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JUN 28 2011

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 37-22129

(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 (Fred Price)

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

Point of Rocks Ranch, LLC

Represented by:

James P. Speck
Speck & Aanested, PC
P.O. Box 987
Ketchum, ID 83340

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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: POUs are described on BLM land in R29E due to a typo and should be described on private land within R20E.

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 described under the place of use element within the Amended Director's Report that was attached to the Standard Form 5 filed with the court on 06-20-11. The claimant is not authorized to use federal public land. Claimant's water right should not include a Place of Use ("POU") on federal public land. BLM believes the description of federal public land as a POU is a typographical error and all of the POUs should be described in R20E on private land.

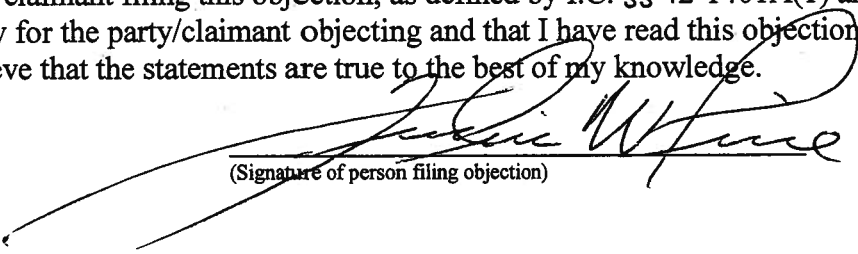
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JUN 28 2011

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)

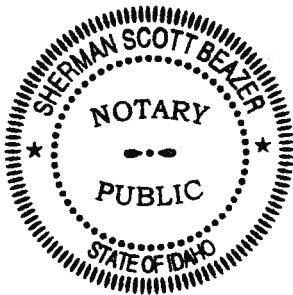
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 24th, 2011


Sherman Scott Beazer



Notary Public for State of Idaho
Residing at: Boise
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 June 24, 2011, 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:

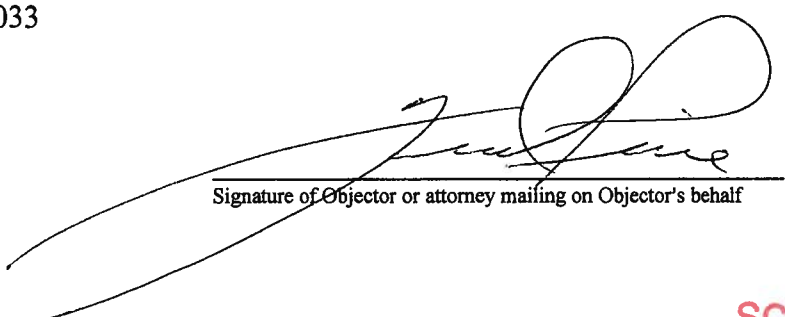
Point of Rocks Ranch, LLC
Represented by:
James P. Speck
Speck & Aanestad, PC
P.O. Box 987
Ketchum, ID 83340

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



Signature of Objector or attorney mailing on Objector's behalf

Original Director's Report

11/17/2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
29-13764	BARRY T WILLIAMS 1277 MINK CREEK RD ARBON ID 83212 VALORIE WILLIAMS 1277 MINK CREEK RD ARBON ID 83212	Disallowed	Forfeited/abandoned due to non-use from 1992 to 2006.
31-2047	EIGHTEEN MILE RANCH LLC C/O T R SHELBY 9255 N AVALANCHE CANYON DR JACKSON WY 83001	Disallowed	Forfeited/abandoned due to non-use from 1979 to 2005.
36-16491	SCOTT A EARLE 1127 E 2900 S HAGERMAN ID 83332 PAMELA R SMITH 1127 E 2900 S HAGERMAN ID 83332	Disallowed	Recommended as Right No. 36-16490.
<u>37-22129</u>	POINT OF ROCKS RANCH LLC PO BOX 9320 KETCHUM ID 83340	<u>Disallowed</u>	<u>No lawful appropriation shown.</u>
45-146	MICHAEL A POULTON PO BOX 279 OAKLEY ID 83346	Disallowed	No beneficial use found.
72-16708	MAURENE ZIEGLER HC 61 BOX 3080 CHALLIS ID 83226-9403 TROY R ZIEGLER HC 61 BOX 3080 CHALLIS ID 83226-9403	Disallowed	No beneficial use found.
79-4285	CITY OF GRANGEVILLE 225 N NORTH ST GRANGEVILLE ID 83530	Disallowed	Recommended as Right No. 79-4288.

