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Department of Water Resources
Southern Region

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Department of Water Resources
Adjudication Bureau

**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 43-02714

(Insert water right number)

**DOMESTIC AND
STOCK WATER RIGHT
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: see below

Name & Address of Attorney, if any:

R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494

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

Address: 1387 South Vinnell Way

Name: Bureau of Land Management

Address: Boise, Idaho 83709-1657

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 reported in the Director's Report for the POU of this claim is inaccurate. See attached for revised POU legal description.

F.

VERIFICATION (Must be Completed)

State of Idaho)

)ss.

County of Ada)

Tom Dyer, BLM Area Manager, 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: _____

Notary Public for _____

Residing at: _____

My Commission Expires: _____

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 _____, 199__, 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
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: United States of America

Address: 1387 South Vinnell Way

Name: Bureau of Land Management

Address: Boise, Idaho 83709-1657

Name:

Address:

Name:

Address:

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

Signature of Objector or attorney
mailing on Objector's behalf

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: FEB-27-1998
PAGE: A-18

RIGHTS FROM: SOURCE: BLACKSMITH SPRING TRIBUTARY: SINKS

RIGHT NUMBER: 43-02714

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

SOURCE: BLACKSMITH SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 02/20/1970

POINT OF DIVERSION: T13S R25E S01 NWSW Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	WILDLIFE	01-01 12-31	0.02 CFS

PLACE OF USE: STOCKWATER Within CASSIA County

~~T13S R25E S01 NWSW~~

WILDLIFE Within CASSIA County

~~T13S R25E S01 NWSW~~

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.EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
BLM RECORD ID = 4302488114
1086/CATTLE 75/DEER 25/ANTELOPE

ADD (STOCKWATER)

