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Department of Water Resources
Southern Region

**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** 43-10619
(Insert water right number)

## STANDARD FORM 1 OBJECTION

SF 5 Prepared by S.O.

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: see below
Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 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: Paul A. Ward
Address: 1960 S. Elba/Almo Rd.; Elba, ID. 83342
Name: Beverly Ward
Address: 1960 S. Elba/Almo Rd.; Elba, ID. 83342
Name:
Address: ;
Name:
Address: ;

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 legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

F. **VERIFICATION** (Must be Completed)

State of Idaho )
) ss.
County of Ada)

Gary A. Madenford, Water Rights Team Leader, 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.

Gary A. Madenford
(Signature of person filing objection)

Gary A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: February 7, 2002

Linda C. Buck

LINDA C. BUCK NOTARY PUBLIC STATE OF IDAHO

Linda C. Buck
Notary Public for Idaho
Residing at: Mountain Home
My Commission Expires: 12-21-2005

## 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 Feb. 8, 2002, 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: Paul A. Ward
Address: 1960 S. Elba/Almo Rd.; Elba, ID. 83342
Name: Beverly Ward
Address: 1960 S. Elba/Almo Rd.; Elba, ID. 83342
Name:
Address: ;
Name:
Address: ;

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

Gary A Maderfard
Signature of Objector or attorney mailing on Objector's behalf

09/19/2001

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

RIGHT NUMBER: 43-10619

NAME AND ADDRESS: BEVERLY WARD
1960 S ELBA/ALMO RD
ELBA ID 83342

PAUL A WARD
1960 S ELBA/ALMO RD
ELBA ID 83342

**MIXED OWNERSHIP**
**-THE PLACE OF USE IDENTIFIED BELOW CONTAINS BOTH PRIVATE AND PUBLIC LANDS.**
**-CLARIFY THE POU SUCH THAT IT IS CLEAR THAT ONLY PRIVATE LAND IS INTENDED.**

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.040 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 12/31/1880

POINT OF DIVERSION:

T13S R25E S32 SWSWNE Within CASSIA County

PURPOSE AND PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|---|---|---|
| DOMESTIC | 1/01 12/31 | 0.040 CFS |

PLACE OF USE: DOMESTIC Within CASSIA County

T13S R25E S32 SWNE → BLM Apt.

