

RECEIVED
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DEPARTMENT OF
WATER RESOURCES

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 63-02360
(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: Boise Valley Irrigation Ditch Co.
Address: 8750 N. Bogart Lane; Boise, Idaho 83714

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.

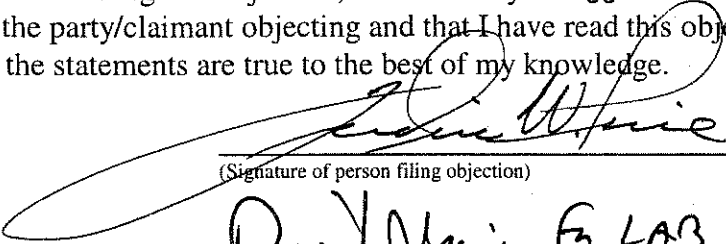
County of ADA

)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:

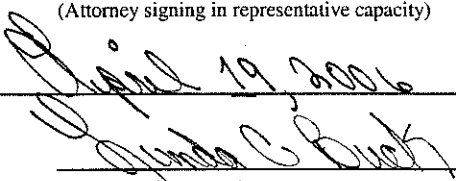
(Name of person filing objection)

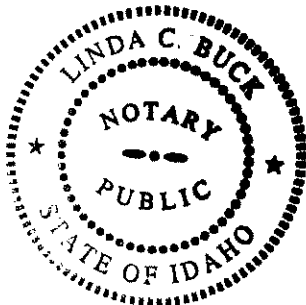
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

David Neri FZ LAB
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 19, 2006


Linda C. Buck



Notary Public for Idaho

Residing at: Mountain Home,

My Commission Expires: 12-21-2011

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 4-19-, 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:

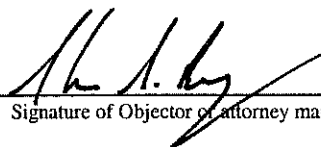
Name: Boise Valley Irrigation Ditch Co.
Address: 8750 N. Bogart Lane; Boise, Idaho 83714
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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 of attorney mailing on Objector's behalf

12/12/2005

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

RIGHT NUMBER: 63-2360
NAME AND ADDRESS: BOISE VALLEY IRRIGATION DITCH CO
8750 N BOGART LN
BOISE ID 83714
SOURCE: BOISE RIVER
QUANTITY: 1.200 CFS
PRIORITY DATE: 07/19/1921
POINT OF DIVERSION: T03N R02E S5 NESENE Within ADA County
PURPOSE AND PERIOD OF USE:

POUs on BLM:
-Irrigation is not authorized

TRIBUTARY: SNAKE RIVER

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	1.200 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

2808.43 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(b). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2808.43 ACRES WITHIN THE BOUNDARY OF THE BOISE VALLEY IRRIGATION DITCH COMPANY

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

WATER IS DELIVERED THROUGH THE FARMERS UNION AND MOISE VALLEY CANALS.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-120G, 63-123C, 63-123D, 63-123E, 63-123F, 63-123G, 63-124Q, 63-125J, 63-126F, 63-165M, 63-198AG, 63-248, 63-297, 63-31832, 63-21729, 63-18700, 63-31937.

RightID570541 (63-02360)

Place(s) of use:

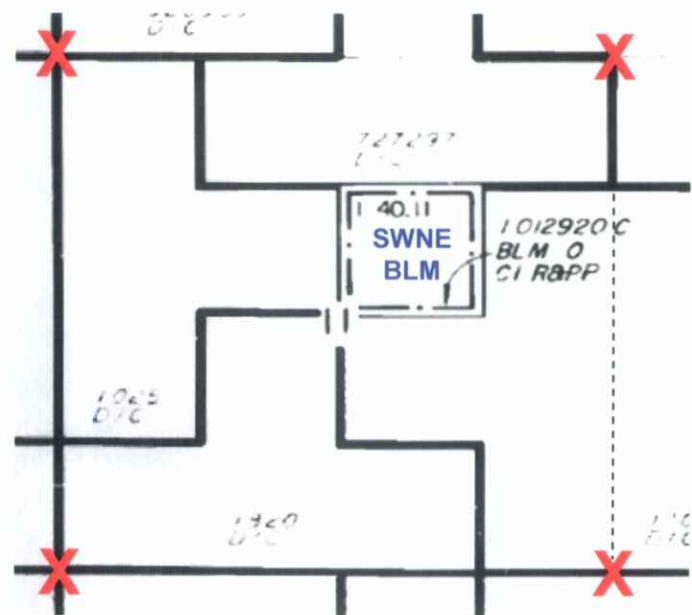
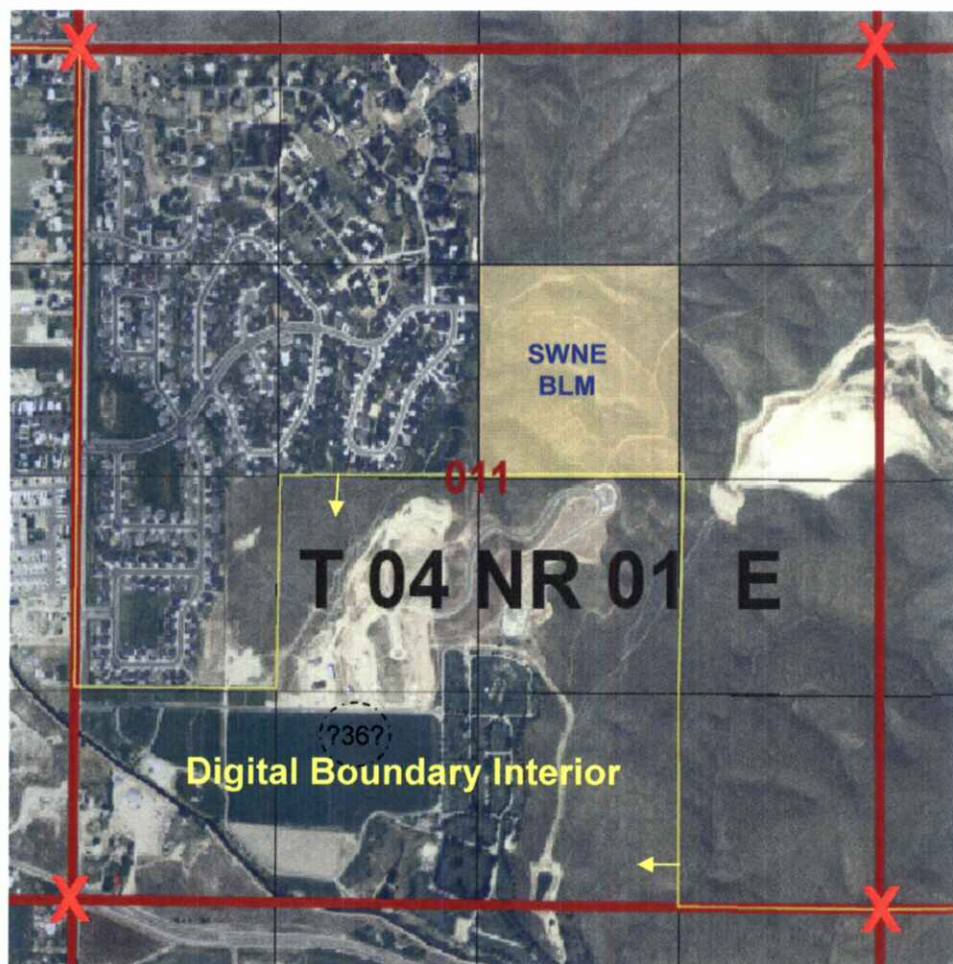
Place of Use Legal Description: IRRIGATION ADA County

○ Lot 1 = NENE
 Lot 2 = NWNE
 Lot 3 = NENW

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02N	02E	1	1	NENE			SENE							
	03E	5 BLM	4	NENE		1	NWNE							
			2	NENW		3	NWNW	BLM						
		6	4	NENE		1	NWNE			SWNE			SENE	
			2	NENW		3	NWNW		5	SWNW			SENE	
03N	02E	36		SWSE			SESE							
	03E	28	2	SWSW		1	SESW							
		29		NESE		1	SESE							
		31		NESW		3	NWSW		4	SWSW			SESW	
				NESE			NWSE			SWSE			SESE	
		32		NESW			NWSW			SWSW			SESW	
				NWSE			SWSE			SESE				
04N	01E	3		NESW			SWSW			SESW				
				NWSE			SWSE			SESE				
		4	4	NWNW			SWNW			SENE				
		9	3	NENW						SWNE			SENE	
		10		NENE			NWNE			SWNW			SENE	
				NENW			NWNW			SWSW			SENE	
				NESW			NWSW			SWSE			SESE	
				NESE			NWSE							
		11		SWNE	BLM									
				SENE										
				NESW			SWSW			SESW				
				NESE			NWSE			SWSE				
		12		NENE			NWNE			SWNE			SENE	
				SENE										
				NESW										
				NESE			NWSE							
		13		SWNE			SENE							
				NENW			NWNW			SWNW			SENE	
				NESW			NWSW			SWSW			SESE	
				NESE			NWSE			SWSE			SESE	
		14		NENE			NWNE			SWNE			SENE	
				NENW			NWNW			SWNW			SENE	
				NESW			NWSW			SWSW			SESE	
				NESE			NWSE			SWSE			SESE	

