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** 21-12955
(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.

(Signature of person filing objection)

(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

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

POUs on BLM

RIGHT NUMBER: 21-12955

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

SOURCE: HENRYS FORK TRIBUTARY: SNAKE RIVER

QUANTITY: 26.000 CFS

PRIORITY DATE: 06/01/1889

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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 06/30	26.000 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

This right is a split from former right 21-12942 .

RightID590687

Place(s) of use:

Place of Use Legal Description: IRRIGATION MADISON County

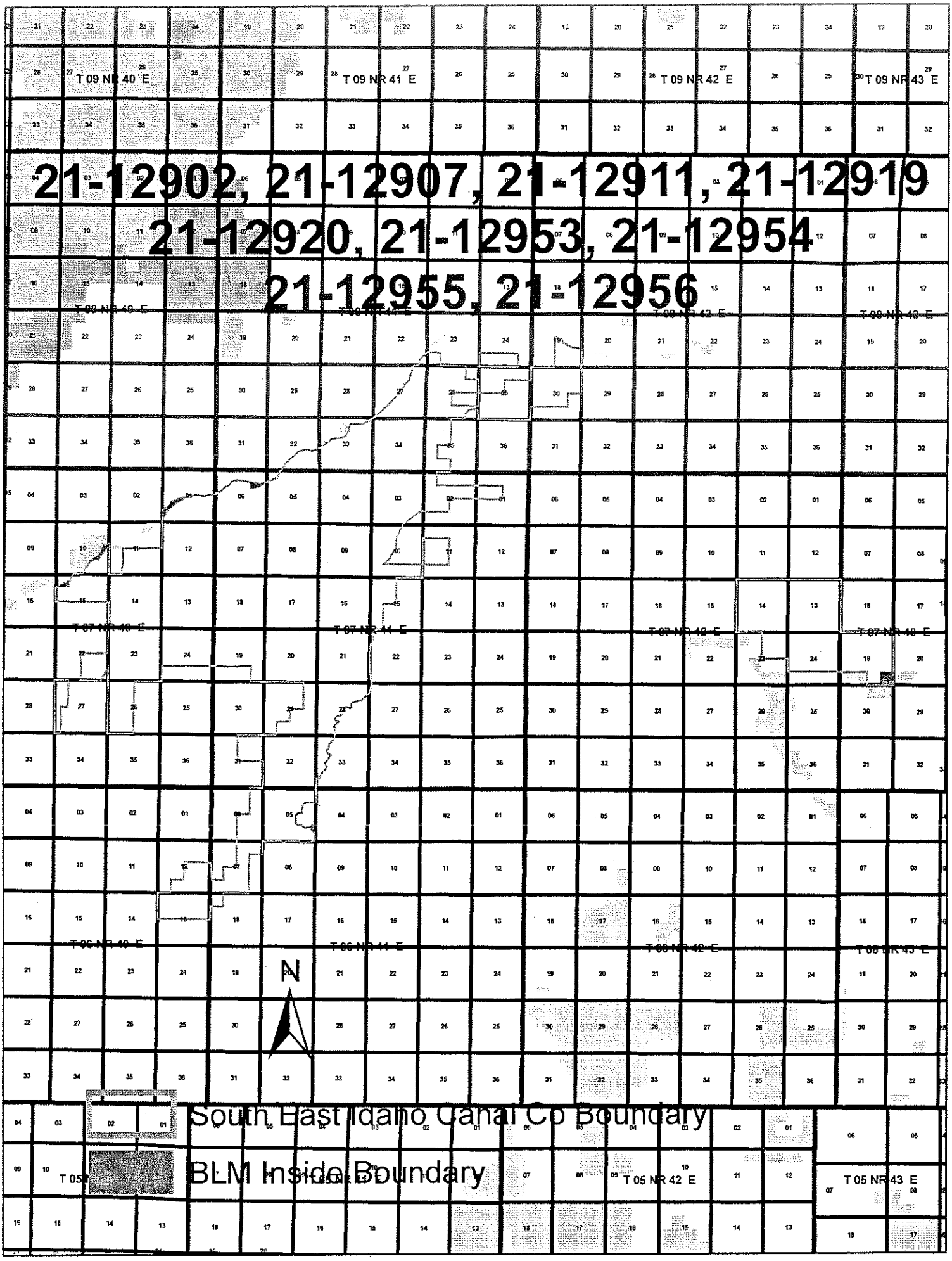
Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
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		13		NENE			NWNE			SWNE			SENE	
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	41E	5	1	NENE		2	NWNE			SWNE			SENE	
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				NWSE			SWSE							
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		18		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										
		10	12	SENE	BLM	12	SENE	BLM						
			5	SESW										
			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						
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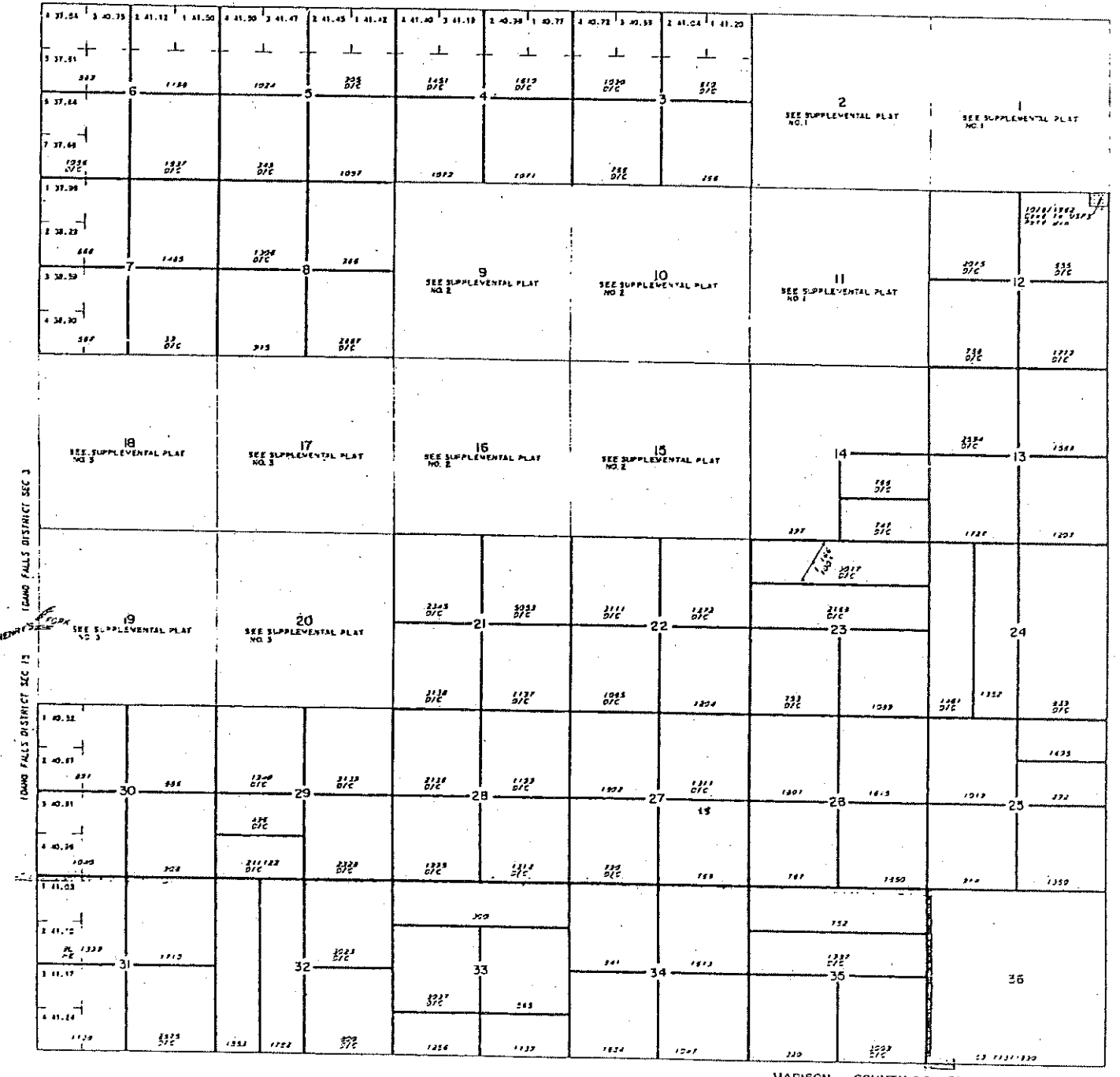
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				NESW		3	NWSW										
				NWSE													


