

RECEIVED

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 79-14204
(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: Jim Rupp
Address: 10649 Hwy 95 S; Lucile, Idaho 83542

Name: Rachel A. Rupp
Address: 10649 Hwy 95 S; Lucile, Idaho 83542

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: See attached.
5. ☒ **Point(s) of Diversion**
Should be: See attached.
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☒ **Period of Year**
Should be: See attached.
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):**

This claim describes points of diversion and places of use on federal public land. The season of use for grazing on public land is not year-round. The recommendation of this claim does not describe the land to which this claim is appurtenant as required by I.C. 42-1402.

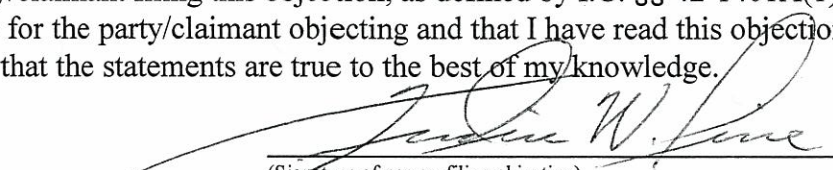
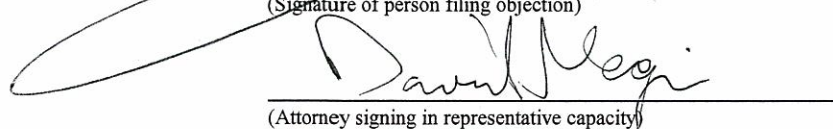
F.

VERIFICATION (Must be Completed)

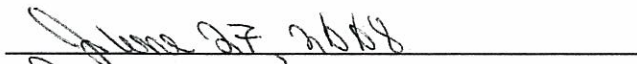
State of Idaho)
) ss.
County of ADA)

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:



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 June 27, ²⁰⁰⁸~~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:

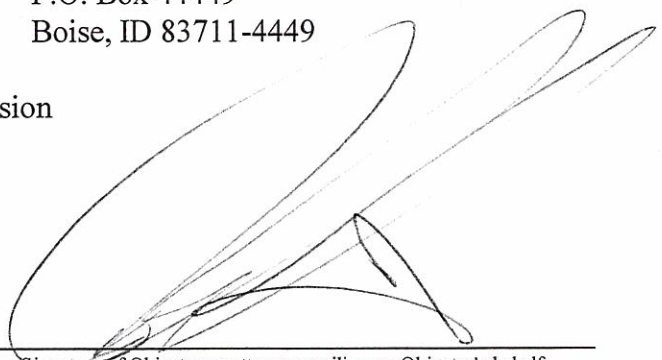
Name: Jim Rupp
Address: 10649 Hwy 95 S; Lucile, Idaho 83542
Name: Rachel A. Rupp
Address: 10649 Hwy 95 S; Lucile, Idaho 83542
Name:
Address: ;
Name:
Address: ;

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: 79-14204
NAME AND ADDRESS: RACHEL A RUPP
10649 HWY 95 S
LUCILE ID 83542

POUs on BLM:

-Claimed POU's on BLM need to be described consistent with I.C. 42-1402.

-Period of Use is not year round at the POU's on BLM.

JIM RUPP
10649 HWY 95 S
LUCILE ID 83542

SOURCE: CRAWFORD CREEK
STRING
UNNAMED STREAM
UNNAMED STREAM

TRIBUTARY: SALMON RIVER
TRIBUTARY: UNNAMED STREAM
TRIBUTARY: CRAWFORD CREEK
TRIBUTARY: SALMON RIVER

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 02/26/1925

POINT OF DIVERSION:

T25N R01E S11 NENE End of Stream Flow Within IDAHO County
T25N R01E S11 NENE End of Stream Flow Within IDAHO County
T25N R01E S11 SWNE End of Stream Flow Within IDAHO County
T25N R01E S11 SWNE Begin of Stream Flow Within IDAHO County
T25N R01E S11 SWNE End of Stream Flow Within IDAHO County
T25N R01E S11 SESE Begin of Stream Flow Within IDAHO County
T25N R01E S11 SESE End of Stream Flow Within IDAHO County
T25N R01E S11 SESE Begin of Stream Flow Within IDAHO County
T25N R01E S11 SESE End of Stream Flow Within IDAHO County
T25N R01E S11 SESE Begin of Stream Flow Within IDAHO County
T25N R01E S11 SESE End of Stream Flow Within IDAHO County
T25N R01E S12 NWNW Begin of Stream Flow Within IDAHO County
T25N R01E S12 NWNW Begin of Stream Flow Within IDAHO County
T25N R01E S12 SWNW Begin of Stream Flow Within IDAHO County
T25N R01E S12 SENW Begin of Stream Flow Within IDAHO County
T25N R01E S12 NESW End of Stream Flow Within IDAHO County
T25N R01E S12 NESW End of Stream Flow Within IDAHO County
T25N R01E S12 NESW Begin of Stream Flow Within IDAHO County
T25N R01E S12 NWSE Begin of Stream Flow Within IDAHO County
T25N R01E S12 SWSE End of Stream Flow Within IDAHO County
T25N R01E S12 SWSE End of Stream Flow Within IDAHO County
T25N R01E S12 SWSE End of Stream Flow Within IDAHO County
T25N R01E S12 SESE Begin of Stream Flow Within IDAHO County
T25N R01E S13 NENE Begin of Stream Flow Within IDAHO 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 IDAHO County

T25N R01E S11	NENE	T25N R01E S11	SWNE
---------------	------	---------------	------

	T25N R01E S11	SESE
BLM	T25N R01E S11	NWSE
BLM & PVT	T25N R01E S11	SESE
	T25N R01E S12	SENE
	T25N R01E S12	SWNW
	T25N R01E S12	NESW
	T25N R01E S12	NWSE
	T25N R01E S12	SESE
	T25N R01E S13	NWNE
BLM	T25N R01E S14 Lot 1	NENE
	T25N R02E S18 Lot 1	NNNW

	T25N R01E S11	NENE	BLM
	T25N R01E S11 Lot 8	SWSE	
	T25N R01E S12	SWNE	
	T25N R01E S12	NNNW	
	T25N R01E S12	SENW	
	T25N R01E S12	NENE	
	T25N R01E S12	SWSE	
	T25N R01E S13	NENE	
	T25N R01E S13	SWNE	
	T25N R02E S07 Lot 4	SWSW	
	T25N R02E S18 Lot 2	SWNW	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

