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APR 09 2009

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 75-10627
(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: (208) 373-3831

Name & Address of Attorney, if any:

David L. Negri (208) 334-1936 phone, (208) 334-1414 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: Salmon River Properties, Inc.

Address: Box 4495; Chatsworth, CA 91313

Name: Jordan P. Smith (attorney for claimant)

Address: 400 W. 2nd Ave.; Salmon, Idaho 83467; (208) 756-2127

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 Place of Use (POU) element describes legal land descriptions that contain both public and private lands. The description should be specific enough to make it clear that only private land is intended and that public land is excluded.

F.

VERIFICATION (Must be Completed)

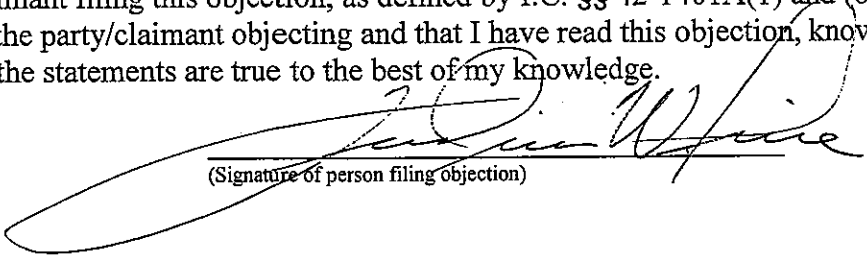
State of Idaho

)
) 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)

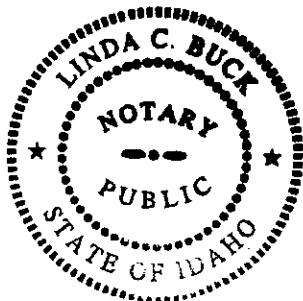
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

April 7th 2009



Linda C. Buck



Notary Public for 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 April 7, 2009, 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: Salmon River Properties, Inc.
Address: Box 4495; Chatsworth, CA 91313

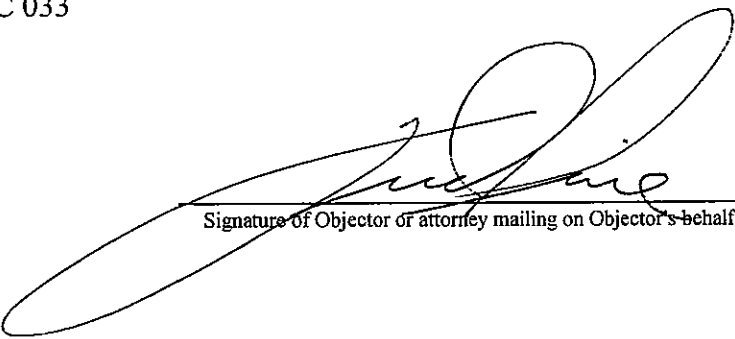
Name: Jordan P. Smith (attorney for claimant)
Address: 400 W. 2nd Ave.; Salmon, Idaho 83467

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

04/03/2009

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

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

APR - 6 2009

RIGHT NUMBER: 75-10627
NAME AND ADDRESS: SALMON RIVER PROPERTIES INC
BOX 4495
CHATSWORTH CA 91313

SOURCE: DEER CREEK
SALMON RIVER

TRIBUTARY: SALMON RIVER
TRIBUTARY: SNAKE RIVER

QUANTITY: 1.480 CFS
98.00 APY

This right when combined with all other rights shall provide no more than 3.5
afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 06/06/1927

POINT OF
DIVERSION:

Mixed Ownership Place of Use:

-Place of use should be specific enough to make it clear
that only private land is intended.

T18N R21E S3 SWNE Lot 5 Within LEMHI County
T18N R21E S3 SWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4/15 10/15	1.480 CFS 98.00 APY

The use of water for irrigation under this right may begin as early as April 1
and may continue to as late as October 31, provided other elements of the
right are not exceeded. The use of water before April 15 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 LEMHI County

MIXED	T18N R21E S03 Lot 5 SWNE	11.00	T18N R21E S03 Lot 3 NENW	9.00 MIXED
MIXED	T18N R21E S03 Lot 5 SENW	8.00		

28 ACRES TOTAL

PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS.

