

RECEIVED
MAY 08 2013
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 22-07256
(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: K L B, Inc.
Address: P.O. Box 579; Rexburg, Idaho 83440
Name: dba Brown Co.
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)

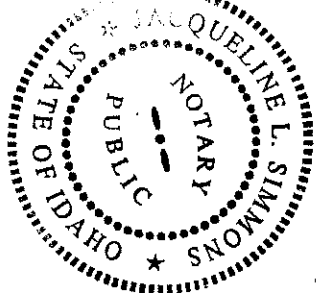
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
 (Name of person filing objection)

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)

Larry G. 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 IdahoResiding 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:

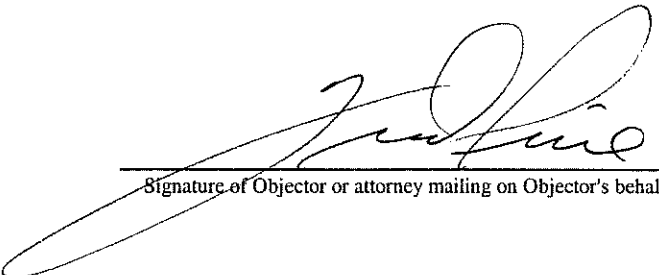
Name: K L B, Inc.
Address: P.O. Box 579; Rexburg, Idaho 83440
Name: dba Brown Co.
Address: ;
Name: ;
Address: ;
Name: ;
Address: ;

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

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

RIGHT NUMBER: 22-7256
NAME AND ADDRESS: K L B INC
DBA BROWN CO
PO BOX 579
REXBURG ID 83440

Unauthorized use on BLM:

-Portions of POU's identified below have unauthorized acres on public land.

SOURCE: GROUND WATER TRIBUTARY:
Point of injection into Teton River. Point of rediversion from Teton River.

QUANTITY: 13.400 CFS
3,292.10 APY

The rights listed below are limited to a total combined diversion rate of 13.40 cfs and to a total combined annual diversion volume of 8715.1 AF.
Combined Right Nos.: 22-7196, 22-7256, 22-12329.

PRIORITY DATE: 08/31/1977

POINT OF DIVERSION: T06N R40E S16 NESWSE Injection Within MADISON County
T06N R40E S16 NESWSE Within MADISON County
T07N R44E S29 SENWNE Rediversion Within TETON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 11/01	13.400 CFS 3,292.10 APY

PLACE OF USE: IRRIGATION Within TETON County

Portions of these 1/4 1/4 s
are not authorized

T07N R43E S10	SESE	11.00	T07N R43E S11	NWSW	2.50
T07N R43E S11	SWSW	38.00	T07N R43E S11	SESW	10.00
T07N R43E S13	NWNW	1.60	T07N R43E S13	SWNW	14.00
T07N R43E S13	SWNW	18.00	T07N R43E S13	NESW	4.80
T07N R43E S13	NWSW	40.00	T07N R43E S13	SWSW	35.00
T07N R43E S13	SESW	5.70	T07N R43E S14	SWNE	12.00
T07N R43E S14	SWNE	11.00	T07N R43E S14	SENE	21.00
T07N R43E S14	SENE	12.00	T07N R43E S14	NENW	6.70
T07N R43E S14	NWNW	40.00	T07N R43E S14	SWNW	36.00
T07N R43E S14	SENW	9.60	T07N R43E S14	SENW	20.00
T07N R43E S14	NESW	39.00	T07N R43E S14	NWSW	36.00
T07N R43E S14	SWSW	40.00	T07N R43E S14	SESW	40.00
T07N R43E S14	NESE	40.00	T07N R43E S14	NWSE	37.00
T07N R43E S14	SWSE	40.00	T07N R43E S14	SESE	39.00
T07N R43E S15	NENE	14.00	T07N R43E S15	SENE	13.00
T07N R43E S15	NESE	13.00	T07N R43E S15	SESE	13.00
T07N R43E S22	NENE	13.00	T07N R43E S22	SENE	13.00
T07N R43E S22	NESE	13.00	T07N R43E S22	SESE	13.00
T07N R43E S23	NENE	40.00	T07N R43E S23	NWNE	39.00
T07N R43E S23	SWNE	33.00	T07N R43E S23	SENE	30.00
T07N R43E S23	NENW	40.00	T07N R43E S23	NWNW	40.00
T07N R43E S23	SWNW	40.00	T07N R43E S23	SENW	40.00
T07N R43E S23	NESW	40.00	T07N R43E S23	NWSW	40.00

