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MAY 10 2006

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 22-13506
(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: Fremont-Madison Irrigation District
Address: P.O. Box 15; St. Anthony, Idaho 83445

Name: Attorney for Claimant: Jerry R. Rigby
Address: P.O. Box 250; Rexburg, Idaho 83440

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

)

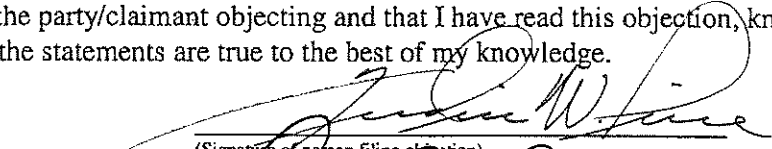
) ss.

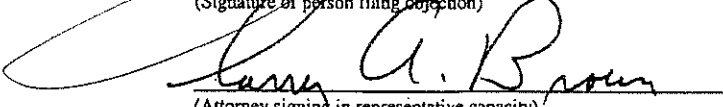
County of ADA

)

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.


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: May 8, 2006

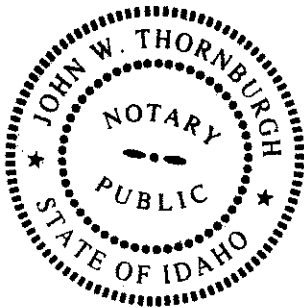

~~Jacqueline L. Simmens~~

John W. Thornburgh

Notary Public for State of Idaho

Residing at: Boise, ID.

My Commission Expires: 04-07-2011 5-16-2009



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 8, 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:

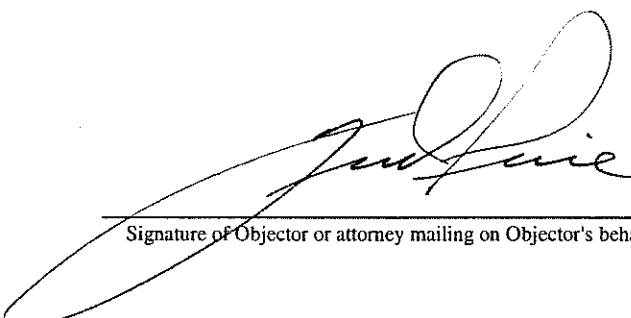
Name: Fremont-Madison Irrigation District
Address: P.O. Box 15; St. Anthony, Idaho 83445
Name: Attorney for Claimant: Jerry R. Rigby
Address: P.O. Box 250; Rexburg, Idaho 83440
Name:
Address: ;
Name:
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

