

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 79-14116
(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 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:
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 recommendation does not describe the land to which the use on federal land is appurtenant as required by I.C. 42-1402.

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)

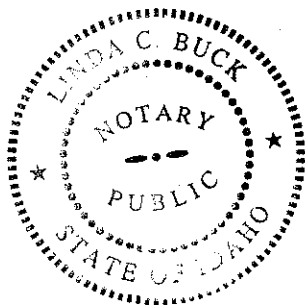
Larry A. Brown
(Attorney signing in representative capacity)

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 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: 79-14116
NAME AND ADDRESS: JIM RUPP
HC 01 BOX 1
LUCILE ID 83542
SOURCE: SHEEP GULCH CREEK
QUANTITY: 0.020 CFS
POU on BLM:
-Claimed POU on BLM needs to described consistent with I.C. 42-1402.
-Period of Use is not year round at the POU on BLM.
TRIBUTARY: SALMON RIVER
The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1946

POINT OF
DIVERSION: T25N R01E S1 NWSE Begin of Stream Flow Within IDAHO County
T25N R01E S2 SENW Within IDAHO County
T25N R01E S2 SWSNW End of Stream Flow Within IDAHO County
T25N R01E S2 SESENW Begin of Stream Flow Within IDAHO County
T25N R01E S2 NESE End of Stream Flow Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within IDAHO County

T25N R01E S01	NESW	T25N R01E S01	NESW
T25N R01E S01	NWSW	T25N R01E S01	NWSE
BLM T25N R01E S02	SENW	T25N R01E S02	NESE

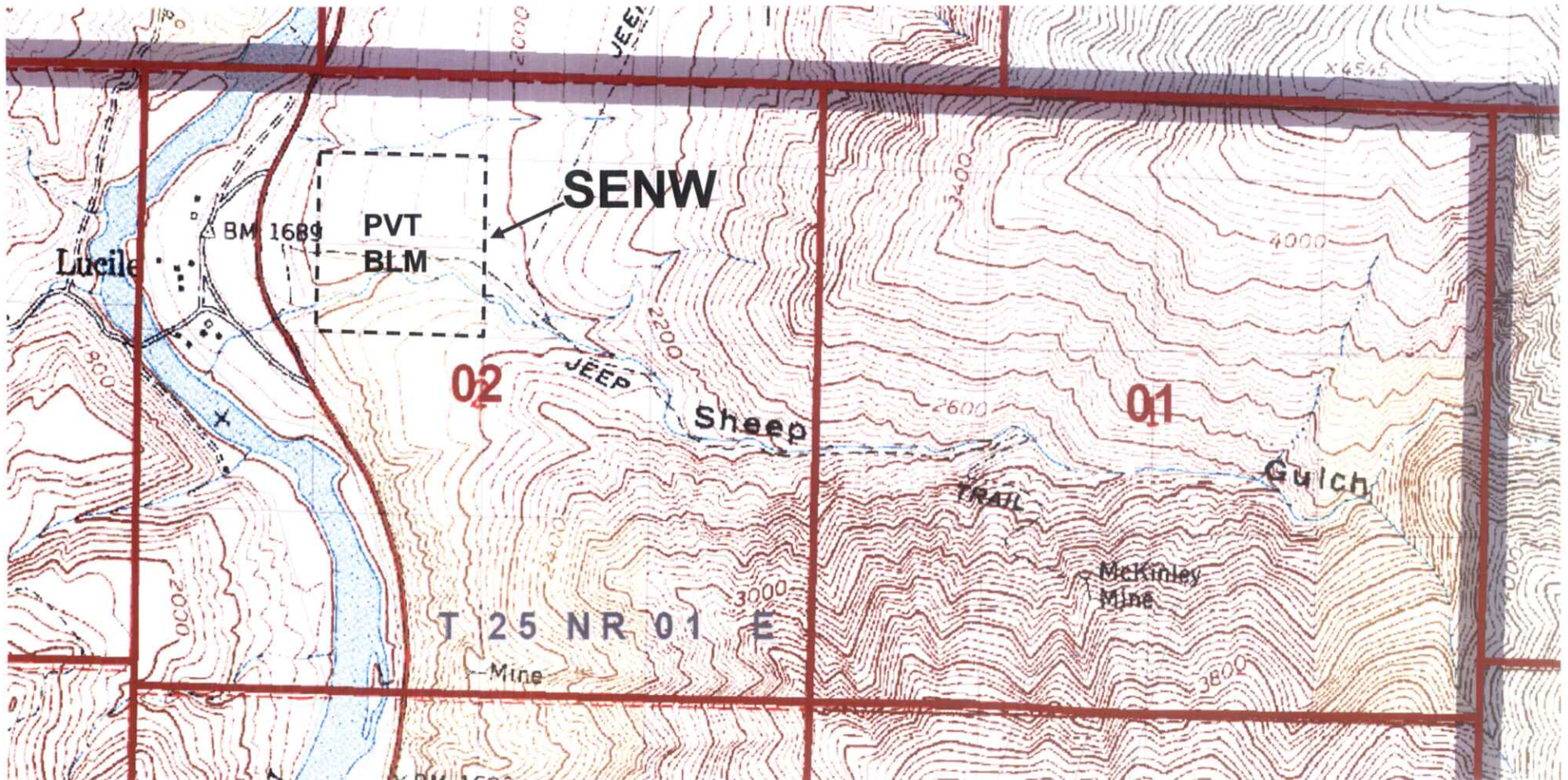
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

