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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 73-10520
(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: 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:
3. ☒ **Quantity**
Should be: See attached.
4. ☒ **Priority Date**
Should be: See attached.
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):**

Quantity: There should not be a combined use remark.

Priority date: The claimed PWR-47 basis under federal law is missing.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of ADA)

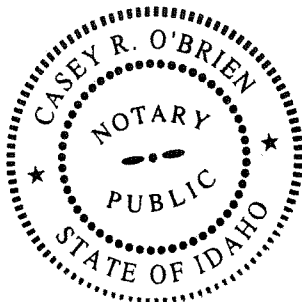
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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)

Lane 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

01/23/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-10520

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

-Remove combined use remark.

-PWR 47 basis is missing.

SOURCE: ROCK SPRING

TRIBUTARY: SINKS

QUANTITY: 0.020 CFS

~~The rights listed below are limited to a total combined diversion rate of .02 cfs and shall not exceed 13,000 gallons per day. Combined Right Nos.: 73-2222, 73-10520.~~

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

PRIORITY DATE: 06/28/1934

* 4/17/1926 claimed under Federal Reserved Water Right.*
This water right is also claimed based on federal law with an April 17, 1926, date of priority pursuant to an executive order signed the same date and known as Public Water Reserve 107.

This water right is also claimed based on federal law with an April 7, 1917, date of priority pursuant to an executive order signed the same date and known as Public Water Reserve 47.

POINT OF
DIVERSION:

T12N R22E S24 SESWNE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.020 CFS

PLACE OF USE:

STOCKWATER in CUSTER County

T12N R22E S24

SWNE

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right No. 73-2222 is also diverted through point of diversion described above.

BLM RECORD ID = 7304582426

WATER RIGHT CLAIM VERIFICATION

STATE OF IDAHO)
) ss:
COUNTY OF ADA)

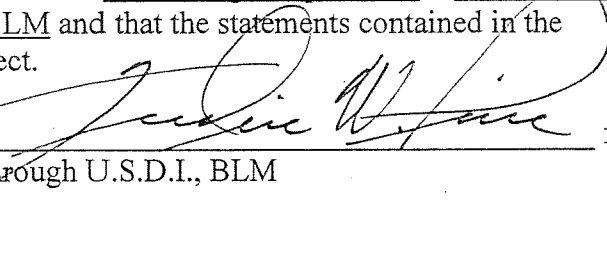
CLAIMANT VERIFICATION:

Water Right Number: 73-10520 (7304582426)

(a.) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I do ___ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

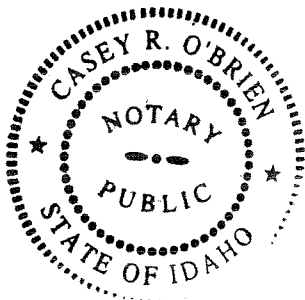
I do solemnly swear and affirm that I am Fredric W. Price, Water Rights Specialist of United States of America, acting through U.S.D.I., BLM, that I have signed the foregoing documents in the space below as Water Rights Specialist of United States of America, acting through U.S.D.I., BLM and that the statements contained in the foregoing documents are true and correct.

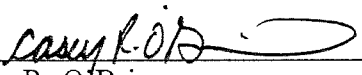
Signature of Authorized Agent  for the United States of America, acting through U.S.D.I., BLM

NOTARY:

Subscribed and sworn to before me on this 9 day of November, 2006.

