

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)

A. Subcase 21-02166
(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:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
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: Don Mickelson
Address: 1934 Melody St.; Idaho Falls, Idaho 83402

Name: ;
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 United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

) ss.

County of ADA

)

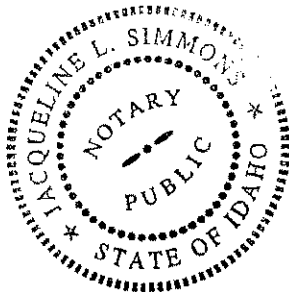
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

Fredric W. Price
(Signature of person filing objection)

David Vagin F. LAB
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 23rd of May 2006



Jacqueline L. Simmons
Jacqueline L. Simmons

Notary Public for State of Idaho

Residing at: Boise, ID.

My Commission Expires: 04-07-2011

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 May 23, 2006, 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:

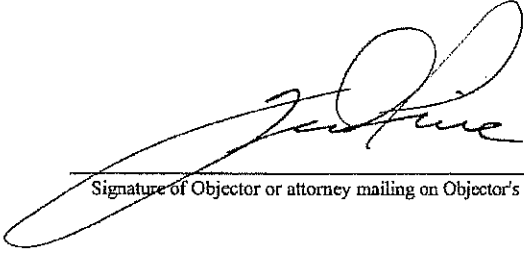
Name: Don Mickelson
Address: 1934 Melody St.; Idaho Falls, Idaho 83402
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf

01/12/2006

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

RIGHT NUMBER: 21-2166

NAME AND ADDRESS: DCM MICKELSON
1934 MELODY ST
IDAHO FALLS ID 83401

POU on BLM:

-Claimant is not authorized to farm public land.

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.760 CFS
658.00 AFY

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

PRIORITY DATE: 05/07/1951

POINT OF

DIVERSION: T06N R38E S34 NESENW Within MADISON County
T06N R38E S34 NENESW Within MADISON County
T06N R38E S34 NESWSW Within MADISON County
T06N R38E S34 NESESE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.760 CFS 658.00 AFY
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within MADISON County

BLM

T06N R38E S34	NENE	38.00	T06N R38E S34	NWNE	25.00
T06N R38E S34	SWNE	40.00	T06N R38E S34	SENE	40.00
T06N R38E S34	NENW	11.00	T06N R38E S34	SWNW	31.00
T06N R38E S34	SENW	40.00	T06N R38E S34	NESW	36.00
T06N R38E S34	NWSW	26.00	T06N R38E S34	SWSW	9.10
T06N R38E S34	SESW	2.00	T06N R38E S34	NESE	40.00
T06N R38E S34	NWSE	31.00	T06N R38E S34	SESE	5.30
T06N R38E S35	NNNW	0.20	T06N R38E S35	SWNW	0.60
T06N R38E S35	NWSW	0.60			

STOCKWATER same as IRRIGATION

376 ACRES TOTAL

Use of this right with Right No. 21-4000 is limited to the irrigation of a
combined total of 376 acres in a single irrigation season.

