

In Re the General Adjudication)
of the Rights to the Use of Water)
from the Snake River Basin)
Water System)

The State of Idaho, ex rel.)
R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)

Petitioner,)

vs.)

The United States; the State of Idaho; and all Claimants to the use of water from the Snake River Basin Water System,

Respondents.)

RESPONSE TO OBJECTION NO. 34-04138 -0001 - PAGE 1

2. Person who filed objection:

Name: US BUREAU OF LAND MGMT
Address: IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706-2544

3. If this response is filed by an attorney:

Attorney Name(s): A. LYNNE KROGH-HAMPE
Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449
Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

3. ☒ Quantity: I respond to the objection concerning:
3b. ☒ The total quantity of water stored in acre feet
per year.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 3 and 3.b, and all allegations of the objection regarding these items, IDWR responds as follows.

The United States previously filed with IDWR a statutory claim for this right pursuant to Idaho Code sections 42-242 et seq. The statutory claim stated a diversion volume of .26 acre feet. The statutory claim also stated the dimensions of the storage facility as 75' by 25' by 6'. Based on these dimensions, the storage capacity of the facility is .10 acre feet, which is the diversion volume recommended in the director's report. IDWR denies the objection and any allegations of the objection not expressly admitted herein.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

No. of
Pages

Notice of Claim No. A34-04138

2

(Over)

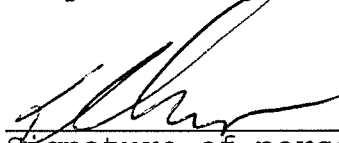
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

David B. Shaw, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



Signature of person filing response

By: A. Lynne Krogh-Hampre
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 16th day of July,
1993.

Dally Moya

Notary Public for Idaho
Residing at: Boise ID
My Commission expires: 11-14-1998

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of July, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

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, and you must fill in the following information:

See No. 3

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: US DEPT OF JUSTICE
Address: K JACK HAUGRUD & DARIA J ZANE
550 W FORT ST
BOX 33
BOISE ID 83734

A. Lynne Kosh-Hampe
Signature of Respondent or attorney
mailing on Respondent's behalf

IN THE DISTRICT COURT OF
THE FIFTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER
FROM THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1950-06-01
IDWR WATER RIGHT NO. 3404138
BLM NUMBER: 3403488103
BASIS OF CLAIM: STATUTORY
BASIN NO.: 34

SOURCE	TRIBUTARY TO
-----	-----
UNNAMED STREAM	SINKS

DESCRIPTION OF DIVERSION WORKS

75 FT. X 25 FT. X 6 FT. PIT RESERVOIR

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
-----	-----	-----	-----	-----
WILDLIFE	0.000	0.23	0101	1231
STOCKWATER	0.000	0.26	0401	1215
TOTAL:	0.000 CFS	0.26 AF		

NON-IRRIGATION USES

500 RANGE CATTLE, 100 ANTELOPE, 5 DEER, SAGE GROUSE

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
---	---	---	-----	-----	-----	---	-----
03N	27E	13		NE	NE	00	BUTTE

PLACE OF USE							OWNED	IRRIGATED ACRES
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	-----	-----
---	---	---	-----	-----	---	-----	-----	-----
03N	27E	13	NE	NE	00	BUTTE		0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

PREVIOUSLY FILED WITH THE IDAHO DEPARTMENT OF WATER RESOURCES

