

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 37-07014
(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: John Flood (DR owner)

Address: Queens Crown Ranch, P.O. Box 3750; Hailey, Idaho 83333

Name: Katie Flood (DR owner)

Address: Queens Crown Ranch, P.O. Box 3750; Hailey, Idaho 83333

Name: John D. Flood (NCAP)

Address: Queens Crown Ranch; 19249 Hwy 20; Picabo, Idaho 83348

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 description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

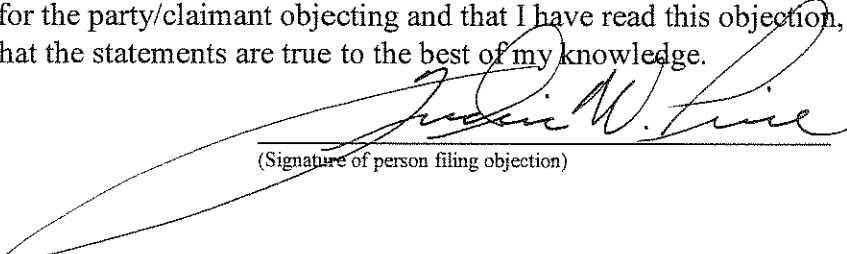
F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of ADA)

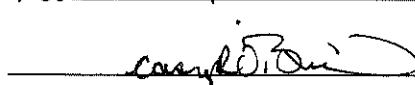
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

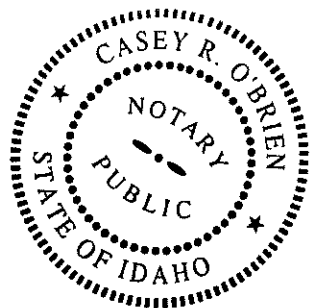
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: November 11, 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:

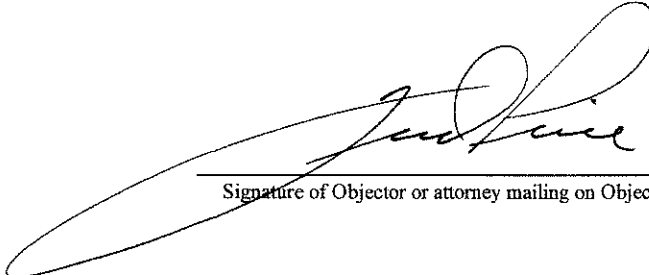
Name: John Flood (DR owner)
Address: Queens Crown Ranch, P.O. Box 3750; Hailey, Idaho 83333
Name: Katie Flood (DR owner)
Address: Queens Crown Ranch, P.O. Box 3750; Hailey, Idaho 83333
Name: John D. Flood (NCAP)
Address: Queens Crown Ranch; 19249 Hwy 20; Picabo, Idaho 83348
Name:
Address: ;

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

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

RIGHT NUMBER: 37-7014
 NAME AND ADDRESS: KATIE FLOOD
 QUEENS CROWN RANCH
 PO BOX 3750
 HAILEY ID 83333

 JOHN FLOOD
 QUEENS CROWN RANCH
 PO BOX 3750
 HAILEY ID 83333

SOURCE: GROUND WATER
 QUANTITY: 5.000 CFS
 1,335.00 AFY

TRIBUTARY:

This right when combined with all other water rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre for the lands above.

The rate of diversion at the point of redirection from Silver Creek shall not exceed 4.3 cfs.

The maximum combined rate of diversion under this right & Right 37-02649 shall not exceed 7.26 cfs.

PRIORITY DATE: 03/11/1968

POINT OF DIVERSION: T01S R19E S20 NWNWNE Within BLAINE County
 T02S R21E S6 SWNENW Lot 3 Rediversion Within BLAINE County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	5.000 CFS 1,335.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01S R21E S31	SWNE	17.00	T01S R21E S31	SENE	19.00
T01S R21E S31	SWSW	1.70	T01S R21E S31	SESW	25.00
T01S R21E S31	NESE	38.00	T01S R21E S31	NWSE	35.00
T01S R21E S31	SWSE	40.00	T01S R21E S31	SESE	38.00
Mixed T01S R21E S32	NWSW	16.00	T02S R21E S06 Lot 1	NENE	5.30
T02S R21E S06 Lot 2	NWNE	37.00	T02S R21E S06	SWNE	10.00
T02S R21E S06 Lot 3	NENW	36.00	T02S R21E S06 Lot 4	NWNW	23.00
T02S R21E S06 Lot 5	SWNW	37.00	T02S R21E S06	SENW	31.00
T02S R21E S06	NESW	11.00	T02S R21E S06 Lot 6	NWSW	25.00

