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OCT 18 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 75-02099
(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: Robert Heber & Jean Stokes
Address: 153 Diamond Creek Road; Salmon, Idaho 83467

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 descriptions of the place of use element may include Federal land. The description should be specific enough to exclude Federal land.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

) ss.

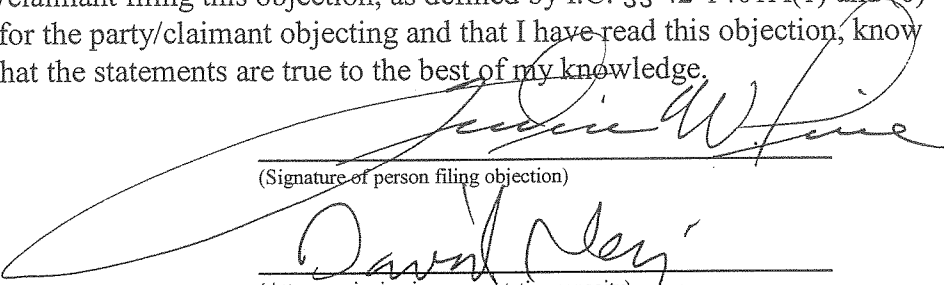
County of ADA

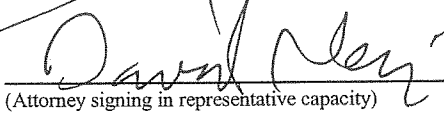
)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:

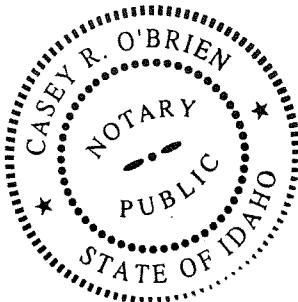
(Name of person filing objection)

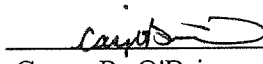
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: October 15, 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 Oct. 16, ²⁰⁰⁷~~2006~~, 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: Robert Heber & Jean Stokes
Address: 153 Diamond Creek Road; Salmon, Idaho 83467

Name:
Address: ;

Name:
Address: ;

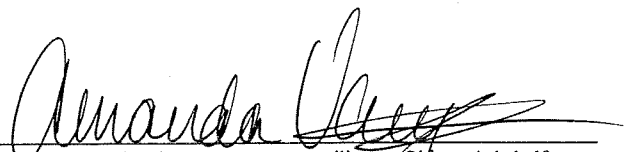
Name:
Address: ;

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

01/08/2007

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

RIGHT NUMBER: 75-2099

NAME AND ADDRESS: JEAN STOKES
153 DIAMOND CRK RD
SALMON ID 83467

ROBERT HEBER STOKES
153 DIAMOND CRK RD
SALMON ID 83467

SOURCE: WALLACE LAKE

TRIBUTARY: WALLACE CREEK

QUANTITY: 12.00 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre for irrigation of the lands below.

PRIORITY DATE: 05/13/1941

POINT OF
DIVERSION: T22N R21E S8 SWSWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	1/01 12/31	12.00 AFY
IRRIGATION FROM STORAGE	4/01 11/01	12.00 AFY

PLACE OF USE: IRRIGATION FROM STORAGE in LEMHI County

Mixed	T22N R22E S07 Lot 9 NESW	1.00	T22N R22E S07	SESW	12.00
	T22N R22E S07 Lot 11 SWSE	2.00	T22N R22E S18 Lot 5 NWNE		6.00
	T22N R22E S18	NENW	6.00		

27 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Mixed POUs:

-The permissible place of use for irrigation from storage in T22N R22E S07 Lot 9 (NESW) and Lot 11 (SWSE) contains both private and public land.

-Please clarify such that only private land is intended by inserting the following language under place of use:

"Place of use does not include federal public lands."

