

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 01-10225
(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)

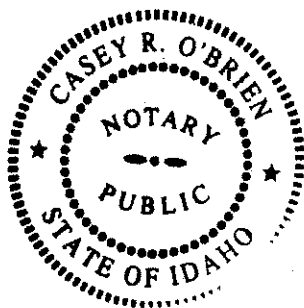
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(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:

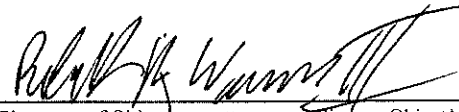
Name: A&B Irrigation Dist.
Address: P.O. Box 675; Rupert, Idaho 83350-0675
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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: 1-10225

NAME AND ADDRESS: A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT ID 83350-0675

POA: Digital Boundary Contains BLM

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 22.410 CFS

Use of the rights listed below is limited to a total combined diversion rate of 269.23 cfs. Combined Right Nos.: 1-14, 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, and 1-10241.

PRIORITY DATE: 04/01/1984

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF

DIVERSION: T10S R21E S24 SESWSW Lot 2 Within JEROME County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

22.410 CFS

PLACE OF USE:

82610.1 ACRES TOTAL

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

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:

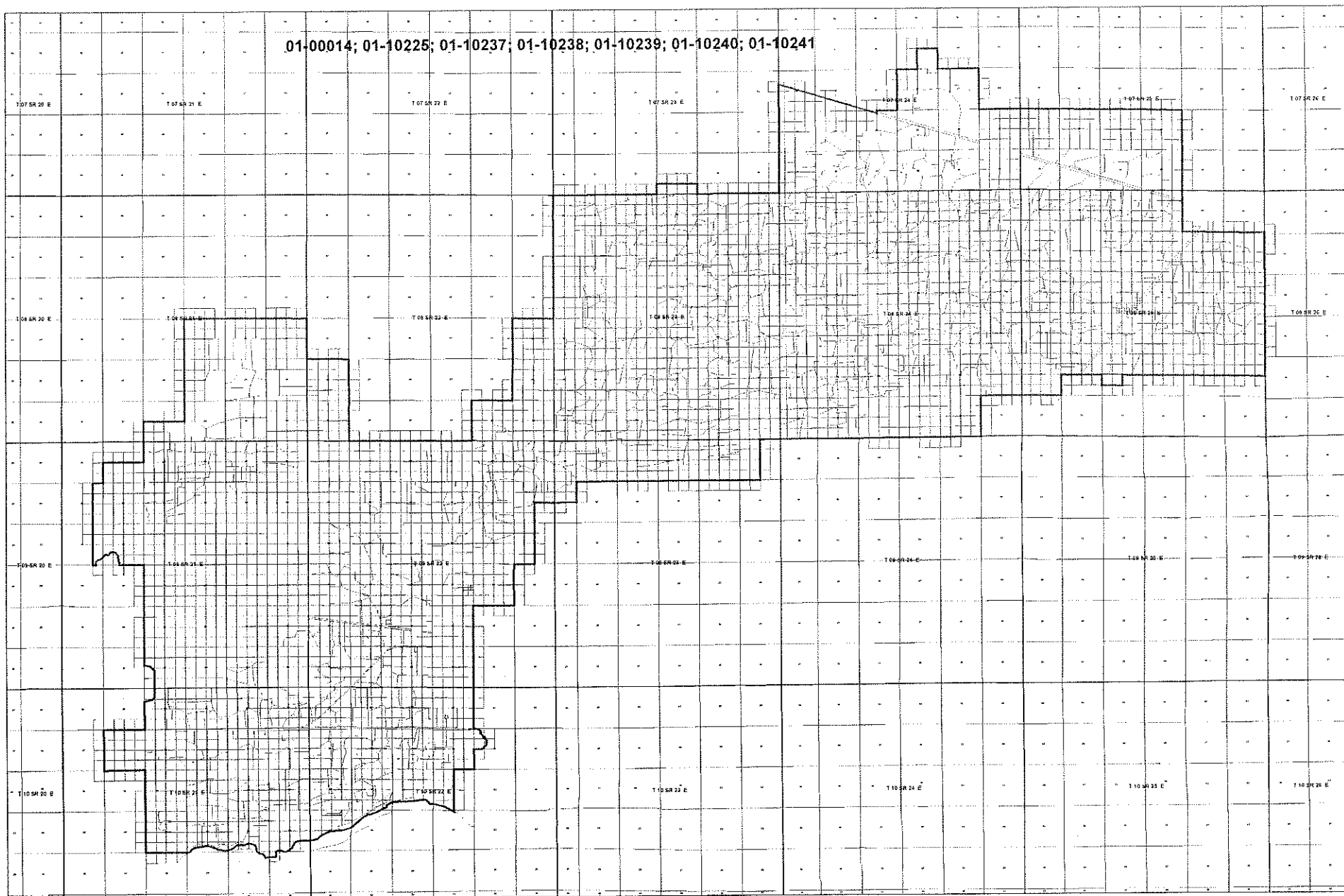
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

This right is based upon an enlargement of Right No. 1-14 pursuant to Section 42-1426, Idaho Code.

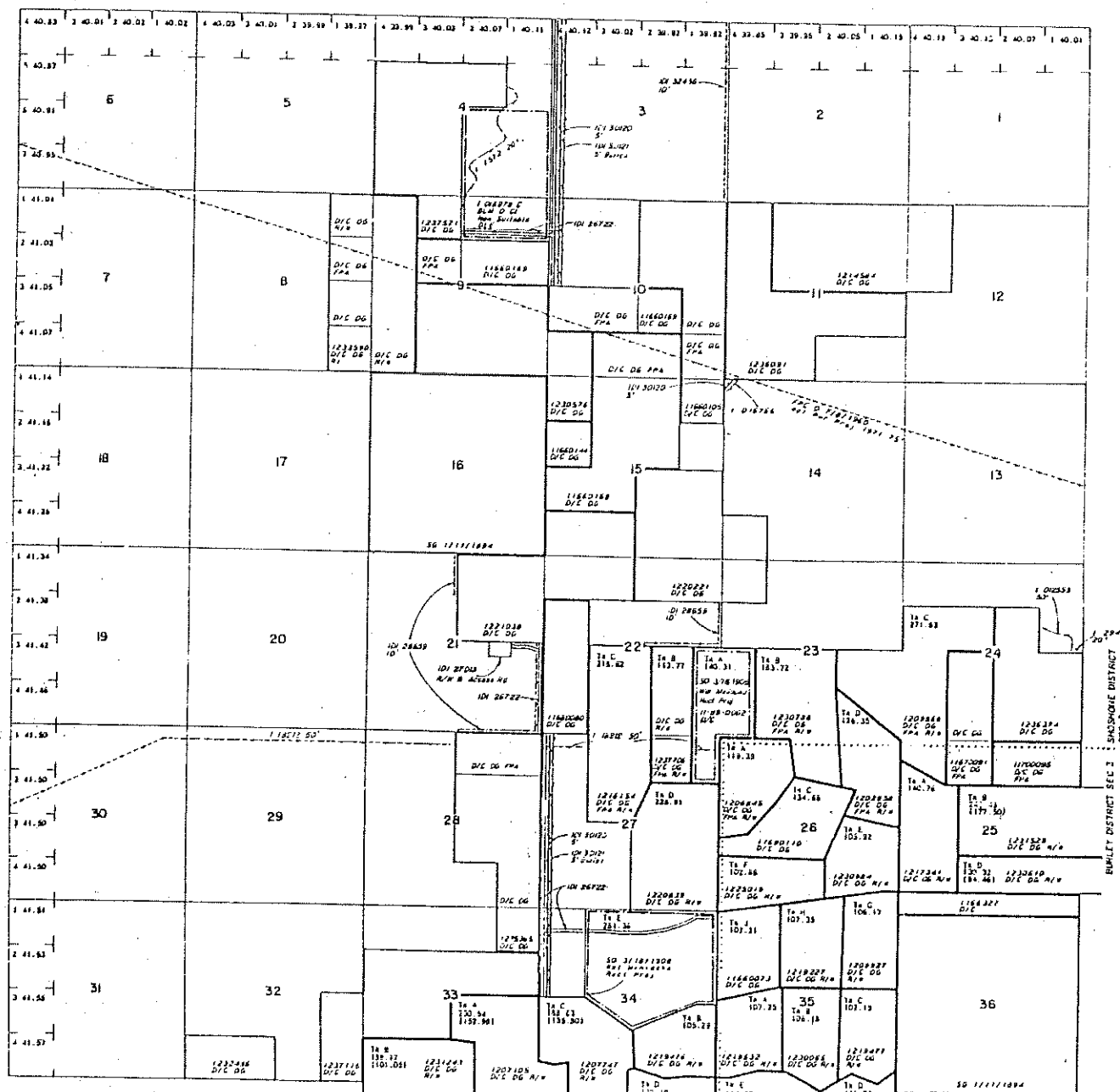
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is for an enlargement of 1120.7 acres within the place of use described for this right.

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



JEROME COUNTY 053

MT PLAT[illegible]

Sec 9: N $\frac{1}{2}$ NE $\frac{1}{2}$
 Sec 10: S $\frac{1}{2}$ NW $\frac{1}{2}$
 Sec 15: SE $\frac{1}{2}$ NE $\frac{1}{2}$
 Sec 22: S $\frac{1}{2}$ NE $\frac{1}{2}$, SE $\frac{1}{2}$ NW $\frac{1}{2}$
 Sec 27: SW $\frac{1}{2}$, W $\frac{1}{2}$ NW $\frac{1}{2}$
 Sec 34: W $\frac{1}{2}$ NW $\frac{1}{2}$

SEP 11 1972

Svc 12: WZ1W2W2W2E2NW, W2W2W2NWSW 28 00

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

CURRENT TO	CURRENT TO

USE PLATS:

TOWNSHIP 9 SOUTH RANGE 21 EAST OF THE BOISE MERIDIAN, IDAHO

JEROME COUNTY 053

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

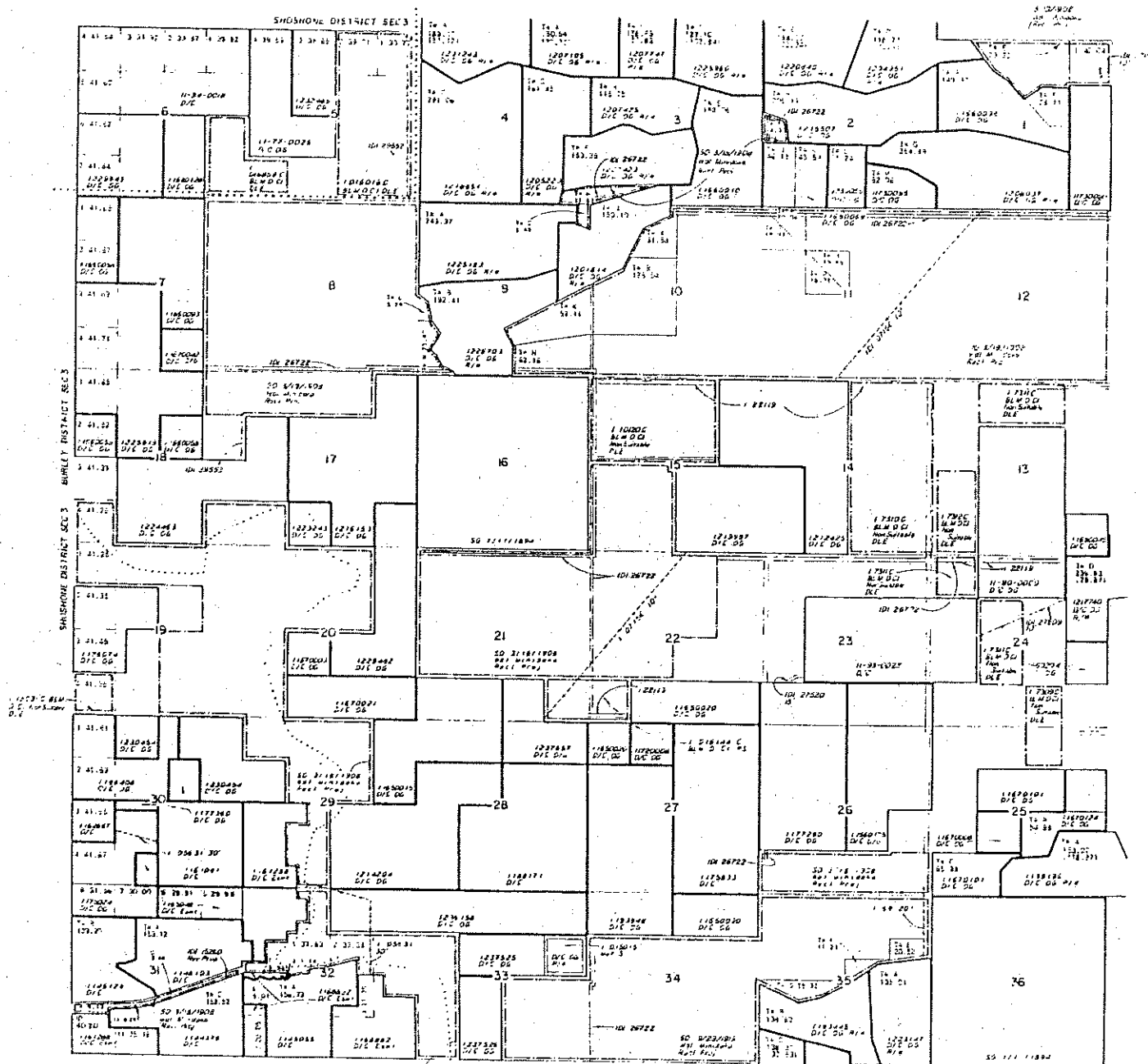
INDEX TO SEGREGATED TRACTS	
RESURVEY	ORIGINAL SURVEY
TRACT NO. 1	1
TRACT NO. 2	2
TRACT NO. 3	3
TRACT NO. 4	4
TRACT NO. 5	5
TRACT NO. 6	6
TRACT NO. 7	7
TRACT NO. 8	8
TRACT NO. 9	9
TRACT NO. 10	10
TRACT NO. 11	11
TRACT NO. 12	12
TRACT NO. 13	13
TRACT NO. 14	14
TRACT NO. 15	15
TRACT NO. 16	16
TRACT NO. 17	17
TRACT NO. 18	18
TRACT NO. 19	19
TRACT NO. 20	20
TRACT NO. 21	21
TRACT NO. 22	22
TRACT NO. 23	23
TRACT NO. 24	24
TRACT NO. 25	25
TRACT NO. 26	26
TRACT NO. 27	27
TRACT NO. 28	28
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TRACT NO. 30	30
TRACT NO. 31	31
TRACT NO. 32	32
TRACT NO. 33	33
TRACT NO. 34	34
TRACT NO. 35	35
TRACT NO. 36	36

