

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 01-10237
(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)

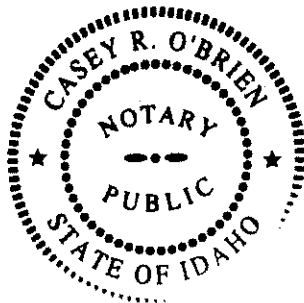
Subscribed and sworn to before me on: September 26, 2006

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:

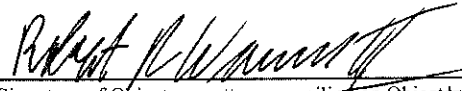
Name: A&B Irrigation Dist.
Address: P.O. Box 675; Rupert, Idaho 83350-0675
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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: 1-10237
NAME AND ADDRESS: A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT ID 83350-0675

POU: Digital Boundary contains BLM

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.190 CFS

PRIORITY DATE: 07/11/1968

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	0.190 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.

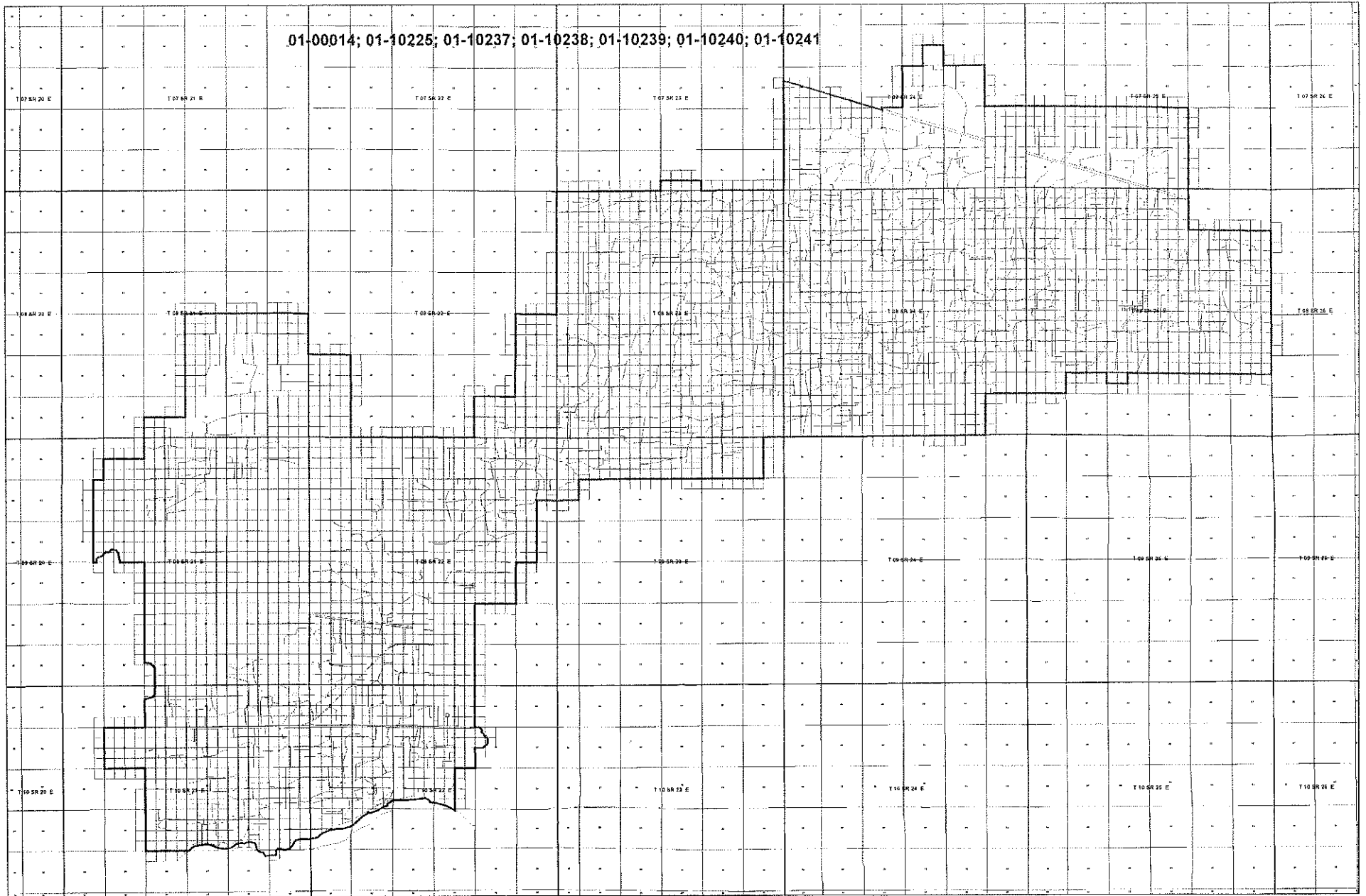
This right is limited to the irrigation of 9.7 acres within the place of use described above in a single irrigation season.