T13S R25E S13 SW SW

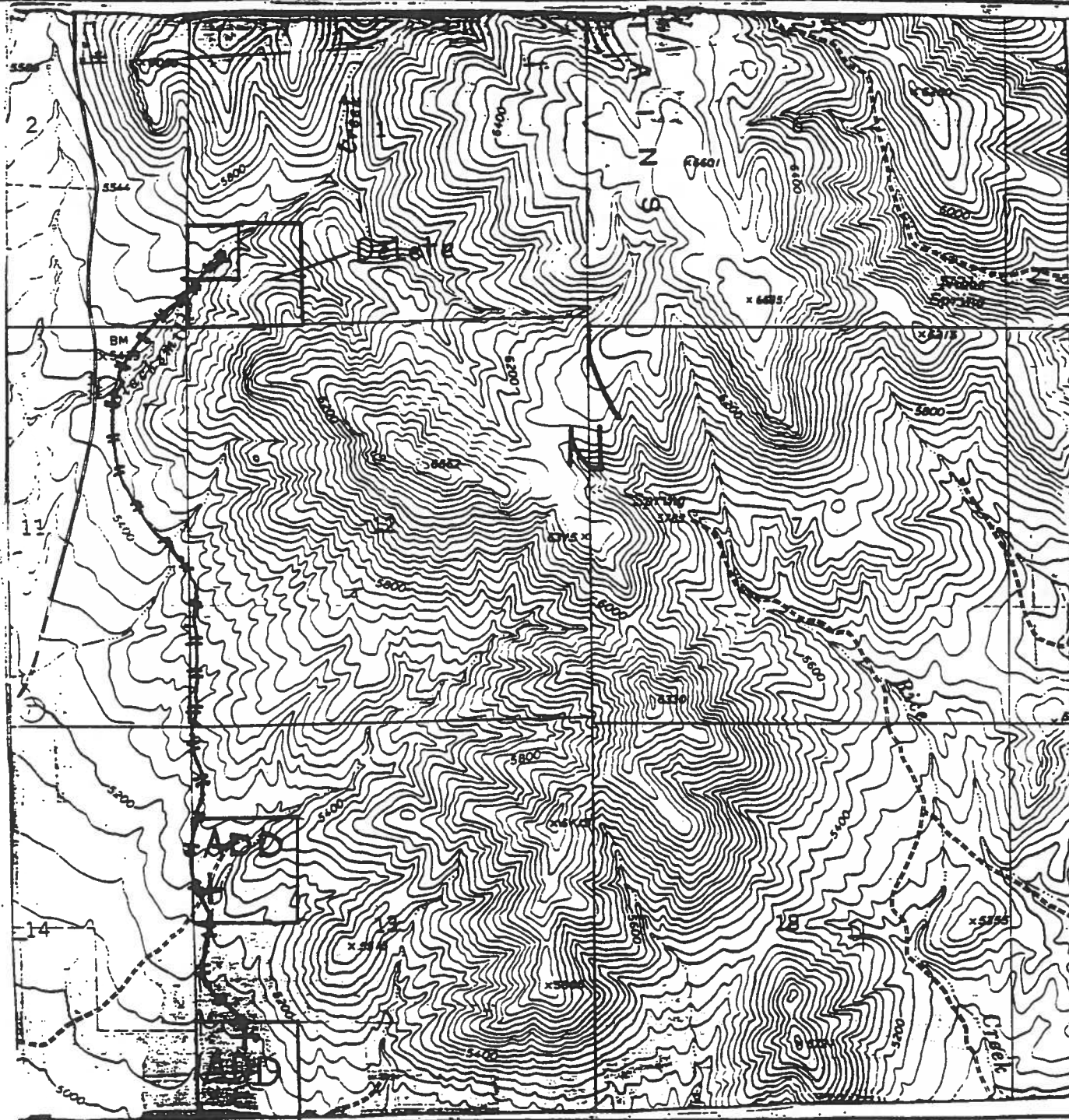
T13S R25E S13 SW NW

ADD (WILDLIFE)

T13S R25E S13 SW SW

T13S R25E S13 SW NW

WATER RIGHTS CLAIM MAP

TOWNSHIP 13 S RANGE 25 E MERIDIAN: BOISE QUAD MAP NAME NIBBS CREEK ID

KEY

SCALE 1:24000

	DOWNSTREAM USE CLAIM		POD
ADD	POD AND/OR POU LEGAL TO BE ADDED		POU (NOTE: THIS IS A TROUGH UNLESS DESIGNATED OTHERWISE)
DELETE	POD AND/OR POU LEGAL TO BE DELETED		POD AND POU (NOTE: POU IS A TROUGH UNLESS DESIGNATED OTHERWISE)
*	LOT # TO BE ADDED TO TRACT DESCRIPTION ALREADY ON CLAIM		DITCH
UP	UPSTREAM POD FOR DOWNSTREAM USE SEGMENT :		FENCE
DN	DOWNSTREAM POD FOR DOWNSTREAM USE SEGMENT :		

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: 1970-02-20
IDWR NUMBER: 4302714
BLM NUMBER: 4302488114
BASIS OF CLAIM: LICENSE
BASIN NUMBER: 43

SOURCE	TRIBUTARY TO
-----	-----
SPRING (BLACKSMITH SPRINGS)	SINKS

DESCRIPTION OF DIVERSION WORKS

SPRING COLLECTION BOX, 2 MI.S P/L, 3 TROUGHS'

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE	
			FROM	TO
-----	-----	-----	----	-----
STOCKWATER	0.020	0.00	0101	1231
WILDLIFE	0.020	0.00	0101	1231
TOTAL:		0.020 CFS	0.00	AF

NON-IRRIGATION USES

1086/CATTLE 75/DEER 25/ANTELOPE

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
---	---	---	-----	-----	-----	---	-----
13S	25E	01		SW	SW	00	CASSIA

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
---	---	---	-----	-----	---	-----	-----	-----
13S	25E	01	SW	SW	00	CASSIA	YES	0.0
13S	25E	11	SE	NE	00	CASSIA	YES	0.0

BLM NUMBER: 4302488114

PAGE: 2

13S	25E	12	SW	SW	00	CASSIA	YES	0.0
13S	25E	13	SW	NW	00	CASSIA	YES	0.0
13S	25E	01	SW	SW	00	CASSIA	YES	0.0
13S	25E	11	SE	NE	00	CASSIA	YES	0.0
13S	25E	12	SW	SW	00	CASSIA	YES	0.0
13S	25E	13	SW	NW	00	CASSIA	YES	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 DEPARTMENT OF WATER RESOURCES

MANAGEMENT WILDLIFE

added by clearing -
trap shrimp pond
on BLACKSMITH
CR - LIC: SPRING

WITH SPRING Tributary to:

Stage: LICENSE

NWSWSW

NWSWSW
added by Chris - may OK

NE

NW

SW

SE

~~Q~~

NE

NW

SW

SE

~~W~~

delete & usages

LIC POV \$ 01 SWSN only
no amended POV -
no evidence submitted

EXP BLM RECORD I
1086/CATTLE

Audit: 09/29/97 AJCTR 02/02/98 VHANCOCK

⑦ 02-03-98

12/5/99

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

In Re SRBA

Case No. 39576

AMENDED NOTICE of CLAIM for
Water Right number:

43-02714

NAME and
ADDRESS:

United States of America acting through
Bureau of Land Management
Idaho State Office
1387 South Vinnell Way
Boise, ID 83709 - 1657

BLMIDENT:

4302488114

Stg:

StFed:

L

S

SOURCE:

Source	Tributary
BLACKSMITH SPRING	SINKS

QUANTITY:

0.02

CFS

or VOLUME:

0

Acre Feet

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

PRIORITY DATE:

2/20/1970

Diversion Means: SPRING COLLECTION BOX, M.I.S P/L, TROUGHS'

REMARKS:

POINT of
DIVERSION:

Twtnship	Range	Section	T1	T2	T3	LOT	B/E	within the	County of
13S	25E	1	SW	SW				31	Cassia

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in AcFt
04	0101	1231	0.02	0
16	0101	1231	0.02	0

CONSUMPTIVE
USE:

de minimis

stockwater use

DATE:

08-Dec-97

2:08 PM

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

The quantity of water decreed for this water right for stockwater use is not a
determination of historical beneficial use.

PLACE
of USE:

Water Use	Twtn	Rge	Sec	T1	T2	LOT	within the	County of
04	13S	25E	1	SW	SW	0	31	Cassia
04	13S	25E	13	SE	SW	0	31	Cassia
16	13S	25E	1	SW	SW	0	31	Cassia
04	13S	25E	11	SE	NE	0	31	Cassia
04	13S	25E	12	SW	SW	0	31	Cassia
04	13S	25E	13	SW	NW	0	31	Cassia
16	13S	25E	11	SE	NE	0	31	Cassia
16	13S	25E	12	SW	SW	0	31	Cassia
16	13S	25E	13	SW	NW	0	31	Cassia
16	13S	25E	13	SE	SW	0	31	Cassia

