

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 01-10238
(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.

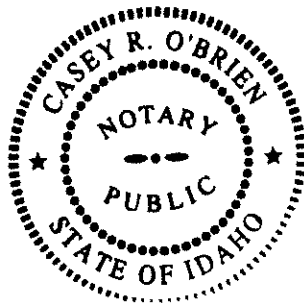
Fredric W. Price
(Signature of person filing objection)

Lane A. Brown
(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: 1-10238
NAME AND ADDRESS: A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT ID 83350-0675

Pod: Digital Boundary Contains BLM

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.620 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	0.620 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.

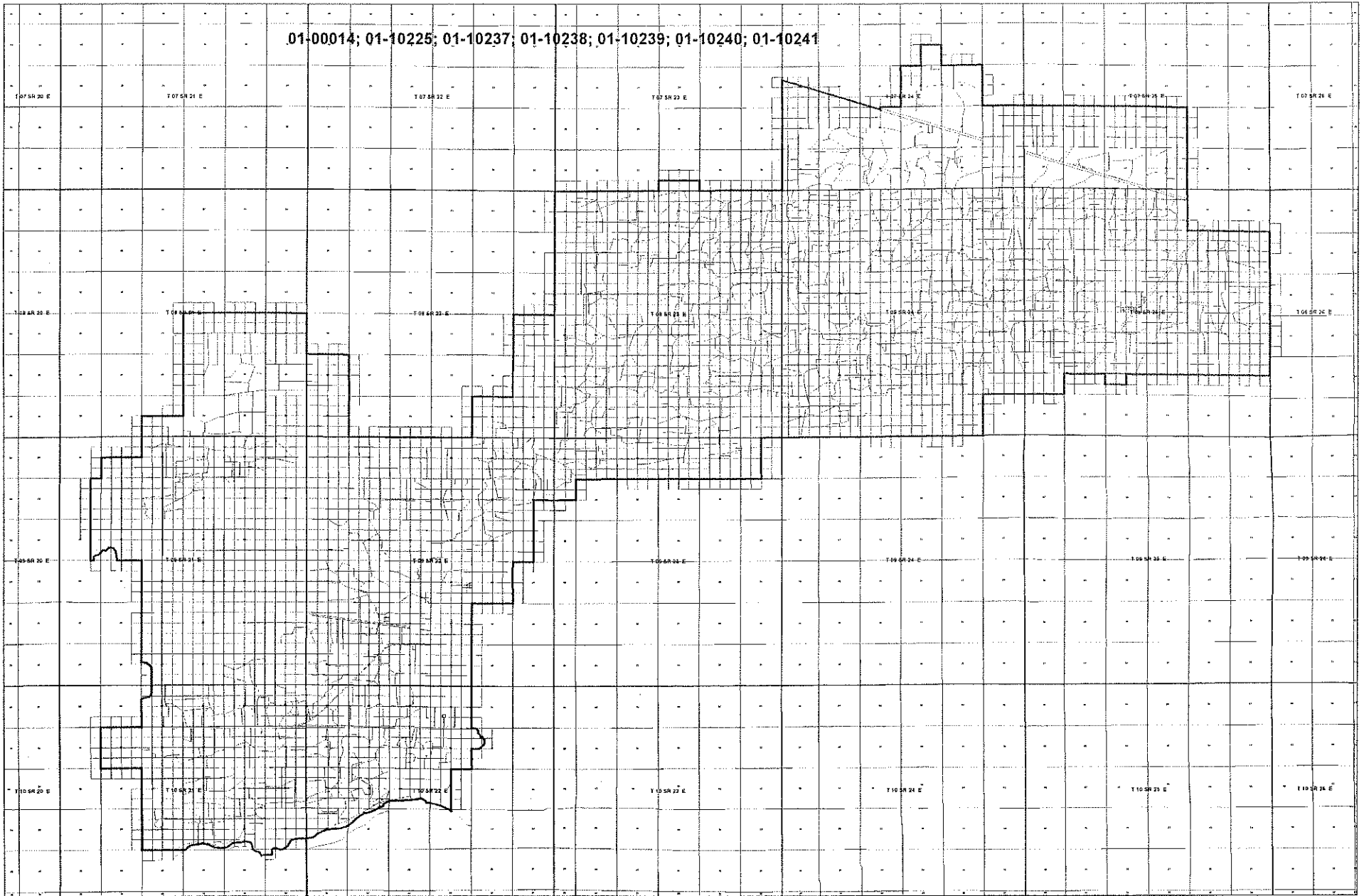
This right is limited to the irrigation of 30.9 acres within the place of use described above in a single irrigation season.