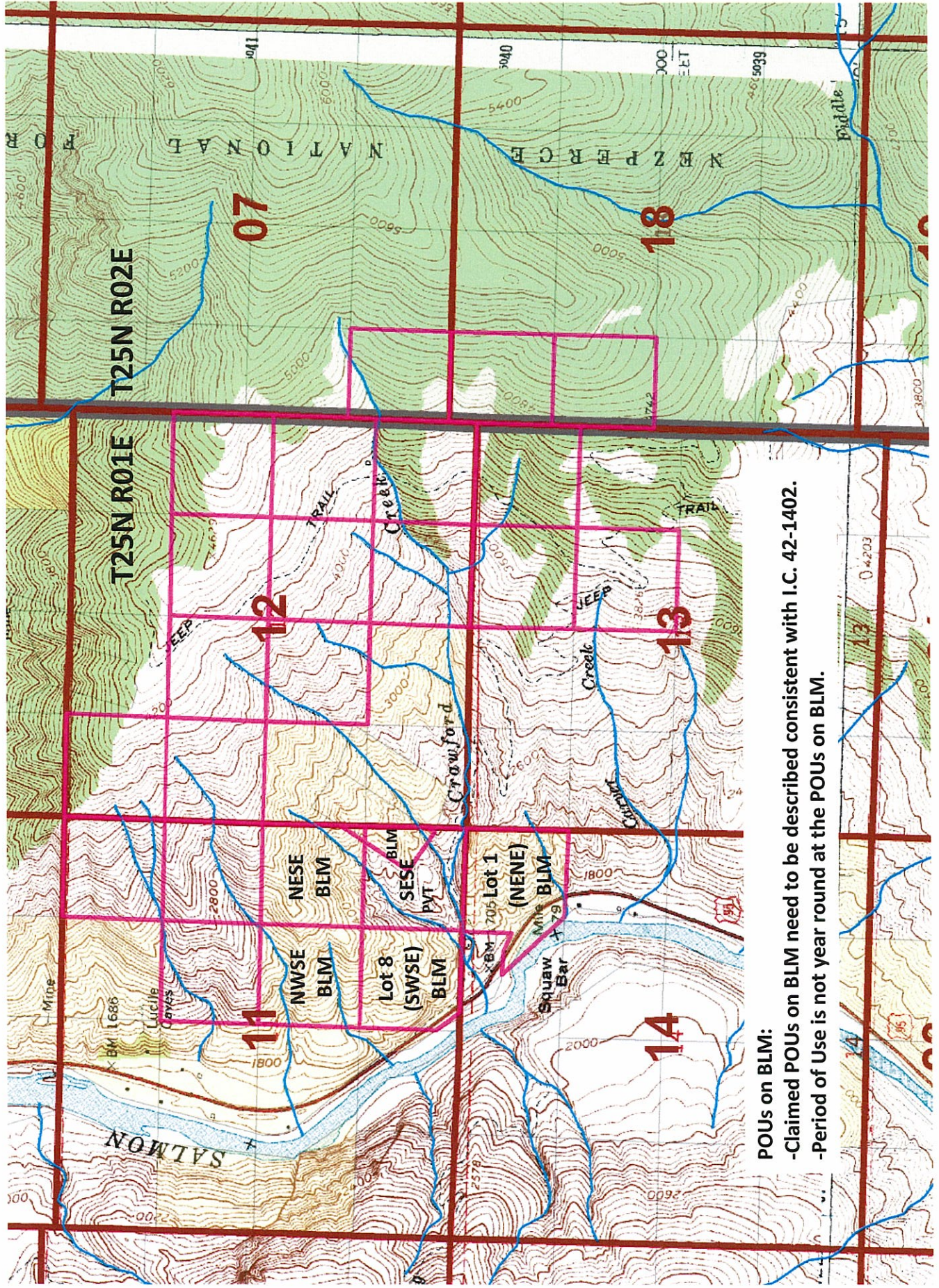
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

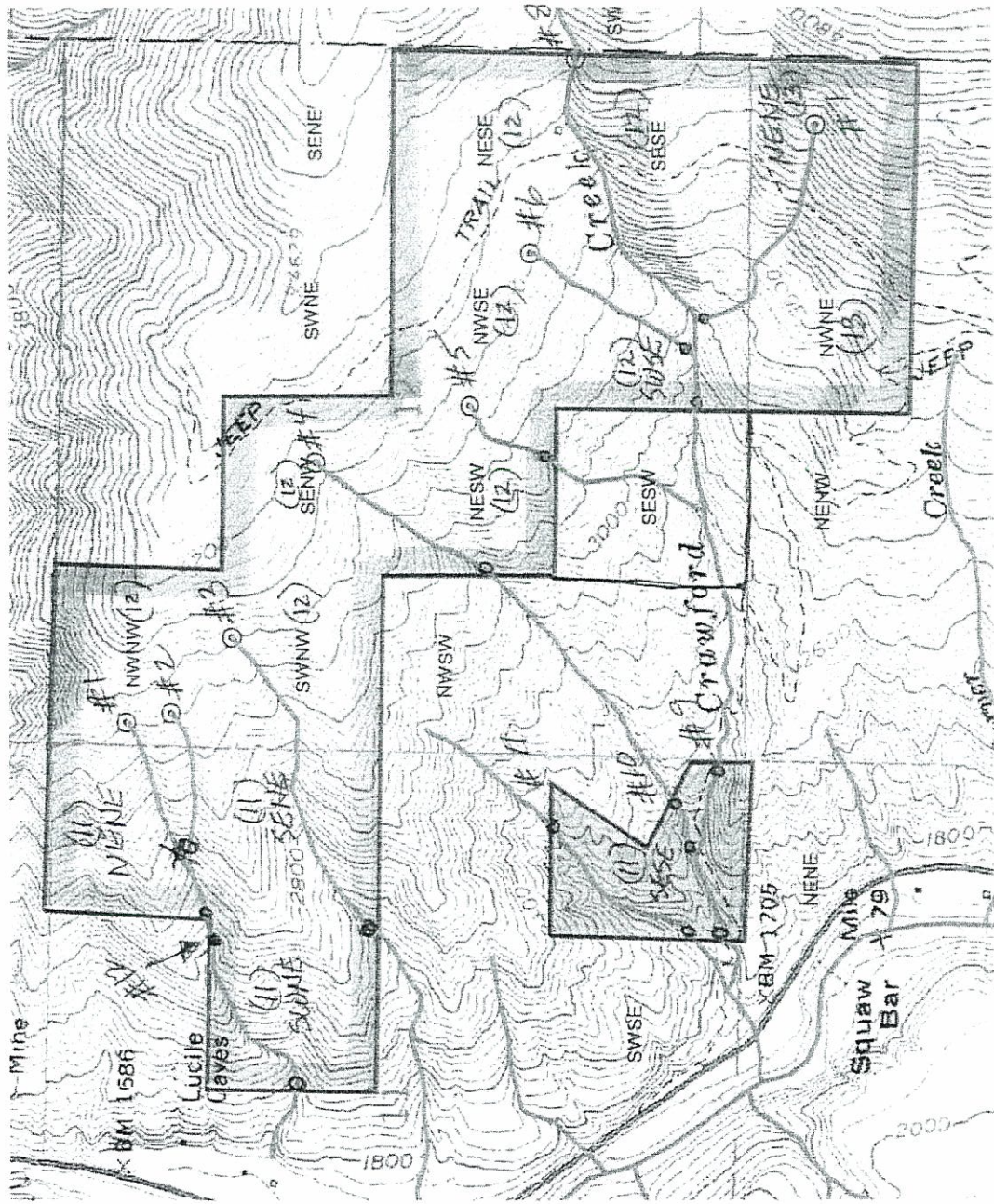
Stockwater use is for 100 head cattle.