See 04302 American Atlas Page 102
East of Long 211/1961 affects land in
See 20 to 32 incl

15242, 15243, 15244, 15245
Sec 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

Survey Pending Group No 1146
Partial To

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



STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES[illegible]

EO 7/13/1915 Vol Per S Reg dhs W/L Trade Lic.
all land lying within 50' of center line of
H 0195CA, 4 0195B

Sac 8: 5/5/
Sac 9: 5/5/5/
Sac 12: N/A, SE/NE/E/S/E/
Sac 22: 5/5/
Sac 28: NE/NE/E, SE/NE, SE/SE/
Sac 29: E/NE/
Sac 32: E/E/
Sac 33: NE/NW/

EL 002242 Wilbur Lee Pitt Termination Dist
(Act of Cong 2/11/1916) affects lands in
Secs 22, 26, 27, 30, 31, 32

B1M 0 3/24/954 Pw S Res 117 Open to entry
Subj to Sec 24 FPA
Sec 29: Lot 5
Sec 30: Lots 7, 8

1 3362 BLM D CI Mutt Use, Minor Wildlife Habitat Area
Segr from Appropn under H.E, DLE, LA, PS, PL, LS, &
general mining laws
All Unappropriated public land S of Snake River within
Secs 22, 23, 24, 27, 33

11818 Siken Act 3/11/1976
Sec 29: Lol 5

PX WD to US NDE until Order issued
Sec 251 Ltr 2,3

115243 Sikes Act 9/18/1978
Sec 28: NW NW
Sec 29: Lots 1, 2, 4 NW NE NE

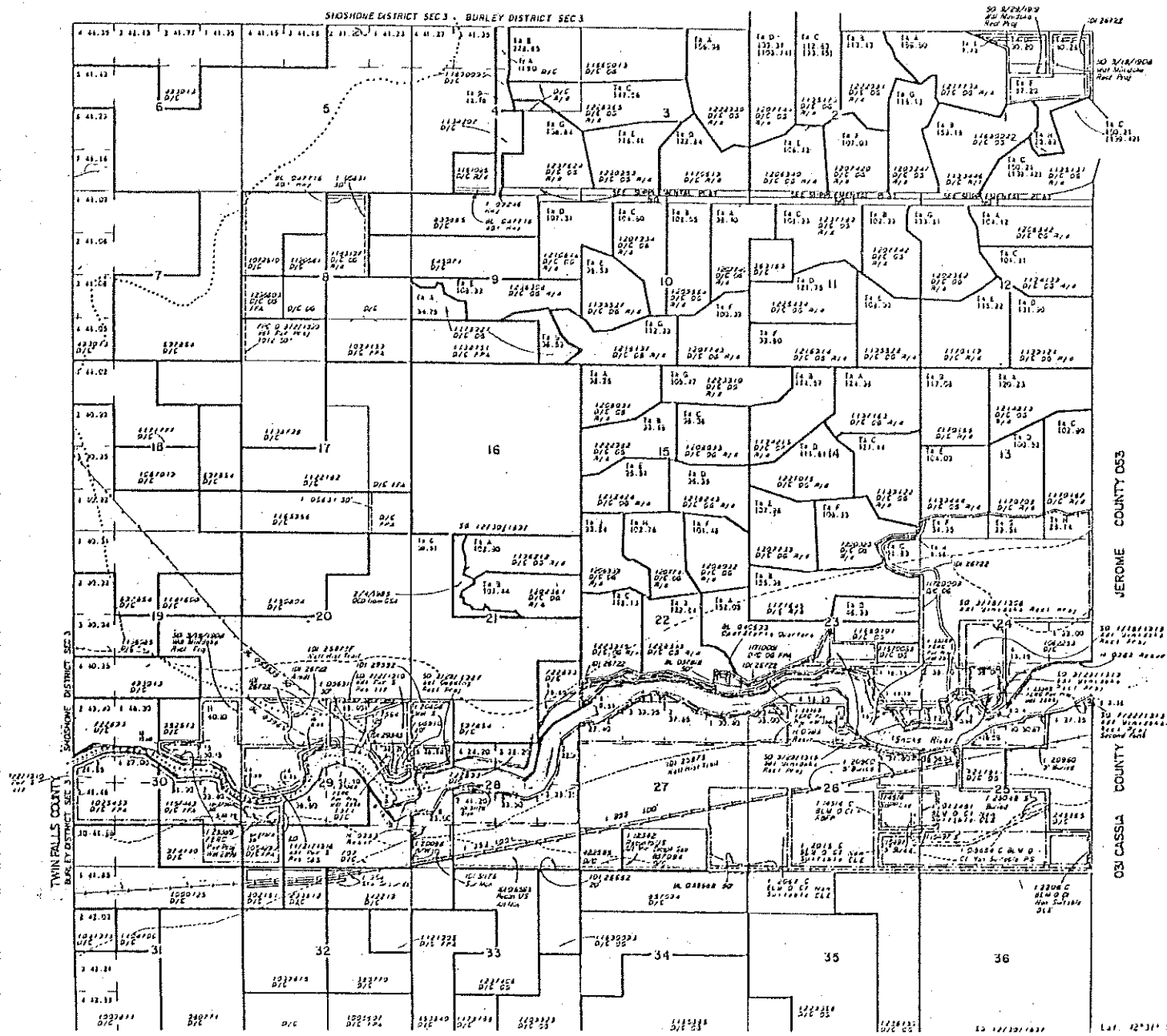
15521 Sites Act 3/15/1979
Sec 22: Col 3

Sac 25: Lot 1, 2, 3, 4, NW, SE, S, SE, SW
Sac 26: Lot 1, 2, 3, 4, NE, NW, S, NW, S
Sac 27: Lot 1, 2, 3, 4, S, H, H, S, SE, SW
Sac 28: Lot 1, 2, 3, 4, S, SE, SE, SW
Sac 33: H, NW

