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DEC 05 2007

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 02-00051
(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 Anchustegui (Dir Rpt Address)

Address: 3380 Catalina Lane; Boise, Idaho 83705

Name: John Anchustegui (whitepages addr)

Address: 3054 E. Rivernest Drive; Boise, Idaho 83706-6914

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 United States of America, through the Bureau of Land Management, is the owner of the land upon which a portion of the use is claimed. The claimant's use of Federal land is unauthorized. Claimant's water right should not include federal public land.

E.

VERIFICATION (Must be Completed)

State of Idaho

ss.

County of ADA

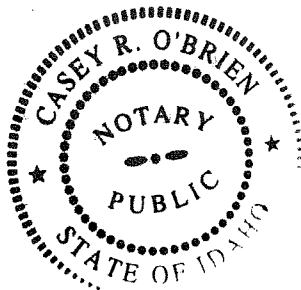
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

Fredric W. Price
(Signature of person filing objection)

Lane A. Baran
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: December 03, 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 12-3, 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:

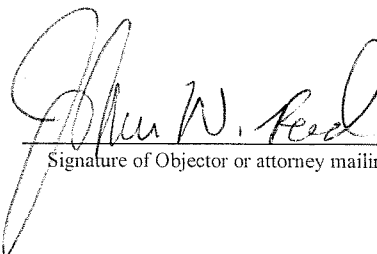
Name: John Anchustegui (Dir Rpt Address)
Address: 3380 Catalina Lane; Boise, Idaho 83705
Name: John Anchustegui (whitepages addr)
Address: 3054 E. Rivernest Drive; Boise, Idaho 83706-6914
Name:
Address: ;
Name:
Address: ;

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: 2-51
 NAME AND ADDRESS: JOHN ANCHUSTEGUI
 3380 CATALINA LN
 BOISE ID 83705
 SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
 QUANTITY: 0.700 CFS
 PRIORITY DATE: 03/15/1969
 POINT OF
 DIVERSION: T05S R04E S34 NWSW Lot 10 Within OWYHEE County
 PURPOSE AND
 PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.700 CFS

PLACE OF USE: IRRIGATION in OWYHEE County

BLM	T05S R04E S32 Lot 11 SWNW	4.00	T05S R04E S32 Lot 12 SENW	10.00
	T05S R04E S32 NESW	17.00	T05S R04E S32 NWSW	5.00
	T05S R04E S32 NWSE	15.00		

51 ACRES TOTAL

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

POUs on BLM:

-The Places of use recommended as T05S R04E S32 Lot 11 SWNW 4.00 acres and Lot 12 SENW 10.00 acres is not authorized.

-Please remove those places of use and acres on BLM from recommendation and adjust shapefile accordingly.

TOWNSHIP 5 SOUTH RANGE 4 EAST OF THE BOISE MERIDIAN, IDAHO

BOISE DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

INDEX TO SEGREGATED TRACTS			
TRACT NO.	T	R	SEC
1	1	1	1
2	1	1	2
3	1	1	3
4	1	1	4
5	1	1	5
6	1	1	6
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8	1	1	8
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50	1	1	50

EO 4/25/1912 Mod Per S Res 117, Per S Res 123 to permit RR R/W

EO 10/29/1913 Mod Per S Res 406 R/W Trans line, all land lying within 50' of center line R/W

Sec 3: Lots 1 to 4 incl

Sec 4: Lots 1 to 4 incl

Sec 5: Lots 1 to 4 incl

Sec 6: Lots 1 to 4 incl

Sec 7: Lots 1 to 4 incl

EO 2/1/1915 Mod Per S Res 406 to permit R/W Trans line

EO 7/19/1915 Mod Per S Res 438 R/W Trans line, all land lying within 50' of center line R/W