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: N $\frac{1}{2}$ 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, W2W2W2W2SW 28 00 DG

CURRENT TO	CURRENT TO
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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

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AL. G. 1882 American Falls Reg. Dist No. 2
Act of Cong. 1890 affects lands in
Secs. 30 to 32 incl.

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STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES[illegible]

10 1717/1715 431 Per 4 Reg 422 P/B Trans Line
 old land lying within 50' of center line of
 H 011963, 4 01-011
 Sec 8: 5151
 Sec 2: 3451
 Sec 11: 5151, 3451, 6151
 Sec 22: 5151
 Sec 18: NE 1/4, SE 1/4, SW 1/4
 Sec 20: E 1/4
 Sec 22: E 1/4
 Sec 33: NE 1/4

El 037242 Wilner Res. Hill Irrigation Dist.
Act of Cong 3/11/1916; affects land in
Secs 23, 26, 27, 30, 31, 32

BEM 0 1/24/854 Pur 5 Res 117 Open to entry
Subj to Sec 29 FPA
Sec 29: Ltr 5
Sec 30: Ltrs 7, 8

1 3362 BLM O Cl MultUse, Miner Wildlife Habitat Area
Segr from Appropn under HE, DLE, SA, PS, PLS, LS, A
General mining laws
All Unapprpd public land S of Snake River within
Secs 22, 23, 26, 27, 33

11875 Signed Act 3/11/1976
Sec 29: Lot 5

PX WD to US HOE until Order Issues
 Sec 25: Lots 2,3

115243 Sites Act 9/18/1970
Sac 28: NW 1/4 NW 1/4

1 13321 51448 Act 3/15/197

Sec 23: Lot 4 1

Sec 26: Lots 2, 3, 4, NE NW 1/4, S NW 1/4, S
Sec 27: Lots 2, 3, 4, S NE 1/4, NE 1/4, S SE 1/4, SW 1/4
Sec 28: Lots 2, 6, 7, 8, 9, S SE 1/4, SE 1/4, SW 1/4
Sec 33: NE 1/4 NW 1/4

112342 PX WD Recon Is US HOE until Order Issues
Sag 27: 5, SW, SE

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

CURRENT TO	CURRENT TO
JUL 09 2006	

BURLEY DISTRICT SEC 3

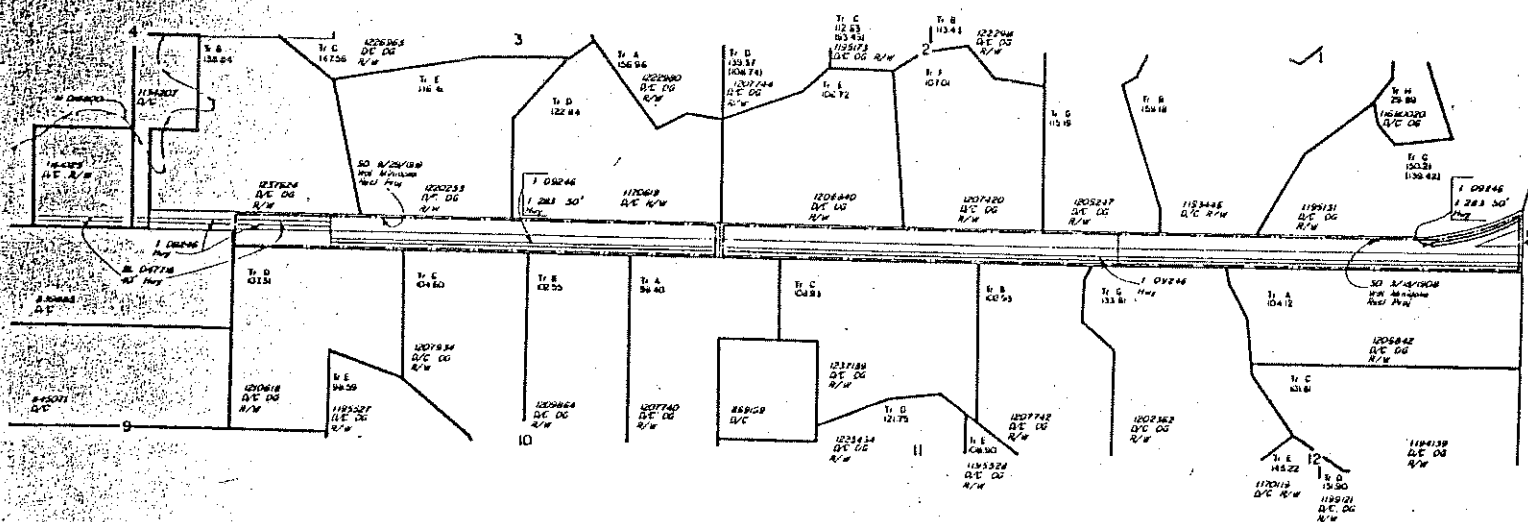
LAND AND MINERAL TITLES

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

[illegible]

