

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 22-02303B
(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: BYU Idaho

Address: 244 Physical Plant; Rexburg, Idaho 83460-8205

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 legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

) ss.

County of ADA

)

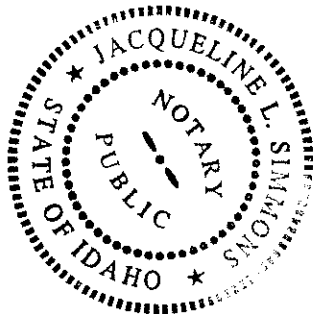
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 5-4-06



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 4, 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:

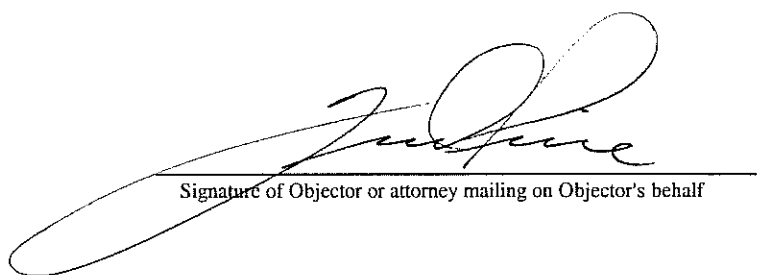
Name: BYU Idaho
Address: 244 Physical Plant; Rexburg, Idaho 83460-8205
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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

02/24/2006

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

RIGHT NUMBER: 22-2303B
NAME AND ADDRESS: BYU IDAHO
244 PHYSICAL PLANT
REXBURG ID 83460-8205

Mixed POUs:

-The places of use described below contains both private and public lands.

-Clarify such that it is clear only private land is intended.

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.280 CFS
399.00 APY

PRIORITY DATE: 06/25/1953

POINT OF DIVERSION: T06N R39E S20 SWNESE Within MADISON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	2.280 CFS 399.00 APY

PLACE OF USE: IRRIGATION Within MADISON County

Mixed POU	T06N R39E S17	SESW	1.00	T06N R39E S17 Lot 17 SESW	8.00
	T06N R39E S17 Lot 6 SWSE		36.00	T06N R39E S17 SESE	20.00
	T06N R39E S20	NENE	7.40	T06N R39E S20 NWNE	33.00
Mixed POU	T06N R39E S20 Lot 1 NENW		8.60		

