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DEPARTMENT OF
WATER RESOURCES

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 Number: 02-07416

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: State of Idaho, Department of Parks and Recreation
Address: 5657 Warm Springs Avenue
Boise, Idaho 83716
Daytime Phone: (208) 334-2400

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 J. BARBER (ISB # 2597)
Deputy Attorney General
Attorney Address: Office of the Attorney General
700 W. State St., 2nd 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: STATE OF IDAHO
Address: DEPT OF PARKS & RECREATION
STATEHOUSE MAIL
PO BOX 83720
BOISE, ID 83720-0065

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. ☐ **Points of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: Not applicable.
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: The place of use for the lands owned by the Idaho Department of Parks and Recreation, hereinafter the "IDP&R," needs to be amended as described Attachment I.

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):

Water right no. 02-07416 is based on a license issued by the Idaho Department of Water Resources, hereinafter the "IDWR." The recommendation of the Director for water right no. 02-07416 is inconsistent with the license previously issued by the IDWR. The IDP&R is aware of no facts that would justify reducing the place of use as described in the present recommendation. The purpose of this objection is to make the partial decree entered in the Snake River Basin Adjudication consistent with the license issued by the IDWR. A true and correct copy of the original license issued by the IDWR is attached as Attachment II.

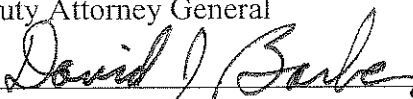
F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

DAVID J. BARBER, Deputy Attorney General, duly sworn, upon oath, deposes and says:

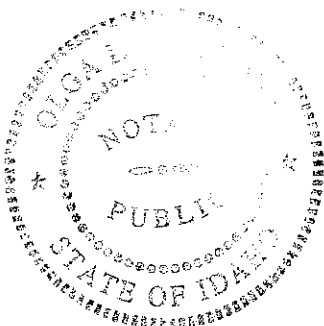
That the State of Idaho, Department of Parks & Recreation, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Parks & Recreation which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) 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 J. BARBER
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on: November 26, 2007
(Insert Date)


Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/5/2012



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 26, 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
P.O. Box 2707
Twin Falls, Idaho 83303-2707

U.S. MAIL

2. One copy to the owner of the water right at the following address:

State of Idaho, Department of Parks
and Recreation
5657 Warm Springs Avenue
Boise, Idaho 83716

STATEHOUSE MAIL

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

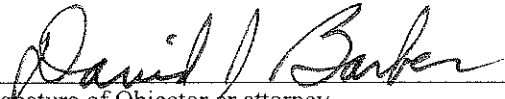
STATEHOUSE MAIL

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, Idaho 83711-4449

(not applicable)



Signature of Objector or attorney
Mailing on Objector's behalf

IDAHO DEPARTMENT OF WATER RESOURCES
AMENDED RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 2-7416

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF PARKS & RECREATION
STATEHOUSE MAIL
PO BOX 83720
BOISE ID 83720-0065

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.950 CFS
881.90 AFY

PRIORITY DATE: 04/04/1985

POINT OF
DIVERSION: T06S R06E S2 SWNE Lot 2 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
RECREATION STORAGE	01/01 12/31	300.00 AFY
RECREATION	10/01 05/15	1.950 CFS 881.90 AFY
WILDLIFE	10/01 05/15	1.950 CFS 881.90 AFY
DIVERSION TO STORAGE	10/01 05/15	1.950 CFS
WILDLIFE STORAGE	01/01 12/31	300.00 AFY

PLACE OF USE: WILDLIFE in OWYHEE County

T06S R06E S13	SENW	T06S R06E S13	NESW
T06S R06E S13	SWSW	T06S R06E S13	SESW
T06S R06E S13	NWSE		

T06S R06E S13	SWNE	T06S R06E S13	SENW
T06S R06E S13	NESW	T06S R06E S13	SWSW
T06S R06E S13	SESW	T06S R06E S13	NWSE
T06S R06E S13	SWSE		

T06S R06E S14	NESW	T06S R06E S14	NWSW
T06S R06E S14	SWSW	T06S R06E S14	SESW
T06S R06E S14	NESE	T06S R06E S14	NWSE
T06S R06E S14	SWSE	T06S R06E S14	SESE

T06S R06E S23	NENE	T06S R06E S23	NWNE
T06S R06E S23	NENW		

T06S R06E S24	NWNE	T06S R06E S24	NENW
T06S R06E S24	NWNW		

WILDLIFE STORAGE in OWYHEE County

T06S R06E S13	SENW	T06S R06E S13	NESW
T06S R06E S13	SWSW	T06S R06E S13	SESW
T06S R06E S13	NWSE		

T06S R06E S13	SWNE	T06S R06E S13	SENW
T06S R06E S13	NESW	T06S R06E S13	SWSW
T06S R06E S13	SESW	T06S R06E S13	NWSE
T06S R06E S13	SWSE		

