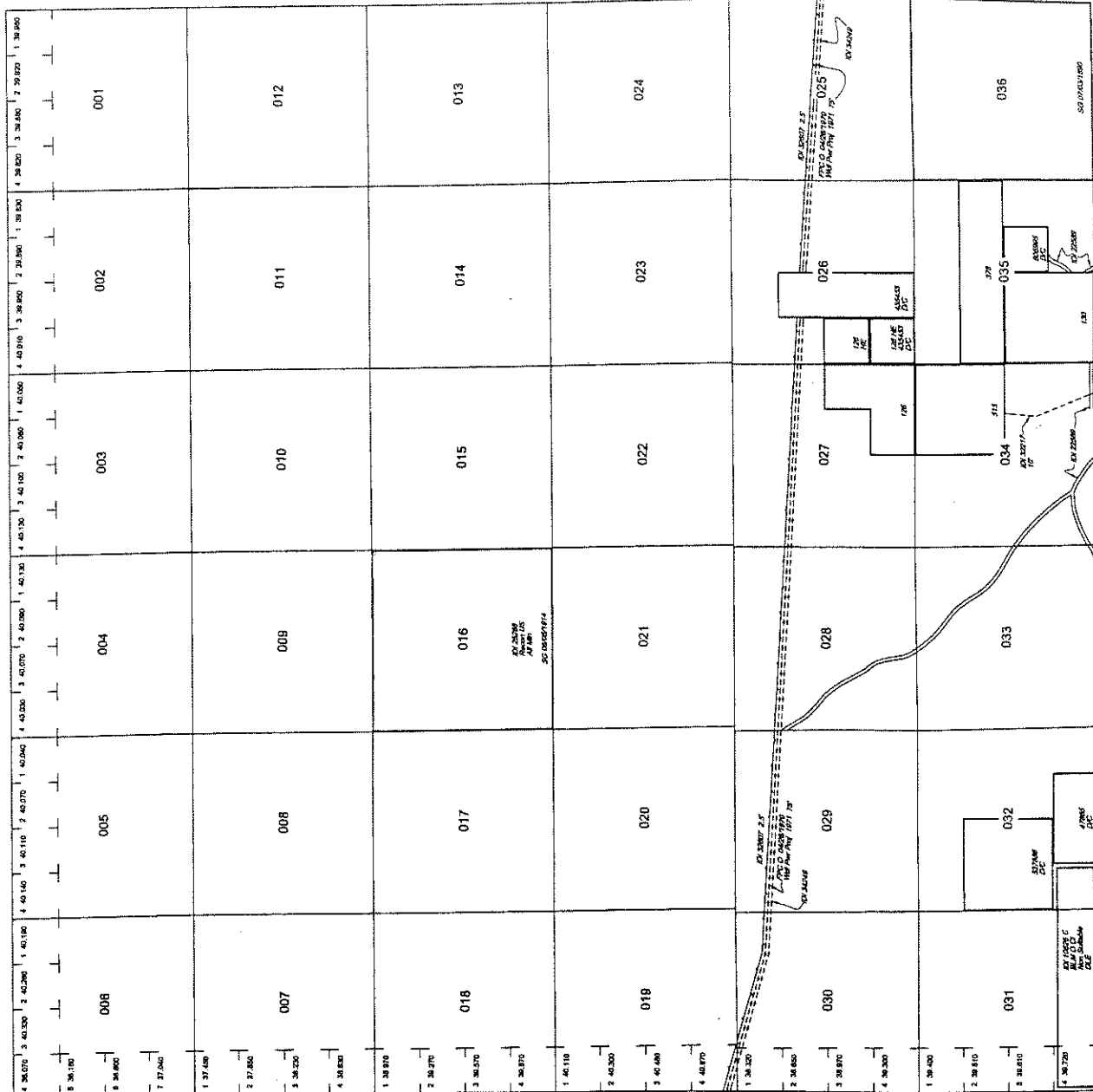
TOWNSHIP 4 SOUTH RANGE 12 EAST OF THE BOISE MERIDIAN, IDAHO

GOODING COUNTY 047
THIN FALLS DISTRICT SEC. 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS			
TRACT NO.	T.	R.	S.
001	4	12	1
002	4	12	2
003	4	12	3
004	4	12	4
005	4	12	5
006	4	12	6
007	4	12	7
008	4	12	8
009	4	12	9
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043	4	12	43
044	4	12	44
045	4	12	45
046	4	12	46
047	4	12	47
048	4	12	48
049	4	12	49
050	4	12	50



DISCLAIMER
This plat is a graphic display of the Bureau of Land Management's (BLM) review of the land ownership survey data. BLM's review is limited to the accuracy of the survey data and does not constitute a warranty of title. The BLM does not warrant the accuracy of the survey data or the results of the survey. The BLM is not responsible for any errors or omissions in this plat. The BLM is not responsible for any damages or losses resulting from the use of this plat. The BLM is not responsible for any claims or liabilities arising from the use of this plat. The BLM is not responsible for any claims or liabilities arising from the use of this plat.



U.S. Bureau of Land Management - Idaho State Office
1307 S. Vinland Way, Boise, Idaho 83725
(208) 373-4000



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

FILE REF: ID0000001206AMT0006 749	BT: DWS
CONVERTED TFF: 03/01/2007	BT: DWS
LAST UPDATED: 03/01/2007	BT: DWS
CAVOC #1: EG 03/01/2007	CAVOC #2: DWS
POSTED TO PUBLIC RECORDS: 03/01/2007	
PUBLIC LAND SURVEY SYSTEM (PLSS):	BT:
BLM GDSR ACQUIRED: 04/01/2006	
OTHER: N/A	
PROJECTED COORDINATE SYSTEM: UTM ZONE 11N NAD 1983	
NOTES:	
USE PLAT:	

Scale Bar
1. 4 S
R. 12 E