

RECEIVED

JUL 05 2006

DEPARTMENT OF  
WATER RESOURCES

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: 22-07253

(Insert water right number From the Objection Form)

**STANDARD FORM 2  
RESPONSE TO OBJECTION**

Please **print or type** the following information:

**B. NAME AND ADDRESS OF PERSON RESPONDING**

Name: United States of America, Acting Through  
U.S.D.I., Bureau of Land Management  
Idaho State Office  
Address: 1387 S. Vinnell Way  
Boise, Idaho 83709-1657  
Daytime Phone: (208) 373-3831

Name & Address of Attorney, if any:  
Larry A. Brown, Attorney  
United States Department of Justice  
Environment and Natural Resources Division  
General Litigation Section  
550 W. Fort St., MSC 033  
Boise, Idaho 83724  
Ph.: (202) 305-0435  
FAX: (202) 305-0274

**C. NAME AND ADDRESS OF PERSON WHO FILED THE  
OBJECTION TO WHICH YOU ARE RESPONDING**

Name: Canyon Creek Lateral Ditch Water Users Association  
Address: 12241 E. 3749 N.  
Newdale, Idaho 83436  
(208) 458-9807

**D.** I am responding to the objections to the following elements. (Please check the appropriate box(es)). ☒

1. ☐ **Name and Address**
2. ☐ **Source**
3. ☐ **Quantity**
4. ☐ **Priority Date**
5. ☐ **Point(s) of Diversion**
6. ☐ **Instream Flow Description**
7. ☐ **Purpose(s) of Use**
8. ☐ **Period of Year**
9. ☒ **Place of Use**

**11. Recommendation**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

The BLM is filing this Response because the objection doesn't provide sufficient information to properly evaluate the Objection filed by the Claimant (Canyon Creek Association). The objection vaguely states under the Place of Use element that "Digital boundary is not correct." The U.S. owns land within a couple sections of the present boundary (see attached). BLM has compared the licensed boundary to the claimed boundary and the recommended boundary and cannot discern the implications of the objection (see attached).

E.

**VERIFICATION** (Must be Completed)

State of Idaho            )  
                                  ) ss.  
County of Ada            )

Fredric W. Price, duly sworn, upon oath, deposes and says:  
(Name of person filing response)

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

*Fredric W. Price*  
(Signature of person filing response)

*Sam A. Baran*  
(Attorney signing in representative capacity)

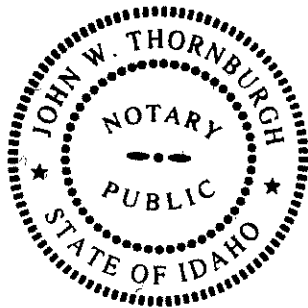
Subscribed and sworn to before me on: 6-30-06

*John W. Thornburgh*  
John W. Thornburgh

Notary Public in and for State of Idaho

Residing at: Boise, ID.

My Commission Expires: 05-16-2009



## INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, 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.

### F. CERTIFICATE OF MAILING

I certify that on 6-30, 2006 mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Canyon Creek Lateral Ditch Assn  
12241 E. 3749 N.  
Newdale, Idaho 83436

3. One copy to the party who filed the objection at the following address:

|                                                                                                |                                                                                                                    |
|------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| Canyon Creek Lateral Ditch Water Users Association<br>12241 E. 3749 N.<br>Newdale, Idaho 83436 | Jerry Rigby<br>Rigby, Thatcher, Andrus, Rigby & Moeller, Chtd.<br>25 N. 2 <sup>nd</sup> E.<br>Rexburg, Idaho 83440 |
|------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|

4. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

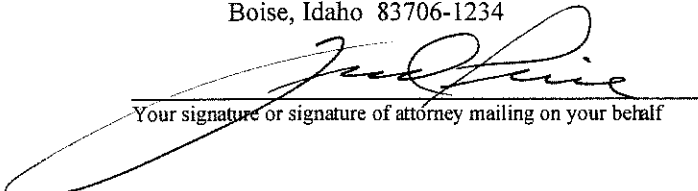
Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

