

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 <u>47-07022</u>
	)	(Insert water right number)
Case No. 39576	)	
	)	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: John K. & Dessie D. Courtney
Address: 2527 N 2700 E; Twin Falls, Idaho 83301

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 legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land. Perhaps this is a typographical error as one of the places of use is only described down to the section (i.e. QQ missing).

F.

VERIFICATION (Must be Completed)

State of Idaho

)

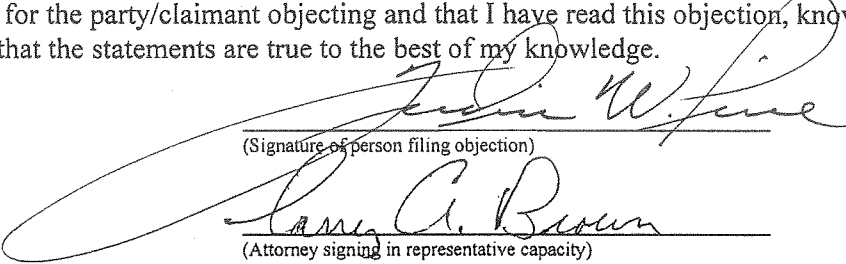
) ss.

County of ADA

)

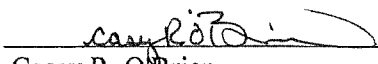
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

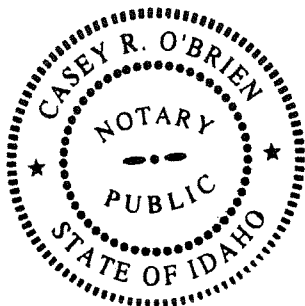
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(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: John K. & Dessie D. Courtney
Address: 2527 N 2700 E; Twin Falls, Idaho 83301

Name:
Address: ;

Name:
Address: ;

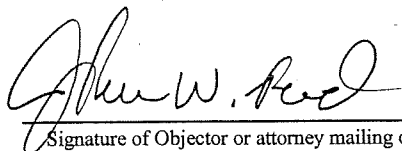
Name:
Address: ;

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

01/29/2007

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

RIGHT NUMBER: 47-7022
NAME AND ADDRESS: JOHN K COURTNEY
2527 N 2700 E
TWIN FALLS ID 83301
DESSIE D COURTNEY
2527 N 2700 E
TWIN FALLS ID 83301

Mixed POU:
-The recommendation is missing a QQ legal description for a Stockwater POU.
-From the Notice of Claim, it appears the claimant intended to claim the SWSE and SESE. The SWSE was recommended but the SESE was not.
-Please clarify that only private land is intended by updating the recommendation to include T12S R16E S24 SESE.

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.400 CFS
195.40 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1098.0 af at the field headgate for the lands above.

PRIORITY DATE: 01/23/1968

POINT OF DIVERSION: T12S R16E S24 SWSWSE Within TWIN FALLS County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.030 CFS 1.40 AFY
IRRIGATION	03/01 11/01	0.400 CFS 194.00 AFY

PLACE OF USE: IRRIGATION in TWIN FALLS County

T12S R16E S24	NENE	25.00	T12S R16E S24	NWNE	20.00
T12S R16E S24	SWNE	9.00	T12S R16E S24	SENE	39.00
T12S R16E S24	NESW	22.00	T12S R16E S24	NWSW	16.00
T12S R16E S24	SWSW	30.00	T12S R16E S24	SESW	20.00
T12S R16E S24	NESE	24.00	T12S R16E S24	NWSE	2.00
T12S R16E S24	SWSE	25.00	T12S R16E S24	SESE	37.00

STOCKWATER in TWIN FALLS County

Mixed T12S R16E S24 **SESE** T12S R16E S24 SWSE
269 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 68 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