T07N R43E S23	SWSW	40.00	T07N R43E S23	SESW	40.00
T07N R43E S23	NESE	40.00	T07N R43E S23	NWSE	40.00
T07N R43E S23	SWSE	40.00	T07N R43E S23	SESE	40.00
T07N R43E S24	SWNE	8.70	T07N R43E S24	SENE	24.00
T07N R43E S24	NENW	21.00	T07N R43E S24	NWNW	38.00
T07N R43E S24	SWNW	39.00	T07N R43E S24	SENW	37.00
T07N R43E S24	NESW	40.00	T07N R43E S24	NWSW	32.00
T07N R43E S24	SWSW	35.00	T07N R43E S24	SESW	40.00
T07N R43E S24	NESE	28.00	T07N R43E S24	NWSE	35.00
T07N R43E S24	SWSE	40.00	T07N R43E S24	SESE	27.00
T07N R43E S25	NENE	30.00	T07N R43E S25	NWNE	40.00
T07N R43E S25	SWNE	40.00	T07N R43E S25	SENE	29.00
T07N R43E S25	NENW	40.00	T07N R43E S25	NWNW	38.00
T07N R43E S25	SWNW	40.00	T07N R43E S25	SENW	40.00
T07N R43E S25	NESE	35.00	T07N R43E S25	NWSE	40.00
T07N R43E S25	SWSE	39.00	T07N R43E S25	SESE	38.00
T07N R43E S36	NENE	33.00	T07N R43E S36	NWNE	40.00
T07N R44E S19 Lot 2	SWNW	9.40	T07N R44E S19	NESW	14.00
T07N R44E S19 Lot 3	NWSW	37.00	T07N R44E S19 Lot 4	SWSW	38.00
T07N R44E S19	SESW	40.00	T07N R44E S19	NESE	16.00
T07N R44E S19	NWSE	11.00	T07N R44E S19	SWSE	40.00
T07N R44E S19	SESE	40.00	T07N R44E S20	SWNW	10.00
T07N R44E S20	SENW	9.10	T07N R44E S20	NESW	27.00
T07N R44E S20	NWSW	30.00	T07N R44E S20	SWSW	34.00
T07N R44E S20	SESW	37.00	T07N R44E S20	NWSE	0.50
T07N R44E S20	SWSE	4.70	T07N R44E S29	SWNE	13.00
T07N R44E S29	SENE	0.30	T07N R44E S29	NENW	38.00
T07N R44E S29	NWNW	38.00	T07N R44E S29	SWNW	37.00
T07N R44E S29	SENW	40.00	T07N R44E S29	NESW	15.00
T07N R44E S29	NWSW	13.00	T07N R44E S29	NESE	1.70
T07N R44E S29	NWSE	15.00			

2962.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 2962.3 acres in a single irrigation season. Combined Right Nos.: 22-7196, 22-7256, 22-13329.

This right authorizes the irrigation of 1119.0 total acres.

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

This right is subject to regulation by the watermaster of Water District 01.

