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JUN 30 2008

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 37-22245
(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: Daniel T. Henry
Address: 308 N 2nd Ave.; Hailey, Idaho 83333

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 the place of use (POU) element contains both private and public land. The description should be made to be specific enough to make it clear that 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.

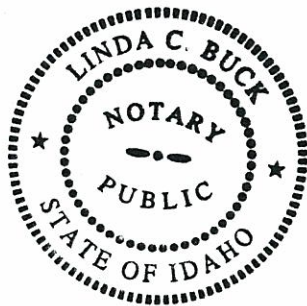
Fredric W. Price
(Signature of person filing objection)

David Meigs
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

June 27, 2008

Linda C. Buck
Linda C. Buck



Notary Public for State of Idaho

Residing at: Mountain Home, ID.

My Commission Expires: 12-21-2011

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 6/27, 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:

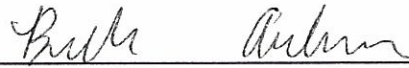
Name: Daniel T. Henry
Address: 308 N 2nd Ave.; Hailey, Idaho 83333
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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

03/20/2006

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

RIGHT NUMBER: 37-22245

NAME AND ADDRESS: DANIEL T HENRY
308 N 2ND AVE
HAILEY ID 83333

SOURCE: SPRING TRIBUTARY: BULLION GULCH CREEK

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 05/01/1880

POINT OF
DIVERSION:

T02N R17E S15 SWNENW End of Stream Flow Within BLAINE County
T02N R17E S15 SENWNW Begin of Stream Flow Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER in BLAINE County

T02N R17E S15	NENW	T02N R17E S15	NWNW
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OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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 - Beneficial Use

Mixed POUs:

- The places of use described in the Director's Report contain 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."

37-22245; Henry



Mixed POUs:

-The places of use described in the Director's Report contain 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."

BLAINE COUNTY 013
SHOSHONE DISTRICT SEC 3

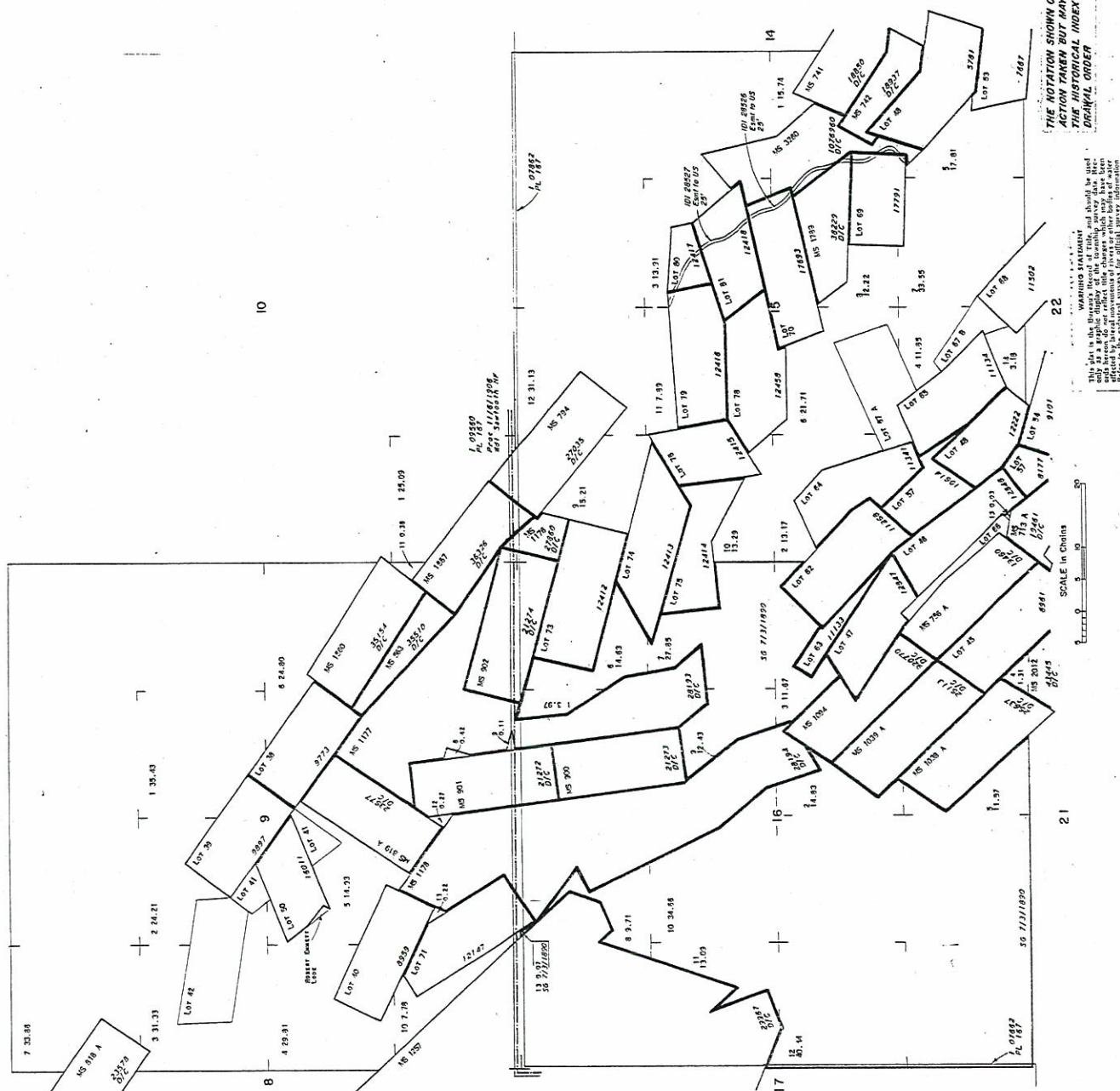
NO 1
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL Sec 9, SW 1/4 SW 1/4,
Sec 10, 15, 16

