

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 02-10125
(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: See attached.
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:

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 source element was not recommended as claimed.

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)

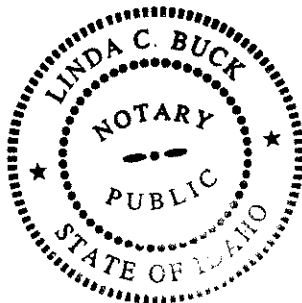
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry A. Brien
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

December 11, 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:

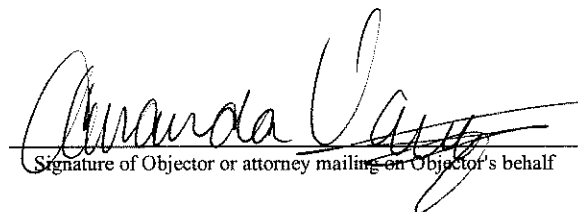
Name: United States of America
Address: 1387 South Vinnell Way; Boise, ID 83709-1657
Name: Bureau of Land Management
Address: ;
Name: ;
Address: ;
Name: ;
Address: ;

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

02-10125

Basin 02 I&O Dir. Rpt.
BLM

Other Objections to claimant:
02-10091, 02-10101, 02-10102, 02-10126

Issues:
Source and tributary were recommended incorrectly.

Facts and Background:

On Recommendation:
Source: Snake River Tributary: Columbia River

Should be:
Source: Bruneau River Tributary: Snake River

Recommendation:
Object to correct the tributary and source.

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

A. Subcase (IDWR case No.):

02-10125

B. Objector:

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: ☒

See attached.

3. Qty: ☐

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 source element 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: 2-10125

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

*change to
Brunneau Riv.*

TRIBUTARY:

COLUMBIA RIVER

*change to
Snake Riv.*

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 R05E S6 *✓* SWNESW End of Stream Flow Within OWYHEE County
T06S R05E S7 *✓* NENWNE Begin of Stream Flow Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

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

PLACE OF USE: STOCKWATER in OWYHEE County

T06S R05E S06	NESW <i>✓</i>	T06S R05E S06	SESW <i>✓</i>
T06S R05E S06	SWSE <i>✓</i>	T06S R05E S07	NWNE <i>✓</i>
<u>WILDLIFE in OWYHEE County</u>			
T06S R05E S06	NESW <i>✓</i>	T06S R05E S06	SESW <i>✓</i>
T06S R05E S06	SWSE <i>✓</i>	T06S R05E S07	NWNE <i>✓</i>

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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 = 5101780365

RevDate



[BLM Comments with claim data PRINTOUT]

C 1/13/2000 PPD?: PD?: Adm?:

Prob? ☐o NOT REPORTED IN D/S DIR RPT,
m RESUBMITTED W/ REVISIONS.
P WAS PREVIOUSLY 51-12253.REVIAMENDED NOTICE of CLAIM for
Water Right number:

0210125 (IDWR number)

BLMIDENT: Stg: StFed:

5101780365 J S

erRight and date:

m SOURCE:

Source

Tributary

BRUNEAU RIVER

SNAKE RIVER

QUANTITY:

0.02

CFS

or VOLUME:

0

Acre Feet

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

PRIORITY DATE:

2/15/1967

Diversion Means: INSTREAM USE

REMARKS:

POINT of
DIVERSION:

Township Range Section T1 T2 T3 LOT B/E within the County of

06S 05E 6 SW NE SW E 73 OWYHEE

06S 05E 7 NE NW NE B 73 OWYHEE

PURPOSE
and
PERIOD
OF USE:

Purpose of Use Period of Use (from - to): Rate in CFS or Volume in AcFt

04

0101

1231

0.02

16

0101

1231

0.02

CONSUMPTIVE
USE:

de minimis stockwater & wildlife

DATE: 14-Feb-07

OTHER PROVISIONS NECESSARY FOR DEFINITION or ADMINISTRATION OF THIS WATER RIGHT:

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

PLACE
of USE:

Water Use Twn Rge Sec T1 T2 LOT Acres within the County of

04 06S 05E 6 NE SW 73 OWYHEE

16 06S 05E 6 NE SW 73 OWYHEE

04 06S 05E 6 SE SW 73 OWYHEE

16 06S 05E 6 SE SW 73 OWYHEE

04 06S 05E 6 SW SE 73 OWYHEE

16 06S 05E 6 SW SE 73 OWYHEE

04 06S 05E 7 NW NE 73 OWYHEE

16 06S 05E 7 NW NE 73 OWYHEE

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: 2-10125

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):