Seal




Casey R. O'Brien
Notary Public in and for: State of Idaho
Residing at: Nampa, Idaho
My Commission Expires: October 31, 2009

☐ PPD? ☐ PD? ☐ Adm? ☐ Prob? ☐ IN THE DISTRICT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN
AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

REIN

AMENDED NOTICE of CLAIM for
Water Right number:

7310520 (IDWR number)

NAME and
ADDRESS

United States of America acting through
Bureau of Land Management
Idaho State Office
1387 South Vinnell Way
Boise, ID 83709 - 1657

BLMIDENT:

Stg: StFed:

7304582426

J

X

WATER FEDERALLY
RESERVED, SEE
REMARKS

4/7/1917 and
4/17/1926

Other Right and date:

SOURCE:

Source Tributary

ROCK SPRING

SINKS

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:

06/28/1934

Diversion Means:

UNDEVELOPED SPRING

REMARKS:

Also reserved pursuant to Federal law

This water right is also claimed based on federal law with an April 17, 1926, date of priority pursuant to an executive order signed the same date and known as public water reserve 107; AND, this water right is also claimed based on federal law with an April 7, 1917, date of priority pursuant to an executive order signed the same date and known as public water reserve 47.

POINT of
DIVERSION:

Twntship	Range	Section	T1	T2	T3	LOT	B/E	within the	County of
12N	22E	24	SE	SW	NE			37	CUSTER

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in AcF
04	0101 1231	0.02		

CONSUMPTIVE
USE:

de minimis stockwater

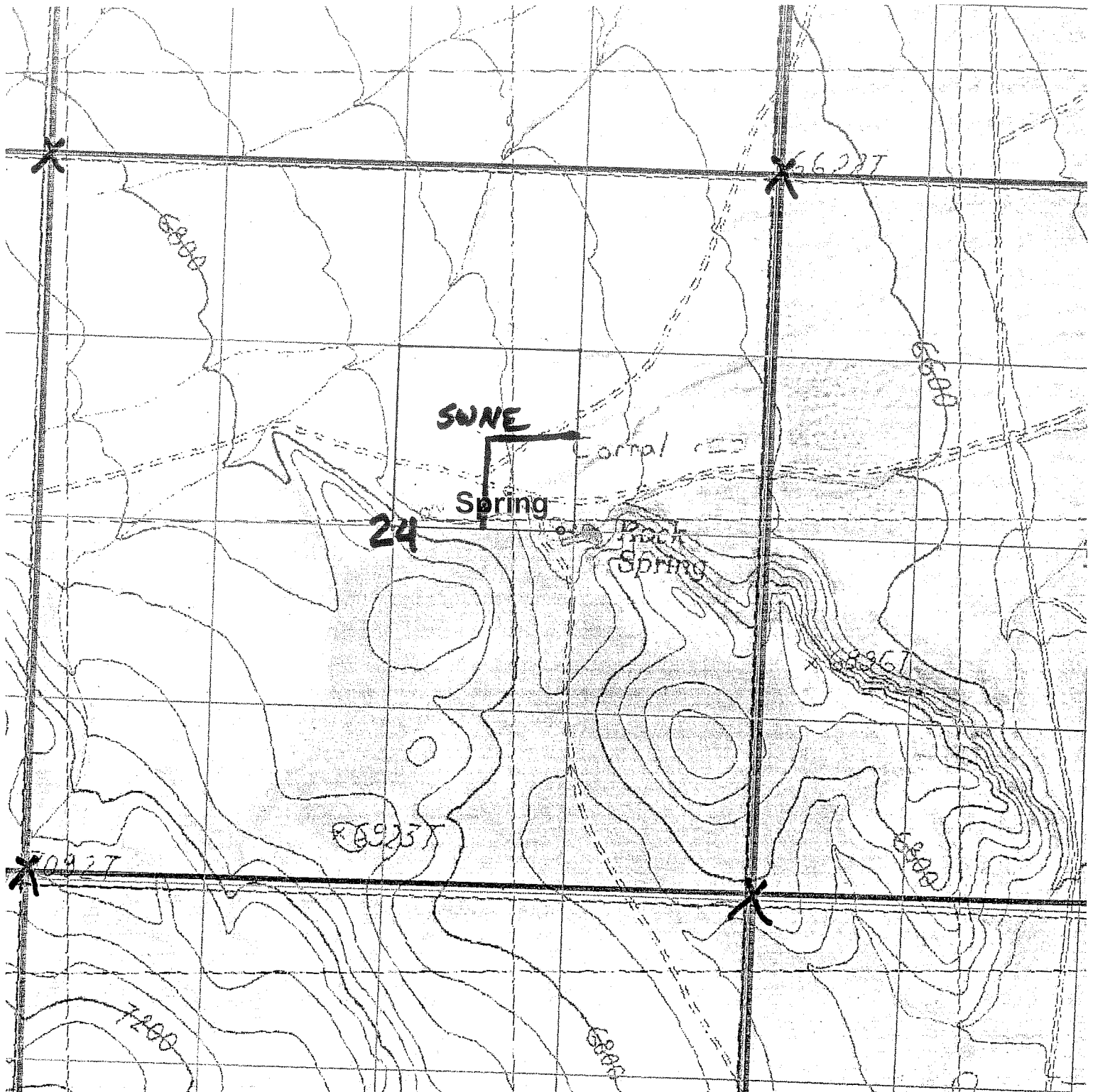
DATE: 09-Nov-06

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	Twnt	Rge	Sec	T1	T2	LOT	Acres	within the	County of
04	12N	22E	24	SW	NE		0	37	CUSTER



Legend

Ownership

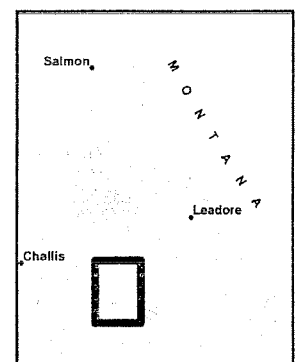
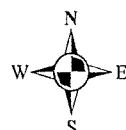
- ☐ BLM
- ☐ PRIVATE
- ☐ STATE
- ☒ USFS
- ☐ Spring

Rock Spring #1 T12N R22E Section 24

0 0.25 0.5 Miles

Scale = 1:12,000

 No warranty is made by the Bureau of Land Management (BLM) for use of this data for purposes not intended by the BLM



