

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 21-12902
(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: Southeast Idaho Canal Co.
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.

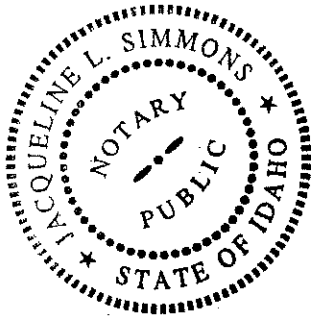
Fredric W. Price
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

23rd of May 2006

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 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:

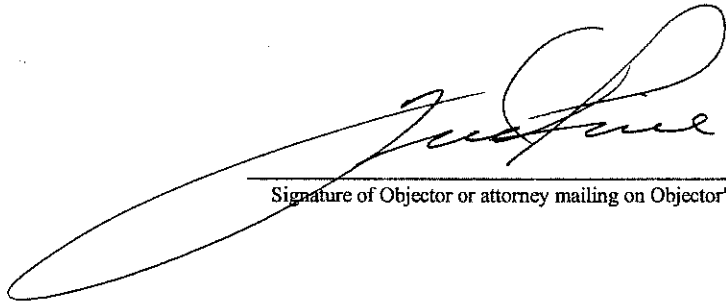
Name: Southeast Idaho Canal Co.
Address: P.O. Box 15; St. Anthony, Idaho 83445
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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

01/12/2006

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

RIGHT NUMBER: 21-12902
NAME AND ADDRESS: SOUTHEAST IDAHO CANAL CO
PO BOX 15
ST ANTHONY ID 83445

POUs on BLM

SOURCE: HENRYS FORK TRIBUTARY: SNAKE RIVER

QUANTITY: 11.000 CFS

PRIORITY DATE: 01/22/1916

POINT OF
DIVERSION: T08N R41E S33 NWNE Within FREMONT County

Rights 21-12902, 21-12920, 21-12907, 21-12955, 21-12954 are diverted
through the point(s) of diversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	11.000 CFS

PLACE OF USE:

15649 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:

The remainder of this right was forfeited for non-use from 1950 to 1987.

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

RightID585187

Place(s) of use:

Place of Use Legal Description: IRRIGATION MADISON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06N	40E	12		SWNE			SENE							
				NESW			SESW							
				NESE			NWSE			SWSE			SESE	
		13		NENE			NWNE			SWNE			SENE	
				NENW			NWNW			SWNW			SENE	
				NENE			NWNE			SWNE			SENE	
	41E	5	1	NENE	2		NWNE			SWNE			SENE	
			3	NENW	4		NWNW			SWNW			SENE	
				NESW			NWSW			SWSW			SESW	
		6	1	NESE			NWSE			SWSE			SESE	
				NENE			SWNE			SENE				
				NESE			NWSE			SWSE			SESE	
		7		NENE			NWNE			SWNE				
				NESW	3		NWSW		4	SWSW			SESW	
				NWSE			SWSE							
		8		NENE			NWNE							
				NENW			NWNW							
				NENW	1		NWNW		2	SWNW				
07N	40E	1	7	SWNE										
			6	SENE										
			11	NESW		16	NESW	Mix	17	NWSW	Mix	12	SWSW	Mix
			9	NESE		10	NWSE		15	NWSE			SWSE	
				SESE										
				SESE										
		2	7	SESE										
			10	SENE	BLM	12	SENE	BLM						
				SESW										
				NESE	BLM		NWSE	Mix		NWSE	Mix	23	SWSE	Mix
				SWSE		6	SESE							
				NENE		5	SWNE			SENE				
		11	15	SWNW	BLM	4	SENE	Mix						
				NESW			NWSW			SWSW			SESW	
				NESE			NWSE			SWSE			SESE	
				NENE			NWNE			SWNE			SENE	
				NENW			NWNW			SWNW			SENE	
				NESW			NWSW			SWSW			SESW	
		12		NESE			NWSE			SWSE			SESE	

