

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 22-13506
(Insert water right number)

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

Name: Fremont Madison Irrigation District
Address: 350N., 6th W.; St. Anthony, Idaho 83445
Name: Jerry R. Rigby (attorney for objector)
Address: P.O. Box 250; Rexburg, Idaho 83440
Name:
Address: ;

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 See attached.

11. **Recommendation:**

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

REASONS SUPPORTING RESPONSE:

The Objector is seeking to increase the Place of Use (POU) description to include the service area of Claimant's contracting Canal Co.s and/or Irrigation Districts. BLM cannot determine from the objection what addition is intended to the POU element. The description should be specific enough to exclude Federal land.

E.

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 response)

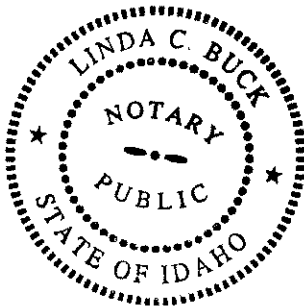
That I am the party/claimant filing this response, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing response)

Larry C. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

July 27, 2006
Linda C. Buck
Linda C. Buck



Notary Public for State of Idaho

Residing at: Mountain Home, ID.

My Commission Expires: 12-21-2011

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 July 27, 2006, I 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
P.O. Box 2707
Twin Falls, ID 83303-2707

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

Fremont-Madison Irrigation District
P.O. Box 15; St. Anthony, Idaho 83445

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

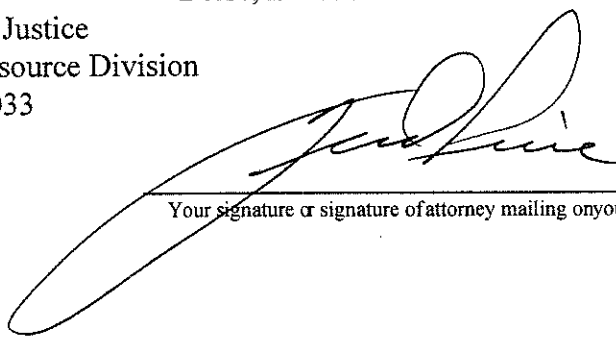
Fremont Madison Irrigation District
350N., 6th W.; St. Anthony, Idaho 83445
Jerry R. Rigby (attorney for objector)
P.O. Box 250; Rexburg, Idaho 83440

4. 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


Your signature or signature of attorney mailing on your behalf

05/04/2006

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

RIGHT NUMBER: 22-13506

NAME AND ADDRESS: FREMONT-MADISON IRRIGATION DISTRICT
PO BOX 15
ST ANTHONY ID 83445

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 530.000 CFS
220,000.00 AFY

Rights 22-13505 and 22-13506 when combined shall not exceed the irrigation of 152,562 acres, comprised of 111,210 acres to which these rights shall be supplemental to other water rights for irrigation purposes and 41,352 acres for which these rights may be the sole supply of irrigation water.

Rights 22-13505 and 22-13506 when combined shall not exceed a total annual maximum diversion volume of 220,000 af.

PRIORITY DATE: 04/23/1969

POINT OF
DIVERSION: T07N R39E S34 SWSW Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	01/01 12/31	530.000 CFS 220,000.00 AFY

PLACE OF USE:

Place of use is within the boundary of Fremont-Madison Irrigation District pursuant to Section 43-323, Idaho Code.

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.

This right is conditioned upon completion of the appropriation in accordance with the statutory procedure for appropriation of water rights. This right remains subject to all conditions set forth in the permit upon which this right is based, and will be subject to all conditions set forth in the license issued by IDWR upon completion of the statutory appropriation process.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Permit

This right is a split from former right 22-7022.