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 21-12897
(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: Egin Bench Canals, Inc.
Address: P.O. Box 15; St. Anthony, Idaho 83445
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 a portion of the use is claimed. Use of Federal land is not authorized and the digital boundary should not include public 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)

Lane A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 23rd of May 2006

Jacqueline L. Simmons
Jacqueline L. Simmons

JACQUELINE L. SIMMONS NOTARY PUBLIC STATE OF IDAHO

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 24, 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: Egin Bench Canals, Inc.
Address: P.O. Box 15; St. Anthony, Idaho 83445
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

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

RIGHT NUMBER: 21-12897

POUs on BLM

NAME AND ADDRESS: EGIN BENCH CANALS INC
PO BOX 15
ST ANTHONY ID 83445

SOURCE: HENRYS FORK TRIBUTARY: SNAKE RIVER

QUANTITY: 200.000 CFS

PRIORITY DATE: 04/25/1885

POINT OF DIVERSION: T07N R40E S1 SENE Lot 8 Within FREMONT County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	125.000 CFS
GROUND WATER RECHARGE	11/01 03/31	13.000 CFS
IRRIGATION	04/01 10/31	200.000 CFS

PLACE OF USE:

6103 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)(h). 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.

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 - Decreed

RightID585221

Place(s) of use:

Place of Use Legal Description: IRRIGATION FREMONT County

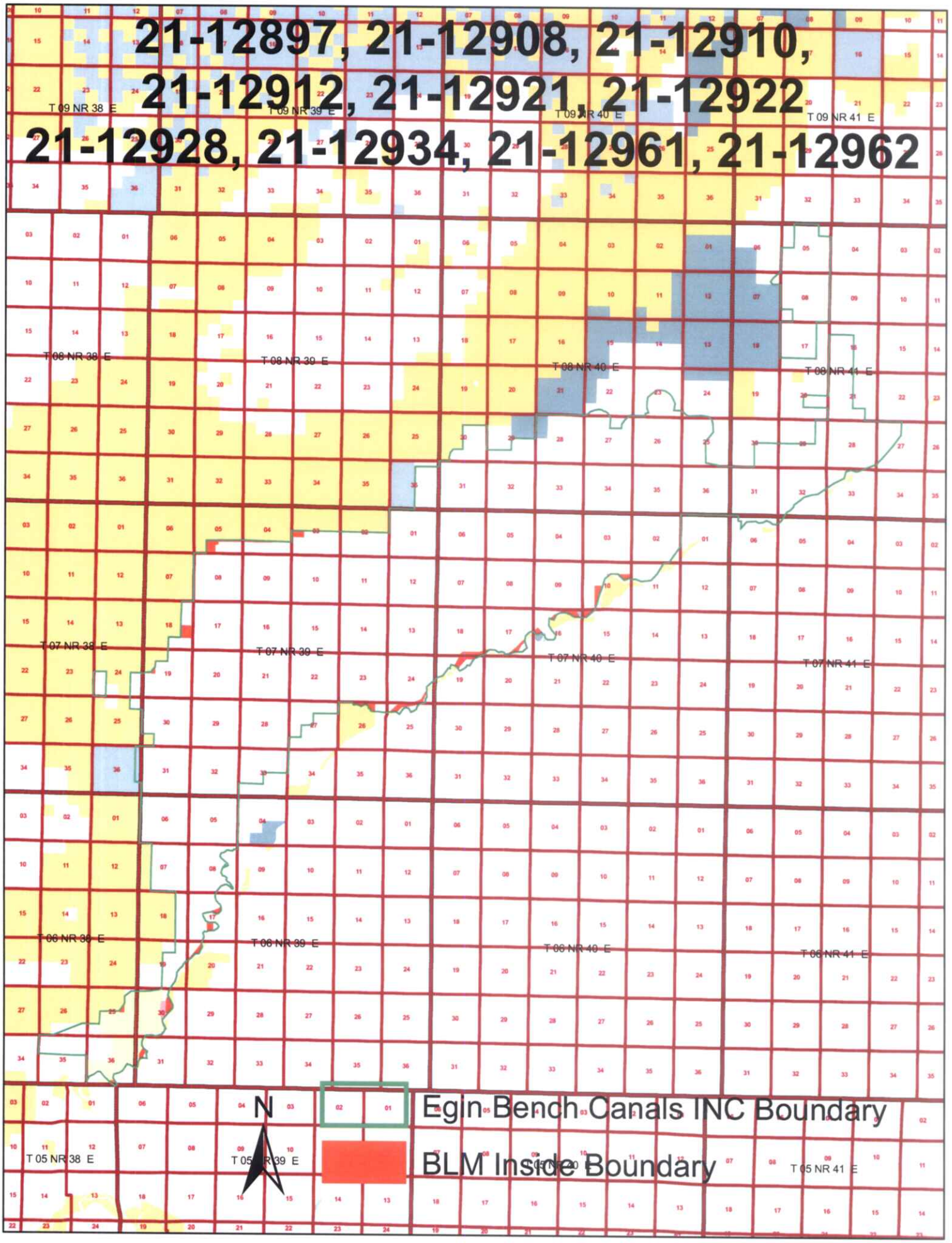
Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
07N	39E	1		NENE	20		NWNE	10		SWNE	20		SENE	30
				SWNW	20		SENW	20						
				NESW	30		NWSW	23						
				NESE	33		NWSE	20		SWSE	12		SESE	40
		11		NESE	20		NWSE	34		SWSE	40		SESE	20
		12		SWNE	40		SENE	40						
				NESW	40		NWSW	31		SWSW	12		SESW	40
				NESE	40		NWSE	40		SWSE	40		SESE	38
		13		NENE	40		NWNE	24		SWNE	20		SENE	20
				NESW	40		SESW	40						
				NESE	40		NWSE	40		SWSE	40		SESE	40
		14		NENE	37		NWNE	38		SWNE	40		SENE	40
				NENW	40		NWNW	40		SWNW	24		SENW	24
		15		SWNE	40		SENE	40						
				NENW	40		NWNW	40		SWNW	40		SENW	40
				NESW	18		SWSW	30		SESW	40			
				NESE	40		NWSE	40		SWSE	40		SESE	40
		21		NENE	40		NWNE	40		SWNE	40		SENE	40
				NESW	40		NWSW	40		SWSW	40		SESW	40
				NESE	40		NWSE	40		SWSE	40		SESE	40
		22		NENE	33		NWNE	32		SWNE	40			
				NENW	40		NWNW	40		SWNW	40		SENW	40
		27		NWNW	12		SWNW	13						
				NWSW	40									
		28		NENE	40		NWNE	38		SWNE	40		SENE	40
				NENW	40		NWNW	40		SWNW	40		SENW	40
				NESE	24		SWSE	24		SESE	40			
		33		NENE	40		NWNE	40		SWNE	40			
				NENW	40		NWNW	40		SWNW	40		SENW	40
				NESW	40		NWSW	36		SESW	35			
	40E	2		SWNE	40		SENE	40						
				SENW	40									
				NESW	40									
				NESE	35		NWSE	40		SWSE	15			
		3		SWSW	19		SESW	5						

