

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)

A. Subcase 21-12911
(Insert water right number)

Case No. 39576)

**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)

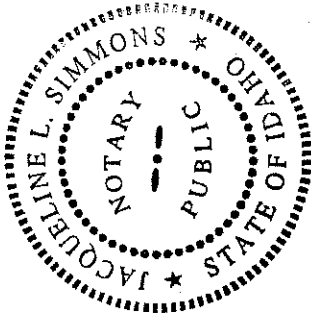
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry G. 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:

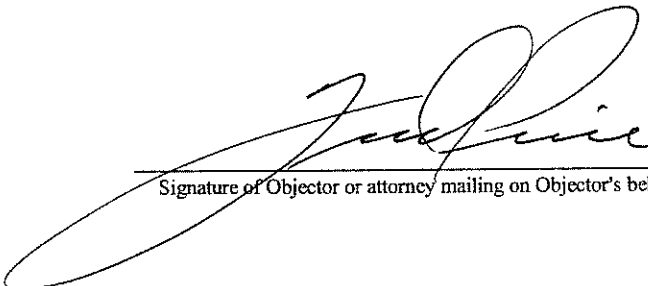
Name: Southeast Idaho Canal Co.
Address: P.O. Box 15; St. Anthony, Idaho 83445
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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: 21-12911
NAME AND ADDRESS: SOUTHEAST IDAHO CANAL CO
PO BOX 15
ST ANTHONY ID 83445

POUs on BLM

SOURCE: HENRYS FORK TRIBUTARY: SNAKE RIVER

QUANTITY: 9.000 CFS

PRIORITY DATE: 04/01/1939

POINT OF DIVERSION: T08N R41E S33 NWNE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/01	9.000 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:

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

RightID585401

Place(s) of use:

Place of Use Legal Description: IRRIGATION MADISON County

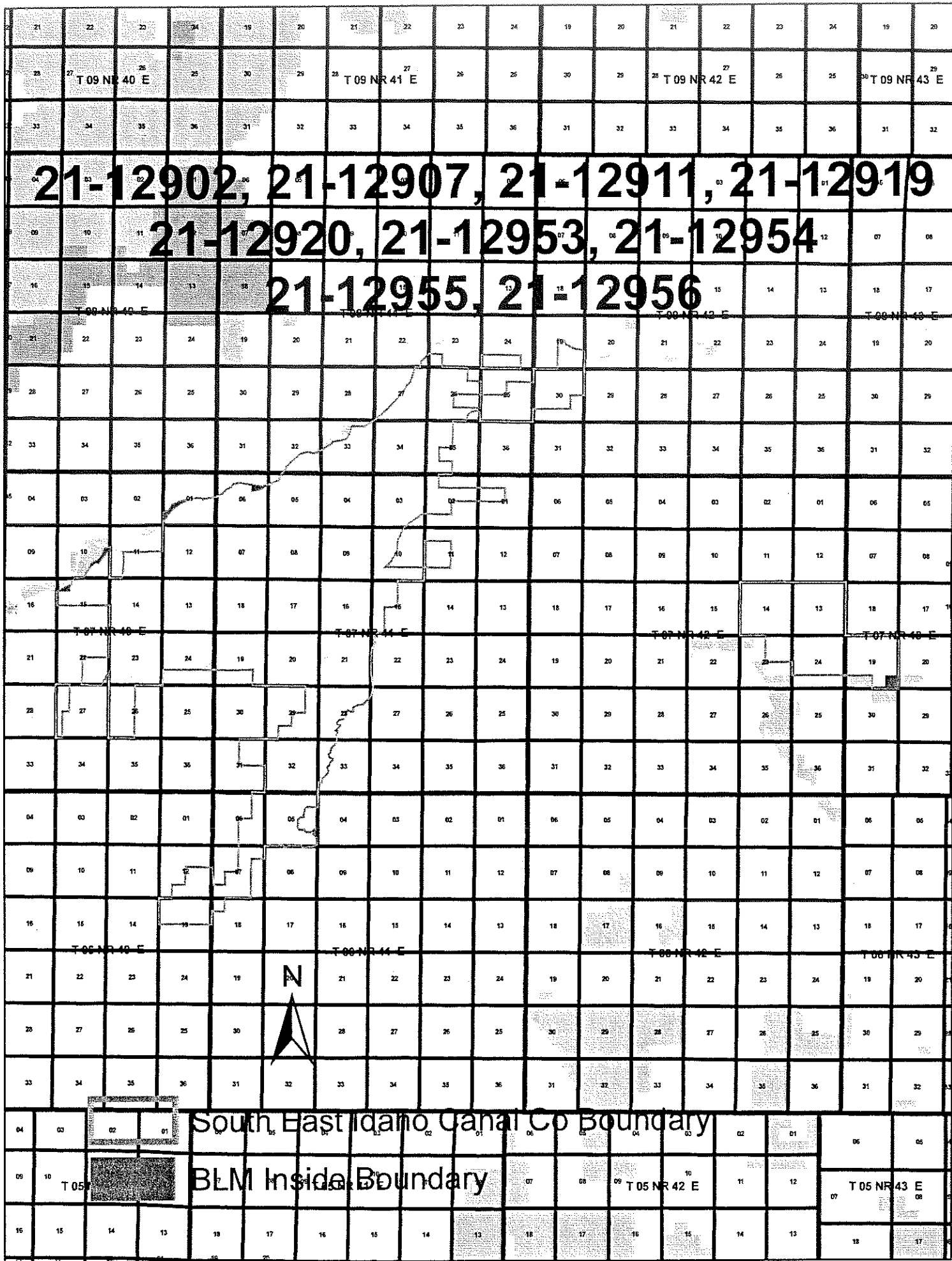
Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06N	40E	12		SWNE			SENE							
				NESW			SESW							
				NESE			NWSE			SWSE			SESE	
		13		NENE			NWNE			SWNE			SENE	
				NENW			NWNW			SWNW			SENW	
				NENE		2	NWNE			SWNE			SENE	
		5	1	NENE		2	NWNE			SWNE			SENE	
			3	NENW		4	NWNW			SWNW			SENW	
				NESW			NWSW			SWSW			SESW	
		6		NESE			NWSE			SWSE			SESE	
			1	NENE			SWNE			SENE			SESE	
				NESE			NWSE			SWSE			SESE	
		7		NENE			NWNE			SWNE			SESE	
				NESW		3	NWSW		4	SWSW			SESW	
				NWSE			SWSE							
		8		NENE			NWNE							
				NENW			NWNW							
				NENW		1	NWNW		2	SWNW				
07N	40E	1	7	SWNE										
			6	SENW										
			11	NESW		16	NESW	Mix	17	NWSW	Mix	12	SWSW	Mix
			9	NESE		10	NWSE		15	NWSE			SWSE	
				SESE										
		2	7	SESE										
			12	SENE	BLM	12	SENE	BLM						
			5	SESW										
		10	25	NESE	BLM		NWSE	Mix		NWSE	Mix	23	SWSE	Mix
			23	SWSE		6	SESE							
		11	6	NENE		5	SWNE			SENE				
			15	SWNW	BLM	4	SENW	Mix						
				NESW			NWSW			SWSW			SESW	
		12		NESE			NWSE			SWSE			SESE	
				NENE			NWNE			SWNE			SENE	
				NENW			NWNW			SWNW			SENW	
				NESW			NWSW			SWSW			SESW	
				NESE			NWSE			SWSE			SESE	