79-14204; Rupp

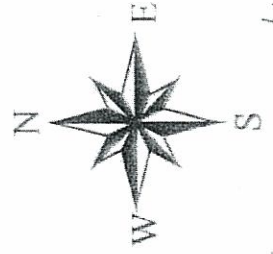


POUs on BLM:

- Claimed POUs on BLM need to be described consistent with I.C. 42-1402.
- Period of Use is not year round at the POUs on BLM.



- Streams.shp
 79-14204pou2.shp
 79-14204pou.shp
 79-14204pods.shp
 QQ



0.8 Miles

0.4

0

0.4

Shows points of beginning & ending
 of in-stream use

IDAHO COUNTY 049
COEUR D'ALENE DISTRICT

MT PLAT
SUPPL Sec 2,11

[illegible]

BLM O 03/12/1924 Open to Entry Subj to Sec 24 FPA
PAY S Res 8 SO 04/05/1921
Sec 2: Lots 8,9
Sec 11: Lots 1,4,5,8

IDI 09912 Det PL 167 (Act of Cong 07/23/1955)
completed 09/28/1960. All PD surface Mgmt by BLM

Act of Cong (Sec 5) 10/02/1968, all public land within 1/4 mile of Salmon River, Wdn for potential addition to Wild & Scenic Rivers System

MDI 23089 Sikes Act 12/10/1985

Sec 2: Lot 8 (portion south of draw) Lot 9.

Sec 11: Lots 1,4,5,8, NWNE, N2SE (less Ibox claim). All of the Ibox and Ajax Claims as surveyed