		4		NWNW	28		SWNW	2		SENW	5				
				SWSW	20		SESW	40							
				SESE	40										
		5		NENE	40		NWNE	40		SWNE	40		SENE	20	
				NENW	40		NWNW	37		SWNW	14		SENW	14	
				NWSW	9		SWSW	40		SESW	40				
				NESE	5		NWSE	40		SWSE	29		SESE	3	
		6		NENE	40		NWNE	40		SWNE	40		SENE	40	
				NESE	40		NWSE	40		SWSE	40		SESE	40	
		7		NENE	40		NWNE	40		SWNE	40		SENE	40	
				NENW	40		NWNW	40		SWNW	40		SENW	40	
				NESW	40		NWSW	40		SWSW	33		SESW	37	
				NESE	40		NWSE	40		SWSE	40		SESE	17	
		8		NENE	40		NWNE	40		SWNE	40		SENE	40	
				NENW	40		NWNW	40		SWNW	40		SENW	40	
				NESW	40		NWSW	40							
				NESE	40		NWSE	40							
		9		NWNE	40										
		10		NWNW	40		SWNW	40							
		18		NENE	3		NWNE	40		SWNE	30		SENE	5	
				NENW	20		NWNW	40		SWNW	18		SENW	25	
				NESW	16		NWSW	10							
				NWSE	23										
Outside of Shapefile →	08N	46E	31	SESE	40										
			32	SESE	11										

Place of Use Legal Description: STOCKWATER same as IRRIGATION

Place of Use Legal Description: GROUND WATER RECHARGE same as IRRIGATION

Total Acres: 6103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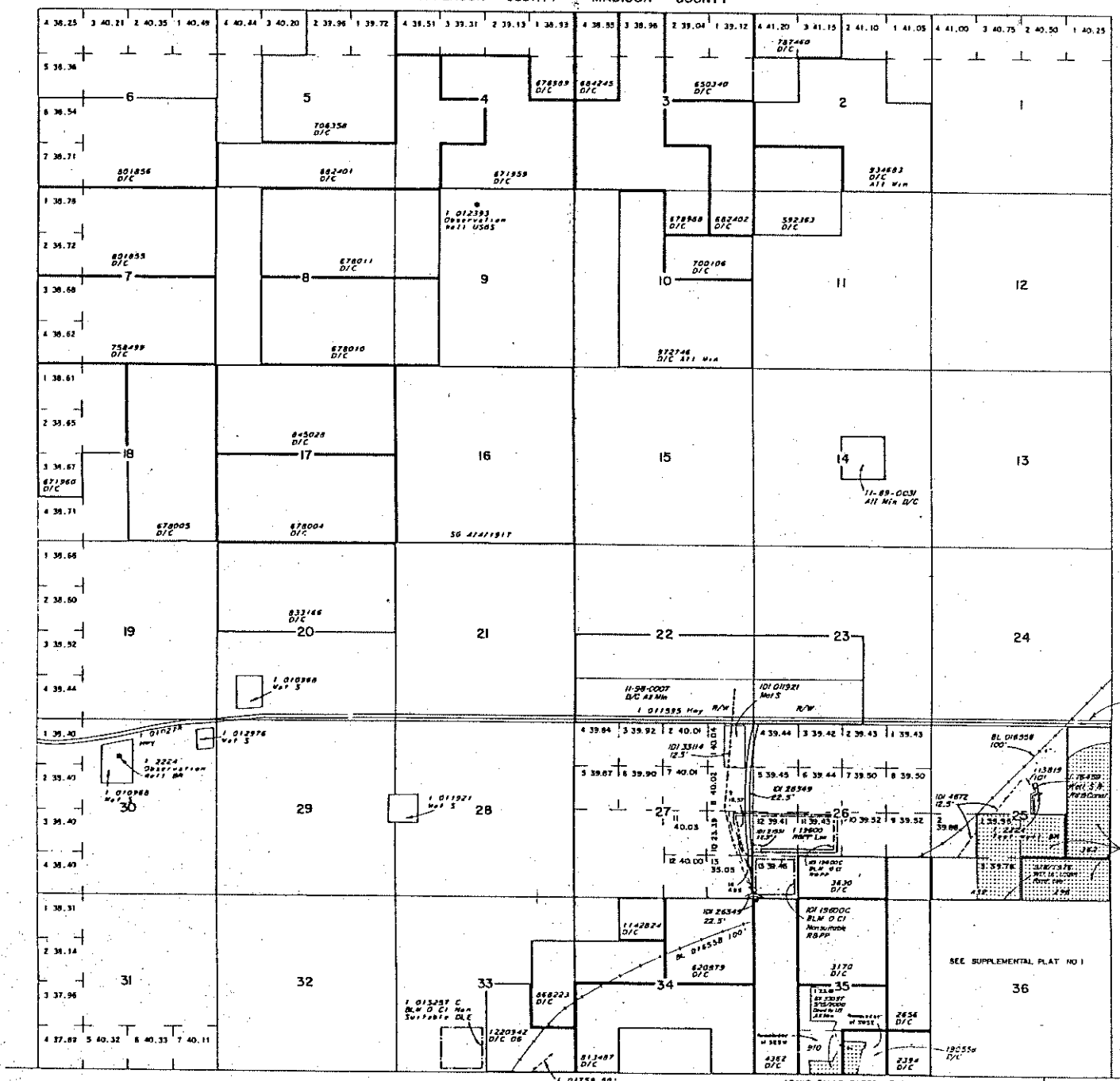
T 09 NR 39 E
T 09 NR 40 E
T 09 NR 41 E
T 08 NR 38 E
T 08 NR 39 E
T 08 NR 40 E
T 08 NR 41 E
T 07 NR 38 E
T 07 NR 39 E
T 07 NR 40 E
T 07 NR 41 E
T 06 NR 38 E
T 06 NR 39 E
T 06 NR 40 E
T 06 NR 41 E
T 05 NR 38 E
T 05 NR 39 E
T 05 NR 41 E
N
Egin Bench Canals INC Boundary
BLM Inside Boundary

TOWNSHIP 6 NORTH RANGE 38 EAST OF THE BOISE MERIDIAN, IDAHO

JEFFERSON COUNTY 051 — MADISON COUNTY 065



STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES AND ACQUIRED LANDS

MT PLAT

INDEX TO SEGREGATED TRACTS

RESURVEY TRACT NO	T	R	SEC	ORIGINAL SURVEY SUBDIVISION

I 15382 Sikes Act 2/7/1979
All NRL in TP Excl
Sec 34: SESWSWSE

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

CURRENT TO	CURRENT TO
MAY 20 [illegible]	

USE PLATS:

Boise Mer

T 6N

TOWNSHIP 6 NORTH RANGE 38 EAST OF THE BOISE MERIDIAN, IDAHO

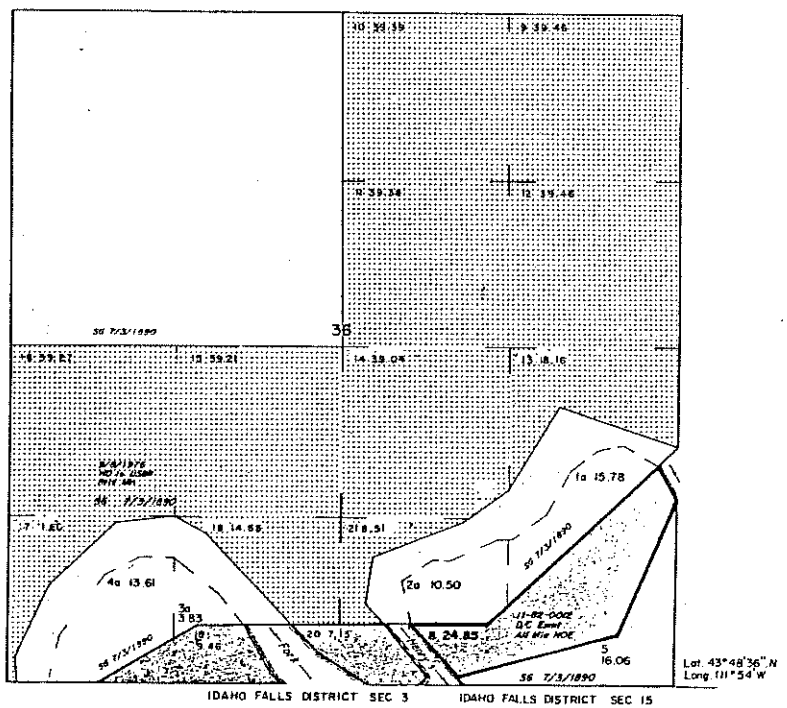
MADISON COUNTY 065

NO. 1
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MTP
SUPPL Sec 36

INDEX TO SEGREGATED TRACTS				
RESURVEY	ORIGINAL SURVEY			
TRACT NO	T	R	SEC	SUBDIVISION

I 15382 Site Act 2/7/1979
All NRL in TP Excl
Sec 34 SE¼ SW¼, SW¼ SE¼



SCALE in Chains
5 0 5 10 20

WARNING STATEMENT

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

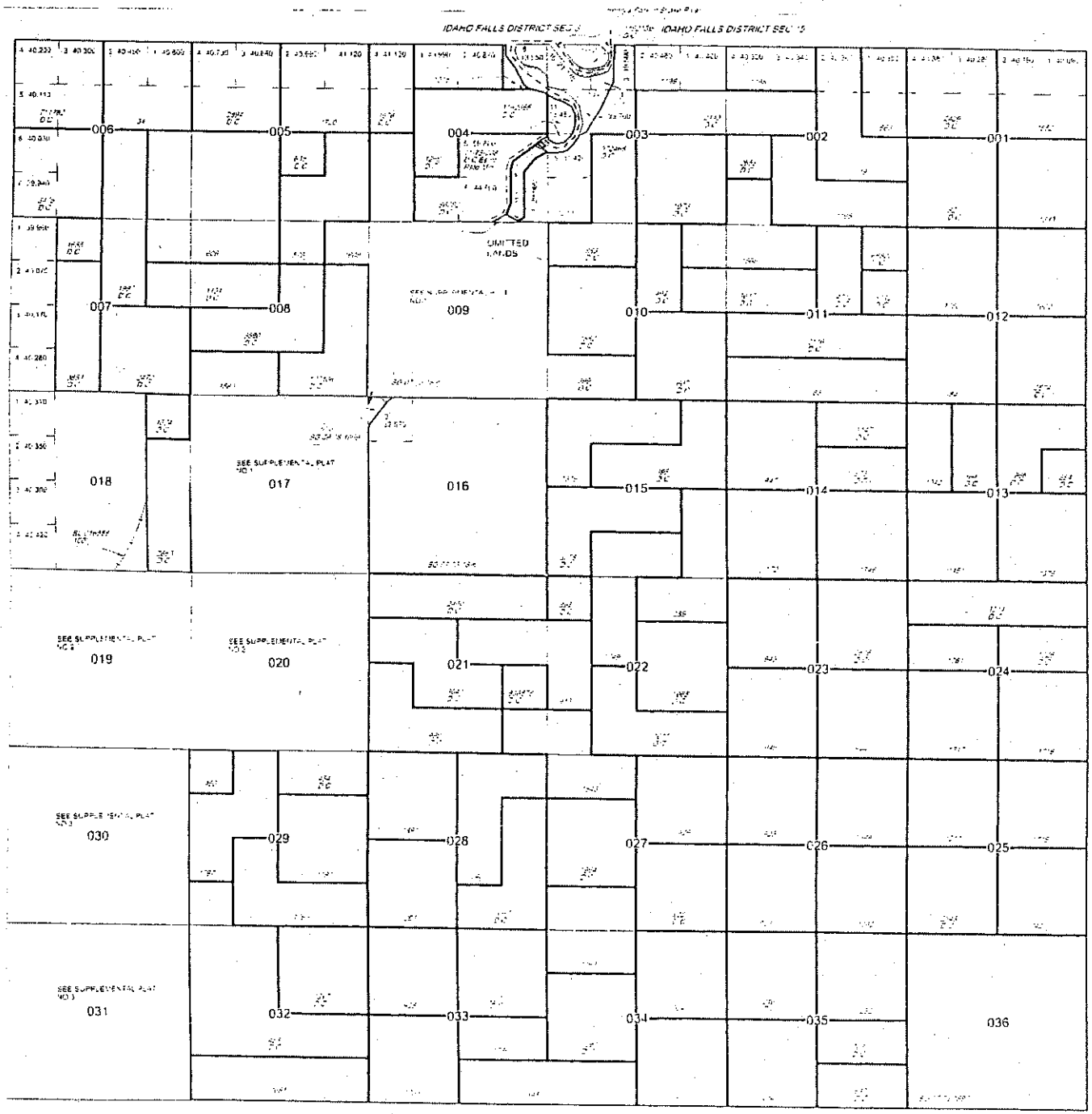
CURRENT TO	CURRENT TO

USE PLATS:

Boise Mer

TOWNSHIP 6 NORTH RANGE 39 EAST OF THE BOISE MERIDIAN, IDAHO

MADISON COUNTY 065



STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

MT PLAT

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TRACT NO	T	R	SEC	SUBDIVISION

