

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 02-10101
(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: 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:
2. ☐ **Source**
Should be:
3. ☒ **Quantity**
Should be: See attached.
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:
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 quantity was not recommended as claimed.

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)

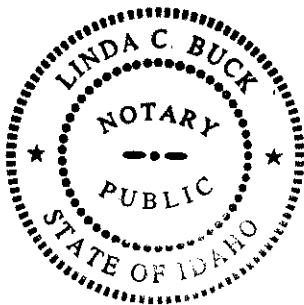
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

December 14, 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:

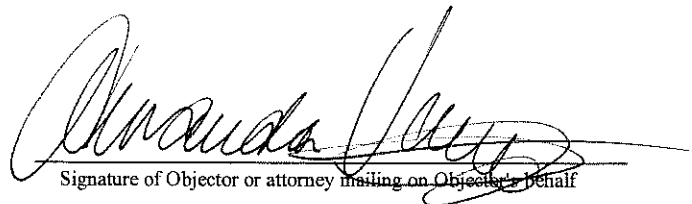
Name: United States of America
Address: 1387 South Vinnell Way; Boise, ID 83709-1657
Name: Bureau of Land Management
Address: ;
Name: ;
Address: ;
Name: ;
Address: ;

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

BLM-ISO

Objection Candidate Review

02-10101

Basin 02 I&O Dir. Rpt.
BLM

Other Objections to claimant:
02-10091, 02-10102, 02-10125, 02-10126

Issues:
Quantity of Water for each use in not correct

Facts and Background:

Should be:

Stockwater 0.020 CFS

Wildlife 0.020 CFS

 This should be the quantity on the claim according to WRStatus and the
Notice of error for this claim.

Recommendation:

Object to correct the Quantity of Water.

BLM vs. IDWR -- Water Right Objections Data -- Entry Form Type 13

A. Subcase (IDWR case No.):

02-10101

B. Objecter:

USA-standard entry

I/O: ☒

I/O1: ☒

I/O2: ☐

I/O3: ☐

Ind: ☐

C. Claimant of Water Right as listed in Director's Report:

(Check no blocks in No. 11.)

Name/Add1: United States of America

1387 South Vinnell Way

Boise, ID 83709-1657

Name/Add2: Bureau of Land Management

D. I object to the following elements as recommended in the Director's Report (check and write):

1. NameAdd:

☐

2. Source:

☐

3. Qty:

☒

See attached.

4. PriorityDt:

☐

5. POD(s):

☐

6. Instr.Flow:

☐

7. Purposes
of Use:

☐

8. Period Yr:

☐

9. POU(s):

☐

11. I object because:

☐

This water right should not exist.

☐

This water right was disallowed.

E. Reasons
supporting
objection(s):

The quantity was not recommended as claimed.

RType1:

13

RType2:

0

RType3:

0

F. Verification:

Verifier: Fredric W. Price, Water Rights Specialist

County:

VerSignature:

VerAttorney:

NotaryDate:

12/5/2007

NotaryName:

Jacqueline L. Ripley

G. Certificate of Mailing:

MailDate:

12/5/2007

MailName/Signature:

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

RIGHT NUMBER: 2-10101

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 02/15/1967

POINT OF

DIVERSION: T06S R07E S2 NENENE Lot 1 Begin of Stream Flow Within ELMORE County
T06S R07E S2 NWNWNE Lot 1 End of Stream Flow Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.010 CFS

