3-16

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

In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System	Case No. 34-04188 (You must insert the water right number you are objecting to)
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.	**OBJECTION** RECEIVED MAR 16 1993 Department of Water Resources Adjudication Bureau 34-04188 -0001/ 93-03-0367

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be **received** by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

(Over)

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: United States of America
Bureau of Land Management

Address: U.S. Department of Interior
Idaho State Office
3380 Americana Terrace
Boise, Idaho 83706-2544

Briefly describe your interest in this water right:

The United States of America, through the Bureau of Land Management (BLM) has a valid water right which requires specific corrections to the previous filing.

2. Owner of the water right:

Name: Claimant: U.S. Department of Interior

Address: Bureau of Land Management
Idaho State Office
3380 Americana Terrace
Boise, ID 83706

3. If this objection is filed by an attorney:

Attorney Name: K. Jack Haugrud
Daria J. Zane

Attorney Address: U.S. Department of Justice
550 West Fort Street
P.O. Box 33
Boise, Idaho 83734

Attorney Phone No.: 202-272-4134/8351

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.

2. ☐ Source: I object to the source of water.

3. ☐ Quantity: I object to:

   a. ☐ the total quantity of water used in cubic feet per second; or

   b. ☐ the total quantity of water stored in acre-feet per year; or

   c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.

4. ☒ Priority Date: I object to the priority date.

5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.

6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.

7. ☐ Purpose(s) of Use: I object to purpose(s) of use.

8. ☐ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.

9. ☐ Place of Use: I object to:

   a. ☐ the legal description of the place of use; or

   b. ☐ the number of irrigated acres within each forty (40) acre subdivision.

10. ☐ Consumptive Use: I object to the annual volume of consumptive use.

11. ☐ Remarks: I object to the "remarks" listed with the water right.

(Over)

12. ☐ Water Right Recommendation: I object:

a. ☐ this water right being recommended at all; or

b. ☐ this water right not being recommended.

13. ☐ Description of Reservation: I object to the legal description of the reservation.

14. ☐ Other: I object to: _____

_____

_____

_____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

The United States of America, acting through the Bureau of Land Management (BLM) has a valid water right. This claim as it appears in the Director's Report contains errors or is incomplete and requires amendment.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

The Director's Report should be changed to recommend allowance of this claim incorporating the correction specified in the attached amended water right.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

☒ 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. Amended water right (2).

VERIFICATION (Must be Completed)

State of Idaho

County of Bonneville

Lloyd H Ferguson, District Manager, being first duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I. C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

L H Ferguson
Signature of person filing objection

By: _____
(Attorney signing in representative capacity)

Subscribed and sworn to before me this 12th day of March, 1993.

Judy A. Fry
Notary Public for State of Idaho
Residing at: Bonneville County
My Commission expires: 12/12/94

(Over)

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted by the Clerk of the Court.** You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby ~~certify~~ certify that on the 16th day of March, 199 1, I ~~mailed~~ the original and ~~copies~~ of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid 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:

   Owner name: Claimant: U.S. Department of Interior
   Owner's address: Bureau of Land Management
   Idaho State Office
   3380 Americana Terrace
   Boise, ID 83706

3. One copy to:

   Chief, Natural Resources Division
   Office of the Attorney General
   State of Idaho
   P.O. Box 44449
   Boise, Idaho 83711-4449

4. One copy to:

   United States Department of Justice
   Environment and Natural Resources Division
   550 West Fort Street, Box 33
   Boise, Idaho 83734

Gary A Madsen

Signature of Objector or attorney mailing on Objector'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: 1880-01-01
AGENCY NUMBER: 3403808153
BLM NUMBER: 3403808153
BASIS OF CLAIM: BENEFICAL USE
BASIN NUMBER: 34

SOURCE	TRIBUTARY TO
NEWMAN CANYON	SINKS

DESCRIPTION OF DIVERSION WORKS

INSTREAM STOCK WATERING

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
STOCKWATER	0.030	0.00	0510	1120
WILDLIFE	0.010	0.00	0101	1231
STOCKWATER	0.020	0.00	0501	0915
TOTAL:	0.060 CFS	0.00 AF		

