

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

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)
)
)
)

A. Subcase 61-12289
(Insert water right number)

**STANDARD FORM 1
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:

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: Casa del Norte L.P.
Address: 11204 N Bar 21 Dr
Glenns Ferry, ID 83623-5028

Name: Lori Graves (Contractor for Claimant)
SPF Water Engineering, LLC
Address: 300 E Mallard Dr, Ste 350
Boise, ID 83706-6660

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: Tributary should "Cold Springs Creek."
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☒ **Point(s) of Diversion**
Should be: Should be changed from R02W to R09E where POUs are.
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:
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 Point of Diversion (POD) is claimed. The claimant's use of Federal land in Silver City Allotment #00569 is unauthorized. Claimant's water right should not include these PODs. This claim is for instream stockwater therefore the beginning and ending PODs should be at the Places of Use (POU), however they are 10 townships or 60 miles away. Clearly this is a typographical error in the "range" and R02W should be changed to R09E.

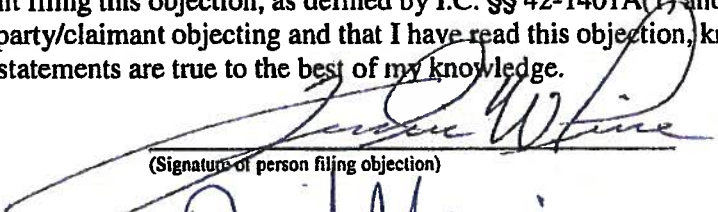
F.

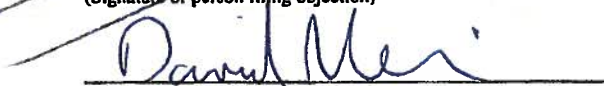
VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of ADA)

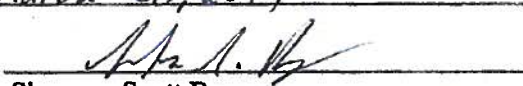
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

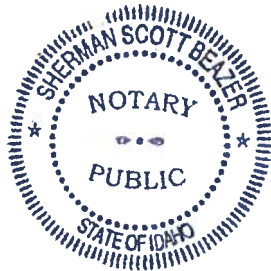
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: March 20, 2014


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 March 20, 2014, 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: Casa del Norte L.P. -currently acting Pro Se
Address: 11204 N Bar 21 Dr
Glenns Ferry, ID 83623-5028

Name: Lori Graves (Contractor for Claimant)
SPF Water Engineering, LLC
Address: 300 E Mallard Dr, Ste 350
Boise, ID 83706-6660

Name: Bruce M. Smith (ISB #3425) -attorney for claimant in previous subcases
Moore, Smith, Buxton & Turke, Chtd.
Address: 950 W Bannock St, Ste 520
Boise, ID 83702-6118

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

12/27/2013

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

RIGHT NUMBER: 61-12289

NAME AND ADDRESS: CASA DEL NORTE LP
11204 N BAR 21 DR
GLENN'S FERRY ID 83623

SOURCE: UNNAMED STREAM

TRIBUTARY: COLD ~~SPRING~~ CREEK
Springs

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 11/10/1930

POINT OF
DIVERSION:

T03S R02W S27 SESE Begin of Stream Flow Within ELMORE County BLM
T03S R02W S34 SENE End of Stream Flow Within ELMORE County BLM

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.020 CFS
Stockwater use is for the in-stream watering of livestock.		

PLACE OF USE: STOCKWATER in ELMORE County

T03S R09E S27	SESE	T03S R09E S34	NENE
T03S R09E S34	SENE		

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.