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DEC 09 1997

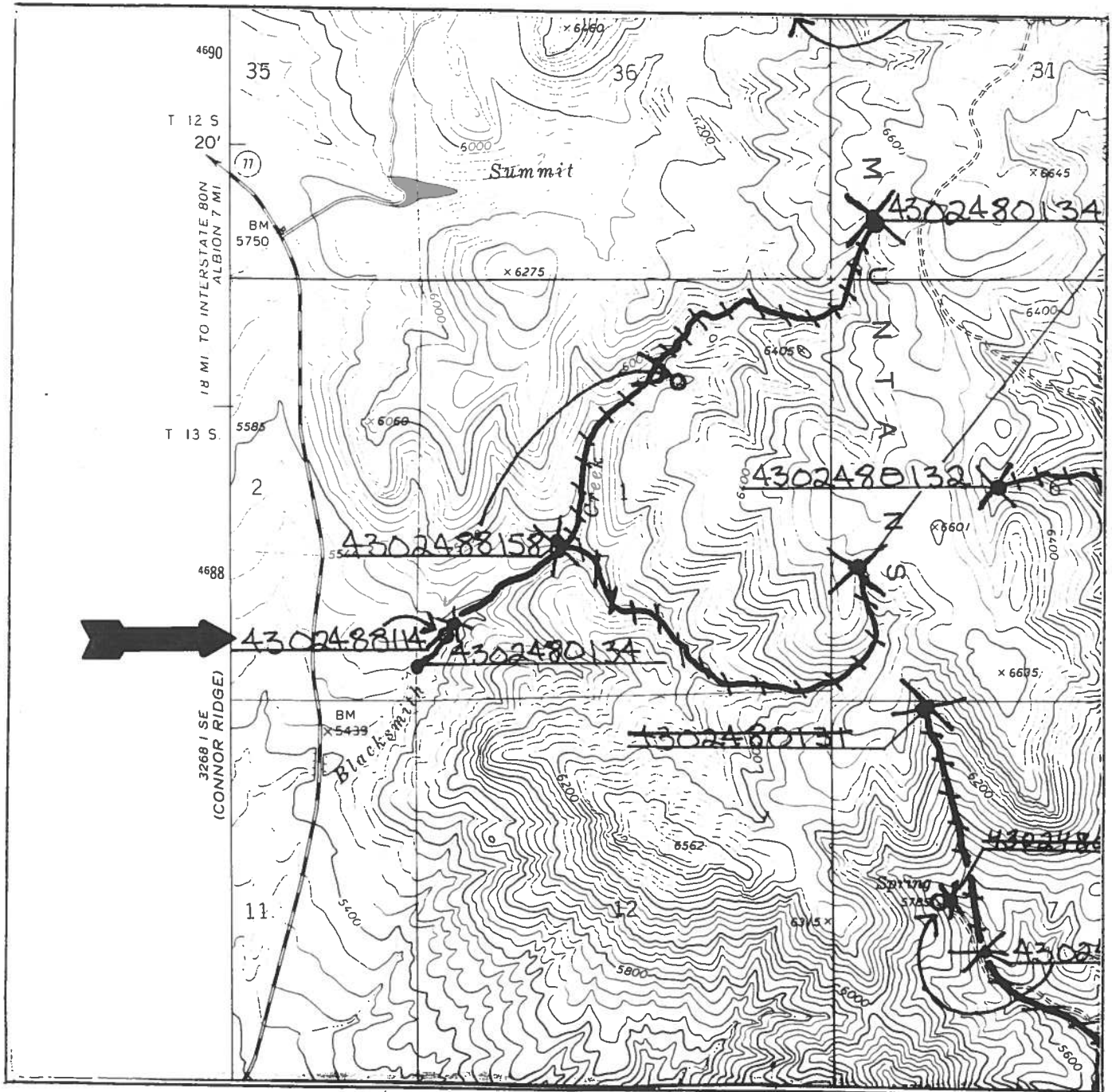
Department of Water Resources

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

WATER RIGHTS CLAIM MAP

BLM IDENTIFICATION NUMBER
4302488114

TOWNSHIP 13 S RANGE 25 E MERIDIAN: BOISE QUAD MAP NAME NIBBS CREEK



LEGEND

SCALE: 1" = 24,000

POD (ORIGINAL, CORRECT LOCATION)

INSTREAM USE CLAIM

POD (ORIGINAL LOCATION, INCORRECT)

INSTREAM USE CLAIM, DROPPED SEGMENT

POD (CORRECTED LOCATION, OR ADDED POD)