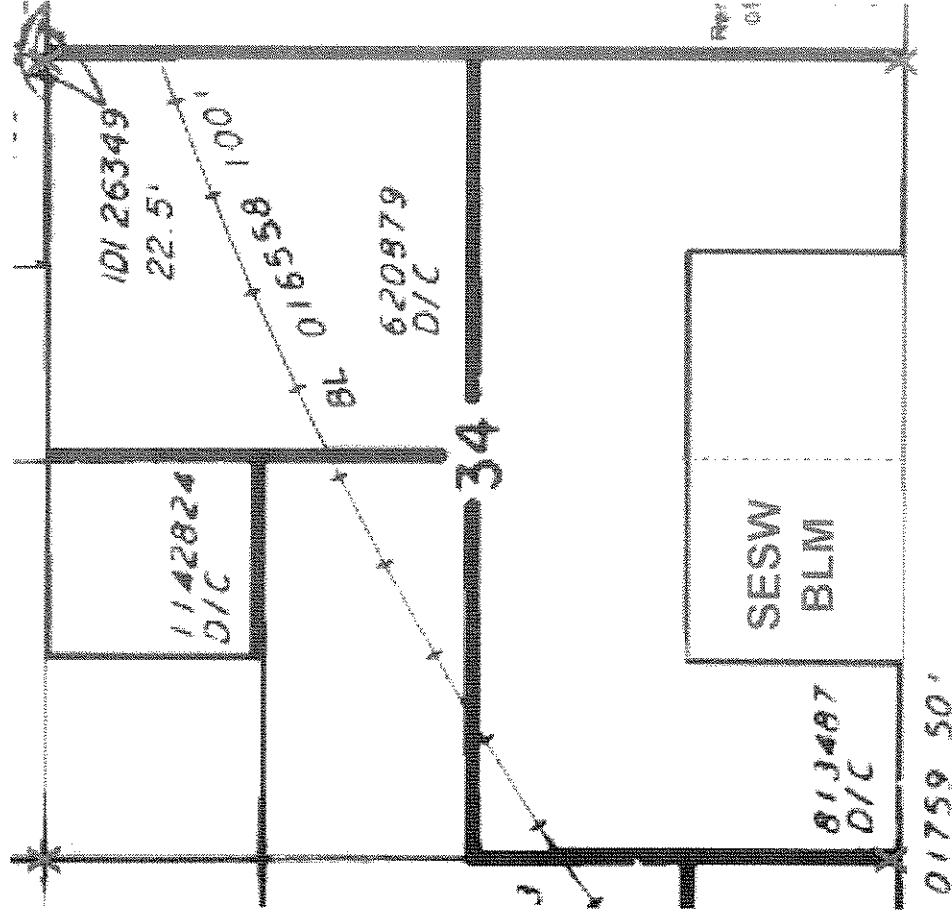
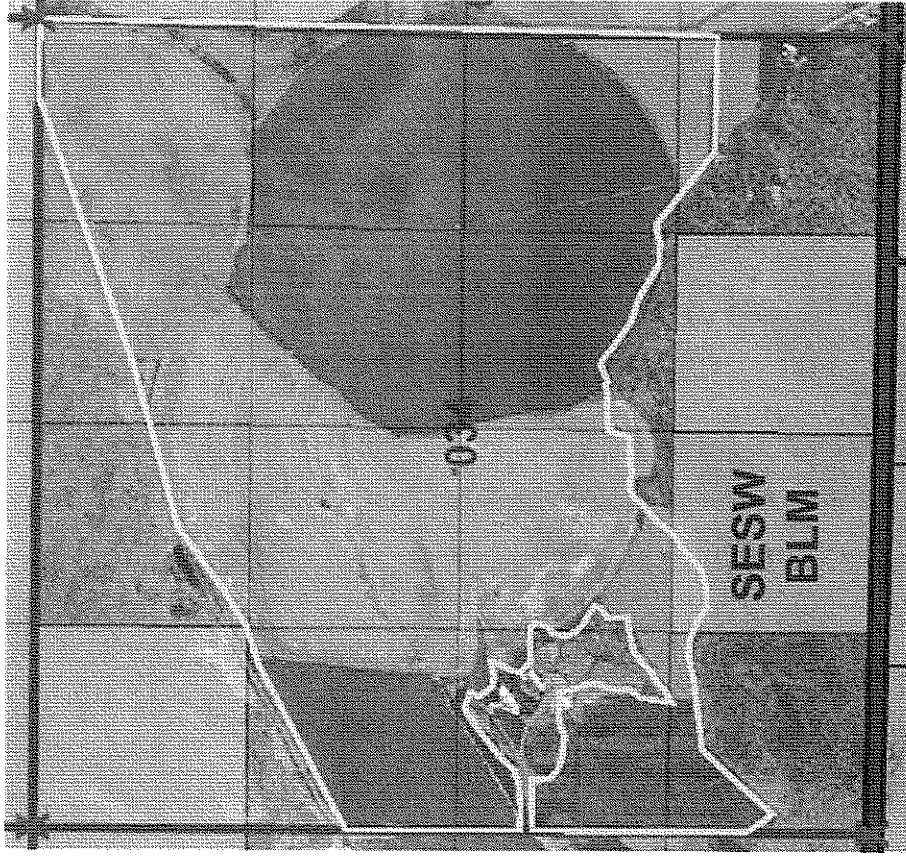
This right is limited to the irrigation of 188 acres within the place of use
described above in a single irrigation season.

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 42-1412(6), Idaho
Code.

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

21-02166 & 21-04000
T06N R38E



-Claimant is not authorized to farm public land.
Please remove SESW from recommendation and
adjust shapefile accordingly

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

INDEX TO SEGREGATED TRACTS			
RECURVE	ORIGINAL SURVEY		
TRACT NO	T	R	SECTION

[illegible]

115382 Sites Act 2/7/1979
A/H PRL in TP Excl
Sec 39: SESWSWSE

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

CURRENT TO	CURRENT TO
MAY 20	

USC FLATS:

