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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 75-10627
(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: Salmon River Properties, Inc.
Address: Box 4495; Chatsworth, CA 91313
Name: Jordan P. Smith (attorney for claimant)
Address: 807 Main St.; Salmon, Idaho 83467
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 a portion of the use is claimed. The claimant's use of Federal land is unauthorized. Claimant's water right should not include federal public land.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

) ss.

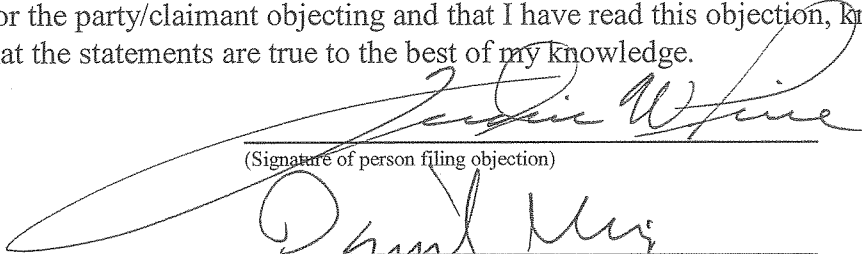
County of ADA

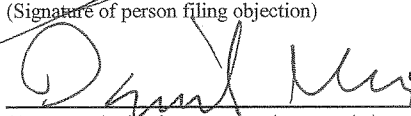
)

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

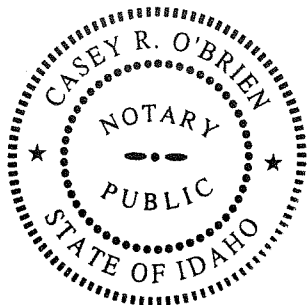
(Name of person filing objection)

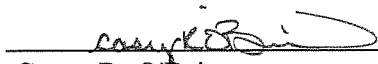
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(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 October 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: Salmon River Properties, Inc.
Address: Box 4495; Chatsworth, CA 91313
Name: Jordan P. Smith (attorney for claimant)
Address: 807 Main St.; Salmon, Idaho 83467
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 of Attorney mailing on Objector's behalf

01/08/2007

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

RIGHT NUMBER: 75-10627
NAME AND ADDRESS: SALMON RIVER PROPERTIES INC
BOX 4495
CHATSWORTH CA 91313
SOURCE: DEER CREEK
SALMON RIVER
TRIBUTARY: SALMON RIVER
TRIBUTARY: SNAKE RIVER
QUANTITY: 1.480 CFS
98.00 AFY
PRIORITY DATE: 06/06/1927
POINT OF
DIVERSION: T18N R21E S3 SWNE Lot 5 Within LEMHI County
T18N R21E S3 SWNW Within LEMHI County
PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4/15 10/15	1.480 CFS 98.00 AFY

PLACE OF USE: IRRIGATION in LEMHI County

BLM	T18N R21E S03 Lot 5 SWNE	11.00	T18N R21E S03 Lot 3 NENW	9.00	Mixed
	T18N R21E S03 SWNW	1.00	T18N R21E S03 Lot 5 SENW	7.00	
	28 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 - Beneficial Use

A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE ACCEPTABLE TO IDWR SHALL BE PERMANENTLY INSTALLED AND MAINTAINED AS A PART OF THE DIVERTING WORKS.

THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

Mixed POU:

-The places of use contain both private and public lands.

-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."

POU on BLM:

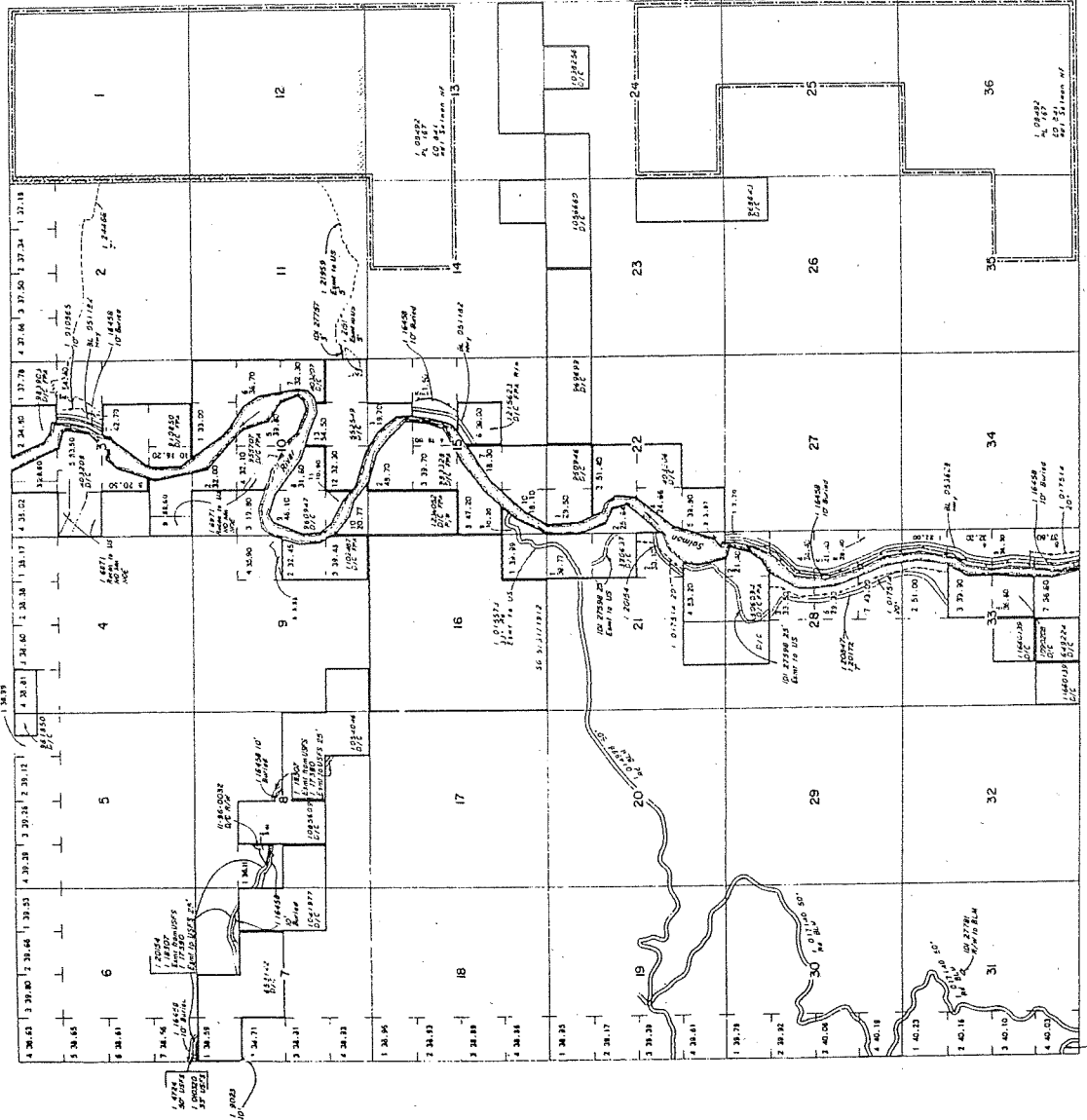
-The irrigation of 1.00 acre on BLM is not authorized in SWNW; please remove from recommendation or adjust shapefile to only include irrigated acres on private land and apply the Mixed POU resolution described above to this QQ as well.

PARTIALLY SURVEYED TOWNSHIP 18 NORTH RANGE 21 EAST OF THE BOISE MERIDIAN, IDAHO

LENIHI COUNTY 059
SALMON DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT



INDEX TO SEGREGATED TRACTS			
TRACT NO.	T	R	SEC.
1	18	21	1
2	18	21	2
3	18	21	3
4	18	21	4
5	18	21	5
6	18	21	6
7	18	21	7
8	18	21	8
9	18	21	9
10	18	21	10
11	18	21	11
12	18	21	12
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32	18	21	32
33	18	21	33
34	18	21	34
35	18	21	35
36	18	21	36

5/11/1932 Open to Entry Subj. to Sec. 24 PPA
Per 5/11/1932
Sec. 15: Lots 2, 3, 4, 8
5/23/1932 Open to Entry Subj. to Sec. 24 PPA
Per 5/23/1932
Sec. 2: Lots 2, 3
1/6/32 Det. P. 1st Act of Cong. 7/23/1931
completed 8/9/1930. all of surface land by 1935.
P.O. 2316 3/29/1931 Open to Entry Subj. to Sec. 24
Per 3/29/1931
Sec. 3: Lot 9, 10, 11, 12
Sec. 10: Lots 3, 10
Sec. 15: Lot 5, 16, 17, 18, 19, 20
Sec. 21: Lot 2
Sec. 25: Lots 1, 2, 3, 4, 5, 6, 7, 8
Sec. 33: Lots 1, 2, 3, 4, 5, 6, 7, 8
1/15/39 B.L.O. Map 114
Lands Containing Sec. from Section under the General Mining
Rough Creek Res. 5
Sec. 33: Lots 1, 2, 3, 4, 5

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

CURRENT TO	CURRENT TO
USE PLATS	USE PLATS

18° 11' 10" N
Long. 113° 50' E

WARNING STATEMENT
This plat is the result of a survey conducted by the U.S. Geological Survey and should be used only as a guide to the location of the land. It is not a warranty of the accuracy of the survey. The U.S. Geological Survey is not responsible for any errors or omissions in this plat. The user of this plat should consult the original survey records for a full and complete description of the land.

SCALE IN FEET
0 100 200 300 400 500 600 700 800 900 1000

Sheet No.
T. 18N
R. 21E

75-10627; Salmon River Properties Inc.



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