PLO 6670 Lower Salmon River Prot Wdl
Sec 2: Lots 1, 8, 9, S2 SENW, SWSE

PLO 6670 Lower Salmon River Prot Wadi Min Only

Sec 11: Lot 2, SWSE, SWSW

FOR ORDERS EFFECTING DISPOSAL OR USE OF

MISCELLANEOUS DOCUMENTS

FILE REF: ID060250N0010EaMT0001n.dwg
 CONVERTED TIF: 05/14/2007 BY: LFM

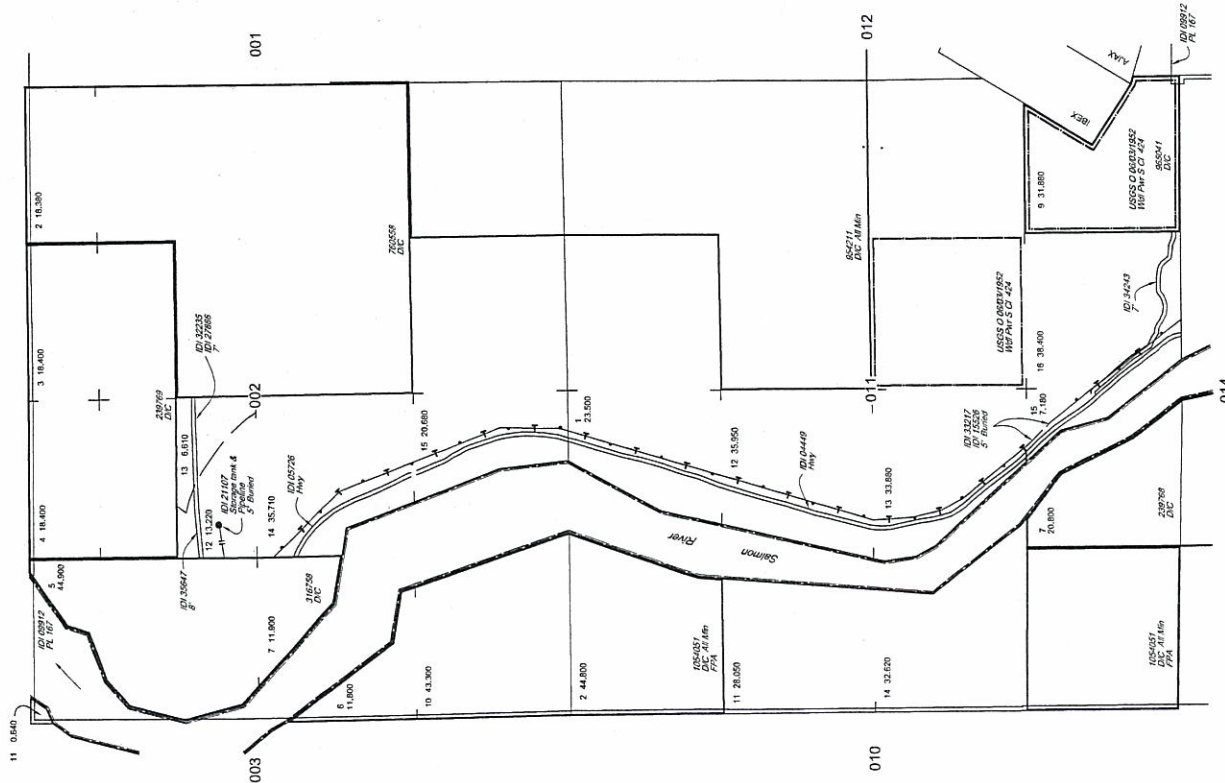
QA/QC #1:	QA/QC #2:
POSTED TO PUBLIC RECORDS: June 25, 2007	

PUBLIC LAND SURVEY SYSTEM (PLSS)
BLM GCDB ACQUIRED: 04/26/2005
CYLID: N/A

PROJECTED COORDINATE SYSTEM: UTM ZONE 11N, NAD83

NOTES:

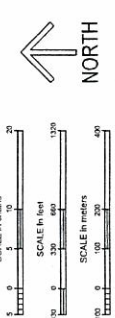
USE PLATS:



DISCLAIMER:

The notation shown on underlines represents the last action taken, but may not be the effective date. See the Historical Index for the date of original information used.

No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or aggregate use and other data is not guaranteed.