	13	NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
	14	NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
	15	NENE	NWNE	SWNE	SENE
	3	NENW	NWNW	SWNW	SENW
		NESW	NWSW		
		NESE	NWSE		
	16	SENE			
	22	NENE	SWNE	SENE	
		NESW	SWSW	SESW	
		NESE	NWSE	SWSE	SESE
	23	NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
	24	NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	
		NESE	NWSE		
	25	NWNW			
	26	NENE	NWNE	SWNE	
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
	27	NENE	NWNE		
		NENW	NWNW	SWNW	SENW
		NWSW	SWSW		
	28	NENE	SENE		
		NESE	SESE		
	34	NWNW			
41E	1	SWNW	SENW		
	2	SWNE	SENE		
	4	NWNW	SWNW	SENW	
		NESW	NWSW		
	3	NENE	NWNE	SWNE	SENE
	3	NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW

		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	15
	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		SWNE			SENW			
		NENW			NWSW			
15		NENW			NWNW		SWNE	SENE
		NWSW			SWSW		SWNW	SENW
16		NENE			NWNE		SWSW	SESW
		NENW			NWNW		SWSE	SESE
		NESW			NWSW		SWNE	SENE
		NESE			NWNE		SWNW	SENW
17		NENE			NWNW		SWSW	SESW
		NENW			NWSW			
		NESW						

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

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



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

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

INDEX TO SEGREGATED TRACTS										ORIGINAL SURVEY									
TRACT NO.	T	R	S	E	C	SECTION	NO.	SECTION	NO.	TRACT NO.	T	R	S	E	C	SECTION	NO.	SECTION	NO.
1	37.54	3	40.75	1	41.11	1	41.11	1	41.11	1	41.11	1	41.11	1	41.11	1	41.11	1	41.11
2	37.54	3	40.75	1	41.11	1	41.11	1	41.11	1	41.11	1	41.11	1	41.11	1	41.11	1	41.11
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36	37.54	3	40.75	1	41.11	1	41.11	1	41.11	1	41.11	1	41.11	1	41.11	1	41.11	1	41.11

FOR LANDS EFFECTING DISPOSAL OR USE OF
UNCLASSIFIED LANDS REFER TO WORK OF
WELLS-NEEDS DOCUMENTS

DATE
JUL 3 1904

CURRENT TO
MT PLAT

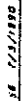
FREMONT COUNTY 043

dlm

SUPPL Sec 9,10,16,15

104 14810 Offer of 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



SCALE IN CHARGE

WARNING: STATEMENT

Brinsford

1. 2. 3.

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

SUBMIT BY JUL 30 2004	CLERK TO
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USE MATS:

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

FRONT COUNTY 045

MT PLAT

[illegible]

Sec 31: 1443

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

USE PLATE	CURRENT TO
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THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST

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Figure 2