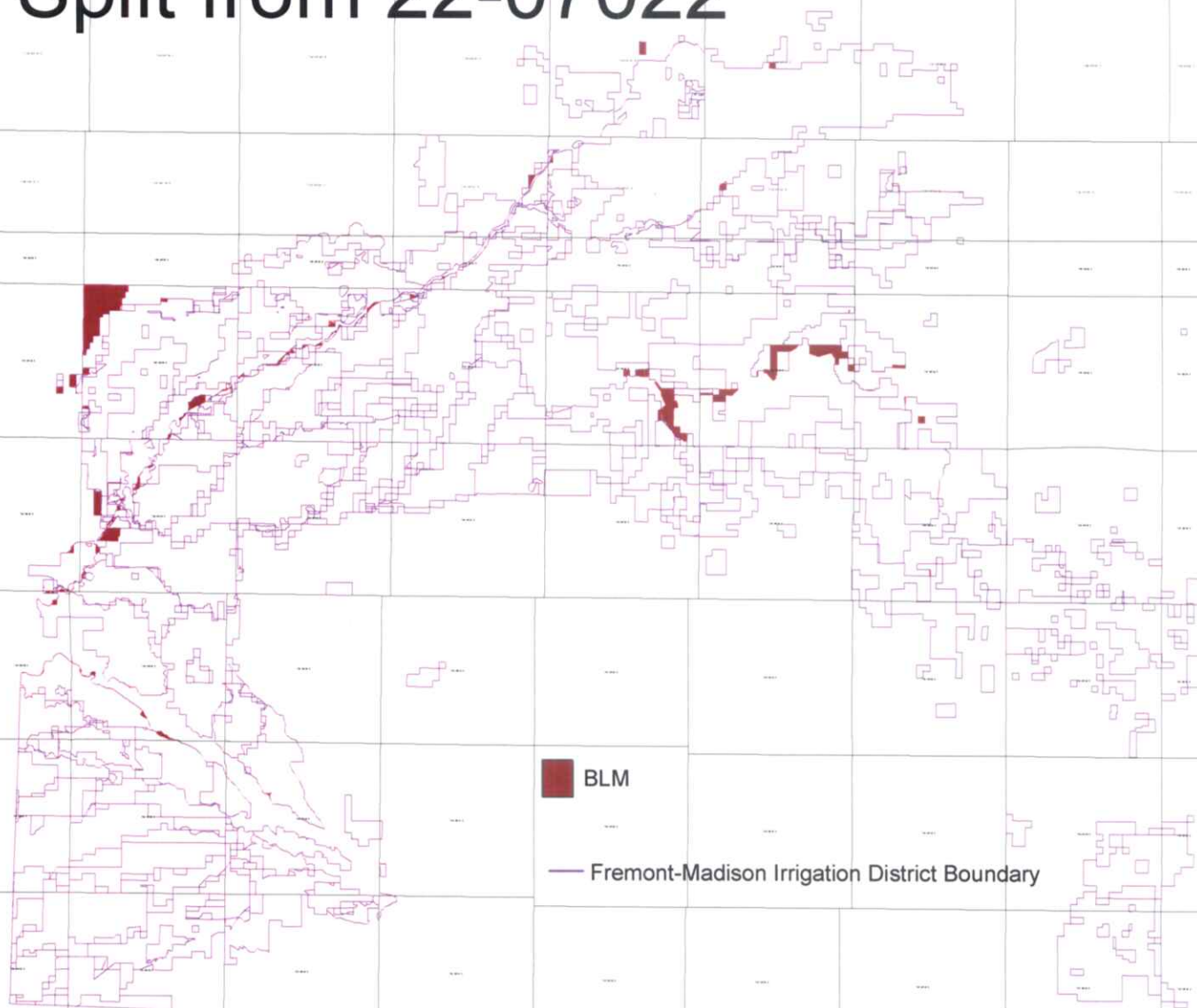
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

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

22-13505 22-13506 Split from 22-07022



■ BLM

— Fremont-Madison Irrigation District Boundary



0 3.75 7.5 15 Miles

1:400,000

05/04/2006

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

RIGHT NUMBER: 22-13506

NAME AND ADDRESS: FREMONT-MADISON IRRIGATION DISTRICT
PO BOX 15
ST ANTHONY ID 83445

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 530.000 CFS
220,000.00 AFY

Rights 22-13505 and 22-13506 when combined shall not exceed the irrigation of 152,562 acres, comprised of 111,210 acres to which these rights shall be supplemental to other water rights for irrigation purposes and 41,352 acres for which these rights may be the sole supply of irrigation water.

Rights 22-13505 and 22-13506 when combined shall not exceed a total annual maximum diversion volume of 220,000 af.

PRIORITY DATE: 04/23/1969

POINT OF

DIVERSION: T07N R39E S34 SWSW Within MADISON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

01/01 12/31

530.000 CFS

220,000.00 AFY

PLACE OF USE:

Place of use is within the boundary of Fremont-Madison Irrigation District pursuant to Section 43-323, Idaho Code.

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.

This right is conditioned upon completion of the appropriation in accordance with the statutory procedure for appropriation of water rights. This right remains subject to all conditions set forth in the permit upon which this right is based, and will be subject to all conditions set forth in the license issued by IDWR upon completion of the statutory appropriation process.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Permit

This right is a split from former right 22-7022.

RECEIVED

MAY 08 2006

DOJ/BOISE

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)

Water Rights: 22-7022 split into 22-
13505 & 22-13506

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

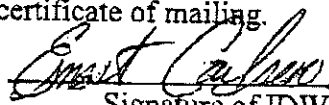
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☐ I.C. § 42-222 transfer
- ☐ point of diversion ☐ place of use
- ☐ period of use ☐ nature of use
- ☐ split of water right ☐ change in ownership
- ☒ Other: Permit split for licensing purposes

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: May 5, 2006



Signature of IDWR Representative