

RECEIVED

JUL 29 2010

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)

A. Subcase 47-00044B
(Insert water right number)

Case No. 39576)

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
Natural Resources Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

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

Name: Devil Creek Ranch, Inc.
c/o Ronda K. Macaw, President
Address: 5594 S. Basalt Ave.
Boise, Idaho 83716

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: see attached.

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 United States of America, through the Bureau of Land Management, is the owner of the land upon which the majority of the use is claimed. There is a mixture of authorized (several different agreements with different conditions) and unauthorized places of use. Claimant's water right should not include non-existent or unauthorized POUs. The recommendation of this claim is not described consistent with the requirements of I.C. 42-1402.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

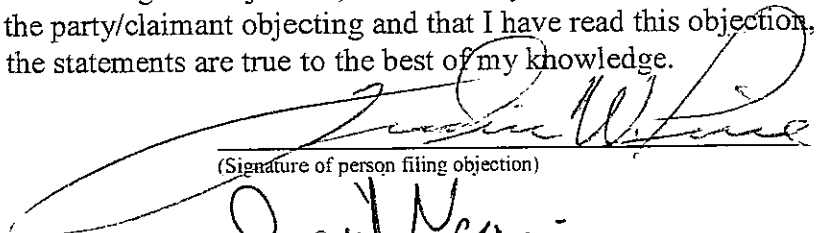
) ss.

County of ADA

)

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

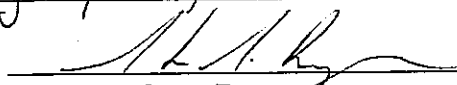
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

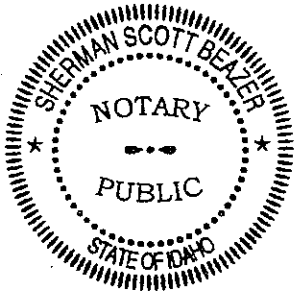

(Signature of person filing objection)

David Negri
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

July 26th, 2010


Sherman Scott Beazer



Notary Public for State of Idaho

Residing at: Boise, ID.

My Commission Expires: 12-10-2015

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 July 27, 2010, 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:

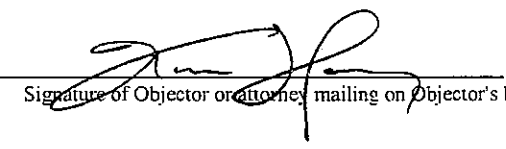
Devil Creek Ranch, Inc.
c/o Ronda K. Macaw, President
5594 S. Basalt Ave.
Boise, Idaho 83716

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

06/28/2010

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

RIGHT NUMBER: 47-44B

NAME AND ADDRESS: DEVIL CREEK RANCH INC
C/O RONDA K MACAW, PRESIDENT
5594 S BASALT AVE
BOISE ID 83716

SOURCE: HOUSE CREEK
SPRINGS

TRIBUTARY: CEDAR CREEK
TRIBUTARY: HOUSE CREEK

QUANTITY: 0.180 CFS

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

PRIORITY DATE: 04/15/1985

Use of water under this transfer is junior to all water rights filed on or using Steel Springs, House and Cedar Creeks prior to the approval of transfer #2489 on 2/28/1983.

POINT OF
DIVERSION:

T15S R13E S18 SENWSE Within TWIN FALLS County
T15S R13E S19 SWNE Within TWIN FALLS County

POU's below are on
BLM except where noted by ✓

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	STOCKWATER	10/02 04/30	0.180 CFS
PLACE OF USE:	<u>STOCKWATER in OWYHEE County and TWIN FALLS County</u>		
	T10S R10E S12	NWNW	T10S R10E S15 SESE
	T10S R10E S20	SENE	T10S R10E S20 SESE
	T10S R10E S22	SESE	T10S R10E S25 SESE
	T10S R10E S27	SWSW	T10S R10E S29 SWNE
	T10S R10E S32	NESE	T10S R10E S33 NWNW
	T10S R10E S33	SWNW	T10S R11E S02 Lot 4 NWNW
	T10S R11E S05	SWSE	T10S R11E S09 NENE
	T10S R11E S10	SENE	T10S R11E S14 SWSE
	T10S R11E S20	SENE	T10S R11E S27 NENW
	T10S R11E S28	NESE	T10S R11E S36 NWSW ✓
	T10S R12E S15	SESE	T10S R12E S21 SESW
	T11S R10E S02	SESW	T11S R10E S05 NESE
	T11S R10E S08	SENE	T11S R10E S11 SWSE
	T11S R10E S12	NESE	T11S R10E S14 SWSE
	T11S R10E S16	NESW ✓	T11S R10E S17 SENE
	T11S R10E S21	SENE	T11S R10E S23 NWSW
	T11S R10E S24	NWSW	T11S R10E S25 SESE
	T11S R10E S28	SESE	T11S R10E S33 NWNW
	T11S R10E S35	NENE	T11S R10E S35 NWSW
	T11S R11E S04	SENE	T11S R11E S08 NESW
	T11S R11E S14	SESE	T11S R11E S16 NWSW ✓
	T11S R11E S18 Lot 3	NWSW	T11S R11E S27 NESW
	T11S R12E S04	NESW	T11S R12E S05 Lot 2 NWNW