21-12902, 21-12907, 21-12911, 21-12919
21-12920, 21-12953, 21-12954
21-12955, 21-12956
T 09 NR 40 E
T 09 NR 41 E
T 09 NR 42 E
T 09 NR 43 E
T 08 NR 40 E
T 08 NR 41 E
T 08 NR 42 E
T 08 NR 43 E
T 07 NR 40 E
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T 07 NR 43 E
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T 05 NR 42 E
T 05 NR 43 E
N
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

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

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 6 Lot 12
Lot 14 (portion)
Lot 15
Sec 17 Lot 7
Lot 12
Sec 18: Lot 8
Sec 19: Lots 10,11,12,14,15,18

I 5604 Act of Cong Appn
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

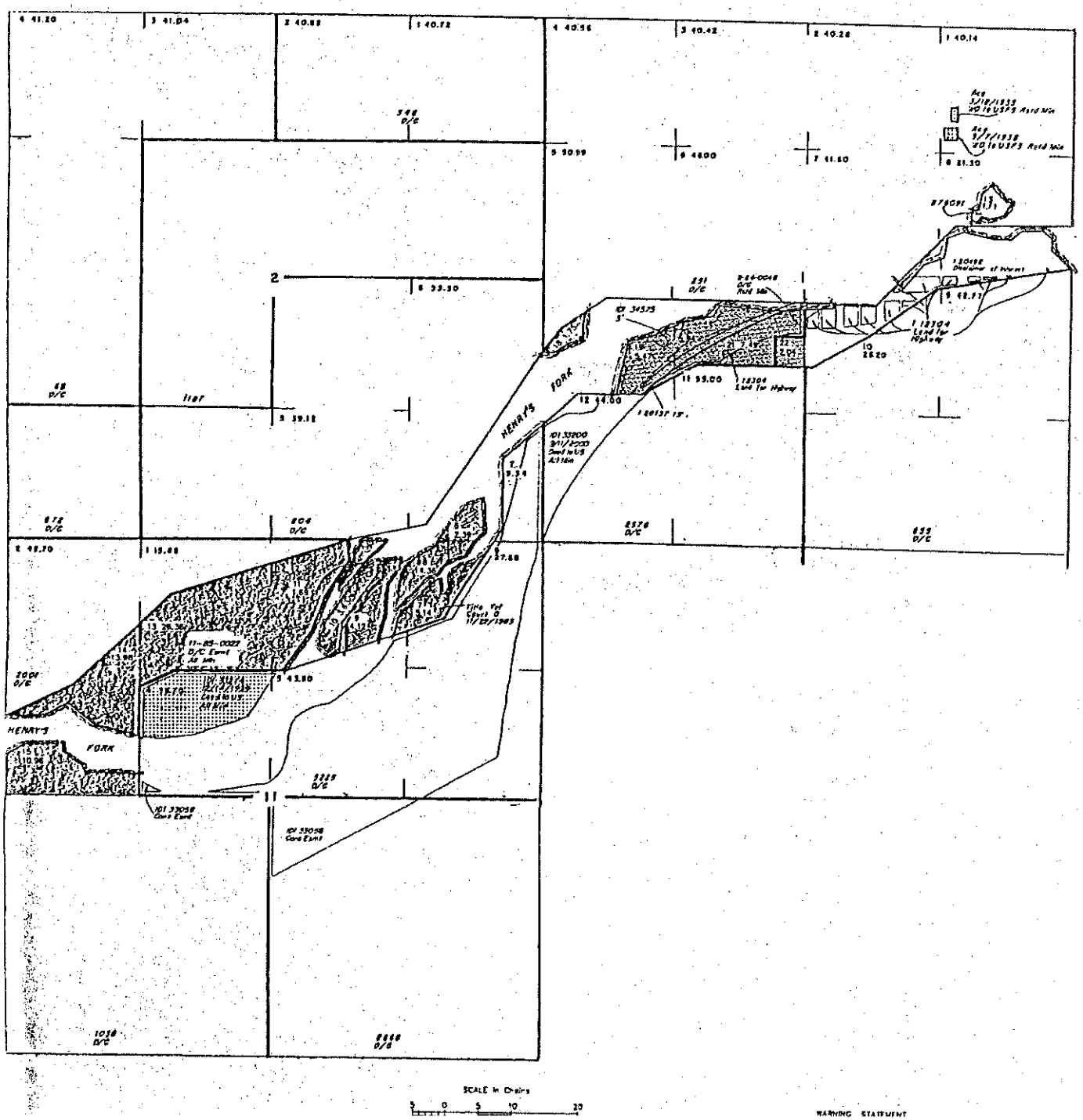
FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
JUL 30 2004	