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 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Parcel Nos. RP03S09E279010, RP03S09E340010 and RP03S09E341810

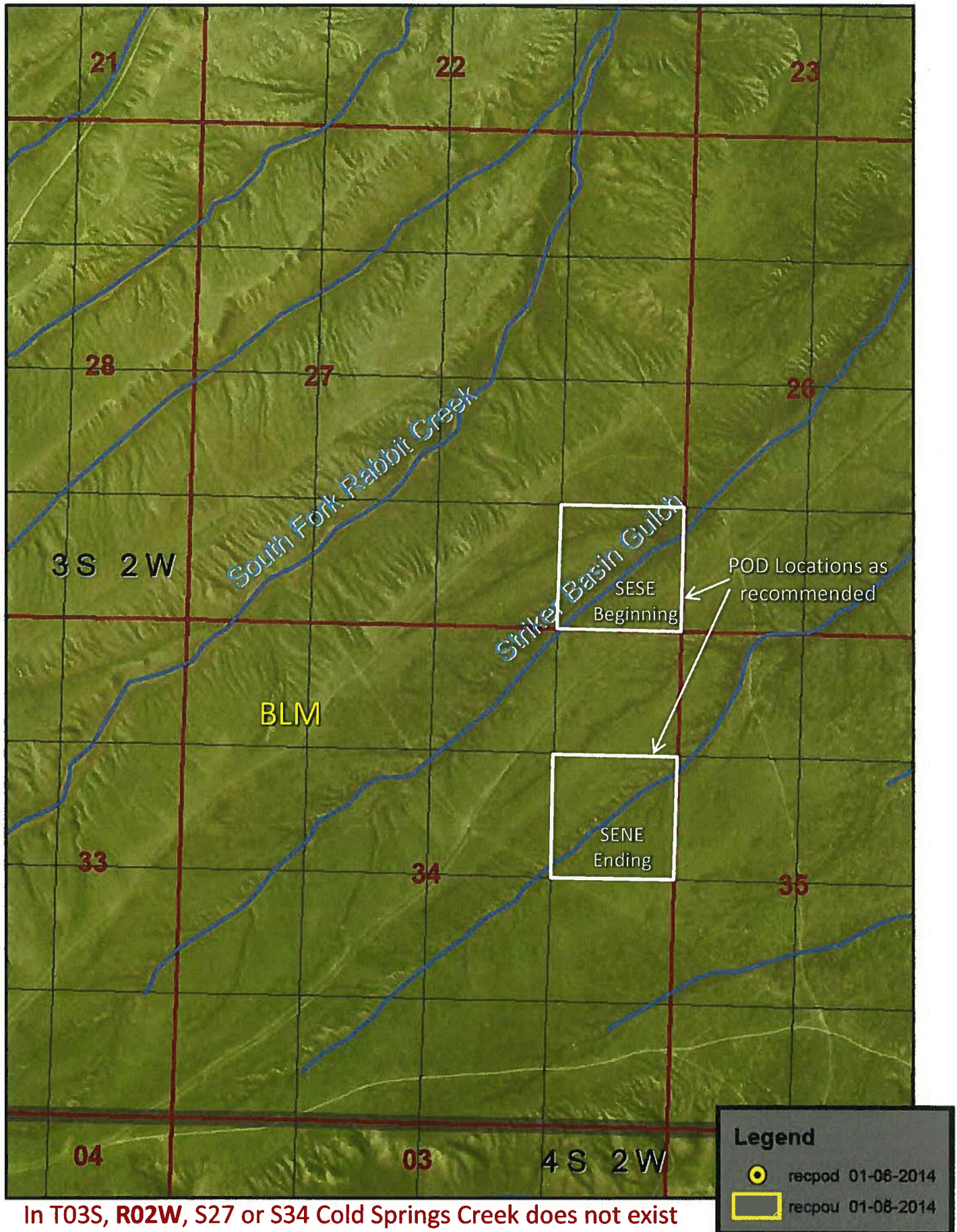
The Tributary is actually
Cold Springs (plural) Creek