T11S R12E S34	SESW	T11S R12E S34	SWSE
T12S R10E S03	NWSE	T12S R10E S11	NWSW
T12S R10E S12	NENE	T12S R10E S25	SWSW
T12S R10E S25	NESE	T12S R10E S26	SESW
T12S R10E S27	SESE	T12S R11E S01	SENE
T12S R11E S05	SENE	T12S R11E S13	NWNE
T12S R11E S16	SWNE ✓	T12S R11E S16	SESE ✓
T12S R11E S18	NENW	T12S R11E S27	NWNW
T12S R11E S30	SWNE	T12S R12E S15	SENE
T12S R12E S15	NWSW	T12S R12E S21	NWSW
T12S R12E S30	NESW	T12S R12E S32	SESW
T13S R10E S12	SESW	T13S R10E S12	SESE
T13S R10E S13	NESE	T13S R10E S24	SENE
T13S R11E S03 Lot 3	NENW	T13S R11E S07	SENE
T13S R11E S08	SWNE	T13S R11E S10	SENE
T13S R11E S11	NESW	T13S R11E S14	NWSE
T13S R11E S17	SWSE	T13S R11E S18	SENE
T13S R11E S21	SESE	T13S R11E S23	NESW
T13S R11E S29	NENE	T13S R11E S29	NWNW
T13S R11E S30 Lot 2	SWNW	T13S R11E S33	NENE
T13S R11E S34	NWSE	T14S R11E S01	SWSE
T14S R11E S03	SESW ✓	T14S R11E S04	SESE ✓
T14S R11E S05	SESW ✓	T14S R11E S10	SWNE ✓
T14S R11E S11	SWSE ✓	T14S R11E S12	SESW
T14S R11E S13	NWNW	T14S R11E S15	SWSW ✓
T14S R11E S23	SENE	T14S R11E S23	SESE
T14S R11E S25	NESW	T14S R11E S36	NENE ✓
T14S R12E S07	SESW	T14S R12E S07	SESE
T14S R12E S32	NESE	T14S R12E S33	NESW
T14S R12E S34	SESW	T15S R13E S18	NWSE ✓
T15S R13E S19	SWNE ✓		

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 - Decreed

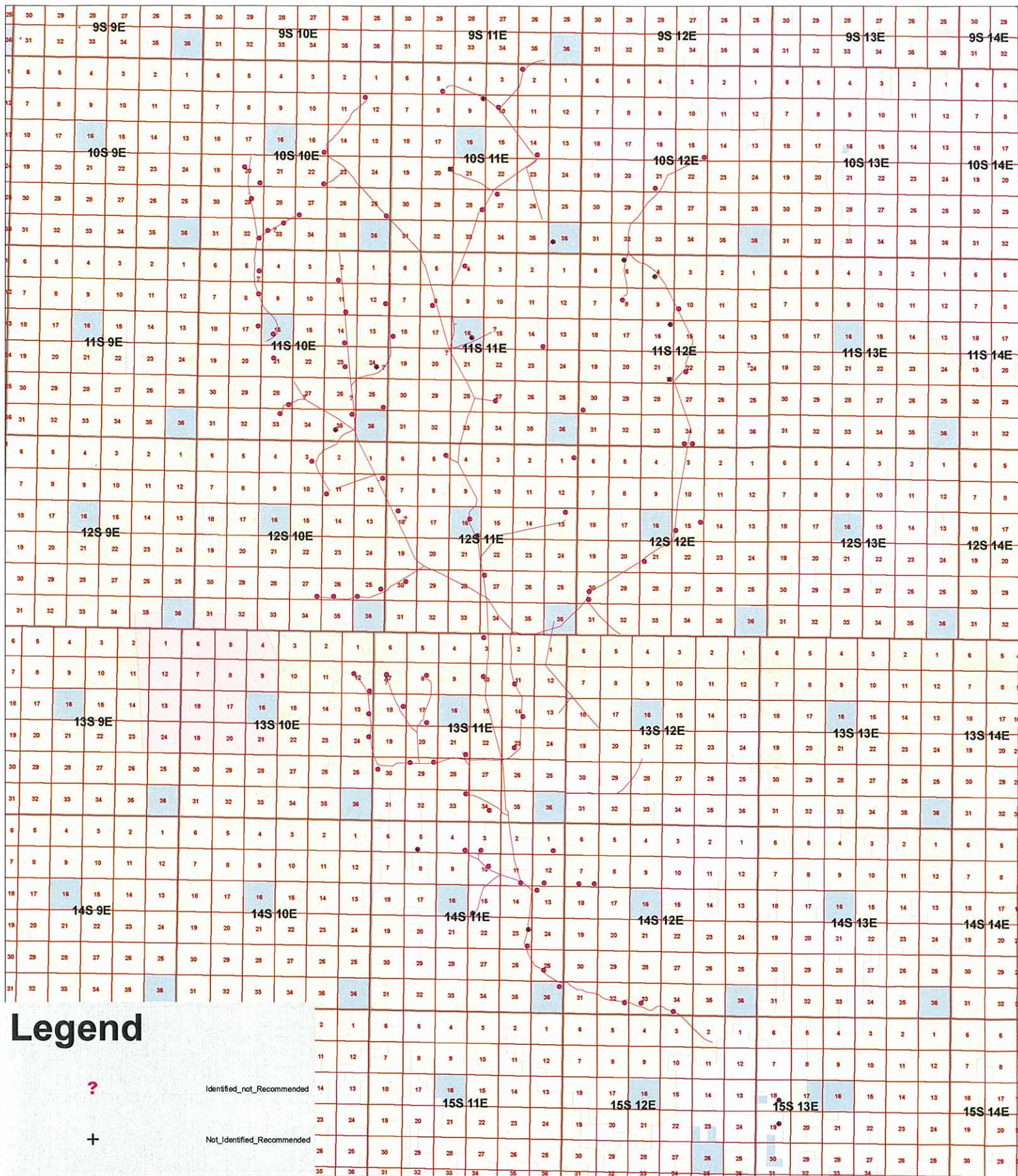
Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

