

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 21-12920
(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)

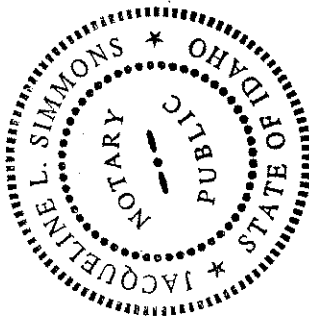
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry 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:

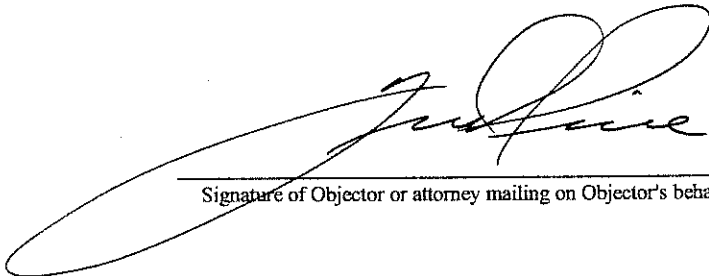
Name: Southeast Idaho Canal Co.
Address: P.O. Box 15; St. Anthony, Idaho 83445
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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: 21-12920
NAME AND ADDRESS: SOUTHEAST IDAHO CANAL CO
PO BOX 15
ST ANTHONY ID 83445

POUs on BLM

SOURCE: HENRYS FORK TRIBUTARY: SNAKE RIVER

QUANTITY: 150.000 CFS

PRIORITY DATE: 06/01/1892

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	150.000 CFS
STOCKWATER	01/01 12/31	15.000 CFS
COMMERCIAL	04/01 10/31	0.250 CFS
MINING	04/01 10/31	0.250 CFS
GROUND WATER RECHARGE	11/01 04/01	60.440 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

RightID585200

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		2	NWNE			SWNE			SENE	
		5	1	NENE		2	NWNE			SWNW			SENE	
			3	NENW		4	NWNW			SWNW			SENE	
				NESW			NWSW			SWSW			SESE	
		6		NESE			NWSE			SWSE			SESE	
			1	NENE			SWNE			SENE			SESE	
				NESE			NWSE			SWSE			SESE	
		7		NENE			NWNE			SWNE			SESE	
				NESW		3	NWSW		4	SWSW			SESE	
				NWSE			SWSE						SESE	
		8		NENE			NWNE			SWNE			SESE	
				NENW			NWNW			SWNW			SESE	
				NENW		1	NWNW		2	SWNW			SESE	
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										
			7	SESE										
		2		SESE										
				SESE										
		10		SESE										
			12	SENE	BLM	12	SENE	BLM						
			5	SESE										
		25		NESE	BLM		NWSE	Mix		NWSE	Mix	23	SWSE	Mix
				NESE										
			23	SWSE		6	SESE							
		6		NENE		5	SWNE			SENE				
				NENE										
			15	SWNW	BLM	4	SENE	Mix						
		12		NESW			NWSW			SWSW			SESE	
				NESE			NWSE			SWSE			SESE	
				NENE			NWNE			SWNE			SENE	
				NENW			NWNW			SWNW			SENE	
				NESW			NWSW			SWSW			SESE	
				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	5	NWNW	BLM	SWNW		SENW
			NESW		NWSW				
			NESE		NWSE				
	16	7	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	1	NENE	2	NWNE		SWNE		SENE
		3	NENW	4	NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW

4	1	NESE	2	NWSE		SWSE		SESE		
		NENE		NWNE		SWNE		SENE		
	3	NENW		NWNW		SWNW		SENW		
		NESW		NWSW		SWSW		SESW		
		NESE		NWSE		SWSE		SESE		
	1	NENE		NWNE		SWNE		SENE		
5	3	NENW	4	NWNW	14	NWNW	Mix	15	NWNW	Mix
	16	NWNW	Mix	1	SWNW		SENW			
		NESW			NWSW		SWSW			SESW
		NESE			NWSE		SWSE			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						
		SWNW		SENW						
11		NESW		NWSW						
		NENW		NWNW		SWNW				SENW
		NWSW		SWSW						
		NENE		NWNE		SWNE				SENE
16		NENW		NWNW		SWNW				SENW
		NESW		NWSW		SWSW				SESW
		NESE		NWSE		SWSE				SESE
		NENE		NWNE		SWNE				SENE
17		NENW		NWNW		SWNW				SENW
		NESW		NWSW		SWSW				SESW