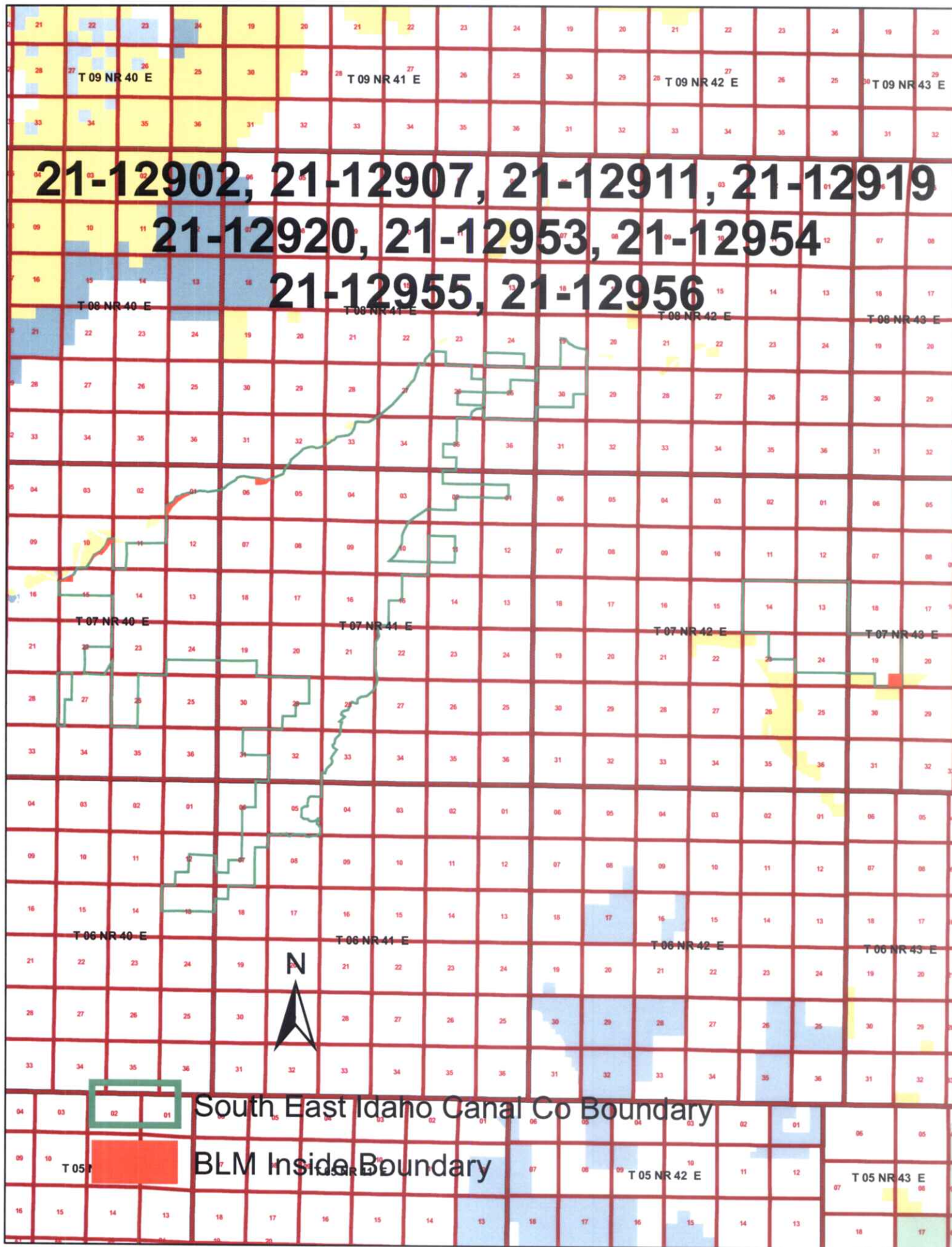
41E	13	3	NENE	5	NWNE	BLM	SWNE	5	SENE
			NENW		NWNW		SWNW		SENE
			NESW		NWSW		SWSW		SENE
			NESE		NWSE		SWSE		SENE
			NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENE
			NESW		NWSW		SWSW		SENE
			NESE		NWSE		SWSE		SENE
			NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENE
			NESW		NWSW		SWSW		SENE
			NESE		NWSE		SWSE		SENE
			NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENE
			NESW		NWSW		SWSW		SENE
			NESE		NWSE		SWSE		SENE
			NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENE
			NESW		NWSW		SWSW		SENE
			NESE		NWSE		SWSE		SENE
			NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENE
			NESW		NWSW		SWSW		SENE
			NESE		NWSE		SWSE		SENE
			NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENE
			NESW		NWSW		SWSW		SENE
			NESE		NWSE		SWSE		SENE
			NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENE
			NESW		NWSW		SWSW		SENE
			NESE		NWSE		SWSE		SENE
			NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENE
			NESW		NWSW		SWSW		SENE
			NESE		NWSE		SWSE		SENE
			NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENE
			NESW		NWSW		SWSW		SENE
			NESE		NWSE		SWSE		SENE
			NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENE
			NESW		NWSW		SWSW		SENE
			NESE		NWSE		SWSE		SENE