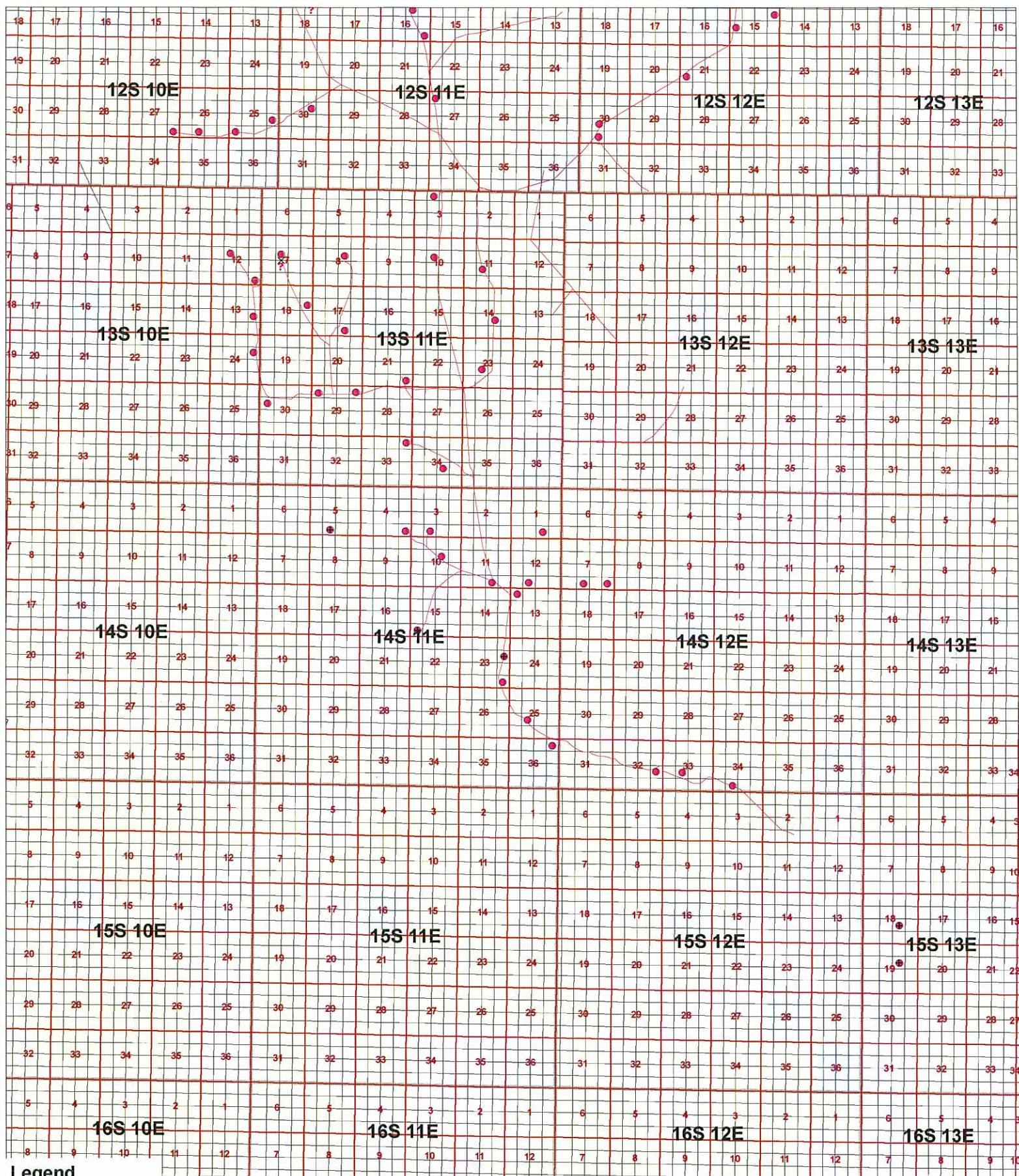
The right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.

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

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

Spring source is also locally known as Steel Springs.





