

7-3

RECEIVED

JUL 05 2012

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 51-04087
(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 (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
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

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

Name: United States of America, acting through
U.S.D.I., Bureau of Land Management
Idaho State Office

Address: 1387 S. Vinnell Way
Boise, ID 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:

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 Priority Date reported in the Director's Report is inaccurate. The Priority Date should be consistent with BLM's original claim (04-15-1940) which is based upon the completion date of the range improvement project known as Sugar Valley Reservoir #1 (Proj #0271).

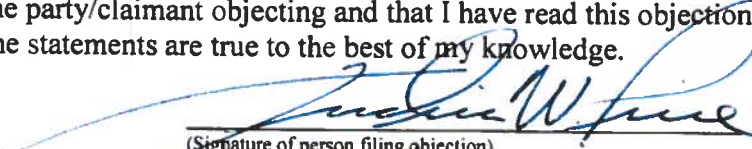
F.

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.

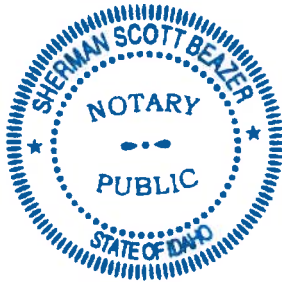

(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

June 29th, 2012


Sherman Scott Beazer



Notary Public for 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 2, 2012, 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:

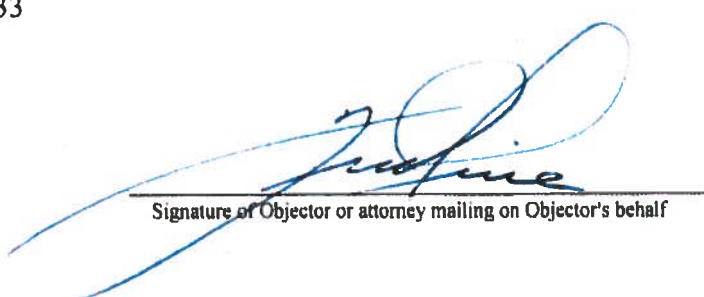
United States of America, acting through
U.S.D.I., Bureau of Land Management
Idaho State Office
1387 S. Vinnell Way
Boise, ID 83709-1657

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

06/04/2012

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

RIGHT NUMBER: 51-4087

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT
1387 S VINNELL WAY
BOISE ID 83709-1657

SOURCE: UNNAMED STREAM

TRIBUTARY: SUGAR CREEK

QUANTITY: 13.89 AFY

The quantity of water under this right and right no. 51-2265 shall not exceed 13,000 gallons per day.

Right nos. 51-2265 and 51-4087 are limited to a total combined annual diversion volume of 13.89 AF.

PRIORITY DATE: 04/15/1942

Priority Date should be 04/15/1940

POINT OF
DIVERSION:

See attached Form 1-519 Completed Work Project

T10S R05E S8 SWSE Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
WILDLIFE STORAGE	01/01 12/31	13.89 AFY
WILDLIFE FROM STORAGE	01/01 12/31	13.89 AFY

PLACE OF USE:

WILDLIFE FROM STORAGE in OWYHEE County

T10S R05E S08 SWSE T10S R05E S17 NWNE

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

Right no. 51-2265 is also diverted through point of diversion described above.

BLM RECORD ID = 5101688203 PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

