

**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 37-04268
(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: William G. Yancey
Address: P.O. Box 1433; Fallon, NV 89406

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 legal description for element five and nine (POD & POU) above may include Federal land. The description should be specific enough to exclude Federal land. This can be done by properly describing the land descriptions with the correct lot numbers.

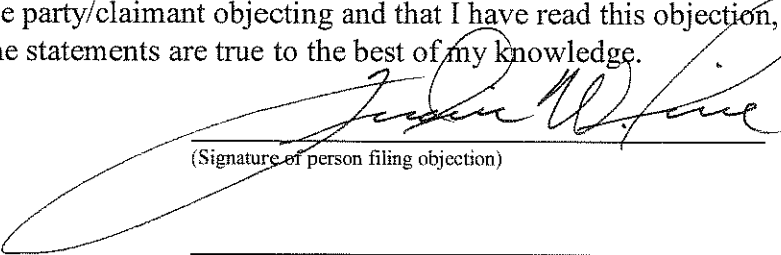
F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of ADA)

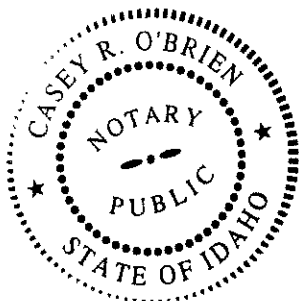
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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: November 12, 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 Nov. 13, 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:

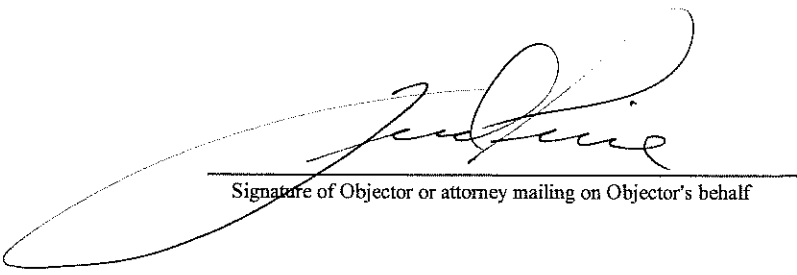
Name: William G. Yancey
Address: P.O. Box 1433; Fallon, NV 89406
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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

02/20/2007

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

RIGHT NUMBER: 37-4268

Mixed Ownership

NAME AND ADDRESS: WILLIAM G YANCEY
PO BOX 1433
FALLON NV 89406

-POD & POU

SOURCE: UNNAMED STREAM

TRIBUTARY: DEER CREEK

QUANTITY: 0.040 CFS

PRIORITY DATE: 08/01/1968

POINT OF

DIVERSION: T02N R17E S3 NENW Lot 3 Within BLAINE County

The POD in Lot 3 (NENW) describes Forest Service lands. According to the maps in the claim file, the POD resides on private land within the Montana Mining Claim which has been surveyed at government lot 48. The POD would be more accurately described as:

T02N, R17E, S03, Lot 48 (NENW).

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

MINING

05/01 11/30

0.040 CFS

PLACE OF USE: MINING in BLAINE County

T02N R17E S03 Lot 3 NENW

T03N R17E S34

SESW

The POU in T02N, R17E, S03, Lot 3 entirely describes Forest Service lands. The POU in T03N, R17E, S34, SESW is a nominal quarter-quarter description that is entirely comprised of government surveyed lots.

The Notice of Claim states that the use of water is intended to be used on 4 patented mining claims: Davitt (Lot 37), Snowfly (Lot 41), Montana (Lot 48), and Silver Moon (Lot 49). All 4 of these patented mining claims were surveyed as lots and should be defined as such:

T02N R17E S03 Lot 48

T02N R17E S03 Lot 49

T03N R17E S34 Lot 37

T03N R17E S34 Lot 41

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

Prior to diversion and use of water under this right, the right holder shall comply with all bonding requirements of appropriate governmental entities.