Legend

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Identified_Hot_Spot

Not_Identified_Hot_Spot

Hot_Spot_Hot_Spot

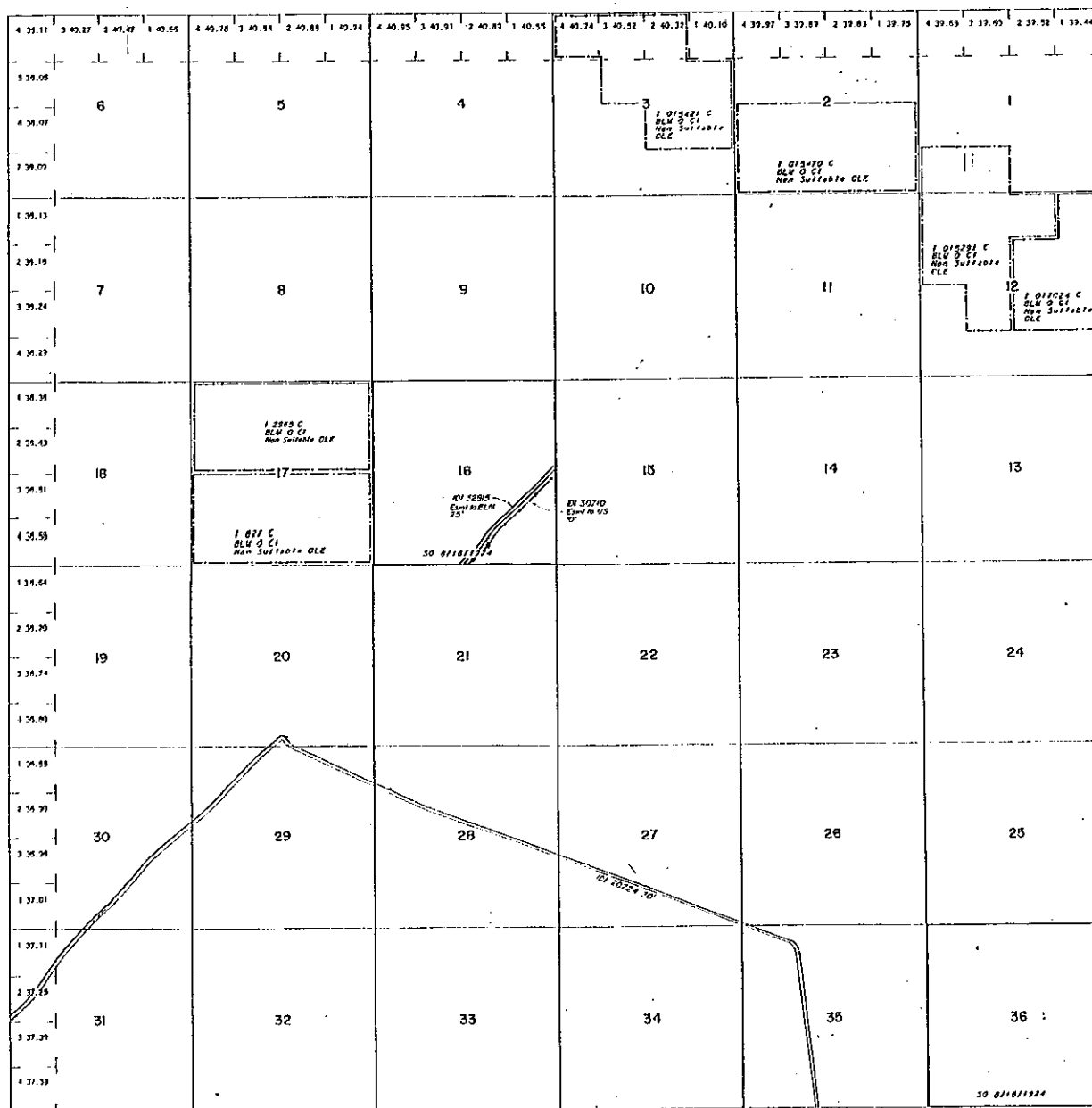
Hot_Spot_Hot_Spot

Hot_Spot_Hot_Spot



OWYHEE COUNTY 073.
BOISE DISTRICT SEC 3

MT PLAT

[illegible]

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

CURRENT TO	CURRENT TO
VOY 2 2000	OCI 8 2003

USE PLATE:

Give Her

T. 123
R. 105

SCALE in Chains

WARNING STATEMENT

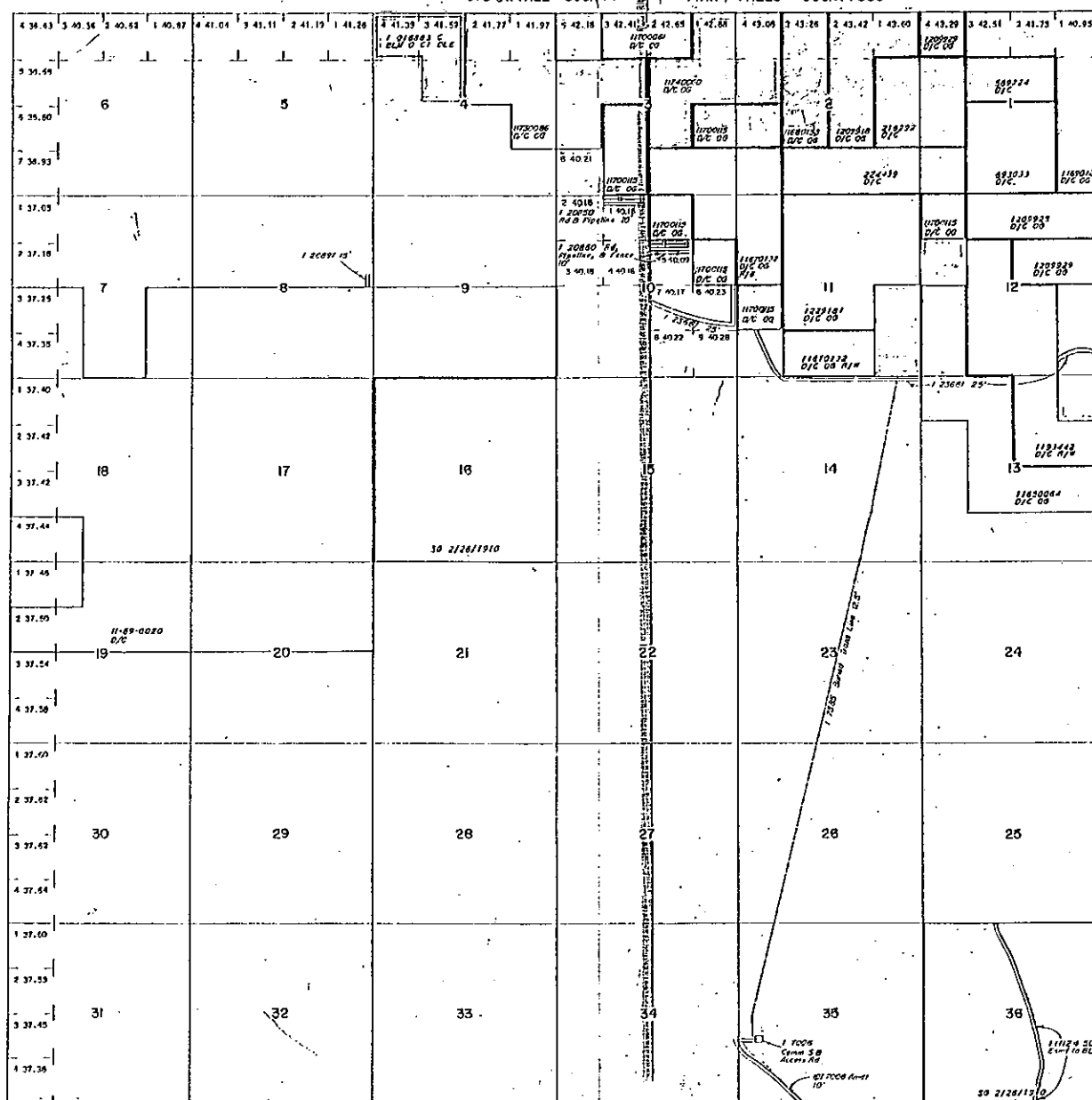
WARNING STATEMENT
This plot is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records herein do not reflect title charges which may have been effected by local movements of dikes or other bodies of water. Refer to the cadastral surveys for official survey information.

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 WITHDRAWAL ORDER

BOISE DISTRICT SEC 3

MT PLAT

TWIN FALLS COUNTY083

[illegible]

12610 Sikes Act 12/13/1976

Sec 3: Lot 4
Sec 10: SW NE
Sec 11: E SE
Sec 12: SW NW E SE
Sec 13: NE NE

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

CURRENT TO	CURRENT TO
NOV 2 2000	

USE PLATS:

Boise Mer

T. 122.
R. 125.

SCALE in Chains

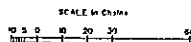
WARNING STATEMENT

WARNING STATEMENT
This plot is the Bureau's Record at 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 effected by lateral movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey information.