79-14116 Jim Rupp



POU on BLM:

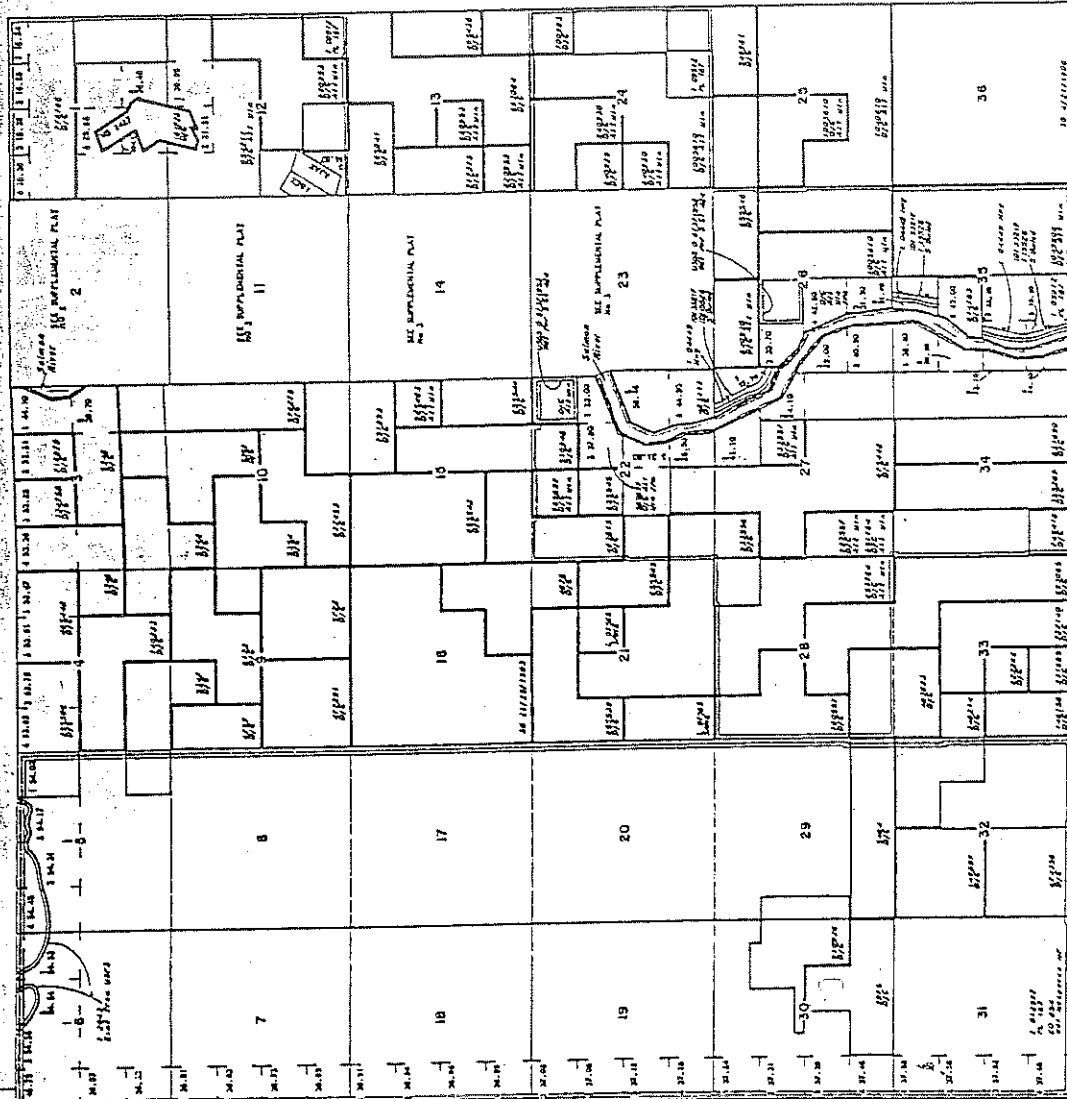
- Claimed POU on BLM needs to be described consistent with I.C. 42-1402.
- Period of Use is not year round at the POU on BLM.

