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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 the General Adjudication of Rights)
to the Use of Water from the Snake River)
Basin Water System)

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.)

Water Right No. 57-02368

(The water right number you are objecting to must be inserted here)

STANDARD FORM 1

OBJECTION

Advised 6-5

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the director's report. ***Only one party/claimants may object to one water right per objection form.*** 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. If you do, the text must be on the front and back of each page exactly as it appears here. The objection must be **received** by the court on or before the deadline specified in the Notice of Filing the Director's Report that IDWR mailed to you. Follow the Instructions for Mailing this objection (Page 6) or the court will not accept it for filing. This form has been adopted by the court in ***SRBA Administrative Order 1*** (amended June 21, 1993), Section 4, which may be consulted for further information.

Any party filing 25 or more objections must make an appointment with the Clerk of the SRBA Court.

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 is not filed for any improper purpose, such as to harass, cause unnecessary delay or needlessly increase the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. ***Party/Claimant objecting:***

Name: United States, Department of the Interior,
Bureau of Land Management, Idaho State Office
Address: 3380 Americana Terrace
Boise, Idaho 83706-2500
Phone: Work: (208) 384-3000 Home:

Briefly describe your interest in this water right:

The United States, through the Bureau of Land Management, has a valid water
right which requires specific corrections or additions to the previous filing.

If this objection is *filed by an attorney*:

Attorney Name: R. Lee Leininger / P. Fritz Holleman
Attorney Address: U.S., Department of Justice
Environment & Natural Resources Division
General Litigation Section
550 West Fort Street - MSC 033
Boise, Idaho 83724
Attorney Phone No.: (202) 305-0242 / 0494

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

2. ***Owner of the water right. You must identify the owner exactly as it appears in the Director's Report:***

Name: U.S., Dept. of Interior,
Bureau of Land Management, Idaho State Office
Address: 3380 Americana Terrace
Boise, Idaho 83706

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 the 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. ☐ *Water Right Recommendation*: I object to:
 - a. ☐ this water right being recommended at all; or
 - b. ☐ this water right not being recommended.

12. ☐ *Description of Reservation*: I object to the legal description of the reservation.
13. ☒ *Other*: I object to: The remarks listed in the Director's Report for this water right under "non-irrigation uses" and under the "remarks" section are not necessary for the administration or definition of the right. This issue is also before the Court in basin-wide issue number 12.
-

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,
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 corrections or additions specified in the attachment.

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. _____

1. Description of changes required to correct this claim.
 2. Copy of United States claim from the Director's Report.
-

VERIFICATION (Must be Completed)

State of Idaho

County of Ada

United States acting thru BLM, being first duly sworn, upon oath, deposes and says:
(Name of party/claimant filing objection)

That I am the party/claimant filing this objection (as listed on Page 2, Section 1, "Party/Claimant Objecting"), as defined by I.C. § 42-1401A(1) and (7), and that I have read this objection, know its contents and that the statements are true to the best of my knowledge and belief.

[Signature]

Signature of party/claimant filing objection

By:

[Signature] 6/3/96
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

June 4, 1996
(Insert Date)

[Signature]
Notary Public for Idaho

Residing at: Boise, Idaho

My Commission expires: August 1, 1996

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 all of the parties listed below in the Certificate of Mailing.

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on June 4TH, 1996, I mailed the original and copies of this objection, including all attachments, to the following persons by mailing the original and/or 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:

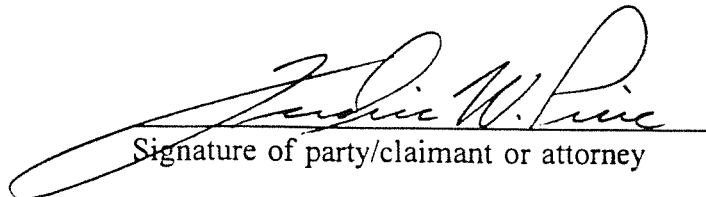
Owner name: U.S., Department of Interior,
Bureau of Land Management, Idaho State Office.
Owner's address: 3380 Americana Terrace
Boise, Idaho 83706-2500.

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~~ 83724


Signature of party/claimant or attorney

ATTACHMENT #1 to Objection:

Water Right No.: 57-02368

1. CHANGE Total Quantity:

FROM: 8.2 AFY

TO: 2.7 AFY

2. CHANGE Non-irrigation Uses:

FROM: Stockwater, 750 Range Cattle

TO: Stockwater

3. CHANGE Remarks:

FROM: 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 = 5701588026

Source is also known as Big Pass Reservoir.

TO: Source is locally known as Big Pass Reservoir.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: OCT-13-1992
PAGE: A-1491

ATTACHMENT #2 to Objection

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
57-02368	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	01/24/1942	STOCKWATER STORAGE	01-01 12-31	2.7	AFY
			STOCKWATER FROM STORAGE	01-01 12-31	2.7	AFY
				TOTAL QUANTITY:	8.2	AFY

NON-IRRIGATION-USES:

STOCKWATER, 750 RANGE CATTLE.

POINT OF DIVERSION:

T01N R05W S12 NWSE

PLACE OF USE: STOCKWATER STORAGE

T01N R05W S12

PLACE OF USE: STOCKWATER FROM STORAGE

T01N R05W S12

NWSE

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 = 5701588026

SOURCE IS ALSO KNOWN AS BIG PASS RESERVOIR.