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 - Beneficial Use

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



JEROME COUNTY 053

MT PLAT

[illegible]

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

Sec 12: W2W2W2W2E2NW, W2W2W2NW5W 20.00 ac

CONSENT TO	CONSENT TO

USE PL. 475.

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

TRACT NO.	ORIGINAL SURVEY	SUBDIVISION
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188000 American Falls Paper, Dist No 2
East of Long division affects lands in
Secs 30 to 32 incl.

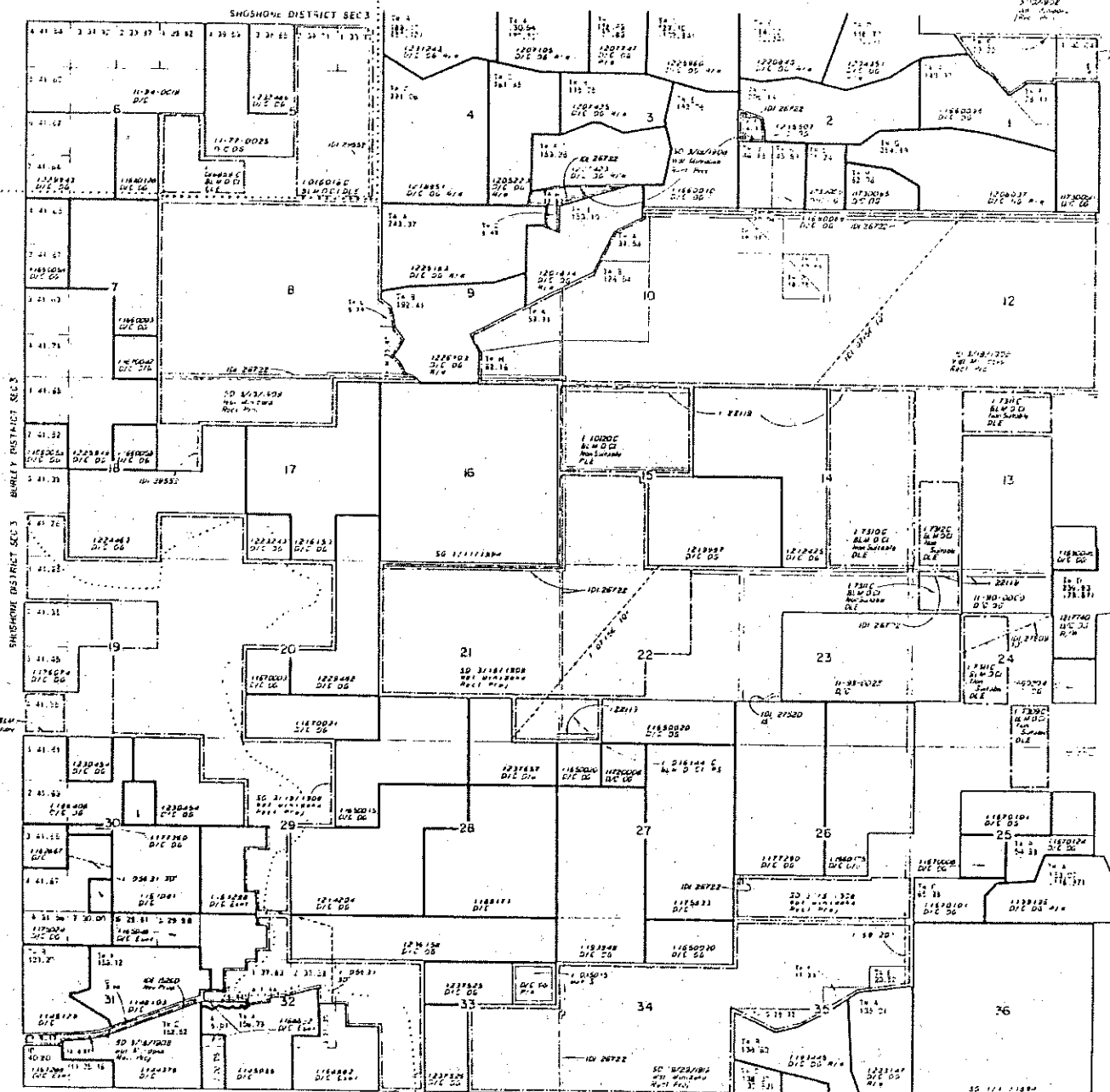
188000, 188000, 188000
Secs 30, 31, 32, 33, 34, 35, 36
Secs 30, 31, 32, 33, 34, 35, 36
Secs 30, 31, 32, 33, 34, 35, 36

