

RECEIVED

JUN 29 1999

Department of Water Resources
Cristina D. D. D.

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

A. Subcase 72-11795

(Insert water right number)

Case No. 39576

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:

Larry A. Brown 208 387-0835; R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494
United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: United States of America

Address: 1387 South Vinnell Way Boise, ID 83709-1657

Name: Bureau of Land Management

Address:

Name:

Address:

Name:

Address:

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 legal description reported in the Director's Report for this claim is inaccurate. See attached for revised POU legal description.

F.

VERIFICATION (Must be Completed)

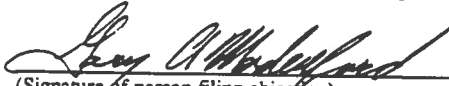
State of Idaho)

) ss.

County of Ada)

Gary A. Madenford, Water Rights Team Leader, 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: June 1, 1999



John W. Thornburgh

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 05-16-2003

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 June 2nd, 1999, 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: United States of America

Address: 1387 South Vinnell Way Boise, ID 83709-1657

Name: Bureau of Land Management

Address:

Name:

Address:

Name:

Address:

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449



Signature of Objector or attorney mailing on Objector's behalf

AJ5856NP

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

DATE: JAN-26-1999
PAGE: A-921

RIGHTS FROM: SOURCE: SPRING TRIBUTARY: LAKE CREEK

RIGHT NUMBER: 72-11795

NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

- *POU INALLURATE*

SOURCE: SPRING TRIBUTARY: LAKE CREEK

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1879

* 4/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT. *
* *
* THIS WATER RIGHT IS ALSO CLAIMED BASED ON FEDERAL LAW *
* WITH AN APRIL 17, 1926, DATE OF PRIORITY PURSUANT TO AN *
* EXECUTIVE ORDER SIGNED THE SAME DATE AND KNOWN AS PUBLIC *
* WATER RESERVE 107. *

POINT OF DIVERSION: T09N R19E S22 NWNWSE Within CUSTER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS

PLACE OF USE: STOCKWATER Within CUSTER County
T09N R19E S22 ~~NWSW~~ *NWSE*

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
BLM RECORD ID = 7204580016
STOCKWATER, 218 RANGE CATTLE; WILDLIFE VAR. AMT.



A721795

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 AND FEDERAL 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: 1879-01-01
(RESERVED..... 1926-04-17)
AGENCY NUMBER: 7204580016
BLM NUMBER: 7204580016
BASIS OF CLAIM: BENEFICIAL USE
(SUBSEQUENT FEDERAL RESERVE)
BASIN NUMBER: 72

SOURCE

TRIBUTARY TO

SPRING .-----
LAKE CREEK

DESCRIPTION OF DIVERSION WORKS

UNDEVELOPED SPRING

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
STOCKWATER	0.010	0.00	0101	1231
WILDLIFE	0.010	0.00	0101	1231
TOTAL:	0.010 CFS	0.00 AF		

NON-IRRIGATION USES

STOCKWATER, 218 RANGE CATTLE; WILDLIFE VAR. AMT.

TWP	RNG	SEC	TRACT1	POINT OF DIVERSION TRACT2	TRACT3	LOT	COUNTY
09N	19E	22	NW	NW	SE	00	CUSTER

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY
09N	19E	22	NW	SW	00	CUSTER
09N	19E	22	NW	SW	00	CUSTER

IRRIGATED

MICROFILMED
NOV 1988
YES 0.0
YES 0.0

TOTAL ACRES IRRIGATED: 0.0

COPY

BLM NUMBER: 7204580016

PAGE: 2

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

WATER FEDERALLY RESERVED, SEE REMARKS

REMARKS

RESERVED - EXECUTIVE ORDER DATED APR 17, 1926 PWR NO. 107

COPY

APR-10-1997
0043

RIGHT NUMBER:

72-11795

NAME AND ADDRESS:

UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657
83709

SOURCE:

SPRING

QUANTITY:

0.02 CFS
0101 018

PRIORITY DATE:

01/01/1879

* 4/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT. *
* * * * *
* THIS WATER RIGHT IS ALSO CLAIMED BASED ON FEDERAL LAW *
* WITH AN APRIL 17, 1926, DATE OF PRIORITY PURSUANT TO AN *
* EXECUTIVE ORDER SIGNED THE SAME DATE AND KNOWN AS PUBLIC *
* WATER RESERVE 107. *

POINT OF DIVERSION:

T09N R19E S22

NW1/4

Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

STOCKWATER STOCKWATER, 218 RANGE C

PERIOD OF USE
01-01 12-31

QUANTITY
0.02 CFS
0101 018

WILDLIFE
EXP

01/01 12/31

PLACE OF USE:

STOCKWATER
T09N R19E S22

Within CUSTER County

NWSW

WILDLIFE
T09N R19E S22

Within CUSTER County

NWSW

EXPLANATORY MATERIAL:

BASIS OF CLAIM - BENEFICIAL USE
BLM RECORD ID = 7204580016

84/16/97

RECEIVED

MAR 03 1997

In Re SRBA

Case No. 39576

AMENDED NOTICE of CLAIM
for Water Right number:

A72-11795

A72-11796

Department of Water Resources

NAME and
ADDRESS:United States of America acting through
Bureau of Land Management
Idaho State Office
1387 South Vinnell Way
Boise, ID 83709 - 1657

BLMIDENT:

7204580016

SOURCE:

Source	Tributary
SPRING	LAKE CREEK

QUANTITY:

0.02

CFS

or VOLUME:

0

Acre Fee

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

PRIORITY DATE:

1/1/1879

POINT of
DIVERSION:

Twntshlp	Range	Section	T1	T2	T3	LOT	within the	County of
09N	19E	22	NW	NW	SE			CUSTER

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate In CFS	or	Volume in Ac
04	0101	1231	0.02	0
16	0101	1231	0.01	0

CONSUMPTIVE
USE:

de minimis stockwater use

DATE:

01-Mar-97 2:41 PM

OTHER PROVISIONS NECESSARY FOR DEFINITION or ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

PLACE
of USE:

Water Use	Twntshlp	Rge	Sec	T1	T2	LOT	within the	County of
04	09N	19E	22	NW	SW	0		CUSTER
16	09N	19E	22	NW	SW	0		CUSTER

OWNER
CODE

NAME & ADDRESS

PRIORITY
DATE

WATER USE

USE PERIOD
FROM TO

DIVERSION
RATE

DIVERSION
VOLUME

C UNITED STATES OF AMERICA ACTING THROUGH 01/01/1879 STOCKWATER 01-01 12-31 0.02 CFS

TOTAL DIVERSION: 0.02 CFS

Water Source: SPRING

Tributary to: LAKE CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T09N R19E S22 NW/4SE CUSTER County

Place of use Legal Description for: STOCKWATER												
					NE		NW		SW		SE	
					NENE		NNNW		NNWSW		NNWSE	
					SNE		SWNW		SWWSW		SWSE	
					SENE		SENW		SESW		SESE	
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WATER RIGHT NUMBER - A72-11795

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - + + - - - - FIRST NAME - - - - + - - - - ADDRESS - - - - - +

*** A - ATTORNEY ***
HAUGRUD, JACK OR G GARVER OR D ZANE

1 - US DEPT OF JUSTICE
2 - ENV & NR DIV GEN LIT SEC
3 - PO BOX 663
CITY- WASHINGTON
PHONE - 202-272-4134

STATE- DC ZIP- 200440663

*** C - CURRENT OWNER ***
US DEPT OF INTERIOR

1 - BUREAU OF LAND MANAGEMENT
2 - IDAHO STATE OFFICE
3 - 3380 AMERICANA TERRACE
CITY- BOISE
PHONE - 208-334-1401

STATE- ID ZIP- 83706

*** K - ALSO KNOWN AS ***
OLM

1 -
2 -
3 -
CITY- X
PHONE -

STATE- ID ZIP- 0

+ - - - - PRIORITY DATE - - + + - - - - REGION - - - + + - - - - STAGE - - - + + - - - - STATUS - - - - +
01/01/1879 17 SOUTHERN J - BENEFICIAL USE

+ - - - - SOURCE - - - - - + + - - - - TRIBUTARY - - - - - + + - - - -
SPRING LAKE CREEK

+ - - - - TOWN RNG SEC TRACT LOT RFLG COUNTY POINT OF DIVERSION - - - - - + + - - - -
DIVERSION NAME

09N 19E 22 NW NW SE (37) CUSTER

+ - - - - CODE DESCRIPTION PERIOD FROM PERIOD TO WATER USE - - - - - + + - - - - DIVERSION RATE DIVERSION VOLUME - - - - +

04 - STOCKWATER 01/01 12/31 0.010
16 - WILDLIFE 01/01 12/31 0.010

+ - - - - TOTAL DIV. RATE - + + - - - - TOTAL DIV. VOLUME - + + - - - - TOTAL DIV. CAPACITY - + + - - - - TOTAL CONSUMPTIVE USE - + + - - - - KW USAGE - +
0.010 0.010 0.0

+ - - - - TOWN RNG SEC TRACT LOT ACRES PLACE OF USE - - - - - + + - - - - DESCRIPTION COUNTY - - - - - +

09N 19E 22 NW SW SE 04 STOCKWATER
09N 19E 22 NW SW SE 16 WILDLIFE

+ - - - - DIVERSION MEANS - SPRING

+ - - - - NON-IRRIGATION USE - STOCKWATER, 218 RANGE CATTLE; WILDLIFE VAR. AMT.

+ - - - - OTHER RIGHTS FOR SAME USE - WATER FEDERALLY RESERVED, SEE REMARKS

