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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 73-02073
(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: Triple T Summit Ranch; c/o Edwin C. & Linda M. Thomas

Address: P.O. Box 1842; Sun Valley, Idaho 83353

Name: Edwin C. Thomas

Address: 107 Defiance St.; Sun Valley, Idaho 83353

Name: Fritz X. Haemmerle (attorney for claimant)

Address: P.O. Box 1800; Hailey, Idaho 83333

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 recommended. The claimant's use of Federal land is unauthorized. Claimant's water right should not include federal public land. Perhaps the description of public land is a typographical error. Certain places of use describe lands containing both public and private land. Clarify the use such that it is clear only private land is intended.

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)

Casey R. O'Brien
(Attorney signing in representative capacity)

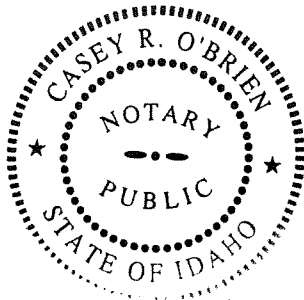
Subscribed and sworn to before me on: December 17, 2007

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: Triple T Summit Ranch; c/o Edwin C. & Linda M. Thomas

Address: P.O. Box 1842; Sun Valley, Idaho 83353

Name: Edwin C. Thomas

Address: 107 Defiance St.; Sun Valley, Idaho 83353

Name: Fritz X. Haemmerle (attorney for claimant)

Address: P.O. Box 1800; Hailey, Idaho 83333

Name:

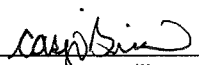
Address: ;

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

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/31	9.600 CFS

PLACE OF USE: IRRIGATION in CUSTER County

Mixed	T11N R24E S01 Lot 1 NENE	23.00	T11N R25E S05	SWNW	14.00	BLM	
	T11N R25E S05	NESW	1.00	T11N R25E S05	SESW		0.50
	T11N R25E S06	SWNE	30.00	T11N R25E S06	SENE		0.10
	T11N R25E S06	SENE	7.50	T11N R25E S06	NENW		5.70
Mixed	T11N R25E S06 Lot 3	NENW	11.00	T11N R25E S06 Lot 4	NWNW	23.00	
	T11N R25E S06 Lot 5	SWNW	10.00	T11N R25E S06	SENW	26.00	
	T11N R25E S06	NESW	3.50	T11N R25E S06	NESE	4.90	
	T11N R25E S06	NESE	4.50	T11N R25E S06	NWSE	22.00	
	T12N R25E S31 Lot 4	SWSW	24.00				

209.7 ACRES TOTAL

Right Nos. 73-187B and 73-2073 are limited to the irrigation of a combined total of 209.7 acres in a single irrigation season.

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 - License

POU on BLM:

-T11N R25E S05 SWNW 14.00 acres is BLM land. Perhaps this Place of Use is a typographical error and should be described as NWSW.

Mixed POU:

-The places of use shown above describe both private and public lands. Please clarify such that only private land is intended by inserting the following language under place of use:

“Place of use does not include federal public lands.”

