

RECEIVED

SEP 29 2006

Department of Water Resources
Adjudication Bureau

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 01-00014
(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: A&B Irrigation Dist.

Address: P.O. Box 675; Rupert, Idaho 83350-0675

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. The claimant's use of Federal land is unauthorized. Claimant's water right should not include federal public land.

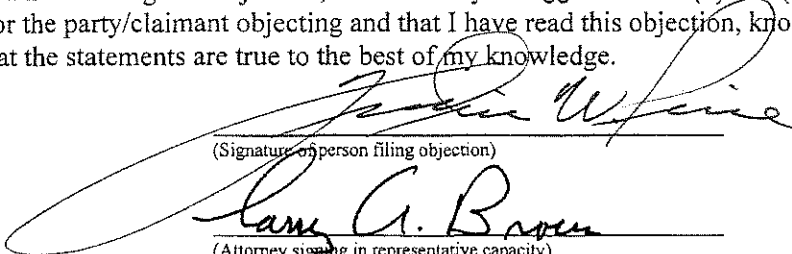
F.

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)

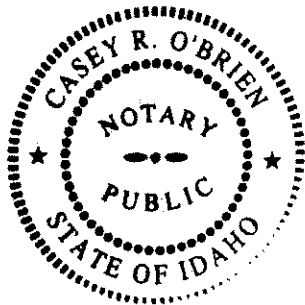
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

Casey R. O'Brien
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: September 26, 2006

Casey R. O'Brien
Casey R. O'Brien



Notary Public for State of Idaho
Residing at: Nampa, ID.
My Commission Expires: 10-31-2009

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 September 28th, 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: A&B Irrigation Dist.
Address: P.O. Box 675; Rupert, Idaho 83350-0675
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

05/11/2006

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

RIGHT NUMBER: 1-14 *Pou: Digital Boundary Contains BCM*
NAME AND ADDRESS: A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT ID 83350-0675
SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 267.000 CFS
PRIORITY DATE: 04/01/1939
POINT OF DIVERSION: T10S R21E S24 SESWSW Lot 2 Within JEROME County
PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	267.000 CFS

PLACE OF USE:

82610.1 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.

Place of use is within the boundary of A & B Irrigation District pursuant to Section 43-323, Idaho Code.

This right is limited to the irrigation of 14,637 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The delivery of water to this right may be subject to procedures described in the United States Bureau of Reclamation "space holder" contracts and the Burley Irrigation Dist. v. Eagle, Supplemental Decree (Idaho 5th Jud. Dist., July 10, 1968) and Aberdeen-Springfield Canal Co. v. Eagle, Supplemental Decree (Idaho 7th Jud. Dist., March 12, 1969) together with the natural-flow and storage deliveries as calculated by the Idaho Department of Water Resources.

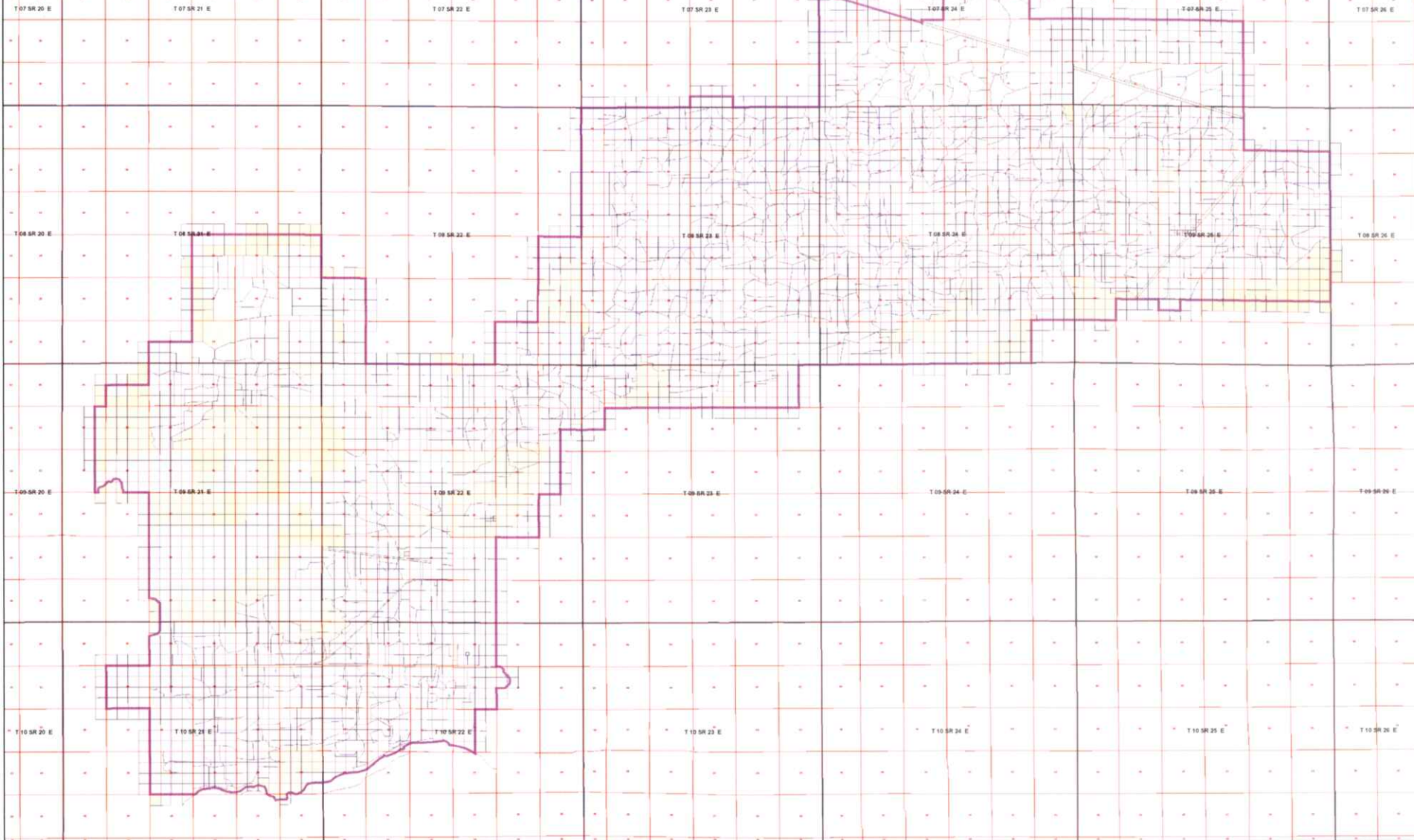
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

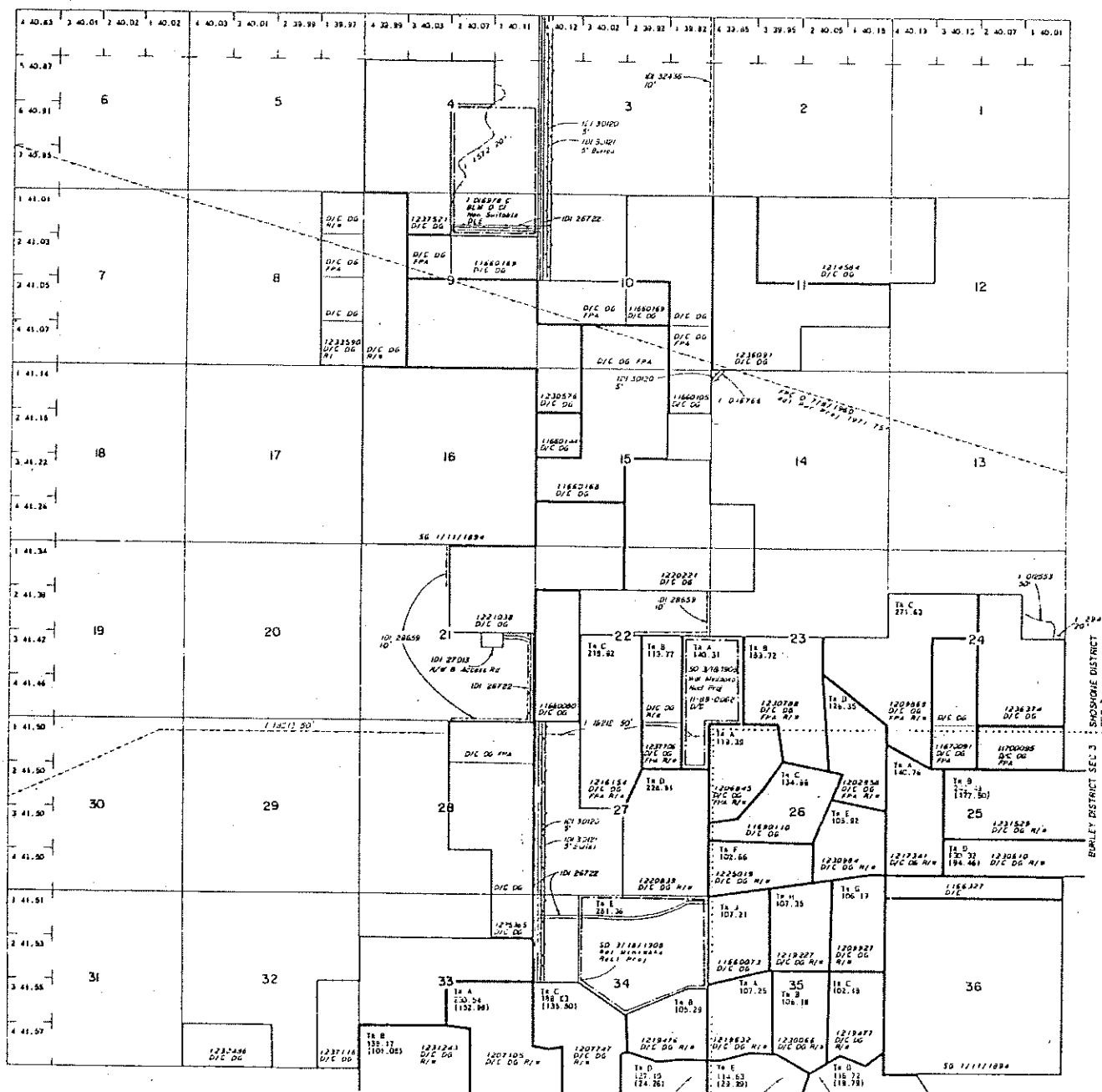
Right Nos. 1-10225 and 1-10241 are enlargements of this right pursuant to Section 42-1426, Idaho Code.

01-00014; 01-10225; 01-10237; 01-10238; 01-10239; 01-10240; 01-10241



JEROME COUNTY 053

MT PLAT

[illegible]

15243 Sikes Act 9/18/1978

Sec 9: $11\frac{1}{2}$ NE $\frac{1}{4}$

Spec ID: S-14W-

Sac 15: SE $\frac{1}{4}$ NE

Sec 22: S NE $\frac{1}{2}$

Sec 27: SW $\frac{1}{4}$, W

Sec 34, 1Y, 1W

DOI: 28925 P#1

566 11: YZSY56

SUB 12: W2W2W2W2E2NW W2W2W2NW5W 28.00

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

CURRENT TO	CURRENT TO
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USE PLAYS:

JEROME COUNTY 053

MT PLAT

RESERVED FOR DECLASSIFIED TRAILS				ORIGINAL SOURCE	
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Sec 5: SW 1/4 SW 1/4 NE 1/4 SE 1/4
Sec 6: E 1/2 SE 1/4
Sec 12: Lot 3, SE 1/4 NE 1/4

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

Downloaded from <http://ajph.org/> on November 10, 2014

USE PLATE 5

TOWNSHIP 10 SOUTH RANGE 21 EAST OF THE BOISE MERIDIAN, IDAHO

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

10 1/2 121/1215 3rd Per S Res 403 Per Trans hire
all land lying within 50' of center line of
H 011963, H 011071

Sec 8: S1/2
Sec 9: S1/2
Sec 17: N1/4, SE1/4, E1/2
Sec 22: S1/2
Sec 28: NE1/4, SW1/4, SE1/4
Sec 29: E1/2
Sec 32: E1/2
Sec 33: NE1/4

El 039242 Wilbur Lou Hill Irrigation Dist
(Act of Cong 3/11/1916) affects land in
Sec 23, 26, 27, 30, 31, 32

BLM O 3/24/954 Pnt S Reg 117 Open to entry
Subj to Sec 24 FPA
Sec 29: Lot 5
Sec 30: Lots 7, 8

1 3362 BLM O C I Mtn Use, Minor Wildlife Habitat Area
Segr from Appropn under HE, DE, IA, PS, PL, LS, &
general mining laws
All Unappropriated public land S of Snake River within
Secs 22, 25, 26, 27, 15

11815 Sheet A of 3/11/197
Sec 29: Lot 5

PX WD to US NOE until Order leaves
Sec 23, Lots 2,3

15243 Sikes Act 9/18/1978
Sec 28: NW NW
Sec 29: Lots 1, 2, N NW NE NE

1 15521 Silver Act 3/15/1979
 Sec 22: Lot 3
 Sec 23: Lot 4
 Sec 25: Lots 2, 3, 6, NW 1/4, S 1/4
 Sec 26: Lots 2, 3, 4, NE 1/4 NW 1/4, S 1/4
 Sec 27: Lots 2, 3, 4, S 1/4 NW 1/4, S 1/4
 Sec 29: Lots 2, 6, 7, 8, 9, S 1/4 SE 1/4, SE 1/4
 Sec 35: NW 1/4 NW 1/4

1 12342 PX WD Recon to US NOE until Order Issues
Sec 27: 5 SW, SW, SE

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

CURRENT TO JUL 17 9 2004	CURRENT TO
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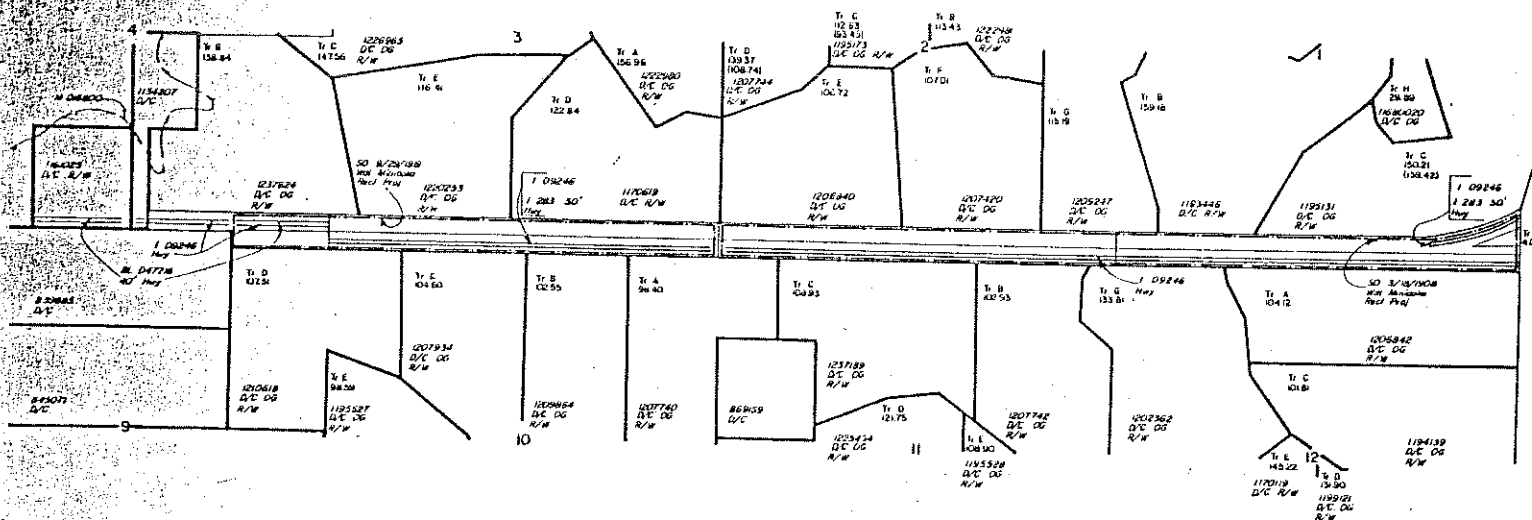
USE PLATS.

No 1
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP SUPPL
Sec 1,2,3,4,9,10,11, & 12

[illegible]

EO 7/19/1945 Well Pay 5 Fee 428 R/W Truss Line
all land lying within 50' of center line of H. DIBROCK
H. DIBROCK
Sec 9: SW 1 SW 1



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

CURRENT TO	CURRENT TO

USE PLATS

WARNING STATEMENTS

WARNING STATEMENT

This plot is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Record does not reflect title changes which may have been made between the last measurements of reefs or other landmarks of interest.

SCALE in Chains

TOWNSHIP 10 SOUTH RANGE 21 EAST OF THE BOISE MERIDIAN, IDAHO

NO 2
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL REMARKS

[illegible]

101 25873 Non-Hispanic
Historical information only, does not denote
public access

DOI-25873F Maritime Trail
Historical information only, does not denote
public access.

IDI 29455 R/W Warning Signs
Sec 29: NE (portion)

IDI 29455 Amdt R/W Warning Signs
Sec 29: Lot 2 (portion)

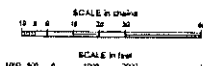
IDI 29784 R/W Recreational Facility
See 29: Lot 2 4.13 acres

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

CURRENT TO	CURRENT TO
100 18 2002	

USE PLATS:

MINIDOKA COUNTY 067
TWIN FALLS DISTRICT SEC. 3



This plot is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and Township survey data. Records herein do not reflect title changes which may have been affected by lateral movements of river or other bodies of water. Refer to cadastral surveys for official information.

MT PLAT

[illegible]

ID# 2556 BLM OGI Mtn. View, Minaksha County;
 Segr from appropriation under OLE, HE, IA, & PS
 All unappropriated public land
 Sec 7, Lot 4
 Sec 4 Lots 1, 2, S2NE SE
 Sec 33, SE
 Sec 34, SW, S2SE

IDI 15243 SAs Act 09/18/1978
Sec 31: E2MY

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

FILE REF: 10480000570206+ANT00000_0mg
CONVERTED TFF: 05/05/2006 BY: LJM
LAST UPDATED: 05/04/2006 BY: LJM
QAC01 R1: E G- QAC02 R2: JF3 *6/1/06*
PORTED TO PUBLIC RECORDS
BT:
JUN 2 0 2006
PUBLIC LAND SURVEY SYSTEM (PLSS)
BLM GCON ACQUIRED: 04/24/2005
OTHER: N/A
PROJECTED COORDINATE SYSTEM: UTM ZONE 12N NAD 1983
NOTES:
ACR BY DATE:

TOWNSHIP 8 SOUTH RANGE 23 EAST OF THE BOISE MERIDIAN, IDAHO

MINIDOKA COUNTY 067

BURLEY DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

1 15243 Sings Act 5/18/1978

Sec 31: Trust R

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

CURRENT TO	CURRENT TO

USE PLAYS:

MINIDOKA COUNTY

BUNLEY DISTRICT SEC 3

MT PLAT

[illegible]

115243 Saks, A. 9/14/1978

Sec 1: Tract E

Sec. 25. Tract, d

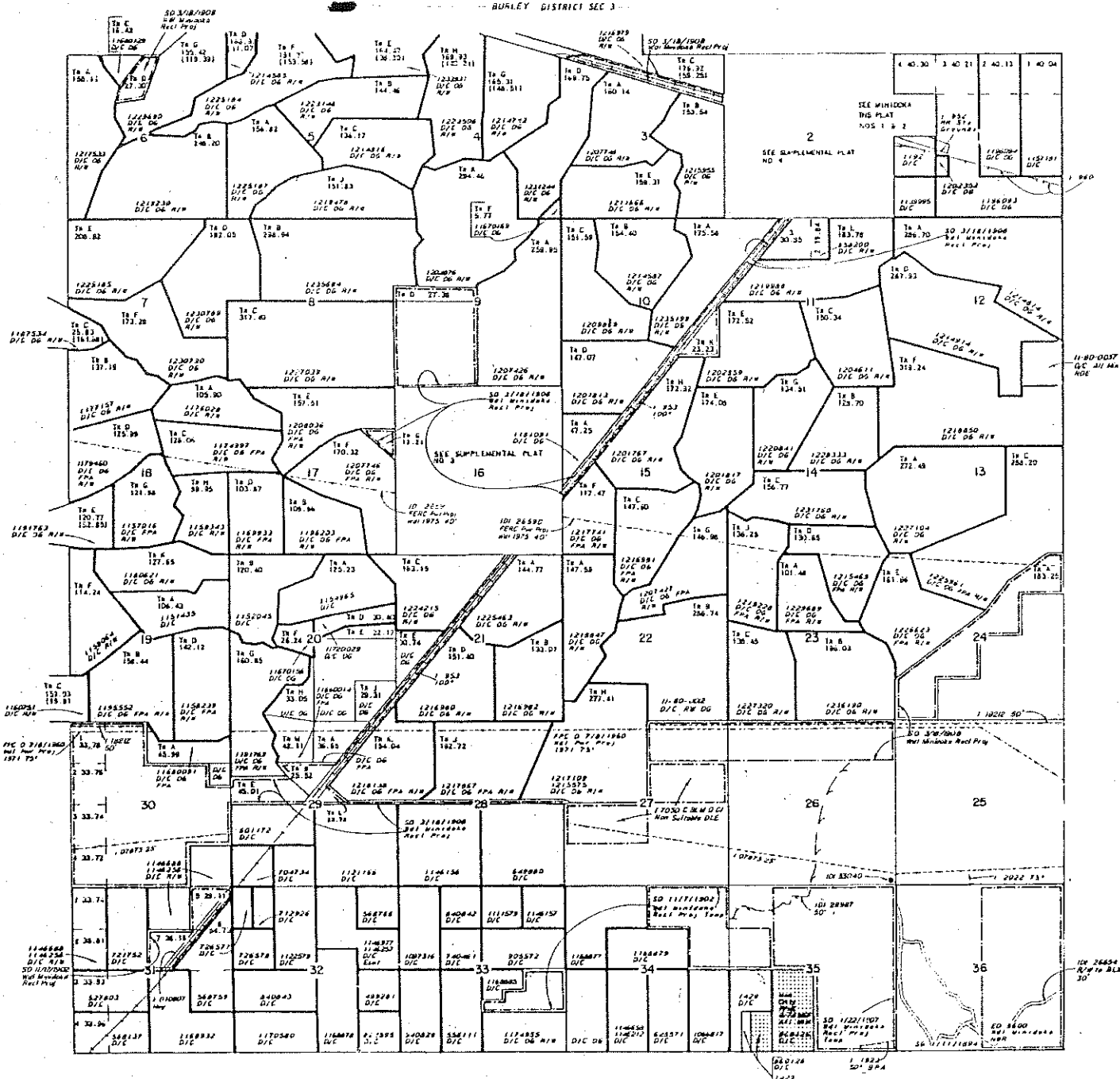
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO _____ _____ _____	CURRENT TO _____ _____ _____
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USE PLATS:

-- BURLEY DISTRICT SEC 3 --

MT PLAT

[illegible]

1 15243 Smax Act 9/16/1978
Sec 2: NE 1 SW 1 Lot 5
Sec 35: NW 1 NW 1

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

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7	
USE PLATE	

BURLEY DISTRICT SEC 3

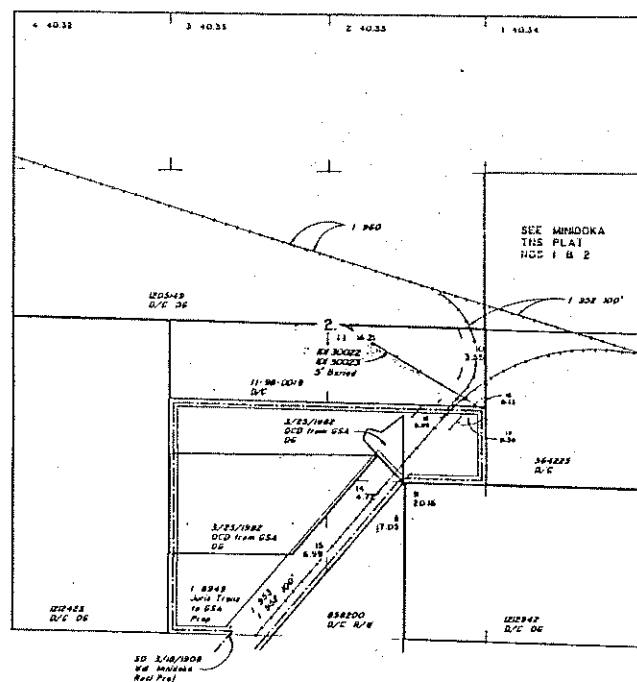
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL SEC 2

2285

[illegible]

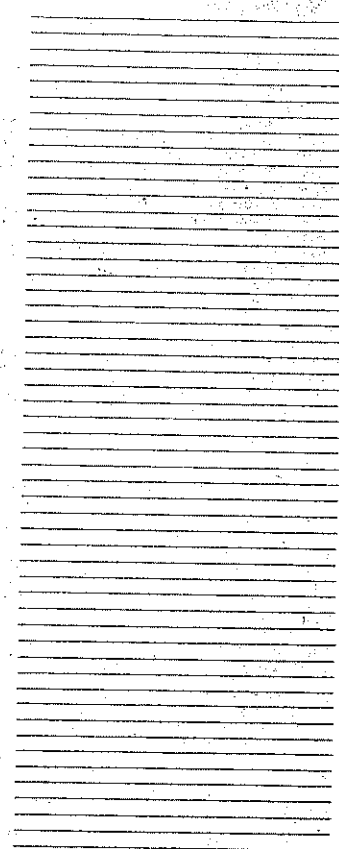
1 15243 Siles Act 9/18/1970
Sac 35: MWNW



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

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USE PLATE:	

... - ... - ... , ...

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES[illegible]

CURRENT TO	CURRENT TO

USE PLAYS:

SCALE in chains

HURLEY DISTRICT SEC 3

MINIDOKA
TOWNSITE PLAT
SHEET 2

INDEX MAP

[illegible]

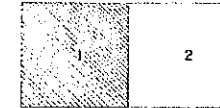
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

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REF 3-1199	

USE PLAYS:

Boise May

SCALE in feet

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES[illegible]

MATCH HERE WITH
SHEET 2

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

CURRENT TO	CURRENT TO
1135	
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USE PLATS:

These Men

7. 85...

note: All lots in blocks 5, 6, 7, 8, contain 3742 Sq Ft
All lots, unless otherwise noted contain 7200 Sq Ft

SCALE in feet

WARNING STATEMENT