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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 02-10015

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

Name:
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:
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 the use is claimed. The claimant's use of Federal land is unauthorized. Claimant's water claim 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)

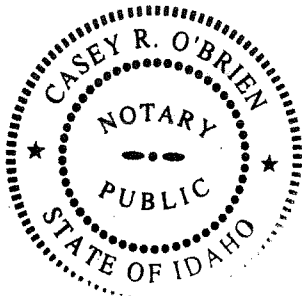
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: December 03, 2007

Casey R. O'Brien
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:

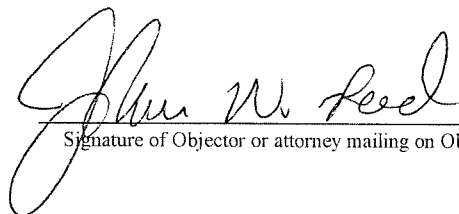
Name: John Anchustegui
Address: 3054 E. Rivernest Drive; Boise, Idaho 83706-6914
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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

12/28/2006

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

RIGHT NUMBER: 2-10015

NAME AND ADDRESS: JOHN ANCHUSTEGUI
3054 E RIVERNEST DR
BOISE ID 83706

POU on BLM:

-Stockwatering facility on BLM land is not authorized.

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.050 CFS

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

PRIORITY DATE: 03/01/1952

POINT OF

DIVERSION: T05S R04E S34 NWSW Lot 10 Within OWYHEE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

03/15 10/31

0.050 CFS

PLACE OF USE: STOCKWATER in OWYHEE County

BLM | T05S R04E S33 SWSW |

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

STOCKWATER, 1000 RANGE CATTLE

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 TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS			
TRACT NO	T	R	SEC
ORIGINAL SURVEY			
SUBDIVISION			

EO 4/29/1912 Mod Pw S Res 117, Per S Res 123
to permit RR R/W

EO 10/29/1913 Wd Pw 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 2/10/1915 Mod Pw S Res 406 to permit R/W
Trans line
EO 7/19/1915 Wd Pw S Res 498 R/W Trans line,
all land lying within 50' of center line R/W
Sec 2: W $\frac{1}{2}$ W $\frac{1}{2}$
Sec 3: E $\frac{1}{2}$ E $\frac{1}{2}$
Sec 7: Lot 4
Sec 10: E $\frac{1}{2}$ E $\frac{1}{2}$
Sec 11: W $\frac{1}{2}$ NW $\frac{1}{2}$, NW $\frac{1}{2}$ SW $\frac{1}{2}$
Sec 12: Lots 6, 7
Sec 13: NW $\frac{1}{2}$ NW $\frac{1}{2}$
Sec 15: Lot 4, NE $\frac{1}{2}$ NE $\frac{1}{2}$
Sec 18: W $\frac{1}{2}$ SE $\frac{1}{2}$, SE $\frac{1}{2}$ SE $\frac{1}{2}$
Sec 22: Lot 7.8, SW $\frac{1}{2}$ SE $\frac{1}{2}$
Sec 26: SW $\frac{1}{2}$ SW $\frac{1}{2}$
Sec 27: Lot 8 to 8 Incl, E $\frac{1}{2}$ NE $\frac{1}{2}$
Sec 29: Lot 1
Sec 30: Lot 4, NE $\frac{1}{2}$ SE $\frac{1}{2}$
Sec 31: Lot 1
Sec 32: Lots 3, 4, 7, 8
Sec 34: Lot 3
Sec 35: NW $\frac{1}{2}$ NW $\frac{1}{2}$

FPC O 5/16/1953 Wd Pw Proj. 2055 R/W guy
anchored 75' x 400'
Sec 9: SE $\frac{1}{2}$ NW $\frac{1}{2}$, SW $\frac{1}{2}$ NW $\frac{1}{2}$
Act of Cong (Sec 3) 10/2/1968, all public land
within 1/4 mile of Bruneau River, Wdn for
potential addition to Wdn & Stevie River
Systems

