

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 79-04103  
(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: Jim & Rachel A. Rupp  
Address: HC 01 Box 1; Lucile, Idaho 83542

Name:  
Address: ;

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: See attached.
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 this POU. The recommended priority date of 01-01-1880 is greatly senior in time the the date the private land POUs were patented on 07-20-1915.

**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.

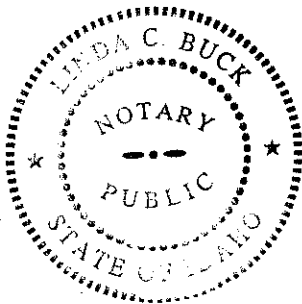
Fredric W. Price  
(Signature of person filing objection)

Larry A. Brown  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

June 11 2007

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 June 12TH, 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: Jim & Rachel A. Rupp  
Address: HC 01 Box 1; Lucile, Idaho 83542

Name:  
Address: ;

Name:  
Address: ;

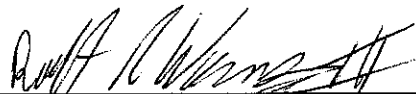
Name:  
Address: ;

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

10/23/2006

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

RIGHT NUMBER: 79-4103  
NAME AND ADDRESS: RACHEL A RUPP  
HC 01 BOX 1  
LUCILE ID 83542  
  
JIM RUPP  
HC 01 BOX 1  
LUCILE ID 83542

**Unauthorized POU on BLM:**

-The place of use described below is located on public land.  
-Agricultural use is not authorized.

SOURCE: FIDDLE CREEK TRIBUTARY: SALMON RIVER  
QUANTITY: 1.000 CFS  
PRIORITY DATE: 01/01/1880 - private land not patented until 07-20-1915.  
POINT OF DIVERSION: T25N R01E S22 SESE Lot 6 Within IDAHO County  
T25N R01E S23 NWSW Within IDAHO County  
T25N R01E S23 NESE Within IDAHO County

PURPOSE AND PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 02/15 11/30          | 1.000 CFS       |

PLACE OF USE: IRRIGATION Within IDAHO County

|                          |       |                          |      |     |
|--------------------------|-------|--------------------------|------|-----|
| T25N R01E S22 Lot 5 NESE | 18.00 | T25N R01E S22 Lot 6 SESE | 2.40 |     |
| T25N R01E S23 Lot 5 SWNW | 4.70  | T25N R01E S23 Lot 6 SENW | 1.90 | BLM |
| T25N R01E S23 NWSW       | 13.00 |                          |      |     |