445 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 534 acres in a single irrigation season. Combined Right Nos.: 37-407, 37-408, 37-693, 37-2573, 37-7014, and 37-11932.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

-Mixed POU:

The place of use T01S R21E S32 NWSW contains both private and public land.

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

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

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

The right holder(s) shall pay such charges for the watermasters service as shall be found to be required due to the additional expense of regulating use of this water.

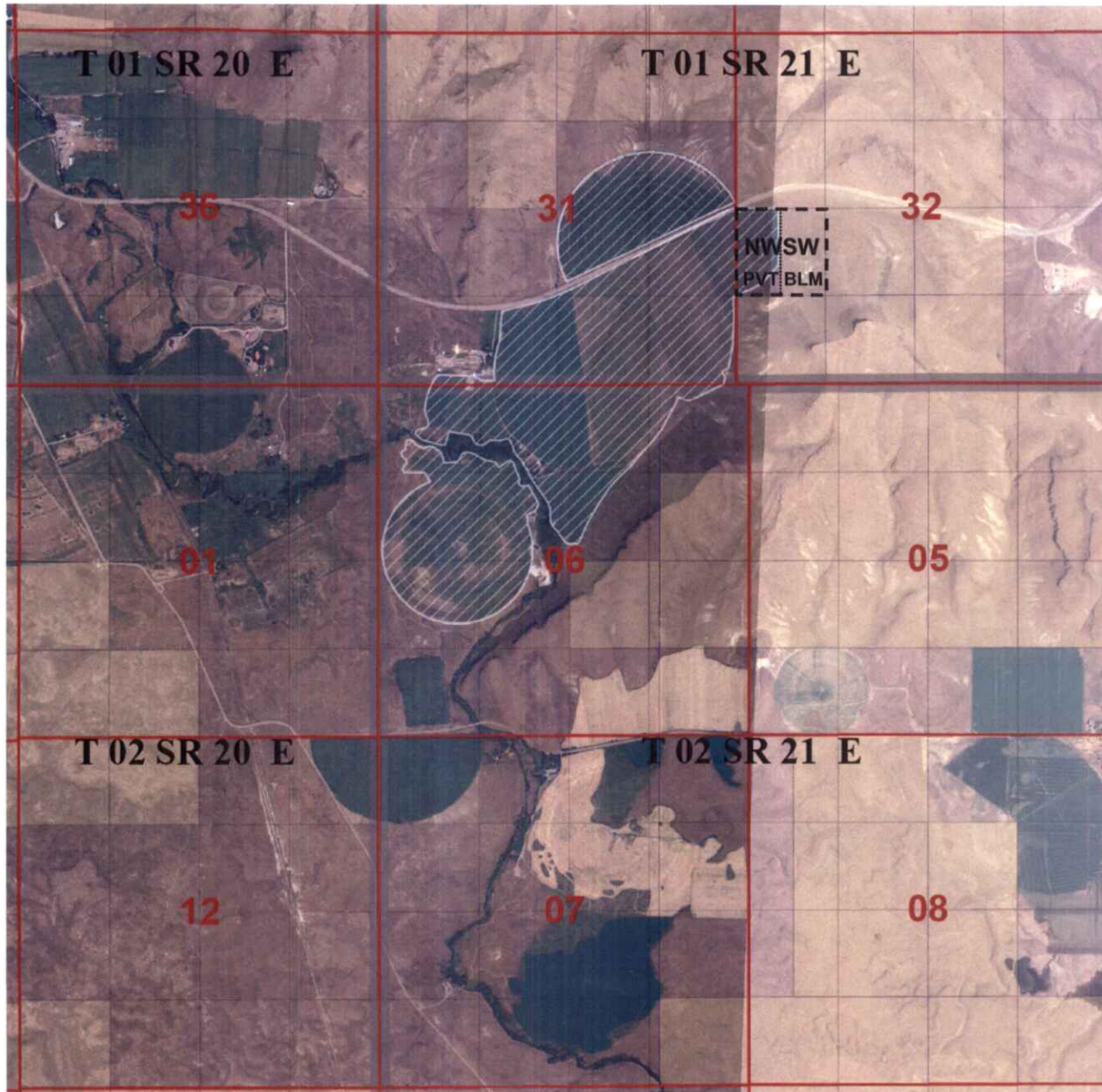
The well shall be permanently maintained with a valve or other control device to stop flow when the well is not in use. No more water may be diverted from the well than the beneficial requirements to irrigate the lands described in this right and Right 37-02649.