Survey Pending Group No. 1146
Partial to

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

CURRENT TO CURRENT TO

MT PLAT



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

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

FO 8/19/1915 RJL Per 5 Reg. 103 P/L Trans. Line
 1st land lying within 50' of center line of
 H 01950, 4 01-071

Sac 8:	3/5
Sac 9:	30/101
Sac 11:	4/4, 32/101, 6/56
Sac 22:	5/3
Sac 28:	40/101, 30/101, 30/101
Sac 29:	6/101
Sac 32:	1/1
Sac 33:	40/101

EL 032242 Silver Lake Irrigation Dist
Act of Cong 3/11/1916; affects land in
Sec 21, 26, 27, 30, 31, 32

BLM 0 3/24/954 Per S Res 117 Open to entry
Subj to Sec 24 FPA
Sec 29: Lols 5
Sec 30: Lols 7, 8

1 3362 BLM OGI Mult Use, Minor Wildlife Habitat Area
Sage from Approp under HE, OLE, 14, P5, PLS, L5, &
general mining laws
All Unappropriated public land S of Snake River within
Sacs 22, 25, 26, 27, 33

1816 Signed Act 3/17/1976
Sec 29: Tol 5

PX WD to US HOE until Order issued
 Sac 25: Lols 2,3

115243 Slide Act 9/18/1978
Sec 28: NW - NW
Sec 29: Lots 1, 2, N - NW

1 15521 Sikes Act 3/15/1979
 Sec 22: Lot 5
 Sec 23: Lot 4
 Sec 25: Lots 2, 3, 6, NW 1/4, SE 1/4, S 1/4, SW 1/4
 Sec 26: Lots 2, 3, 4, NE 1/4 NW 1/4, S 1/4 NW 1/4, S 1/4
 Sec 27: Lots 2, 3, 4, S 1/4 N 1/4, N 1/4 SE 1/4, SW 1/4
 Sec 28: Lots 2, 6, 7, 8, 9, SE 1/4, SE 1/4 SW 1/4
 Sec 35: NW 1/4

1 2342 PX WD Recon to US NOE until Order issues
Sec 27: S, SW, SE

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

CLARENCE TO	CLARENCE TO
JUL 09 2004	

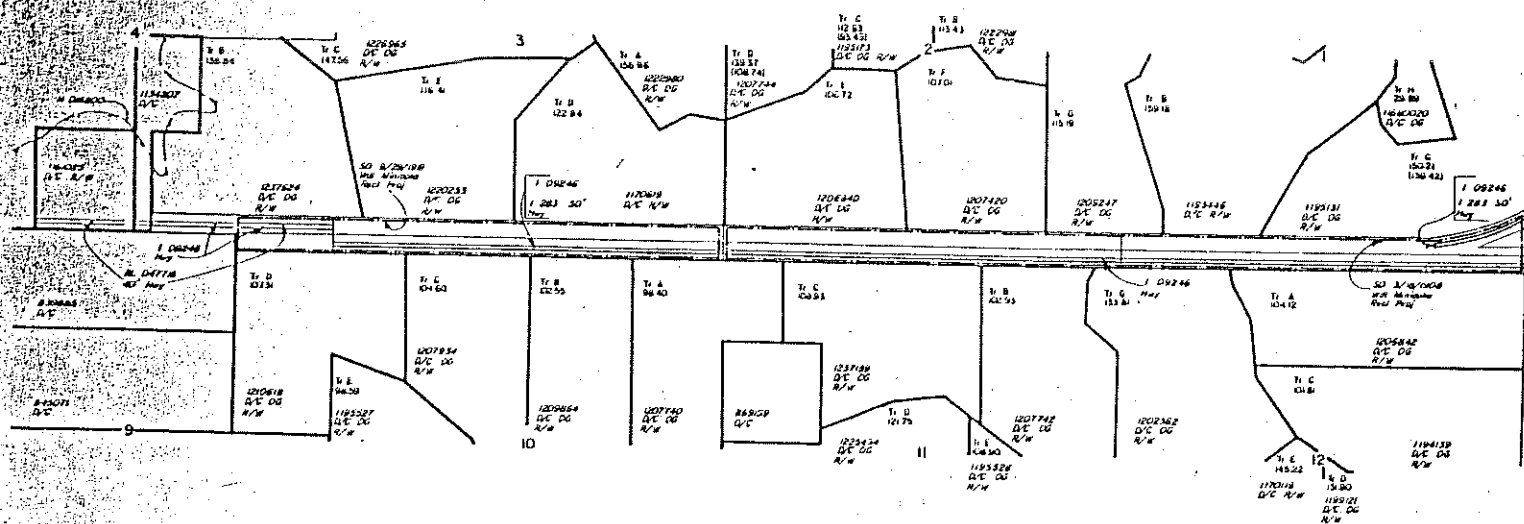
BURLEY DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