TOWNSHIP 12 NORTH RANGE 22 EAST OF THE POISE MERIDIAN, IDAHO

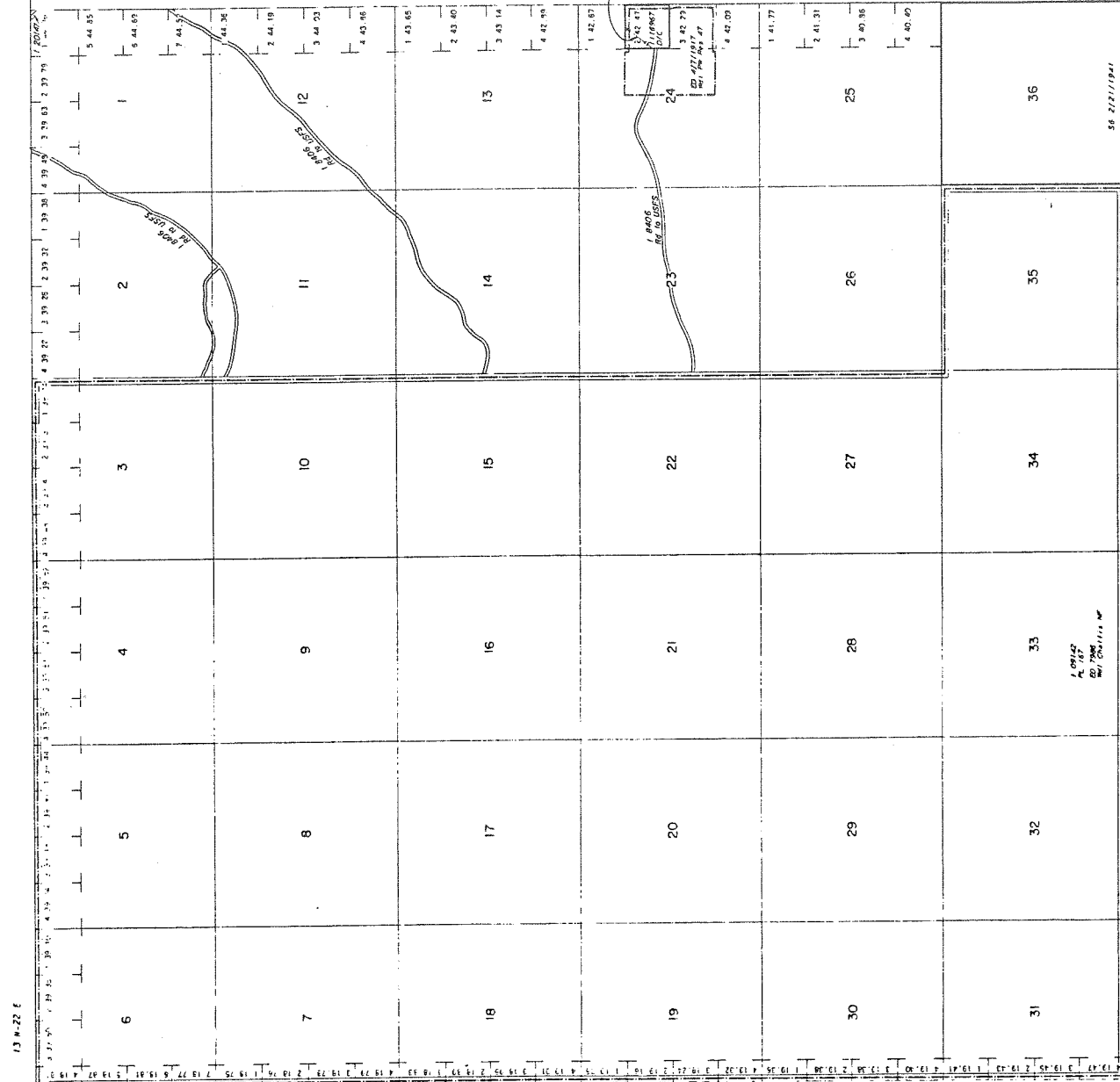
CLUSTER COUNTY 037
SALMON DISTRICT SEC. 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

13 N-22 E

13 N-21 E



INDEX TO SEGREGATED TRACTS		ORIGINAL SURVEY	
TRACT NO.	SEC.	TRACT NO.	SEC.
1	1	1	1
1	2	1	2
1	3	1	3
1	4	1	4
1	5	1	5
1	6	1	6
1	7	1	7
1	8	1	8
1	9	1	9
1	10	1	10
1	11	1	11
1	12	1	12
1	13	1	13
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1	19	1	19
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1	21	1	21
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1	30	1	30
1	31	1	31
1	32	1	32
1	33	1	33
1	34	1	34
1	35	1	35
1	36	1	36

L. 19142 Def. Pl. 167 (Act of Cong. 1/23/1955)
conveyed 12/10/1962. All NF surface right by
USFS

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

CURRENT TO	CURRENT TO
MAY 19 1935	USE PLATS

Let 44-19153-1 N
Long 113-44' E

WARNING STATEMENT
This plat is the result of a survey conducted by the Bureau of Land Management, U.S. Department of the Interior. It is not to be used for any purpose other than the one for which it was prepared. No warranty is made by the Bureau as to the accuracy of the information contained herein.

SCALE in Chains
0 10 20 30 40

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST
ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE
THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITH-
DRAWAL ORDER

Drawn By
T 12N
R 22E

DEPARTMENT OF THE INTERIOR
UNITED STATES GEOLOGICAL SURVEY
WASHINGTON

OFFICE OF THE DIRECTOR

January 31, 1917.

The Commissioner,
General Land Office.

In accordance with Departmental instructions of June 18, 1914, I transmit herewith proposed Public Water Reserve No. 47,
Idaho No. 3, to the end that the Secretary may be advised as to the
status of the land involved, as shown by the records of your office.
This order is submitted for the recommendation of the Secretary and
for appropriate action thereafter by the President.