BLAINE COUNTY 013
TWIN FALLS DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

DI 07862 Del FL 167 (Act of Cong 07/23/1955) completed
05/22/1960. All PD surface Mgmt by SLM

DI 09560 Det PL 167 (Act of Cong 07/23/1955) completed
7/29/1962. All NF surface Mgmt by USFS

[illegible]

1. The first part of the document is a title page. It contains the title of the document, the author's name, and the date of the document. The title is "The first part of the document is a title page. It contains the title of the document, the author's name, and the date of the document." The author's name is "The author's name is the name of the person who wrote the document." The date of the document is "The date of the document is the date when the document was written." The title page is the first page of the document and it contains the title, author's name, and date of the document.

[illegible]

[The following text is extremely faint and largely illegible due to low contrast and resolution. It appears to be a list or index of items, possibly related to the "Bibliography" section mentioned in the page header.]

[illegible][illegible]

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Figure 1. The research framework of the study.

1. 2017年1月1日至2017年12月31日止，本公司及子公司共发生研发费用1,000,000,000.00元，其中费用化研发费用为800,000,000.00元，资本化研发费用为200,000,000.00元。

[illegible][illegible]

FOR ORDERS EFFECTING DISPOSAL OR USE OF

MISCELLANEOUS DOCUMENTS

FILE REF: ID080020NG170EAMT0000u.dwg
CONVERTED TIF: 07/13/2005 BY: ST

QA/QC #1: QA/QC #2: POSTED TO PUBLIC RECORDS;