T06S R06E S14	NESW	T06S R06E S14	NWSW
T06S R06E S14	SWSW	T06S R06E S14	SESW
T06S R06E S14	NESE	T06S R06E S14	NWSE
T06S R06E S14	SWSE	T06S R06E S14	SESE

T06S R06E S23	NENE	T06S R06E S23	NWNE
T06S R06E S23	NENW		

T06S R06E S24	NWNE	T06S R06E S24	NENW
T06S R06E S24	NWNW		

RECREATION in OWYHEE County

T06S R06E S13	SENE	T06S R06E S13	NESW
T06S R06E S13	SWSW	T06S R06E S13	SESW
T06S R06E S13	NWSE		

T06S R06E S13	SWNE	T06S R06E S13	SENE
T06S R06E S13	NESW	T06S R06E S13	SWSW
T06S R06E S13	SESW	T06S R06E S13	NWSE
T06S R06E S13	SWSE		

T06S R06E S14	NESW	T06S R06E S14	NWSW
T06S R06E S14	SWSW	T06S R06E S14	SESW
T06S R06E S14	NESE	T06S R06E S14	NWSE
T06S R06E S14	SWSE	T06S R06E S14	SESE

T06S R06E S23	NENE	T06S R06E S23	NWNE
T06S R06E S23	NENW		

T06S R06E S24	NWNE	T06S R06E S24	NENW
T06S R06E S24	NWNW		

RECREATION STORAGE in OWYHEE County

T06S R06E S13	SENE	T06S R06E S13	NESW
T06S R06E S13	SWSW	T06S R06E S13	SESW
T06S R06E S13	NWSE		

T06S R06E S13	SWNE	T06S R06E S13	SENE
T06S R06E S13	NESW	T06S R06E S13	SWSW
T06S R06E S13	SESW	T06S R06E S13	NWSE
T06S R06E S13	SWSE		

T06S R06E S14	NESW	T06S R06E S14	NWSW
T06S R06E S14	SWSW	T06S R06E S14	SESW
T06S R06E S14	NESE	T06S R06E S14	NWSE
T06S R06E S14	SWSE	T06S R06E S14	SESE

T06S R06E S23	NENE	T06S R06E S23	NWNE
T06S R06E S23	NENW		

T06S R06E S24	NWNE	T06S R06E S24	NENW
T06S R06E S24	NWNW		

Place of use is located within Bruneau Dunes State Park.

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 – License

The point at which the water is diverted into the system of ponds is located within SENW, S13, T06S, R06E.

Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07416

Priority: April 4, 1985

Maximum Diversion Rate: 1.95 CFS
Maximum Diversion Volume: 881.9 AF

This is to certify, that STATE OF IDAHO
DEPT OF PARKS & REC
STATEHOUSE
BOISE ID 83720

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated April 4, 1985; and
has submitted Proof of Beneficial Use on February 12, 1991. An examination indicates
that the works have a diversion capacity of 1.950 cfs of water from:

SNAKE RIVER tributary to COLUMBIA RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
WILDLIFE	10/01 to 05/15	1.95 CFS	881.9 AF
WILDLIFE STORAGE	01/01 to 12/31		300.0 AF
RECREATION	10/01 to 05/15	1.95 CFS	881.9 AF
RECREATION STORAGE	01/01 to 12/31		300.0 AF
DIVERSION TO STORAGE	10/01 to 05/15	1.95 CFS	
Totals		1.95 CFS	881.9 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(SWNE), Sec. 2, Township 06S, Range 06E
OWYHEE County

PLACE OF USE: WILDLIFE

TWN RGE SEC

06S 06E 13	SWNE	SENW	NESW
	SWSW	SESW	NWSE
	SWSE		
14	NESW	NWSW	SWSW
	SESW	NESE	NWSE
	SWSE	SESE	
23	NENE	NWNE	NENW
24	NWNE	NENW	NWNW

PLACE OF USE:

RECREATION, same as WILDLIFE use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.

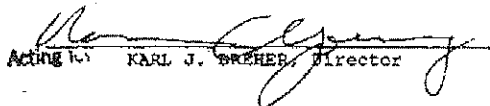
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 02-07416

CONDITIONS/REMARKS:

2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. The point at which the water is diverted into the system of ponds is located within SENW, S13, T06S, R06E.
7. Place of use is located within Bruneau Dunes State Park.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 24th
day of August, 1995.


ACTING BY KARL J. BREHER, Director