Sac 9: SW SW

Sac 9: SW SW



MISCELLANEOUS DOCUMENTS

CURRENT TO	CURRENT TO

USE PLAYS:

SCAF in Chains

This plot is the Bureau's Record of Title, and should be used

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# 25875 Host Miss Trail
 Historical information only, does not denote
 public access

101 25873F 110111Z T101
Historical information only, does not describe
Public Use only

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

101 29455 Amdr H/W Warning Signs
Sac 29: Lul 2 (partial)

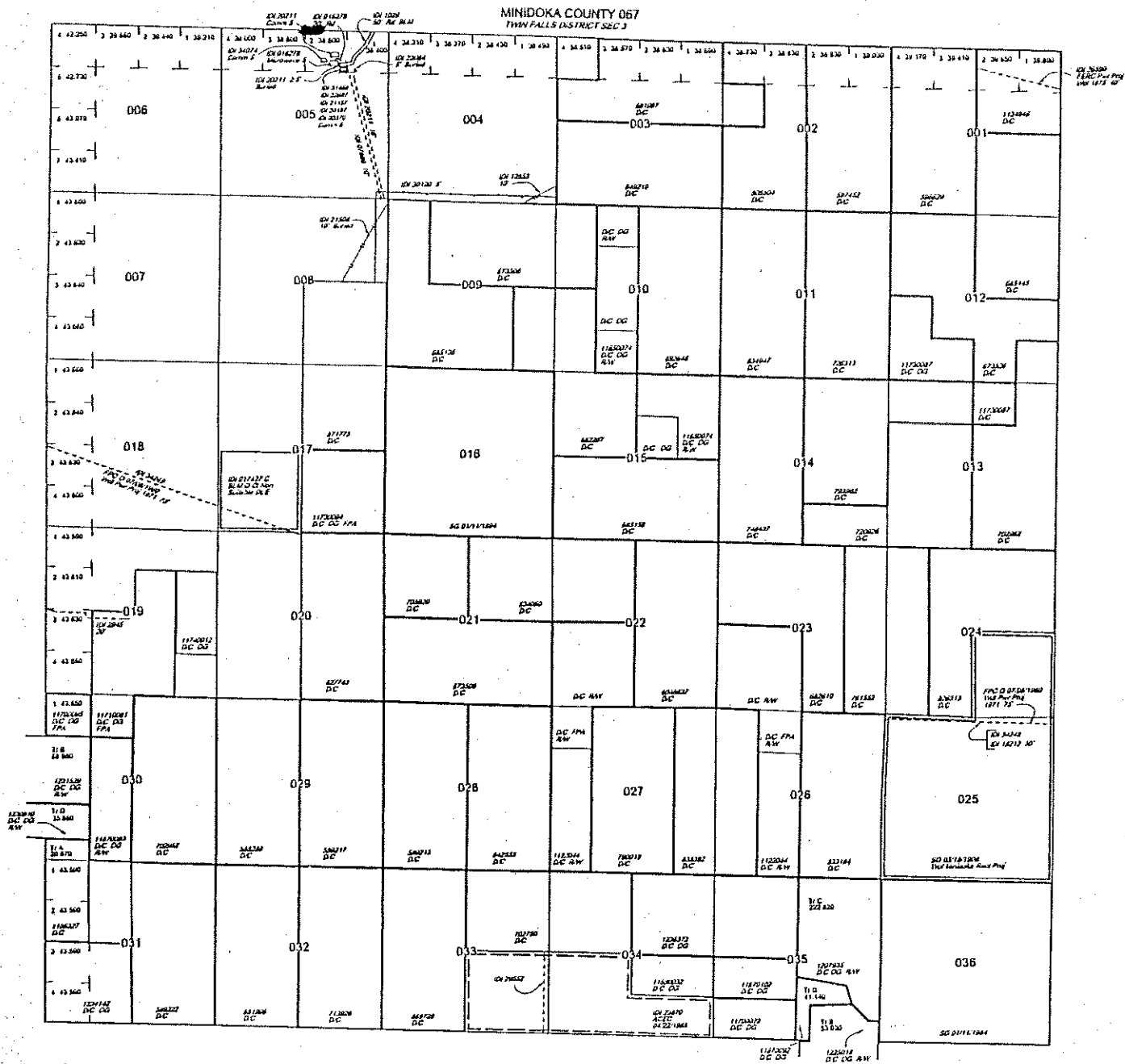
IDI 29784 R/W RACRAOLIPNDI Facility
Sec 29: Ldi 2 4.13 oct88