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

[illegible]

EO 7/19/1915 4th Pct 5 Reg 428 R/W Texas Line
all land lying within 50' of center line of H. Q14971
H. Q14971
Sec 9: SW 1/4 SW 1/4



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

CURRENT TO	CURRENT TO

USE PLATE:

LEARNING OBJECTIVES

WARNING STATEMENT

This plot is the Bureau's Record of Tulp, and should be used
 only for the purpose of the membership survey data. Re-

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

NO 2
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL REMARKS

ID: 25873 *North Hill Trail*
 Historical information only, does not describe
 public access
 ID: 25874 *North Hill Trail*
 Historical information only, does not describe
 public access
 ID: 29455 *R/W Warning Signs*
 Sec 29: NE (portion)
 ID: 29456 *Amdt R/W Warning Signs*
 Sec 29: Lot 2 (portion)
 ID: 29784 *R/W Recreational Facility*
 Sec 29: Lot 2 413 acres

Blank lined paper for writing.

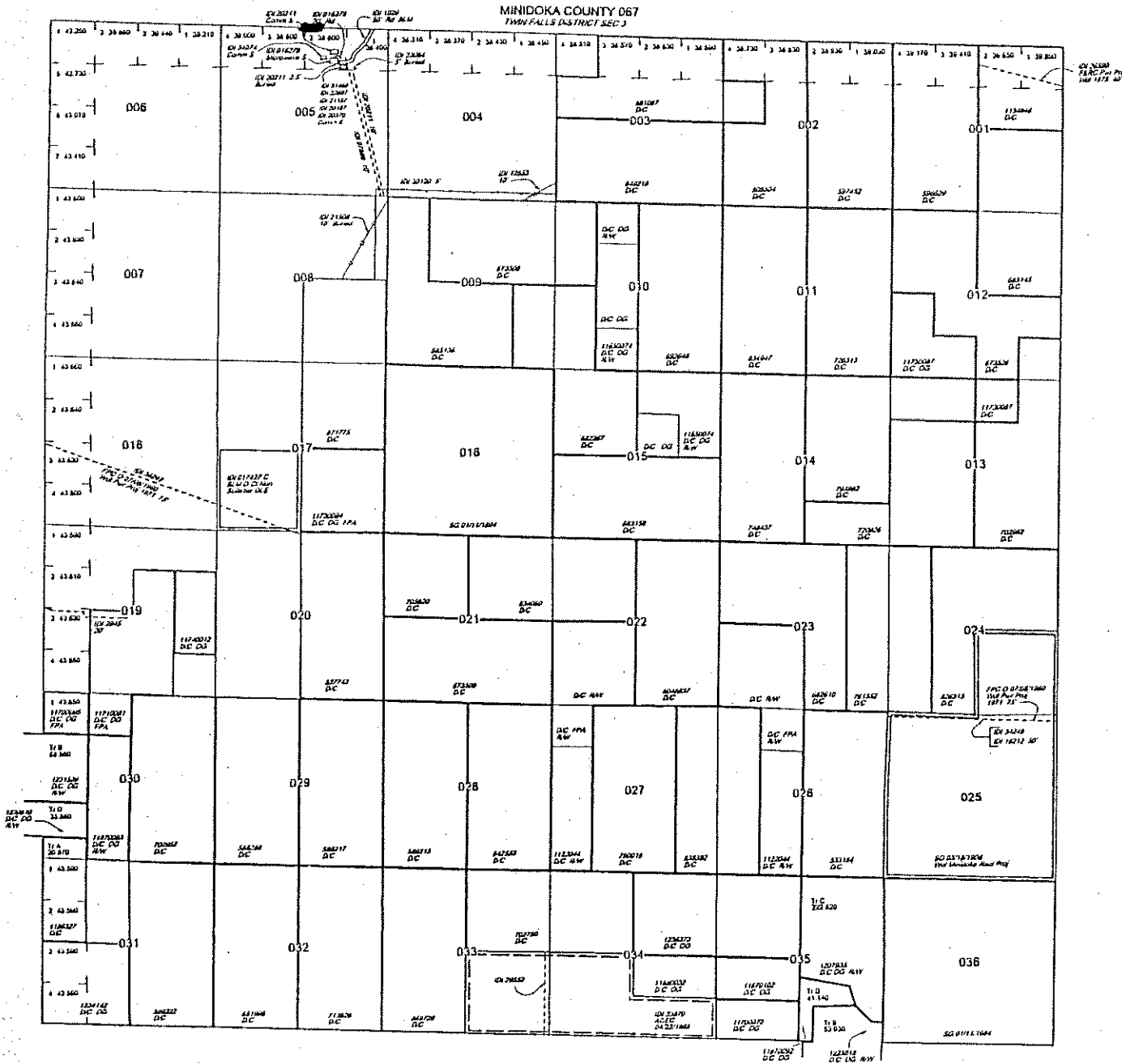
[The page contains extremely faint, illegible horizontal lines representing text.]