37-22129 was disallowed in the 11/17/2008 Director's Report due to no lawful appropriation shown. The claimant filed an objection to overcome disallowance.

1

Original Objection

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: Point of Rocks Ranch LLC, P.O. Box 9320, Ketchum, ID 83340
2. ☒ **Source**
Should be: Groundwater
3. ☒ **Quantity**
Should be: 0.20 cfs
4. ☒ **Priority Date**
Should be: October 1, 1959
5. ☒ **Point(s) of Diversion**
Should be: NW1/4SE1/4 and SW1/4SE1/4, S.16, T.1S., R.20E., B.M., Blaine County, Idaho.
6. ☐ **Instream Flow Description**
Should be:
7. ☒ **Purpose(s) of Use**
Should be: Wildlife and recreation.
8. ☒ **Period of Year**
Should be: January 1 to December 31
9. ☒ **Place of Use**
Should be: NW1/4SE1/4 and SW1/4SE1/4, S.16, T.1S., R.20E., B.M., Blaine County, Idaho, for both wildlife and recreation uses.
10. **I object because:**
 - ☐ This water should not exist.
 - ☒ This water right was not recommended, but should be recommended with the elements described above.

Claimant's
Objection
claims POU's in
R20E (pvt).

37-22129 SF-5

06/15/2011

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

RIGHT NUMBER: 37-22129

NAME AND ADDRESS: POINT OF ROCKS RANCH LLC
PO BOX 9320
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.150 CFS

This right is limited to artesian flow from 3 wells during the non-irrigation season only and shall not be pumped to achieve delivery of water.

PRIORITY DATE: 11/01/1960

The holder of this water right shall not be entitled to make a call against any existing or future consumptive use water rights from surface and ground water sources in Basin 37.

POINT OF DIVERSION:

T01S R20E S16 NWSE Within BLAINE County
T01S R20E S16 NWSE Within BLAINE County
T01S R20E S16 SWSE Within BLAINE County

R29E places the POU's on BLM land. The Range should be changed from R29E to R20E as it was claimed in the Claimant's objection. This appears to be a typographical error.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
WILDLIFE	11/01 04/14	0.150 CFS
RECREATION	11/01 04/14	0.150 CFS

PLACE OF USE: WILDLIFE in BLAINE County

BLM	T01S R29E S16	NWSE	BLM	T01S R29E S16	SWSE
	<u>RECREATION in BLAINE County</u>				
BLM	T01S R29E S16	NWSE	BLM	T01S R29E S16	SWSE

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

JA
CA
NBS

Standard Form 5 Attachment for 37-22129 - Previously Disallowed

SF.1 - Objection, amended 10/16/97
6/24/11

37-22129
Page 7

SCANNED
JUN 28 2011

37-22129

T01S, R29E



R29E (incorrect location) shows no evidence of a water right in S16 NWSE (BLM) and SWSE (BLM), and is 54 miles away from the POD.

T01S, R20E



R20E (correct location) shows evidence of a water right in S16 NWSE (pvt) and SWSE (pvt), and the IDWR shape file for this claim is also located here.