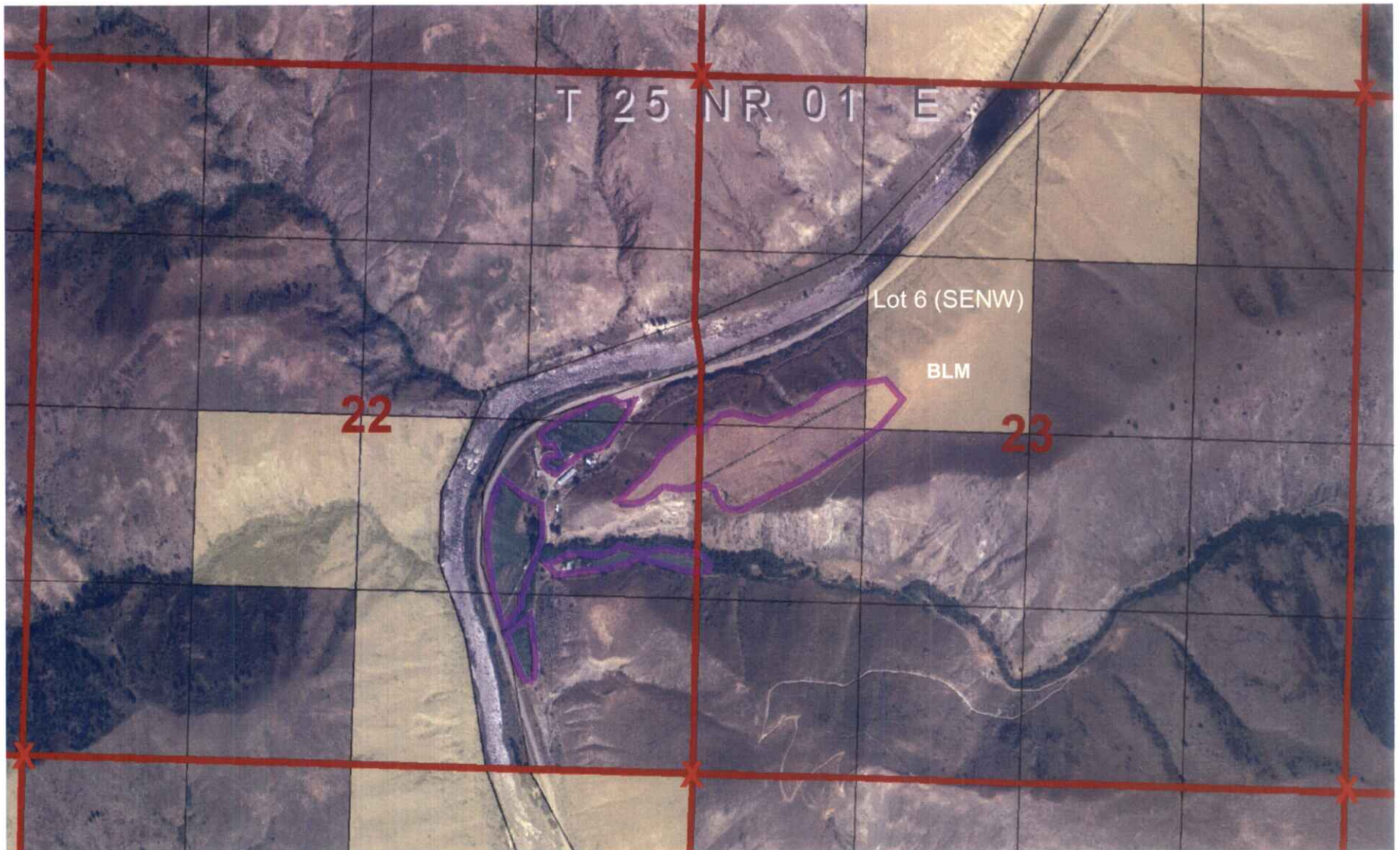
40 ACRES TOTAL

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

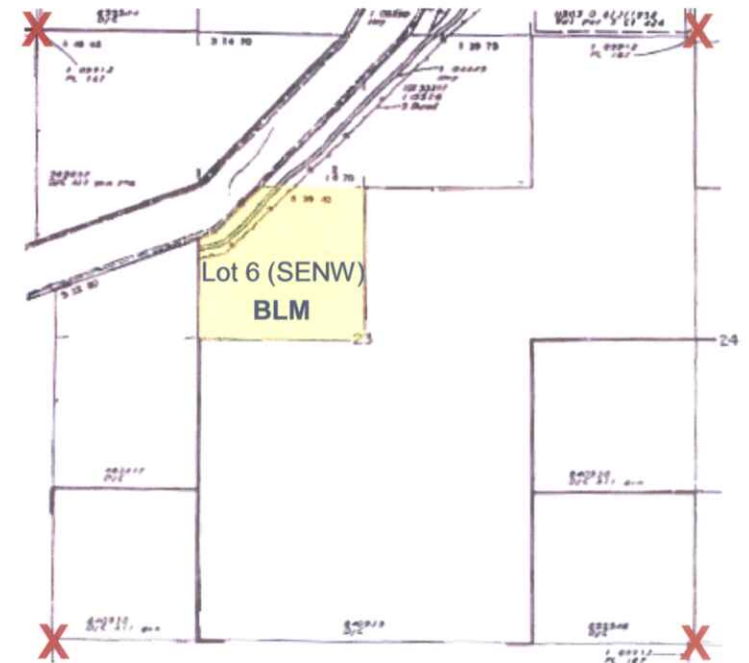
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