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

CURRENT TO	CURRENT TO
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TOWNSHIP 8 SOUTH RANGE 22 EAST OF THE BOISE MERIDIAN, IDAHO

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLESMT PLAT[illegible]

ID# 2556 BLM OGI Muck Use, Minnesota County;
 Seqr from appropriation under DLE HE, LA, & PS
 All unappropriated public land

Sac. 2. Lot 4

Sw: 1 1/2 S2NE. SE

SAC 33.5E

Sac 34 SW, S2SE

104-15243 Sub A Act 09/18/1978

Sec 31: E2MY

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

[illegible]

BURLY DISTRICT SEC 3

MT PLAT

[illegible]

1 25% BLD CL Vult Use, Winidoka County.
Sqr from appropriation under BLD Hf, 1A & 4A
All unappropriated public land
Sec 3: Lot 4

1 15243 Sides Acc 9A9/9578
Sec 7: NE | SW | Lot 2
Sec 18: E | NW | Lot 12
Sec 19: SE | SW | Lot 4
Sec 30: NE | NW | Lot 1

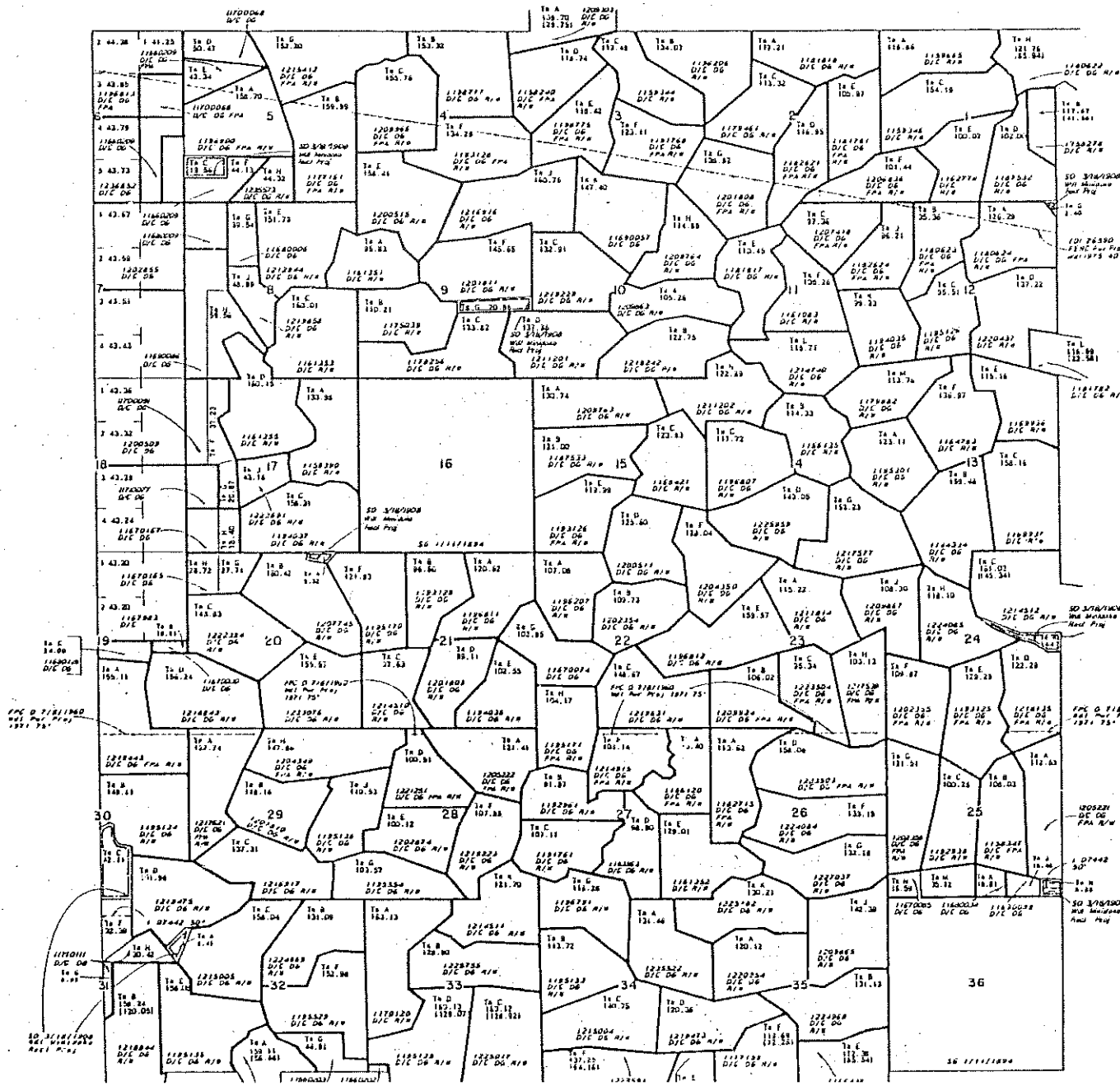
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