1 12342 PA WD Recon is US NOE until Order Issues
546 27: S SW, SW, SE

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

DECLASSIFIED TO
JUL 09 2004



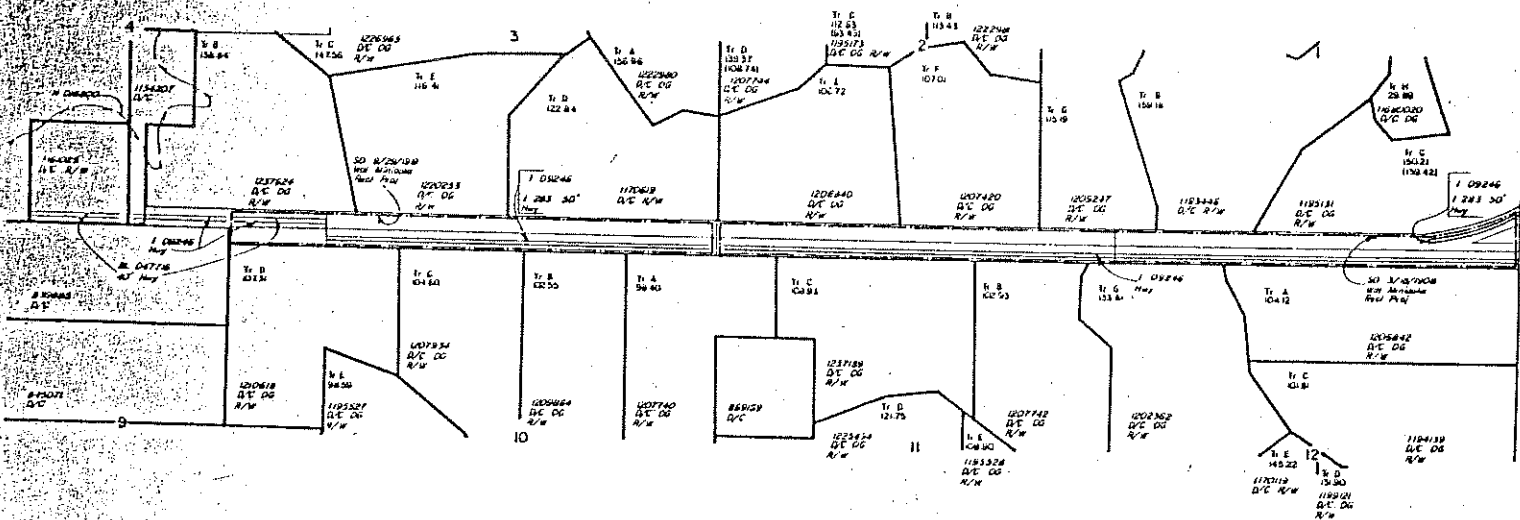
BURLEY DISTRICT SEC 3

LAND AND MINERAL TITLES

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

[illegible]

Sec 9: SW SW



MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO

USE PLATE

SCALE in Chains

WARNING STATEMENT

will plot in the Bureau's Statistical Analysis System (SAS) as a graphic display of the results of the survey data. The results may have two

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

NO 2
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL REMARKS

IDI 25873 Trust Hist Trust
 Historical information only, does not denote
 public access

IDI 25873F Trust Hist Trust
 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
 Sec 29: Lot 2 4.13 acres

Blank lined paper for writing.

Blank lined paper for writing.

[illegible]

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

CURRENT TO	CURRENT TO
MILIF 000	

BURLY DISTRICT SEC 3

MT PLAT

[illegible]

1 2550 ELY O C1 with Use, WINDSOR COUNTY:
Sqr from appropriation under E.F. #1, 1A, & PS
All unappropriated public land
Sec 3: Lot 4

1 15243 Size: A1 B48/1978
Sec 7: NE SW Lot 2,3
Sec 18: E NW Lot 1,2
Sec 19: SE SW Lot 4
Sec 30: NE NW Lot 1

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

CURRENT TO	CURRENT TO
USE PLATS	

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

MINIDOKA COUNTY 067

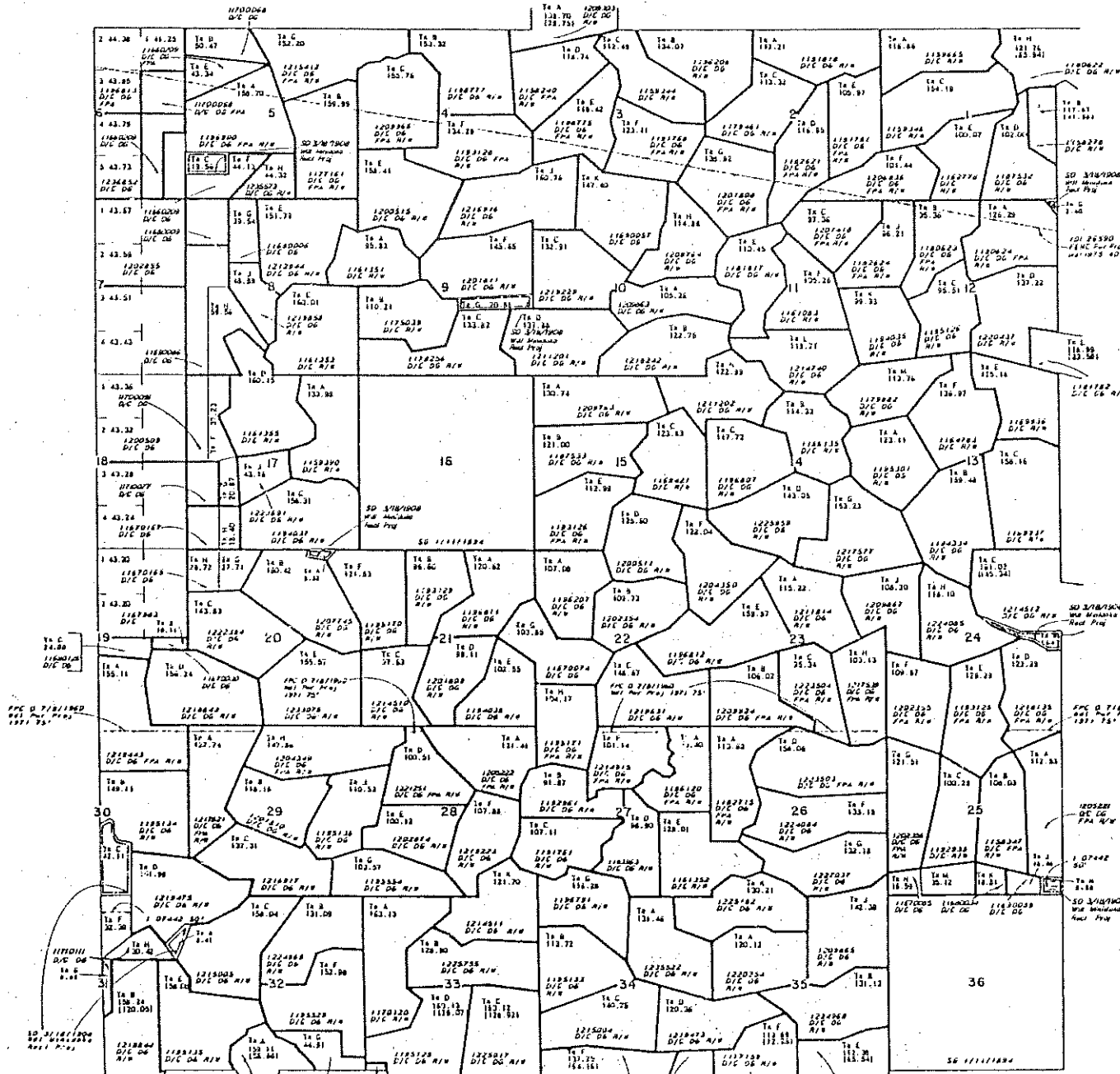
BURLEY DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

