

**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 37-20313
(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: United States of America
Address: 1387 South Vinnell Way; Boise, ID 83709-1657
Name: Bureau of Land Management
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: Quantity under purpose & period is missing. Should be 0.11 AFY under each purpose.
4. ☒ **Priority Date**
Should be: This is a dual based claim: State based priority should be 06-28-1934, and federal is 04-17-1926.
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: This waterhole straddles two POUs, therefore the SWNW, S02 should be added.

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 checked elements above are incorrect as recommended in the Director's Report. See attached for revised elements.

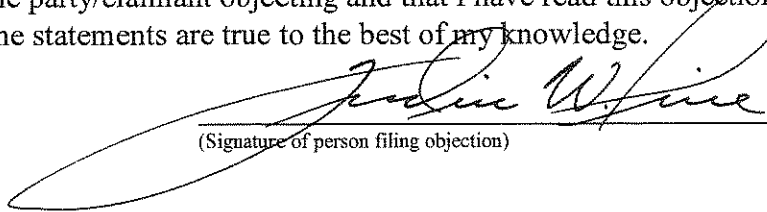
F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of ADA)

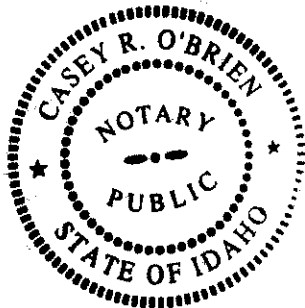
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

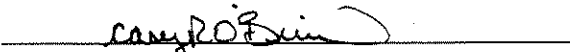
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(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:

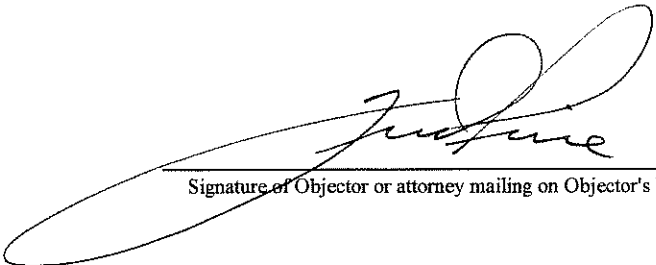
Name: United States of America
Address: 1387 South Vinnell Way; Boise, ID 83709-1657
Name: Bureau of Land Management
Address: ;
Name: ;
Address: ;
Name: ;
Address: ;

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: 37-20313

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

-Fix Priority Date-
-Add Quantity-
-Add SWNW to POU-

SOURCE: UNNAMED STREAM

TRIBUTARY: SINKS

QUANTITY: 0.11 AFY

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: ~~04/17/1926~~ 6/28/1934

* 4/17/1926 claimed under Federal Reserved Water Right.*
This water right is also claimed based on federal law with an April 17, 1926, date of priority pursuant to an executive order signed the same date and known as Public Water Reserve 107.

POINT OF

DIVERSION: T04S R17E S2 NWSEW Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER STORAGE	01/01 12/31	0.11 AFY
STOCKWATER FROM STORAGE	01/01 12/31	0.11 AFY

