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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

Case No. 39576

A. Subcase 02-10075
(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: United States of America
Address: 1387 South Vinnell Way; Boise, ID 83709-1657
Name: Bureau of Land Management
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: See attached.
2. ☒ **Source**
Should be: See attached.
3. ☒ **Quantity**
Should be: See attached.
4. ☒ **Priority Date**
Should be: See attached.
5. ☒ **Point(s) of Diversion**
Should be: See attached.
6. ☒ **Instream Flow Description**
Should be: See attached.
7. ☒ **Purpose(s) of Use**
Should be: See attached.
8. ☒ **Period of Year**
Should be: See attached.
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):

This historical beneficial use claim was disallowed in the Director's Report. The United States of America, acting through the BLM, uses water for stockwater purposes at this water source located on the public lands. Cattle trails cross the claimed POU on their way down to the river (see attached map).

F.

VERIFICATION (Must be Completed)

State of Idaho

)

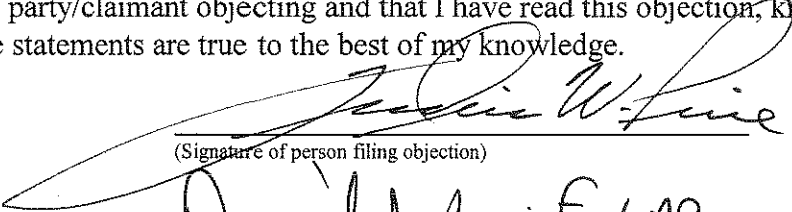
) ss.

County of ADA

)

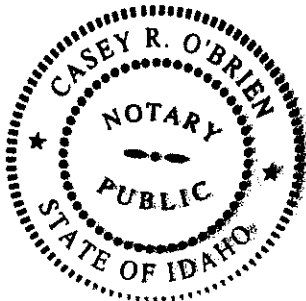
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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)

David Mcginnis for LAB
(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:

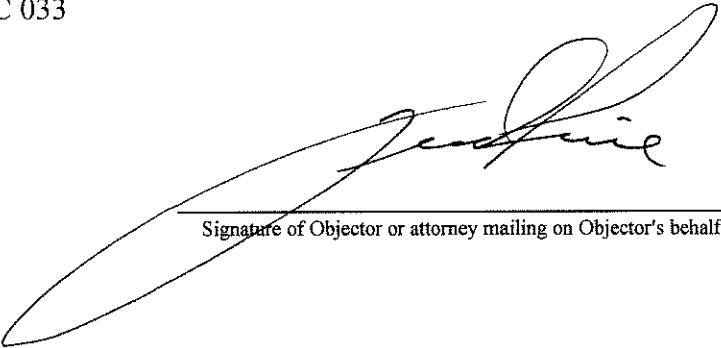
Name: United States of America
Address: 1387 South Vinnell Way; Boise, ID 83709-1657
Name: Bureau of Land Management
Address: ;
Name: ;
Address: ;
Name: ;
Address: ;

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
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
2-10074	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE ID 83709-1657	Disallowed	No beneficial use found.
→ 2-10075	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE ID 83709-1657	Disallowed	No beneficial use found.
2-10083	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE ID 83709-1657	Disallowed	No beneficial use found.
2-10094	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE ID 83709-1657	Disallowed	Recommended as Right No. 2-10081.
2-10096	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE ID 83709-1657	Disallowed	No beneficial use found.
2-10110	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE ID 83709-1657	Disallowed	No lawful appropriation shown.
2-10111	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE ID 83709-1657	Disallowed	No lawful appropriation shown.
2-10113	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE ID 83709-1657	Disallowed	No beneficial use found.
2-10114	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE ID 83709-1657	Disallowed	Recommended as Right No. 2-10147.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

12/04/2007

WATER RIGHT NO. 2-10075

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE, ID 83709-1657 (208)373-4000

Priority Date: ~~01/01/1874~~ **06-28-1934**
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
WILDLIFE	1/01	12/31	0.02 CFS	
Total Diversion			0.02 CFS	

