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Department of Water Resources
Southern Region

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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 SRBA)

A. Subcase 45-02768

(Insert water right number)

Case No. 39576)

DOMESTIC AND
STOCK WATER RIGHT
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:

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

Name: Bureau of Land Management

Address: Boise, Idaho 83709-1657

Name:

Address:

Name:

Address:

45-02768 P/D Issued 7/99

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: See attached Wildlife quantities
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: Wildlife should be added as purpose of use
8. ☐ **Period of Year**
Should be: See attached for Wildlife POIs and legal description
correction.
9. ☐ **Place of Use**
Should be: See attached for Wildlife POIs and legal description
correction.

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 Director's Report did not include wildlife as a purpose of use for this water right. This claim is based on a license issued by the State of Idaho. Pursuant to the license, wildlife, domestic and livestock are declared purposes of use and should be recognized on the water right decree.

F.

VERIFICATION (Must be Completed)

State of Idaho)

)ss.

County of Ada)

Tom Dyer, BLM Area Manager, 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: _____

Notary Public for _____

Residing at: _____

My Commission Expires: _____

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 _____, 199__, 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
PO 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

Name: Bureau of Land Management

Address: Boise, Idaho 83709-1657

Name:

Address:

Name:

Address:

3. Copies to:

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

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

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

Signature of Objector or attorney
mailing on Objector's behalf

RIGHTS FROM: SOURCE: SPRING TRIBUTARY: SINKS

RIGHT NUMBER: 45-02768

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

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.01 CFS

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

PRIORITY DATE: 01/24/1942

POINT OF DIVERSION: T16S R21E S35 LOT 3 (SESESW)

Within CASSIA County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

STOCKWATER

WILDLIFE

PERIOD OF USE

01-01 12-31

01-01 12-31

QUANTITY

0.01 CFS

0.01 CFS

PLACE OF USE:

STOCKWATER

Within CASSIA County

T16S R21E S35 Lot 3 (SESW)

WILDLIFE SAME AS OTHER USE.

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 - LICENSE

BLM RECORD ID = 4502488004

PERMIT 350/SKOE REVEGETATION

400/CATTLE

ADD POU

T16S R21E Sec. 35 NE SW

Approval of State Reclamation Engineer

The number of this permit is D. 2152

Recorded in Book 5 Page D. 2152 Approved January 17, 1968

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Work to begin on or before completed and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

Completion of Works and Beneficial Use of Water appropriated in accordance herewith, to be made on or before completed

Witness my hand this 17th day of January, 19 68

R. Keith Higgins
State Reclamation Engineer.

IN-TESTIMONY WHEREOF, We, _____ Governor of the State of Idaho,
and _____ Secretary of State of the State of Idaho, have caused this instrument
to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed,
this _____ day of _____, 19 _____

Countersigned:

STATE OF IDAHO

By _____ Secretary of State.

By _____ Governor.

No. D. <u>2152</u>	PERMIT	Date of first receipt at office of State Reclamation Engineer <u>January 10, 1968 10:00 A.M.</u>	Returned to applicant for correction	Corrected application received	Fee \$ <u>1.00</u>	STATE OF IDAHO LICENSE AND CERTIFICATE OF WATER RIGHT	Water License No. D. <u>2152</u>	TO <u>Bureau of Land Management</u>	Source of Supply <u>spring</u>	Amount <u>.02 c.f.s.</u> Sec. Feet	Place of Use <u>SELYSLEY, Section 35, T 16 S., R 21 E., B.M.</u>	Purpose <u>livestock watering</u>	Date of Priority <u>January 10, 1968</u>	Recorded <u>January 17, 1968</u>	In Book <u>5</u> of Licenses, Page <u>2152</u>
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LICENSE AND CERTIFICATE OF WATER RIGHT

Water License No. D. 2152 Priority January 10, 1968 Amount .02 c.f.s.

