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MAR 22 1999
Department of Water Resources
Eastern Region

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	)	A.	Subcase See Attached List
	)		(Insert water right number)
Case No. 39576	)		
	)		DOMESTIC AND
	)		STOCK WATER RIGHT
	)		OBJECTION
_____	)		

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: State of Idaho
Address: 700 W. Jefferson, Room 210
P.O. Box 44449
Boise, Idaho 83711-4449
Phone: Work: (208) 334-2400 Home: N/A

Name and Address of Attorney, if any:

Attorney Name: ALAN G. LANCE
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
PETER J. AMPE
Deputy Attorney General
Attorney Address: Office of the Attorney General
700 W. Jefferson, Room 210
P.O. Box 44449
Boise, ID 83711-4449
Attorney Phone No. (208) 334-2400

74-14146	74-14199	74-14261	74-14335
74-14147	74-14200	74-14262	74-14336
74-14148	74-14201	74-14264	74-14337
74-14149	74-14202	74-14266	74-14338
74-14150	74-14204	74-14268	74-14339
74-14151	74-14206	74-14269	74-14340
74-14152	74-14208	74-14270	74-14341
74-14153	74-14209	74-14271	74-14342
74-14154	74-14210	74-14272	74-14343
74-14155	74-14211	74-14273	74-14344
74-14158	74-14212	74-14274	74-14346
74-14159	74-14213	74-14275	74-14347
74-14160	74-14214	74-14280	74-14348
74-14161	74-14215	74-14281	74-14349
74-14162	74-14216	74-14282	74-14351
74-14163	74-14217	74-14283	74-14364
74-14164	74-14218	74-14284	74-14365
74-14165	74-14220	74-14290	74-14368
74-14166	74-14221	74-14296	74-14369
74-14168	74-14223	74-14297	74-14370
74-14169	74-14229	74-14298	74-14372
74-14170	74-14230	74-14299	74-14375
74-14171	74-14231	74-14301	74-14376
74-14173	74-14234	74-14303	74-14377
74-14174	74-14235	74-14305	74-14378
74-14175	74-14236	74-14306	74-14379
74-14176	74-14237	74-14307	74-14381
74-14177	74-14238	74-14308	74-14382
74-14178	74-14239	74-14310	74-14383
74-14179	74-14241	74-14311	74-14384
74-14180	74-14242	74-14312	74-14385
74-14181	74-14243	74-14314	74-14386
74-14182	74-14245	74-14317	74-14393
74-14183	74-14246	74-14318	74-14394
74-14184	74-14247	74-14319	74-14395
74-14185	74-14248	74-14322	74-14396
74-14186	74-14249	74-14323	74-14397
74-14187	74-14250	74-14324	74-14398
74-14189	74-14251	74-14325	74-14399
74-14191	74-14252	74-14326	74-14400
74-14192	74-14253	74-14327	74-14401
74-14193	74-14254	74-14328	74-14402
74-14194	74-14255	74-14330	74-14409
74-14195	74-14257	74-14331	74-14411
74-14196	74-14259	74-14332	74-14412
74-14198	74-14260	74-14333	74-14414

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C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: United States of America Acting Through
Address: USDI Bureau of Land Management
1387 S. Vinnell Way
Boise, Idaho 83709-1657

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: If this water right exists, the State Law based portion of this right should have a priority date no earlier than June 28, 1934.
5. ☐ Points 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.

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MAR 25 2006

E. REASONS SUPPORTING OBJECTION(S): This water right is claimed solely pursuant to state law, Claimant's assertions that Congress gave permission to private parties to operate on the public domain and that Congress passed various acts ensuring that water sources on the public domain were not monopolized does not provide a basis for a water right under state law. Alternatively, the United States has failed to establish any legal and/or factual basis for any claimed priority date for stockwater purposes with a date prior to the enactment of the Taylor Grazing Act, June 28, 1934.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Peter J. Ampe, Deputy Attorney General, being first duly sworn, upon oath, deposes and says:

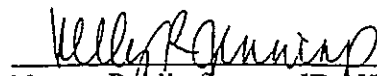
That the State of Idaho, in both its sovereign and proprietary capacity, is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and that the statements are true to the best of my knowledge and belief.

ALAN G. LANCE
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
PETER J. AMPE
Deputy Attorney General



By Attorney signing in representative capacity

Subscribed and sworn to before me on: February 22, 1999
(Insert Date)



Notary Public for IDAHO

Residing at: BOISE, ID

My commission expires: 5/21/2003

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 February 22, 1999, 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, Idaho 83303-2707

2. One copy to the owner of the water right at the following address:

United States of America Acting Through
USDI Bureau of Land Management
1387 S. Vinnell Way
Boise, Idaho 83709-1657

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of party claimant or attorney

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MAR 25 2009