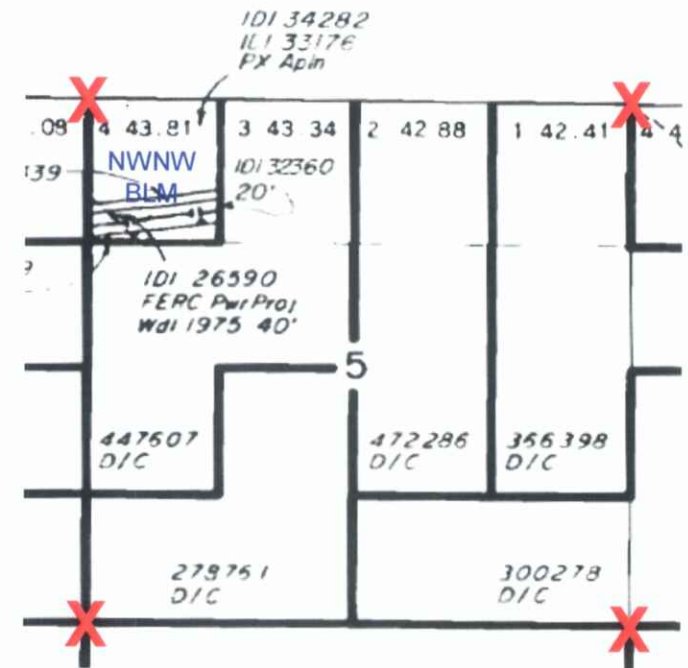
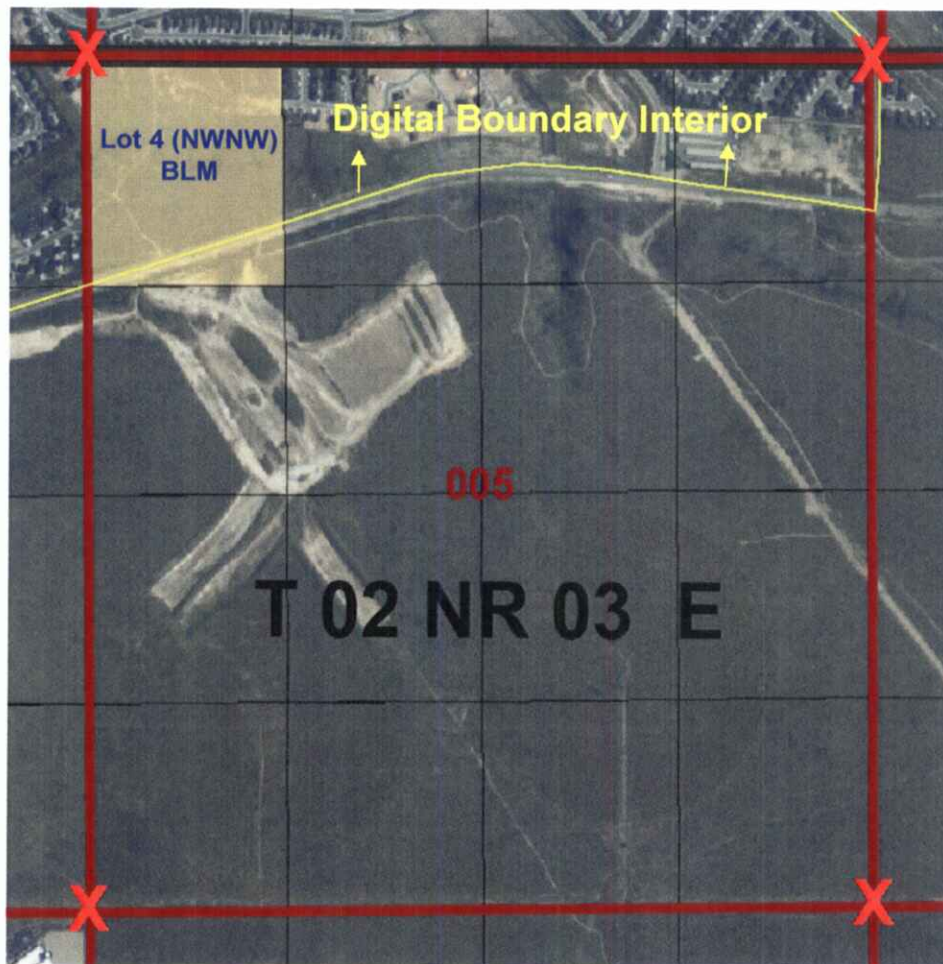
05N	02E	15	NENE		NWNE		SWNE		SENE
			NESE	1	SESE				
		23	NENE	2	NWNE	1	SENE		
			4 NWNW	5	SWNW	6	SENE		
			7 NWSE				SENE		
		24	NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENE
			3 NESW	4	NWSW				
			NESE		NWSE	2	SWSE	1	SESE
		25	1 NESE						
		18	3 NWSW	4	SWSW		SESW		
		19	NENE		NWNE		SWNE		SENE
			NENW	1	NWNW	2	SWNW		SENE
			NESW	3	NWSW	4	SWSW		SENE
			NESE		NWSE		SWSE		SENE
		20	SWSW						
		29	NWNW		SWNW				
			NWSW		SWSW		SESW		
		30	NENE		NWNE		SWNE		SENE
			NENW	5	NWNW	4	SWNW		SENE
			2 NESW						
			NESE		NWSE	1	SWSE		SESE
		31	1 NENE						
		32	NWNE		SWNE		SENE		
			NENW		NWNW	5	SWNW	4	SENE
			3 NESW						
			NESE	2	NWSE				
	01W	1	SENE						
	01E	31	SESE						
	01W	32	SENE						
			NESE						
		33	SWNW						
			NWSW						
		34	NWNE		SWNE		SENE		
			SENE						
			NESW						