Start Date

Finish M/Y Finish Day

Project #

Location

Approved 12/15/39	Period 1	Or 1	Units	Ma	Na	Camp Project No. 65	#0271
Location SW 1/4 Sec. 17 T. 10S R. 5E	T. 10S	R. 5E	State, Idaho	County Owyhee	Graz. Dist. 1	Cong. Dist. 2	
Public Domain	Private	Easement Secured	none	Collaboration	none		
Started 11/39	Per. 14	Fin. 4/40	Per. 15	Allotment of	General Use		
ESTIMATED COST				ACTUAL COST			
Super. (S.E. & F)	570.00		Super. Prorated	2232.94		UNITS FINISHED	
Supplies-Materials			Supplies-Materials	98.12		BENEFITS	
Gas-Oil-Equip	809.90		Gas-Oil-Equip.	859.59		Stockmen	
Skilled Labor			Total DG	3190.65		Acres	
Total Div. Grazing	xxxxxx 1399.90		Contributions Private			Cattle	
Contributions Private			" 25% fund			Sheep	
Contributions D G			" 50% fund			Horses	
Total Contributions	xxxxxx		Total Contributions	xxxxxx		Goats	
Total Estimated Cost	xxxxxx 1399.90		Total Actual Cost	xxxxxx 6190.65		Total	
Man-Days 2000	xxxxxx		Man-Days	2951		Suspended*	
FOR WATER DEVELOPMENT PROJECTS ONLY							
Well 146- Depth	Size	Spring 159-	Flow	GPM		Abandoned*	
Windmill-Make	Wheel	Tower	Gas Pump			WP-b Fwd.	
Throughs, Kind	Sheep	Ft.	Cattle	Ft. Cap.	Gal.	Date Report	
Storage 145-	Kind	Size	Cap.	Gal.		Rec.	
Conduit 14-	Size	Width	Depth	Length		Fwd.	
Waterhole 160-	Reservoir 161-	Cap Gal.	Acres Ft.			Prat Fwd.	
Dam 122	Type Earth	Top length 121	Max. Ft. Hg	Acres Ft. Hg		Remarks	
Detailed narrative stating purpose, justification, value to the community and/or reason for, on reverse side of card.							
FORM 1-519 COMPLETED WORK PROJECT							

Capacity

The tie on this reservoir is SW 1/4 of Sec 8 T10S R5E Boise Meridian to NW 1/4 of NE 1/4 Sec. 17 T10S R5E, 679 feet due west from Station X on center line of dam to the 1/4 corner between sections 8 and 17 T10S R5E, Boise Meridian.

I certify that this reservoir has been constructed in accordance with the specifications and plans approved by the Regional Office.

Lewis H. Rinebold
Camp Engineer

I certify that the man-days and costs reported on the reverse side of this form are correct to the best of my knowledge.

George S. Craig
Project Superintendent

**Improvement Master Report
Improvement Information**

BLM State: ID BLM Office: Bruneau FO

RIPS

Project Number: 300271Begin Date:Completed Date:Abandoned Date:Improvement Name:Sugar Valley
Reservoir #1Financial Project Code:Management Objective:

Other

Improvement Type:Water
Control/DevelopmentConstruction Agreement:Maintenance
Responsibility:

Range User

Habitat Type:

Terrestrial

Last Inspection Year:

1980

Management Plan Type:

No Plan

Inspection Cycle:

3

LocationGeographic State: IdahoGeographic County: OwyheeMeridian: BoiseTownship:10SRange: 5ESection: 17Subdivision: SWSEUnits Completed

<u>Improvement Project ID</u>	<u>Project Phase:</u>	<u>Fiscal Year:</u>	<u>Units:</u>	<u>Description:</u>	<u>Units:</u>	<u>Description:</u>
21421	New	1940	1.0	Number of Reservoirs	3443.0	Cubic yards of fill

Improvement DetailsImprovement Class:

Reservoirs

Treatment Class:Plant or Weed Control Method:Chemical Common Name:Chemical Trade Name:Seeding Method:Species Benefited Group:

<u>Species Name</u>	<u>Plant or Animal</u>	<u>Type of Effect:</u>	<u>Threatened and Endangered Species:</u>
---------------------	------------------------	------------------------	---

Watershed TillageAcres Feet of Water Stored: 14Method:Beneficial Salinity Control
Effects:EnvironmentalAssessment #:Water-Right Number:Miscellaneous InformationProject 1:Project 2:11Undefined 1:Undefined 2:Improvement Notes:Management UnitsAllotment Number: 00809Watershed Management
Area:Wildlife Management Area:WH&B Herd
Area:Cooperator Costs

<u>Cooperator Type:</u>	<u>Cooperator Name:</u>	<u>Contributed Material Cost:</u>	<u>Contributed Labor/Equipment Cost:</u>
-----------------------------	-----------------------------	---------------------------------------	--