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

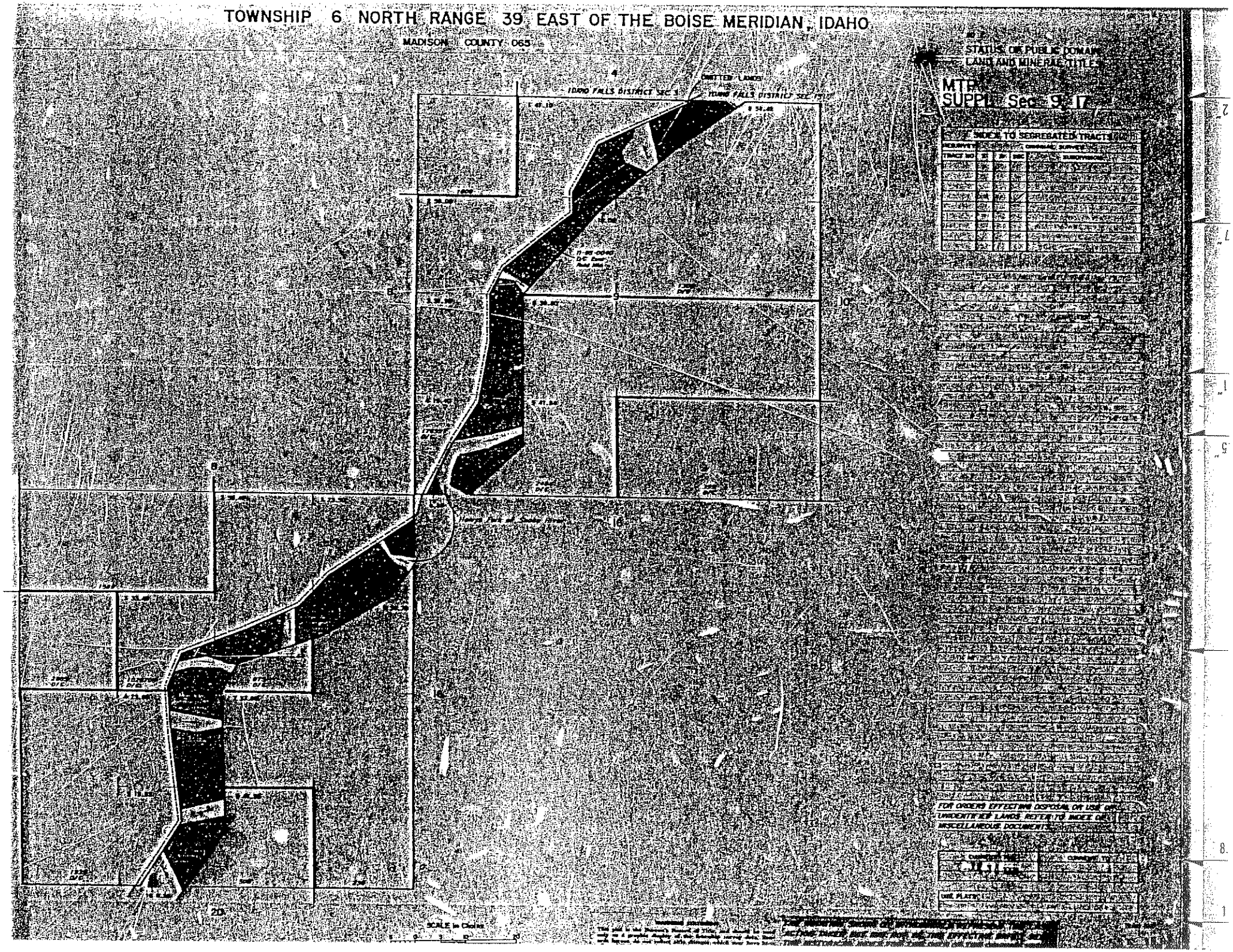
FILE REF	
CONVERTED TIFF	BY: LPP
LAST UPDATED	BY: LPP
GA DOC #	GA DOC #2
POSTED TO PUBLIC RECORDS	MAY 0 3 2006
BY	
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BLM GCDB ACQUIRED	
OTHER	
PROJECTED COORDINATE SYSTEM	UTM ZONE 12N, NAD 1983
NOTES	
USE PLATS	

U.S. Bureau of Land Management - Idaho State Office
1387 S. Vinnell Way, Boise, Idaho 83709
(208) 373-4000

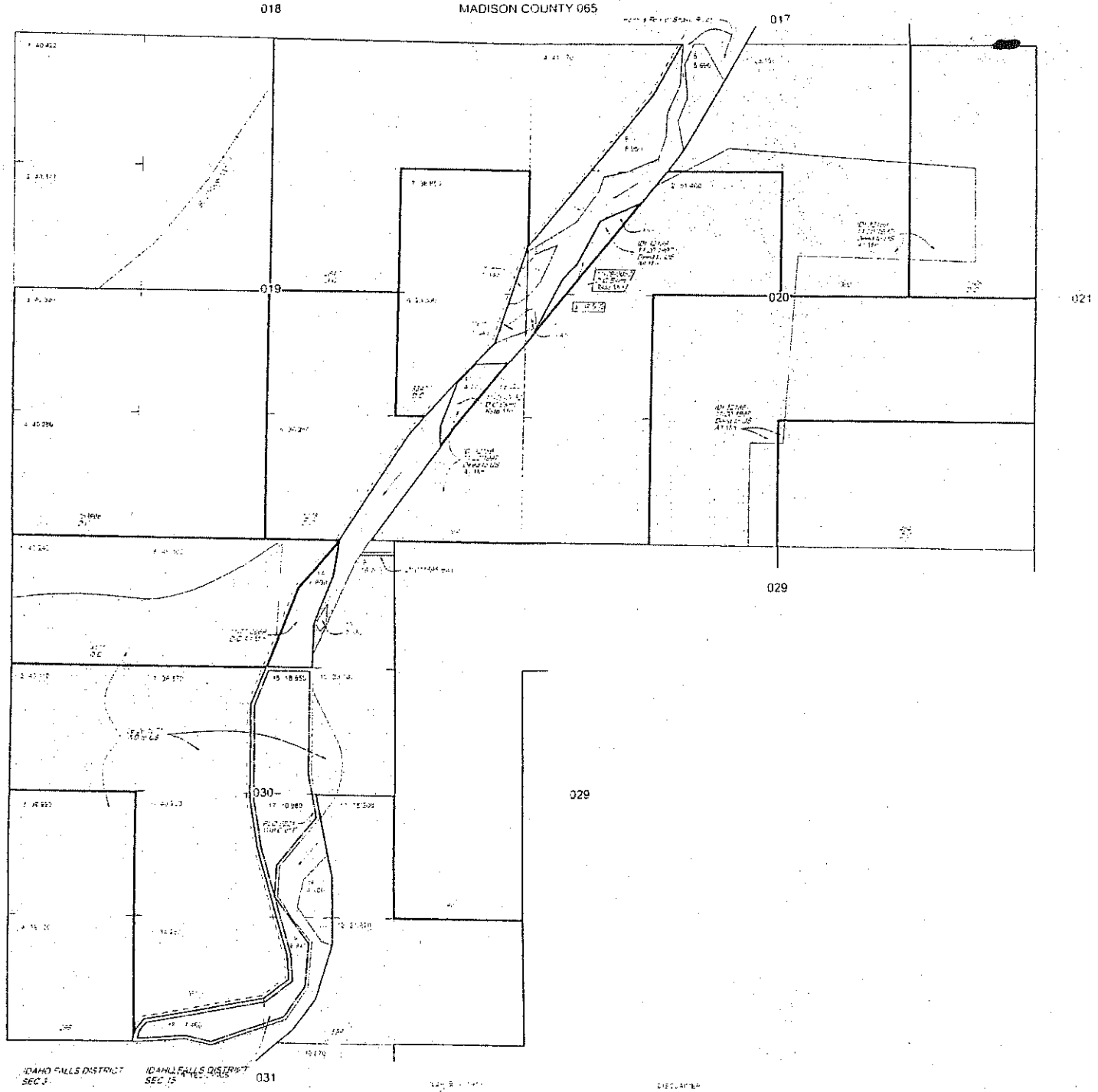
T. 6 N.
R. 39 E.