Little Farms, c/o Dwight Little  
2869 East Highway 33  
Newdale, Idaho 83436

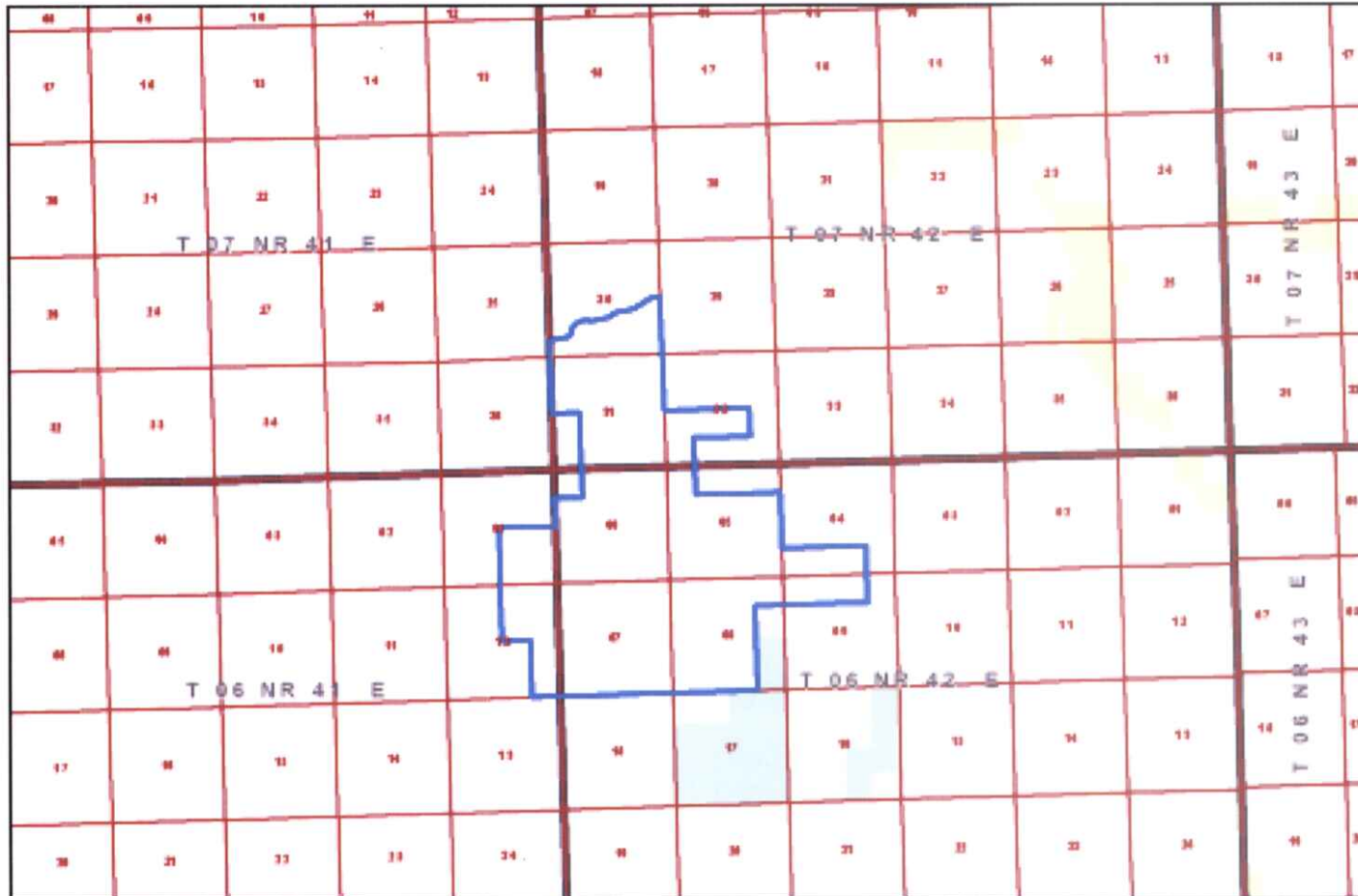
United States Department of Justice  
Environment & Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

David W. Gehlert  
United States Department of Justice  
Environment & Natural Resources Div.  
1961 Stout St., 8<sup>th</sup> Floor  
Denver, CO 80294

E. Gail McGarry  
U.S., Bureau of Reclamation  
1150 N. Curtis Road, Suite 100  
Boise, Idaho 83706-1234

  
Your signature or signature of attorney mailing on your behalf

22-07253



22-07253