SOURCE
POD/POU
QUANTITY

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

SOURCE:
SHOULD BE SNAKE RIVER TRIBUTARY TO COLUMBIA RIVER

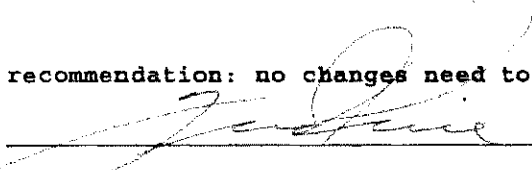
POD/POU - SEE ATTACHED:
WATER RIGHT DESCRIPTION
MAP

QUANTITY:
STOCKWATER 0.02 CFS
WILDLIFE 0.02 CFS

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

-SOURCE IS THE BRUNEAU RIVER.
-PLACE OF USE AND POINT OF DIVERSION SHOULD REFLECT ATTACHED MAP.
-QUANTITY SHOULD BE 0.02 CFS FOR BOTH WILDLIFE AND STOCK FOR A TOTAL NOT TO EXCEED 0.02 CFS.

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

DATE: 12/07/05 SIGNATURE: 

Please print your name: Fred Price

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 2-10125

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: ~~C-J STRIKE RESERVOIR~~ BRUNEAU RIVER TRIBUTARY: SNAKE 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: Within Owyhee County

T06S	R04E	S1	NENW	End of Stream Flow
T06S	R05E	S7	NENWNE	Begin of Stream Flow
T06S	R05E	S6	SWNESW	End of Stream Flow

PURPOSE AND
PERIOD OF USE:

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

PLACE OF USE: STOCKWATER Within Owyhee County

T06S	R04E	S01	Lot 2	NWNE
T06S	R04E	S01	Lot 2	SWNE
T06S	R04E	S01	Lot 1	SENE
T06S	R05E	S01	Lot 3	NENW
T06S	R05E	S06		SWNW
T06S	R05E	S06		NESW
T06S	R05E	S06		NWSW
T06S	R05E	S06		SESW
T06S	R05E	S06		SWSE
T06S	R05E	S07		NWNE

WILDLIFE

Within Owyhee County

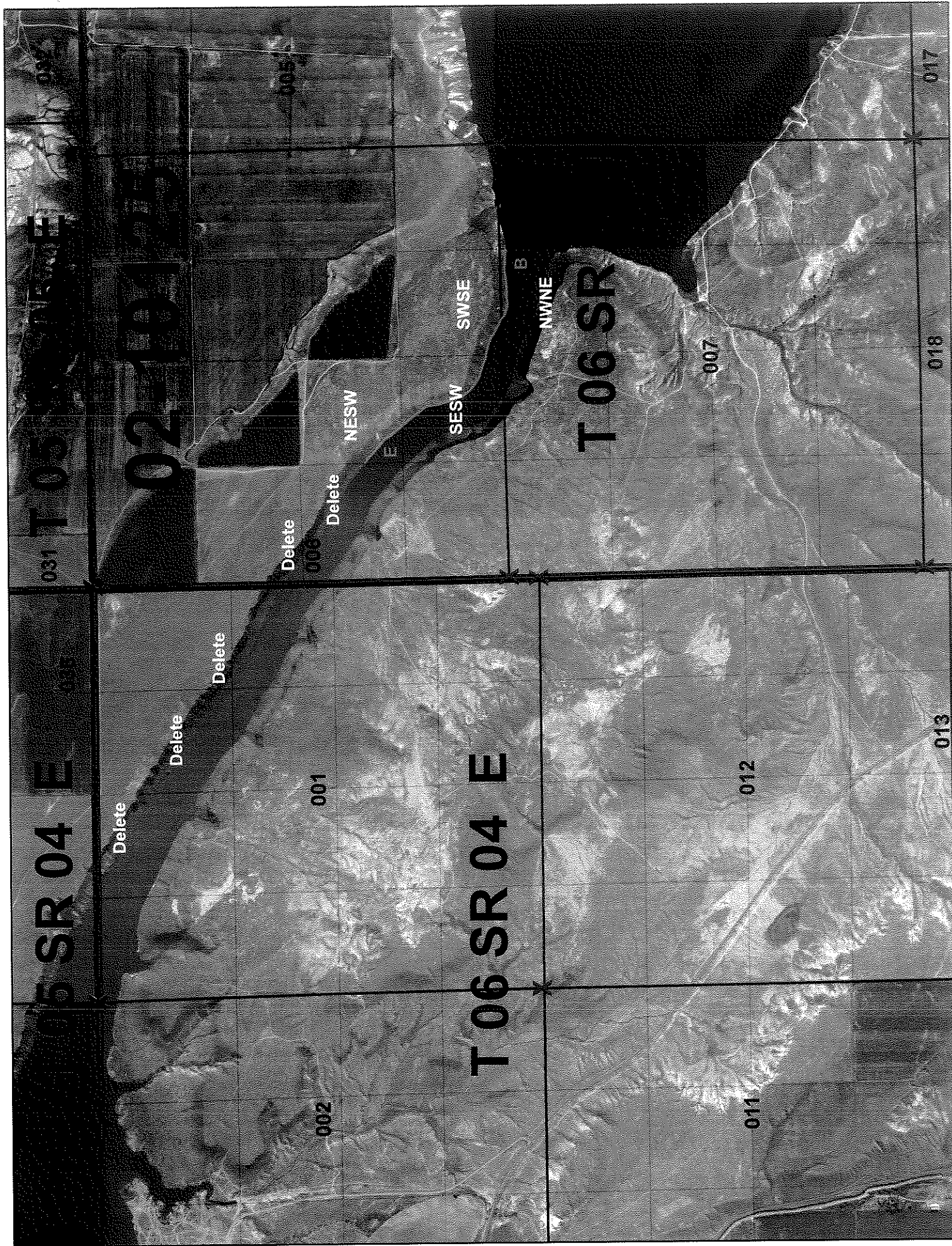
T06S	R04E	S01	Lot 2	NWNE
T06S	R04E	S01	Lot 2	SWNE
T06S	R04E	S01	Lot 1	SENE
T06S	R05E	S01	Lot 3	NENW
T06S	R05E	S06		SWNW
T06S	R05E	S06		NESW
T06S	R05E	S06		NWSW
T06S	R05E	S06		SESW
T06S	R05E	S06		SWSE
T06S	R05E	S07		NWNE