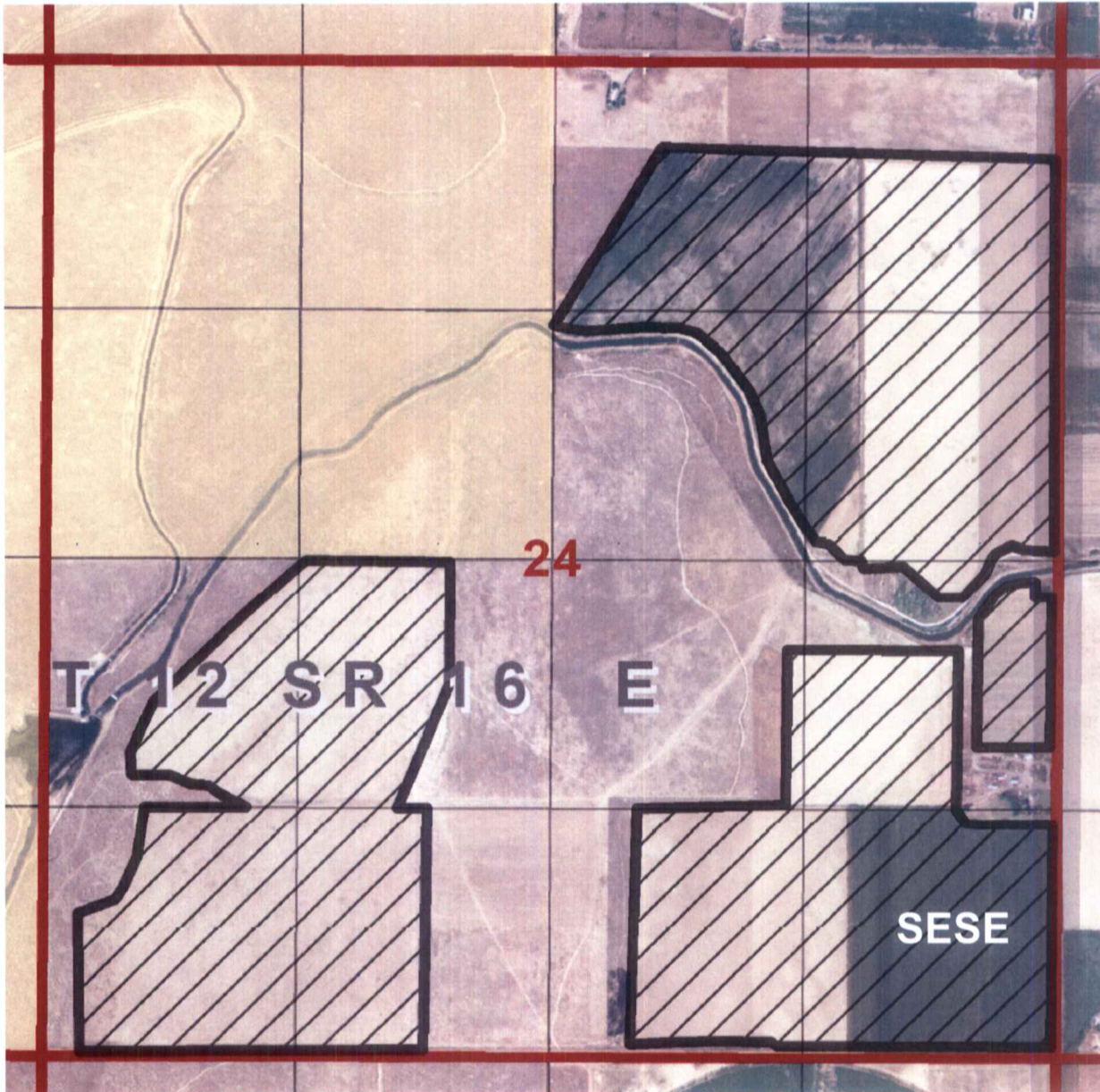
Rights 47-07022 and 47-07803A when combined shall not exceed the irrigation of 274.5 acres.

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 - License

47-07022; John & Dessie Courtnay



Mixed POU:

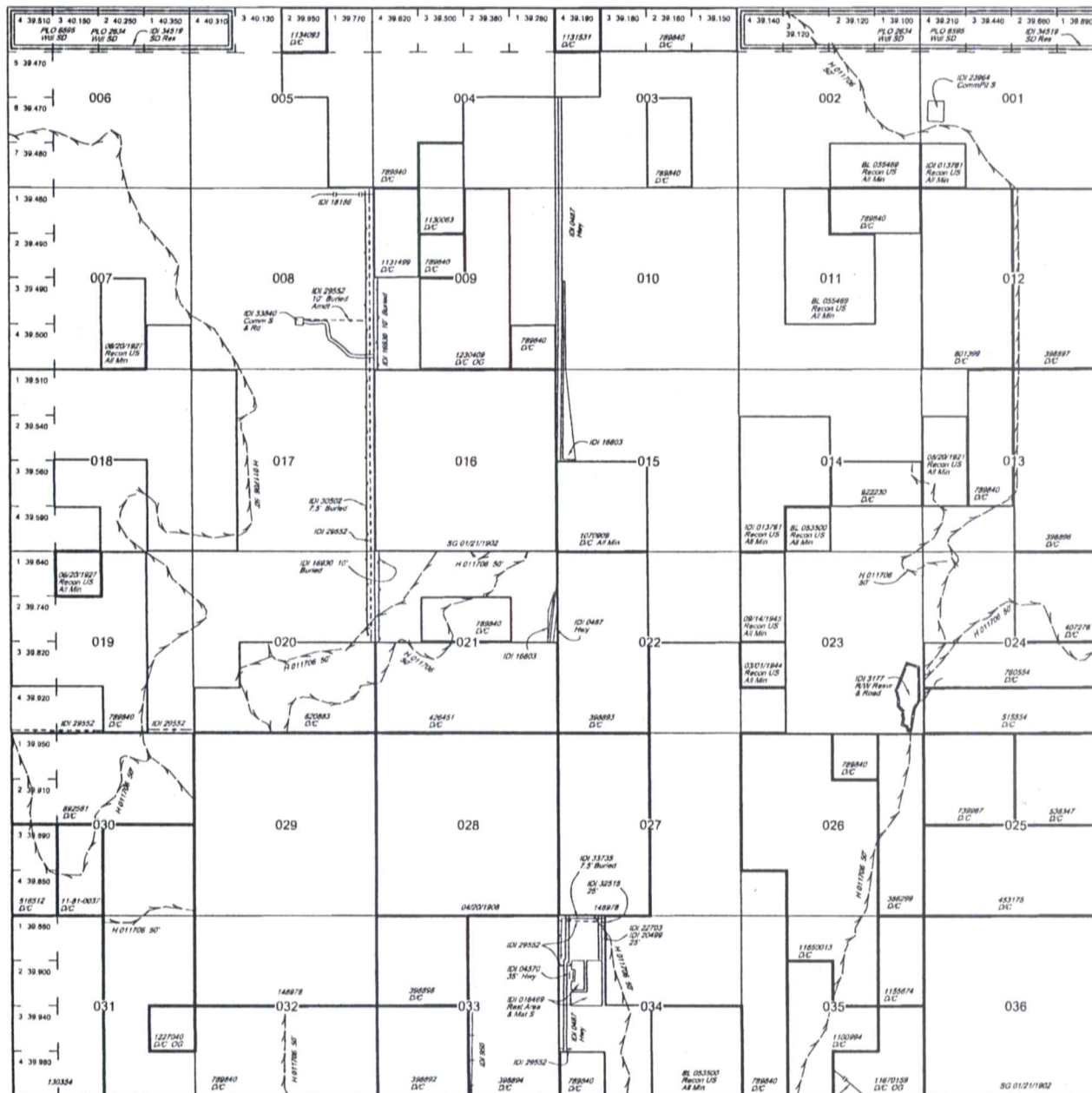
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TWIN FALLS COUNTY 083
TWIN FALLS DISTRICT SEC 3

MT PLAT[illegible]

IDI 11010 Sikes Act 03/11/1970
 Sec 19: Lot 4, SESW, SESE
 Sec 30: E2SW

IDI 6561 PX WD Recon to US NOE until order issues
Sec 19: SENE, NESE



Lat. 42° 20' N
Long. 114° 32' W

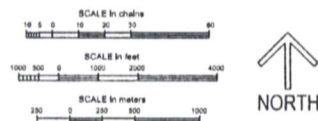
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE REF:	K0080120901916ask120006.dwg		
CREATED TWP:	05/07/2007	BY:	LJM
LAST UPDATED:	05/07/2007	BY:	LJM
QA/QC #1:		QA/QC #2:	
POSTED TO PUBLIC RECORDS:	BY:	June 18, 2007	
PUBLIC LAND SURVEY SYSTEM (PLSS)			
BLM GDS ACQUIRED:	04/29/2005		
OTHER:	N/A		
PROJECTED COORDINATE SYSTEM:	UTM ZONE 11N, NAD 1983		
NOTES:			
USE PLATS:			

Bulee Mer.
T. 12 S
R. 16 E



U.S. Bureau of Land Management - Idaho State Office
1387 S. Vinnell Way Boise, Idaho 83709
(208) 373-4000



DISCLAIMER:

This plat is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and township survey data. Records herein do not reflect title changes which may have been affected by lateral movements of river or other bodies of water. Refer to cadastral surveys for official information.

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 original withdrawal order.

No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed.