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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 73-00133  
(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)

Larry A. Brown  
(Attorney signing in representative capacity)

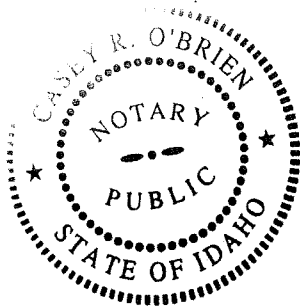
Subscribed and sworn to before me on: December 17, 2007

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:

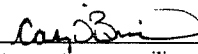
Address: ;

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: 73-133

NAME AND ADDRESS: WHITWORTH RANCHES INC  
PO BOX 167  
MAY ID 83253

SOURCE: MORGAN CREEK

TRIBUTARY: PATTERSON CREEK

QUANTITY: 3.200 CFS

PRIORITY DATE: 06/01/1883

POINT OF  
DIVERSION: T15N R21E S11 NENE Within LEMHI CountyPURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/01 10/31          | 3.200 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       | SENE | 27.00 |
| <b>BLM</b> 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.**

73-00125, 73-00133, 73-00137, 73-00139, 73-04005

# Whitworth Ranches

12

07

POU on BLM

-The place of use T15N  
R22E S28 NEBW 140  
acres is BLM land.

-Agricultural use is not  
authorized.

-Remove from  
recommendation and  
adjust shapefile  
accordingly.

13

NESW  
BLM

T15 NR 21 E

T15 NR 22 E

19

LEMHI COUNTY 059  
IDAHO FALLS DISTRICT SEC 3

LEMHI COUNTY 059  
IDAHO FALLS DISTRICT SEC 3

# STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES AND ACQUIRED LANDS

## MT PLAT

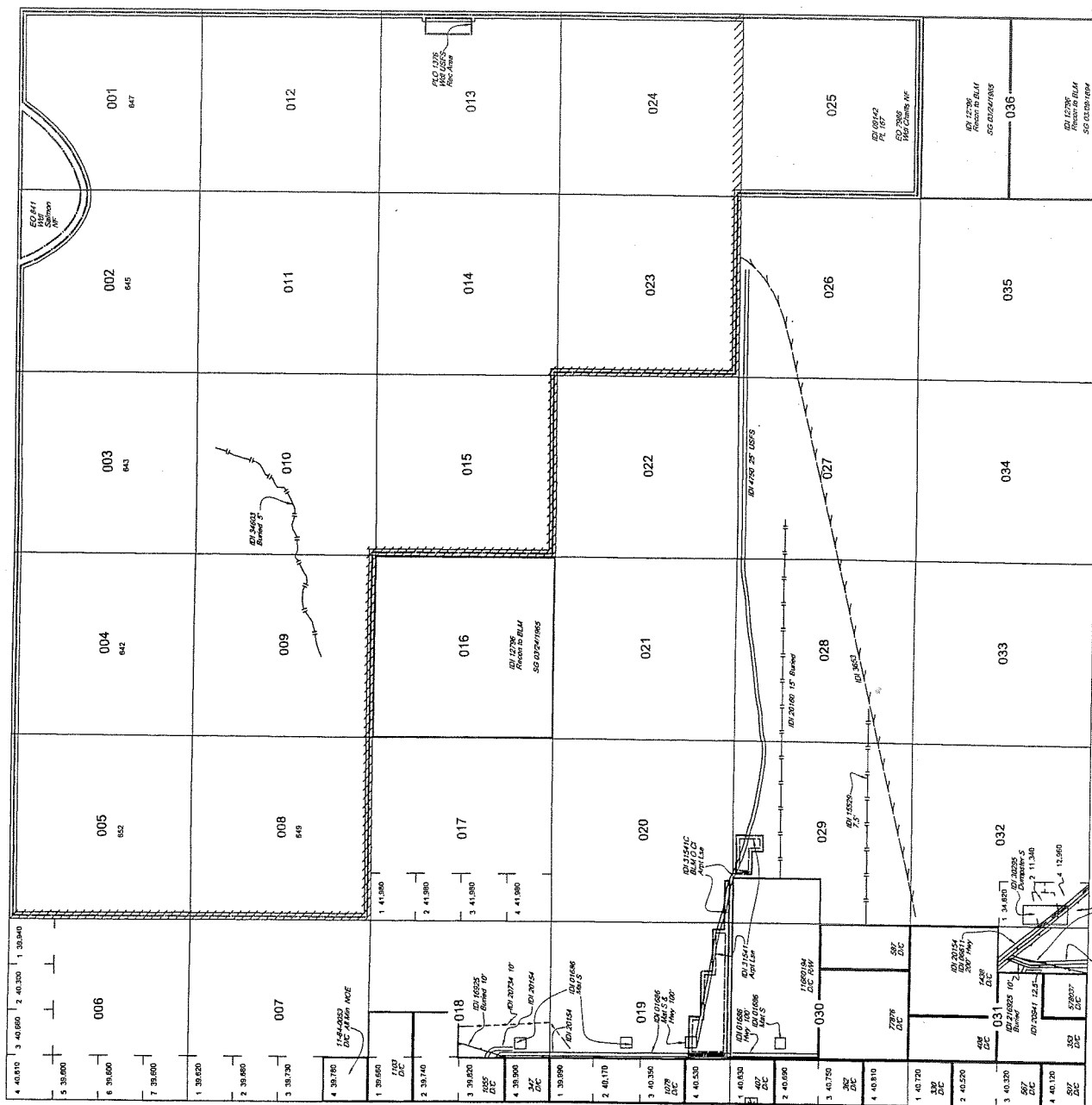
[illegible]

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 REF: ID061504022DEM0000a.cmg                   | BY: DWB                 |
| CONVERTED TFP: 03/02/2007                           | BY: DWB                 |
| LAST UPDATED: 03/01/2007                            |                         |
| QACC #1: EG 03/01/2007                              | QACC #2: LFM 03/01/2007 |
| POSTED TO PUBLIC RECORDS:                           |                         |
| BY:                                                 |                         |
| PUBLIC LAND SURVEY SYSTEM (PLSS)                    |                         |
| BLM CGDS ACQUIRED:                                  | 04/26/2005              |
| OTHER:                                              | N/A                     |
| PROJECTED COORDINATE SYSTEM: UTM ZONE 12N, NAD 1983 |                         |
| NOTES:                                              |                         |
| USE PLATS:                                          |                         |

Boise Mgr.  
T. 15 N  
R. 22 E



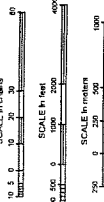
Lat. 44° 35' N  
Long 113° 47' W

DISC AMER.

This plot is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and Township survey data. Records hereon do not reflect title changes which may have been affected by lateral movements of river or other bodies of water. Refer to cadastral surveys for official information.

The numbers shown on withdrawals represent the last action taken, but may not be the effective date. See the Historical Index for the date of original withdrawal order.

No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not quantified.



J.S. Bureau of Land Management - Idaho State Office  
1387 S. Vinell Way Boise, Idaho 83709  
(208) 373-4000