000M401J0:

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

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11. *Chlorophyll a* and *Chlorophyll b* content of the leaves was determined by spectrophotometry using the method of Arnon and Whistler (1940).

It is the author's intention to reflect the changes which have taken place in the environment of the school and to reflect the changes which have taken place in the environment of the school and to reflect the changes which have taken place in the environment of the school.

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SCALE in Chains

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

TOWNSHIP 25 NORTH RANGE 1 EAST OF THE BOISE MERIDIAN, IDAHO
IDAHO COUNTY 049
COLUMBIA DISTRICT

STATUS OF PUBLIC DOMAIN
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MTP
SUPPL Sec 2,11

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Sec 23: Lot 8

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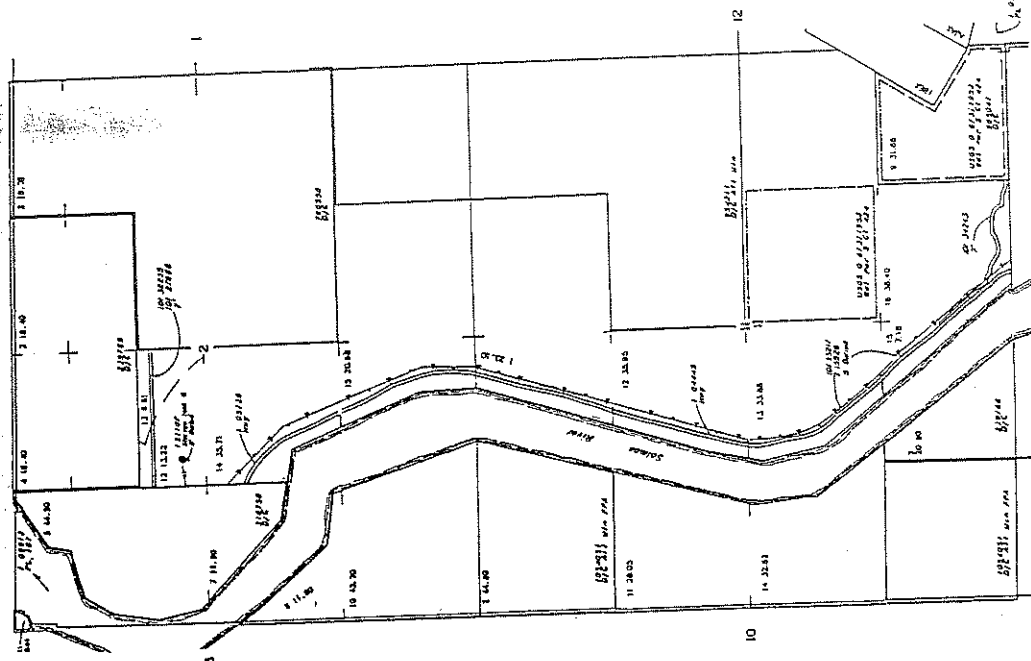
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NOTATION SHOWN ON MAPS REPRESENTS THE LAST
ACTION TAKEN BY THE BUREAU OF LAND MANAGEMENT
FOR THE DATE OF THE ORIGINAL MAP.

FOR OWNERS EFFECTING DISPOSAL OF USE OF
UNDEVELOPED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO
JUL-1-2-2001

USE PLATS

Book Sec
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