79-04103 Jim and Rachel Rupp



## 79-04103 Jim and Rachel Rupp



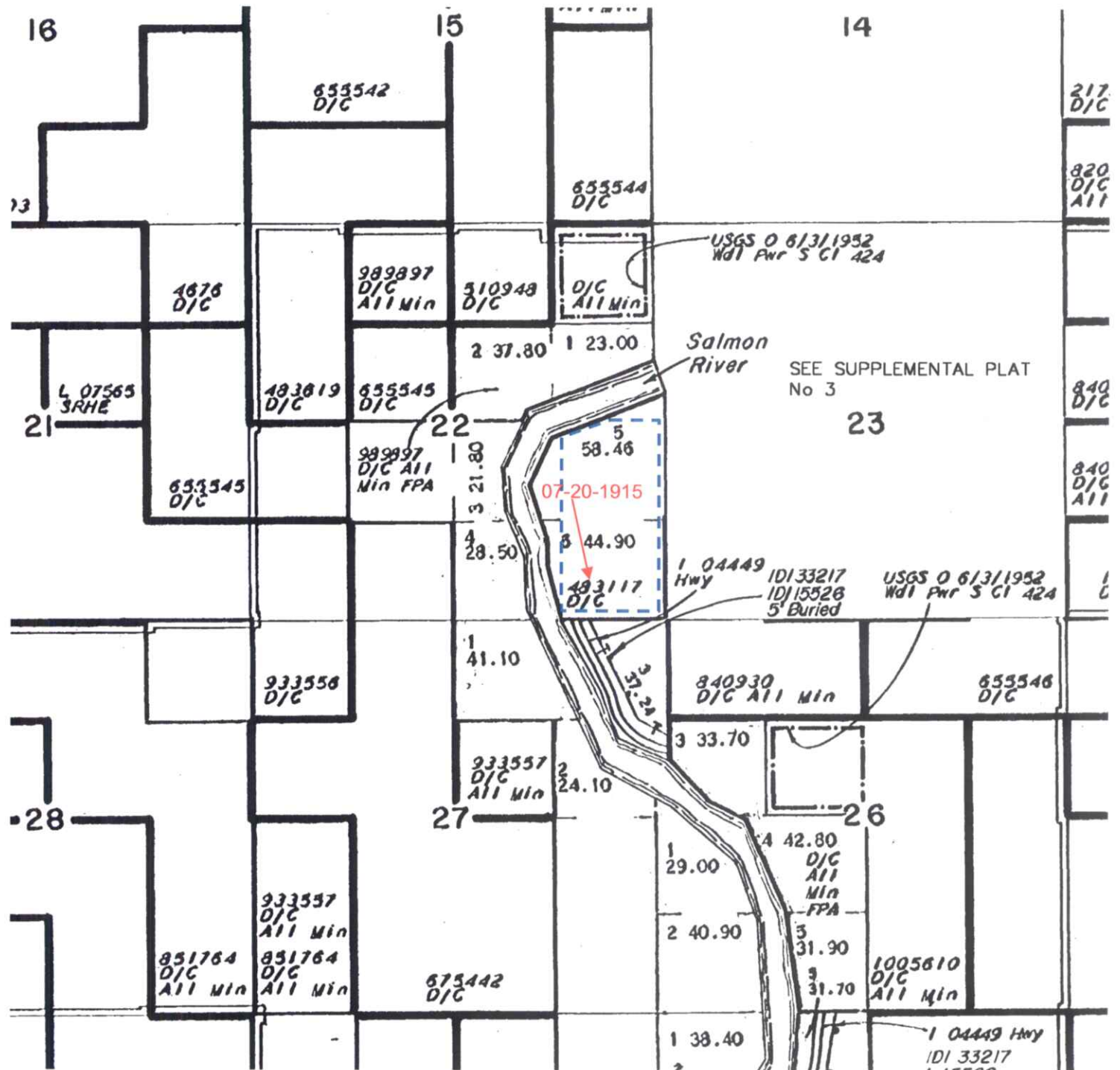
-Claimant is not authorized to farm public land.

-Remove T25N R01E S23 Lot 6 (SE NW) 1.90 acres recommendation.

-Adjust shapefile accordingly.