		NESE		NWSE		SWSE		SESE	
4	1	NENE		2	NWNE			SENE	
	3	NENW		4	NWNW			SENW	
		NESW			NWSW			SESW	
		NESE			NWSE			SESE	
5	1	NENE		2	NWNE			SENE	
	3	NENW		4	NWNW	14	NWNW mix	15	NWNW mix
	16	NWNW mix			SWNW				
		NESW			NWSW				SESW
		NESE			NWSE				SESE
6	2	NWNE		8	SWNE	9	SENE		
	3	NENW		6	SWNW	7	SENW		
		NESW		10	NWSW	11	SWSW		SESW
		NESE			NWSE		SWSE		SESE
7		NENE			NWNE		SWNE		SENE
		NENW		1	NWNW	2	SWNW		SENW
		NESW		3	NWSW	4	SWSW		SESW
		NESE			NWSE		SWSE		SESE
8		NENE			NWNE		SWNE		SENE
		NENW			NWNW		SWNW		SENW
		NESW			NWSW		SWSW		SESW
		NESE			NWSE		SWSE		SESE
9		NENE			NWNE		SWNE		SENE
		NENW			NWNW		SWNW		SENW
		NESW			NWSW		SWSW		SESW
		NESE			NWSE		SWSE		SESE
10		NWNE			NWNW		SWNW		SENW
		NENW			NWSW		SWSW		SESW
		NESW			SESE				
11		SWNW			SENW				
		NESW			NWSW				
15		NENW			NWNW		SWNW		SENW
		NWSW			SWSW				
16		NENE			NWNE		SWNE		SENE
		NENW			NWNW		SWNW		SENW
		NESW			NWSW		SWSW		SESW
		NESE			NWSE		SWSE		SESE
17		NENE			NWNE		SWNE		SENE
		NENW			NWNW		SWNW		SENW
		NESW			NWSW		SWSW		SESW

	18	NESE NENE NENW NESW	1 3	NWSE NWNW NWSW	2 4	SWSE SWNE SWNW SWSW	SESE SENE SESW
	19	NESE NENE NENW NESW	1 3	NWSE NWNW NWSW	2	SWSE SWNE SWNW	SESE SENE SESW
	20	NESE NENE NENW NESW		NWSE NWNW NWSW		SWSE SWNE SWNW	SESE SENE SESW
	21	NESE NENE NENW NESW		NWSE NWNW NWSW		SWSE SWNE SWNW	SESE SENE SESW
	22	NESE NWNW SWSW		NWSE SWNW		SWSE	SESE
	27	NWNW					
	28	NENE NENW NESW		NWNE NWNW NWSW		SWNE SWNW SWSW	SENE SESW
	29	NWSE NENE SESW		SENE			
	31	NESE		NWSE		SWSE	SESE
	32	NENE NENW NESW		NWNE NWNW NWSW		SWNE SWNW SWSW	SENE SESW
	33	NESE NENW NWSW		NWSE NWNW SWSW		SWSE SWNW	SESE SESW
42E	13	NENE NENW NESW		NWNE NWNW NWSW		SWNE SWNW SWSW	SENE SESW
	14	NESE NENE NENW NESW		NWSE NWNW NWSW		SWSE SWNE SWNW SWSW	SESE SENE SESW

