

**COPY**

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 Number: | 37-00378                    |
|                | ) |    |                 | (Insert water right number) |
| Case No. 39576 | ) |    |                 |                             |
|                | ) |    |                 |                             |
|                | ) |    |                 | <b>STANDARD FORM 1</b>      |
|                | ) |    |                 | <b>OBJECTION</b>            |
|                | ) |    |                 |                             |

Please fill in the following information:

**B. NAME AND ADDRESS OF PERSON OBJECTING**

Name: State of Idaho,  
Department of Lands  
Address: 954 W. Jefferson  
P. O. Box 83720  
Boise, Idaho 83720-0050  
Daytime Phone: (208) 334-0200

Name and Address of Attorney, if any:

Attorney Name: LAWRENCE G. WASDEN  
Attorney General  
CLIVE J. STRONG  
Deputy Attorney General  
Chief, Natural Resources Division  
DAVID I. STANISH (ISB # 7310)  
Deputy Attorney General

Attorney Address: Office of the Attorney General  
Joe R. Williams Bldg.  
700 W. State St., 2<sup>nd</sup> Floor  
P.O. Box 44449  
Boise, ID 83711-4449

Attorney Phone No. (208) 334-2400

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Picabo Livestock Co Inc  
Address: PO Box 748  
Picabo, ID 83348

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: State of Idaho, Department of Lands, 954 West Jefferson St., P. O. Box 8372, Boise, ID 83720-0050 should be added as a joint owner of the water right for that portion of the place of use owned by the State of Idaho, Department of Lands, hereinafter "IDL."
2. ☐ **Source**  
Should be: \_\_\_\_\_
3. ☐ **Quantity**  
Should be: \_\_\_\_\_
4. ☐ **Priority Date**  
Should be: \_\_\_\_\_
5. ☐ **Point 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: IDL owns the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of section 31, T01S, R20E, B.M.. The claimant has no authorization to claim these lands as a portion of its place of use for this water right. These lands should either be deleted from this water right or be included in a water right under joint ownership with IDL.

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 state's ownership of the above-described portion of the place of use, as well as the provisions of state lease no. G-7588, indicate that the affected lands should either be deleted from this water right or be included in a water right under joint ownership with IDL.

IDL proposes that the water right be split. The first water right that includes the state lands should have joint ownership under the claimant and IDL. A remark should be included indicating that ownership is subject to a private agreement executed between the claimant and IDL. The second water right that includes only the private lands should have the claimant as the sole owner.

Attached hereto is a map that shows the land owned by IDL and the water right claimed by the claimant.

F.

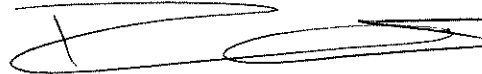
VERIFICATION (Must be Completed)

State of Idaho )  
                  ) ss.  
County of Ada)

DAVID I. STANISH, Deputy Attorney General, duly sworn, upon oath, deposes and says:

That the State of Idaho, Department of Lands, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Lands, which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

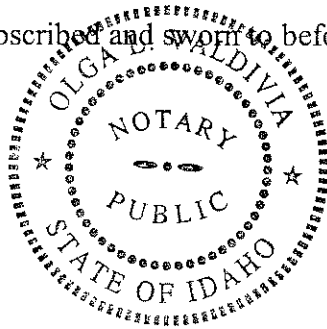
LAWRENCE G. WASDEN  
Attorney General  
CLIVE J. STRONG  
Deputy Attorney General  
Chief, Natural Resources Division  
DAVID I. STANISH  
Deputy Attorney General

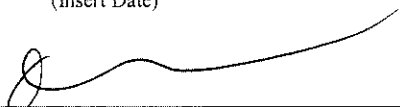


By Attorney signing in representative capacity

Subscribed and sworn to before me on: November 9, 2007

(Insert Date)



  
Notary Public for IDAHO

Residing at: BOISE, ID

My commission expires: 2/8/2012

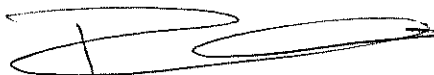
## INSTRUCTIONS FOR MAILING

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 November 9, 2007 I caused the original and the copies of this objection, including all attachments, to be served on the following persons by the method designated:

1. Original to:  
Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
Twin Falls, Idaho 83303  
FEDERAL EXPRESS
2. One copy to the owner of the water right at the following address:  
Picabo Livestock Co Inc  
PO Box 748  
Picabo, ID 83348  
U.S. MAIL
3. Copies to:  
State of Idaho,  
Department of Lands  
954 W. Jefferson  
P. O. Box 83720  
Boise, ID 83720-0050  
STATEHOUSE MAIL  
IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098  
STATEHOUSE MAIL  
United States Department of Justice  
Environment & Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724  
U.S. MAIL  
Chief of Natural Resource Division  
Office of the Attorney General  
State of Idaho  
P.O. Box 44449  
Boise, ID 83711-4449  
(not applicable)



Signature of Objector or attorney  
Mailing on Objector's behalf

**Vicinity Map**



Intermittent

31

Intermittent

## State Land