TOWNSHIP 6 NORTH, RANGE 39 EAST OF THE BOISE MERIDIAN, IDAHO

MADISON COUNTY 065



TOWNSHIP 6 NORTH RANGE 39 EAST OF THE BOISE MERIDIAN, IDAHO



NORTH

U.S. Bureau of Land Management, Idaho State Office
1387 S. Vinnell Way, Boise, Idaho 83709
(208) 373-4000

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MTP
SUPPL Sec 19, 20, 30

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TRACT NO.	T.	R.	SEC.	SUBDIVISION

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

FILE REF:	
COMPUTER TIME:	10 10 2005 BY: LPH
LAST UPDATED:	10 10 2005 BY: LPH
LAST VERIFIED:	SG BY:
POSTED TO PUBLIC RECORDS	MAY 0 8 2006
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BLM ODSB ACQUIRED:	03 13 2006
USFS OFF ACQUIRED:	N/A
PROJECTED COORDINATE SYSTEM	UTM ZONE 12N, NAD 1983
NOTES:	

USE PLATS

Montana
T. 6 N.
R. 39 E.
No. 3

TOWNSHIP 6 NORTH RANGE 39 EAST OF THE BOISE MERIDIAN, IDAHO

MADISON COUNTY 065

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MTP
SUPPL Sec 31

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TRACT NO	T.	R.	SEC.	SUBDIVISION

030

031

032

IDAHO-WYOMING STATE LINE

DRAFTED LANDS

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

FILE REF:	
CONVERTED TIFF: 03 10 2006	BY: LFM
LAST UPDATED: 03 10 2006	BY: LFM
LAST VERIFIED:	BY:
POSTED TO PUBLIC RECORDS:	MAY 0 8 2006
PUBLIC LAND SURVEY SYSTEM (PLSS):	
BLM GCDB ACQUIRED: 03 10 2006	
USFS CFF ACQUIRED: N A	
PROJECTED COORDINATE SYSTEM: UTM ZONE 12N NAD 1983	
NOTES	

USE PLATS

U.S. Bureau of Land Management - Idaho State Office
1387 S. Vinnell Way, Boise, Idaho 83709
(208) 373-4000

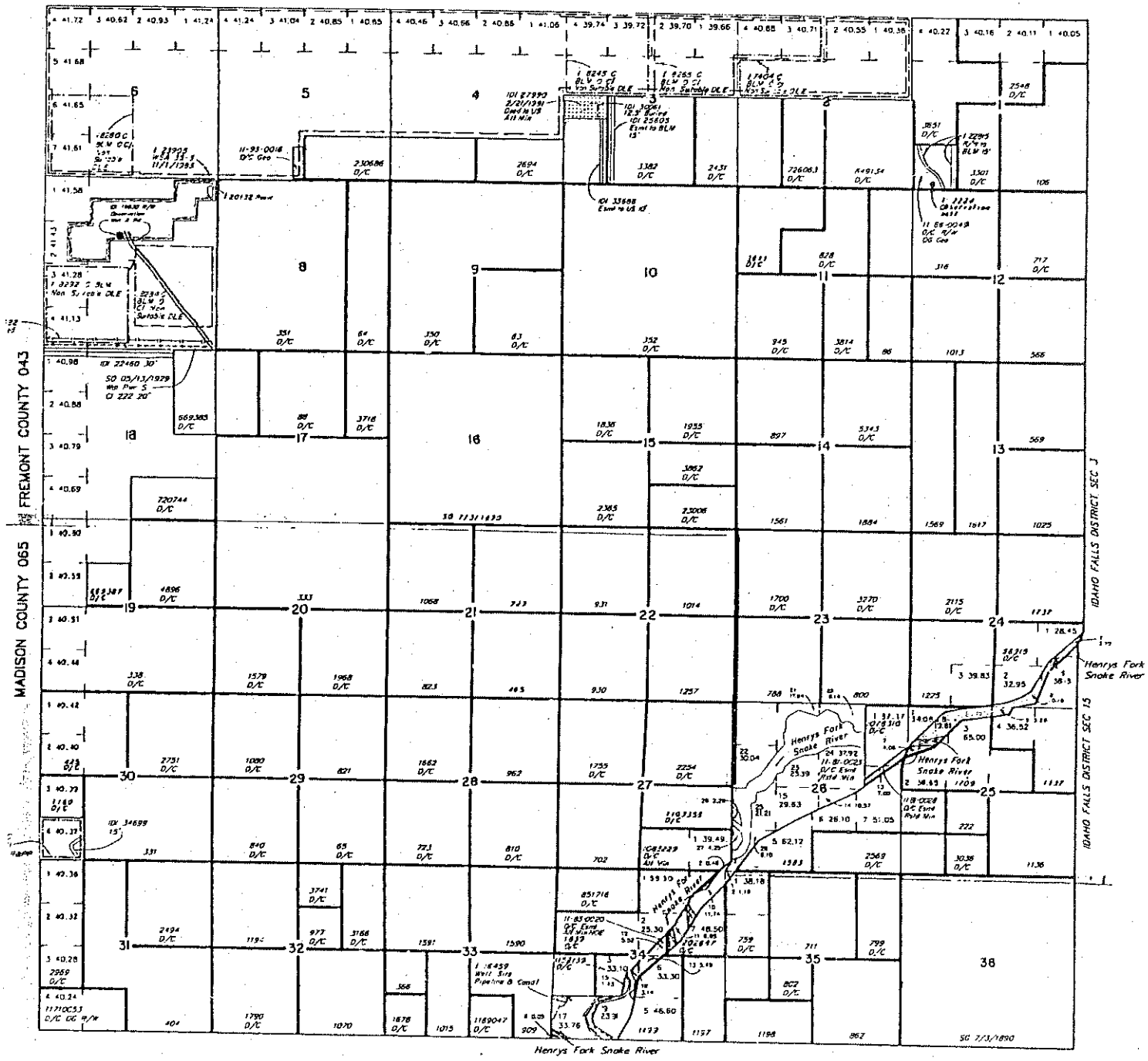
NORTH

Index Map
T. 6 N.
R. 39 E.
No. 3

TOWNSHIP 7 NORTH RANGE 39 EAST OF THE BOISE MERIDIAN, IDAHO

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL INTERESTS
AND ACQUIRED LANDS