Mixed POU

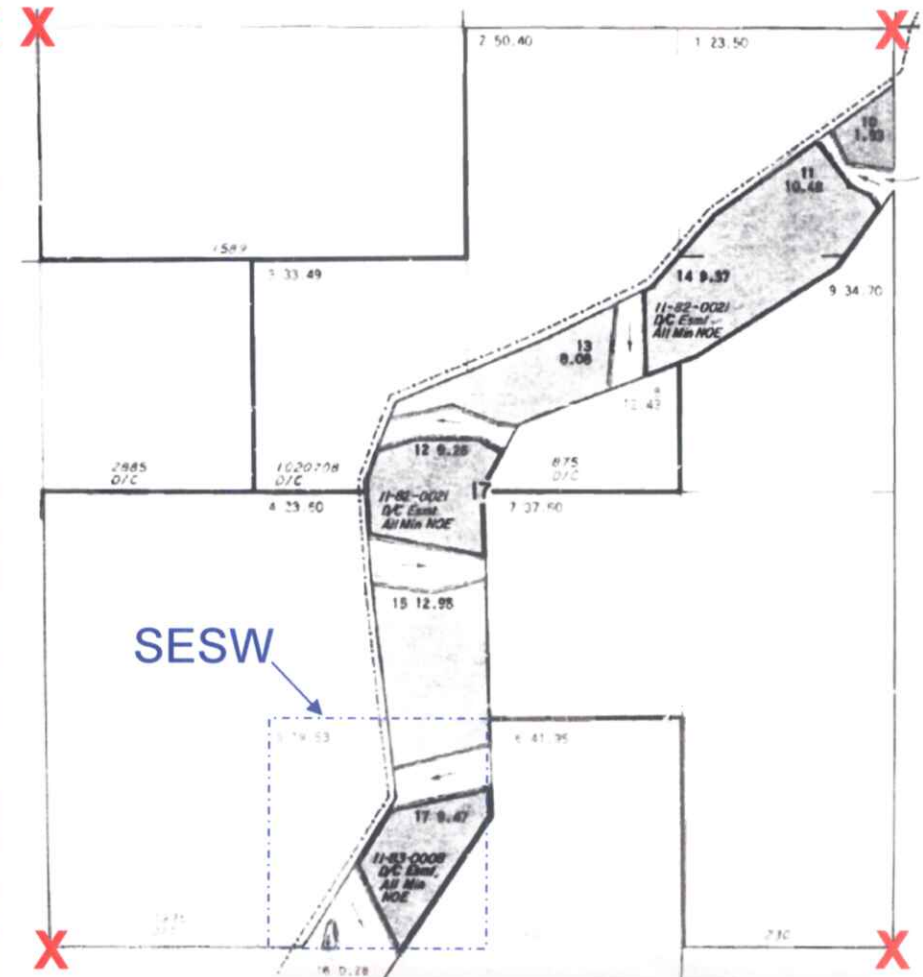
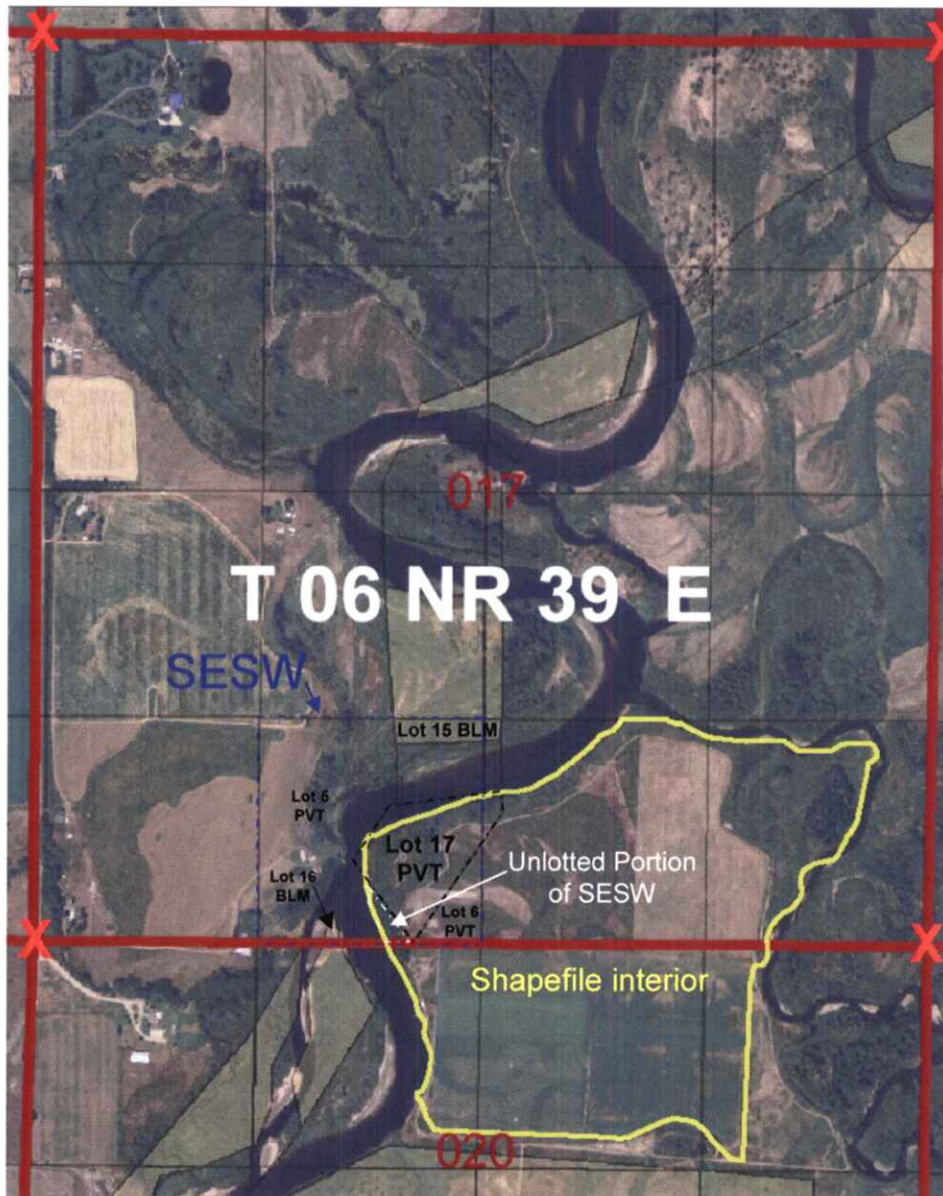
114 ACRES TOTAL