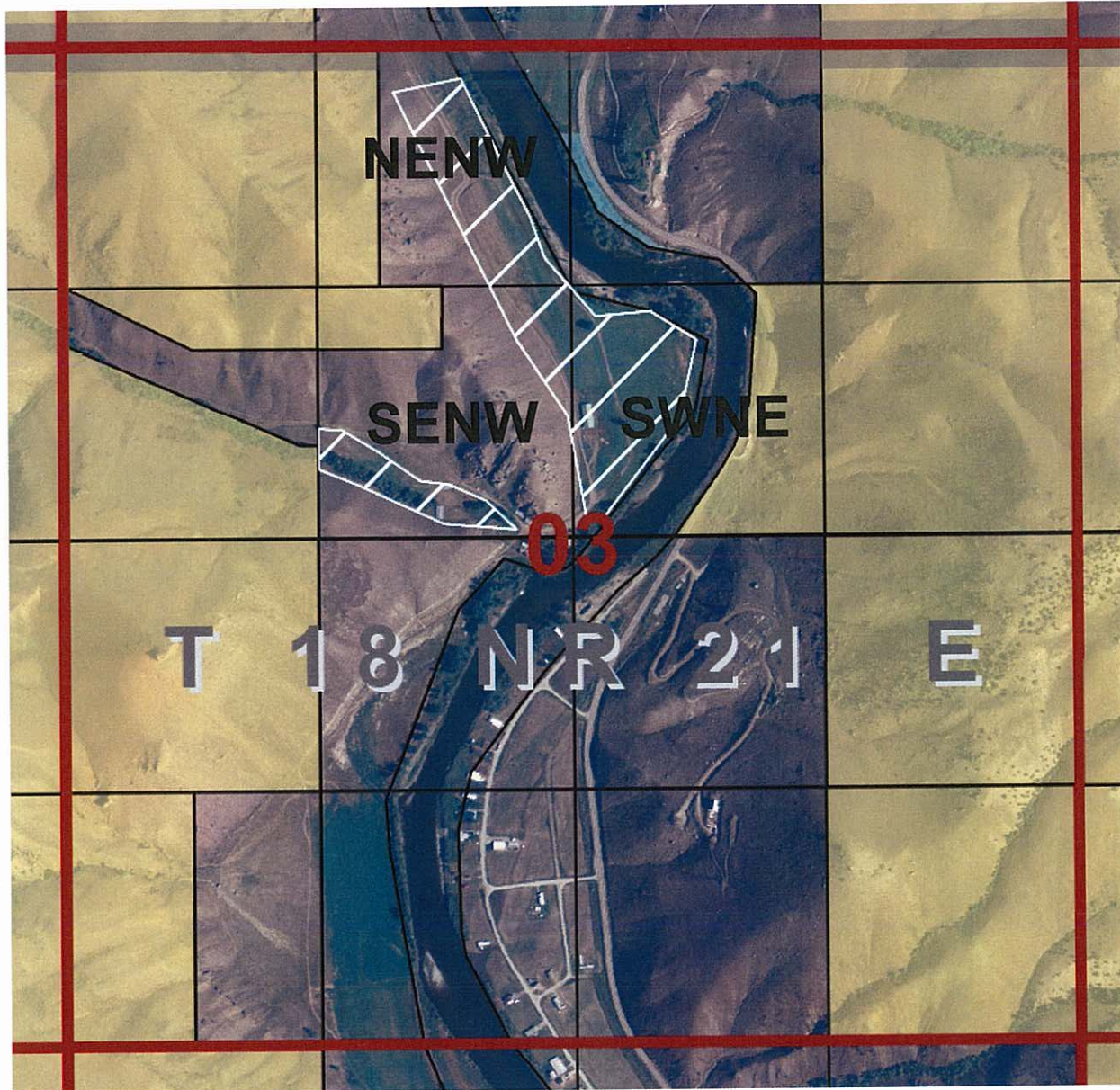
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Clarifying the place of use element with a remark (as shown above) would resolve BLM's
objection.

75-10627; Salmon River Properties Inc.



Mixed POUs:

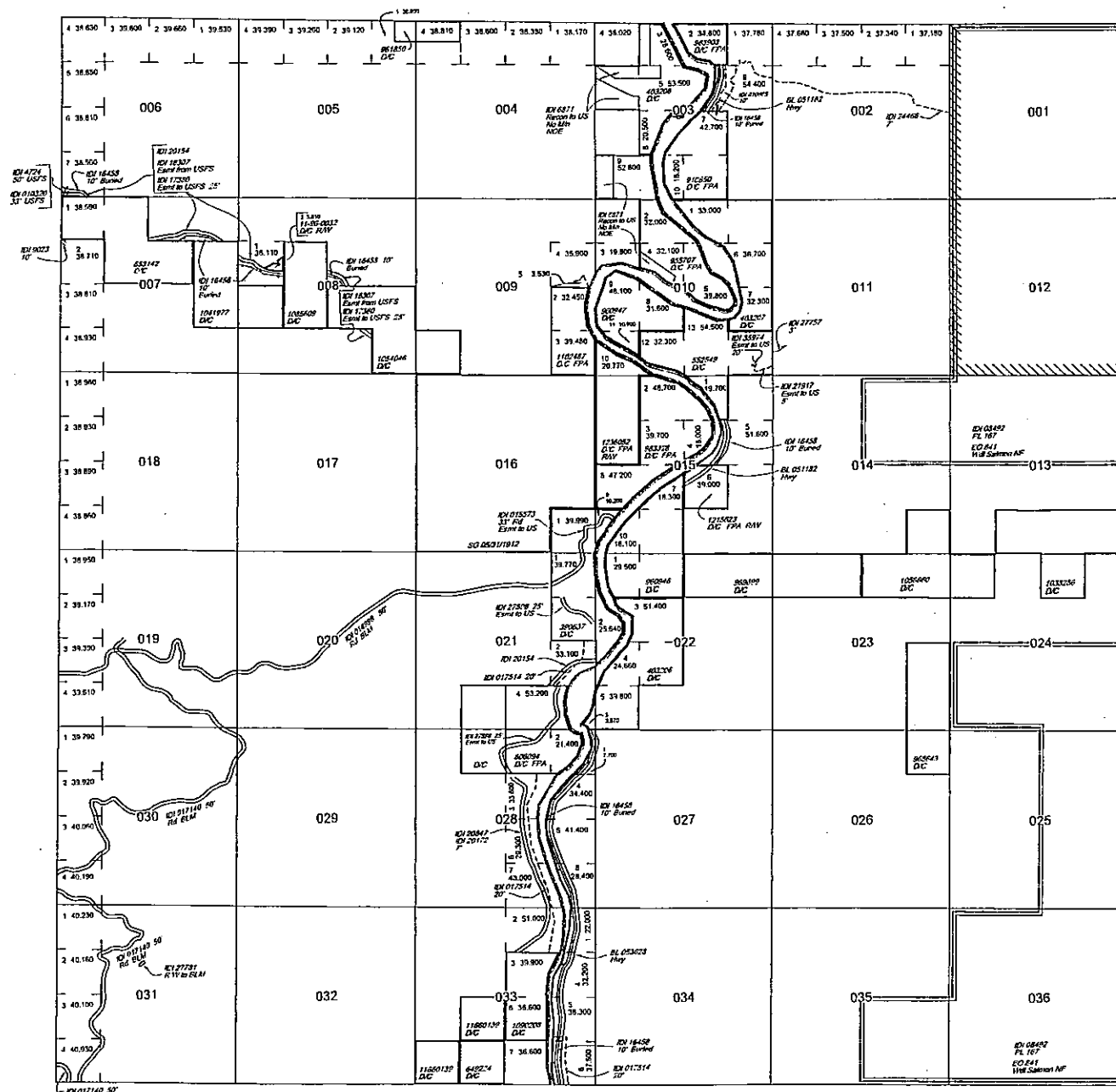
-The places of use contain both private and public lands.

-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."

LEMHI COUNTY 059
IDAHO FALLS DISTRICT SEC 3

MT PLAT

[illegible]

Sec 15: Lots 2,3,4,8

Sec 9: Lots 2,3

completed 08/09/1960. All NF surface Mgmt by USFS

Sec. 3: Lot 6, MWSW

Sec 10: Lots 3, 10
Sec 15: Lot 5, NENE, W2NW
Sec 21: Lot 2

Sec 27: NWNW
Sec 28: Lots 1, 3 to 8 Incl
Sec 29: Lots 1, 2, 4, 5, 7, 8

Landi County: See from Annapolis under the General Minion

Laws. All Unapprop
Ringle Creek Rec S
Sen 22: Lgls

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

FILE REF: D005180M210EaM100000.dwg	
CONVERTED TFF: 07/16/2008	BY: LFM
LAST UPDATED: 07/15/2008	BY: LFM
CAOIC #1:	CAOIC #2:
POSTED TO PUBLIC RECORDS: 12/15, 2009	
BY:	
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BLM GCSB ACQUIRED:	04/26/2005
OTHER:	N/A
PROJECTED COORDINATE SYSTEM: UTM ZONE 12N, NAD 1983	
NOTES:	
USE PLATS:	

Boise Mar.
T. 18 N
R. 21 E



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



SCALE in chains
0 10 20 30 40

SCALE in feet
0 1000 2000 3000 4000

SCALE in meters
0 250 500 750 1000



DISCLAIMER

This plot is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and township survey data. Records hereon do not reflect title changes which may have been affected by lateral movements of river or other bodies of water. Refer to cadastral surveys for official information.

The notation shown on withdrawals represents the last action taken, but may not be the effective date. See the Historical Index for the date of original withdrawal order.

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