Sec 2: Lots 1 to 4 incl

Sec 3: Lots 1 to 4 incl

Sec 4: Lots 1 to 4 incl

Sec 5: Lots 1 to 4 incl

Sec 6: Lots 1 to 4 incl

Sec 7: Lots 1 to 4 incl

Sec 8: Lots 1 to 4 incl

Sec 9: Lots 1 to 4 incl

Sec 10: Lots 1 to 4 incl

Sec 11: Lots 1 to 4 incl

Sec 12: Lots 1 to 4 incl

Sec 13: Lots 1 to 4 incl

Sec 14: Lots 1 to 4 incl

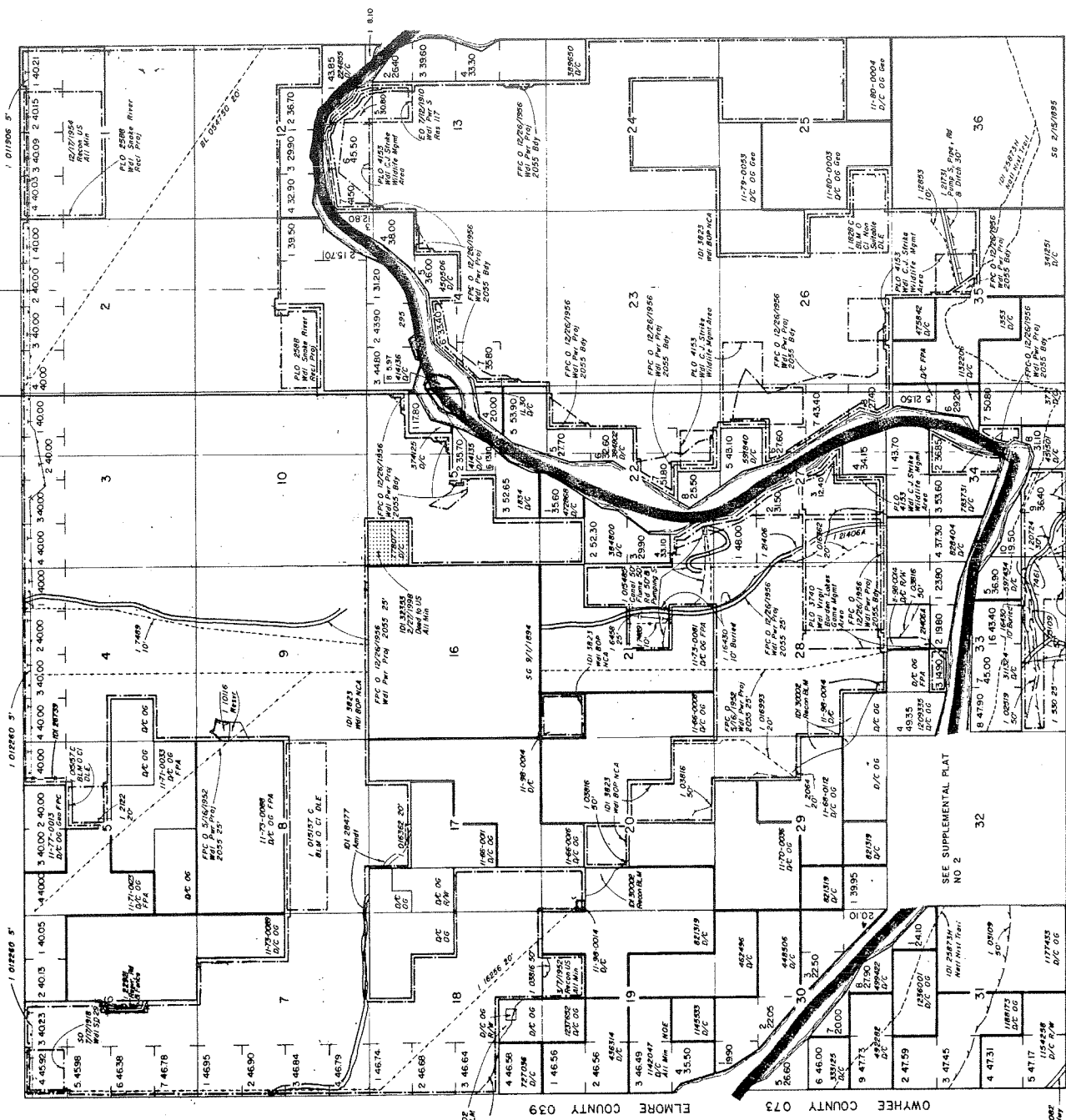
Sec 15: Lots 1 to 4 incl

Sec 16: Lots 1 to 4 incl

Sec 17: Lots 1 to 4 incl

Sec 18: Lots 1 to 4 incl

Sec 19: Lots 1 to 4 incl



This plat is the property of the Bureau of Land Management and should be used only as a guide. It is not to be used as a basis for any legal action. The Bureau of Land Management is not responsible for any errors or omissions in this plat. The Bureau of Land Management is not responsible for any errors or omissions in this plat.

SCALE IN FEET
0 100 200 300 400 500

SEE SUPPLEMENTAL PLAT NO 2

ELMORE COUNTY 039
OWYHEE COUNTY 073

BOISE DISTRICT SEC 3

BOISE DISTRICT SEC 3

BOISE DISTRICT SEC 3

BOISE DISTRICT SEC 3

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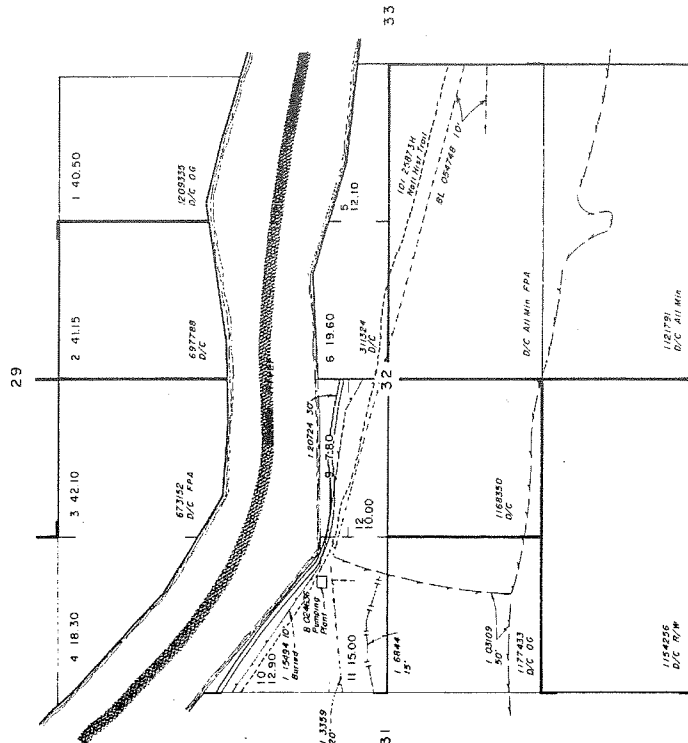
BOISE DISTRICT SEC 3

