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Department of Water Resources
Adjudication Bureau

Rt. 1 Box 30 E
Mackay, ID 83251
March 2, 1994

LARRY ECHOHAWK
ATTORNEY GENERAL

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

A. Lynne Krogh
Susan E. Hamlin
Deputy Attorneys General
Idaho Department of Water Resources
P.O. Box 44449
Boise, Idaho 83711-4449

Dear Attorneys:

This letter is in regard to the filing of the late objection to right no. 34-04182.

You noted that we had already filed eleven objections, ten of which were filed in a timely way. We noted in the other late filing of objection, but failed to in this most recent objection, that Reed had had an angioplasty procedure in February of 1993 which was the third within three years, and that I had had a vertebrae fusion in 1993. We are both still recovering. It has been quite a labor to do our farm work and still manage to get this water paper work done.

Our BLM allotment fails in the Salmon and Idaho Falls districts. We thought we had attended to all of our water rights, but found that the Idaho Falls District had filed on two stock-water rights, one of which the IDWR had disallowed because it was on our property. After talking on the phone with Mr. Kortansky, we agreed to meet in Arco on Feb. 21, 1994, to discuss differences about water right 34-04182.

Mr. Kortansky had looked over the water right 34-04182, and concluded that there were errors in the filing on the legal descriptions, and also the amount of water was wrong due to a mix up on which allotment was involved. He asked us to file a late objection and said that the BLM would do the same. In our telephone conversation of February 1, 1994, you said that the BLM had not yet filed a late objection to water right 34-04182.

We believe that it is in the interest of the IDWR to have correctness as well as conclusion to all of this adjudication. We apologize for drawing it out. We have been grateful to the IDWR for their continuing help, and note that even if we don't

always see eye to eye with the BLM, they have been courteous and willing to communicate.

Mr. Kortansky outlined the changes that he thought should be made on a copy of the water right. I will include a copy of that as he wrote it.

We will appreciate your reevaluation of this request to make a late objection to water right 34-04182.

Respectfully yours,

Lynette B. Asay
Lynette B. Asay

Enclosure

written by Mr. Korrusky

DIRECTOR'S REPORT

AJ5856HP

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

DATE: NOV-17-1992
PAGE: A-1280

RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATE

PURPOSE OF USE
FROM TO

MAXIMUM
QUANTITY

BASIS OF CLAIM

SOURCE: UNNAMED STREAM

TRIBUTARY: SINKS

34-04182

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

06/28/1934 STOCKWATER

01-01 12-31

.16

CFS

BENEFICIAL USE

NON-IRRIGATION-USES:

TOTAL QUANTITY:

.16

CFS

STOCKWATER, 668 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

POINT OF DIVERSION:

107N R25E S22

NEW (B)
SWSM (E)

PLACE OF USE: STOCKWATER

107N R25E S22

NEW

SEN

MESW

NWSW

REMARKS:

THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.
BLM RECORD ID = 3403488147

1.) Object to change POD: Drop SWSW (private)

Change to NWSW

2.) Object to change POD: Drop SWSW (Lot 4) (private)

SESW (Lot 3) (private)

3.) Object to amount: Drop 0.16 cfs

Change to 0.02 cfs

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 that on the 2 day of Feb Mar, 1994, 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:

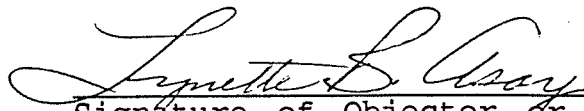
Owner name: (Claimant) U.S Dept. of Interior BLM
Owner's address: Idaho State Office 3380 Americana Terrace
Boise, ID 83706

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 Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Objector or attorney
mailing on Objector's behalf