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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 73-00137
(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)

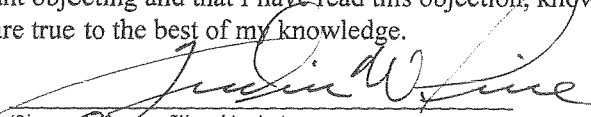
State of Idaho)

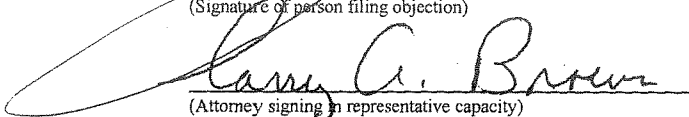
) ss.

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.


(Signature of person filing objection)


(Attorney signing in representative capacity)

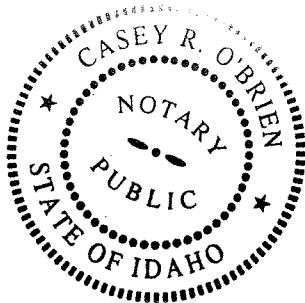
Subscribed and sworn to before me on: December 17, 2007


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 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:

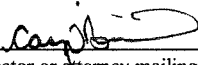
Address: ;

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: 73-137
NAME AND ADDRESS: WHITWORTH RANCHES INC
PO BOX 167
MAY ID 83253

SOURCE: MORGAN CREEK TRIBUTARY: PATTERSON CREEK
QUANTITY: 3.200 CFS
PRIORITY DATE: 05/01/1891
POINT OF
DIVERSION: T15N R21E S11 NENE Within LEMHI County
PURPOSE 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:	<u>IRRIGATION in LEMHI County</u>		
	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.

73-00125, 73-00133, 73-00137, 73-00138, 73-04005

Whitworth Ranches

12

07-000 on BLM

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

Agricultural use is not
authorized

Remove from
recommendation and
adjust shapefile
accordingly

18

NESW
BLM

T15 NR 21 E

T15 NR 22 E

19

Protraction Diagram No 56 approved 12/13/1965

IDAHO FALLS DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES AND ACQUIRED LANDS

MT PLAT

[illegible]

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

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

RULE REF:	D08016402326AMT0005Amg	
CORRECTION CODE:	00000000	8Y: DVB
COMBINED IFF:	00000007	8Y: DVB
LAST UPDATED:	9/11/2007	DMC ZF: LM10/17/2007
DMC F1: EG.MJ3000	DMC ZF: LM10/17/2007	
POSTED TO PUBLIC RECORDS:		
PUBLIC LAMP SURVEY SYSTEM PLEAS	9Y:	
B/L SCOB ACQUIRED:	6/4/2006	
OTHER:	N/A	
PROJECTED COORDINATE SYSTEM: UTM ZONE 13N, NAD 83		
NOTES:		
USE PLATS:		

else Wier.
T. 15 N
R. 22 E