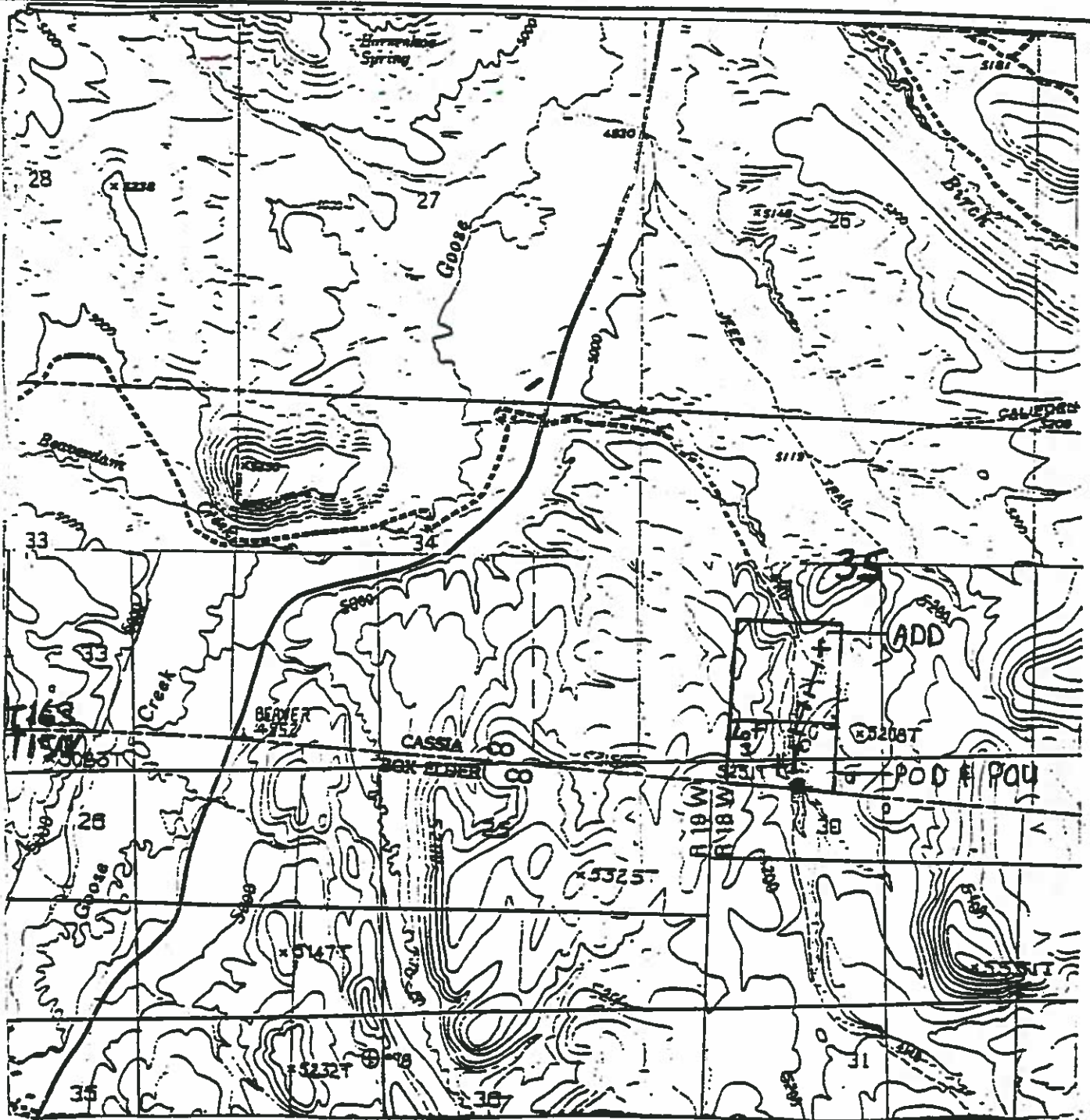
This is to certify that Bureau of Land Management of Box 489, Burley, Idaho 83318
made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of
spring under Use Permit No. D. 2152, and that said right to the use of said waters
has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of
Idaho and entered of record in Volume D. 5 of Licenses, at page D. 2152, on the 17th
day of JANUARY, 19 68

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described,
as provided by the laws of Idaho.

