

MAY 4 2026

By _____
Deputy Clerk

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 61-12361
(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: (208) 373-3831

Name & Address of Attorney, if any:

Mark Widerschein, Michelle Nkeng, Katharine Laubach
(202) 532-5803, (202) 514-2598, (202) 305-8568
United States Department of Justice
Environment and Natural Resource Division
Natural Resources Section
P.O. Box 7611
Ben Franklin Station
Washington, D.C. 20044-7611

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

Name: Casa del Norte LP
Address: 11204 N Bar 21 Dr
Glenns Ferry, ID 83623-5028

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: Should contain combined use remark.

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:

10. **I object because:**

This water right should not exist.

This water right was not recommended, but should be recommended with the elements described above.

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E. REASONS SUPPORTING OBJECTION(S):

Claimant's claims are improperly stacked in violation of I.C. 42-111(2), and the quantity reported in the Director's Report is insufficiently described.

Claimant has filed thirty-four claims for stockwater use within one ranching unit, *see* Attachment A, asserting a collective water use that far exceeds the amount that can be obtained through the *de minimis* deferral process. For these thirty-four claims, twenty-eight are for 6,860 cattle and six are for 1,446 cattle. A *de minimis* stockwater use is limited to historical beneficial use up to a maximum of thirteen thousand gallons-per-day ("gpd"), which can serve the needs of approximately 1,000 head of range cattle under IDWR's guidelines. Each of the thirty-four claims thus asserts a use that is greater than *de minimis*.

Further, IDWR's recommendation, which omits the number of cattle on each claim under explanatory material, would allow Claimant to stack its individual deferred claims to achieve a total use that far exceeds the *de minimis* limit. The Court's Order Governing Procedures in the SRBA for Adjudication of Deferred *De Minimis* Domestic and Stock Water Claims (Jun. 28, 2012) requires that "[c]laimants of deferred *de minimis* domestic or stock water rights may not claim an amount in excess of" 13,000 GPD, utilizing the *de minimis* standard established in I.C. 42-111(1)(a). I.C. 42-111(2) states that multiple water rights for domestic uses or domestic purposes – which encompasses *de minimis* livestock watering, *see* I.C. 42-111(a) - shall not be established or exercised in a manner to satisfy a single combined water use or purpose that would not itself come within the *de minimis* limitation. The livestock operation at Claimant's ranch is a single combined water use or purpose.

Accordingly, Claimant can only obtain a maximum of 13,000 gpd of stockwater across the claims for each ranching unit. The thirty-four stacked claims would not be a *de minimis* use, and should have been claimed in the main phase of the SRBA. If the 6,860 cattle asserted on each claim is intended to identify the number of cattle associated with this one ranch, then that is also not *de minimis*. For multiple deferred claims serving a single combined water use on one ranch, a combined use remark should be added to preclude stacking of deferred claims in violation of I.C. 42-111(2). BLM's objection would be resolved by addition of the following remark:

The use of water under the following rights is limited to a total combined use of 0.02 cfs and 13,000 gpd: 37-23270, 37-23273, 37-23274, 37-23275, 37-23276, 37-23283, 61-12361, 61-12362, 61-12363, 61-12368, 61-12369, 61-12370, 61-12371, 61-12375, 61-12376, 61-12380, 61-12382, 61-12383, 61-12387, 61-12388, 61-12389, 61-12396, 61-12398, 61-12400, 61-12401, 61-12403, 61-12405, 61-12407, 61-12440, 61-12489, 61-12490, 61-12491, 61-12492, 61-12536.

1 I.C. 42-111(a) defines domestic purposes or domestic uses to mean "[t]he use of water for ... livestock, and for any other purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land, if the total use does not exceed thirteen thousand (13,000) gallons per day."

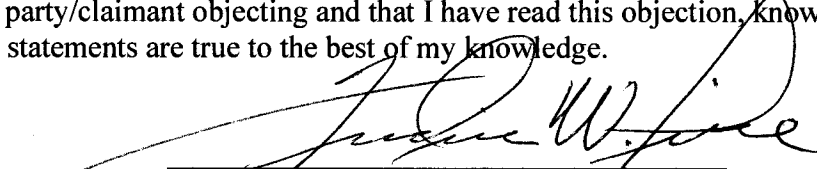
F.

VERIFICATION (Must be Completed)

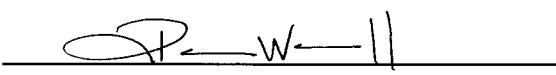
State of Idaho)
) ss.
County of Ada)

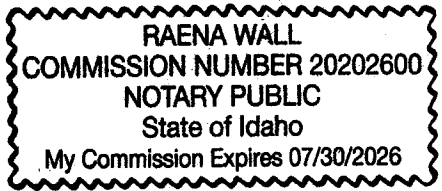
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

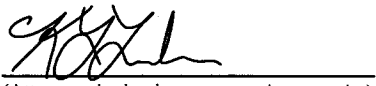

(Signature of person filing objection)

Subscribed and sworn to before me on: May 4th 2024





Notary Public for Idaho
Residing at: BOISE ID
My Commission Expires: 0730 2024


(Attorney signing in representative capacity)

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 4, 2026, 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:

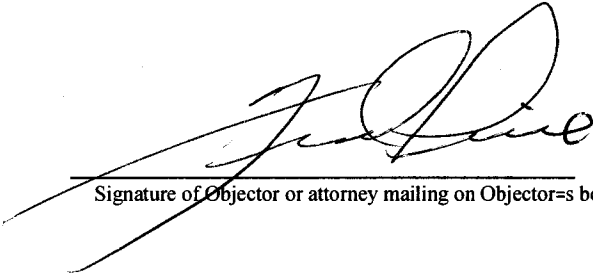
Name: Casa del Norte LP
Address: 11204 N Bar 21 Dr
Glenns Ferry, ID 83623-5028