Both PODs Should be described in R09E

10 Townships (60 miles)
away from POU.

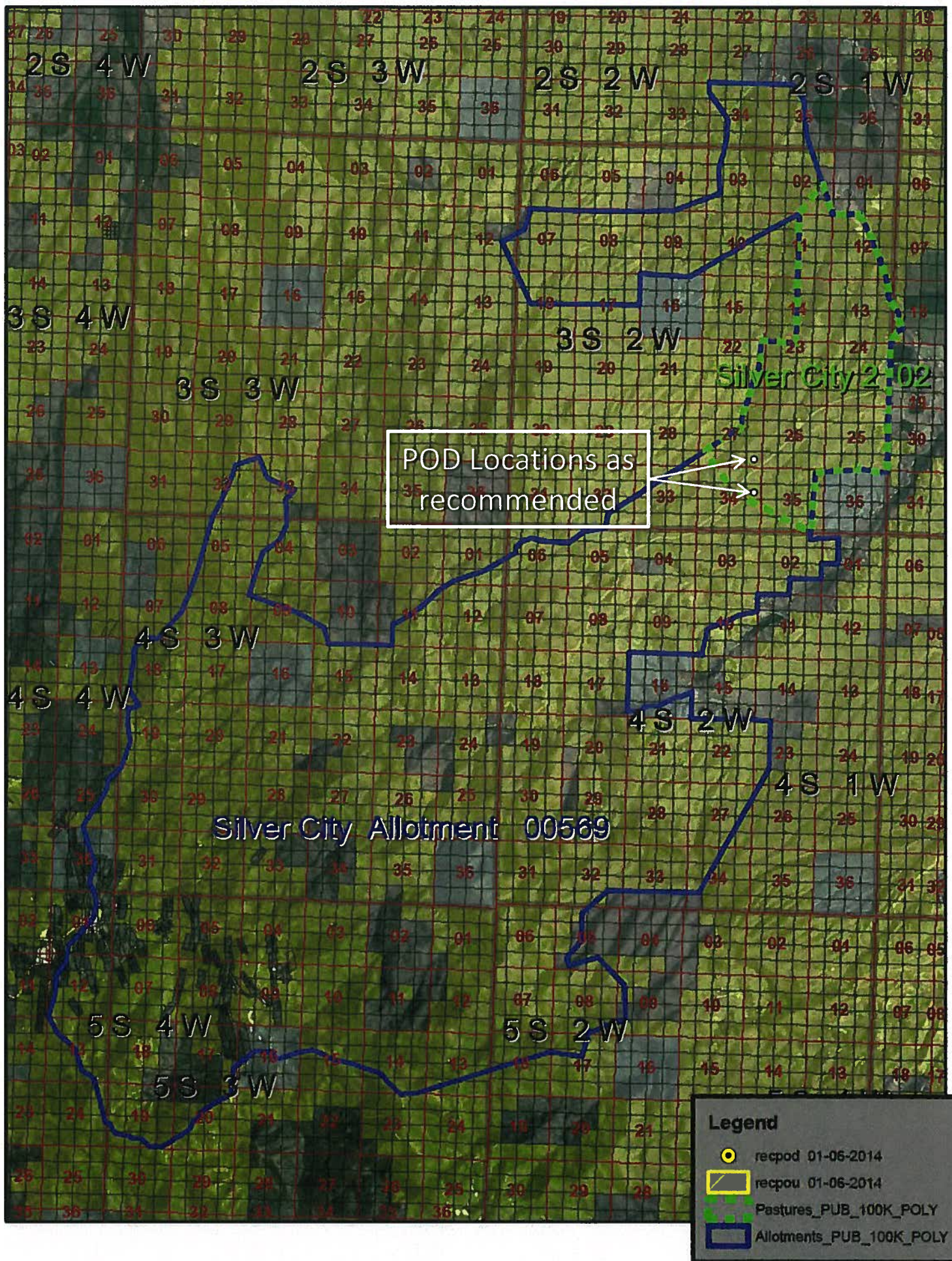
The PODs are described in R02W (incorrect) which places them on BLM land. The PODs should be described in R09E (correct) where the POUs are located.