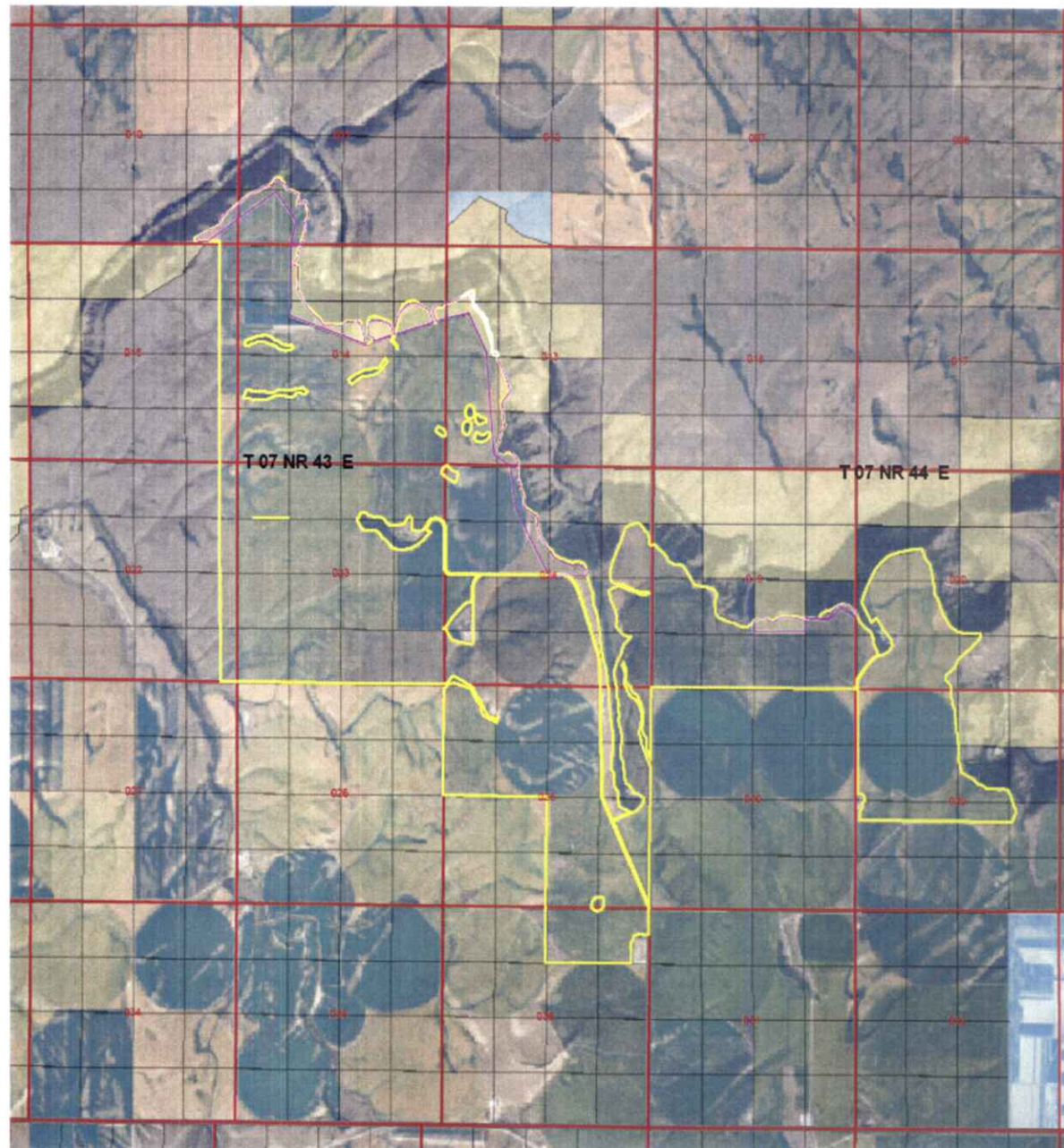
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