PLACE OF USE: STOCKWATER STORAGE in LINCOLN County

T04S R17E S02	SEW	T04S R17E S02	SWNW
STOCKWATER FROM STORAGE in LINCOLN County			
T04S R17E S02	SEW	T04S R17E S02	SWNW

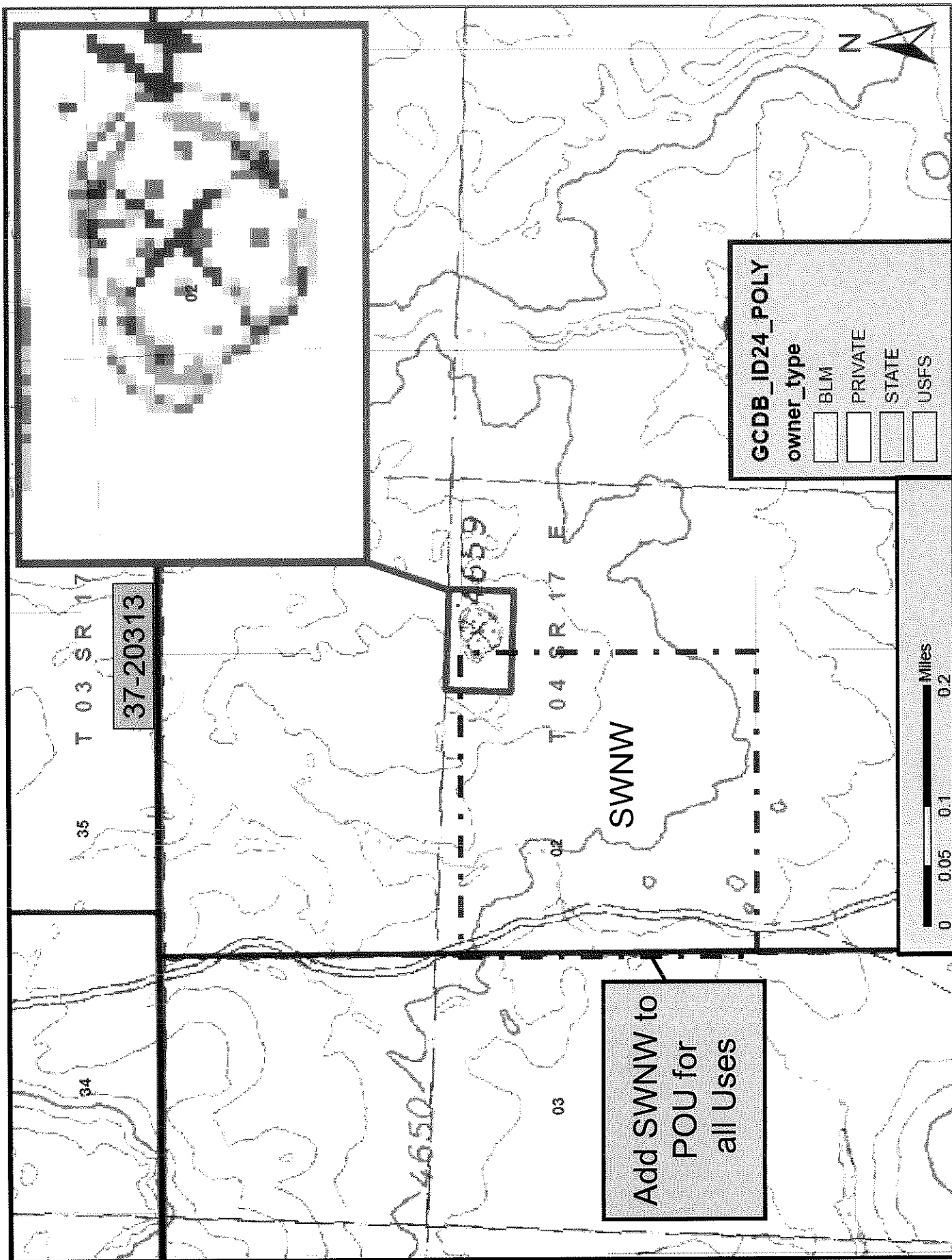
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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

Source locally known as Section Two Playa.



☒ ☐ ☐ IN THE DISTRICT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN
AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

PPD?:

PD?:

Adm?:

Prob?:

NCAF

AMENDED NOTICE of CLAIM for
Water Right number:

Case No. 39576

3720313 (IDWR number)

NAME and
ADDRESS

United States of America acting through
Bureau of Land Management
Idaho State Office
1387 South Vinnell Way
Boise, ID 83709 - 1657

BLMIDENT:

Stg: StFed:

3705689186

J

X

WATER FEDERALLY
RESERVED, SEE
REMARKS

4/17/1926

Other Right and date:

SOURCE:

Source

Tributary

UNNAMED STREAM

SINKS

QUANTITY:

CFS

or VOLUME:

0.11

Acre Feet

The quantity of water under this right for stockwater shall not exceed 13,000 gallons per day.

PRIORITY DATE:

06/28/1934

Diversion Means: NATURAL PLAYA

REMARKS:

Also reserved pursuant to Federal law

Pursuant to executive order dated 04/17/1926 and known as PWR 107. Source locally known as
Section Two Playa.

POINT of
DIVERSION:

Twtnship	Range	Section	T1	T2	T3	LOT	B/E	within the	County of
04S	17E	2	NW	SE	NW			63	LINCOLN

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in AcFt
05	0101	1231		0.11
06	0101	1231		0.11

CONSUMPTIVE
USE:

de minimis stockwater & wildlife

DATE: 23-Apr-02

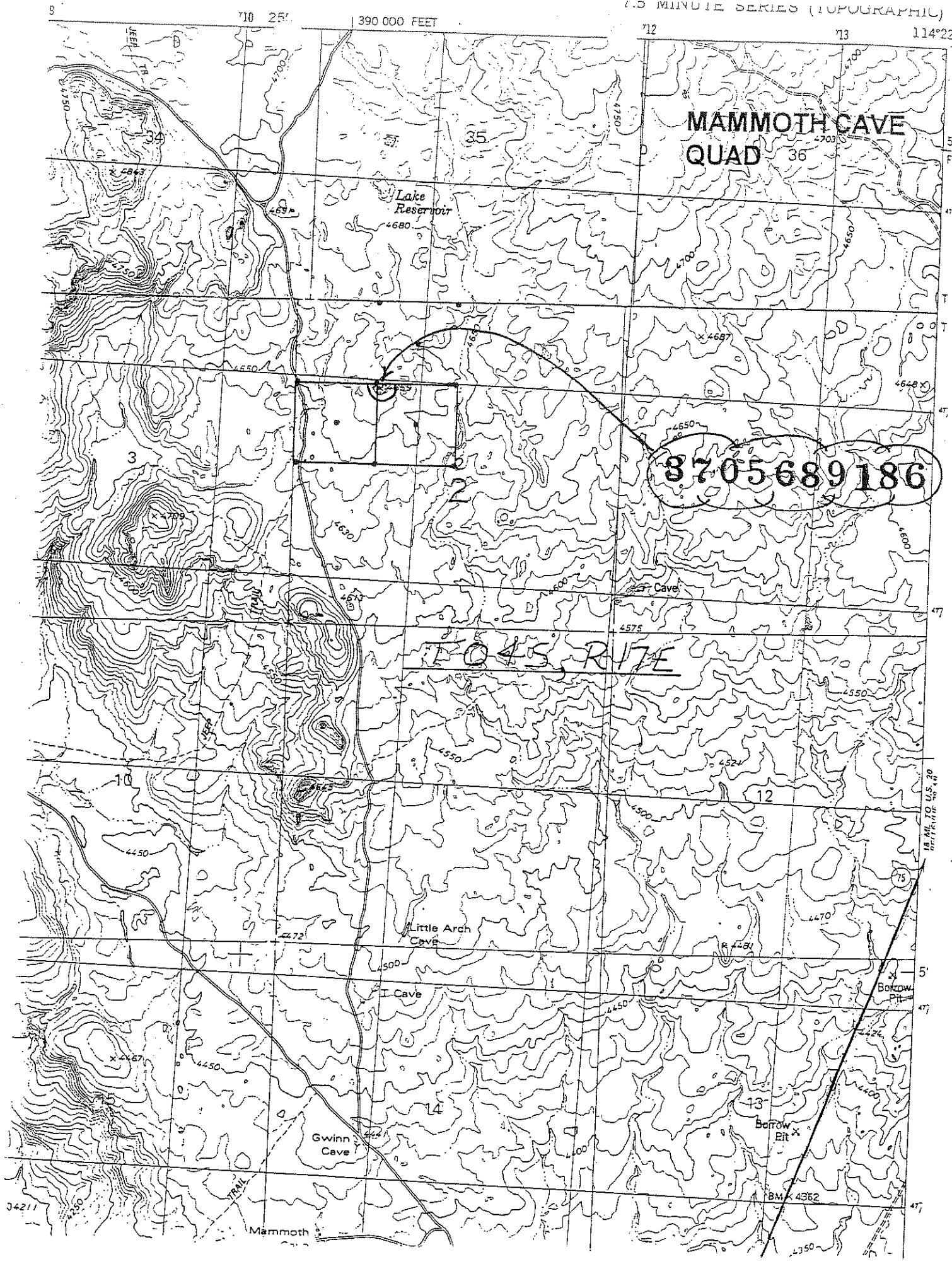
OTHER PROVISIONS NECESSARY FOR DEFINITION or ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for stockwater use is not a determination
of historical beneficial use.

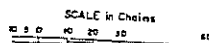
PLACE
of USE:

Water Use	Twtn	Rge	Sec	T1	T2	LOT	within the	County of
06	04S	17E	2	SE	NW		63	LINCOLN
05	04S	17E	2	SE	NW		63	LINCOLN
06	04S	17E	2	SW	NW		63	LINCOLN
05	04S	17E	2	SW	NW		63	LINCOLN

MAMMOTH CAVE
QUAD



SHOSHONE DISTRICT SEC 2



WARNING STATEMENT

This plot is the Bureau's Review of Title, and should be kept only as a graphic display of the ownership record data. It does not have to be retained in the same way as the other data.

MTP Card Date 08/09/1993
Reviewed by: Ginger Koonce
Date of Review 02/08/1999

WATER RIGHT CLAIM VERIFICATION

STATE OF IDAHO)
) ss:
COUNTY OF ADA)

CLAIMANT VERIFICATION: Signature:

Water Right Claim Number: 37-20313

(a.) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I do ___ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

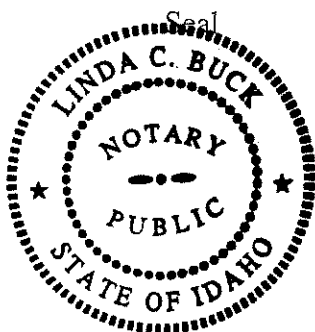
I do solemnly swear or affirm that I am Gary A. Madenford, Water Rights Team Leader
Name & Title
of United States of America, acting through U.S.D.I., BLM, that I have signed the attached documents in the space below as Water Rights Team Leader of United States of
Title
America, acting through U.S.D.I., BLM and that the statements contained in the attached documents are true and correct.

Signature of Authorized Agent *Gary A. Madenford*

for the United States of America, acting through U.S.D.I., BLM

NOTARY:

Subscribed and sworn to before me on this 24 day of April, 2002



Linda C. Buck
Linda C. Buck

Notary Public in and for the State of: Idaho

Residing at: Mountain Home, Idaho

My Commission Expires: December 21, 2005