08N	43E	23		NESE		NWSE		SWSE		SESE
		24		NENE		NWNE		SWNE		SENE
				NENE		NWNE		SWNE		SENE
				NENW		NWNW		SWNW		SENW
				NESW		NWSW				
				NESE		NWSE				
		19		NENE		NWNE		SWNE		SENE
				NENW	1	NWNW	2	SWNW		SENW
				NESW	3	NWSW				
				NESE		NWSE		SWSE		SESE
	41E	22	1	SESE						
		23		SWSW						
		24		SWSW		SESW				
				SWSE						
		25		SWNE		SENE				
				NESW		NWSW		SWSW		SESW
				NESE		NWSE		SWSE		SESE
		26		NWNE		SWNE		SENE		SENW
				NENW		NWNW		SWNW		SESW
				NESW		NWSW		SWSW		
				SWSE		SESE				
	42E	27	1			NENE		SENE	2	NESW
			4	SWSW	3	SESW		SWSE		SESE
				NESE		NWSE				
		32	2	SESW				SESE		
			1	NESE		SWSE		SWNE		SENE
		33	2		1	NENE	3			
			4	SENW						
				NESW	5	NWSW		SWSW		SESW
				NESE		NWSE		SWSE		SESE
		34		NENE		NWNE		SWNE		SENE
	42E			NENW		NWNW		SWNW		SENW
				NESW		NWSW		SWSW		SESW
				NESE		NWSE		SWSE		SESE
		35		NENW		NWNW		SWNW		SENW
				NWSW		SWSW		SESW		
		19	5	NESE	12	NWSE		SWSE		SESE
		30		NENE		NWNE		SWNE		SENE
				NENW	1	NWNW	2	SWNW		SENW
				NESW	3	NWSW				
				NWSE						

BLM



21-12902, 21-12907, 21-12911, 21-12919
21-12920, 21-12953, 21-12954
21-12955, 21-12956

South East Idaho Canal Co Boundary
BLM Inside Boundary

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

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36
SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	SEE SUPPLEMENTAL PLAT NO. 1	
1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000	1000/1000 5000/5000 1000/1000		

