

**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 37-21463
(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: Redstone Partners, L.P.
Address: 1188 Eagle Vista Ct.; Reno, NV 89511
Name: James P. Speck (attorney for claimant)
Address: 120 East Ave.; Ketchum, Idaho 83340
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 legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

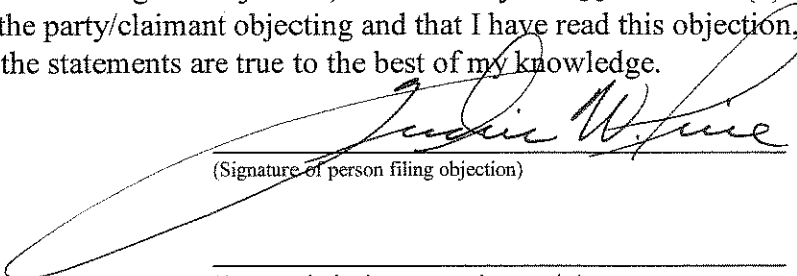
F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of ADA)

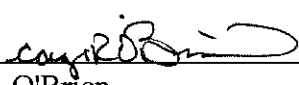
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

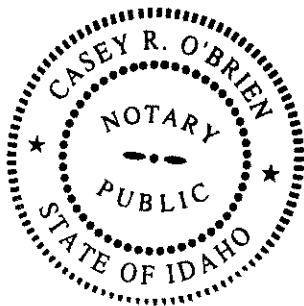
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(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:

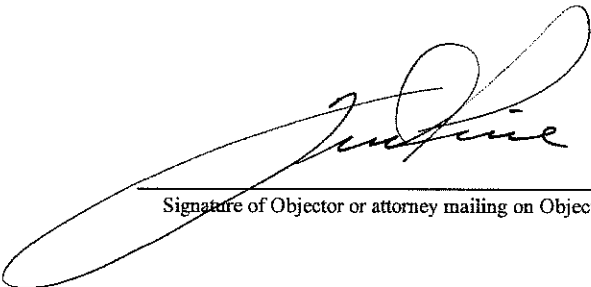
Name: Redstone Partners, L.P.
Address: 1188 Eagle Vista Ct.; Reno, NV 89511
Name: James P. Speck (attorney for claimant)
Address: 120 East Ave.; Ketchum, Idaho 83340
Name:
Address: ;
Name:
Address: ;

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

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

RIGHT NUMBER: 37-21463

NAME AND ADDRESS: REDSTONE PARTNERS LP
1188 EAGLE VISTA CT
RENO NV 89511

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.950 CFS
679.00 APY

The rights listed below are limited to a total combined diversion rate of 7.96 cfs.

Combined Right Nos.: 37-2625A and 37-21463.

The rights listed below are limited to a total combined diversion rate of 21.85 cfs.

Combined Right Nos.: 37-2625A, 37-2638, 37-2700 and 37-21463.

PRIORITY DATE: 04/01/1984

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF
DIVERSION:

T01N R19E S17 NWSWNW Within BLAINE County

T01N R19E S20 NENENW Within BLAINE County

T01N R19E S28 SWSSENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

04/15 10/31

2.950 CFS
679.00 APY

PLACE OF USE:

IRRIGATION in BLAINE County

T01N R19E S17	SWNE	38.00	T01N R19E S17	SWNW	34.00
T01N R19E S17	SENE	40.00	T01N R19E S17	NESW	40.00
T01N R19E S17	NWSW	34.00	T01N R19E S17	SWSW	40.00
T01N R19E S17	SESW	35.00	T01N R19E S17	NESE	11.00
T01N R19E S17	NWSE	40.00	T01N R19E S17	SWSE	40.00
T01N R19E S17	SESE	22.00	T01N R19E S20	NENE	39.00
T01N R19E S20	NWNE	39.00	T01N R19E S20	SWNE	19.00
T01N R19E S20	SENE	40.00	T01N R19E S20	NENW	37.00
T01N R19E S20	NWNW	40.00	T01N R19E S20	NESE	35.00
T01N R19E S20	NWSE	1.30	T01N R19E S20	SESE	13.00
Mixed T01N R19E S21 <u>LOT 8</u>	NWNW	10.00	T01N R19E S21 <u>LOT 9</u>	SWNW	9.00
Mixed T01N R19E S21 <u>LOT 11</u>	NWSW	24.00	T01N R19E S21	SWSW	36.00
T01N R19E S21 <u>LOT 12</u>	SESW	1.20	T01N R19E S27 <u>LOT 1</u>	NENE	11.00
T01N R19E S27 <u>LOT 2</u>	NWNE	9.00	T01N R19E S27	SWNE	40.00
T01N R19E S27 <u>LOT 5</u>	SENE	11.00	T01N R19E S27	SWNW	13.00
T01N R19E S27	SENE	30.00	T01N R19E S27	NESW	40.00
T01N R19E S27	NWSW	36.00	T01N R19E S27	SWSW	40.00
T01N R19E S27	SESW	30.00	T01N R19E S27 <u>LOT 6</u>	NESE	3.80