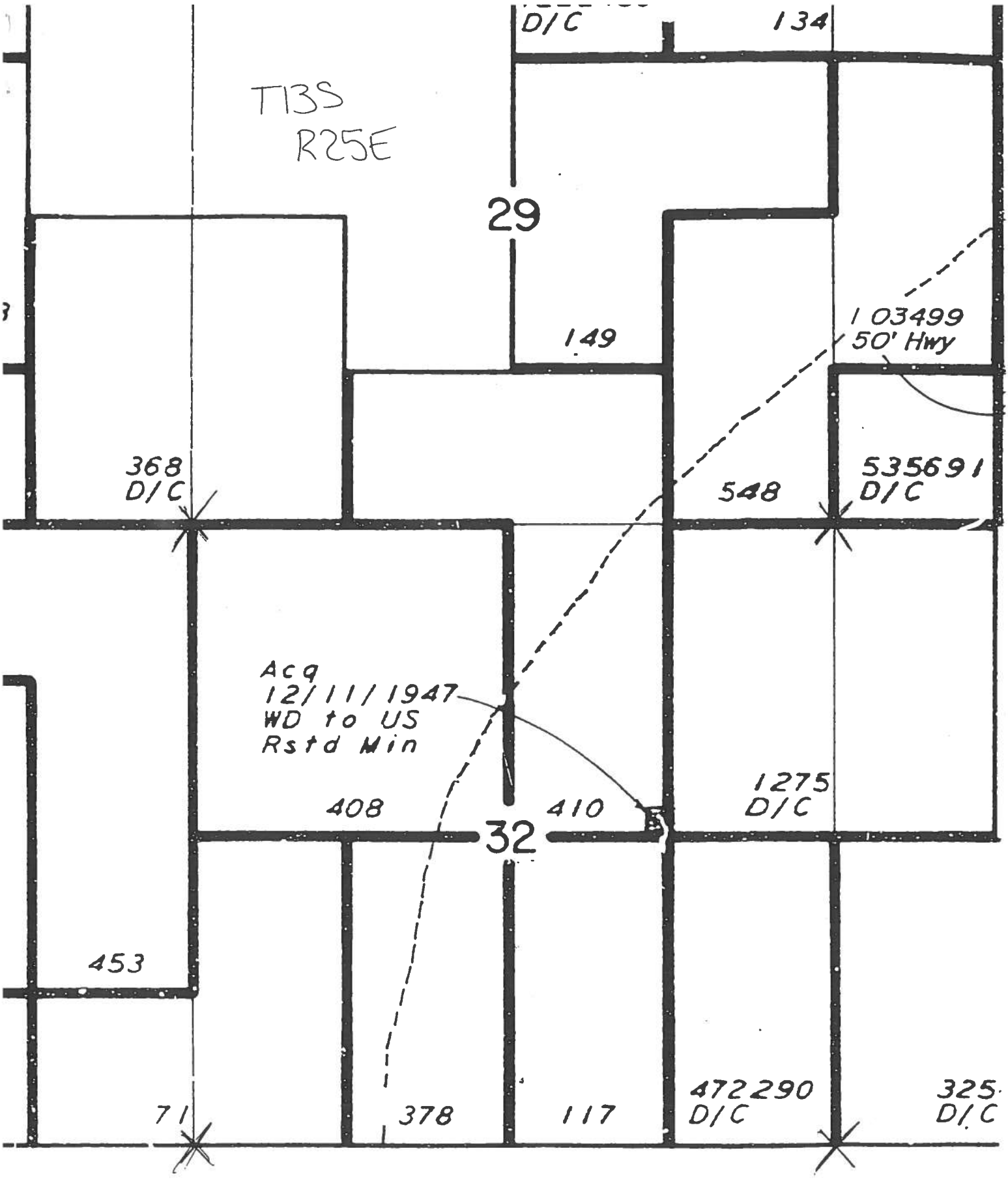
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