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LINE PLATE:

BURLEY DISTRICT SEC 2

MT PLAT

[illegible]

1 15243 S. Act W18/1978
Sec 31: Tract F

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

COMMENT TO	CURRENT TO

USE PLATS:

MINIDOKA COUNTY

BUNLEY DISTRICT SEC 3

MT PLAT

[illegible]

Sec. 25: *Teget d*

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

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USE PLATE'S

MINIDOKA COUNTY

-- BURLEY DISTRICT SEC 3 ...

MT PLAT

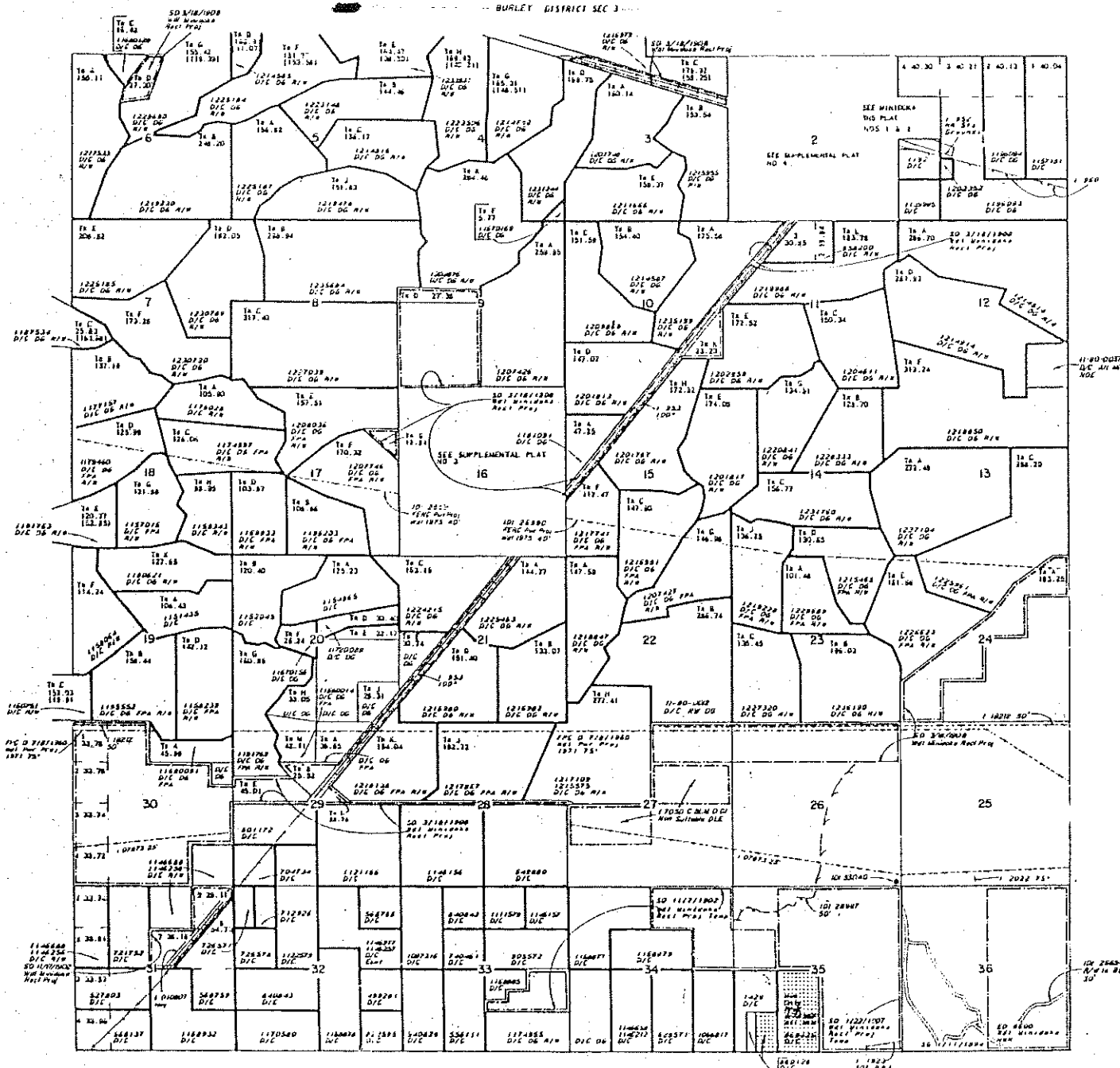
[illegible]