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



30356 Mor.
T. 25 N
R. 1 E
No. 1

TOWNSHIP 25 NORTH RANGE 2 EAST OF THE BOISE MERIDIAN, IDAHO

IDAHO COUNTY 049

COEUR D'ALENE DISTRICT

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

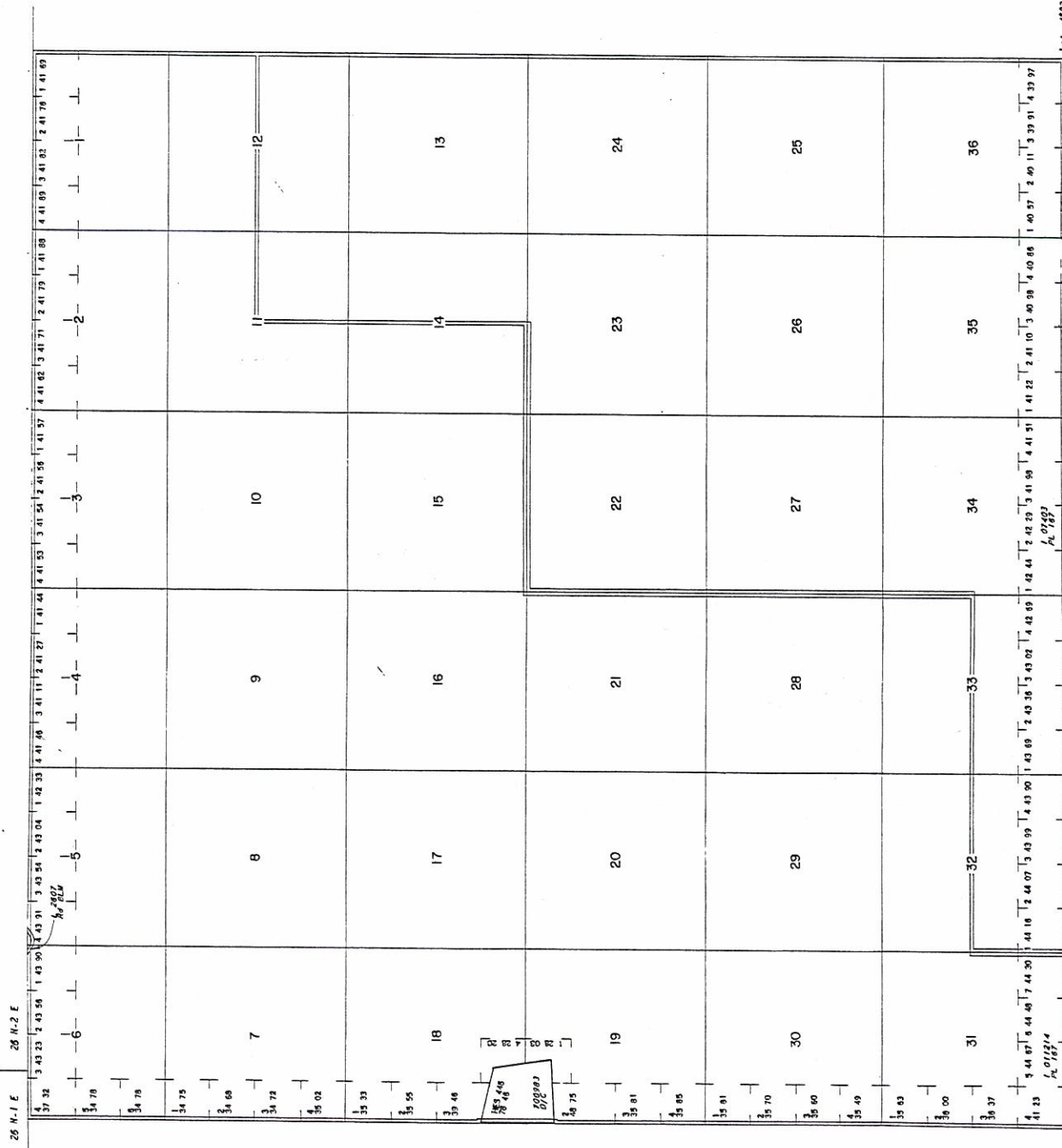
MT PLAT

[illegible]

All Tp included in Vol Hazperce MF EQ 854
6/26/1908

I 07403 Det PL 167 (Act of Cong 7/23/1955)
completed 8/11/1960 All HF surface Mgmt by
USFS

I 011214 Dat PL 167 (Act of Cong 7/23/1955)
completed 7/10/1962 All HF surface Mgmt by
USFS



USE PLATS	
Lat	45°27'40"N
Long	116°09'45"W

SCALE in Chains

WARNING STATEMENT

WARNING STATEMENT

This plat is the Bureau's Record of Title and should be used only as a graphic display of the township survey data. Records herein do not reflect title changes which may have been

²⁴ 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 25 N
R 2 E