

RECEIVED
SEP 20 2007
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 47-17324
(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: W.T. Williams, Inc.; c/o Tom Williams

Address: 2600 N 2991 E; Twin Falls, Idaho 83301

Name: Travis L. Thompson (attorney for claimant); Barker, Rosholt & Simpson, LLP

Address: P.O. Box 485; Twin Falls, Idaho 83303-0485

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:

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 diversion is claimed. The claimant's use of Federal land is unauthorized. Claimant's water right should not include this POD. Perhaps this is a typographical error.

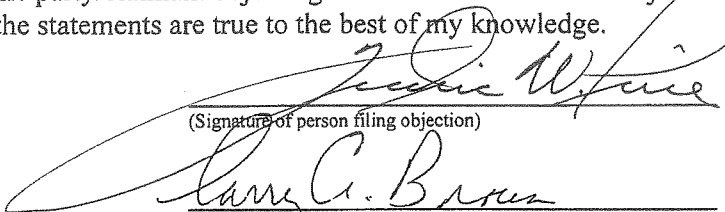
F.

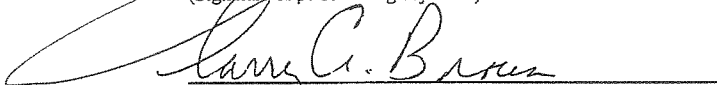
VERIFICATION (Must be Completed)

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.

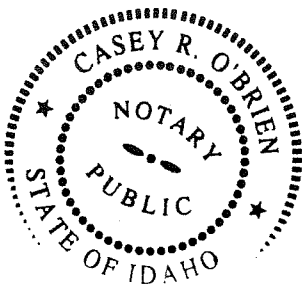

(Signature of person filing objection)


(Attorney signing in representative capacity)

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

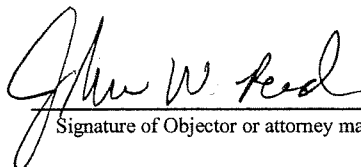
Name: W.T. Williams, Inc.; c/o Tom Williams
Address: 2600 N 2991 E; Twin Falls, Idaho 83301
Name: Travis L. Thompson (attorney for claimant); Barker, Rosholt & Simpson, LLP
Address: P.O. Box 485; Twin Falls, Idaho 83303-0485
Name:
Address: ;
Name:
Address: ;

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: 47-17324
NAME AND ADDRESS: W T WILLIAMS INC
C/O TOM WILLIAMS
2600 N 2991 E
TWIN FALLS ID 83301

POD on BLM:
-The POD is on BLM.
-It appears that there is a typographical error in the legal description. The POD is actually located in the **SE**NWNE not the **NE**NWNE.

SOURCE: COTTONWOOD CREEK
QUANTITY: 0.040 CFS
The quantity of water under this right shall not exceed 13,000 gallons per day.

TRIBUTARY: ROCK CREEK

PRIORITY DATE: 06/01/1955

POINT OF
DIVERSION: [T12S R17E S15 NENWNE Within TWIN FALLS County] **BLM**

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.040 CFS
STOCKWATER STORAGE	01/01 12/31	1.00 AFY
STOCKWATER FROM STORAGE	01/01 12/31	1.00 AFY

PLACE OF USE: STOCKWATER in TWIN FALLS County

T12S R17E S15 NENE

STOCKWATER STORAGE in TWIN FALLS County

T12S R17E S15 NENE

STOCKWATER FROM STORAGE in TWIN FALLS County

T12S R17E S15 NENE

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

TWIN FALLS COUNTY 083
TWIN FALLS DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