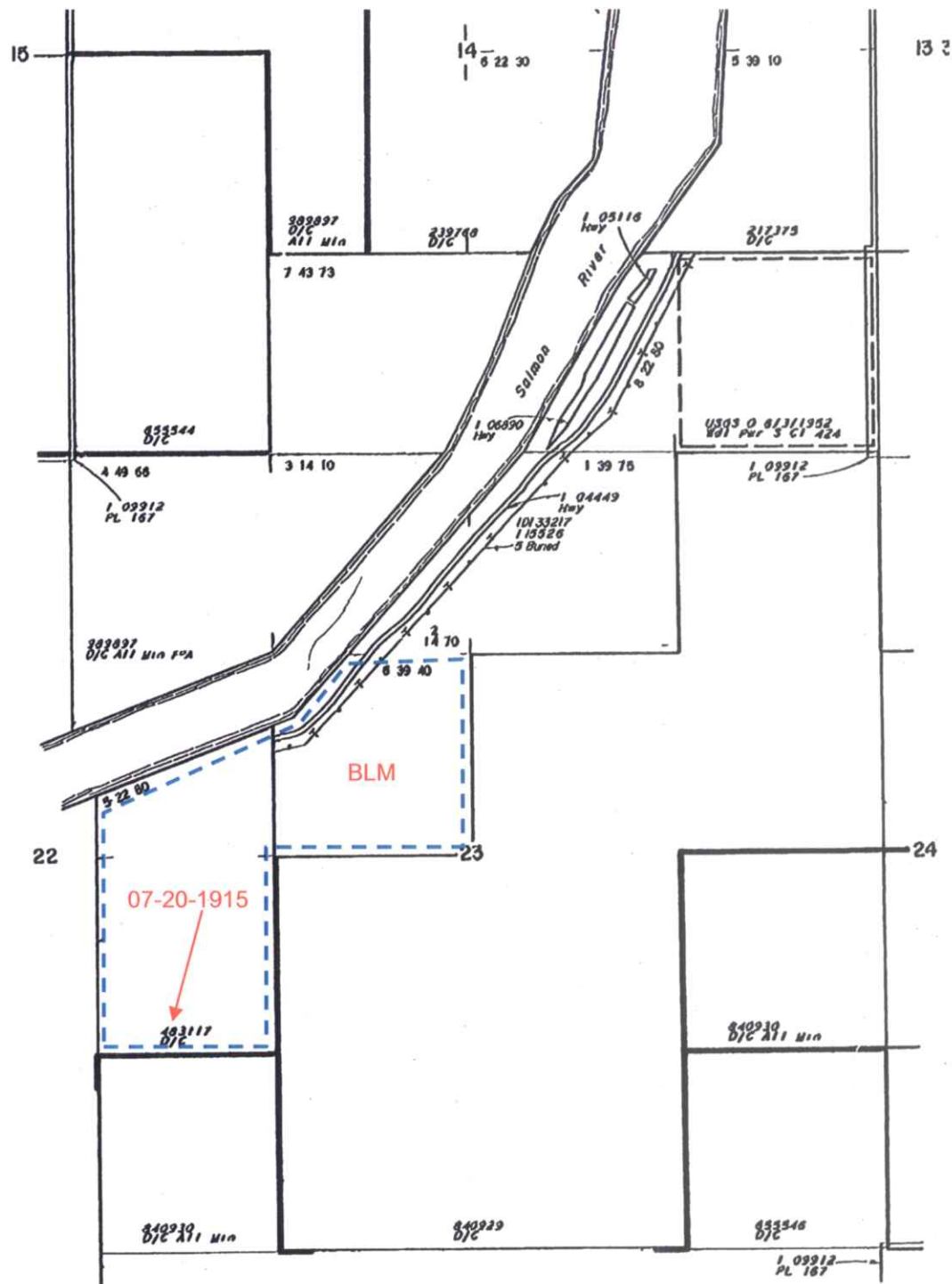
T25N

R01E



T25N

R01E



# The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at **Lewiston, Idaho,**

has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862,

"To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of **Thomas Pogue**

has been established and duly consummated, in conformity to law, for the Lot five and the northwest quarter of the southwest quarter of Section twenty-three and the Lots five and six of Section twenty-two in Township twenty-five north of Range one east of the Boise Meridian, Idaho, containing one hundred sixty-six and sixteen-hundredths acres,

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, **Woodrow Wilson**

President of the United States of America, have caused these letters to be made

Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the **TWENTIETH**

day of **JULY** in the year of our Lord one thousand

nine hundred and **FIFTEEN** and of the Independence of the

United States the one hundred and **FORTIETH.**

By the President:

By

*Woodrow Wilson*  
*M. D. Le Roy* Secretary,  
*L. B. Lamar*  
 Recorder of the General Land Office.