Location of Point(s) of Diversion:

SNAKE RIVER	Lt 5	Sec. 19	Township 05S	Range 11E	ELMORE County
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beginning & ending

Place(s) of use:

Place of Use Legal Description: WILDLIFE ELMORE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05S	11E	19	5											

Conditions of Approval:

1. BLM RECORD ID = 5101780334 FIRST DATE OF BENEFICIAL USE - 1874

Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

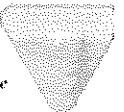
Cary Act Number:

Mitigation Plan: False

BLM WR Claim #2-10075
Showing cattle trails to Snake River
Jarbidge FO, April 2007 map



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TOWNSHIP 5 SOUTH RANGE 11 EAST OF THE BOISE MERIDIAN, IDAHO

ELMORE COUNTY 039

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

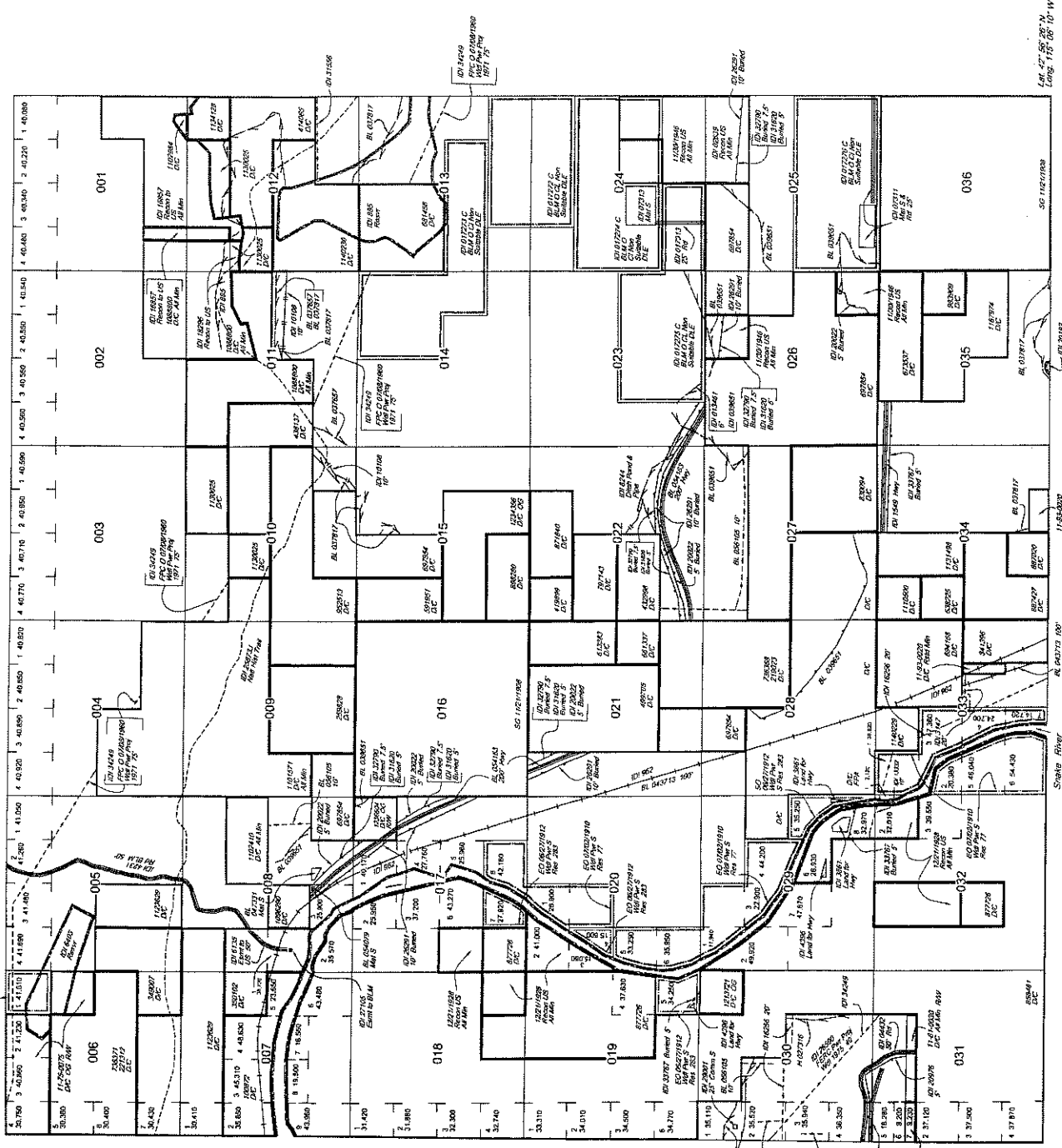
MT PLAT

INDEX TO SEGREGATED TRACTS			
RESURVEY	T	R	SEC
TRACT NO.			
SUBDIVISION			

EO 1020/1913 Mod Pwr S Res 406 R/W Trans Line,
all land lying within 50' of center line within
Sec. 28: SWNW, W2SW
Sec. 29: Lot 4, SESE
Sec. 30: Lot 2, S2NE, SESE, NWSE, NWSE
Sec. 33: Lot 2, S4E, NWSE, W2SE
EO 1021/1916 Mod Pwr S Res 406 EO 1020/1913
to permit R/W Trans Line
P/O 1405 0821/1981 Open to Entry Subj to Sec 24
P/O 1405 0821/1981
Sec. 12: Lot 5
BL 042230 King Mt Irrigation Dist (Act of Cong. 08/11/1916)
SEC 28: S2SW, W2SW
Sec. 6: Lot 2
Sec. 7: Lot 6, 7, 8, 9, SESE, NWSE
Sec. 17: Lot 2, 3, 6, 7, W2W2
Sec. 18: Lot 1, 2, 3, 4, E2W2, E2
Sec. 19: Lot 1, 2, 3, 4, 5, 6, NE, E2W2, W2SE
Sec. 20: Lot 2, 3