DI 1427 Esmt to US
Sec 8: Part SW

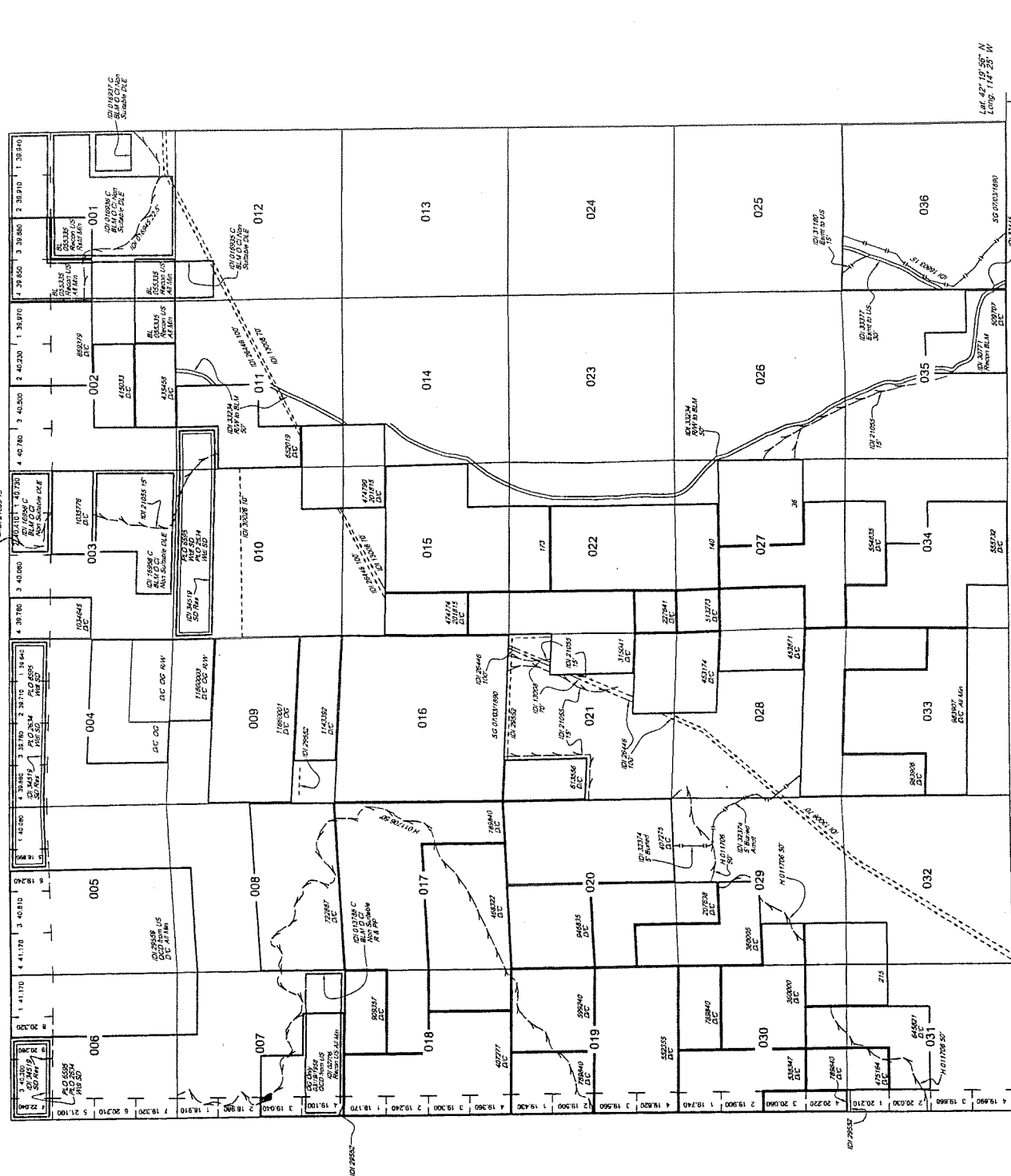
DI 30771 PX WD to BLM OE on 05/06/1997
Sec 35: W2SE, SESE

Loc 35: W2SE, SESE

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

FILE REF:	DS6012090176EAT1000L00.org
CONVERTED TWP:	L21422008
LAST UPDATED:	12/22/2008
QC# #1:	QC# #2:
POSTED TO PUBLIC RECORDS:	
B1:	
PUBLIC LAND SURVEY SYSTEM (PLSS)	
S&M CORP ACQUIRED:	6/4/2005
OTHER:	N/A
PROJECTED COORDINATE SYSTEM: UTM ZONE 11N NAD 1983	
NOTES:	
USE PLATS:	

T. 12 S
R. 17 E



01901 Alameda

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

The notation shown on sub-headings represent the last action taken, but may not be the effective date. See the historical index for the date of original submittal 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.



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



208) 373-4000

47-17324
W. T. Williams Inc.



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