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POISE DISTRICT SEC 3

MT PLAT



WABHNO 9416440

This plot is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records Bureau do not reflect title changes which may have been effected by federal monuments or other bureau or other. Refer to the Land Survey Bureau for all other survey information.

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 WITHDRAWAL ORDER.

[illegible]

FOR ORDERS EFFECTING DISPOSAL OF USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

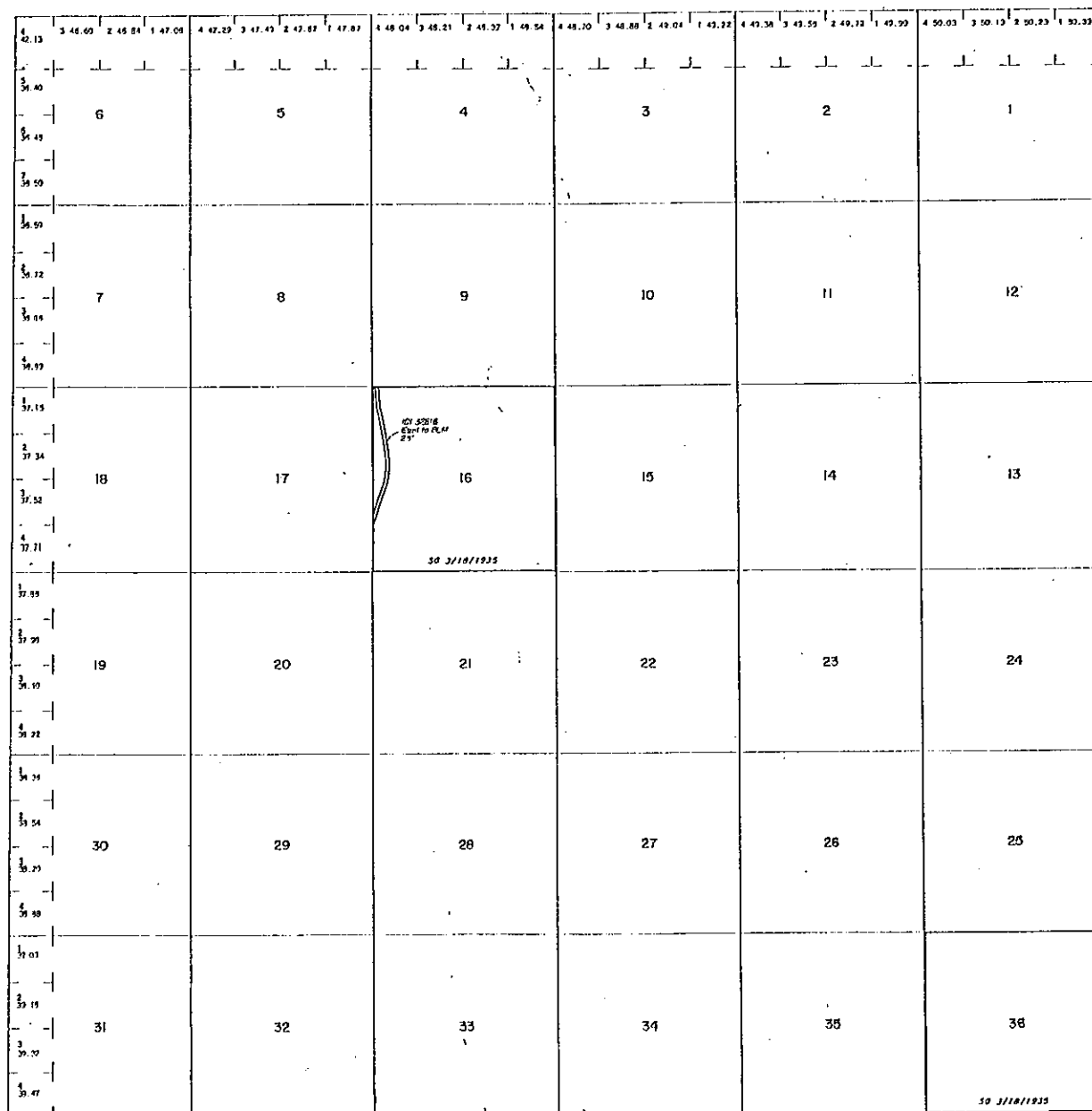
CURRENT TO	CURRENT TO

USE PLATS:

Price Mar

7 115
7 10E

BOISE DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES[illegible]

Lat. 42°25'07" N
Long. 115°27' E

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

CURRENT TO	CURRENT TO
July 2 2000	
USE PLAYS:	

Seite 145

T 113

R. 11E

SCALE in Chains

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. It does not constitute a record of title changes which may have been effected by lateral movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey information.