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 83720
Boise, ID 83720-0010

United States Department of Justice
Environment and Natural Resource Division
Natural Resources Section
P.O. Box 7611
Ben Franklin Station
Washington, D.C. 20044-7611



Signature of Objector or attorney mailing on Objector=s behalf

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

RIGHT NUMBER: 61-12361

NAME AND ADDRESS: CASA DEI NORTE LP
11204 N BAR 21 DR
GLENN'S FERRY ID 83607-5028

SOURCE: UNNAMED STREAM TRIBUTARY: KING HILL CREEK

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 11/29/1927

POINT OF DIVERSION: T02S R10E S22 S3SE Begin of Stream Flow Within ELMORE County
T02S R10E S27 NENE Begin of Stream Flow Within ELMORE County
T02S R10E S27 NESE End of Stream Flow Within ELMORE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	31/01 12/31	0.020 CFS

Stockwater use is for the in-stream watering of livestock.

PLACE OF USE:

<u>STOCKWATER in ELMORE County</u>			
T02S R10E S22	SESE	T02S R10E S27	NENE
T02S R10E S27	SENE	T02S R10E S27	NESE

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

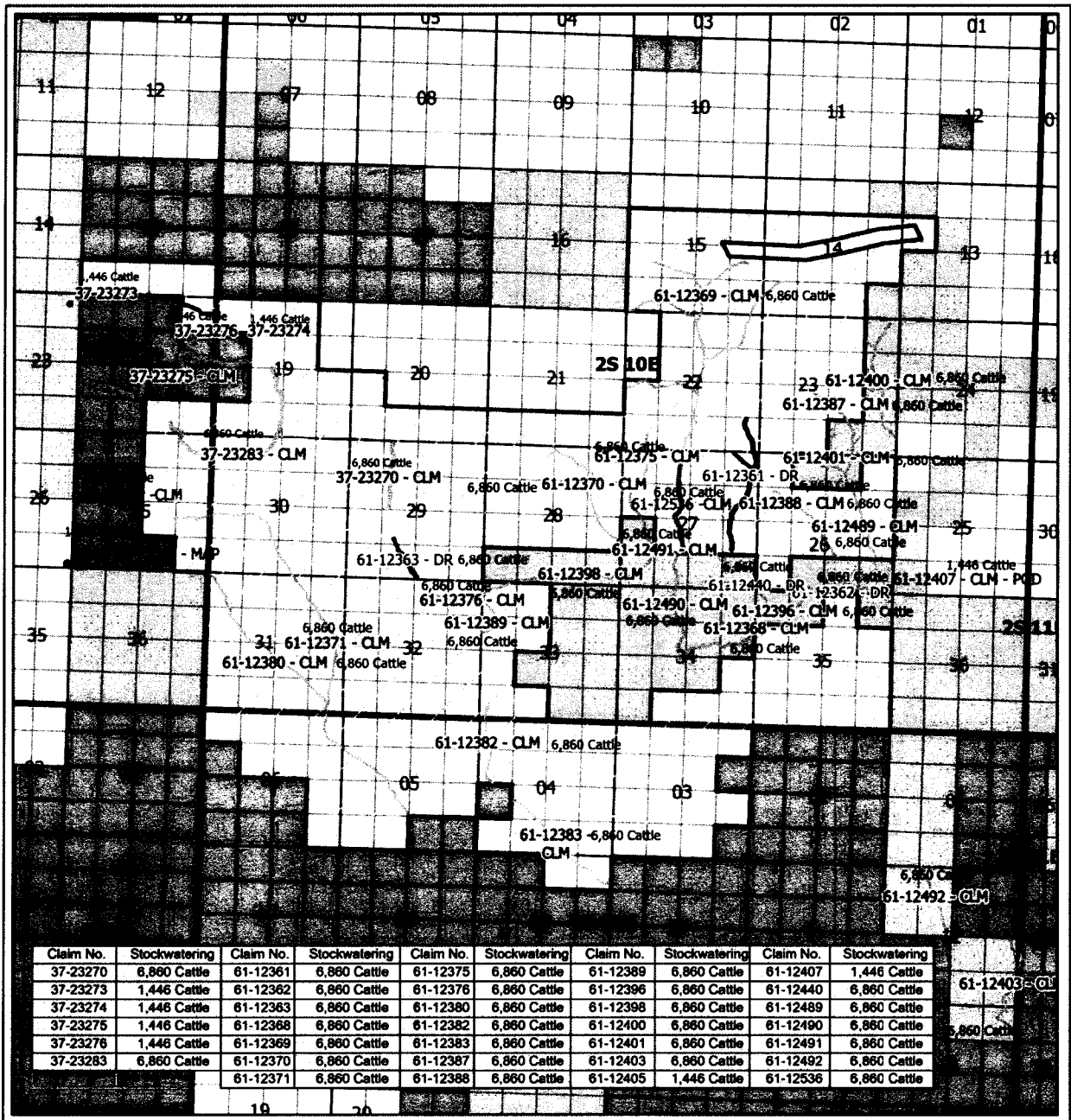
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Idaho Code § 42-1412(6).

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Casa del Norte - Recommended Claims

Basin 61



- Casa del Norte Recommended Claims
- Casa del Norte Claims (Not yet Recommended)
- Casa del Norte Boundary (Basin 61)
- Bureau of Land Management (BLM)
- US Forest Service (USFS)
- State
- Private / Other