Mixed POUs:

-The Places of Use identified above describe both private and public land.

-Please clarify such that only private land is intended by including appropriate Lot numbers as shown above.

Private POUs: a few private POUs above are actually lots.

T01N R19E S27 <u>Lot 7</u> (NWSE)	36.00	T01N R19E S27	SWSE	4.00
T01N R19E S28	SWNE	14.00	T01N R19E S28	SENE
T01N R19E S28	NENW	13.00	T01N R19E S28	NWNW
T01N R19E S28	SWNW	6.40	T01N R19E S28	SENE
T01N R19E S28	NESW	22.00	T01N R19E S28	NWSW
T01N R19E S28	NESE	39.00	T01N R19E S28	NWSE
T01N R19E S28	SWSE	36.00	T01N R19E S28	SESE
T01N R19E S33	NENE	40.00	T01N R19E S33	NWNE
T01N R19E S33	SENE	30.00	T01N R19E S34	NENW
T01N R19E S34	NWNW	31.00	T01N R19E S34	SWNW

1435.1 ACRES TOTAL

Right Nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-2638, 37-2700, 37-21463 and 37-22155 are limited to the irrigation of a combined total of 1435.1 acres in a single irrigation season.

This right is limited to the irrigation of 194 acres within the place of use described above in a single irrigation season.

Right Nos. 37-2625A, 37-2638, 37-2700 and 37-21463 are limited to the irrigation of a combined total of 1435.1 acres in a single irrigation season.

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.

This right is an enlargement of Right 37-2625A, 37-2638 & 37-2700 pursuant to Section 42-1426, Idaho Code.