[illegible]

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

CURRENT TO	CURRENT TO
100 E 2ND	

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



STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

MT PLAT

[illegible]

IDI 2556 BLM O C1 Mnt Usa, Minnesota County,
Sgr from appropriation under DLE, HIE, IA, & PS
As unappropriated public land

Soc 3: Lot 4
Soc 4: Lots 1, 2, 5
Soc 13: SE
Soc 34: SW, S2SE

ID# 15243 SMOZ Act 02/18/1978
Sec 11: E2MY

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

FILE REF: 9806000002002ANTONGUANG A-9
CONVERTED TYP: 03/24/2006 BY: LEW
LAST UPDATED: 05/26/2006 BY: LEW
QACD FILE # G QACD FILE # 271766
POSTED TO PUBLIC RECORD BY: JUN 20 2006
PUBLIC LAND SURVEY SYSTEM (PLSS)
BLM GOV. ACQUIRED: 04/26/2008
OTHER: N/A
PROJECTED COORDINATE SYSTEM: UTM ZONE 12N MAG 1983
NOTES:

BURLEY DISTRICT SEC 3

MT PLAT

15243 SING A21 9/49/1978
Sec 7: NE | SW | Lot 2
Sec 18: E | NW | Lot 3
Sec 19: SE | SW | Lot 4
Sec 30: NE | NW | Lot 1

CURRENT TO	CURRENT TO

USE PLATS

MINIDOKA COUNTY 067

BURLEY DISTRICT SEC 3

MT PLAT

[illegible]

15243 Subst Act 5/18/57B
Sec 31: TUGG F

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

CURRENT TO	CURRENT TO

USE PLATE:

BURLEY DISTRICT SEC 3

MT PLAT

[illegible]

Sec 25: Fugled

CURRENT TO	CURRENT TO
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USE PLATS:

MINIDOKA COUNTY

.. BURLEY DISTRICT SEC 3 ..

MT PLAT

[illegible]

15243 Sines Act 9/18/1978
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.

CURRENT TO	CURRENT TO
JUN 8 2000	

USE PLATS:

MINIDOKA COUNTY

BURLEY DISTRICT SEC 3

HQ 4

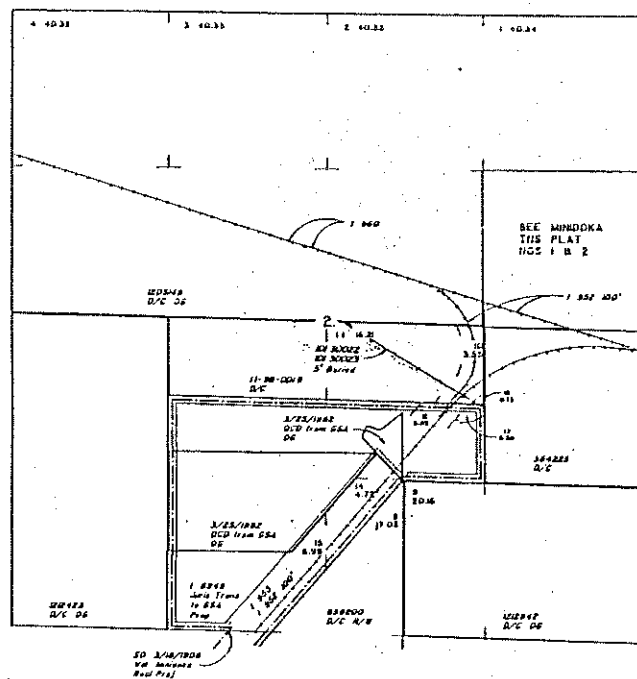
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL SEC 2

ALL

[illegible]

1 15213 Signg Act 9/18/1978
SAC 35: MWNW



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

CURRENT	CURRENT TO
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USE PLATS:

SECRET

NG 3

MTP
SUPP Sec 16

INDEX TO SEGREGATED TRACTS

[illegible]

[The page contains faint horizontal lines, suggesting it was part of a ledger or form.]

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

COMMENT TO	COMMENT TO
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USE PLAYS:

NDRELEY DISTRICT SEC 3

MINIDOKA
TOWNSITE PLAT
SHEET 2

[illegible]

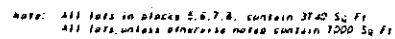
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
1967-1969	
USE PLAYS:	

Brown Mac

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES[illegible]

WATCH THE WITNESS
SHEET 2



MATCH HERE WITH
SHEET 2

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

CURRENT TO	CURRENT TO
10-15-68	10-15-68

USE PLATS:

SCALE in feet

Using Map