LEMHI COUNTY 059
IDAHO FALLS DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS[illegible]

EO 04004/1917 WOI Pwr. Proj 595 affects all
unperturbed land lying within 30' of center line
H015964

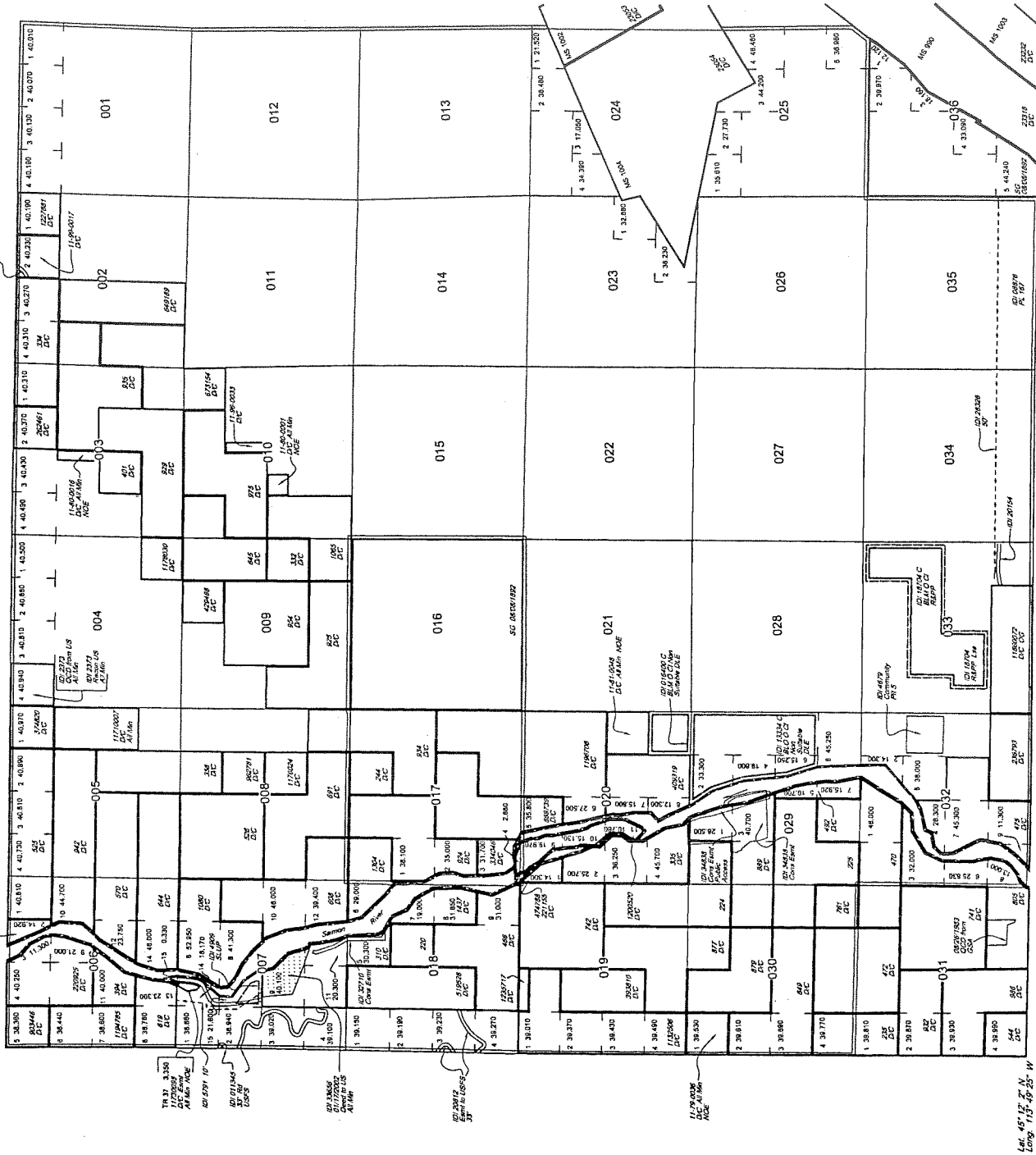
Sec 25: E2SE, SWSE
Sec 36: SWNE, SEWV, N2SW, W2SW

IDI 00878 Del PL 107 (Act of Cong 07/23/1955)
completed 06/13/1962. All PD surface Mgmt by BLH

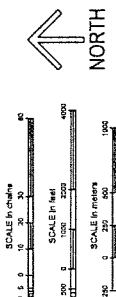
**FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS**

BLM FILE#:	W06AC02N03295A44F00000-ENG
NEXT FIELD OFF:	04/18/2005
BY:	DWS
LAST TURNED IN:	05/17/2007
BY:	DWS
SAND FZ:	DWS 03/22/2007
POSTED TO PUBLIC RECORDS:	May 11, 2007
BT:	
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BLM GCSB ACQUIRED:	04/26/2005
OTHER:	N/A
PROJECTED COORDINATE SYSTEM:	UTM ZONE 12N, NAD 1983
NOTES:	
USE PLATS:	

