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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)

A. Subcase 02-10047
(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: J.R. Simplot Co., c/o Ron Graves

Address: 999 Main St., Ste. 1300; P.O. Box 27; Boise, Idaho 83707

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.

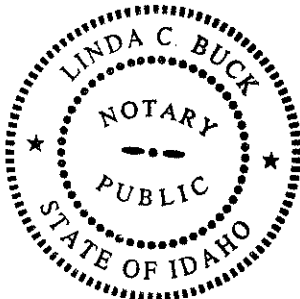
Fredric W. Price
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

December 4, 2007

Linda C. Buck
Linda C. Buck



Notary Public for State of Idaho

Residing at: Mountain Home, ID

My Commission Expires: 12/21/2011

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:

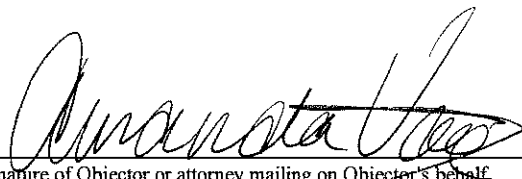
Name: J.R. Simplot Co., c/o Ron Graves
Address: 999 Main St., Ste. 1300; P.O. Box 27; Boise, Idaho 83707
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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: 2-10047

Unauthorized Use:

NAME AND ADDRESS: J R SIMPLOT CO
C/O TERRY T UHLING
999 MAIN STREET SUITE 1300
PO BOX 27
BOISE ID 83707

-Adjust shapefile to only include private land in S28 SESW.

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 6.240 CFS

PRIORITY DATE: 03/15/1953

POINT OF

DIVERSION: T05S R04E S34 NESWNW Lot 4 Within ELMORE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

03/15 10/31

6.240 CFS

PLACE OF USE: IRRIGATION in ELMORE County

Mixed	T05S R04E S28	SWSW	19.00	T05S R04E S28	SESW	1.00	Mixed
	T05S R04E S29	SWNE	34.00	T05S R04E S29	NESW	16.00	
	T05S R04E S29	NWSW	8.00	T05S R04E S29 Lot 1 SWSW		34.00	
	T05S R04E S29	SESW	18.00	T05S R04E S29	NESE	16.00	
	T05S R04E S29	NWSE	40.00	T05S R04E S29	SWSE	31.00	
Mixed	T05S R04E S29	SESE	35.00	T05S R04E S30	NWNE	12.00	
	T05S R04E S30	SWNE	36.00	T05S R04E S30	NENW	38.00	
	T05S R04E S30 Lot 1 NWNW		18.00	T05S R04E S30 Lot 2 SENW		25.00	
	T05S R04E S30	NESE	33.00	T05S R04E S30 Lot 3 NWSE		21.00	
	T05S R04E S30 Lot 4 SESE		19.00	T05S R04E S32 Lot 2 SWNE		31.00	
	T05S R04E S32 Lot 1 SENE		19.00	T05S R04E S32 Lot 4 NWNW		15.00	
	T05S R04E S32 Lot 3 SENW		41.00	T05S R04E S33	NENW	11.00	
	T05S R04E S33 Lot 4 NWNW		13.00				

584 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 584 acres in a single irrigation season. Combined Right Nos.: 2-10047, 2-10048, and 110 assessed acres of Snake River Irrigation District.

This right is limited to the irrigation of 311 acres within the place of use described above 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

Water is delivered through Snake River Irrigation District Canal.

Mixed POUs:

-The places of use shown above describes 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."

02-10047 & 02-10048; J. R. Simplot Self Declaration Revocable Trust



Mixed POUs:

-The places of use shown above describes 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."

Unauthorized Use:

-Adjust shapefile to only include private land in S28 SESW.

PROISE DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

[illegible]

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

EO 10/29/1913 wd Par 5 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 7 incl

Sec 7: Lots 1 to 4 incl

E0 2/11/1915 Mod Pwr S Res 406 to permit R/W

Irons line
EO 7/19/1915 Wd1 Pwr S Res 498 R/W Trons line.

all land lying within 50' of center line R/W

Sac 2: W: W: 1
Sac 3: E: E: 1

Sec 7: Lot 4
Sec 10: E 1/4

Sec 11 : W¹/₂NW¹/₂, NW¹/₂SW¹/₂
 Sec 12 : Lots 6, 7
 Sec 13 : NW¹/₂NW¹/₂

Sec 15: L014, NE7NE $\frac{1}{2}$
Sec 18: W $\frac{1}{2}$ SE $\frac{1}{2}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$

Sec 22: Lois 18, SW 1/4 Sec 27

Sec 26 SW 1/4 SW 1/4

Sec 27: Lois 6 to 9 Inci, EXNER

Sec 29 Lot 1
Sec 30 Lot 4, NE 1/4 Sec 34
Sec 31 Lot 1

Sec 32 Lots 3, 4, 7, 8

Sec 34 Lots 5

SAC SD: NIAWZ
FPC O 5/16/1952 Wdl Pwr Proj. 2055 R/W guy

anchorage 75' x 200'

Act of Cong (Sec 5) 10/2/1968, all public land within 1/4 mile of Bruneau River, Wdn for

POTENTIAL OBSTACLE TO WILD & SCIENCE RIVER
SWATHS

I 7322 W&J ELM Prop
All NR lands within 1/4 mile Bruseau River in Td

ID: 258734 Natl Hist Trail
Historical information only, does not denote

Public Access

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

CURRENT TO	CURRENT TO
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USE PLATS:

John Warr

Bohrer, M.

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6.2.2 New research