[illegible]

07862 Det PL 167 (Act of Cong 7/23/1955)
Completed 6/22/1960. All PD surface Vgnt by RLW

09500 Det PL 167 (Act of Cong 7/23/1955)
Completed 7/9/1962. All NF surface Vgnt by USFS



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-

Boise Mer
T. 2N
R. 17E

WARNING STATEMENT

This plot is the Bureau's record of Title, and should be used only as a graphic display of the township survey data. Records hereon do not reflect title changes which may have been affected by lateral movements of rivers or other bodies of water. For the latest surveys for official survey information

BLAINE COUNTY 013
TWIN FALLS DISTRICT SEC 3

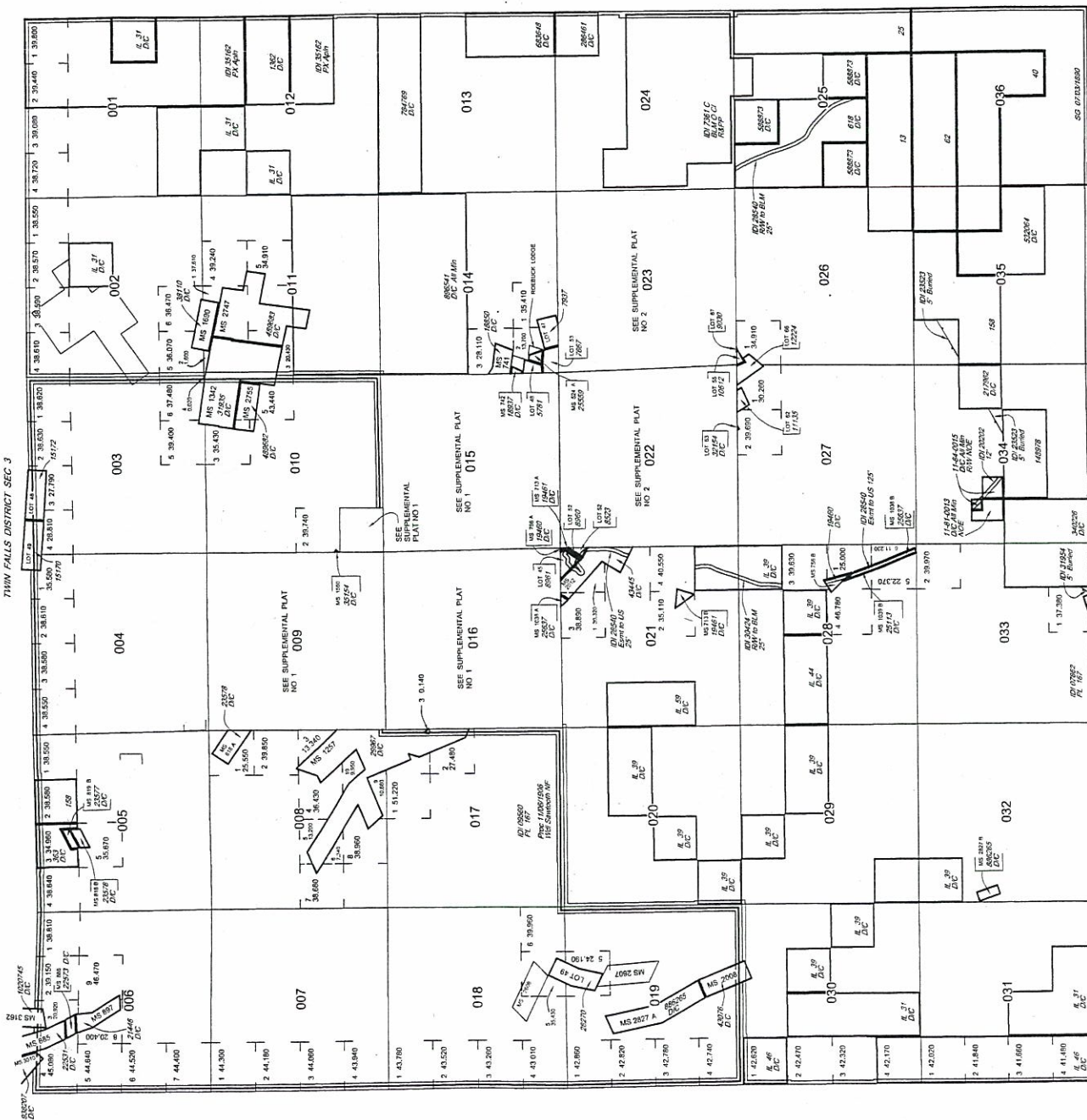
STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

[illegible]

IDI 07862 Del PL 167 (Act of Cong 07/23/1955) completed 06/22/1960. All PD surface Mgmt by BLM	IDI 09560 Del PL 167 (Act of Cong 07/23/1955) completed 7/09/1962. All NF surface Mgmt by USFS
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FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE REF:	0806030001010EAM00006.Amg
CONFIDENTIALITY:	BY: ST
LAST UPDATED:	BY: ST
QACC #1:	QACC #2
POSTED TO PUBLIC RECORDS: BY:	
PUBLIC LAW SURVEY SYSTEM (PLS)	
BUM CODE ACQUIRED:	04062005
OTHER:	N/A
PROJECTED COORDINATE SYSTEM: UTM ZONE 11N, NAD 1983	
NOTES:	
USER PLANS:	



DISCLAIMER:

[illegible]

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



Moise Mar.
T. 2 N
R. 17 E