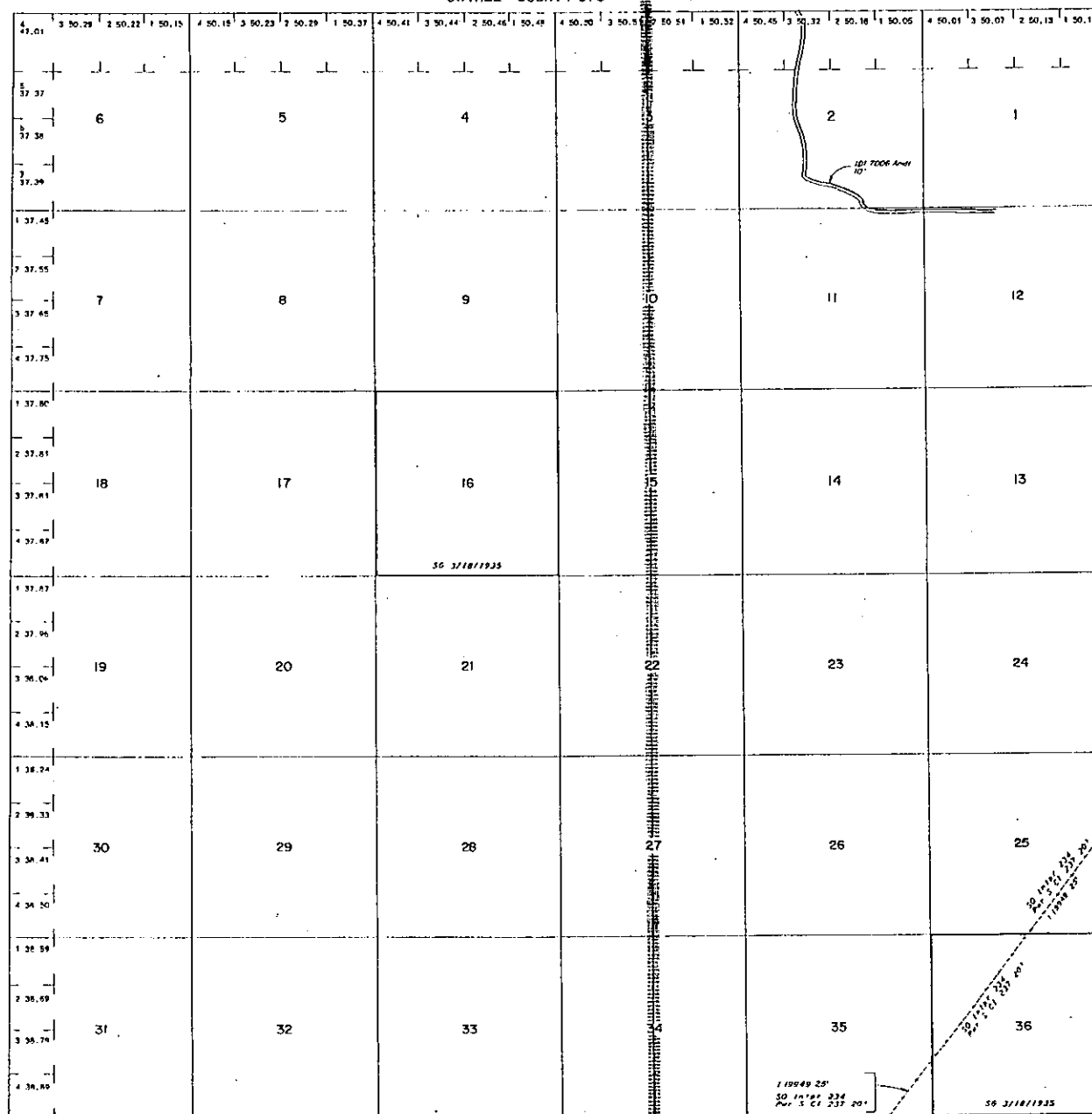
THIS NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITHDRAWAL ORDER.

BOISE DISTRICT SEC 3

MT PLAT

OWYHEE COUNTY 073

TWIN FALLS COUNTY 083

[illegible]

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

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USE PLATS:

Lat. 42° 25' 00" N
Long 115° W

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SCALE in Chords

WARNING STATEMENT

WARNING STATEMENT

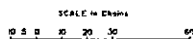
This plot is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records herein do not reflect title changes which may have been effected by lateral movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey information.

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 WITHDRAWAL ORDER

Boise Mer
T. 11 S
R. 12 E

BOISE DISTRICT SEC 3

MT PLAT

**WARNING STATEMENT**

This plot is the Bureau's Record of Title, and should be used only as a graphic display of the Twenty/50 survey data. Records herein do not reflect title changes which may have been effected by informal agreements or records at rivers or other bodies of water. Refer to the individual surveys for official survey information.

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 WITHDRAWAL ORDER.

[illegible]

FOR ORDERS EFFECTING DISPOSAL OF USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO

USE PLATS:

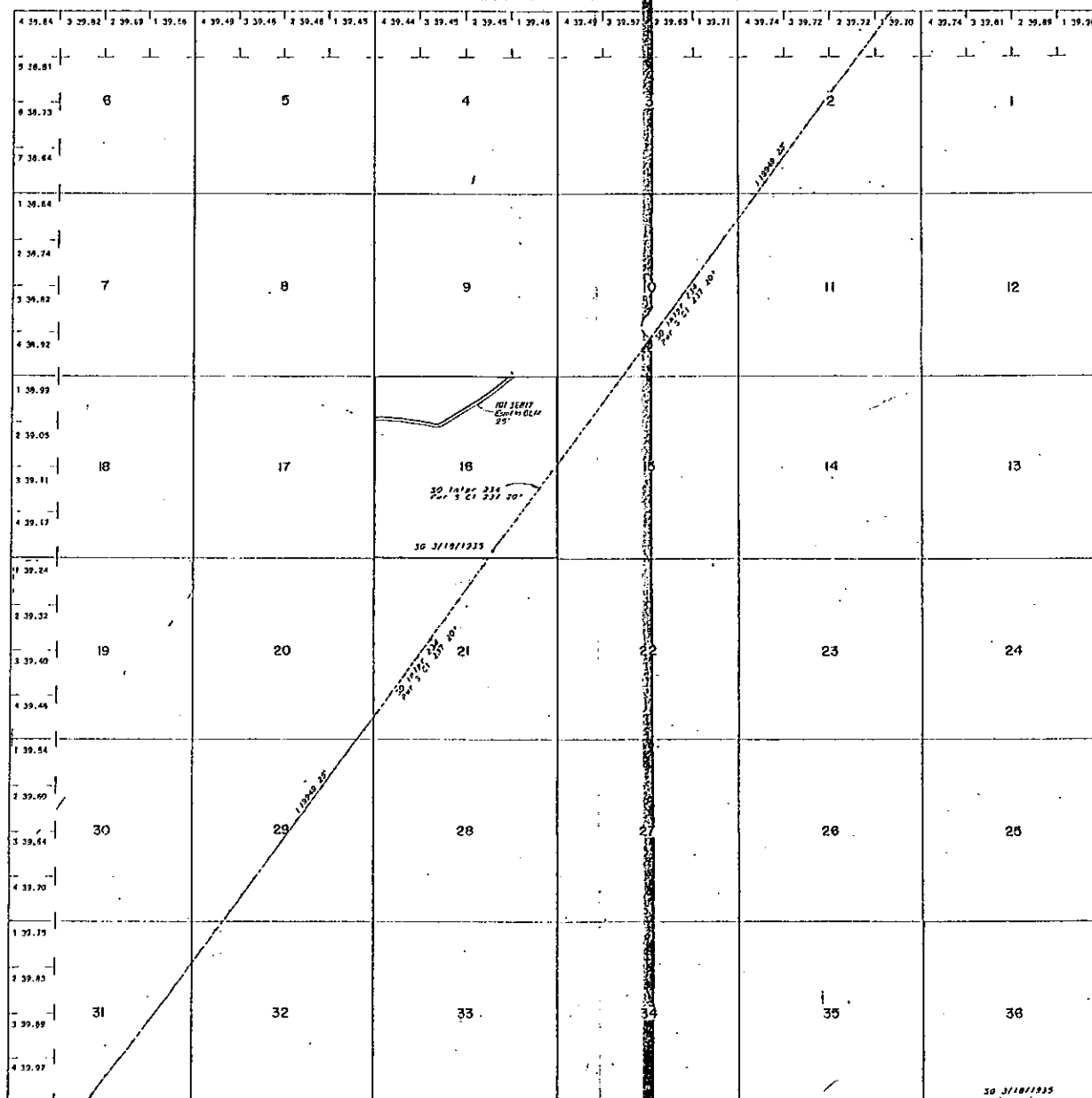
2000-2001

T	125
R	10E

FOISE DISTRICT SEC 3

MT PLAT

Q73OWYHEE COUNTY 5 TWIN FALLS COUNTY 083

[illegible]

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

CURRENT TO	CURRENT TO
Nov 2 1943	

USE PLAYS:

Lat. $42^{\circ}19'58''$ N
Long. $115^{\circ}00''$ W

50 J/10/1935

12 3-12 6

Boles Mar

SCALE In Chains

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 effected by lateral movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey information.

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 WITHDRAWAL ORDER

R. 12E

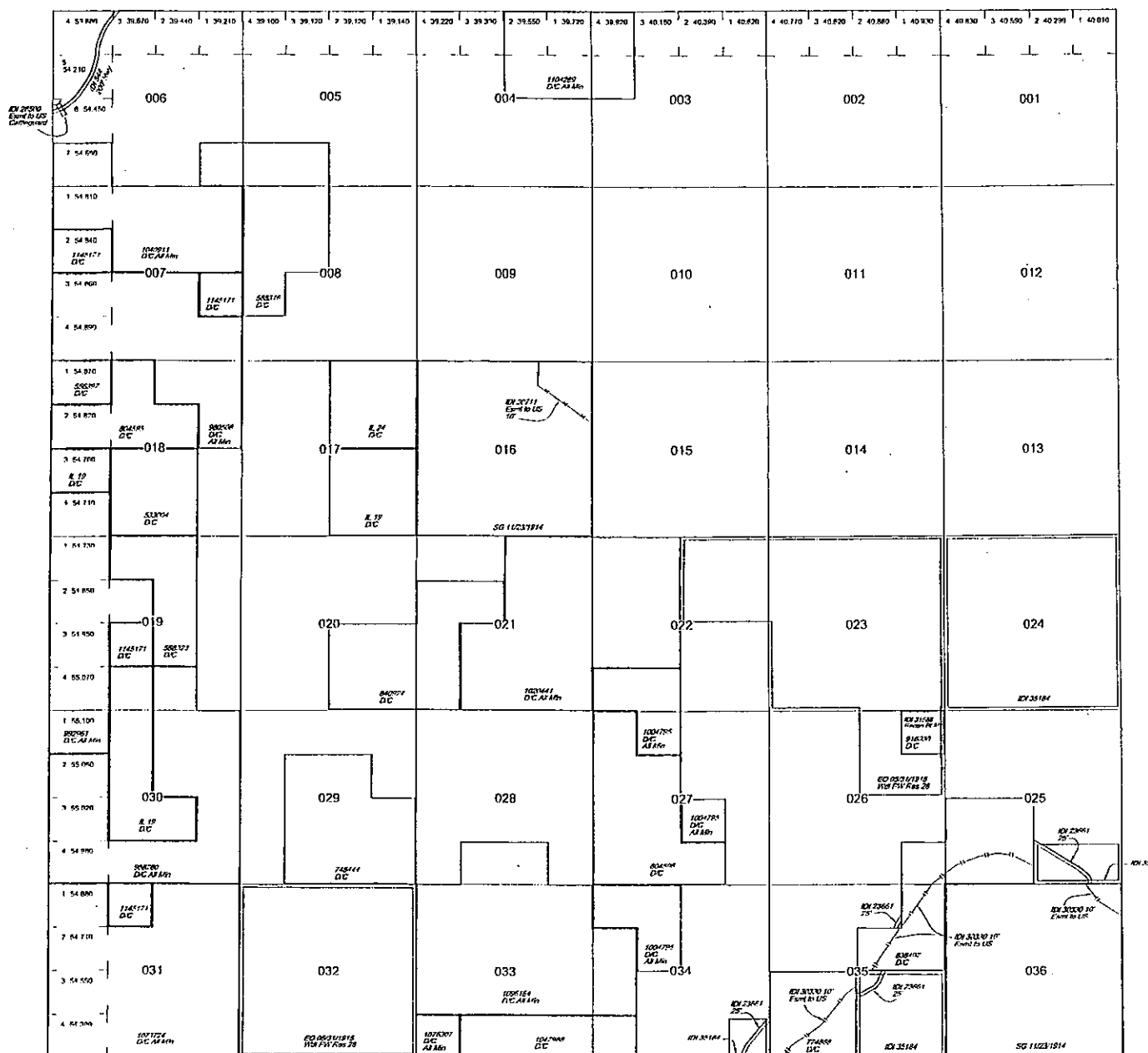
TWIN FALLS COUNTY 083
TWIN FALLS DISTRICT SEC 3

MT PLAT

[illegible]