Bolero Mar.
 T. 22 N
 R. 22 E

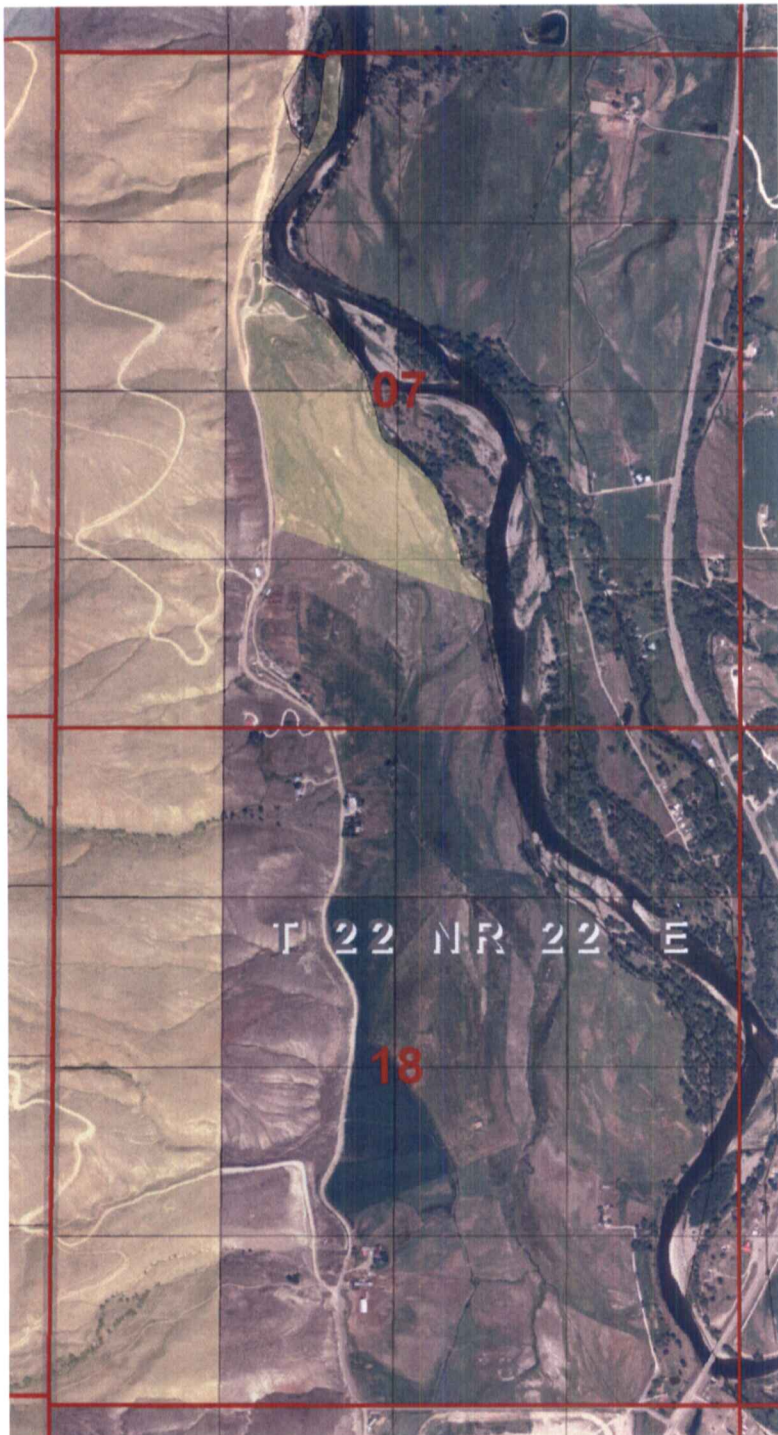


DISCLAIMER:
This is a computer graphic display of the Bureau of Land Management (BLM) Record of Title and Inventories survey data. Records herein do not reflect title changes which may have been affected by lateral movements of dune or other bodies of water. Refer to cadastral surveys for official information.
The notation shown on worksheets represent the last action taken, but may not be the effective date. Some are historical facts 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 appropriate use with other data is not guaranteed.



Management - Idaho State Office
1111 W. Boise, Idaho 83709
208/373-4000





75-02099 Stokes

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