

RECEIVED

DEC 19 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 73-00128
(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: Whitworth Ranches, Inc.; c/o Jack M. Whitworth, Secretary

Address: P.O. Box 167; May, Idaho 83253-0167

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. Irrigated agricultural 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)

Kerry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: December 17, 2007

Casey R. O'Brien
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 December 18, 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: Whitworth Ranches, Inc.; c/o Jack M. Whitworth, Secretary

Address: P.O. Box 167; May, Idaho 83253-0167

Name:

Address: ;

Name:

Address: ;

Name:

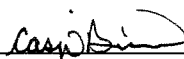
Address: ;

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: 73-128
 NAME AND ADDRESS: WHITWORTH RANCHES INC
 PO BOX 167
 MAY ID 83253
 SOURCE: MORGAN CREEK TRIBUTARY: PATTERSON CREEK
 QUANTITY: 1.600 CFS
 PRIORITY DATE: 03/01/1898
 POINT OF DIVERSION: T15N R21E S11 NENE Within LEMHI County
 PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	1.600 CFS
PLACE OF USE: IRRIGATION in LEMHI County		
T15N R21E S12 SWSE	40.00	T15N R21E S12 SESE 38.00
T15N R21E S13 NENE	37.00	T15N R21E S13 NWNE 40.00
T15N R21E S13 SWNE	31.00	T15N R21E S13 SENE 36.00
T15N R21E S13 NESE	37.00	T15N R21E S13 NWSE 39.00
T15N R21E S13 SWSE	40.00	T15N R21E S24 SESE 21.00
T15N R21E S25 NENE	26.00	T15N R22E S07 Lot 4 SWSW 40.00
T15N R22E S18 NENW	9.30	T15N R22E S18 Lot 1 NWNW 40.00
T15N R22E S18 Lot 2 SWNW	39.00	T15N R22E S18 SENW 27.00
BLM T15N R22E S18 NESW	4.40	T15N R22E S18 Lot 3 NWSW 38.00
T15N R22E S19 Lot 1 NWNW	39.00	T15N R22E S19 Lot 2 SWNW 40.00
T15N R22E S19 Lot 3 NWSW	37.00	

698.7 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 698.7 acres in a single irrigation season. Combined Right Nos.: 73-128, 73-133, 73-137, 73-138, 73-2166, 73-4005.

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 - Decreed

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

POU on BLM:

-The place of use T15N R22E S23 NESW 4.40 acres is BLM land.

-Agricultural use is not authorized.

-Remove from recommendation and adjust shapefile accordingly.

73-00128, 73-00133, 73-00137, 73-00138, 73-04005
Whitworth Ranches Inc.

12

07

POU on BLM:

-The place of use T15N
R22E S23 NESW 4.40
acres is BLM land.

-Agricultural use is not
authorized.

-Remove from
recommendation and
adjust shapefile
accordingly.

13

18

NESW
BLM

T 15 NR 21 E

T 15 NR 22 E

24

19

25

30

LEMHI COUNTY 059
IDAHO FALLS DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES AND ACQUIRED LANDS

[illegible]

DI 09142 Del PL 167 (Act of Cong. 07/23/1955)
Completed 12/10/1962. All NF surface Mgmt by
USFS

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

FILE IDS: 123041580226AMT0005.dwg	
LAST UPDATED: 04/02/2007	BY: DWB
FILE UPDATED: 04/11/2007	BY: DWB
QCQC PR: 05/03/2007	QCQC #2: LFM 03/2007
POSTED TO PUBLIC RECORDS:	
BY:	
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BUT NOT ACQUIRED	
04/26/2005	
AKA	
PROJECTED COORDINATE SYSTEM	
UTM ZONE 12N, MAP 18B3	
NOTES:	
USE PLATS:	

T. 15 N
R. 22 E