FOR OTHERS EFFECTIVE DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

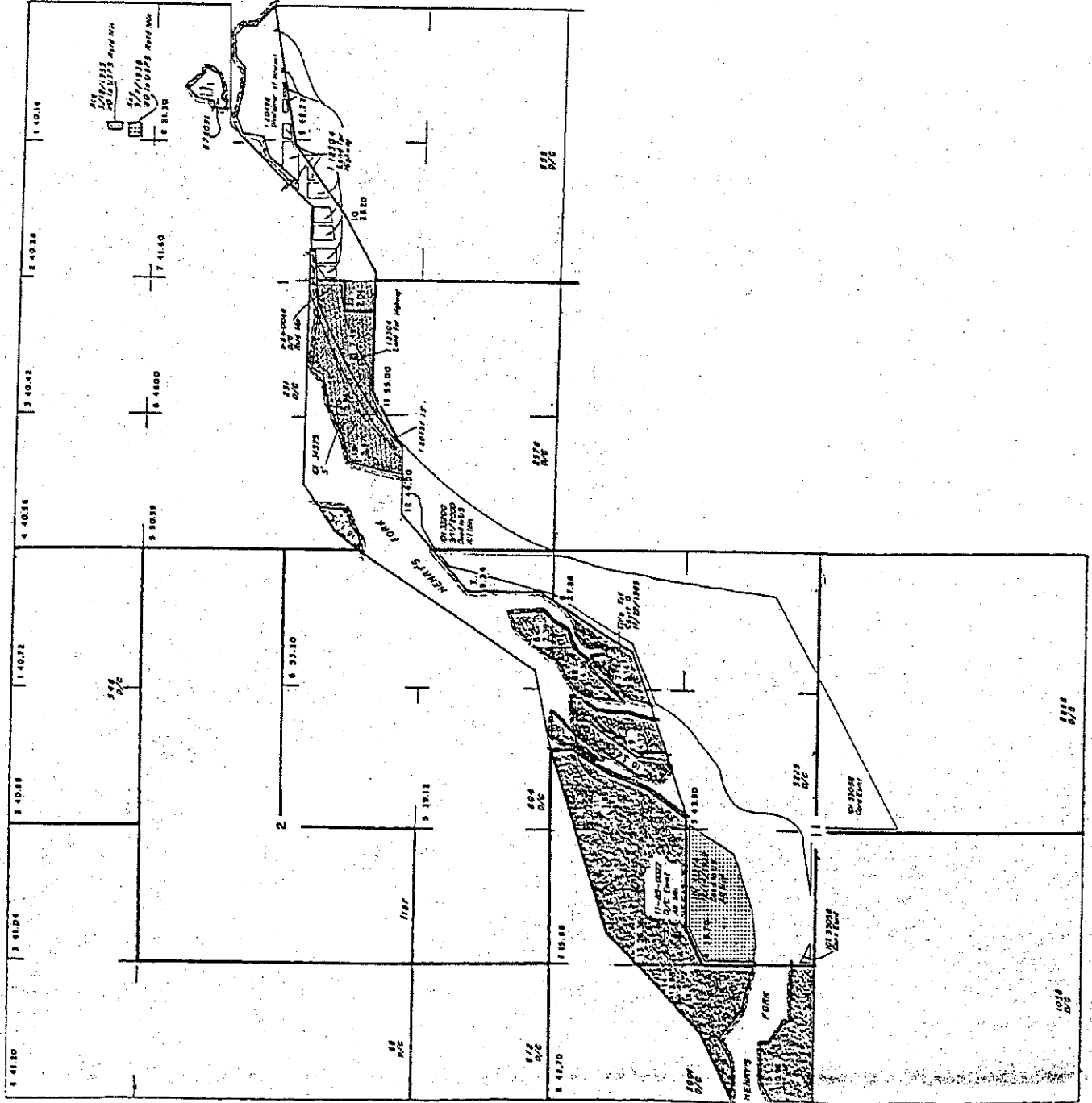
DATE	7/10/2004	CURRENT TO
SEE PLAT		

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			
TRACT NO.	T.	R.	SEC.
1	7	40	11
2	7	40	12
3	7	40	13
4	7	40	14
5	7	40	15
6	7	40	16
7	7	40	17
8	7	40	18
9	7	40	19
10	7	40	20
11	7	40	21
12	7	40	22
13	7	40	23
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15	7	40	25
16	7	40	26
17	7	40	27
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22	7	40	32
23	7	40	33
24	7	40	34
25	7	40	35
26	7	40	36
27	7	40	37
28	7	40	38
29	7	40	39
30	7	40	40

11/22/1983 Ch 1 78 125
Amended judgement regarding certain lands to
Plaintiffs within
Sec 1: That portion of land north of lot 18
9 & 10 to the left bank of the river
As 12/08/1938 Deed to US
Sec 1: Lot 17, N48 Bk 16
City of St Anthony
10/31/815 DCD from USFS
Sec 1: That portion of the Town Site of
St Anthony described as Block 36
Lots 18-20, less the east 7 1/2
feet of Lot 18