61-12289 Casa Del Norte LP

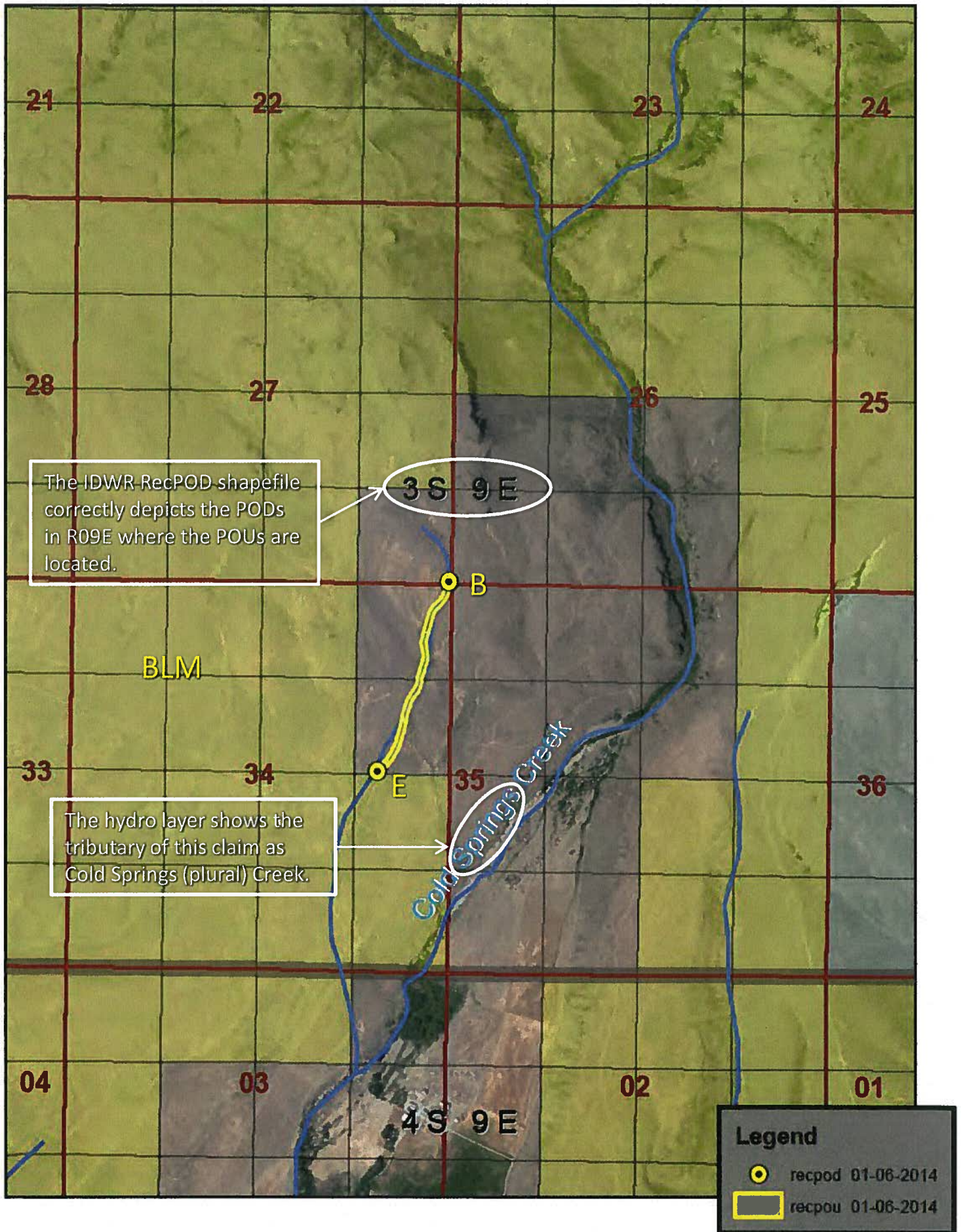


In T03S, R02W, S27 or S34 Cold Springs Creek does not exist and the 2 PODs are on BLM land.