1 15243 Sinks Act 5/18/78
Sec 31: Truck F



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

CURRENT TO	CURRENT TO

USE PLATE:

MINIDOKA COUNTY

BURLEY DISTRICT SEC 3

MT PLAT

[illegible]

115241 Sols. Act 9/19/1979

Sec 1: Tract E

Sec 25: Traced

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

CURRENT TO	CURRENT TO
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USE PLATE 5.

MINIDOKA COUNTY

-- BURLEY DISTRICT SEC 2 --

MT PLAT

[illegible]

1 15243 Sines Act 9/16/1978
Sec 2: NE & SW & Lat 5
Sec 35: NW & NW &

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

CURRENT TO JUN 8 2000 7	CURRENT TO
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USE PLATE:

BURLEY DISTRICT SEC 3

NO 4

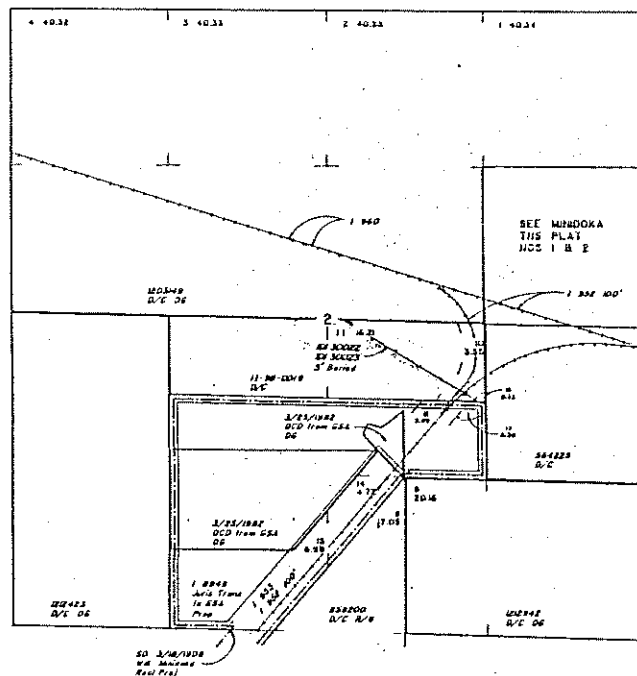
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL SEC 2

July

[illegible]

1 13243 Sinyag Act 9/18/1978
Sec 35: MWNW



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

CURRENT 7	CURRENT 10
NOV 2 2100	
USE PLATE:	