**THE FOLLOWING REMARK INSERTED UNDER PLACE OF USE WOULD ELIMINATE THE BLM'S OBJECTION**

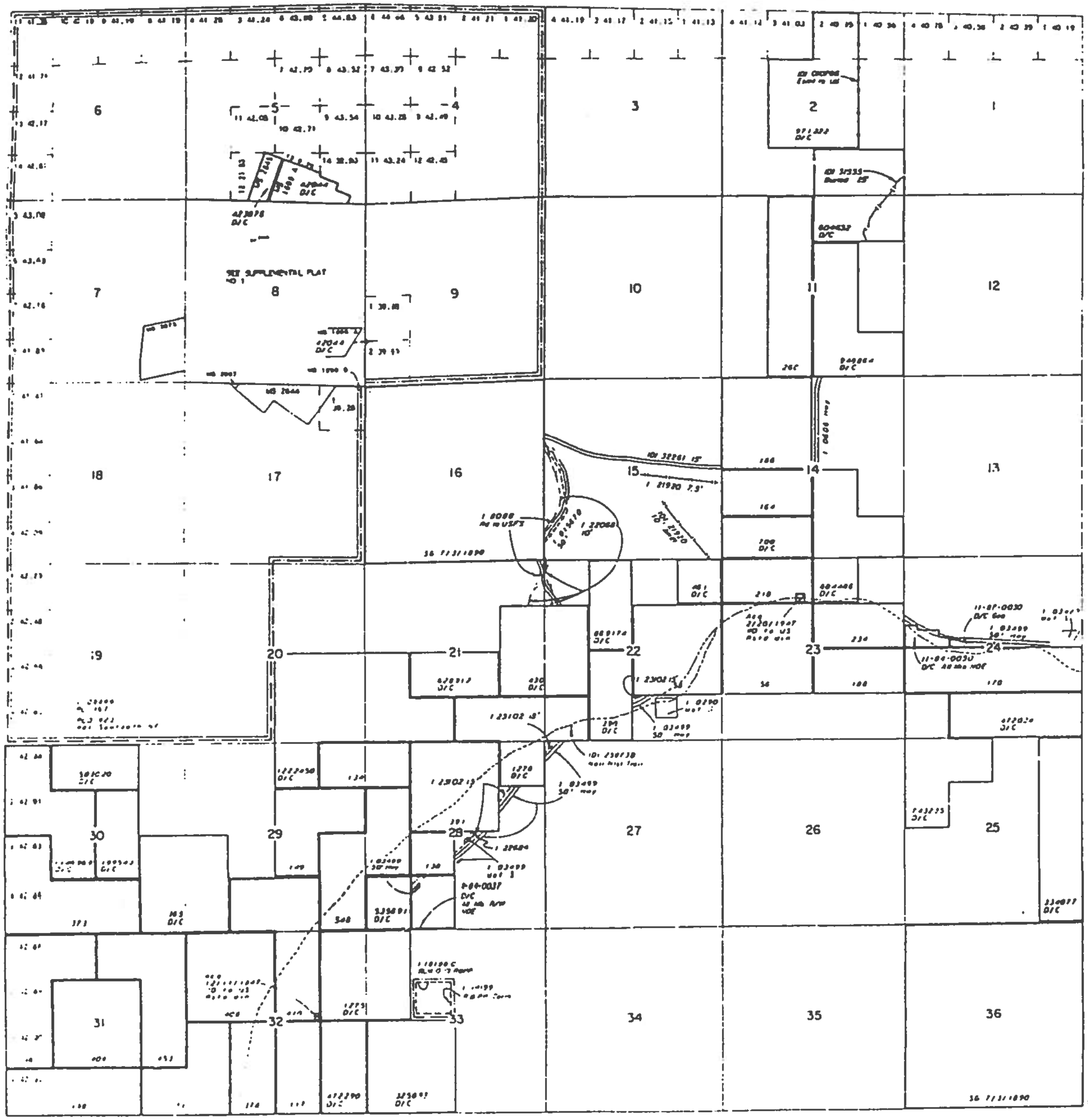
**-THE USE OF WATER UNDER THIS RIGHT DOES NOT INCLUDE A USE ON FEDERAL PUBLIC LAND**


D/C
134
T13S
R25E
29
149
1 03499
50' Hwy
368
D/C
548
535691
D/C
Acq
12/11/1947
WD to US
Rstd Min
408
410
32
1275
D/C
453
71
378
117
472290
D/C
325
D/C

# TOWNSHIP 13 SOUTH RANGE 25 EAST OF THE BOISE MERIDIAN, IDAHO

CASSIA COUNTY

BURLEY DISTRICT SEC 3



SCALE in Chains

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

## MT PLAT

| INDEX TO SEGREGATED TRACTS | | | | |
|---|---|---|---|---|
| RESURVEY | ORIGINAL SURVEY | | | |
| TRACT NO | T | R | SEC | SUBDIVISION |
| | | | | |

1 09999 Oct PL 167 (Act of Cong 7/23/1955)
completed 1/15/1962. All of surface mgmt by USFS
excluding
1 09999 A 1 Sec 8 Sec. Grant
1 09999 A 2 Sec 8 W½ Excelsior
1 09999 A 4 Sec 7 SE¼ Independence
1 09999 A 5 Sec 7 E½ Flagstaff
1 09999 A 5 Sec 8 W½ Flagstaff

IDI 18199 R&PP Landfill Lse Term 12/18/1997
Sec 33: SENW

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

CURRENT TO FEB 23 1998

CURRENT TO

USE PLATS

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