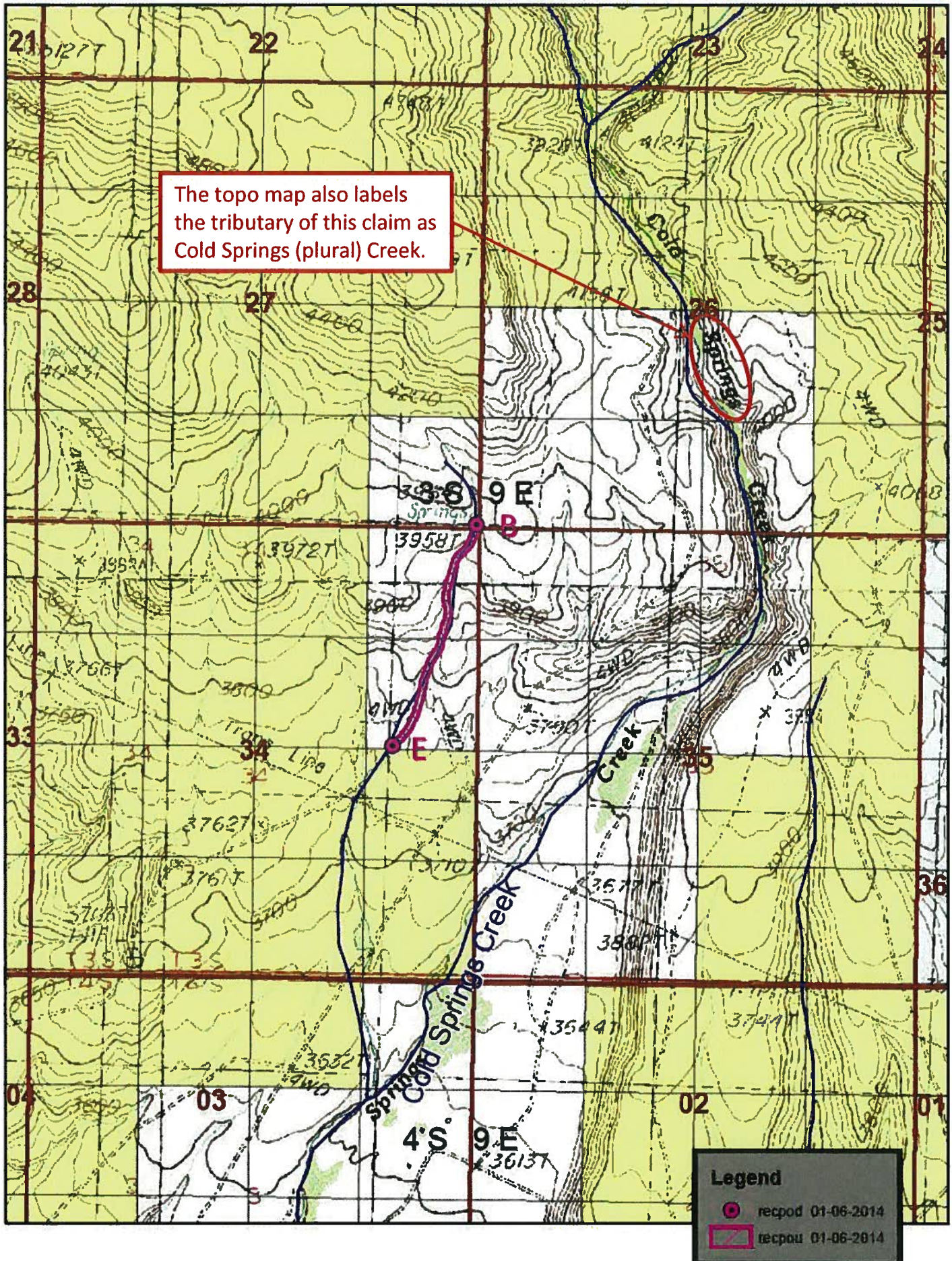
61-12289 Casa Del Norte LP



61-12289 Casa Del Norte LP



61-12289 Casa Del Norte LP



OWYHEE COUNTY 073
BOISE DISTRICT SEC. 1

MT PLAT

[illegible]

