

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 47-14095
(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: Antelope Springs Ranch
Address: Antelope Springs; Rogerson, Idaho 83302

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: See attached.
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 Point of Diversion (POD) and a portion of the use is claimed. The claimant's use of Federal land is unauthorized. The Irrigation POD on BLM is not developed. The irr POD should be described where the actual physical diversion is located. The instream stockwater portion of this claim is not described consistent with I.C. 42-1402.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

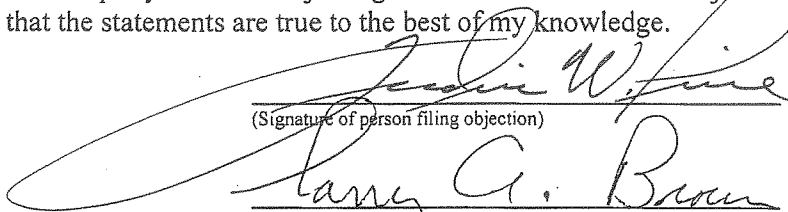
) ss.

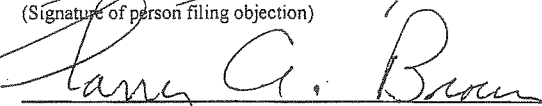
County of ADA

)

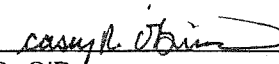
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: September 18, 2009


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:

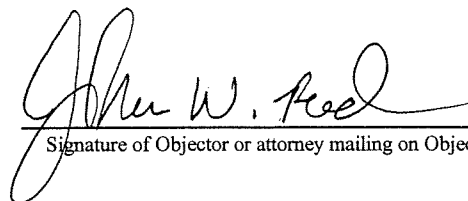
Name: Antelope Springs Ranch
Address: Antelope Springs; Rogerson, Idaho 83302
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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: 47-14095

NAME AND ADDRESS: ANTELOPE SPRINGS RANCH
ANTELOPE SPRINGS

ROGERSON ID 83302

SOURCE: SPRING

TRIBUTARY: SALMON FALLS CREEK

QUANTITY: 0.180 CFS

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

PRIORITY DATE: 08/10/1885

POINT OF
DIVERSION:

T15S R14E S2 SESENW End of Stream Flow Within TWIN FALLS County
T15S R14E S3 SENESE Within TWIN FALLS County
T15S R14E S3 SENESE Begin of Stream Flow Within TWIN FALLS County

BLM

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.180 CFS
STOCKWATER	01/01 12/31	0.010 CFS

PLACE OF USE: IRRIGATION in TWIN FALLS County

T15S R14E S02	SWNE	7.70	T15S R14E S02	SENE	14.00
T15S R14E S02	NESW	1.80			

STOCKWATER in TWIN FALLS County

T15S R14E S02	SENE	T15S R14E S02	NESW
T15S R14E S02	NWSW	T15S R14E S03	NESE

BLM

23.5 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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

POD/POU on BLM:

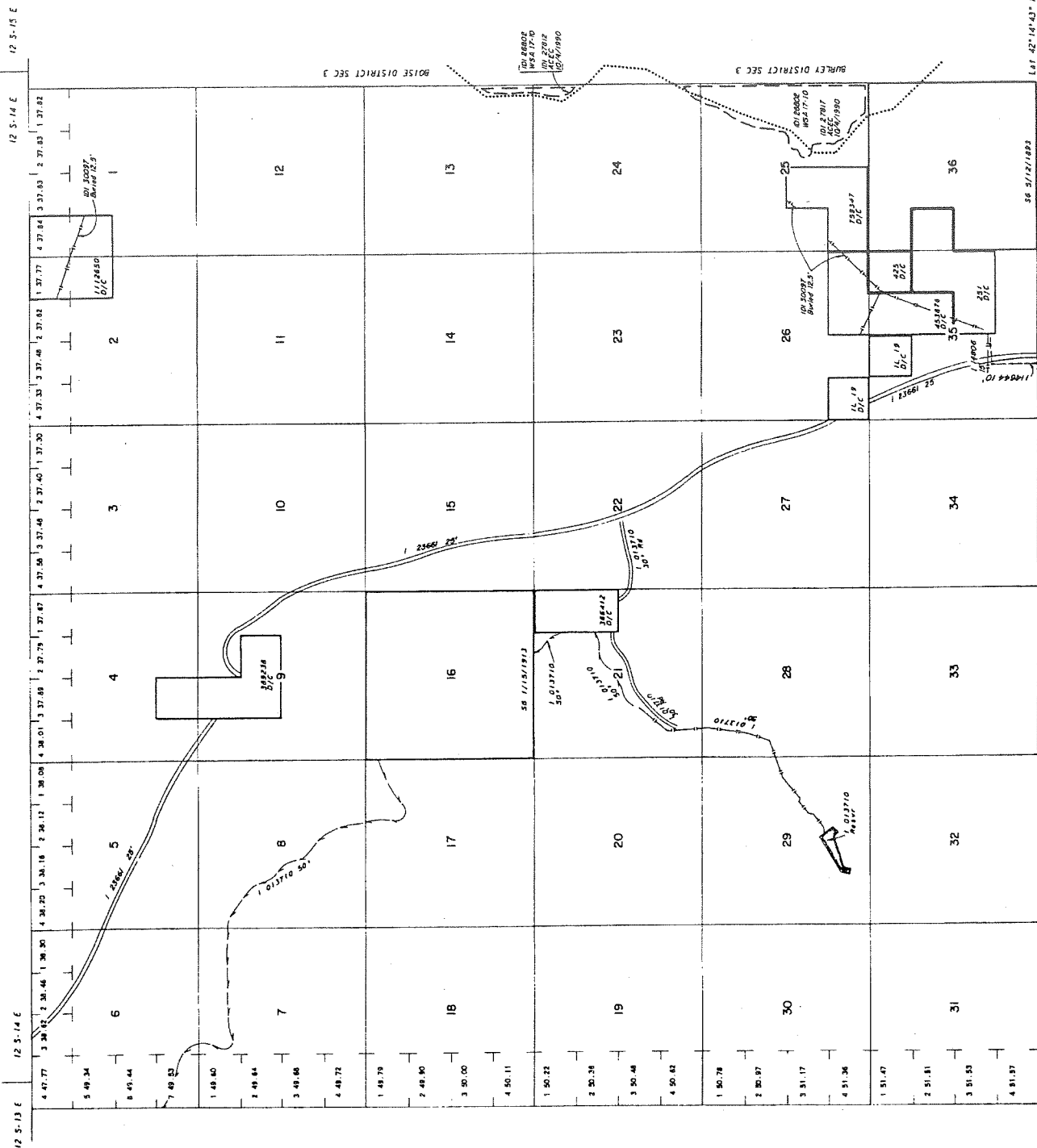
-Point of Diversion for irrigation T15S R14E S03 NESE should actually be described as T15S R14E S02 SENW where water is diverted from the Whiskey Slough stream into a reservoir as described by H.C. Knight's notice of diversion in 1885.

-The stockwater POU needs to be consistent with I.C. 42-1402.

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

TWIN FALLS COUNTY Q83

MT PLAT

[illegible]

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

CURRENT TO	CURRENT TO
MAY 10 1999	

USE PLATS:

SCALE IN CHAINS

WARNING STATEMENT

WARNING STATEMENT

This plot is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records hereon do not reflect title changes which may have been effected by lateral movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey 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 THE ORIGINAL WITH-

47-14095 Antelope Springs Ranch

POD/POU on BLM:

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