Sec. 28: Lot 2, 3, 7, 8, W2SW, SESE, NWSE
Sec. 30: NE, NWSE, SESE, E2W2
Sec. 31: Lot 1, 2, 3, 4, E2W2, E2
Sec. 32: Lot 2, 3, W2W2, SE, W2
Sec. 33: Lot 2, 3, 6
ID 18957 PX WD Recon to US NOE Unit Order Issues
Secs. 1, 2 MAB
ID 18956 PX WD Recon to US NOE Unit Order Issues
Secs. 1, 2, 11, 12 MAB
ID 258731 Mail Field Trail
Historical information only, does not denote
public access
Survey Permitting Group No. 1005
Partial IP
ID 34086 Per
Sec. 8: NWSEW
3,000 acres
See Supplemental Remarks Plat No 1
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE REF: ID0805501106M1000040	BY: LFM
CONVERTED TRF: 04/04/2007	BY: LFM
LAST UPDATED: 04/04/2007	BY: LFM
QACC P1: EQ	QACC P2: DWS
POSTED TO PUBLIC RECORD: May 6, 2007	
PUBLIC LAND SURVEY SYSTEM (P-33)	UTM ZONE 18N, WD 1883
OTHER: NW	
PROJECTED COORDINATE SYSTEM	UTM ZONE 18N, WD 1883
NOTES:	
USE PLATS:	

Scale: M
1: 2
3
4
R. 11 E



DISCLAIMER:
This plat is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and ownership survey data. Records shown do not reflect the changes which may have been affected by lateral movements of land or other bodies of water. Refer to cadastral surveys for official information.
The information shown on worksheets represents the best information taken, but may not be the effective date. See the Historical Index for the date of original information.
No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or application and any other data is not guaranteed.

U.S. Bureau of Land Management - Idaho State Office
1387 S. 4th Street, Boise, Idaho 83705
(208) 375-4000