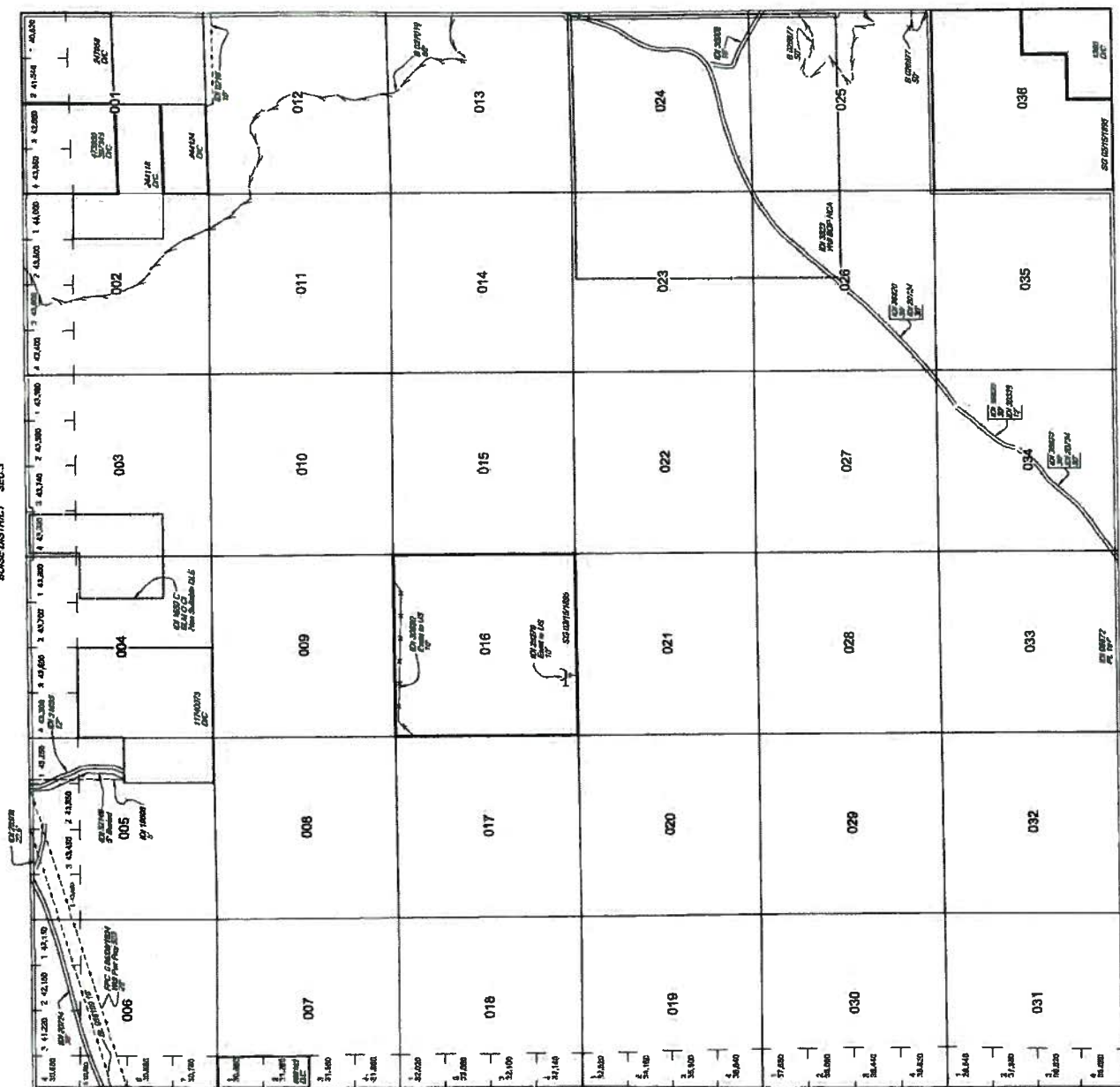
08572 Dept PL 167 (Act of Cong 07/23/1955)
Completed 03/14/1960. All PD surface Merged by BLAA.

CH 24327 Pen
Sac 24: Pen SIESE

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

[illegible]

T. 3 S
R. 2 W



453719

[illegible]

U.S. Bureau of Land Management - Idaho State Office
1587 S. Vinland Way Boise, Idaho 83709
(208) 378-4000



(205) 373-4000



NORTH

ELMORE COUNTY 039
BOISE DISTRICT SEC. 3STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