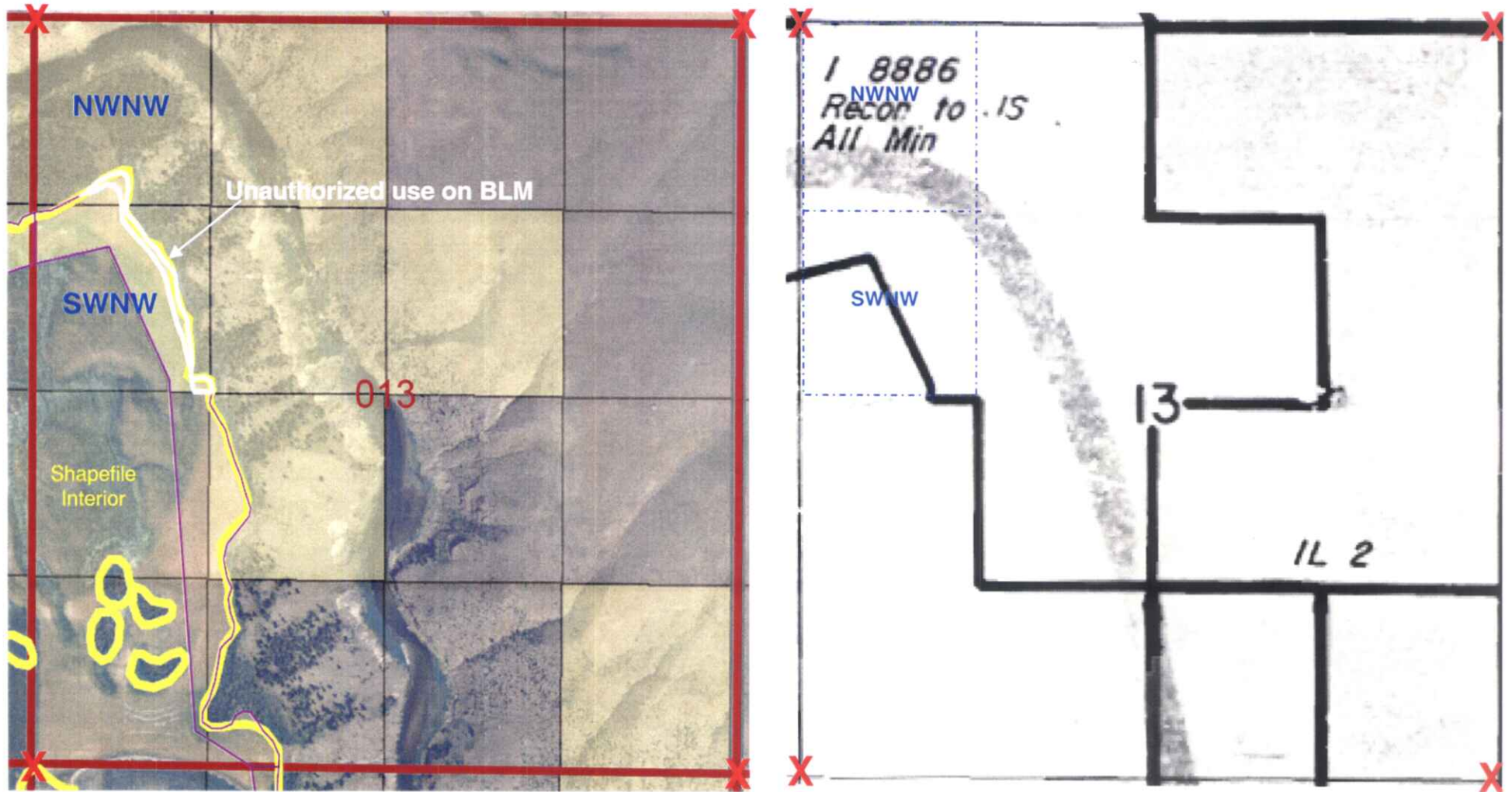
Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right No. 22-13329 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