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

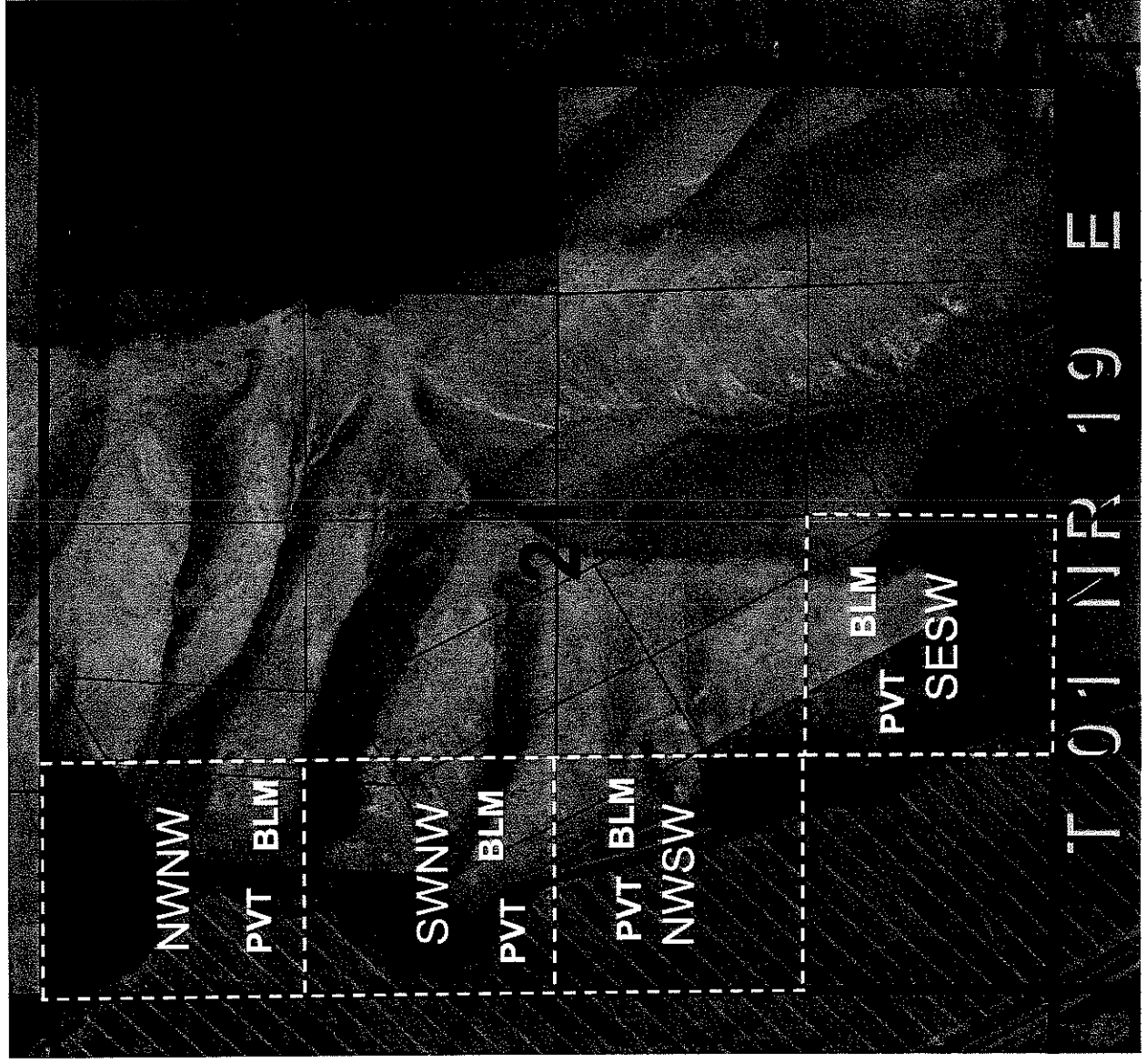
Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

37-00481B, 37-00482G, 37-00483B, 37-00665K, 37-00666J, 37-00667N, 37-02625A,
37-02638, 37-02700, 37-21463; Redstone Partnerships LP



37-00481B, 37-00482G, 37-00483B, 37-00665K, 37-00666J, 37-00667N, 37-02625A,
37-02638, 37-02700, 37-21463; Redstone Partnerships LP

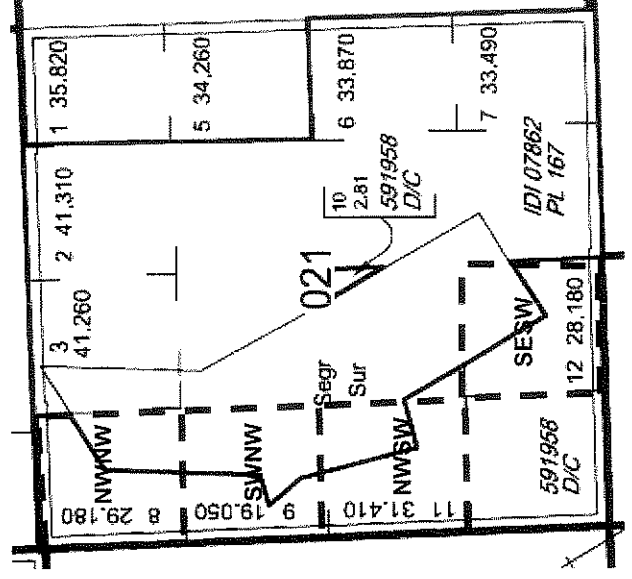


Mixed POUs:

-The POUs T01N R19E S21 NWNW, SWNW, NWSW, and SESW described in the Director's Report contains both private and public land.

-Please clarify such that only private land is intended by including appropriate Lot numbers.