THE UNIVERSITY OF CHICAGO

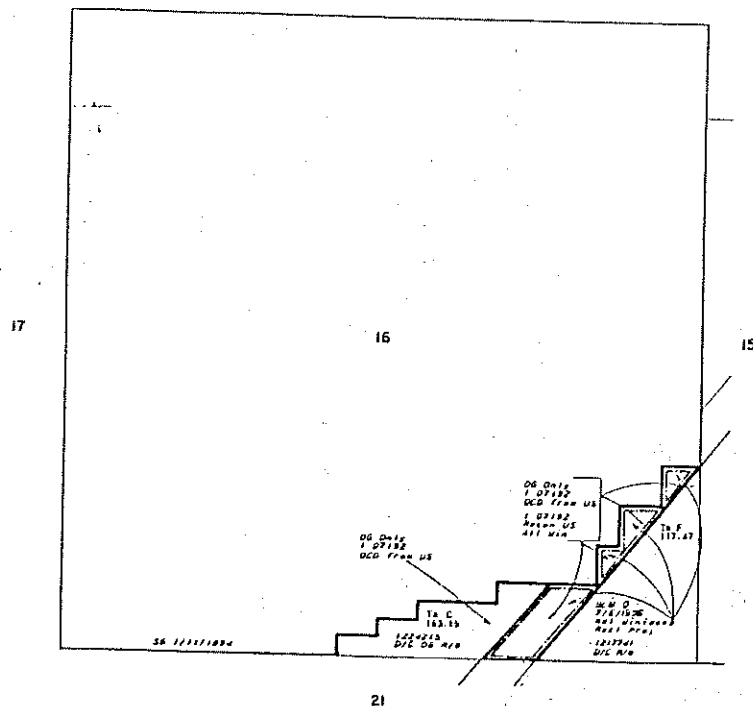
NO 3

MTP
SUPP Sec 16

INDEX TO SEGREGATED TRACTS

[illegible]

2



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

COMMENT TO	COMMENT TO

USE PLAYS:

BURLEY DISTRICT SEC 3

4
3
1236074
DTC 06

3

1
2
1236074
DTC 06

4 2 12/10/74 D/E 06	2	1 2 12/10/74 D/E 06
------------------------------	---	------------------------------

1	2400	50 F1
2	1	
5000	50 F1	

12307#
DVC 06

13

12307#
DVC 06

13

123456
DTC 06

5

7 8 9 10 11 12

123456
DTC 06

Diagram 1 (Top): A 2x2 grid with cells containing the following text from left to right, top to bottom: 2, 1, 1236074, and D7E 06.

Diagram 2 (Bottom): A 2x2 grid with cells containing the following text from left to right, top to bottom: 3, 4, 16, and 1236074 D7E 06.

6 5 4 3 2 1

12 NOV 68
D/C 08

20

1 2 3 4 5 6 7 8 9 10 11 12

12 NOV 68
D/C 08

1	2	3	4	5	6	7	8	9	10	11	12
123KDT-4 D/C DG											
1	2	3	4	5	6	7	8	9	10	11	12
1421955 D/C						101163; D/C					

The image contains two photographs of a ruler. The top photograph shows a ruler with markings from 1 to 8 inches. A piece of white tape is placed on the ruler, with the text "123K074" and "DLE 06" written on it. The bottom photograph shows a ruler with markings from 7 to 11 inches. The same piece of white tape is placed on the ruler, showing the text "123K074" and "DLE 06" again.

1226074
D/C 06

26 $\frac{3}{4}$

2 432.5

12.36 DTG
DTG 06

1 5 4 3 2 1

1236074
D/C DG

27

1236074
D/C DG

6	5	4	3	2	1
122607# D/C 06					

11	12
28	
122607# D/C 06	

2 1
1236274
D/C DG
29
1 4
1236274
D/C DG
1

MATCH HERE WITH
SHEET 1

EO 2862
and the person

Note: All lots in N/4 blocks 2, 3, 4 contain 3472 Sq Ft
All other lots unless otherwise noted contain 7000 Sq Ft

INDEX MAP



MINIDOKA
TOWNSITE PLAT
SHEET 2

[illegible]

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 3, 1862. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.

2. The second part of the document is a letter from the President of the United States to the Congress, dated January 3, 1862. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.

3. The third part of the document is a letter from the President of the United States to the Congress, dated January 3, 1862. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.

4. The fourth part of the document is a letter from the President of the United States to the Congress, dated January 3, 1862. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.

5. The fifth part of the document is a letter from the President of the United States to the Congress, dated January 3, 1862. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.

6. The sixth part of the document is a letter from the President of the United States to the Congress, dated January 3, 1862. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.

7. The seventh part of the document is a letter from the President of the United States to the Congress, dated January 3, 1862. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.

8. The eighth part of the document is a letter from the President of the United States to the Congress, dated January 3, 1862. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.

9. The ninth part of the document is a letter from the President of the United States to the Congress, dated January 3, 1862. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.

10. The tenth part of the document is a letter from the President of the United States to the Congress, dated January 3, 1862. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.

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

CURRENT TO	CLEMENT TO
1001 11 1954	

USE PLATS:

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.

USE PLATE:

Buisse Mer

SCALE in feet