NON-IRRIGATION USES

2 HORSES, 140 RANGE CATTLE, 30 DEER, 20 ANTELOPE, 5 ELK, GROUSE

POINT OF DIVERSION

TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
4N	25E	04		NW	NW	00	BUTTE
4N	25E	04		NE	NW	00	BUTTE
4N	25E	05		NE	NE	00	BUTTE
4N	25E	05		NW	SE	00	BUTTE
4N	25E	05		SE	NE	00	BUTTE
4N	25E	04		SW	NW	00	BUTTE
4N	25E	07		SE	NW	00	BUTTE

BLM NUMBER: 3403808153

4N	25E	05	SE	SE	00	BUTTE
4N	25E	07	SE	SW	00	BUTTE
4N	25E	05	SW	NE	00	BUTTE
4N	25E	07	SW	NW	00	BUTTE
4N	25E	05	SW	SE	00	BUTTE
4N	25E	07	SW	SE	00	BUTTE
4N	25E	06	SE	SE	00	BUTTE
4N	25E	07	SW	SW	00	BUTTE
4N	25E	07	NE	NW	00	BUTTE
4N	25E	08	NE	NE	00	BUTTE
4N	25E	07	NW	NE	00	BUTTE
4N	25E	08	NE	NW	00	BUTTE
4N	25E	07	NW	SE	00	BUTTE
4N	25E	08	NW	NE	00	BUTTE
4N	25E	07	SE	NE	00	BUTTE
4N	25E	08	NW	NW	00	BUTTE
4N	25E	05	SW	NW	00	BUTTE
4N	25E	08	SW	NW	00	BUTTE
4N	25E	06	SW	SE	00	BUTTE
4N	25E	09	NE	SW	00	BUTTE
4N	25E	07	NW	NW	00	BUTTE
4N	25E	05	SE	SW	00	BUTTE
4N	25E	05	SW	SW	00	BUTTE
4N	25E	07	NE	SE	00	BUTTE
4N	25E	07	NW	SW	00	BUTTE
4N	25E	09	NW	NW	00	BUTTE
4N	25E	09	SE	NW	00	BUTTE
4N	25E	09	SW	NW	00	BUTTE
4N	25E	04	NW	SW	00	BUTTE
4N	25E	04	SE	NW	00	BUTTE
4N	25E	05	SE	NW	00	BUTTE
5N	25E	33	SE	SW	00	BUTTE
5N	25E	33	SW	SW	00	BUTTE

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	IRRIGATED OWNED	IRRIGATED ACRES
4N	25E	04	SE	NW	00	BUTTE		0.0
4N	25E	04	SW	NW	00	BUTTE		0.0
4N	25E	05	NE	NE	00	BUTTE		0.0
4N	25E	05	NW	SE	00	BUTTE		0.0
4N	25E	05	SE	NE	00	BUTTE		0.0
4N	25E	07	SE	NW	00	BUTTE		0.0
4N	25E	05	SE	SE	00	BUTTE		0.0
4N	25E	07	SE	SW	00	BUTTE		0.0
4N	25E	05	SW	NE	00	BUTTE		0.0
4N	25E	07	SW	NW	00	BUTTE		0.0
								0.0