4302488000

WITHDRAWN CLAIM

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SEP 15 1997

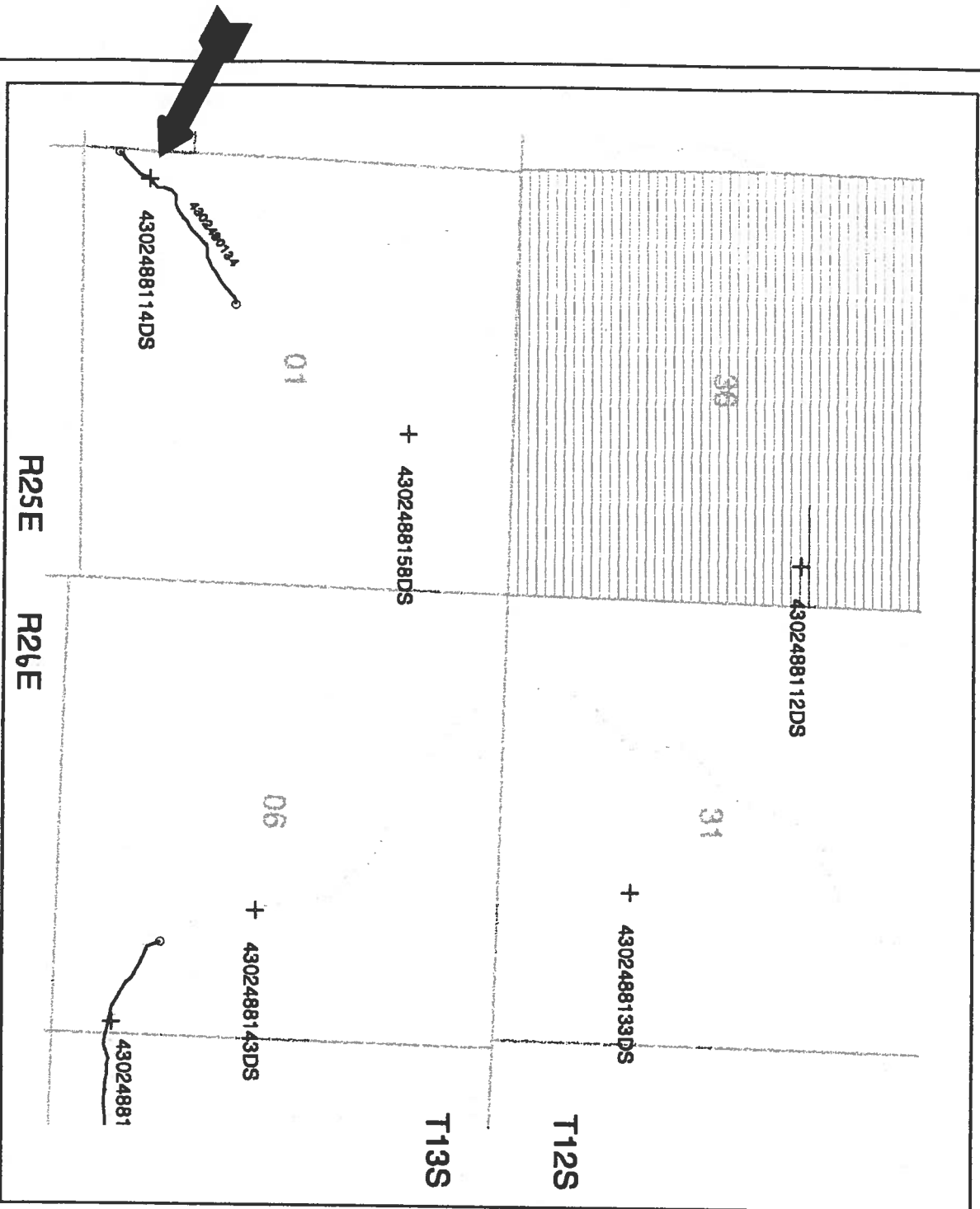
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Department of Water Resources

WATER RIGHTS: BASIN 43 Nibbs Creek C442113



- WATER RIGHT POINT
- WATER RIGHTS STREAM POINT
- Point of diversion
- Water segment break
- Other stopping point
- Water Monitoring Site
- WATER RIGHTS STREAMS
- WATER RIGHTS AREA
- TRANSPORTATION
- Improved Road
- Secondary Road
- Trail
- Nibbs Creek 7.5' QUADRANGLE
- BLM
- PRIVATE
- STATE
- USFS
- SECTIONS

CLAIM DESCRIPTION

(Claim No.) D - Point of Diversion
(Claim No.) U - Place of Use
(Claim No.) PU - POD & POU
Within 100' of each other
or Inseparable

Claims are further identified by the following:

- W - Well
- R - Reservoir
- T - Trough
- P - Pond
- Pl - Playa
- O - Other

1:24000



Projection: UTM Zone 12
Datum: NAD27 Conus

Water Rights Basin 43 - 02/10/97
For Internal BLM Use Only
gja/prospect/water/rights/z12/
plots b43/
basin43_0442113_022797.apr

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BLMIDENT:

4302488114

Stg:

StFed:

L

S

SOURCE:

Source	Tributary
BLACKSMITH SPRING	SINKS

QUANTITY:

0.02

CFS

or VOLUME:

0

Acre Feet

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

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PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in AcFt
04	0101	1231	0.02	0
16	0101	1231	0.02	0

CONSUMPTIVE
USE:

de minimis

stockwater use

DATE:

13-Sep-97 9:22 AM

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

PLACE
of USE:

Water Use	Twtn	Rge	Sec	T1	T2	LOT	within the	County of
04	13S	25E	1	SW	SW	0	31	Cassia
04	13S	25E	13	SE	SW	0	31	Cassia
16	13S	25E	1	SW	SW	0	31	Cassia
04	13S	25E	11	SE	NE	0	31	Cassia
04	13S	25E	12	SW	SW	0	31	Cassia
04	13S	25E	13	SW	NW	0	31	Cassia
16	13S	25E	11	SE	NE	0	31	Cassia
16	13S	25E	12	SW	SW	0	31	Cassia
16	13S	25E	13	SW	NW	0	31	Cassia
16	13S	25E	13	SE	SW	0	31	Cassia

RECEIVED

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Department of Water Resources