WILDLIFE

01/01 12/31

0.010 CFS

PLACE OF USE: STOCKWATER in ELMORE County

T06S R07E S02 Lot 1 NENE

T06S R07E S02 Lot 1 NWNE

WILDLIFE in ELMORE County

T06S R07E S02 Lot 1 NENE

T06S R07E S02 Lot 1 NWNE

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

BLM RECORD ID = 6101680332 INDIAN COVE F8-06

Obj
to
CFS
Should
be
0.02

RevDate		[BLM Comments with claim data PRINTOUT]																																																			
C o m P P D P D A d m	PPD?: PD?: Adm?: Prob? ☐	AMENDED NOTICE of CLAIM for Water Right number:																																																			
		0210101	(IDWR number)																																																		
		BLMIDENT:	Stg: StFed:																																																		
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SOURCE:		Source	Tributary																																																		
		SNAKE RIVER	COLUMBIA RIVER																																																		
QUANTITY:		0.02	CFS or VOLUME: 0 Acre Feet																																																		
<i>The quantity of water under this right for stockwater shall not exceed 13,000 gallons per day.</i>																																																					
PRIORITY DATE:		2/15/1967	Diversion Means: INSTREAM USE																																																		
REMARKS:																																																					
POINT of DIVERSION:		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Township</th> <th>Range</th> <th>Section</th> <th>T1</th> <th>T2</th> <th>T3</th> <th>LOT</th> <th>B/E</th> <th>within the</th> <th>County of</th> </tr> </thead> <tbody> <tr> <td>06S</td> <td>07E</td> <td>2</td> <td>NE</td> <td>NE</td> <td>NE</td> <td>01</td> <td>B</td> <td>39</td> <td>ELMORE</td> </tr> <tr> <td>06S</td> <td>07E</td> <td>2</td> <td>NW</td> <td>NW</td> <td>NE</td> <td>01</td> <td>E</td> <td>39</td> <td>ELMORE</td> </tr> </tbody> </table>		Township	Range	Section	T1	T2	T3	LOT	B/E	within the	County of	06S	07E	2	NE	NE	NE	01	B	39	ELMORE	06S	07E	2	NW	NW	NE	01	E	39	ELMORE																				
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NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 2, 2005

Water right number: 2-10101

UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657
Telephone Number: (208)373-4000

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

TRIBUTARY
POD/POU
QUANTITY

2. Describe the changes you wish to make in the proposed recommendation:

SOURCE SHOULD BE: COLUMBIA RIVER

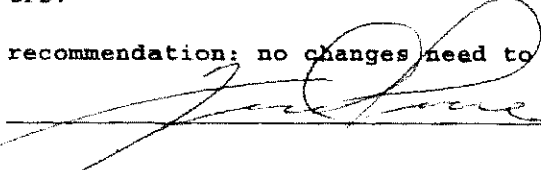
POD/POU - SEE ATTACHED:
WATER RIGHT DESCRIPTION
MAP

QUANTITY SHOULD BE:
STOCKWATER 0.020 CFS
WILDLIFE 0.020 CFS

3. Give a brief explanation as to why you disagree with these portions:

-PLACE OF USE AND POINT OF DIVERSION SHOULD REFLECT ATTACHED MAP.
-THE TRIBUTARY HAS BEEN COLUMBIA RIVER ON OTHER CLAIMS ALONG THE SNAKE RIVER.
-TOTAL QUANTITY SHOULD BE 0.020 CFS FOR STOCKWATER AND WILDLIFE WITH THE TOTAL NOT TO EXCEED 0.020 CFS.

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12/14/05 SIGNATURE: 

Please print your name: Fred Price

IDWR State Office, 322 East Front St, PO Box 83720, Boise, Idaho 83720-0098

RIGHT NUMBER: 2-10101

SOURCE: SNAKE RIVER TRIBUTARY: ~~C-J STRIKE RESERVOIR~~
COLUMBIA RIVER

QUANTITY: 0.020 CFS

PRIORITY DATE: 02/15/1967

T06S	R07E	S2	NWNWNE	Lot 1	End of Stream Flow
T06S	R07E	S2	NWNE	NENENE Lot 1	Begin of Stream Flow

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.010 <u>0.020</u> CFS
WILDLIFE	01/01 12/31	0.010 <u>0.020</u> CFS

PLACE OF USE: STOCKWATER Within ELMORE County

T06S	R07E	S02	Lot 1	NENE
T06S	R07E	S02	Lot 1	NWNE

WILDLIFE Within ELMORE County

T06S	R07E	S02	Lot 1	NENE
T06S	R07E	S02	Lot 1	NWNE

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
BLM RECORD ID = 6101680332 INDIAN COVE F8-06



TOWNS 207E

TRICT SEC 3

