

**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 47-17448
Split from 47-02457

**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: (208) 373-3831

Name & Address of Attorney, if any:

Jacob T. Haseman (202) 305-0240 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: Boulder Ridge Ranch, LLC

Address: 1434 Pole Line Road E.; Twin Falls, Idaho 83301

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 legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land. BLM objected to 47-02457 and it has since been split into 47-17448 and 47-17449. BLM's objection in 47-02457 continues in 47-17448 but not 47-17449.

E.

VERIFICATION (Must be Completed)

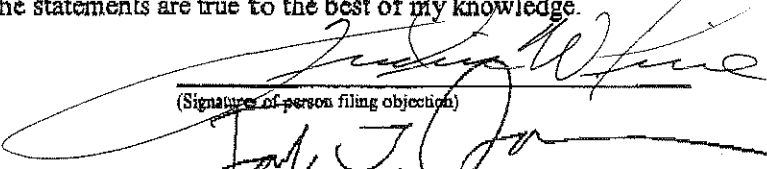
State of Idaho

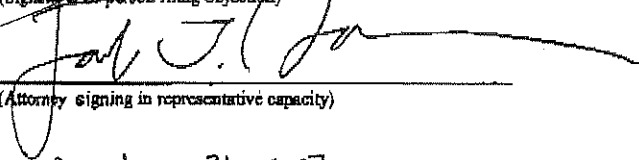
)
) ss.
)

County of ADA

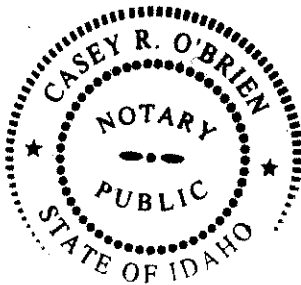
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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 21, 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 Dec 21, 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: Boulder Ridge Ranch, LLC
Address: 1434 Pole Line Road E.; Twin Falls, Idaho 83301

Name:
Address: ;

Name:
Address: ;

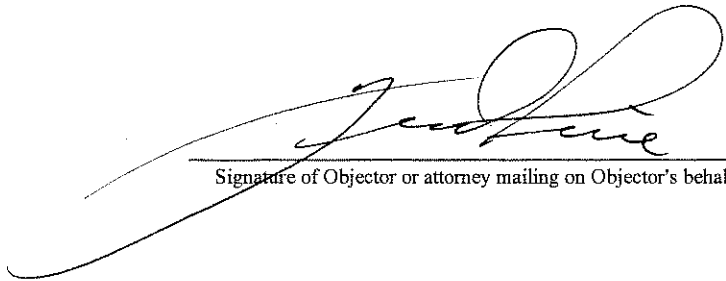
Name:
Address: ;

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

11/7/2007

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
47-2457	BOULDER RIDGE RANCH LLC 1434 POLE LINE RD E TWIN FALLS ID 83301	Disallowed	Recommended as 47-17448 and 47-17449

11/07/2007

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

RIGHT NUMBER: 47-17448

NAME AND ADDRESS: BOULDER RIDGE RANCH LLC
1434 POLE LINE RD E
TWIN FALLS ID 83301

SOURCE: UNNAMED STREAM

TRIBUTARY: MUD CREEK

QUANTITY: 1.760 CFS
359.00 AFY

This right when combined with Twin Falls Canal Co shares shall provide no more than .02 cfs per acre.

PRIORITY DATE: 12/24/1964

POINT OF
DIVERSION:

T09S R14E S12 SENENW Within TWIN FALLS County
T09S R15E S7 SESWNW Lot 2 Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	1.760 CFS 359.00 AFY

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in TWIN FALLS County

T09S R14E S01 Lot 10 SWSW	0.30	T09S R14E S11	SWNE	0.60	<i>mixed</i>
T09S R14E S11	SENE 23.00	T09S R14E S11	NESE	24.00	
T09S R14E S11	NWSE 20.00	T09S R14E S12	SWNE	4.10	
T09S R14E S12	NENW 20.00	T09S R14E S12 Lot 1 NWNW		1.70	
T09S R14E S12	SWNW 33.00	T09S R14E S12	SENW	21.00	
T09S R14E S12	NESW 12.00	T09S R14E S12	NWSW	32.00	
T09S R14E S12	NWSE 0.70				
192.4 ACRES TOTAL					

The rights listed below are limited to the irrigation of a combined total of 192.4 acres in a single irrigation season. Combined Right Nos.: 47-17448 and 47-17450.

This right authorizes the irrigation of 90.2 total acres.

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.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Source is also known as Silo Creek.

Use of this right is combined with water from Twin Falls Canal Co.

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

This right is a split from former right 47-2457 .

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

47-17448, split from 47-02457
47-17450, split from 47-14909
Boulder Ridge Ranch LLC

Mixed POU:

- The POU T09S R14E S11 SWNE contains both private and public land.
- 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."