		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
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		SWSW						
	27	NWNW						
	28	NENE		NWNE		SWNE		SENE
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		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
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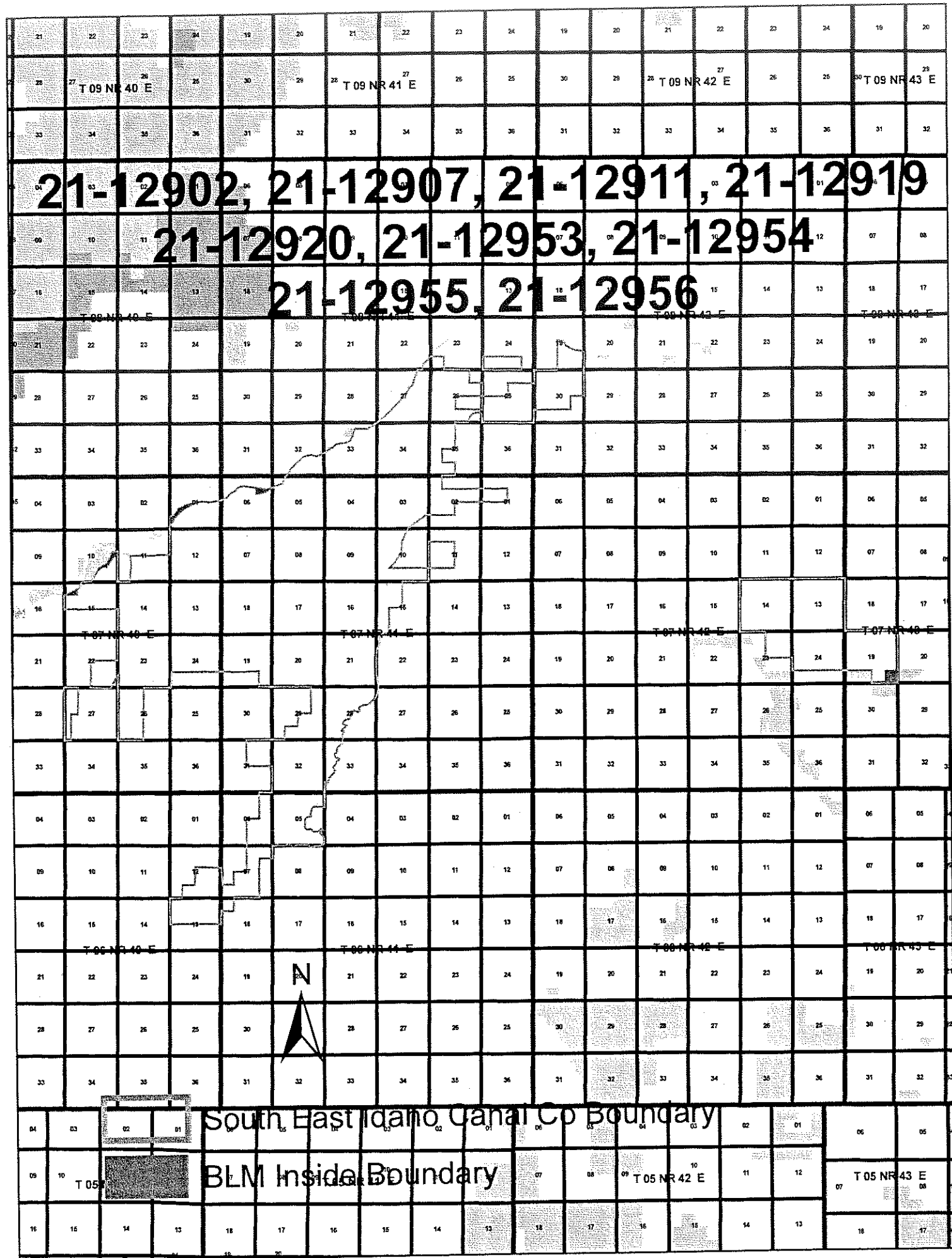
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				NESE		NWSE					
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	41E	22	1	SESE	3		2		2		BLM
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				NWSE							

Place of Use Legal Description: STOCKWATER same as IRRIGATION

Place of Use Legal Description: COMMERCIAL same as IRRIGATION

Place of Use Legal Description: MINING same as IRRIGATION

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



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

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

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I 14800 Offer of Granted Lands to the Public Right
Columbia Portland to Act of Cong. 5/31/1968
Sec. 9 Lot 3
Sec. 10 Lot 14 (portion)
Sec. 11 Lot 14 (portion)
Sec. 12 Lot 14 (portion)
Sec. 13 Lot 14 (portion)
Sec. 14 Lot 14 (portion)
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Sec. 96 Lot 14 (portion)
Sec. 97 Lot 14 (portion)
Sec. 98 Lot 14 (portion)
Sec. 99 Lot 14 (portion)
Sec. 100 Lot 14 (portion)