RECORD OF PATENTS: Patent Number **483117**

4-2177

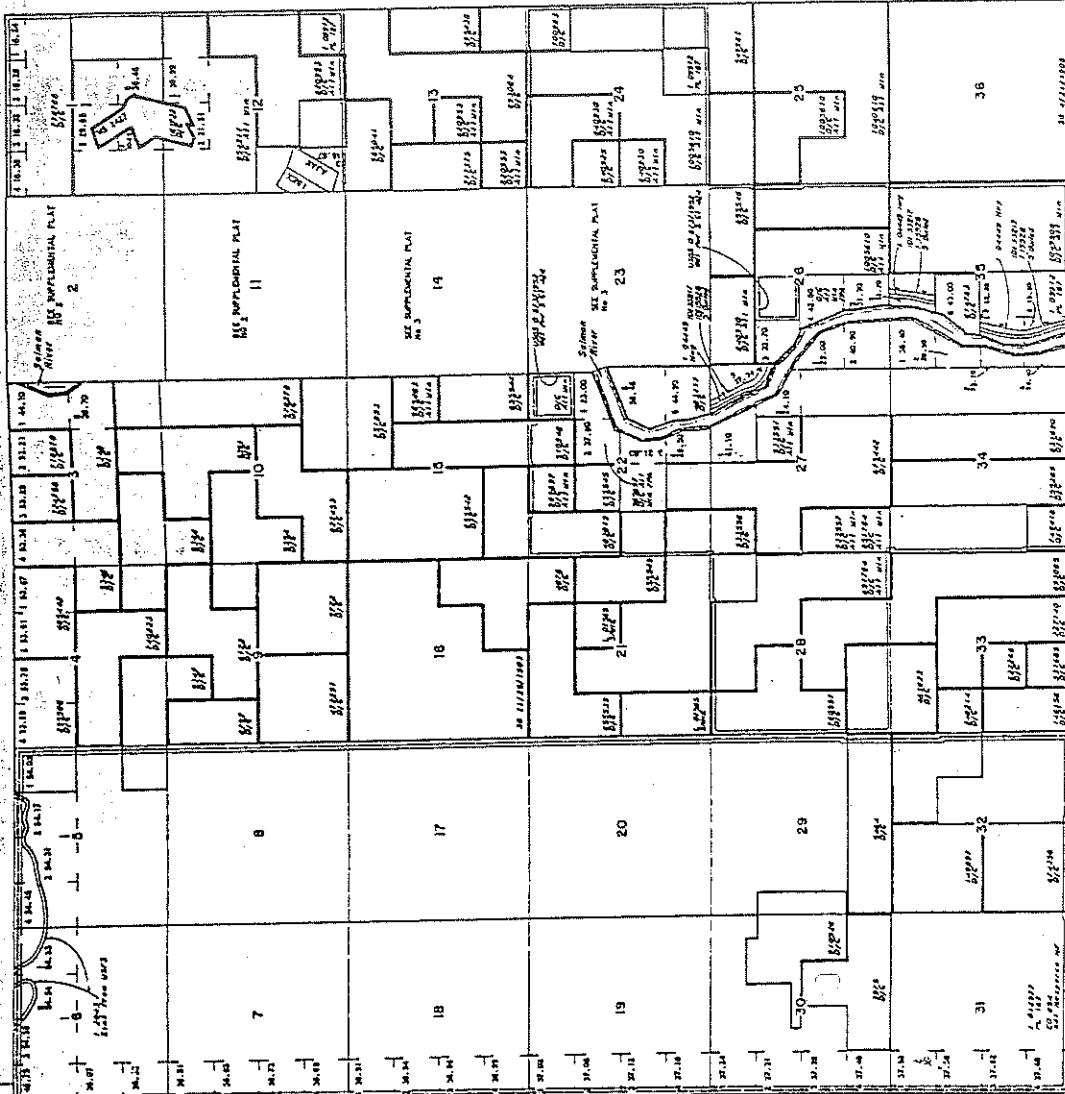
1746319

(SEAL)

**00000000**

# STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

## MT PLAT

[illegible][illegible]

## CONCLUDING STATEMENT

This post is the Bureau's Record of Title, and around the usual only as is graphic display of the township survey data. Records, however, do not reflect title changes which may have been affected by other instruments of these or other modes of water. Refer to the indicated sources for official survey information.

**COPIES TO CHIEF**

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITHDRAWAL ORDER.

