

NOV 07 2013

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

In Re SRBA)

A. Subcase 72-16780B
(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTINGName: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State OfficeAddress: 1387 South Vinnell Way
Boise, Idaho 83709-1657Daytime Phone: (208) 373-3831

Name & Address of Attorney, if any:

David L. Negri (208) 334-1936 phone, (208) 334-9375 fax
United States Department of Justice
Environment and Natural Resource Division
Natural Resources Section
550 West Fort Street, MSC 033
Boise, Idaho 83724**C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT**Name: Eddie E. Baker
Eddie Baker, Jr.
Address: HC 68 Box 375
Clayton, ID 83227Name: Daniel V. Steenson (attorney for claimants)
Sawtooth Law Offices, PLLC
Address: P.O. Box 7985
Boise, ID 83707

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 United States of America, through the Bureau of Land Management, is the owner of the land upon which the entirety of the use is claimed. The claimant's use of Federal land is unauthorized. This claim should not include Places of Use (POU) on Federal land.

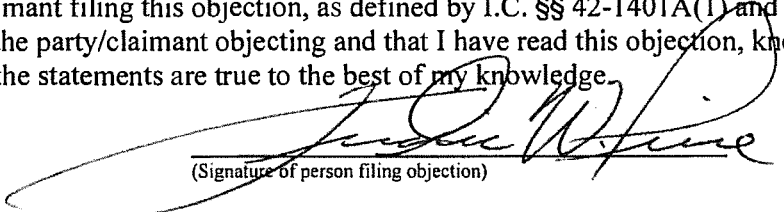
F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of ADA)

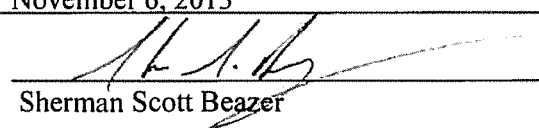
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

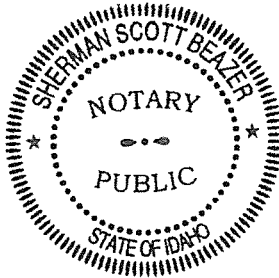
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: November 6, 2013


Sherman Scott Beazer



Notary Public for Idaho
Residing at: Boise
My Commission Expires: 12/10/2015

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 Nov. 6, 2013, 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: Eddie E. Baker
Eddie Baker, Jr.
Address: HC 68 Box 375
Clayton, ID 83227

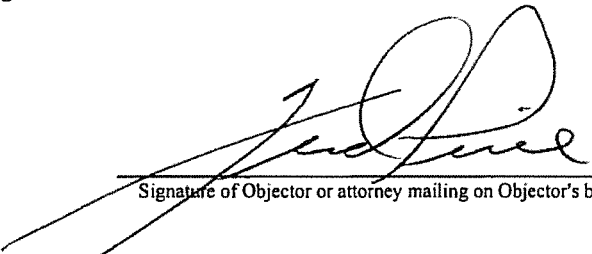
Name: Daniel V. Steenson (attorney for claimants)
Sawtooth Law Offices, PLLC
Address: P.O. Box 7985
Boise, ID 83707

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
Natural Resources Section
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf

ADR filed 10-31-2013

10/31/2013

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

RIGHT NUMBER: 72-16780B

NAME AND ADDRESS: EDDIE BAKER JR
RC 68 BOX 379
CLAYTON ID 83227

-Unauthorized POU's on BLM

SOURCE: BIG BOULDER CREEK

TRIBUTARY: EAST FORK SALMON RIVER

QUANTITY: 2.070 CFS

Right Nos. 72-16780A and 72-16780B are limited to a total combined diversion rate of 12.68 cfs.

Right nos. 72-10302A, 72-10304, 72-16778, 72-16780A and 72-16780B are limited to a maximum combined diversion rate of 7.80 cfs at the Big Boulder Creek-1 Diversion in T09N, R17E, S15, NW1/4, Lot 1.

Right nos. 72-204, 72-10304, 72-16780A and 72-16780B are limited to a maximum combined diversion rate of 8.00 cfs at the Big Boulder Creek-2 Diversion in T09N, R17E, S15, SE1/4, Lot 2.

PRIORITY DATE: 04/01/1938

POINT OF DIVERSION:

T09N R17E S15 NW1/4 Lot 1 Within CUSTER County
T09N R17E S15 SE1/4 Lot 2 Within CUSTER County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

04/01 10/31

2.070 CFS

PLACE OF USE:

IRRIGATION in CUSTER County

T09N R17E S10 Lot 6 NESE	4.30 BLM	T09N R17E S10 Lot 6 SESE	3.70 BLM
T09N R17E S14 Lot 4 NW1/4	3.60 BLM		

11.6 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 398.1 acres in a single irrigation season. Combined Right Nos.: 72-204, 72-204B, 72-10302A, 72-10302B, 72-10302C, 72-10303, 72-10304, 72-16778, 72-16779, 72-16780A and 72-16780B.

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 42-1422(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Other water rights used at the same place and for the same purposes as described above: 72-16778.

This right is renumbered from former claim 72-16780.

Map of 10-31-13 ADR

-72-16780A

-72-16780B