Inclosure:
Order of withdrawal.

Director.

Stamp: FEB 1 1917



APR 18 1917
D. M. E. M.
1000 1000 1000 1000

APR 16 1917
6-15-17
To D. M. E. M.
1000 1000 1000 1000

MAR 30 1917
APR 16 1917
1000 1000 1000 1000

8 DEPARTMENT OF THE INTERIOR
UNITED STATES GEOLOGICAL SURVEY
WASHINGTON

OFFICE OF THE DIRECTOR

January 31, 1917.

F
The Honorable,

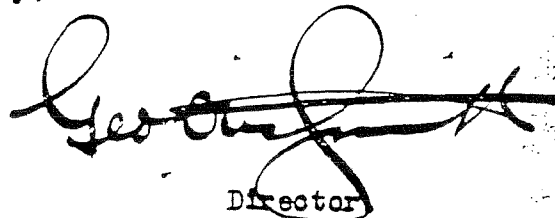
The Secretary of the Interior.

Pres. Signs

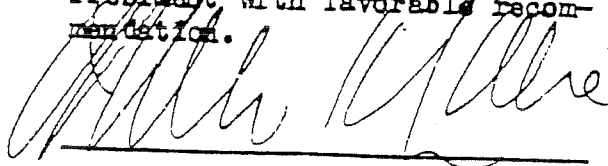
Sir:

In accordance with your instructions, I recommend that the lands hereinafter listed, upon which watering places are reported to exist, be withdrawn from all forms of entry except those specifically excepted under the withdrawal acts (36 Stat., 847; 37 Stat., 497). This withdrawal (Public Water Reserve No. 47, Idaho No. 3), involving approximately 1,040 acres in various arid parts of Idaho, is recommended in order that the right to the use of the few springs located in the areas may remain in the public.

Respectfully,


Director

APR -5 1917
Respectfully referred to the
President with favorable recom-
mendation.



6/4/83
10/20/83

ORDER OF WITHDRAWAL

Public Water Reserve No. 47, Idaho No. 3

Under and pursuant to the provisions of the act of Congress approved June 25, 1910 (36 Stat., 847), entitled "An act to authorize the President of the United States to make withdrawals of public lands in certain cases," as amended by act of Congress approved August 24, 1912 (37 Stat., 497), it is hereby ordered that the lands hereinafter described be, and the same are hereby, withdrawn from settlement, location, sale, or entry, and reserved for public use in accordance with the provisions of Sec. 10 of the act of December 29, 1916 (Public No. 290).

Boise Meridian

- ✓91 T. 12 N., R. 22 E., ✓ Sec. 24, S $\frac{1}{2}$ of NE $\frac{1}{4}$, N $\frac{1}{2}$ of SE $\frac{1}{4}$.
✓92 T. 12 N., R. 23 E., ✓ Sec. 31, S $\frac{1}{2}$ of SW $\frac{1}{4}$.
✓92 T. 13 N., R. 23 E., ✓ Sec. 30, S $\frac{1}{2}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of SE $\frac{1}{4}$.
✓67 T. 16 S., R. 12 E., ✓ Sec. 21, E $\frac{1}{2}$;
✓ Sec. 27, SW $\frac{1}{4}$ of SW $\frac{1}{4}$;
✓ Sec. 28, E $\frac{1}{2}$ of E $\frac{1}{2}$;
✓ Sec. 33, N $\frac{1}{2}$ of NE $\frac{1}{4}$;
✓ Sec. 34, N $\frac{1}{2}$ of NW $\frac{1}{4}$.

39 Stat. 862


President.
7 April 1917.

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:

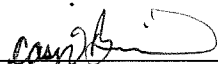
Name: United States of America
Address: 1387 South Vinnell Way; Boise, ID 83709-1657
Name: Bureau of Land Management
Address: ;
Name: ;
Address: ;
Name: ;
Address: ;

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