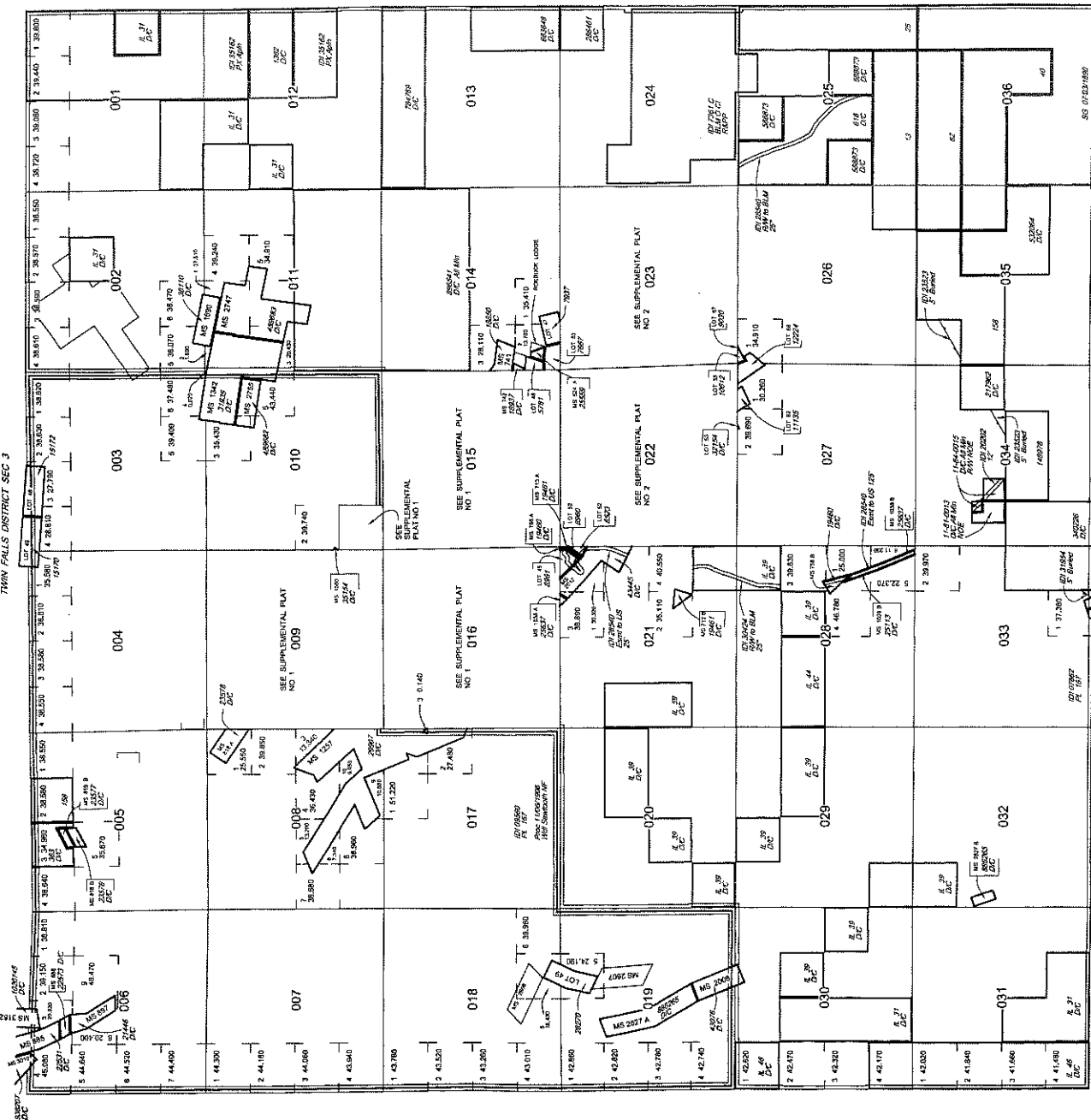
PUBLIC LAND SURVEY SYSTEM (PLSS)
BLM QCDB ACQUIRED: 04/25/2005

PROJECTED COORDINATE SYSTEM: UTM ZONE 11N, NAD 1983

NOTES:

HOUSE PLATS:

T. 2 N
R. 17 E



DISCLAIMER:

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

No warranty is made by the Bureau of Land Management. The occurrence, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed.



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



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that WILLIAM G. YANCEY
(Name of Claimant)
P.O. Box 1433 FALLON, NEVADA 89406
(Mailing Address) (Zip Code) Telephone No. 702-423-6293

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) AUGUST 1, 1968.

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

UNNAMED STREAM tributary to DEER CREEK

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.0525 cfs</u>	Use <u>MINING</u>	Period of Use From <u>Aug. 1</u>	To <u>Mar. 30</u>
Quantity	<u>0.0525 cfs</u>	Use <u>MINING</u>	Period of Use From <u>May 1</u>	To <u>May 31</u>
Quantity	<u>0.0525 cfs</u>	Use <u>MINING</u>	Period of Use From <u>Oct. 11</u>	To <u>Oct. 27</u>
Quantity	<u>0.0525 cfs</u>	Use <u>MINING</u>	Period of Use From <u>MAY 1ST</u>	To <u>Nov. 30TH</u>
Quantity	<u>0.0525 cfs</u>	Use <u>MINING</u>	Period of Use From	To
(4) usage <u>0.0525 cfs</u> <u>0.0525 cfs</u> TOTAL QUANTITY USED.				

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NE 1/4 NW 1/4, Sec. 3 Twp. 2N Rge. 17E B.M., County of BLAINE
Additional points of diversion:

NONE

- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. *PLEASE REFER TO ENCL. #4 (ALSO ENCL. #5 #6 & #7)*

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres _____

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

PLEASE REFER TO ENCLS. #5, #6, #7 & #8.

NOTE: Include here the type and number of stock watered: NONE

- (7) If you are claiming water as a member of an organization, list name of organization: W.G. YANCEY IS SOLE OWNER OF A PATENTED CLAIMS AND THE UNPATENTED CLAIMS.

(8) Remarks Please refer to ENCL. #1 thru #20 and the letter
of transmittal



State of Idaho

County of Cherokee

Sworn to before me this

23 day of

, 19



Oct 25 1981

FALLON, NEVADA 89406

Received by M. S. L.