This right is subject to all prior water rights and may be forfeited by five years of non-use.

Water is discharged from the well into Patton Creek, flowing through Stalker Creek and into Silver Creek where it is rediverted from Silver Creek onto the lands identified above. This exchange of groundwater for surface water occurs when surface water rights are not available for diversion.

Use of water under this water right will be regulated by the watermaster of State Water District No. 37-M.

37-07014
John Flood



-Mixed POU:

The place of use T01S R21E S32 NWSW contains both private and public land.

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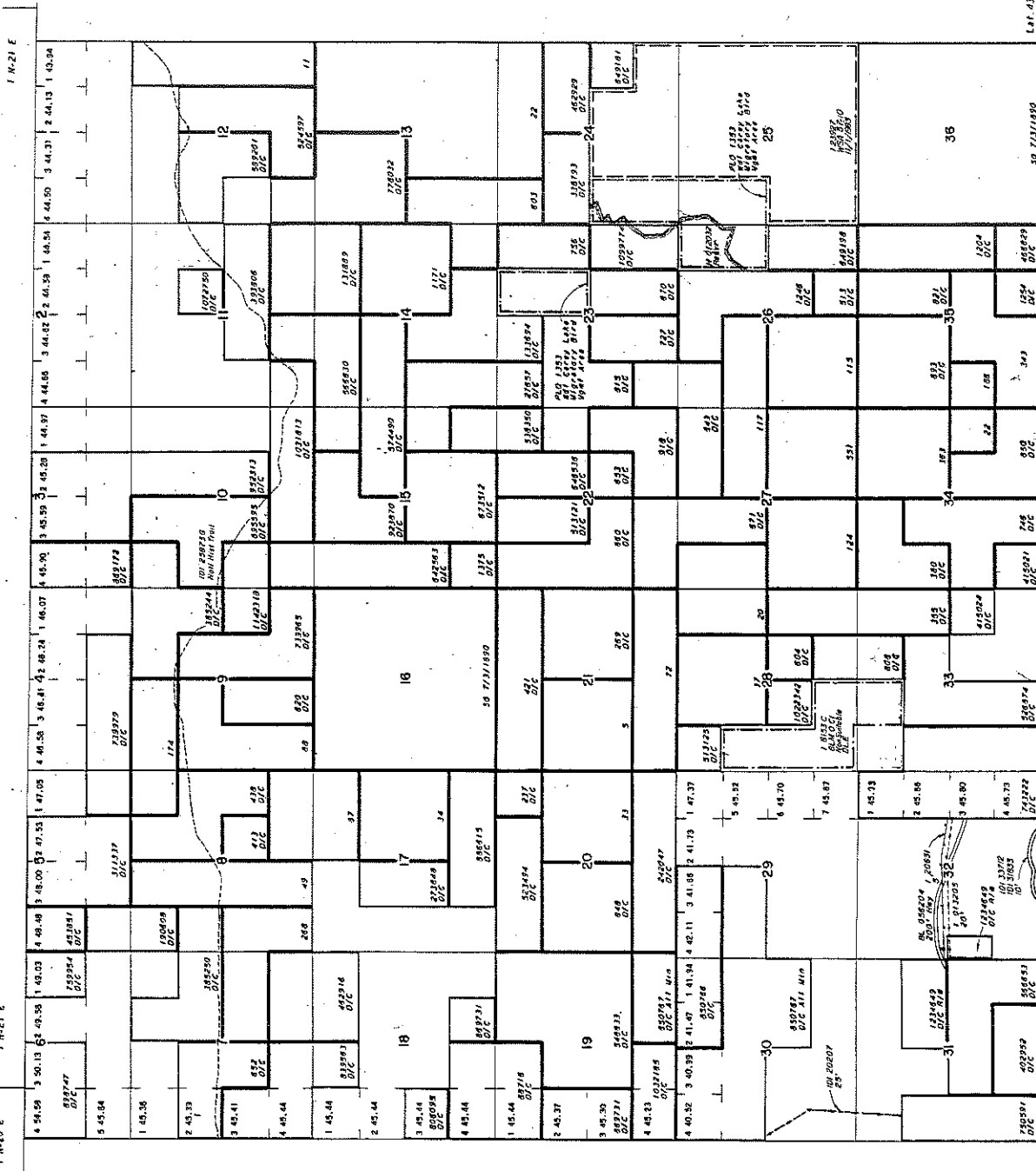
TOWNSHIP 1 SOUTH RANGE 21 EAST OF THE BOISE MERIDIAN, IDAHO

