

RECEIVED

DEC 07 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 )

A. Subcase 02-07249  
(Insert water right number)

Case No. 39576 )

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: Salmon Falls Land & Livestock Co., Inc.  
Address: 123 Bell Rapids Road; Hagerman, Idaho 83332

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 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.

**F.**

**VERIFICATION** (Must be Completed)

State of Idaho

)

) ss.

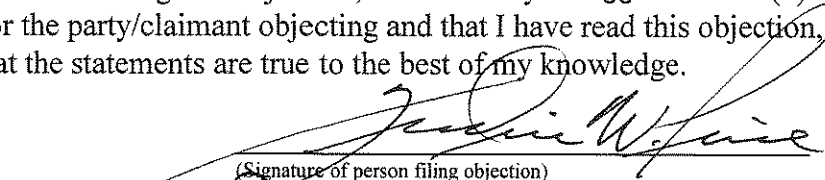
County of ADA

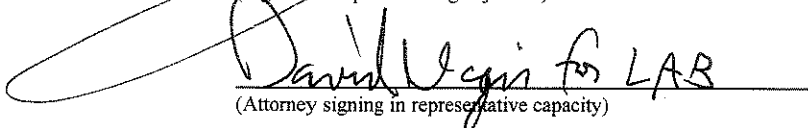
)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:

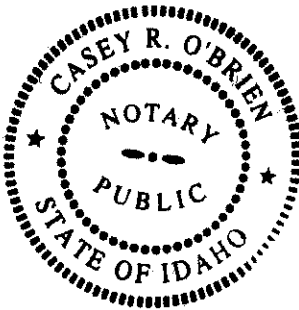
(Name of person filing objection)

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: December 04, 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 12-5, 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: Salmon Falls Land & Livestock Co., Inc.  
Address: 123 Bell Rapids Road; Hagerman, Idaho 83332

Name:  
Address: ;

Name:  
Address: ;

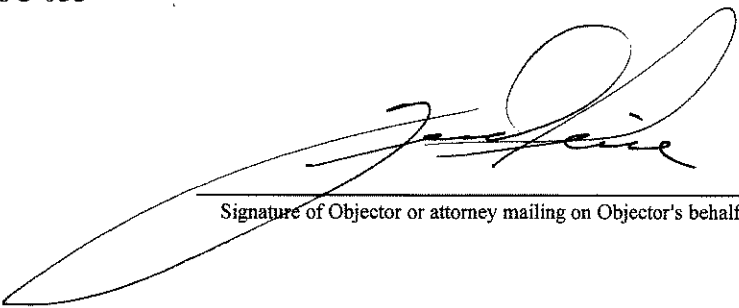
Name:  
Address: ;

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

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

RIGHT NUMBER: 2-7249

NAME AND ADDRESS: SALMON FALLS LAND & LIVESTOCK CO INC  
123 BELL RAPIDS RD  
HAGERMAN ID 83332

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 29.890 CFS

Use of this right with Right 02-07462 is limited to a total combined diversion rate of 29.89 cfs.

Use of this right with Right 02-07462 is limited to a total combined annual diversion volume of 9728 af.

PRIORITY DATE: 02/07/1977

POINT OF DIVERSION: T08S R14E S7 NESE Lot 6 Within TWIN FALLS County

PURPOSE AND PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/01 10/31          | 29.890 CFS      |

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION in TWIN FALLS County

|       |               |      |       |               |      |       |
|-------|---------------|------|-------|---------------|------|-------|
| Mixed | T08S R13E S10 | SWSE | 11.00 | T08S R13E S10 | SESE | 17.00 |
|       | T08S R13E S11 | NENE | 20.00 | T08S R13E S11 | NWNE | 19.00 |
| BLM   | T08S R13E S11 | SWNE | 40.00 | T08S R13E S11 | SENE | 40.00 |
|       | T08S R13E S11 | SWNW | 1.00  | T08S R13E S11 | SENW | 1.00  |
|       | T08S R13E S11 | NESW | 26.00 | T08S R13E S11 | NWSE | 39.00 |
|       | T08S R13E S11 | SWSW | 36.00 | T08S R13E S11 | SESW | 27.00 |
|       | T08S R13E S11 | NESE | 10.00 | T08S R13E S11 | NWSE | 15.00 |
|       | T08S R13E S11 | SWSE | 21.00 | T08S R13E S11 | SESE | 25.00 |
| Mixed | T08S R13E S12 | NWNW | 20.00 | T08S R13E S12 | SWNW | 20.00 |
|       | T08S R13E S12 | NESW | 40.00 | T08S R13E S12 | NWSE | 21.00 |
|       | T08S R13E S12 | SWSW | 40.00 | T08S R13E S12 | SESW | 40.00 |
|       | T08S R13E S12 | NESE | 19.00 | T08S R13E S12 | NWSE | 15.00 |
|       | T08S R13E S12 | SWSE | 37.00 | T08S R13E S12 | SESE | 36.00 |
|       | T08S R13E S13 | NENE | 40.00 | T08S R13E S13 | NWNE | 35.00 |
|       | T08S R13E S13 | SWNE | 40.00 | T08S R13E S13 | SENE | 40.00 |
|       | T08S R13E S13 | NENW | 39.00 | T08S R13E S13 | NWNW | 40.00 |
|       | T08S R13E S13 | SWNW | 39.00 | T08S R13E S13 | SENW | 40.00 |
|       | T08S R13E S13 | NESW | 40.00 | T08S R13E S13 | NWSE | 40.00 |
|       | T08S R13E S13 | SWSW | 40.00 | T08S R13E S13 | SESW | 40.00 |
|       | T08S R13E S13 | NESE | 40.00 | T08S R13E S13 | NWSE | 40.00 |