WITNESS THE SEAL and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 17th
day of January, 19 68

R. Keith Higgins
State Reclamation Engineer.

WATER RIGHTS CLAIM MAP

TOWNSHIP 16S RANGE 21E MERIDIAN: BOISE QUAD MAP NAME Blue Hill & Pole Creek

KEY

SCALE 1:24000

	UPSTREAM THE CLAIM		POD
ADD	POD AND/OR POU LEGAL TO BE ADDED		POU NOTE: THIS IS A TROUGH UNLESS INDICATED OTHERWISE
DELETE	POD AND/OR POU LEGAL TO BE DELETED		POD AND POU NOTE: POU IS A TROUGH UNLESS INDICATED OTHERWISE
*	LOT # TO BE ADDED TO TRACT DESCRIPTION ALREADY ON CLAIM		DITCH
UP	UPSTREAM POD FOR DETERMINING SEGMENT *		PIPELINE
DN	DOWNSTREAM POD FOR DETERMINING SEGMENT *		

* = 1.22

AJ5809NP
No. R45-02768

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/18/98
PAGE: 8

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH	01/24/1942	STOCKWATER	01-01 12-31	0.01 CFS	
TOTAL DIVERSION:					0.01 CFS	

Water Source: SPRING

Tributary to: SINKS

Stage: LICENSE

Point(s) of Diversion:

T16S R21E S35 Lot03(SESESW)

CASSIA County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE											
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NENE		NWSE		SWSE		SESE	
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
16S	21E	35	:																				
								03 S															

POU County: CASSIA

Non-Irrigation Uses: CATTLE/400 BEER/30

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A45-02820 R45-02820

Remarks: EXP BLM RECORD ID = 4502488004
PERMIT 350/SNOE REVEGETATION

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 09/29/97 AJCTR

✓ D 1/98

IN THE DISTRICT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN
AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

AMENDED NOTICE of CLAIM for
Water Right number:

45-02768

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:

4502488004

Stg:

L

StFed:

S

SOURCE:

Source	Tributary
SPRING	SINKS

QUANTITY:

0.01

CFS

or VOLUME:

0

Acre Feet

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

PRIORITY DATE:

1/24/1942

Diversion Means: HEADBOX AND TROUGH

REMARKS:

PERMIT 350/SHOE REVEGETATION

POINT of
DIVERSION:

Twtnship	Range	Section	T1	T2	T3	LOT	B/E	within the	County of
16S	21E	35	SE	SE	SW	03		31	Cassia

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	Volume in AcFt
04	0101	1231	0.01
			0

CONSUMPTIVE
USE:

de minimis stockwater use

DATE: 08-Dec-97 2:09 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	Twtn	Rge	Sec	T1	T2	LOT	within the	County of
04	16S	21E	35	NE	SW	0	31	Cassia
04	16S	21E	35	SE	NW	3	31	Cassia

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Department of Water Resources