BOISE DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLESMTP
SUPPL Sec 32[illegible]

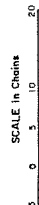
EO 7/19/1915 Wdl Pwr S Res 498 R/W Trans line,
all land lying within 50' of center line R/W
Sec 32. Lots 3,4,7,8

101 25873H Natl Hist Trail
Historical information only, does not denote
public access



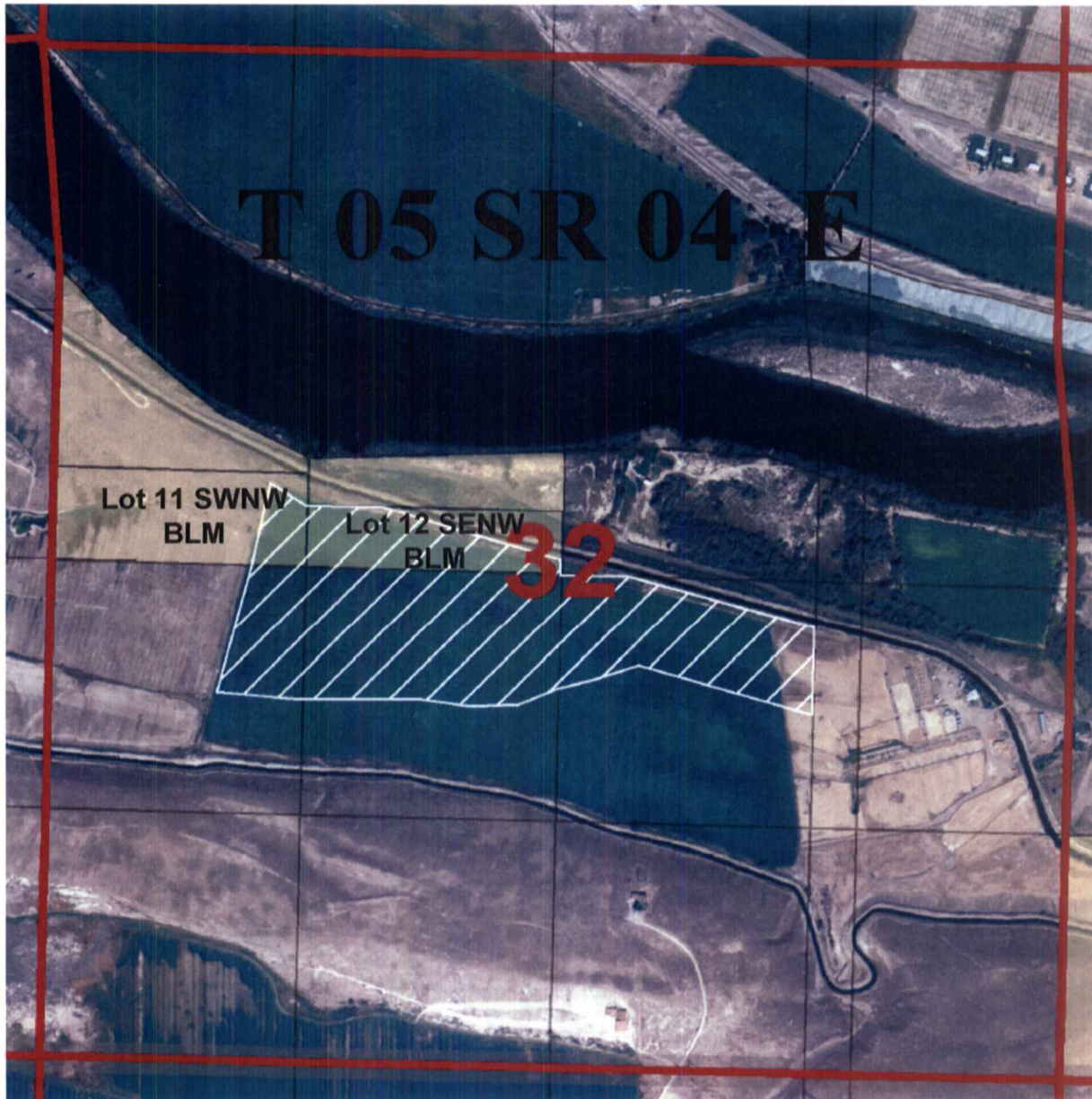
WARNING STATEMENT

This plot is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records hereon do not reflect title changes which may have been affected by lateral movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey information.



Boise Mer
T. 5 S.
R. 4 E.
No. 2

02-00051; John Anchustegui



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