4N	25E	05	SW	SE	00	BUTTE	0.0
4N	25E	07	SW	SE	00	BUTTE	0.0
4N	25E	06	SE	SE	00	BUTTE	0.0
4N	25E	07	SW	SW	00	BUTTE	0.0
4N	25E	07	NE	NW	00	BUTTE	0.0
4N	25E	08	NE	NE	00	BUTTE	0.0
4N	25E	07	NW	NE	00	BUTTE	0.0
4N	25E	08	NE	NW	00	BUTTE	0.0
4N	25E	07	NW	SE	00	BUTTE	0.0
4N	25E	08	NW	NE	00	BUTTE	0.0
4N	25E	07	SE	NE	00	BUTTE	0.0
4N	25E	08	NW	NW	00	BUTTE	0.0
4N	25E	05	SW	NW	00	BUTTE	0.0
4N	25E	08	SW	NW	00	BUTTE	0.0
4N	25E	06	SW	SE	00	BUTTE	0.0
4N	25E	09	NE	SW	00	BUTTE	0.0
4N	25E	07	NW	NW	00	BUTTE	0.0
4N	25E	05	SE	SW	00	BUTTE	0.0
4N	25E	05	SW	SW	00	BUTTE	0.0
4N	25E	07	NE	SE	00	BUTTE	0.0
4N	25E	07	NW	SW	00	BUTTE	0.0
4N	25E	09	NW	NW	00	BUTTE	0.0
4N	25E	09	SE	NW	00	BUTTE	0.0
4N	25E	09	SW	NW	00	BUTTE	0.0
4N	25E	05	SE	NW	00	BUTTE	0.0
4N	25E	04	NE	NW	00	BUTTE	0.0
4N	25E	04	NW	NW	00	BUTTE	0.0
4N	25E	04	NW	SW	00	BUTTE	0.0
4N	25E	04	SE	NW	00	BUTTE	0.0
4N	25E	04	SW	NW	00	BUTTE	0.0
4N	25E	05	NE	NE	00	BUTTE	0.0
4N	25E	05	NW	SE	00	BUTTE	0.0
4N	25E	05	SE	NE	00	BUTTE	0.0
4N	25E	07	SE	NW	00	BUTTE	0.0
4N	25E	05	SE	SE	00	BUTTE	0.0
4N	25E	07	SE	SW	00	BUTTE	0.0
4N	25E	05	SW	NE	00	BUTTE	0.0
4N	25E	07	SW	NW	00	BUTTE	0.0
4N	25E	05	SW	SE	00	BUTTE	0.0
4N	25E	07	SW	SE	00	BUTTE	0.0
4N	25E	06	SE	SE	00	BUTTE	0.0
4N	25E	07	SW	SW	00	BUTTE	0.0
4N	25E	07	NE	NW	00	BUTTE	0.0
4N	25E	08	NE	NE	00	BUTTE	0.0
4N	25E	07	NW	NE	00	BUTTE	0.0
4N	25E	08	NE	NW	00	BUTTE	0.0
4N	25E	07	NW	SE	00	BUTTE	0.0
4N	25E	08	NW	NE	00	BUTTE	0.0

4N	25E	07	SE	NE	00	BUTTE	0.0
4N	25E	08	NW	NW	00	BUTTE	0.0
4N	25E	05	SW	NW	00	BUTTE	0.0
4N	25E	08	SW	NW	00	BUTTE	0.0
4N	25E	06	SW	SE	00	BUTTE	0.0
4N	25E	09	NE	SW	00	BUTTE	0.0
4N	25E	07	NW	NW	00	BUTTE	0.0
4N	25E	05	SE	SW	00	BUTTE	0.0
4N	25E	05	SW	SW	00	BUTTE	0.0
4N	25E	07	NE	SE	00	BUTTE	0.0
4N	25E	07	NW	SW	00	BUTTE	0.0
4N	25E	09	NW	NW	00	BUTTE	0.0
4N	25E	09	SE	NW	00	BUTTE	0.0
4N	25E	09	SW	NW	00	BUTTE	0.0
4N	25E	05	SE	NW	00	BUTTE	0.0
4N	25E	04	NE	NW	00	BUTTE	0.0
4N	25E	04	NW	NW	00	BUTTE	0.0
4N	25E	04	NW	SW	00	BUTTE	0.0
5N	25E	33	SE	SW	00	BUTTE	0.0
5N	25E	33	SW	SW	00	BUTTE	0.0
5N	25E	33	SE	SW	00	BUTTE	0.0
5N	25E	33	SW	SW	00	BUTTE	0.0
							0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

PREVIOUSLY AWARDED STATUTORY WATER RIGHT - BLM ID -> 3403488153