MT PLAT



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IDI 14810 Offer of Omitted Lands to Preference Right Claimants pursuant to Act of Cong 05/31/1962
- Sec 24: Lots 5,6
- Sec 25: Lots 5,6,7
- Sec 26: Lot 13
- Sec 34: Lots 11 thru 14, 16 (portion)

IDI 15382 Sikes Act 02/07/1979
- Sec 2: Lots 1,2,3,4,S2N2
- Sec 3: Lots 1,2,3,4,S2N2
- Sec 4: Lots 1,2,3,4, N2S2, S2N2
- Sec 5: Lots 1,2,3,4, SW, N2SE, S2N2
- Sec 6: Lots 1,2,3,4,5,6,7 N2SE, E2SW, S2NE, SENW
- Sec 7: Lots 1,2,3,4, E2, E2W2

Survey Group No. 1102 Suspended 07/12/2002

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

CURRENT TO	CURRENT TO
SEP 29 2004	

USE PLATS:

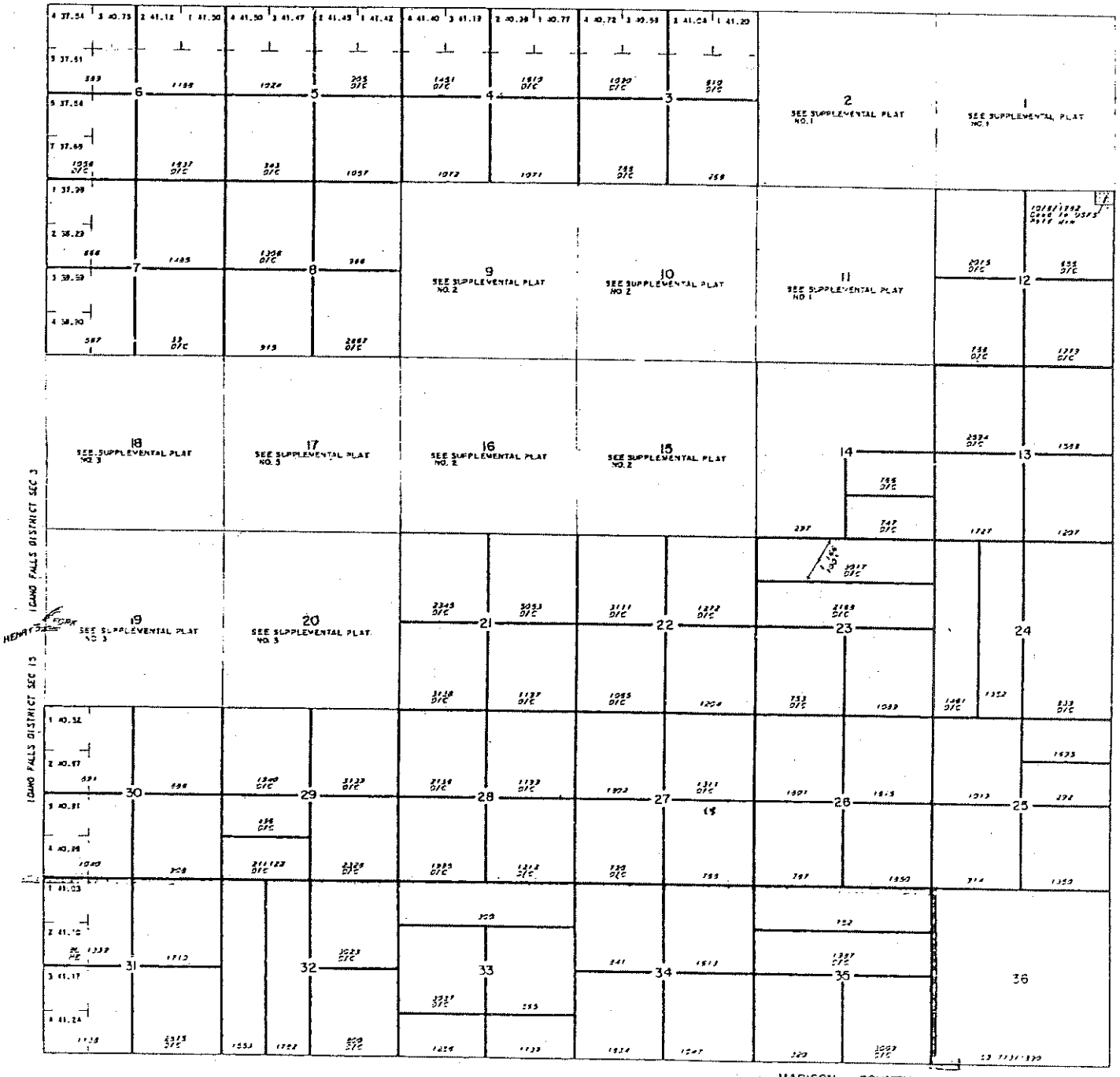
WARNING STATEMENT

This plat is the Bureau's Record of Title, and should be used

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST

Boise Mer.

TOWNSHIP 7 NORTH RANGE 40 EAST OF THE BOISE MERIDIAN, IDAHO



MADISON COUNTY 065 FREMONT COUNTY 043

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES AND ACQUIRED LANDS

MT PLAT

INDEX TO SEGREGATED TRACTS				
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I 14810 Offer of Omitted Lands to Preference Right
Claimants pursuant to Act of Cong. 5/31/1962
Sec 9: Lot 3
Sec 10: Lot 14 (portion)
NW¼SE¼ (portion)
Lot 23 (portion)
Sec 11 Lot 12
Lot 14 (portion)
Lot 15
Sec 17 Lot 7
Lot 12
Sec 18: Lot 8
Sec 19: Lots 10,11,12,14,&15

I 5604 Act of Cong Subs
Sec 10: Lot 14 "portion" 1.5 Acres more or less
NW¼SE¼ "portion" 2 Acres more or less
Lot 23 "portion" 5 Acres more or less