|              |                     |      |       |                     |      |       |
|--------------|---------------------|------|-------|---------------------|------|-------|
|              | T08S R13E S13       | NENE | 40.00 | T08S R13E S13       | NWSE | 39.00 |
|              | T08S R13E S13       | SWSE | 40.00 | T08S R13E S13       | SESE | 40.00 |
|              | T08S R13E S14       | NENE | 38.00 | T08S R13E S14       | NWNE | 40.00 |
|              | T08S R13E S14       | SWNE | 39.00 | T08S R13E S14       | SENE | 39.00 |
|              | T08S R13E S14       | NENW | 40.00 | T08S R13E S14       | NWNW | 40.00 |
|              | T08S R13E S14       | SWNW | 38.00 | T08S R13E S14       | SENW | 40.00 |
|              | T08S R13E S14       | NESW | 40.00 | T08S R13E S14       | SESW | 32.00 |
|              | T08S R13E S14       | NENE | 38.00 | T08S R13E S14       | NWSE | 38.00 |
|              | T08S R13E S14       | SWSE | 31.00 | T08S R13E S14       | SESE | 1.00  |
|              | T08S R13E S15       | NENE | 40.00 | T08S R13E S15       | NWNE | 30.00 |
| Mixed<br>BLM | T08S R13E S15       | SWNE | 10.00 | T08S R13E S15       | SENE | 18.00 |
|              | T08S R14E S07       | NESW | 20.00 | T08S R14E S07 Lot 7 | NWSW | 32.00 |
|              | T08S R14E S07 Lot 8 | SWSW | 32.00 | T08S R14E S07       | SESW | 40.00 |
|              | T08S R14E S07       | NWSE | 16.00 | T08S R14E S07       | SWSE | 40.00 |
|              | T08S R14E S18       | NWNE | 40.00 | T08S R14E S18       | SWNE | 32.00 |
|              | T08S R14E S18       | NENW | 40.00 | T08S R14E S18 Lot 1 | NWNW | 32.00 |
|              | T08S R14E S18 Lot 2 | SWNW | 22.00 | T08S R14E S18       | SENW | 35.00 |
|              | T08S R14E S18       | NESW | 40.00 | T08S R14E S18 Lot 3 | NWSW | 28.00 |
|              | T08S R14E S18 Lot 4 | SWSW | 32.00 | T08S R14E S18       | SESW | 40.00 |
|              | T08S R14E S18       | NWSE | 30.00 | T08S R14E S18       | SWSE | 19.00 |

2432 ACRES TOTAL

Use of this right with Right 02-07462 is limited to the irrigation of a combined total of 2432 acres in a single irrigation season.

This right is limited to the irrigation of 1624 acres within the place of use described above in a single irrigation season.

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

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

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**

Right 02-07462 is also diverted through the point of diversion described above.

**Mixed POUs:**

-The places of use shown below describe both private and public lands. Please clarify such that only private land is intended by inserting the following language under place of use:

"Place of use does not include federal public lands."

-Adjust shapefile to only include private land.

**POUs on BLM:**

-The places of use recommended describing BLM are not authorized for agricultural uses.

-Please remove BLM land from recommendation and adjust shapefile accordingly.

# 02-07249; Salmon Falls Land & Livestock

## Mixed POUs.

-The places of use shown below describe both private and public lands. Please clarify such that only private land is intended by inserting the following language under place of use:

"Place of use does not include federal public lands."

-Adjust shapefile to only include private land.

## POUs on BLM:

-The places of use recommended describing BLM are not authorized for agricultural uses.

-Please remove BLM land from recommendation and adjust shapefile accordingly.

BLM  
PVT

BLM BLM  
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PVT BLM

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NESW  
BLM

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T 08 SR 14 E

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STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL TITLES[illegible]

EO 712/1910 Vol Per 5 Ros II affects Unsur

Sect 3, 4 lying N of Snake River

ESD 5/6/1926 Wd Per 5 Cl 140, all lands lying within the Snake River

Sec 3, 1

UNU 0 12/31/1953 Open to Entry Subj to Sec 24.1  
Per 5 Res Yt EO 7/2/1910, Per Regi 19 FPC Q

Proj 1469 FPC 0 8/4/1937, Per 5 CI 390 US65 0  
12/11/1920, Per Proj 287 FPC 0 2/23/1922, Per

PMSPS PMSPM PMSN : 205  
PMSPS 'PMSPM' : 105

Sec 3: 609 A.S. 4157, 525

PLAN 0 9/27/1957 Open to Entry Subj-to Sec 24 FPA  
Per Proj 232 FPC 0 2/23/1922, Per Proj 1469

SEC 1: 541504  
EPC 0 4/8/1937, per S CI 390 USGS 0 1/26/1948

Sac 2: NRI5WJ, SEJ5WJ, SJ5ET  
Sac 1: SJ5WJ

PLQ 2895 1/29/1963 Open to Entry Subj to Sec 24

TPA Pwr Pro, 1440 PFC 0 2/14/1937; Pwr 5 CL 80  
USCS Q 7/16, 1948  
Pwr 11, 1948  
Pwr 11, 1948

1 2395 BLVD N. JENNIFER DR. #

Sgr from Appropn under HE, DLE, IA, PS, PLS, RAPP.  
B IS

**Sec 17: N/2**  
**All Ungrapped public land within**

SEC 10; NY2

101 12610 Siko, Act 12/13/1976

AMZM/CI DBS  
Sec 17: NWSW  
MSMN: 17  
Sec 18: NENE

SAC 19: W2E2  
SAC 21: SENE. NESE

Sec 26: E2SE

Sec 30: HWNE, E2W2

Sec 31: E2NE  
Sec 33: W2SW

352M19E OBS

Continued on Suppl. Plat No. 1

FOR ORDERS EFFECTING DISPOSAL OR USE OF

UNIDENTIFIED LANDS REFER TO INDEX OF  
MISCELLANEOUS DOCUMENTS.

**Figure 1**

|             |            |
|-------------|------------|
| CURRENT TO  | CURRENT TO |
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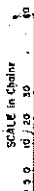
\* 0 0 0 0 0 0 0 0 0 0

USE PLATE 1.

100

1. 2.

The diagram illustrates a 1D lattice chain. A horizontal line represents the lattice, with several black dots placed along it to represent atoms or ions. These dots are connected by horizontal lines, indicating interactions between nearest neighbors. The distance between adjacent dots is labeled as 'a', representing the lattice constant. The total number of sites in the chain is labeled as 'N'.

[illegible]

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

2010 Mer  
T. 85  
R. 13E

STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL TITLES

# MIT PLAT

| INDEX TO SEGREGATED TRACTS |   |   | ORIGINAL SURVEY |             |
|----------------------------|---|---|-----------------|-------------|
| RESURVEY TRACT NO          | T | R | SIC             | SUBDIVISION |
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50 7/25/1929 Vol 1 Par 5 Cl 237, all land lying within 20' center line R/W.H. 023096 superseded by BL 038294 (Now Par Proj 1252)

Sec 10: NE 1/4 133533

PL-0 2895 / 2/29/53 Open to Entry Subj to Sec 24  
FPA Pwr S Cl 390 SO 7/26/1948 Par Procl 282  
FPC O 2/23/1922

1 010-107 L In Litigación  
Sae 17: Lot's 9, 10, 11

Sec 7. N 1/2 SW 1/4 ME 14, N 1/2 of Lot 6

113243 SW 1/4 A-1 9/18/1978

Sec 17, Lots 9, 10, 11

FOI 25873 Re: that Profit  
Historical information only, does not denote  
public access

Figure 1: A schematic diagram of a 1D lattice with  $N$  sites. The lattice is represented by a horizontal line with  $N$  discrete sites marked by dots. The sites are labeled  $1, 2, 3, \dots, N$  from left to right. The distance between adjacent sites is denoted by  $a$ . The total length of the lattice is denoted by  $L$ . The diagram is divided into two regions: a region of length  $L/2$  on the left and a region of length  $L/2$  on the right. The left region contains sites  $1, 2, 3, \dots, N/2$ , and the right region contains sites  $N/2+1, N/2+2, \dots, N$ . The diagram is labeled "Figure 1" at the bottom.

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THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITHDRAWAL ORDER.