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

CURRENT TO	CURRENT TO
JUL-3-0-2004	

USE PLATS



WARNING STATEMENT

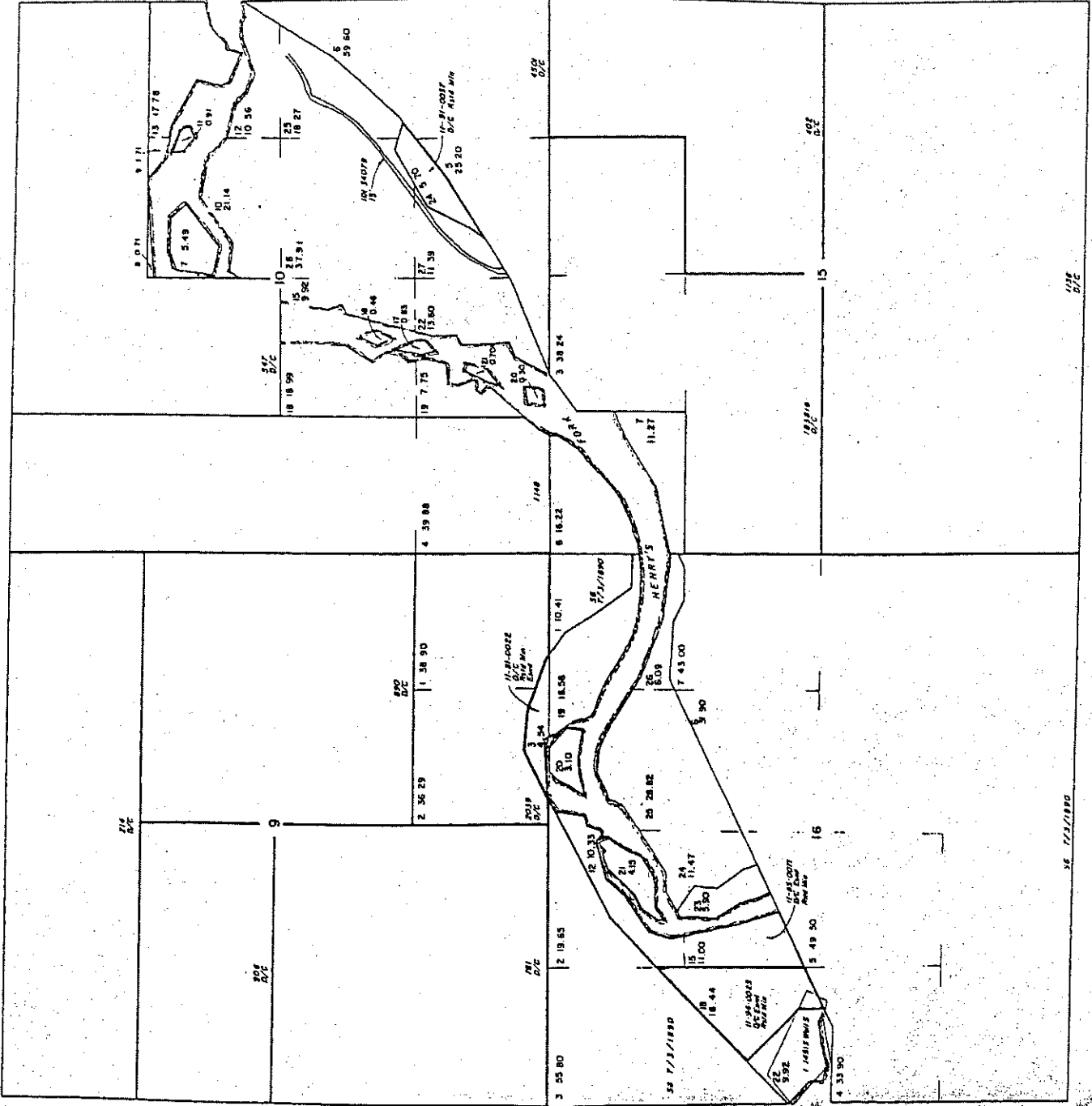
Base Map

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



INDEX TO SEGREGATED TRACTS			
TRACT NO	T	R	SEC
1	10	40	15
2	10	40	15
3	10	40	15
4	10	40	15
5	10	40	15
6	10	40	15
7	10	40	15
8	10	40	15
9	10	40	15
10	10	40	15
11	10	40	15
12	10	40	15
13	10	40	15
14	10	40	15
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29	10	40	15
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31	10	40	15
32	10	40	15
33	10	40	15
34	10	40	15
35	10	40	15
36	10	40	15
37	10	40	15
38	10	40	15
39	10	40	15
40	10	40	15

IDAHO Official Certified Land to Preference Right
Claims pursuant to Act of Congress
Sec 8, Lot 3
Sec 10, Lot 14 (portion), Lot 23 (portion),
Sec 16, NWSE (portion)
Sec 18, Lots 12,15,18

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

DATE 10/15/1980
BY 10/15/1980

USE PLAT

SCALE IN FEET
0 5 10 20

WARNING STATEMENT

Boise Mer
T. 7N

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

SUPPL Sec 17,18,19,20

FLETCO - Office of Unsettled Lands in Oklahoma Field
Documents pursuant to Act of Congress, 5/30/1952

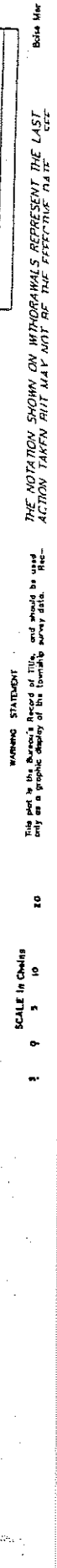
Self - Lot 7

Sheriff's Lot 8

Sheriff's Lot 9, Lot 10 & 11

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

CURRENT TO JUL 30 2001	CURRENT TO
USE PLATS:	