63-00147B, 63-02360, 63-31198, 63-31832, 63-31833



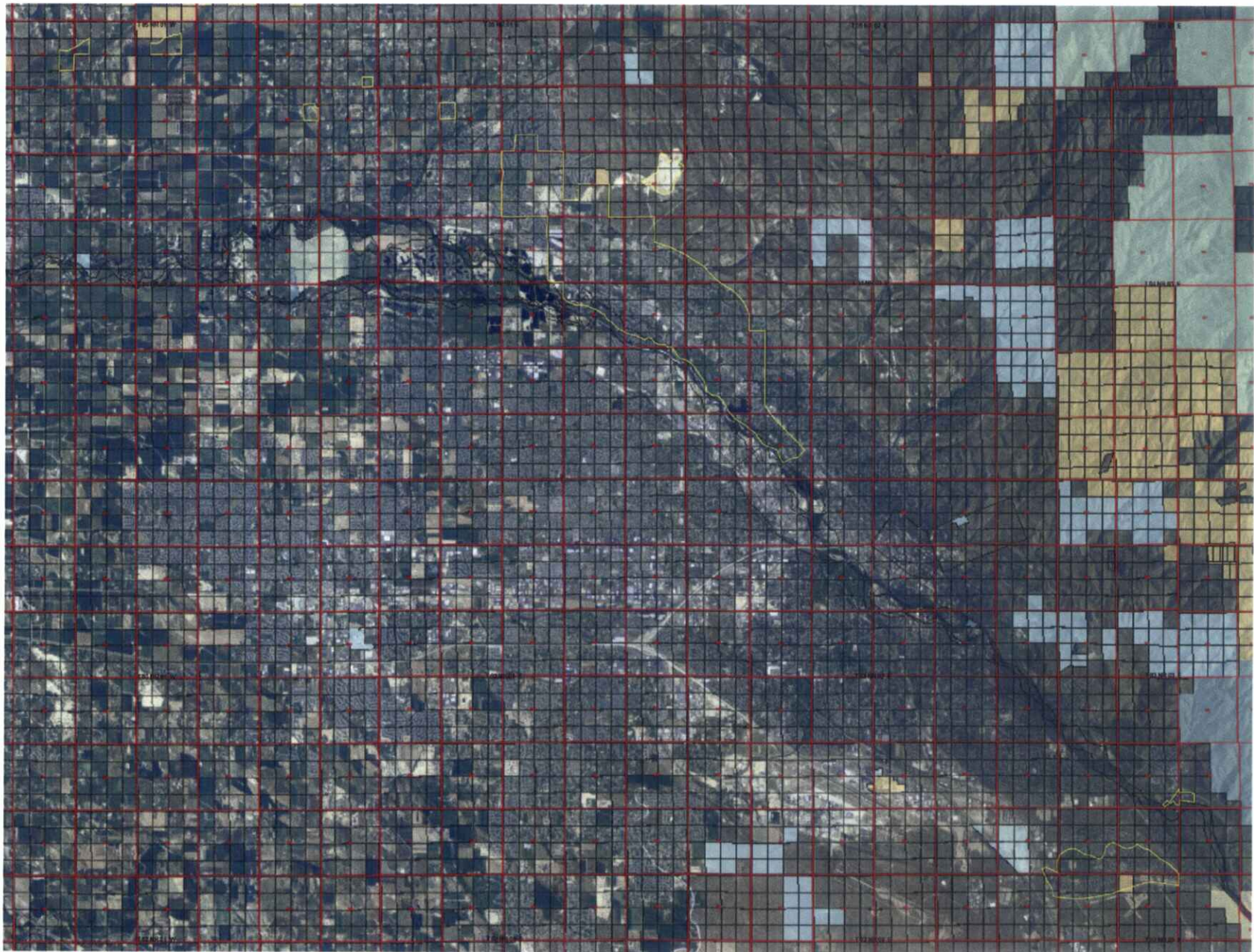
- Remove POU on BLM from data

63-00147B, 63-02360, 63-31198, 63-31832, 63-31833



-Remove POU on BLM from data and adjust digital boundary accordingly

63-00147B, 63-02360, 63-31198, 63-31832, 63-31833



TOWNSHIP 2 NORTH RANGE 3 EAST OF THE BOISE MERIDIAN, IDAHO

ADA COUNTY OOI

BOISE DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

INDEX TO SEGREGATED TRACTS		
TRACT NO.	T	SEC.
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27	1	27
28	1	28
29	1	29
30	1	30
31	1	31
32	1	32
33	1	33
34	1	34
35	1	35
36	1	36

ON 258731 N. 1st 1st Trail
Historical Information only, does not denote
public access