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

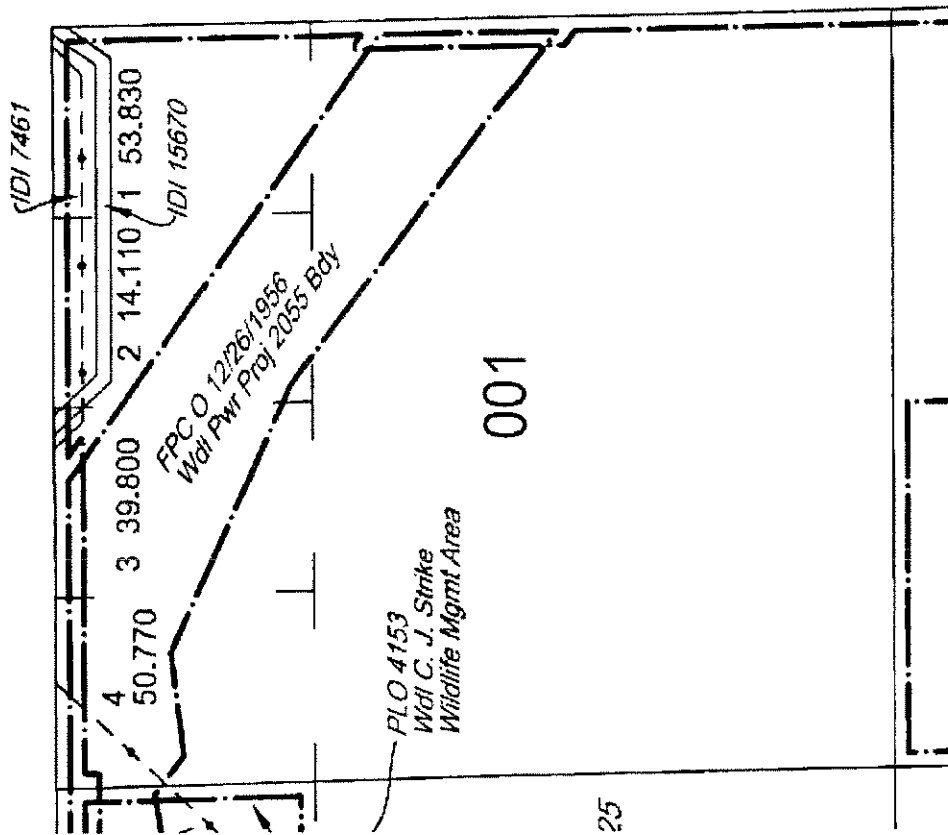
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

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 = 5101780365



T06S R04E



T06S R05E