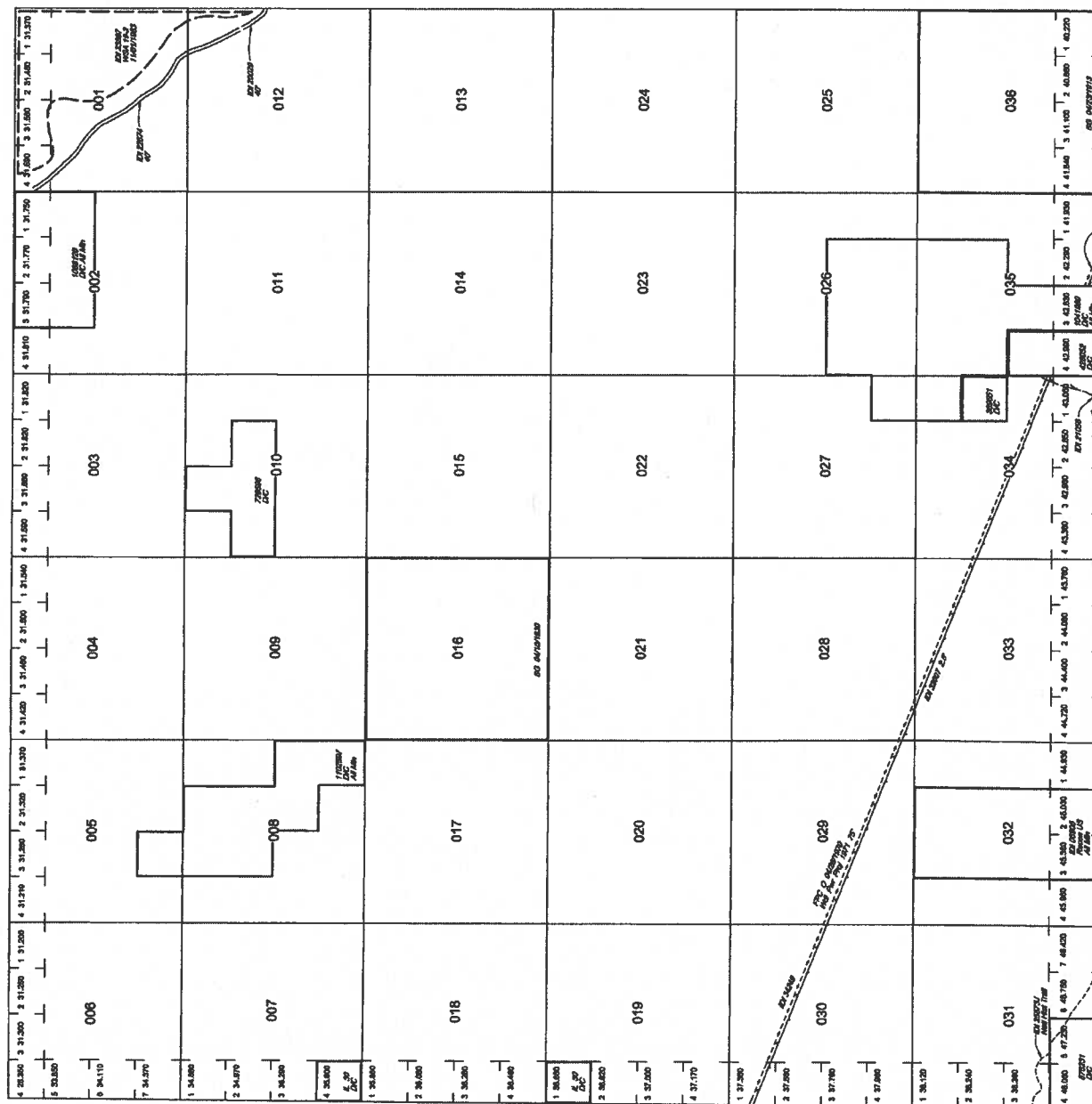
[illegible]

ON 25073J Next Hist Trail
Historical information only, does not denote
public access

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE REF:	000000000000000000000000
CONVERTED TFP:	06/07/2008
LAST UPDATED:	06/07/2008
CASED #1:	CASD #2:
POSTED TO PUBLIC RESPONSE:	
PUBLIC LAND SURVEY SYSTEM FILE#:	SF:
BUL BODS ACQUIRED:	CASD#008
OTHER:	N/A
PROJECTED COORDINATE SYSTEM UTM ZONE 14N MAG 1980	
NOTES:	
USE PLATE:	

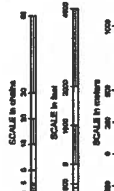
T. 38
R. 9 E



UNCLASSIFIED

This plan is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and township survey data. Records herein do not reflect title changes which may have been affected by lateral movements of river or other bodies of water. Refer to cadastral surveys official information.

The notation shown on worksheets represent the best action taken, but may not be the effective date. See the historical index for the date of original withdrawal order.



U.S. Bureau of Land Management - Idaho State Office
1387 S. Vinell Way Boise, Idaho 83709
(208) 373-4000