1 15243 51m Act 9/18/1978
Sec 2: NE 1 SW 1 L 15
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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MINIDOKA COUNTY

BURLEY DISTRICT SEC 3

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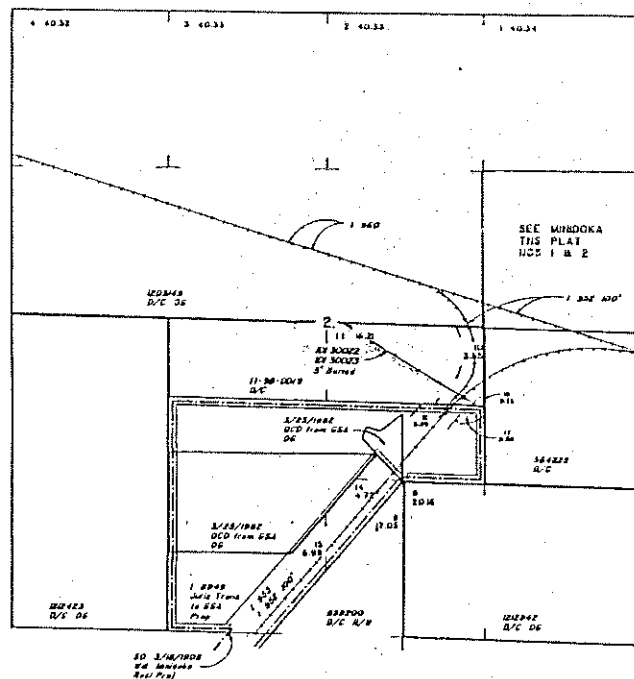
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL SEC 2

454

[illegible]

1 15243 Sineq Act 9/18/1970
SAC 35: MWNW



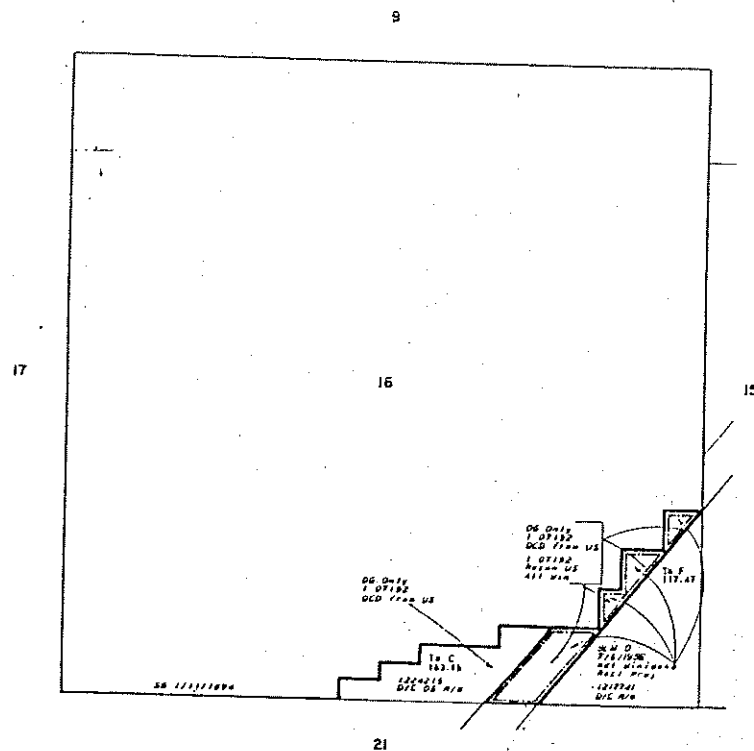
FOR ORDERS EFFECTING DISPOSAL OF USE OF
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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED, DATE 10-10-2001 BY 60322 UCBAW