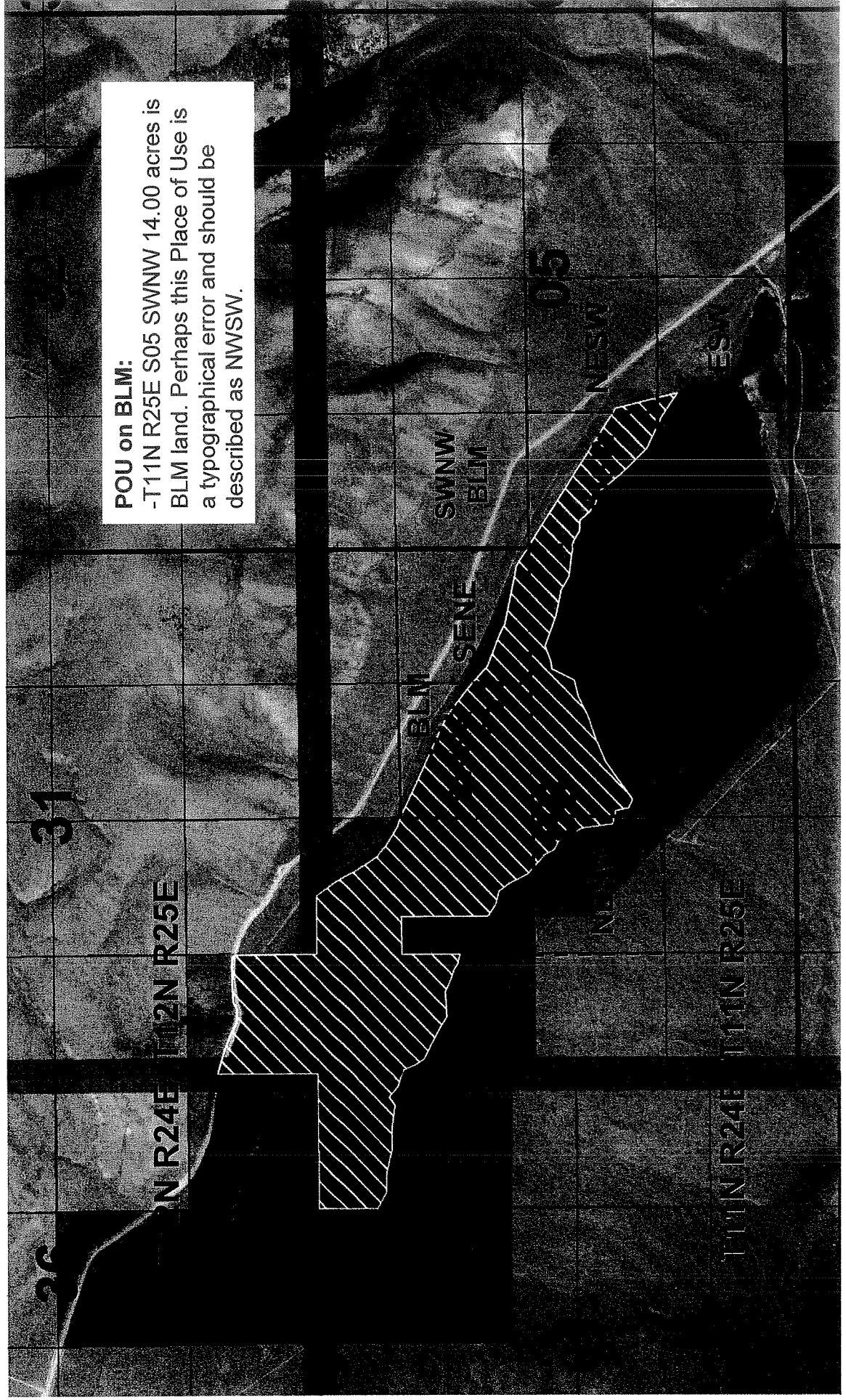
73-00187B, 73-02073

Triple T Summit Ranch

Mixed POUs:

-The places of use recommended and shown below describe both private and public lands. Please clarify such that only private land is intended by inserting the following language under place of use:

"Place of use does not include federal public lands."



CUSTER COUNTY 037
IDAHO FALLS DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

DI 09142 Del PL 1657 (Act of Cong 07/23/1955)
completed 12/10/1962. All NF surface Mgmt by USFS

DI 2034 BLM O C J Muft Use
Custer County. Segr from Appropn under HE, DLE,
4, & P/S

Further Segr from Appropn under general mining laws
Summit Creek Rec S

Sec 22: NENE
Sec 23: WWWW

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
#SCC LANE DOCUMENTS

[illegible]

colst hier,
T. 11 N
R. 25 E