- Lot 8 (NWNW)
- Lot 9 (SWNW)
- Lot 11 (NWSW)
- Lot 12 (SESW)



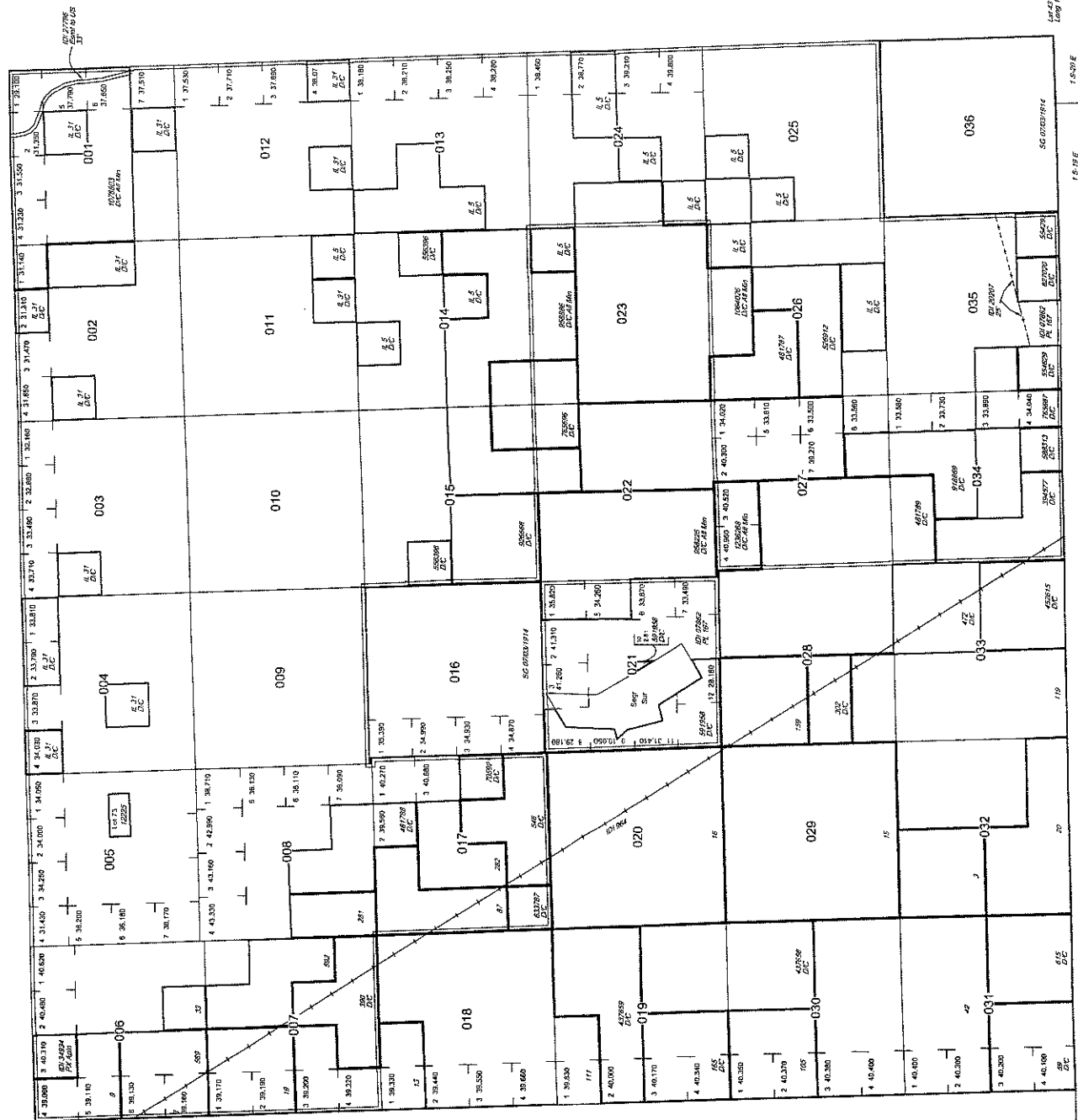
BLAINE COUNTY 013
TWIN FALLS DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

INDI 07862 Dnt PL 167 (Act of Congl) 07/23/1955)
completed 06/22/1960. All PD surface Mgmt by BLM



DISCLAIMER:

This plot should be used only as 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 river or other bodies of water. Refer to current surveys for official information.

The creation shown on worksheets represent the last action taken, but may not be the effective date. See the relevant history for the date of the official withdrawal plot.

Any warranty is made by the Bureau of Land Management for use of this data for purposes not intended by BLM.

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or for purposes other than those for which they were collected. Users are advised to use these data in conjunction with other data.

T. 1 N
R. 19 E

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

Call Way House, (208) 373-4000