ID# 2345 BLM O Ci Multi Use
 Segr from Appropn under PLS, X IS, & general
 mining laws
 Donn S
 Sec 23: SE, E2SW
 Sec 24: SW
 Sec 25: NW
 Sec 26: W2NE, SENE, E2NW

IDI 31588 PX WD to BLM OE on 01/12/1999
Sec 25: NENE

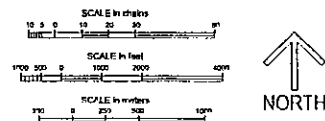


FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE REF: K08015001010EAM010000.dwg	
CONVERTED TFF: 00/22/2005	BY: LFM
LAST UPDATED: 00/16/2005	BY: JCB
QA/QC #:	BAQC #2:
POSTED TO PUBLIC INFO: June 16, 2004	
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BANK/ROW ACQUIRED: 01/20/2005	
OTHER:	NA
PROJECTED COORDINATE SYSTEM: UTM ZONE 11N, NAD 1983	
NOTES:	
USE PLATS:	



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



DISCLAIMER:

This plot is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and township survey data. Records herein 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.

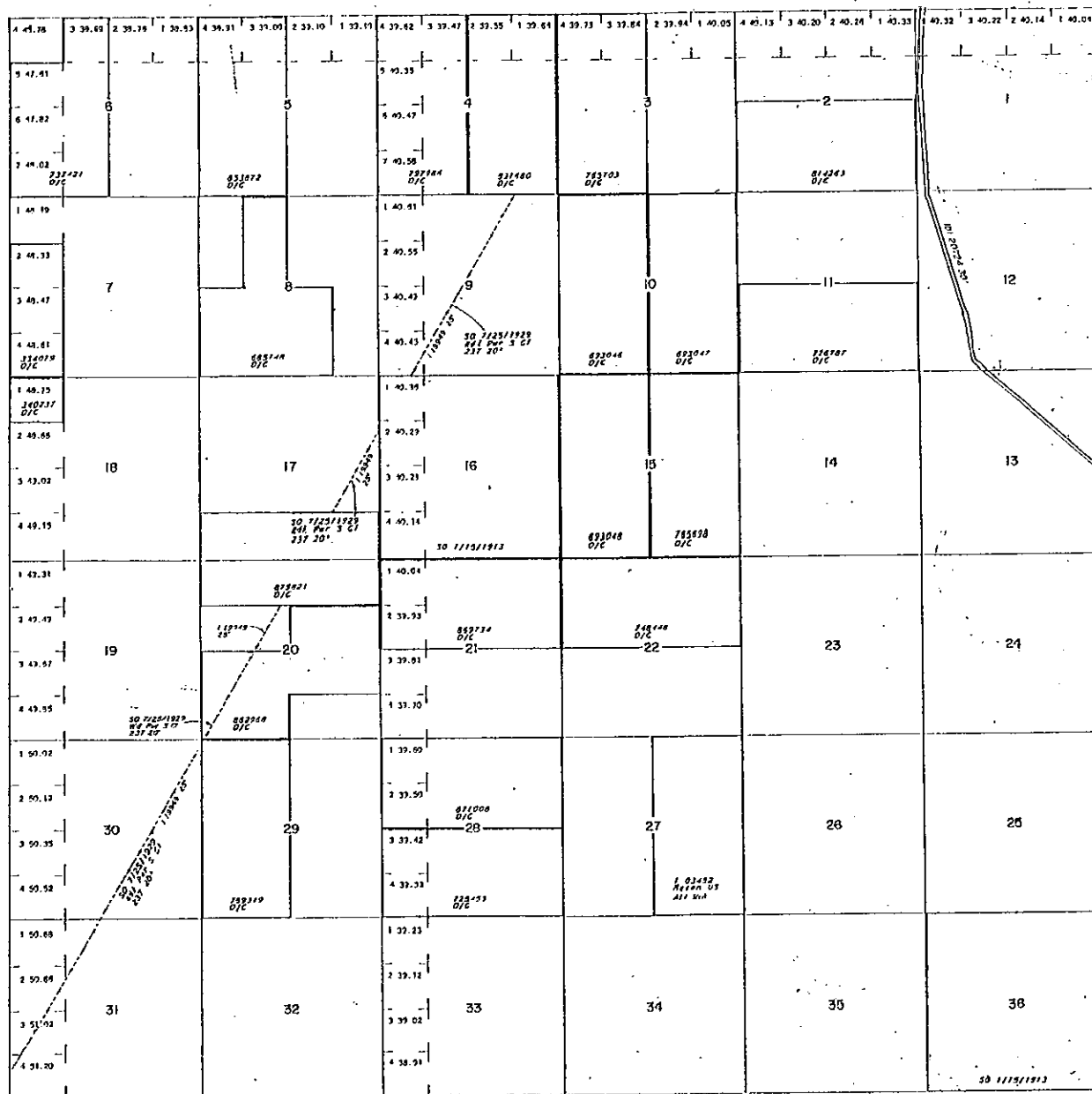
No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of such data for individual use or aggregate use with other data is not guaranteed.

T. 15 S
 R. 13 E

POISE DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

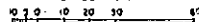
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
OCT 14 1963	

USE PLATE

Lat. 42° 9' 30" N
Long 115° 7' W

SCALE in Cholesky



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 herein do not reflect title changes which may have been effected by lateral movements of rivers or other bodies of water. Refer to the industrial surveys for official survey information.

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 WITHDRAWAL ORDER

Boise, Idaho

149

1. 114
2. 115

HOUSE DISTRICT SEC. 3

073 OWYHEE COUNTY 51 TWIN FALLS COUNTY 083

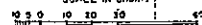
[illegible]

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

CURRENT TO	CURRENT TO
SEP 2 2003	
USE PLAYS:	

Lat. 42°09'30" N
Long. 115°00'00"

SCAF E in Chelms



WAKING TRAINING

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. Record errors do not reflect title changes which may have been affected by lateral movements of strata or other bodies of water. Refer to the individual owner's deed for details.

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-

Érica Mar

T 119

12 E