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

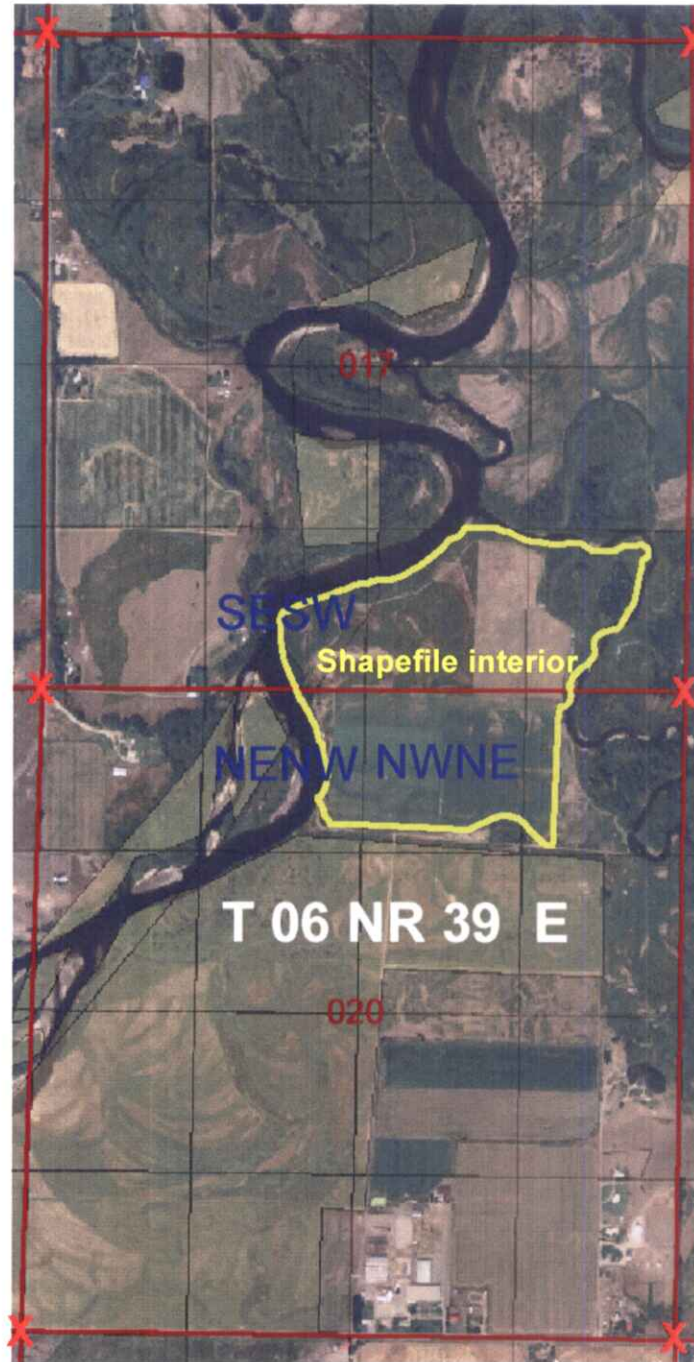
22-02303B – Section 17



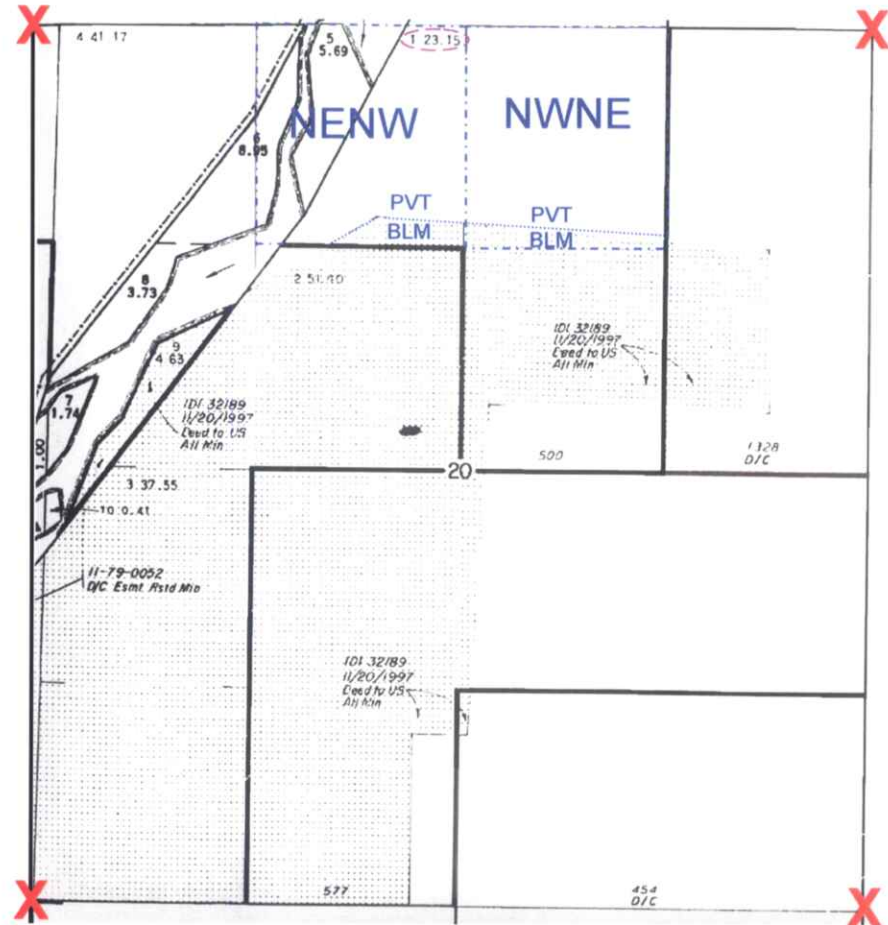
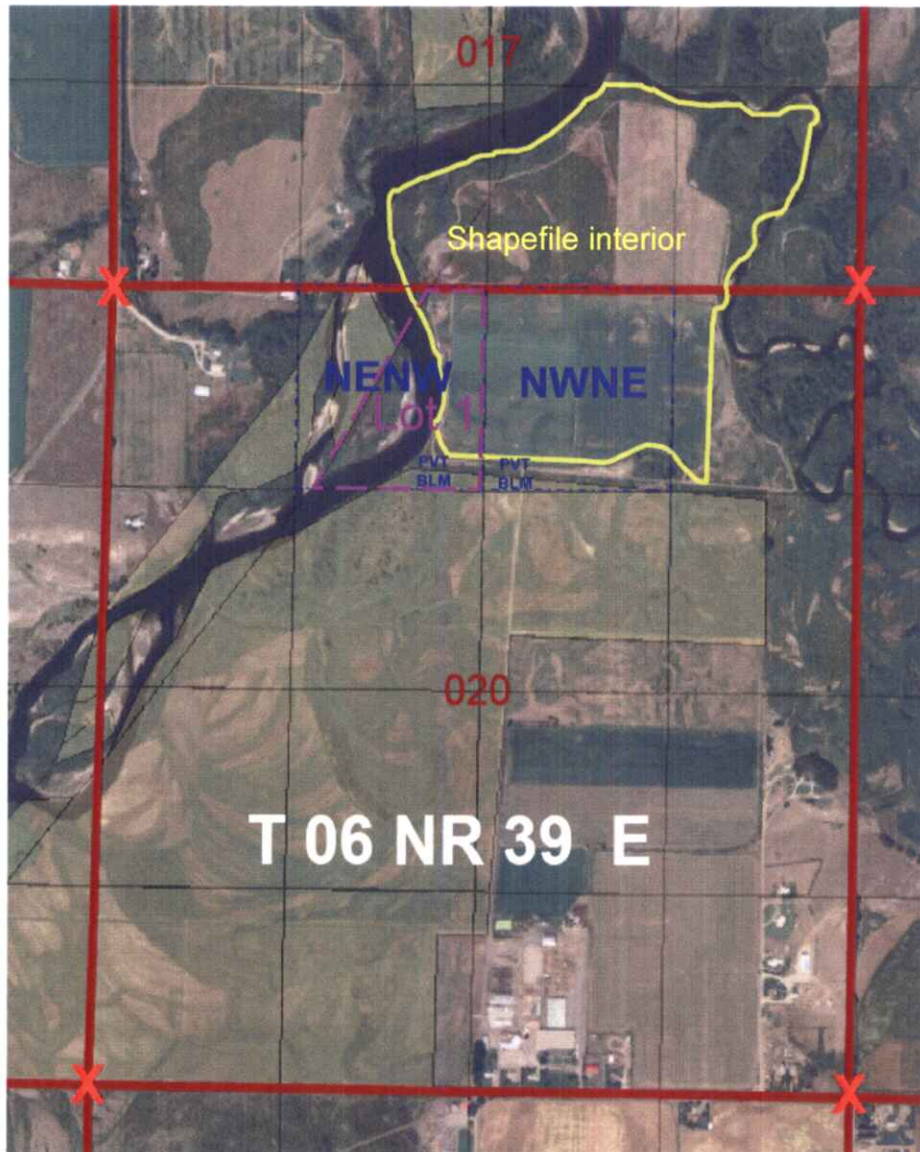
Since the SESW contains both private and public lands, please insert the following language under place of use to clarify this POU such that only private land is intended:

"The place of use does not include federal public lands."

22-02303B



22-02303B – Section 20



Since the NWNE and Lot 1 (NENW) contains both private and public lands, please insert the following language under place of to clarify these POUs such that only private land is intended:

“The place of use does not include federal public lands.”

MADISON COUNTY 065

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

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

11/20/00	CURRENT TO	CURRENT TO
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USE PLAYS:

THE NOTATION SHOWN ON HYDROGRAPHS REPRESENT THE LAST

DATE: 11/11/2011 11:11:11

Project Manager