22-07256 and 22-13329



22-07256 and 22-13329
T07N R43E S13



1. Portions of NWNW and SWNW contains unauthorized use on public lands. Adjust shapefile and acres accordingly.

TOWNSHIP 7 NORTH RANGE 43 EAST OF THE BOISE MERIDIAN, IDAHO

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

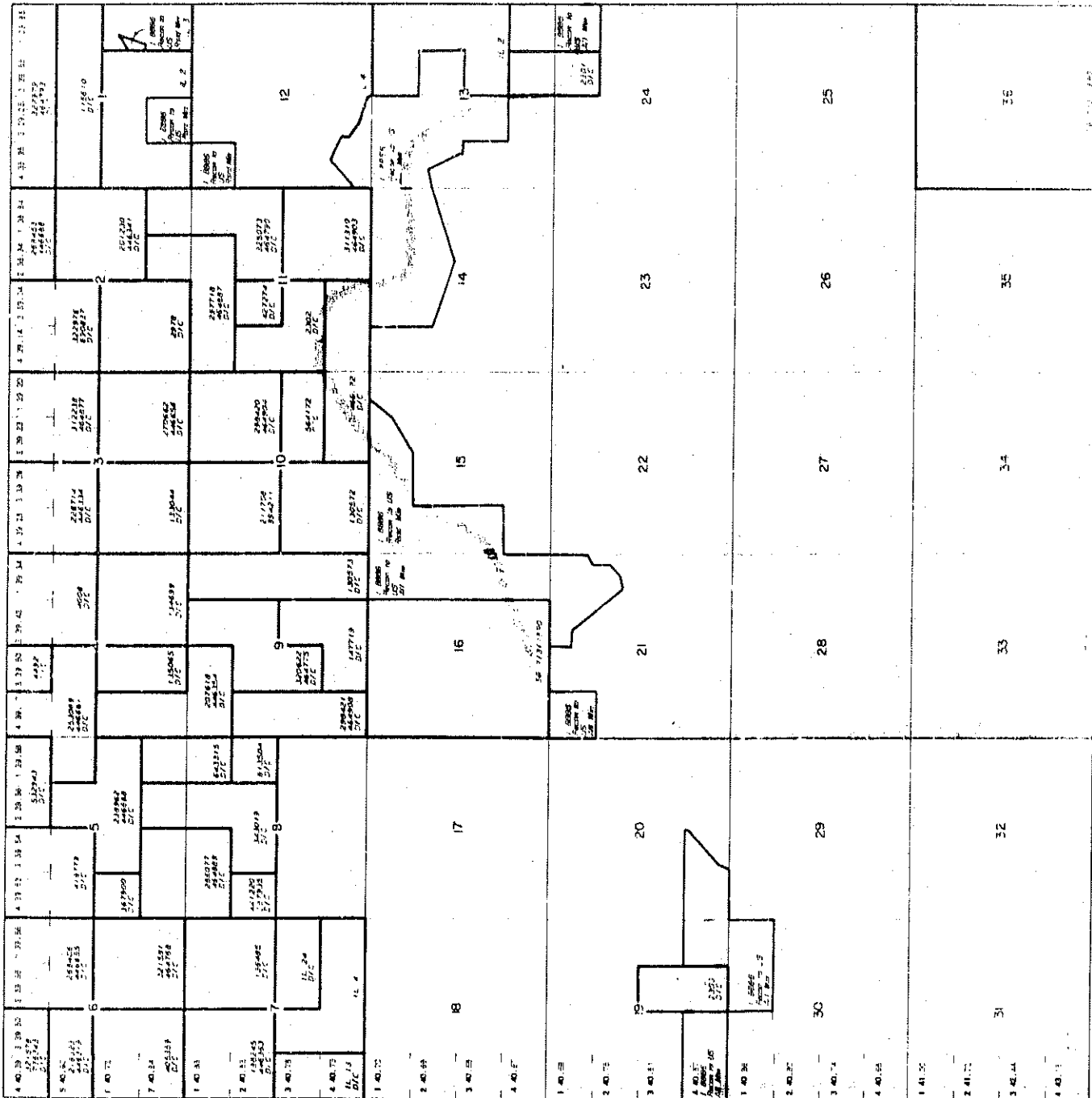
MT PLAT

INDEX TO SEGREGATED TRACTS			
TRACT NO.	T.	R.	S.
1	7	43	1
2	7	43	2
3	7	43	3
4	7	43	4
5	7	43	5
6	7	43	6
7	7	43	7
8	7	43	8
9	7	43	9
10	7	43	10
11	7	43	11
12	7	43	12
13	7	43	13
14	7	43	14
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21	7	43	21
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23	7	43	23
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26	7	43	26
27	7	43	27
28	7	43	28
29	7	43	29
30	7	43	30
31	7	43	31
32	7	43	32
33	7	43	33
34	7	43	34
35	7	43	35
36	7	43	36

1. BORE, MADE IN US, MADE FROM DEED BOOKS
 SEC 1 SW 1 NW 1 NW 1 NE 1
 SEC 2 NW 1 NW 1 NW 1 NE 1
 SEC 3 SE 1 SE 1 NW 1 NW 1 NE 1
 SEC 4 SE 1 NW 1 NW 1 NE 1
 SEC 5 SE 1 NW 1 NW 1 NE 1
 SEC 6 SE 1 NW 1 NW 1 NE 1
 SEC 7 NW 1 NW 1 NW 1 NE 1
 SEC 8 NW 1 NW 1 NW 1 NE 1
 SEC 9 NW 1 NW 1 NW 1 NE 1
 SEC 10 NW 1 NW 1 NW 1 NE 1
 SEC 11 NW 1 NW 1 NW 1 NE 1
 SEC 12 NW 1 NW 1 NW 1 NE 1
 SEC 13 NW 1 NW 1 NW 1 NE 1
 SEC 14 NW 1 NW 1 NW 1 NE 1
 SEC 15 NW 1 NW 1 NW 1 NE 1
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 SEC 32 NW 1 NW 1 NW 1 NE 1
 SEC 33 NW 1 NW 1 NW 1 NE 1
 SEC 34 NW 1 NW 1 NW 1 NE 1
 SEC 35 NW 1 NW 1 NW 1 NE 1
 SEC 36 NW 1 NW 1 NW 1 NE 1

FREMONT COUNTY 043

TETON COUNTY 081



MADISON COUNTY TETON COUNTY

THE NOTATION SHOWN ON THIS MAP IS SUBJECT TO THE RECORDS OF THE PUBLIC LANDS OFFICE

Scale

1:1000