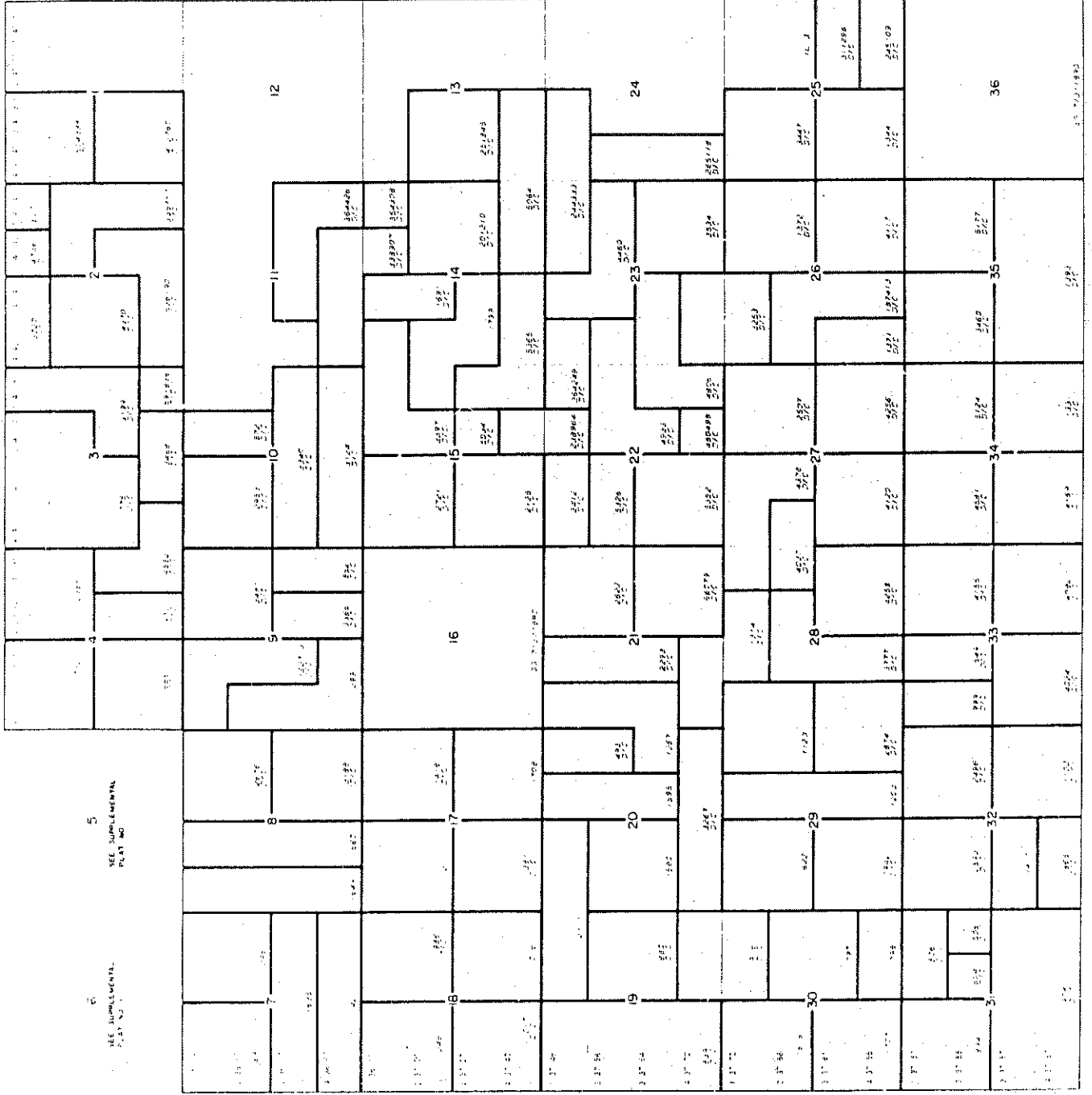


TOWNSHIP 7 NORTH RANGE 41 EAST OF THE BOISE MERIDIAN, IDAHO

FREMONT COUNTY 343
S&W 1/4 SEC 5

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT



MTI PLAT

[illegible]

19806	Record to LVS	MOE	Local Order Issues
	Sec 1: SE, SW, WAB, NE, SE		
	Sec 12: NW, WAB, S, SW		
	Sec 13: SE, WAB, NW, SW, NE, NE, SW		
	Sec 14: S, WAB		
	Sec 16: E, E		
	Sec 19: S, SW	SE, SE	
	Sec 20: WAB		
	Sec 21: NW, NW, WAB, NE		
	Sec 24: NE, NE		
	Sec 30: NE, NE		

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

[illegible]

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-

Stall - 2000

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