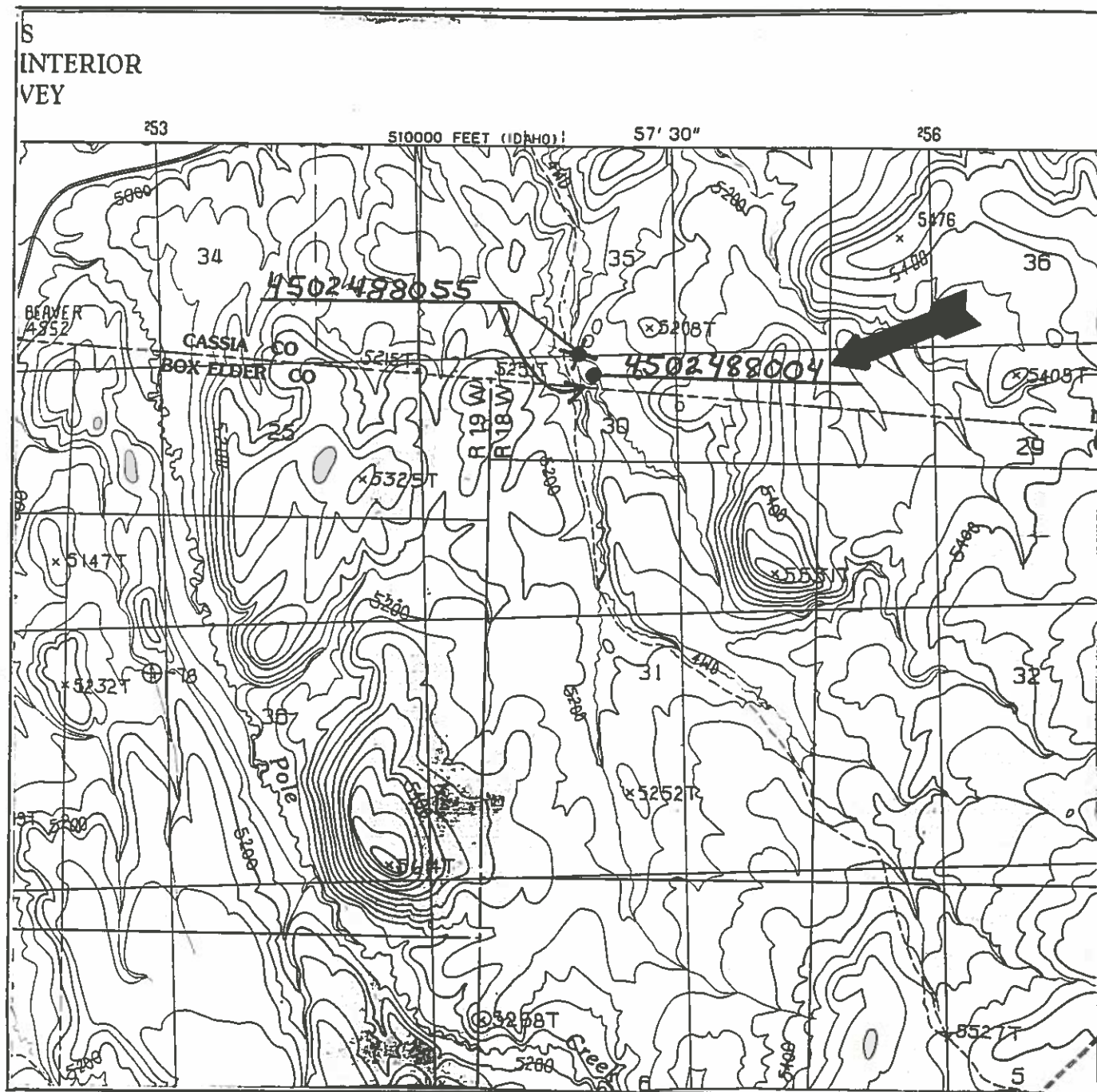
UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND AND MANAGEMENT

WATER RIGHTS CLAIM MAP

BLM IDENTIFICATION NUMBER

4502488004

TOWNSHIP 16 S RANGE 21 E MERIDIAN:BOISE QUAD MAP NAME POLE CREEK



LEGEND

SCALE: 1" = 24,000

POD (ORIGINAL, CORRECT LOCATION)

INSTREAM USE CLAIM

POD (ORIGINAL LOCATION, INCORRECT)

INSTREAM USE CLAIM, DROPPED SEGMENT

POD (CORRECTED LOCATION OR ADDED POD)