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

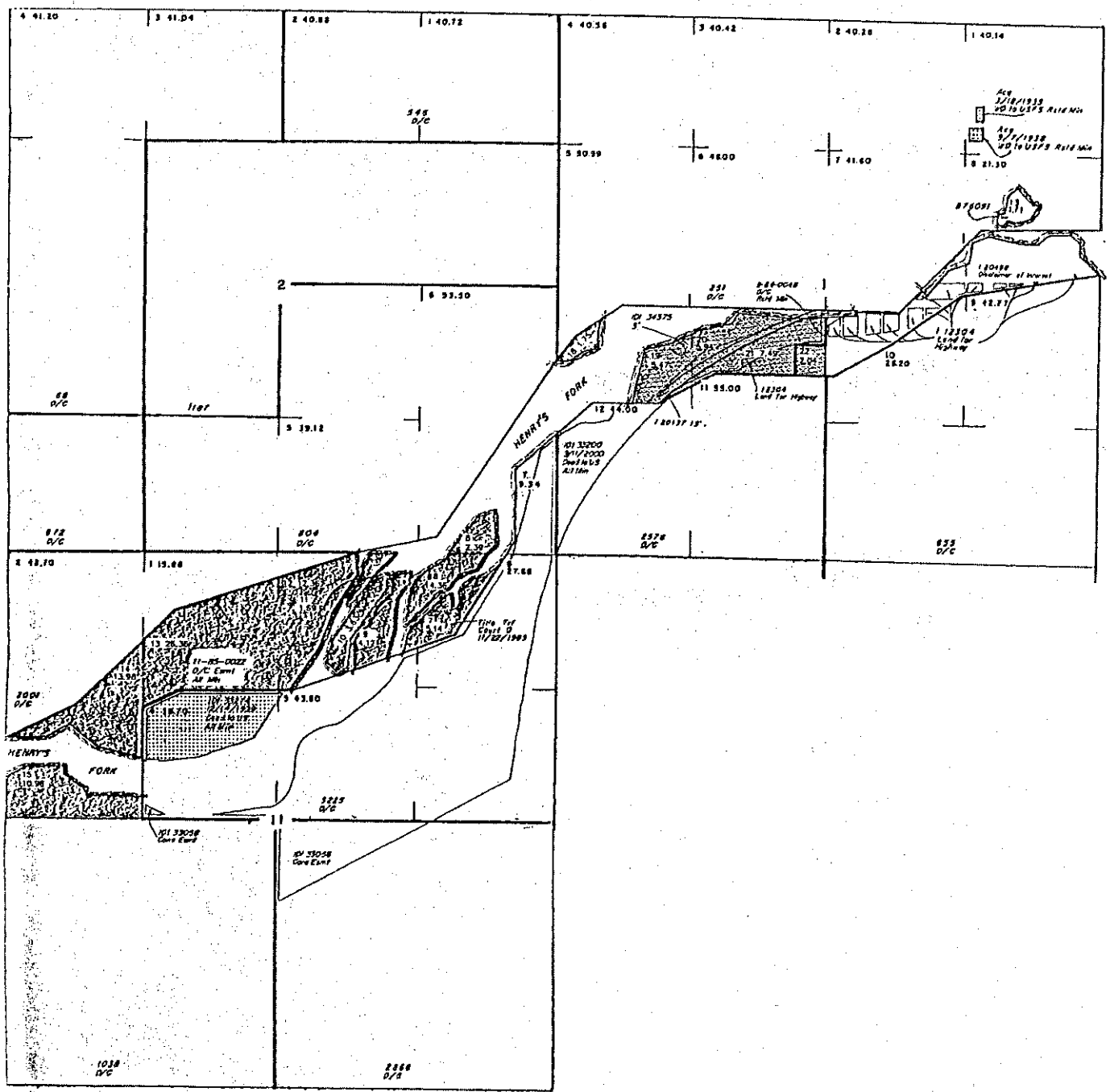
CURRENT TO	CURRENT TO
JUL 30 2004	

SEE PLATS.

THE NOTATION SHOWN ON MYLARS REPRESENT THE LAST

TOWNSHIP 7 NORTH RANGE 40 EAST OF THE BOISE MERIDIAN, IDAHO

FREMONT COUNTY 043



No 1

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES AND ACQUIRED LANDS

MTP
SUPPL Sec 1,2,11

INDEX TO SEGREGATED TRACTS				
RESURVEY	ORIGINAL SURVEY			
TRACT NO	T	R	SEC	SUBDIVISION

11/22/1983 Civil 1 76 125
Amended Judgement awarding certain lands to Plaintiffs within
Sec 1: That portion of land north of lots 9 & 10 to the left bank of the river

Acq 12/08/1938 Deed to US
Sec 1: Lot 17, M&B Blk 36
City of St Anthony

IDI 34615 OCD from USFS
Sec 1: That portion of the Town Site of St Anthony described as Block 36, Lots 16-20, less the west 7 1/2 feet of Lot 16

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

CURRENT TO	CURRENT TO
JUL 30 2004	

USE PLATS:

WARNING STATEMENT

Boise Mer.

TOWNSHIP 7 NORTH RANGE 40 EAST OF THE BOISE MERIDIAN, IDAHO

FREMONT COUNTY 043

NO 2
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL Sec 9,10,16,15

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TRACT NO	T	R	SEC	SUBDIVISION

IDI 14810 Offerof Omitted Lands to Preference Right Claimants pursuant to Act of Cong
Sec 9: Lot 3
Sec 10: Lot 14 (portion), Lot 23 (portion), NWSE (portion)
Sec 16: Lots 12,15,18

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

CHANGED TO	CURRENT TO
JUL 30 2004	

USE PLATS:

IDAHO FALLS DISTRICT SEC 9

IDAHO FALLS DISTRICT SEC 15

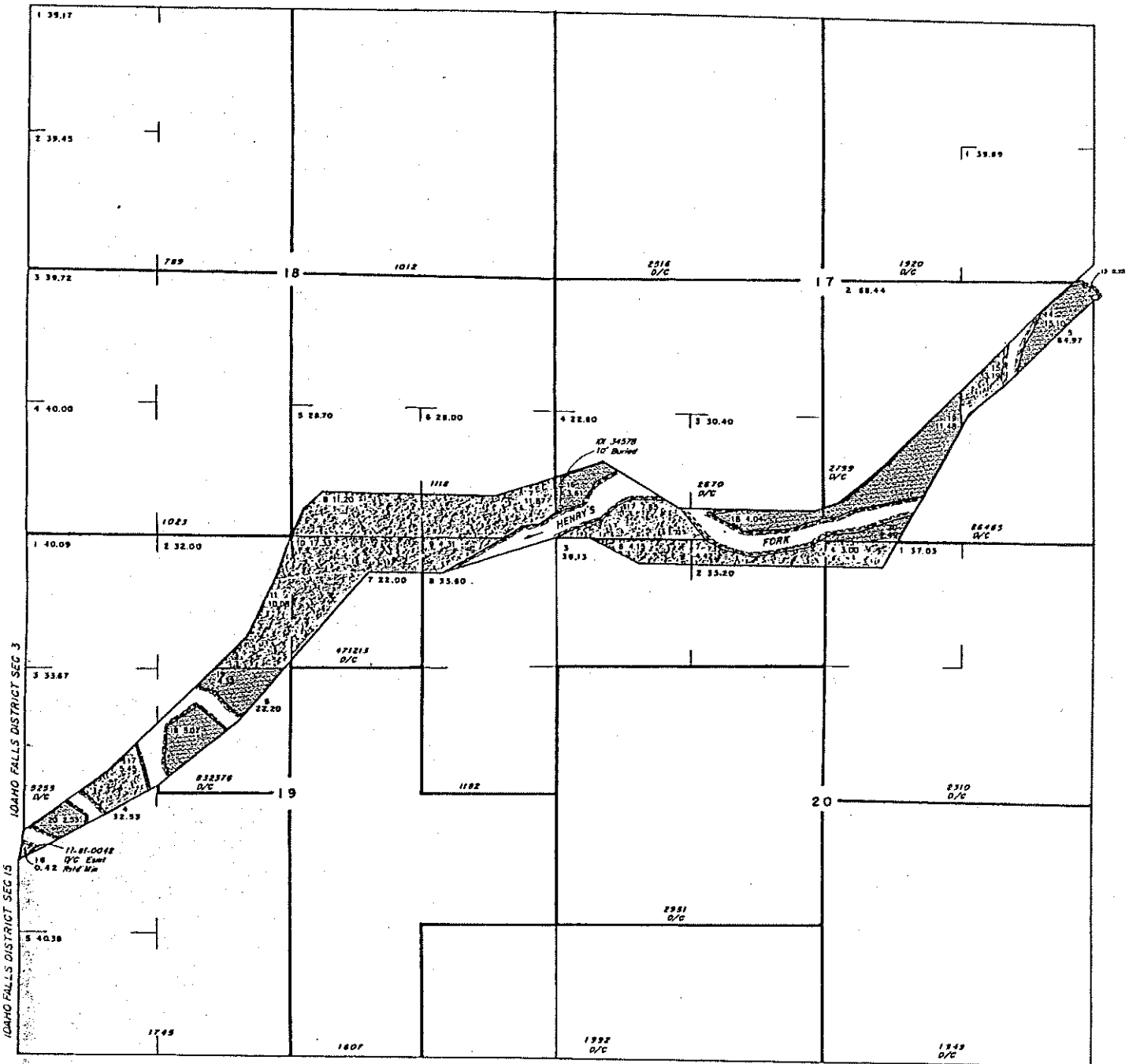
SCALE In Chains

WARNING STATEMENT

Boise Mer
T. 7N

TOWNSHIP 7 NORTH RANGE 40 EAST OF THE BOISE MERIDIAN, IDAHO

FREMONT COUNTY



NO 3
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LAND

MTP
SUPPL Sec 17,18,19,20

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I 14810 Offer of Omitted Lands to Preference Right Claimants pursuant to Act of Cong 5/31/1962
Sec 17: Lot 7
Lot 12
Sec 18: Lot 8
Sec 19: Lots 10, 11, 12, 14 & 16

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

CURRENT TO	CURRENT TO
JUL 30 2004	

USE PLATS:

SCALE In Chains
5 0 5 10 20

WARNING STATEMENT
This plat is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Rec-

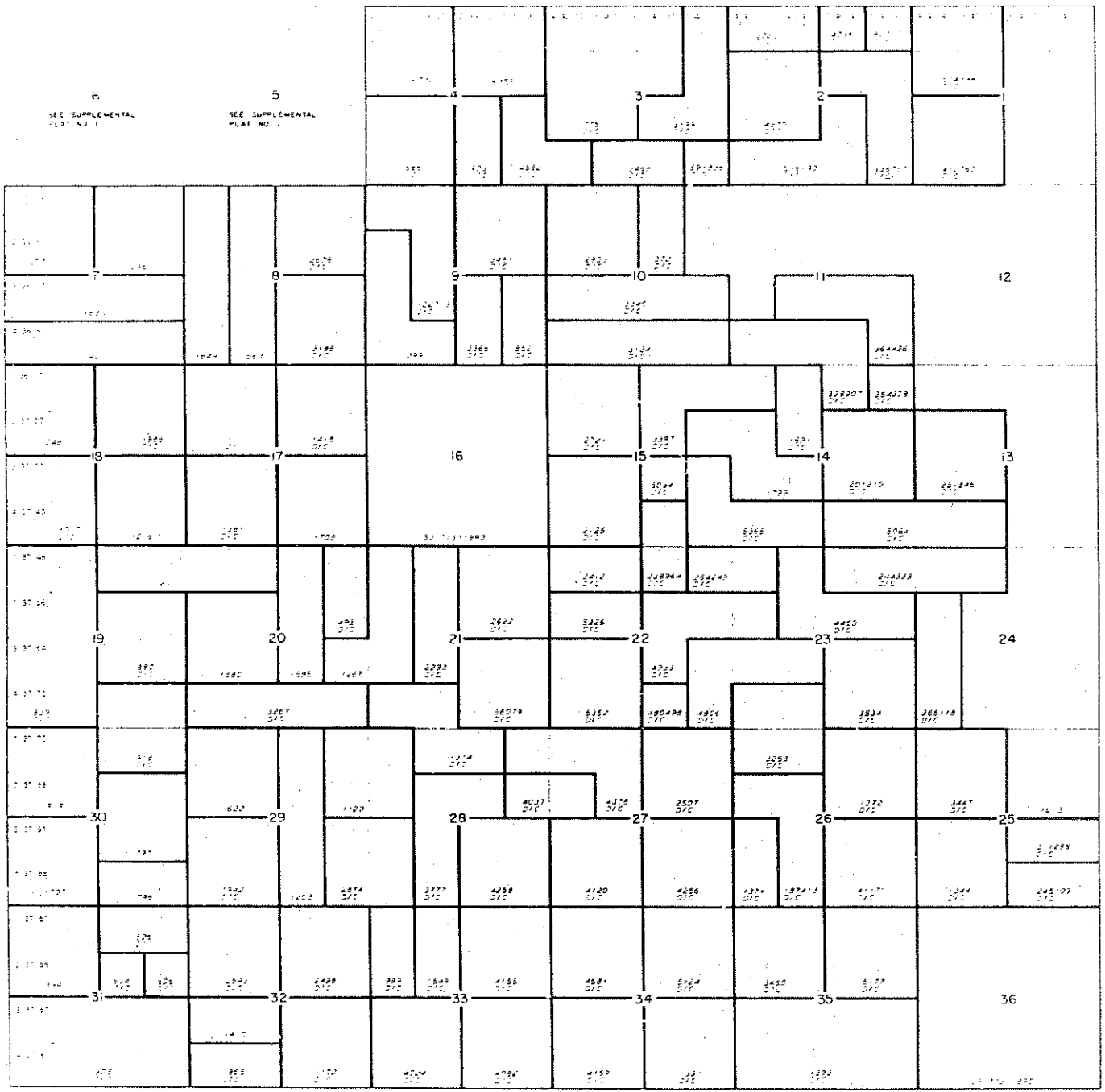
THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE SEE

Boise Mer

TOWNSHIP 7 NORTH RANGE 41 EAST OF THE BOISE MERIDIAN, IDAHO

FREMONT COUNTY 043
IDAHO FALLS DISTRICT SEC. 15

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES



SCALE in Chains
10 5 0 20 30 40

WARNING STATEMENT

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITH-

MT PLAT

INDEX TO SEGREGATED TRACTS

RESURVEY			ORIGINAL SURVEY	
TRACT NO.	T.	R.	SEC.	SUBDIVISION

PP 8083-CCC FERC Pwr Proj Wdl Prop
Sec 3: MLB

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

CURRENT TO	CURRENT TO

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