BUTTE COUNTY 023
IDAHO FALLS DISTRICT SEC 3STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

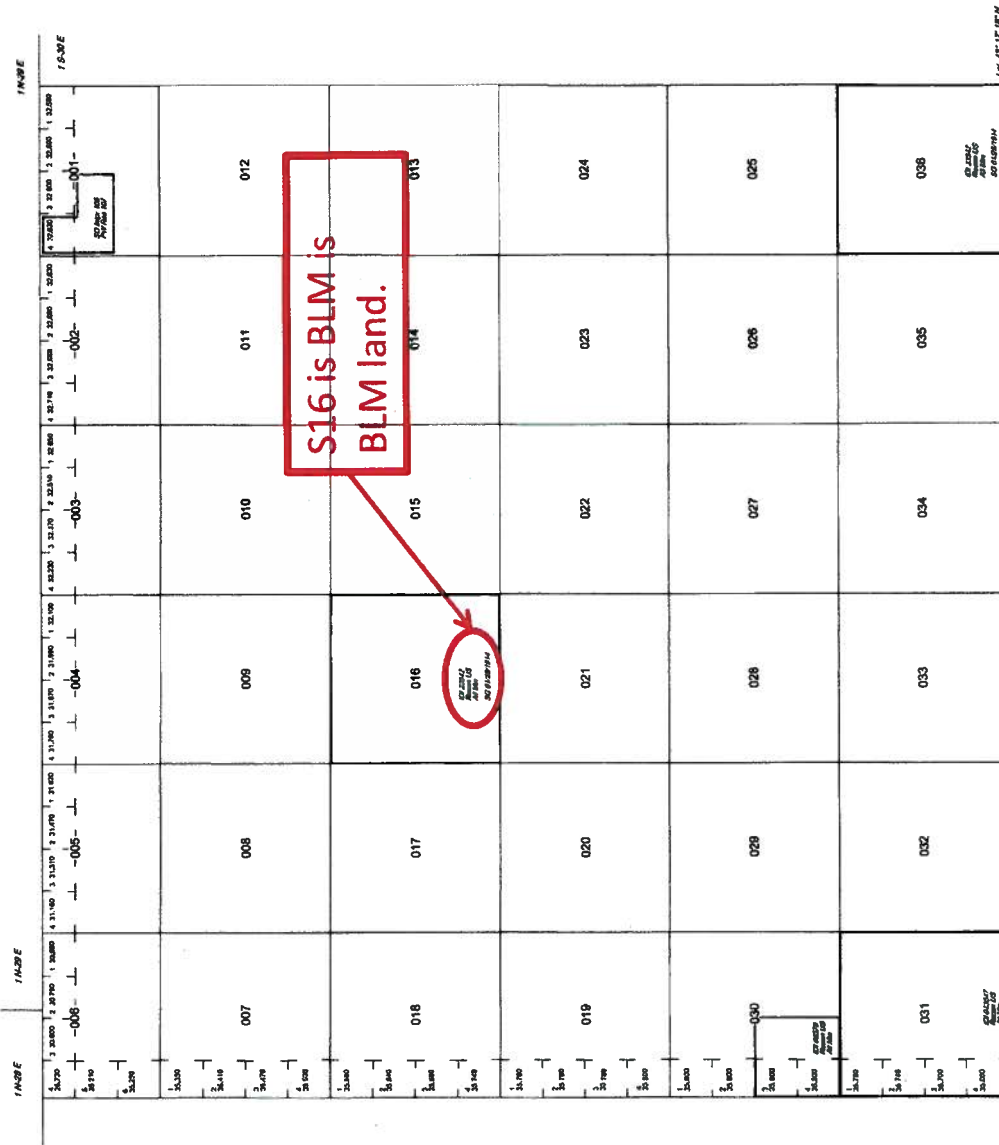
MT PLAT

[illegible][illegible]

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

POL REP	EXEMPTED FROM RELEASE	DATE	1/29
EXEMPTED FROM	REASON	BY	UP
LAST UPDATED	COMMENTS		
DATE OF	DATE OF		
POSTED TO PUBLIC RECORDS	February 16, 2018		
	BY		
PUBLIC LIAISON	SYSTEM FILED		
	ALL OTHERS ACQUIRED	6-16-2005	
	OTHER	N/A	
PRODUCED COORDINATE SYSTEM	UTM ZONE 18N UTM 18S		
NOTES			
USE MAP			

Eden Max
T. 13
A. 29 E

[illegible]

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