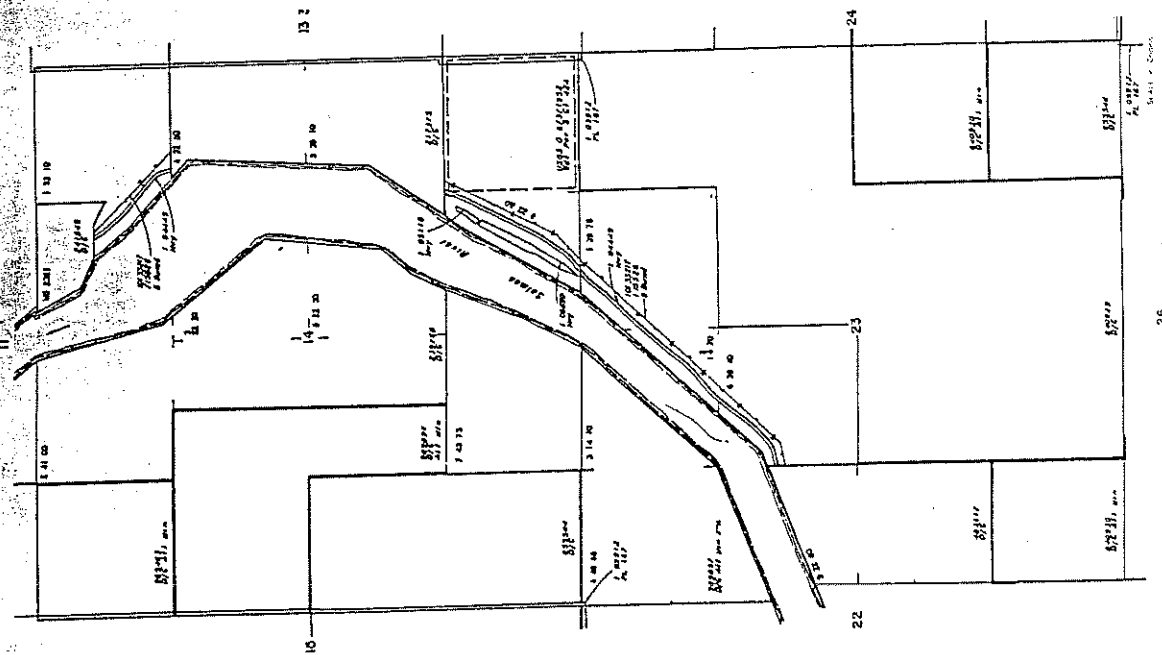
 $\partial_{x_i} \phi = \psi_i = 1$

COLE PINE BIRCH

No. 3 STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

МТР

SUPPL SEC 14,23

[illegible]

SO 1/27/1923 Open to Entry Subj to Sec 24 FPA  
Pur 5 Res B SO 04/05/1921  
Sec 23: lot 6

DLN O 03/12/1957 Open to Entry Subj to Sec 24  
EPA Pwr 5 Res H 50 04/05/1921

SEC 13: 1012 B.Y  
SEC 11: 1013 7.3.58  
SEC 14: 101 B

DOI 99912 Dec PL 167 (Act of Cong 07/23/1955)  
completed 09/28/1960. All PO surface Mgmt by B  
BIO 2606 06/11/1962 Done to Entry Sur to Sec

Act of Cong (Sec 5) 10/02/1918, at public land

within 1/4 mile of Salmon River With the potential  
addition to Wild & Scenic Rivers System

PLD 6670 Lower Salmon River Prot With

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| Sec 2: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 83 |
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PLD 61,720 Lower Salween River Pkt! Wat Min Only.  
Sic 21, 108 6,10

Sec 11: Ind 2 55W5

Sec 14: Ind 2 55W5

Sec 23: Ind 3 4

[illegible][illegible]