USE PLATS:

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

11/22/1963 Civil 1 78 125
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 3 0 2004	

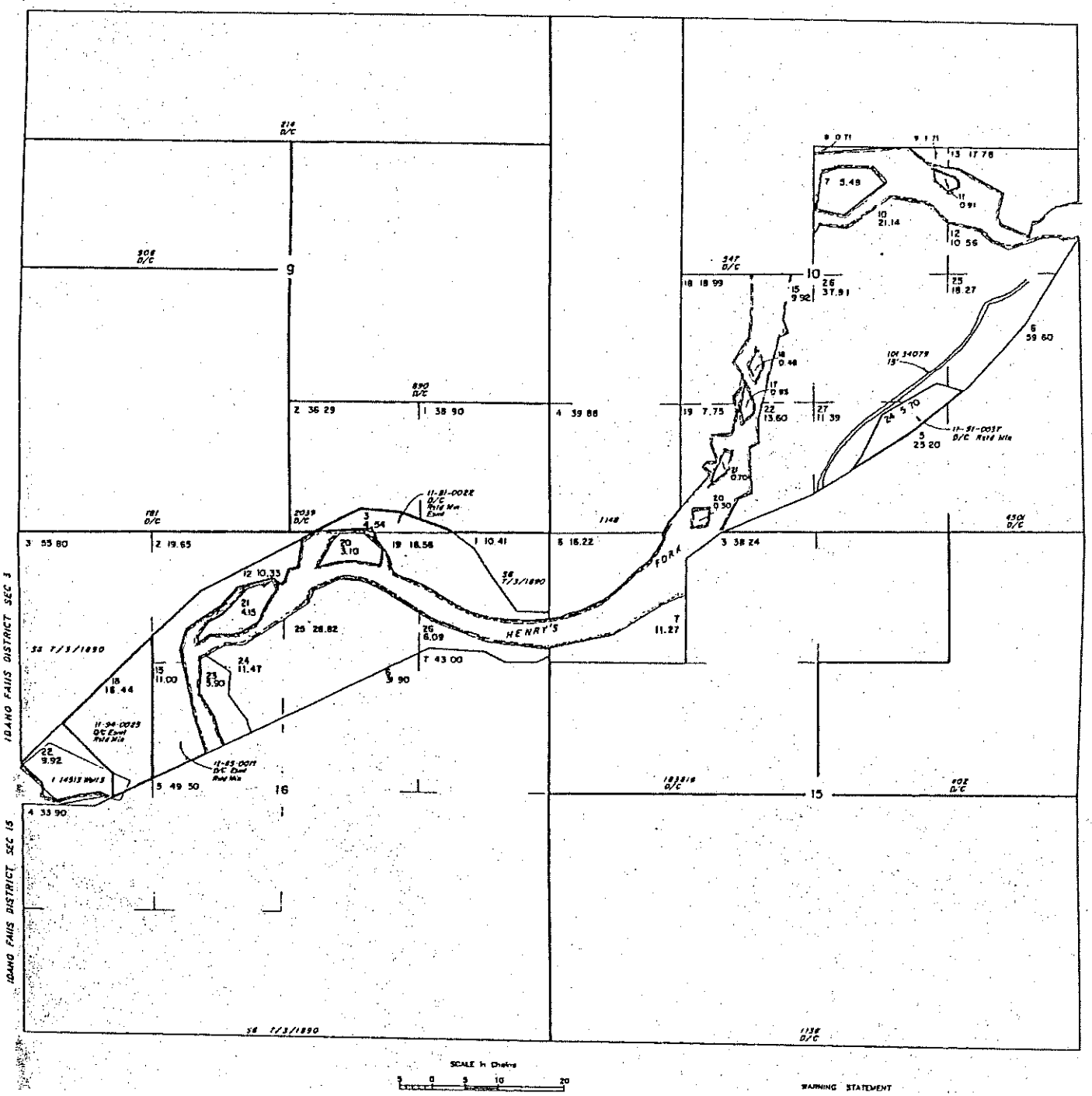
USE PLATS:

WARNING STATEMENT

Boise Ver.

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				
RESURVEY	ORIGINAL SURVEY			
TRACT NO	T	R	SEC	SUBDIVISION

IDI 14810 Offered 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

CURRENTS TO JUL 30 2004	CURRENT TO

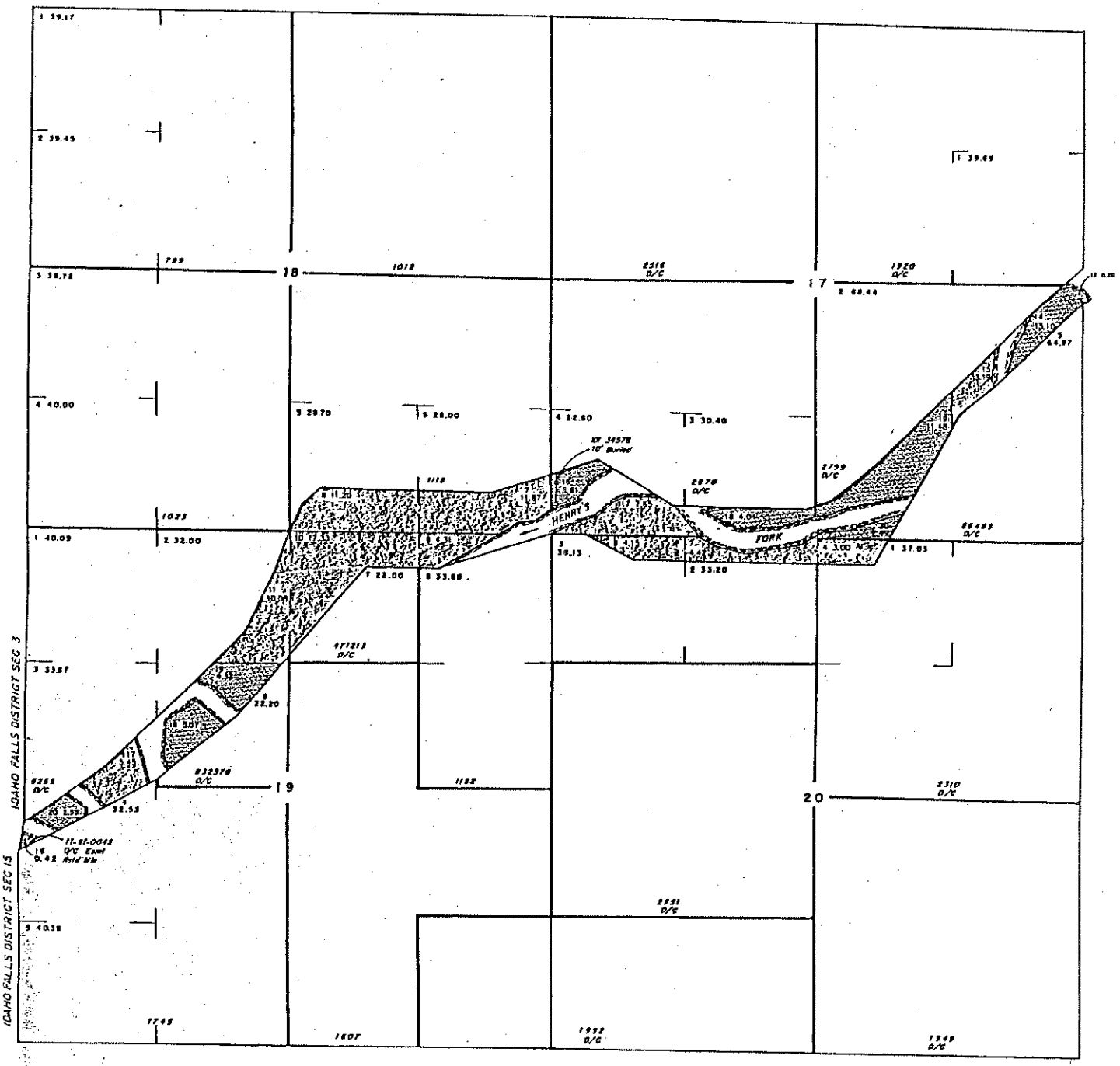
USE PLATS:

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

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

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 & 15

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.