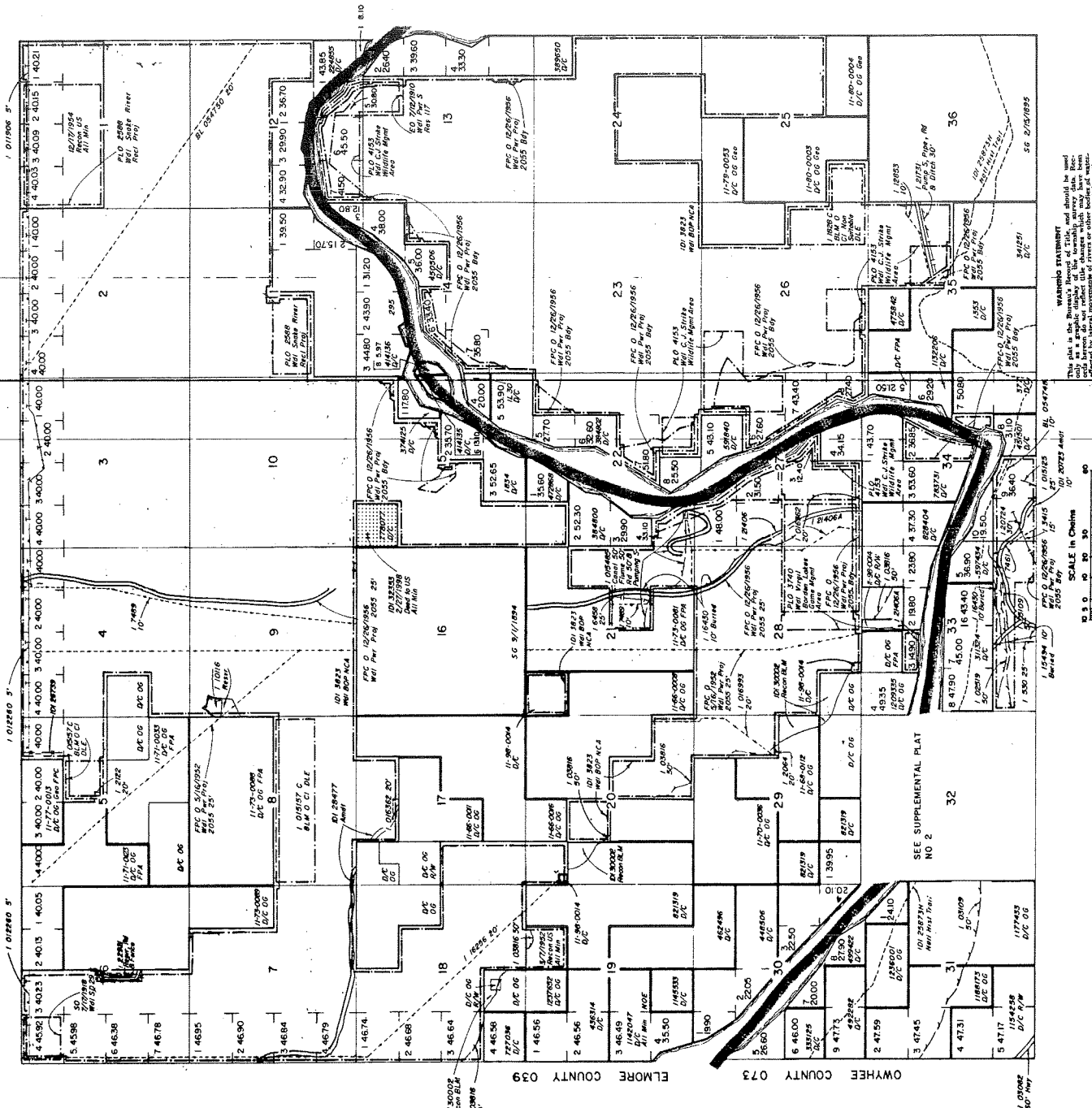
I 7322 Wd B.M. Prop
All NW $\frac{1}{2}$ within 1/4 mile Bruneau River in Tp
I 25873M Wd Hst Trail
I 25873M Wd Hst Trail
Historical information only, does not denote
public access

[See Supplemental No. 1]
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO

USE PLATS

Boise Mer
T. 5S.
R. 4E



WARNING: This plat is the Boise Meridian of Title, and should be used only as a graphic display of the township survey data. It is not a legal document and should not be used as evidence in any court of law. For legal purposes, refer to the original survey records on file in the Boise Meridian office.

SCALE in Chains
0 20 40 60 80

02-10015; John Anchustegui



POU on BLM:

-Stockwatering facility on BLM land is not authorized.