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

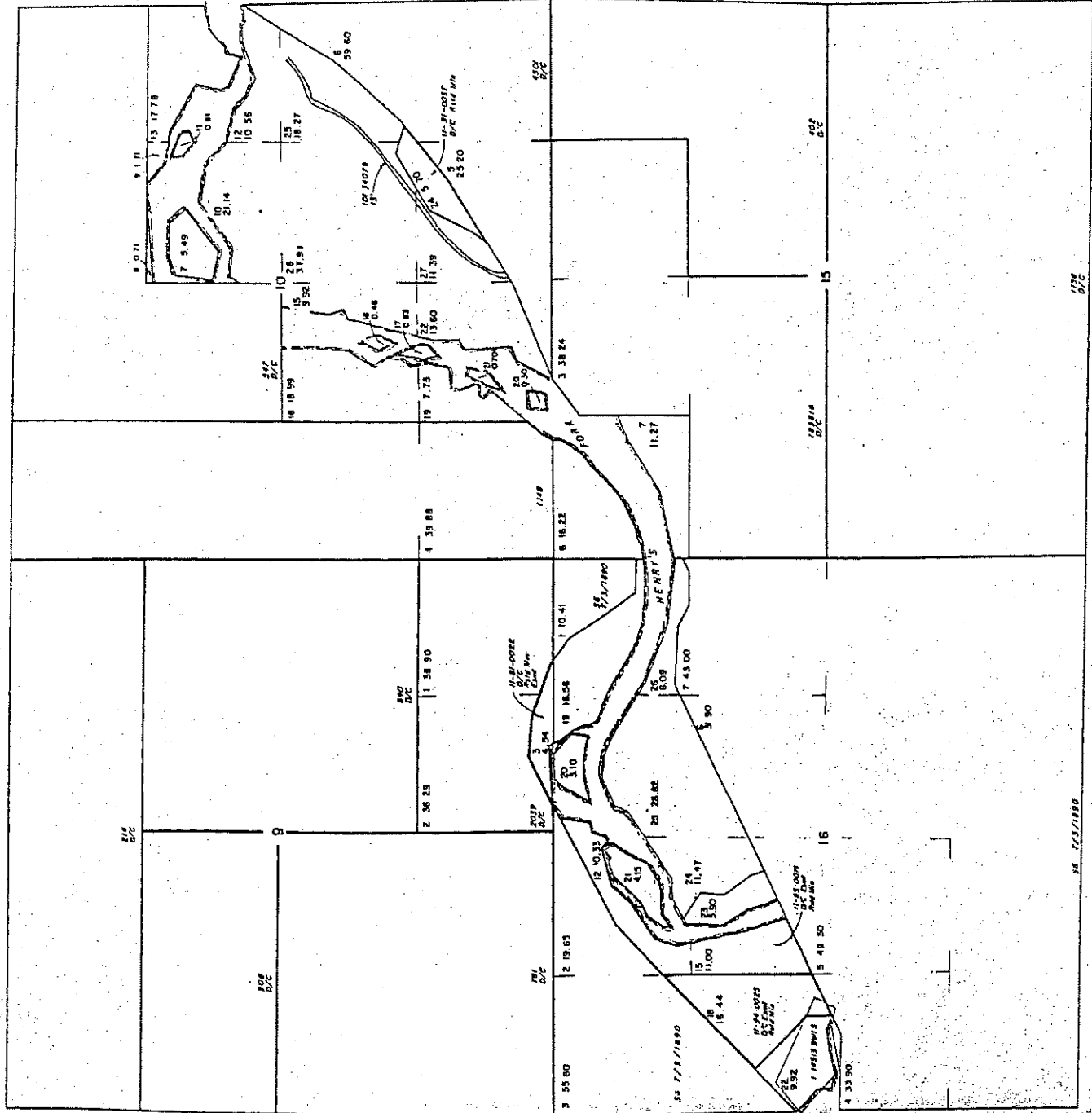
CLAIMANT'S	CURRENT TO
JUL 5 1968	
SEE PLAT 13	

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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101 14810 Official Omitted Lands to Preference Right
Claims pursuant to Act of Cong
Sec 9: Lot 3
Sec 10: Lot 14 (portion), Lot 23 (portion),
NMSE (portion)
Sec 16: Lots 12,15,18