BLAINE COUNTY O13
SPOKANE DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS			
TRACT NO.	T.	R.	SEC.
1	21	1	36
2	21	1	35
3	21	1	34
4	21	1	33
5	21	1	32
6	21	1	31
7	21	1	30
8	21	1	29
9	21	1	28
10	21	1	27
11	21	1	26
12	21	1	25
13	21	1	24
14	21	1	23
15	21	1	22
16	21	1	21
17	21	1	20
18	21	1	19
19	21	1	18
20	21	1	17
21	21	1	16
22	21	1	15
23	21	1	14
24	21	1	13
25	21	1	12
26	21	1	11
27	21	1	10
28	21	1	9
29	21	1	8
30	21	1	7
31	21	1	6
32	21	1	5
33	21	1	4
34	21	1	3
35	21	1	2
36	21	1	1



Lat. 43° 11' 18" N
Long. 113° 35' 8"

CURRENT TO		CURRENT TO	
101	21	102	21
103	21	104	21
105	21	106	21
107	21	108	21
109	21	110	21
111	21	112	21
113	21	114	21
115	21	116	21
117	21	118	21
119	21	120	21
121	21	122	21
123	21	124	21
125	21	126	21
127	21	128	21
129	21	130	21
131	21	132	21
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135	21	136	21
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185	21	186	21
187	21	188	21
189	21	190	21
191	21	192	21
193	21	194	21
195	21	196	21
197	21	198	21
199	21	200	21

WARNING STATEMENT
This plat is the Bureau's Record of Title, and should be used only for the purpose of recording. It does not constitute a warranty of title, and should not be used for any other purpose. The Bureau is not responsible for any errors or omissions in this plat, and the user assumes all liability for any such errors or omissions.

SCALE in Chains
0 10 20 30 40 50 60 70 80 90 100

FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.
FOR ORDERS EFFECTING DISPOSAL OR USE OF IDENTIFIED LANDS REFER TO THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITHDRAWAL ORDER.
Bureau Mer
T. 13
R. 21E

COPY

RECEIVED

AUG 31 2007

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 AUG 28 PM 2 28

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

) Subcase No. 37-407, 37-408, 37-693,
) 37-947, 37-2573,
) 37-7014, 37-11932
)
)

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

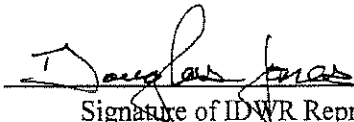
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 8/28/07


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 8/28, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

John D Flood
Queens Crown Ranch
19249 Hwy 20
Picabo ID 83348



Signature of person or attorney mailing the form

07/11/2007

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

RIGHT NUMBER: 37-7014

NAME AND ADDRESS: JOHN D FLOOD
QUEENS CROWN RANCH
19249 HWY 20
PICABO ID 83348

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.000 CFS
1,335.00 AFY

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PRIORITY DATE: 03/11/1968

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T02S R21E S6 SWNENW Lot 3 Rediversion Within BLAINE County

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PERIOD OF USE:

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Use of water under this water right will be regulated by the watermaster of State Water District No. 37-M.