Date 11/26/82

Exception filed by:

Forwarded to

Date _____

Prelim. check by

Date 12-7-80

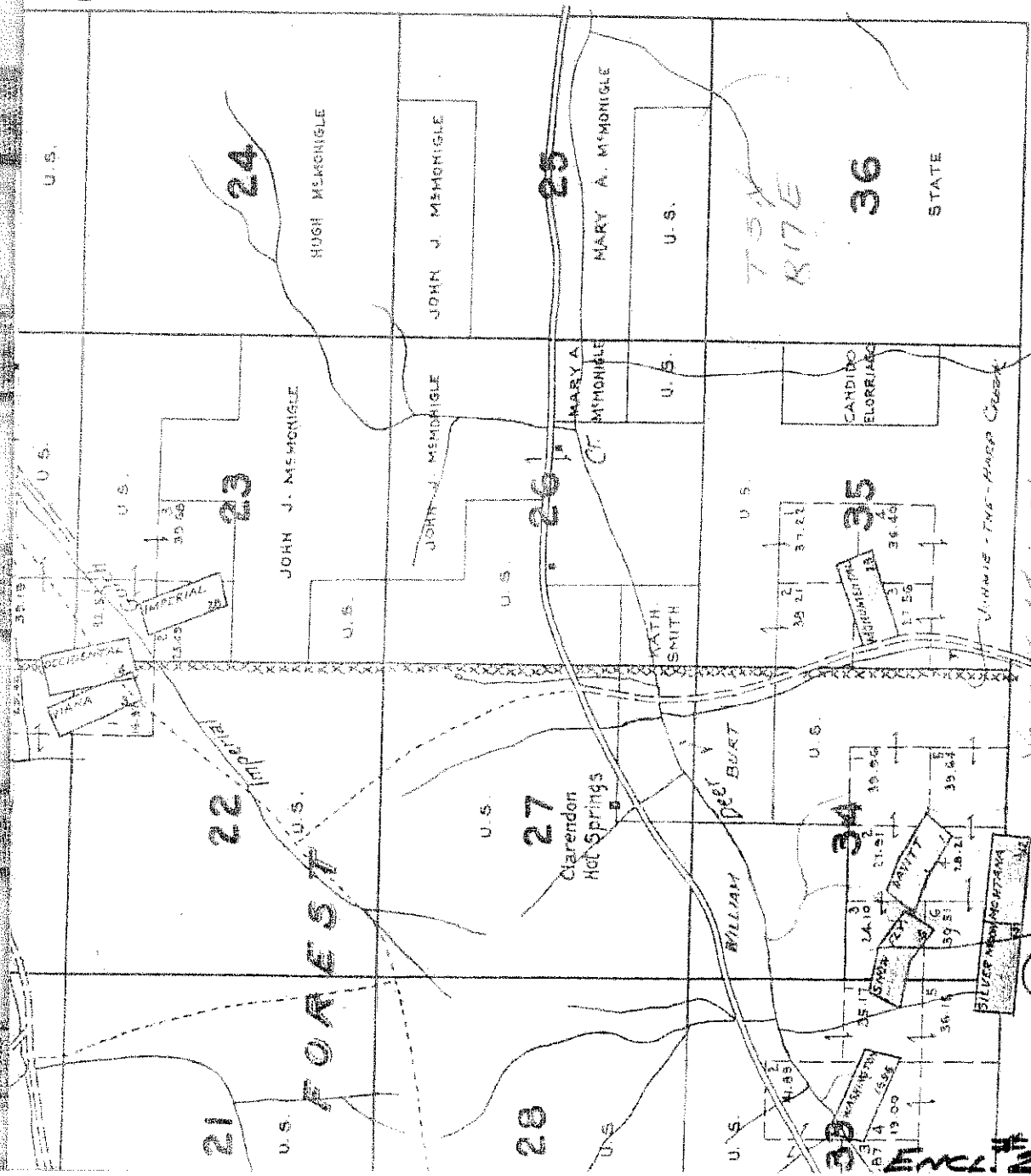
\$20.00 fee received by Bruce

Date 11/30/82 #23857

Published in Handwritten Journal

Dates 12/27 & 12/30/11

--LEGEND--
 PAVED ROADS
 STATE HWYS. UNPAVED
 IMPROVED ROADS
 DIRT ROADS
 INTERIOR ROADS
 RAILROADS
 TRAILS
 INTERMITTENT CREEKS
 SCHOOLS



2500

PAINTED CHAIRS: MONTANA STATE SCHOOL "DAVID'S" SCHOOLS

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