4502488000

WITHDRAWN CLAIM

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Department of Water Resources

15 NNW	15 NENW	15 NWNE	15 LT01	14 NWSW	14 NESW	14 NWSE	14 NESE	13 NWSW	13 NESW	13 NWSE	13 NESE	
15 LT02	15 LT03	15 LT04	15 LT05	14 SWSW	14 SESW	14 SWSE	14 SESE	13 SWSW	13 SESW	13 SWSE	13 SESE	
22 NNW	22 NENW	22 NWNE	22 NENE	23 NNW	23 NENW	23 NWNE	23 NENE	24 NNW	24 NENW	24 NWNE	24 NENE	
22 SNNW	22 SENW	22 SNNE	22 SENE	23 SNNW	23 SENW	23 SNNE	23 SENE	24 SNNW	24 SENW	24 SNNE	24 SENE	
22 NWSW	22 NESW	22 NWSE	22 NESE	23 NWSW	23 NESW	23 NWSE	23 NESE	24 NWSW	24 NESW	24 NWSE	24 NESE	
22 SWSW	22 SESW	22 SWSE	22 SESE	23 SWSW	23 SESW	23 SWSE	23 SESE	24 SWSW	24 SESW	24 SWSE	24 SESE	
27 NNW	27 NENW	27 NWNE	27 NENE	26 NNW	26 NENW	26 NWNE	26 NENE	25 NNW	25 NENW	25 NWNE	25 NENE	
27 SNNW	27 SENW	27 SNNE	27 SENE	26 SNNW	26 SENW	26 SNNE	26 SENE	25 SNNW	25 SENW	25 SNNE	25 SENE	
27 NWSW	27 NESW	27 NWSE	27 NESE	26 NWSW	26 NESW	26 NWSE	26 NESE	25 NWSW	25 NESW	25 NWSE	25 NESE	
27 SWSW	27 SESW	27 SWSE	27 SESE	26 SWSW	26 SESW	26 SWSE	26 SESE	25 SWSW	25 SESW	25 SWSE	25 SESE	
34 NNW	34 NENW	34 NWNE	34 NENE	35 NNW	35 NENW	35 NWNE	35 NENE	36 NNW	36 NENW	36 NWNE	36 NENE	
34 SNNW	34 SENW	34 SNNE	34 SENE	35 SNNW	35 SENW	35 SNNE	35 SENE	36 SNNW	36 SENW	36 SNNE	36 SENE	
34 NWSW	34 NESW	34 NWSE	34 NESE	35 NWSW	35 NESW	35 NWSE	35 NESE	36 NWSW	36 NESW	36 NWSE	36 NESE	
34 LT01	34 LT04	34 LT03	34 LT02	34 LT01	35 LT04	35 LT03	35 LT02	35 LT01	36 LT04	36 LT03	36 LT02	36 LT01

A45-02768

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 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: 1942-01-24
IDWR NUMBER: 4502768
BLM NUMBER: 4502488004
BASIS OF CLAIM: LICENSE
BASIN NUMBER: 45

SOURCE	TRIBUTARY TO
-----	-----
SHOE REVEGETATION SPRING	SINKS

DESCRIPTION OF DIVERSION WORKS

HEADBOX AND TROUGH

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

CATTLE/400 DEER/30

				POINT OF DIVERSION				
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY	
-----	-----	-----	-----	-----	-----	-----	-----	
16S	21E	35	SE	SE	SW	00	CASSIA	

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
-----	-----	-----	-----	-----	-----	-----	-----	-----
16S	21E	35	SE	SW	00	CASSIA		0.0
16S	21E	35	SE	NW	00	CASSIA		0.0

MICROFILMED
OCT 27 1994

BLM NUMBER: 4502488004

PAGE: 2

16S	21E	35	SE	SW	00	CASSIA	0.0
16S	21E	35	SE	NW	00	CASSIA	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

MICROFILMED

OCT 7 1994