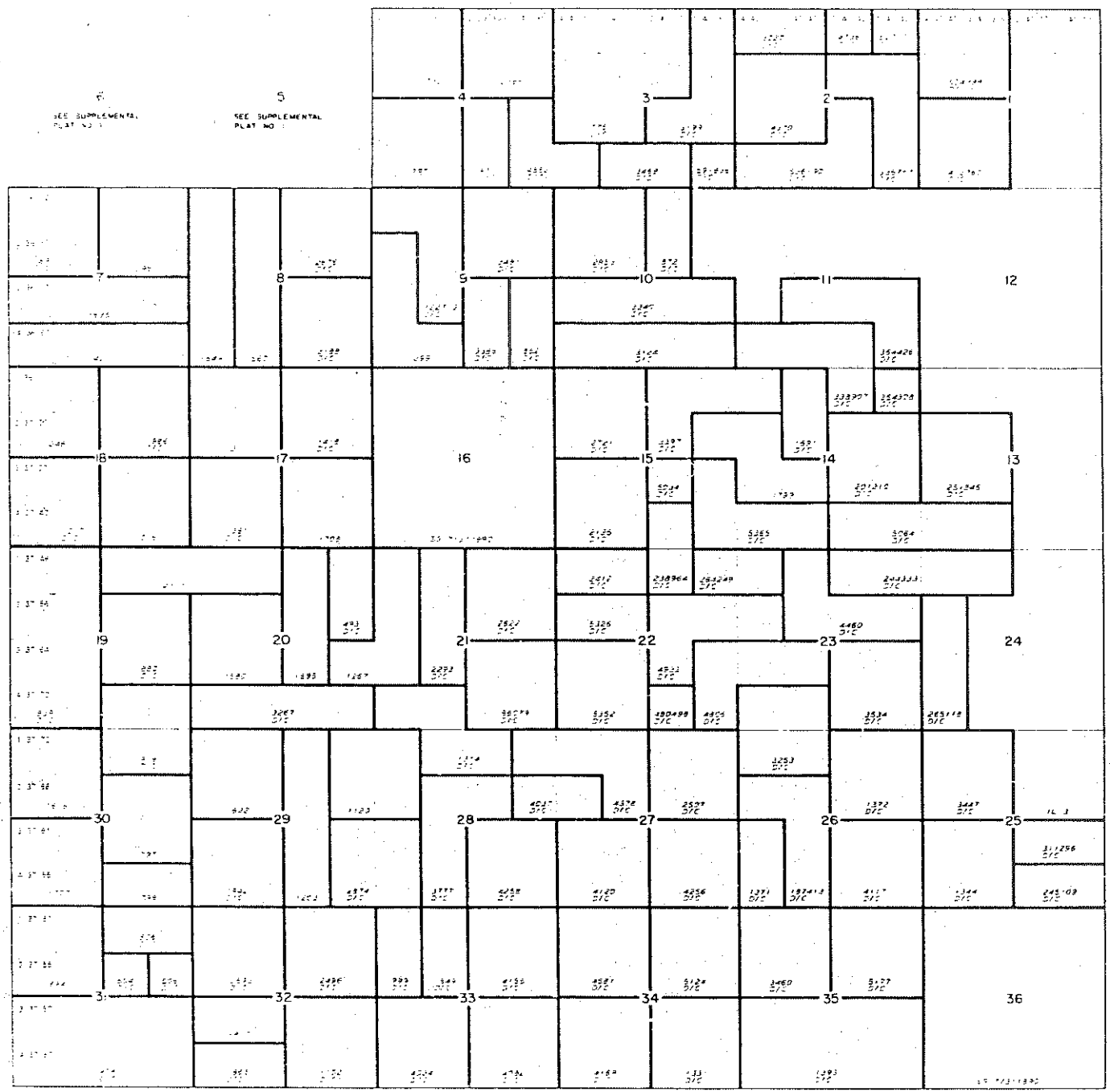
THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE PRESENT STATUS