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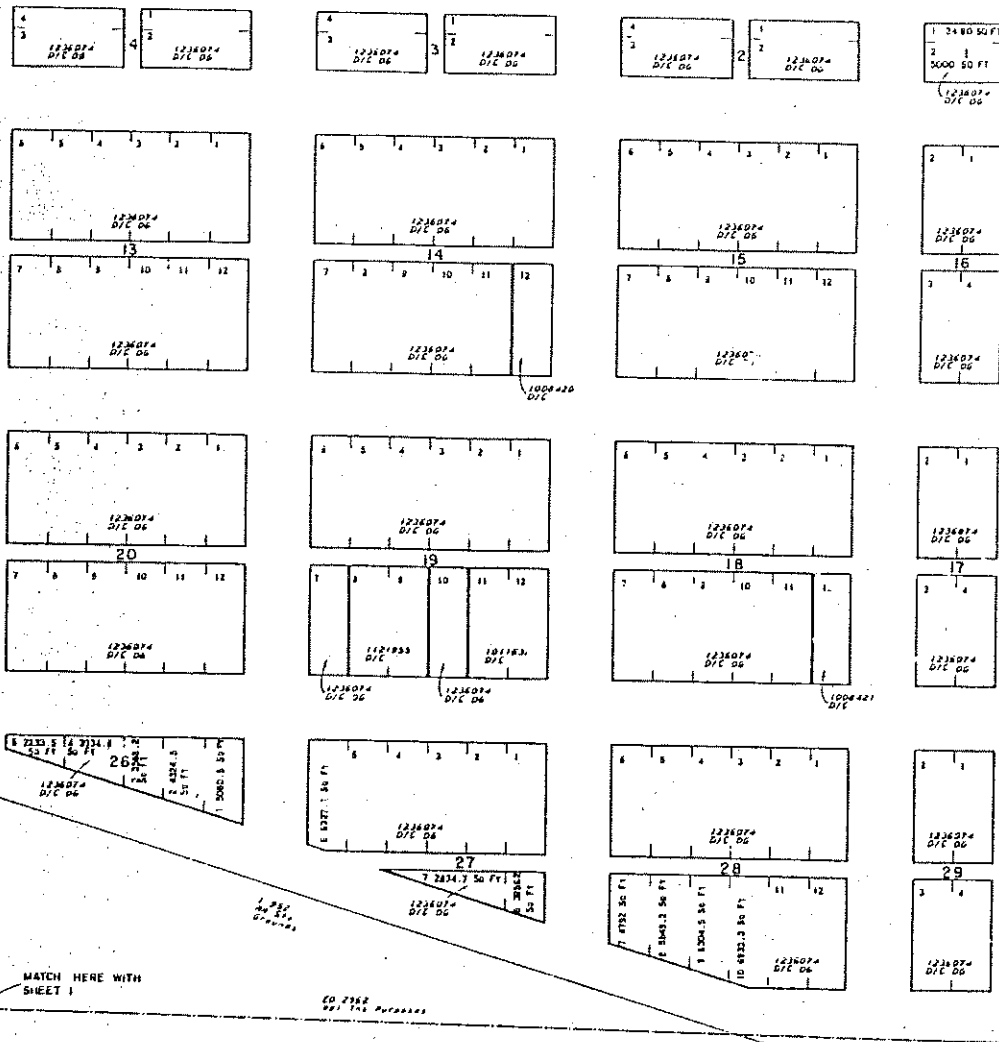
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

CURRENT TO	CURRENT TO

USE PLAYS:

BURLEY DISTRICT SEC 9

MATCH HERE WITH
SHEET 1



Note: All lots in W $\frac{1}{2}$ blocks 2, 3, 4 contain 3672 Sq Ft
All other lots unless otherwise noted contain 7000 Sq Ft

MINIDOKA
TOWNSITE PLAT
SHEET 2

[illegible]

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

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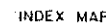
THE PLAYS:

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES[illegible]

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

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USE PLATS:



ATCH HERE WITH
SHEET 2

NATCH HERE WITH
SHEET 2

Note: All lots in blocks 5, 6, 7, 8, contain 3740 Sq Ft
All lots, unless otherwise noted contain 7000 Sq Ft

SCALE in feet

Eusebio Marín