1.  $\frac{1}{2} \log \frac{1}{2} = -0.5$   
 2.  $\frac{1}{4} \log \frac{1}{4} = -0.5$   
 3.  $\frac{1}{8} \log \frac{1}{8} = -0.5$   
 4.  $\frac{1}{16} \log \frac{1}{16} = -0.5$   
 5.  $\frac{1}{32} \log \frac{1}{32} = -0.5$   
 6.  $\frac{1}{64} \log \frac{1}{64} = -0.5$   
 7.  $\frac{1}{128} \log \frac{1}{128} = -0.5$   
 8.  $\frac{1}{256} \log \frac{1}{256} = -0.5$   
 9.  $\frac{1}{512} \log \frac{1}{512} = -0.5$   
 10.  $\frac{1}{1024} \log \frac{1}{1024} = -0.5$   
 11.  $\frac{1}{2048} \log \frac{1}{2048} = -0.5$   
 12.  $\frac{1}{4096} \log \frac{1}{4096} = -0.5$   
 13.  $\frac{1}{8192} \log \frac{1}{8192} = -0.5$   
 14.  $\frac{1}{16384} \log \frac{1}{16384} = -0.5$   
 15.  $\frac{1}{32768} \log \frac{1}{32768} = -0.5$   
 16.  $\frac{1}{65536} \log \frac{1}{65536} = -0.5$   
 17.  $\frac{1}{131072} \log \frac{1}{131072} = -0.5$   
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 51.  $\frac{1}{2251799813685248} \log \frac{1}{2251799813685248} = -0.5$   
 52.  $\frac{1}{4503599627370496} \log \frac{1}{4503599627370496} = -0.5$   
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 54.  $\frac{1}{18014398509481984} \log \frac{1}{18014398509481984} = -0.5$   
 55.  $\frac{1}{36028797018963968} \log \frac{1}{36028797018963968} = -0.5$   
 56.  $\frac{1}{72057594037927936} \log \frac{1}{72057594037927936} = -0.5$   
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 58.  $\frac{1}{288230376151711744} \log \frac{1}{288230376151711744} = -0.5$   
 59.  $\frac{1}{576460752303423488} \log \frac{1}{576460752303423488} = -0.5$   
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 65.  $\frac{1}{36893488147419103232} \log \frac{1}{36893488147419103232} = -0.5$   
 66.  $\frac{1}{73786976294838206464} \log \frac{1}{73786976294838206464} = -0.5$   
 67.  $\frac{1}{147573952589676412928} \log \frac{1}{147573952589676412928} = -0.5$   
 68.  $\frac{1}{295147905179352825856} \log \frac{1}{295147905179352825856} = -0.5$   
 69.  $\frac{1}{590295810358705651712} \log \frac{1}{590295810358705651712} = -0.5$   
 70.  $\frac{1}{1180591620717411303424} \log \frac{1}{1180591620717411303424} = -0.5$   
 71.  $\frac{1}{2361183241434822606848} \log \frac{1}{2361183241434822606848} = -0.5$   
 72.  $\frac{1}{4722366482869645213696} \log \frac{1}{4722366482869645213696} = -0.5$   
 73.  $\frac{1}{9444732965739290427392} \log \frac{1}{9444732965739290427392} = -0.5$   
 74.  $\frac{1}{18889465931478580854784} \log \frac{1}{18889465931478580854784$

Figure 1. Schematic representation of the experimental design. The subjects were divided into two groups: the control group (CG) and the experimental group (EG). The CG was divided into two subgroups: the control group (CG) and the control group (CG). The EG was divided into two subgroups: the experimental group (EG) and the experimental group (EG). The subjects were divided into two groups: the control group (CG) and the experimental group (EG). The CG was divided into two subgroups: the control group (CG) and the control group (CG). The EG was divided into two subgroups: the experimental group (EG) and the experimental group (EG).

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within 1/4 mile of Salmon River, Wdn for potential addition to Wild & Scenic Rivers System

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PL0 5570 Lower Salmon River Pool Wet  
Sec 2: Lots 1, 9, 525ENW, SWSE

PLQ 8670 Lower Salmon River Proj Well Min Only

SAC 14: NATHAN, WZSCNN, WZUE30  
SAC 23: 6010 J 4

1. 姓名: 王明 性别: 男 年龄: 25 岁 身份证号: 110101199801010001 联系电话: 13801012345 电子邮箱: wangming@example.com

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Figure 1. The proposed model of the relationship between the perceived social support and the perceived stress. The model shows a positive relationship between perceived social support and perceived stress, mediated by perceived social support. The model is based on the data from the study of the relationship between perceived social support and perceived stress in the elderly.

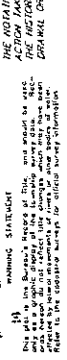
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Figure 1

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| Age Group | U.S. should take more action (%) | U.S. should take less action (%) |
|-----------|----------------------------------|----------------------------------|
| 18-29     | 65                               | 35                               |
| 30-49     | 75                               | 25                               |
| 50-64     | 80                               | 20                               |
| 65+       | 85                               | 15                               |


$$f_{\alpha} = \frac{1}{\Gamma(\alpha)} \int_0^{\infty} e^{-\lambda t} t^{\alpha-1} dt, \quad \alpha > 0, \quad \lambda > 0, \quad \Gamma(\alpha) = \int_0^{\infty} e^{-t} t^{\alpha-1} dt, \quad \alpha > 0.$$

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