Boise Mer

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

FREMONT COUNTY 043
IDAHO FALLS DISTRICT SEC 6

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES



MT PLAT

INDEX TO SEGREGATED TRACTS

RESURVEY	ORIGINAL SURVEY			
TRACT NO	T	R	SEC	SUBDIVISION

PP 8083-00C FERC Per Proj Val Prop
Sec 31: hLa

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

CURRENT TO	CURRENT TO

USE PLATE

WARNING STATEMENT

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST

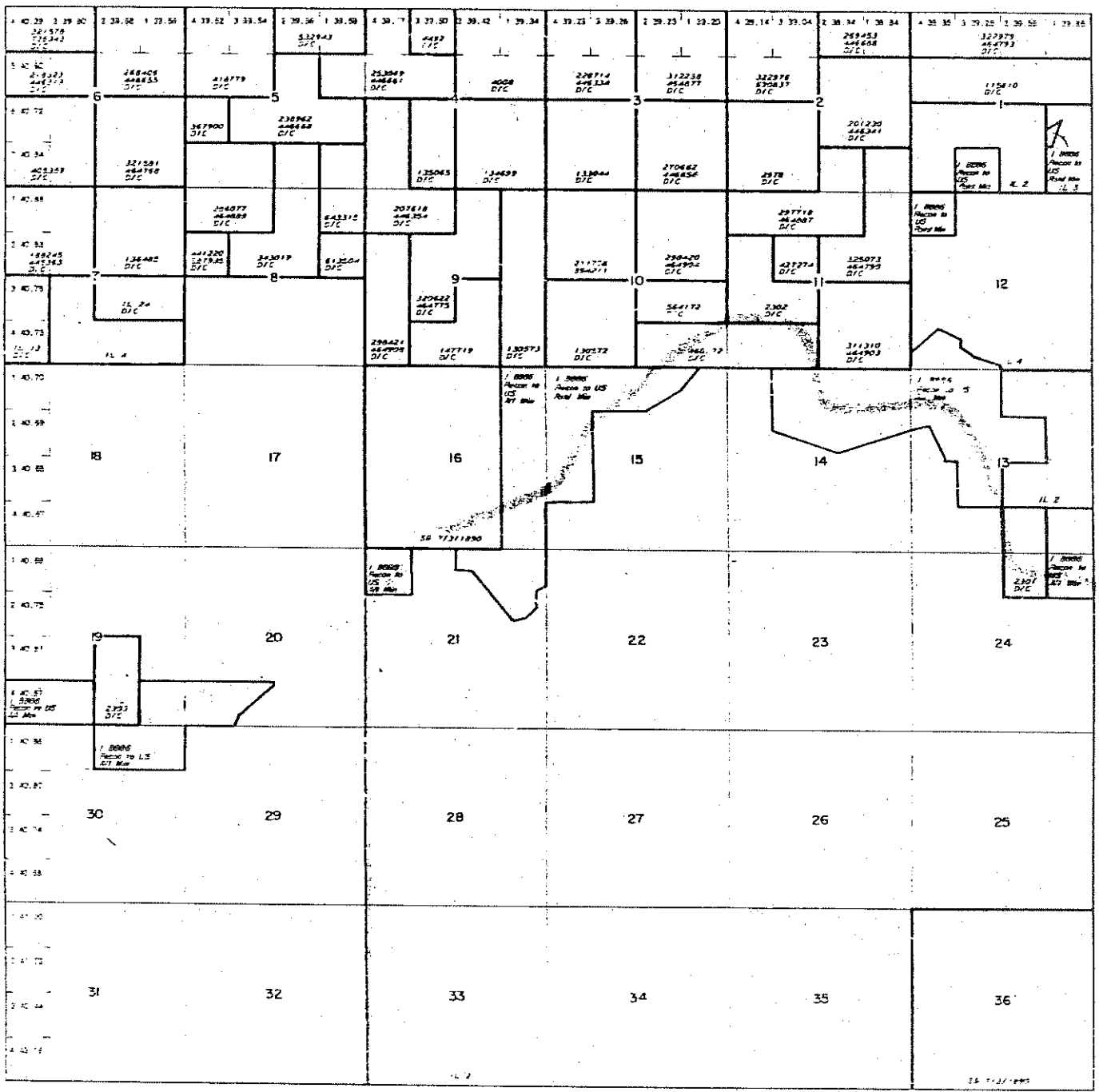
Boise Mer

TOWNSHIP 7 NORTH RANGE 43 EAST OF THE BOISE MERIDIAN, IDAHO

IDAHO FALLS DISTRICT'S SEC 15

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT



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

I 8886 Recon to US NOE Until Order Issued
Sec 1: SE¼ SW¼, M&B in NE¼ SE¼;
Sec 12: NW¼ NW¼, M&B in S½ SW¼;
Sec 13: SE¼ SE¼, M&B in NW¼, SW¼NE¼, NE¼SW¼;
Sec 14, 15: All;
Sec 16: E½ E½;
Sec 19: S½ SW¼, SE¼ SE¼;
Sec 20: All;
Sec 21: NW¼ NW¼, M&B in NE¼;
Sec 24: NE¼ NE¼;
Sec 30: N½ NE¼;

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

CURRENT TO	CURRENT TO

USE PLATS.

SCALE 1 Chain

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

Boise Mer
T. 7 N.