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

CURRENT 10	100
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USE PLAYS	
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Boise Mer
T. 7N

WARNING STATEMENT



STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES-

DEWEY COUNTY 045
PAGE 115

MT PLAT

[illegible]

Sec 31: NAB
DP 8082-000 FERC Per Proj Mgt Prop

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

[illegible]

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST

THE UNIVERSITY OF CHICAGO

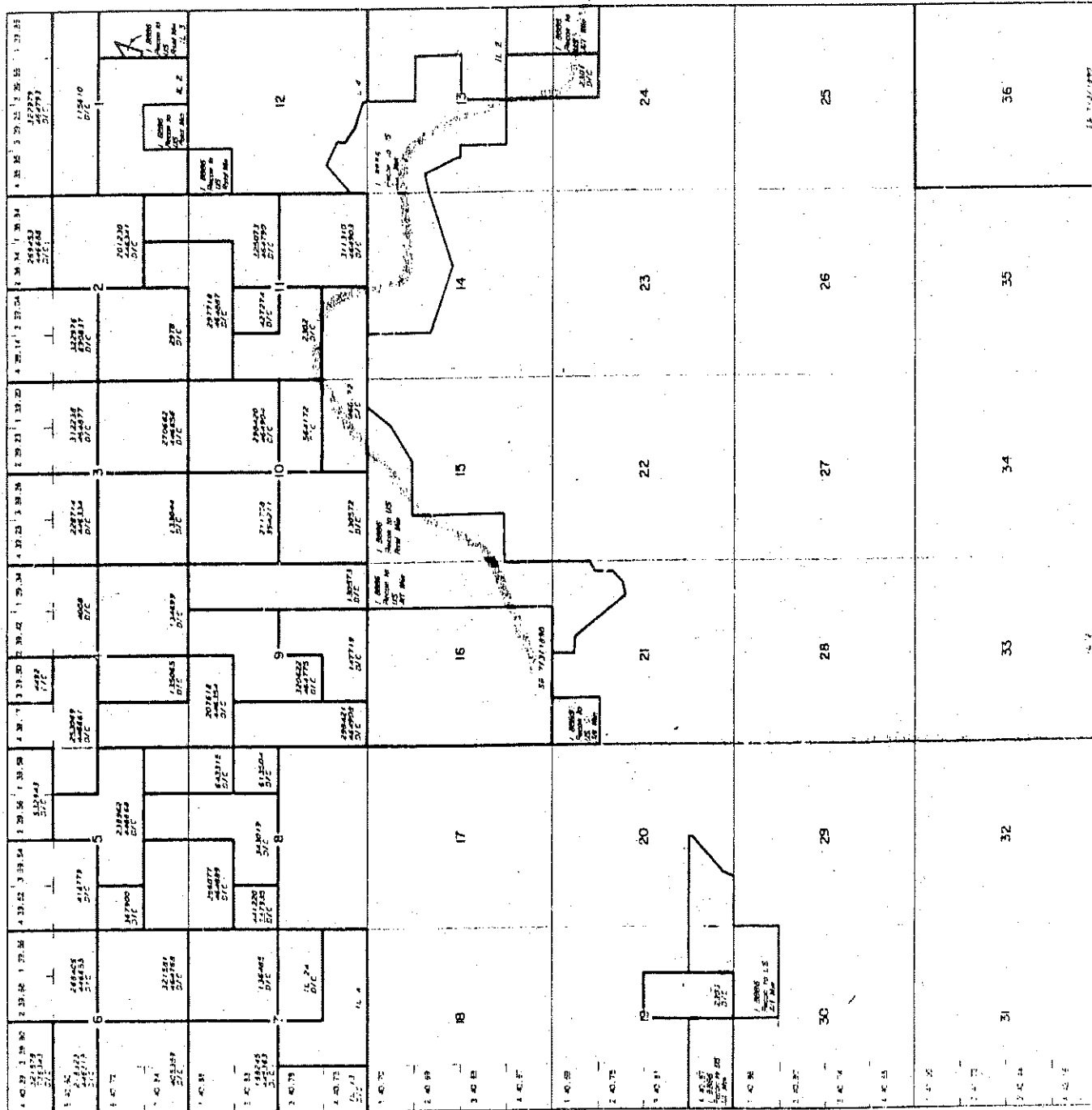
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STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible][illegible]

LETON COUNTY 081 FREMONT COUNTY 043



MADISON	COUNTY	TENN	COUNTY
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THE NOTATION SHOWN ON ANNUALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE CURRENT WITH-

May 2005