

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 47-02651
(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: United States of America
Address: 1387 South Vinnell Way; Boise, ID 83709-1657
Name: Bureau of Land Management
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: See attached.
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:

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 quantity reported in the Director's Report is inaccurate. This claim is based on a license issued by the State of Idaho. The quantity should be decreed consistent with the license.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

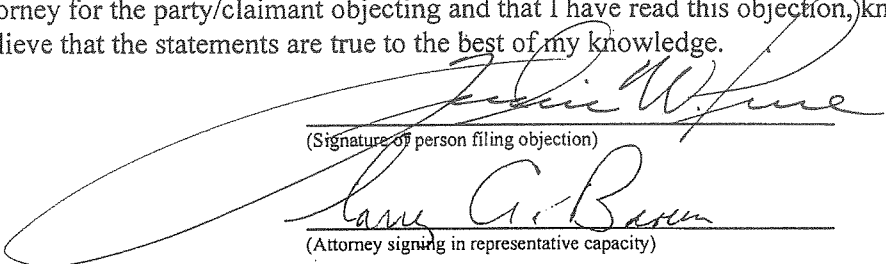
) ss.

County of ADA

)

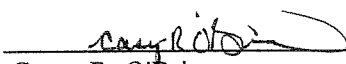
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

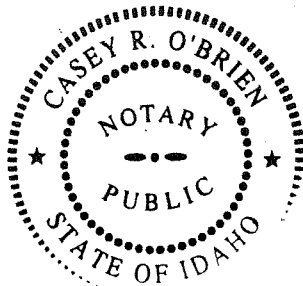
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

Casey R. O'Brien
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: September 18, 2007


Casey R. O'Brien



Notary Public for State of Idaho

Residing at: Nampa, ID.

My Commission Expires: 10-31-2009

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 Sept. 18, 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:

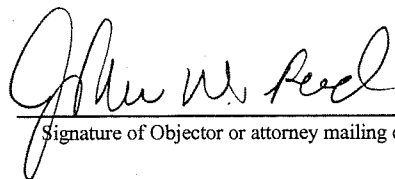
Name: United States of America
Address: 1387 South Vinnell Way; Boise, ID 83709-1657
Name: Bureau of Land Management
Address: ;
Name: ;
Address: ;
Name: ;
Address: ;

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

01/29/2007

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

RIGHT NUMBER: 47-2651
NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.010 CFS
The quantity of water under this right shall not exceed 13,000 gallons per day.

Quantity should be:

0.10 cfs

PRIORITY DATE: 12/07/1966

POINT OF DIVERSION: T15S R15E S12 SWSENE Within TWIN FALLS County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.010 CFS

PLACE OF USE: STOCKWATER in TWIN FALLS County

T12S R15E S29	SWNW	T12S R15E S32	SENE
T13S R15E S09	SENE	T13S R15E S09	SESE
T13S R15E S11	SWNW	T13S R15E S15	SWSW
T13S R15E S20	NENW	T13S R15E S21	SWSW
T13S R15E S28	NWNE	T13S R15E S28	NENW
T13S R15E S29	NWSW	T15S R15E S10	SWNW
T15S R15E S10	SWSE	T15S R15E S11	NWNE
T15S R15E S11	NWSW	T15S R15E S15	NENW
T15S R15E S15	SESW	T15S R15E S17	SWNE
T15S R15E S22	SWNW		

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

There are two Places of Use within NENW, S15, T15S, R15E

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

BLM RECORD ID = 4702488081 DPERMIT 2097, BIG SPRING CATTLE/750

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

Approval of State Reclamation Engineer

The number of this permit is D 2097

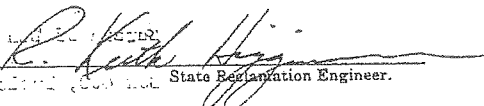
Recorded in Book 5 Page D 2097 Approved December 15, 1966

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Work to begin on or before completed and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

Completion of Works and Beneficial Use of Water appropriated in accordance herewith, to be made on or before completed

Witness my hand this 15th day of December, 19 66


State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE Governor of the State of Idaho,

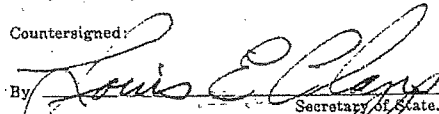
and LOUIS E. CLAPP Secretary of State of the State of Idaho, have caused this instrument

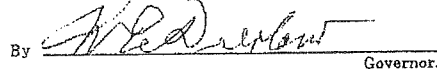
to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed,

this 15th day of December, 19 66

Countersigned:

STATE OF IDAHO

By 
Secretary of State.

By 
Governor.

No. D <u>2097</u>	PERMIT
Date of first receipt at office of State Reclamation Engineer <u>December 7, 1966 8:00 A.M.</u>	
Returned to applicant for correction	
Corrected application received	
Fees \$ <u>1.00</u>	
STATE OF IDAHO LICENSE AND CERTIFICATE OF WATER RIGHT	
Water License No. D <u>2097</u>	
TO <u>Bureau of Land Management</u>	
Source of Supply <u>Big Spring</u>	
Amount <u>.10 c.f.s.</u> Sec. Feet	
Place of Use <u>SE 1/4 NE 1/4, Sec. 12, T 15 S., R 15 E., B.M.</u>	
Purpose <u>stock watering</u>	
Date of Priority <u>December 7, 1966</u>	
Recorded <u>December 15, 1966</u>	
In Book <u>5</u> of Licenses, Page <u>2097</u>	

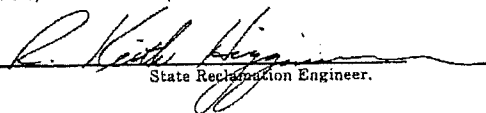
LICENSE AND CERTIFICATE OF WATER RIGHT

Water License No. D 2097 Priority December 7, 1966 Amount .10 c.f.s.

This is to certify that Bureau of Land Management Box 460 Burley, Idaho made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of Big Spring under Use Permit No. D 2097, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume D 5 of Licenses, at page D 2097, on the 15th day of December, 19 66.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS THE SEAL and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 15th day of December, 19 66


State Reclamation Engineer.