ON 34007 NW 1/4 Teke Cobia 5' Build
See 25 Within Lot 4

ON 33896 NW 1/4 Trail 2.3
See 25 Within Lot 4

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

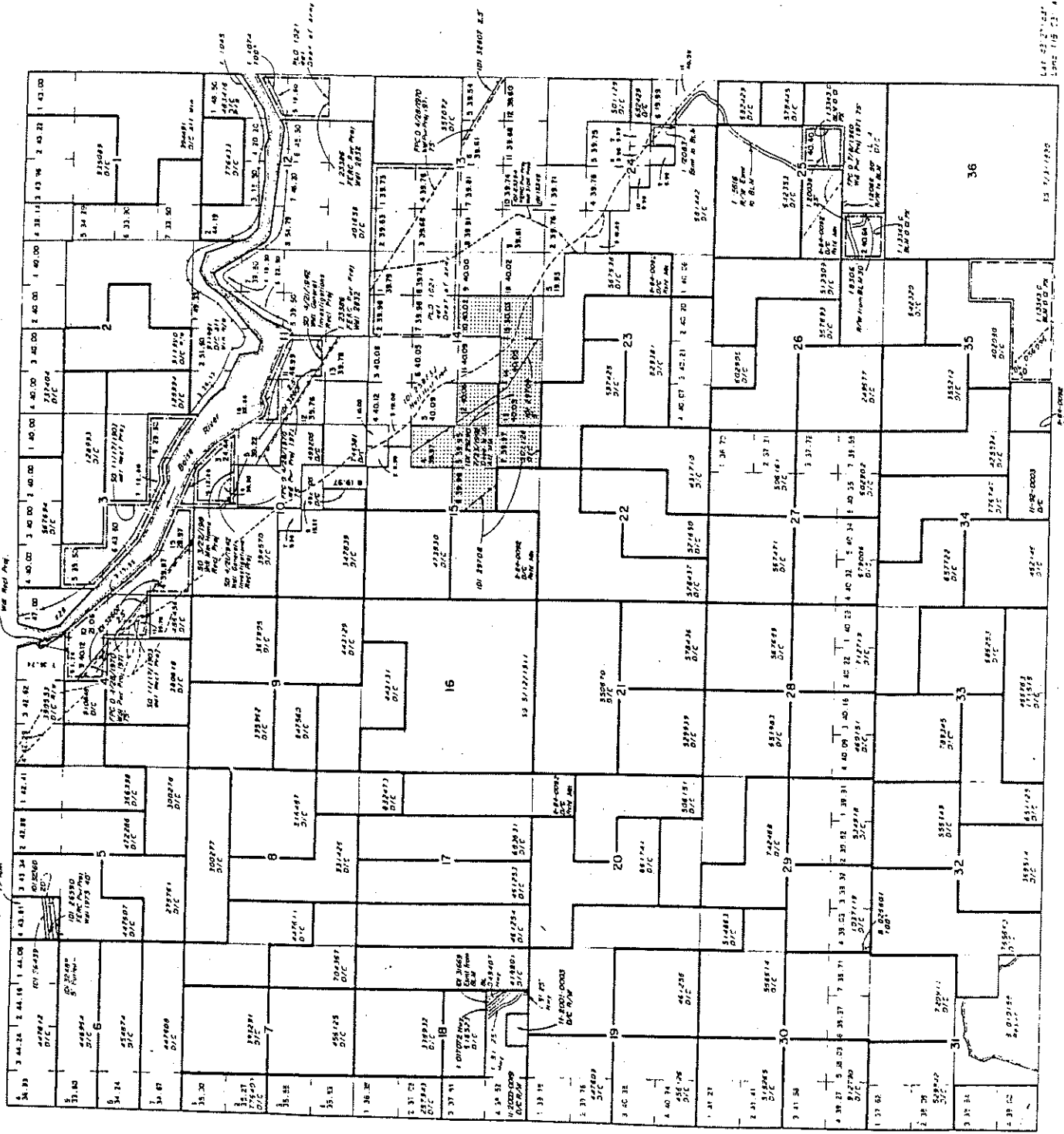
CURRENT TO	COMMENT TO
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THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST

SCALE IN CHAINS

WARNING STATEMENT

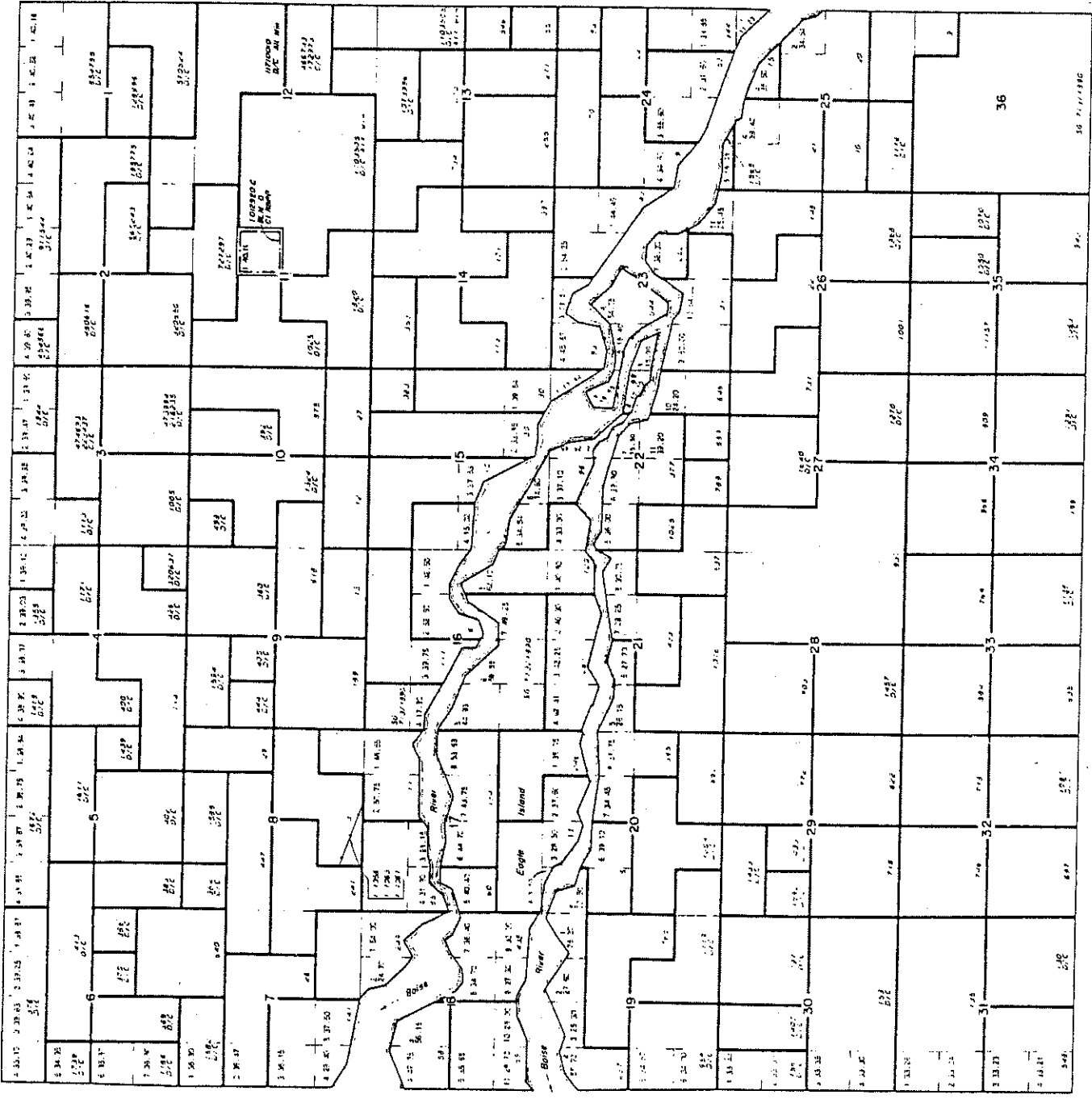
Page 114



TOWNSHIP 4 NORTH RANGE 1 EAST OF THE BOISE MERIDIAN, IDAHO

ADA COUNTY 001
50/50 DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES



MT PLAT

INDEX TO SEGREGATED TRACTS		
TRACT NO	T	R
1	1	1
2	1	1
3	1	1
4	1	1
5	1	1
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33	1	1
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35	1	1
36	1	1

Survey Pending Group No. 892
Partial To

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

CURRENT TO	COMMENT TO
USE PLATS	

SCALE in Chains
0 10 20 30 40

WARNING STATEMENT
This plat is the Bureau's best estimate of the land and mineral titles and is not a guarantee of title. It is subject to change without notice and is not to be used as a basis for title insurance.