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DEPARTMENT OF
WATER RESOURCES

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 47-00039B
(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: J.R. Simplot Self Declaration Revocable Trust

Address: P.O. Box 27; Boise, Idaho 83707-0027

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 the use is claimed. The majority of the POUs recommended either don't exist at the recommended locations or are not authorized. Claimant's water right should not include non-existent or unauthorized POUs. The recommendation of this claim is not described consistent with the requirements of I.C. 42-1402.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

) ss.

County of ADA

)

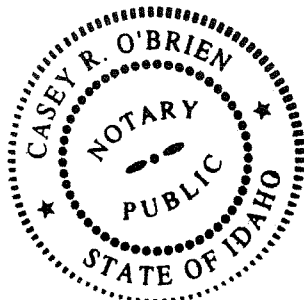
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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)

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

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



Casey R. O'Brien
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: J.R. Simplot Self Declaration Revocable Trust

Address: P.O. Box 27; Boise, Idaho 83707-0027

Name:

Address: ;

Name:

Address: ;

Name:

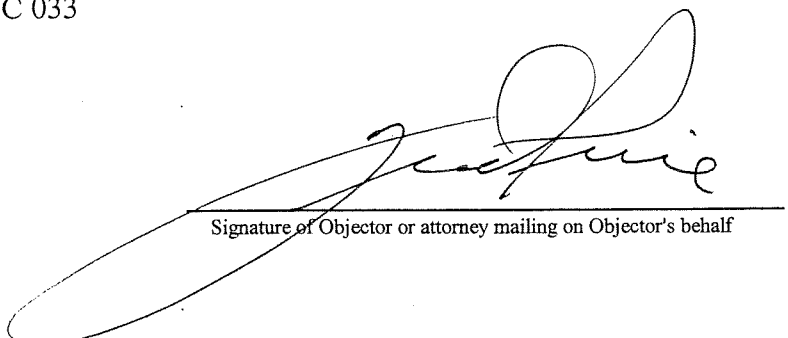
Address: ;

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

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

RIGHT NUMBER: 47-39B

NAME AND ADDRESS: J R SIMPLOT SELF DECLARATION REVOCABLE TRUST
PO BOX 27
BOISE ID 83707-0027

SOURCE: SPRINGS

TRIBUTARY: HOUSE CREEK

QUANTITY: 0.180 CFS

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

PRIORITY DATE: 05/01/1893

POINT OF DIVERSION: T15S R13E S18 SENWSE Within TWIN FALLS County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	4/01 11/01	0.180 CFS

PLACE OF USE: STOCKWATER in TWIN FALLS County

T10S R11E S04	SENW X Ø	T10S R11E S14	SWNE X
T10S R11E S28	NESW X Ø	T11S R10E S02	SENW ✓
T11S R10E S08	SENW X	T11S R10E S11	SENW X
T11S R10E S17	SENW X	T11S R10E S23	NWNE X
T11S R10E S24	NWSE X	T11S R10E S27	NWSW X Ø
T11S R11E S16	NWSE X	T11S R11E S27	SWSW ✓
T11S R11E S30	SWSW X Ø	T12S R10E S01	NWNE X Ø
T12S R10E S35	SWSW X Ø	T12S R11E S01	SESW X
T12S R11E S05	SESE ✓	T12S R11E S16	SESW X
T12S R11E S18	SENW X	T12S R11E S19	SWNE X Ø
T12S R11E S22	NESW X	T12S R11E S28	NESW X Ø
T12S R11E S29	NWNW X Ø	T13S R10E S12	SESW X
T13S R11E S02	NWNE X Ø	T13S R11E S04	NWNW X Ø
T13S R11E S11	SWNW X	T13S R11E S14	NWNE X
T13S R11E S17	NWNE X	T13S R11E S23	SWNE X
T13S R11E S32	NWNW X Ø	T14S R11E S01	SWNW X
T14S R11E S03	NWNW X	T14S R11E S06	NESE X Ø
T14S R11E S10	NESW X	T14S R11E S26	NESW X Ø
T14S R11E S36	NESW X	T14S R12E S06	NESW X Ø
T14S R12E S18	NWNE ✓ Ø	T14S R12E S19	SWSW X Ø
T14S R12E S20	NESE X Ø	T15S R12E S04	SENE X Ø

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.

✓ = authorized
X = unauthorized
Ø = no trough

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

The right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.

Source is also locally known as Steel Springs.