

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)

A. Subcase 01-10239
(Insert water right number)

Case No. 39576)

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)

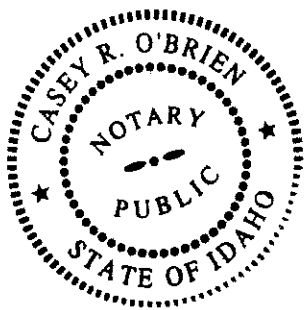
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Casey 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: ;

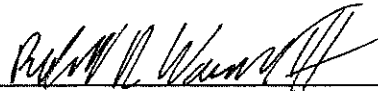
Name:
Address: ;

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: 1-10239

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: 0.240 CFS

PRIORITY DATE: 07/11/1968

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

0.240 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.

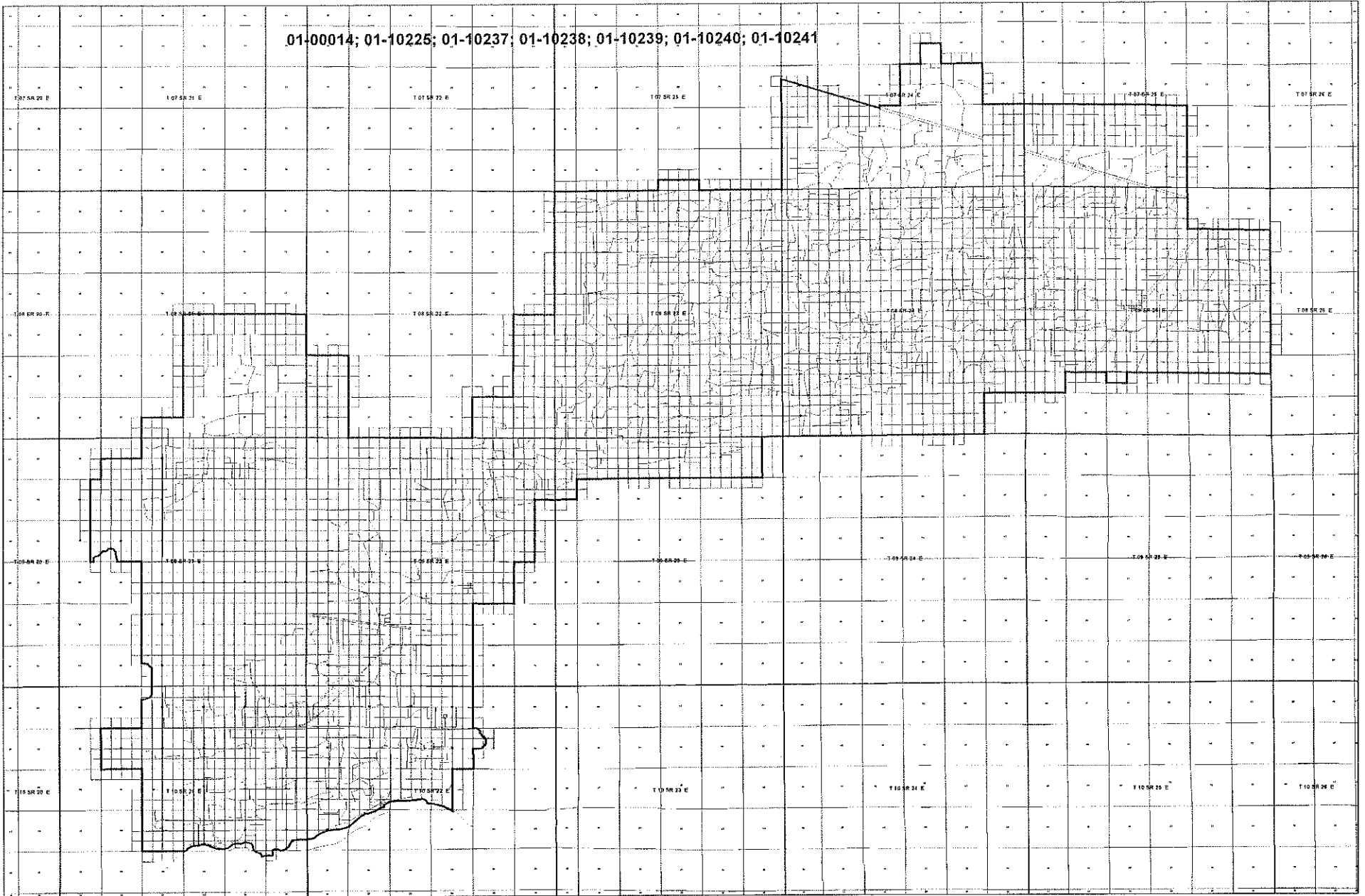
This right is limited to the irrigation of 11.9 acres within the place of use described above in a single irrigation season.

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.

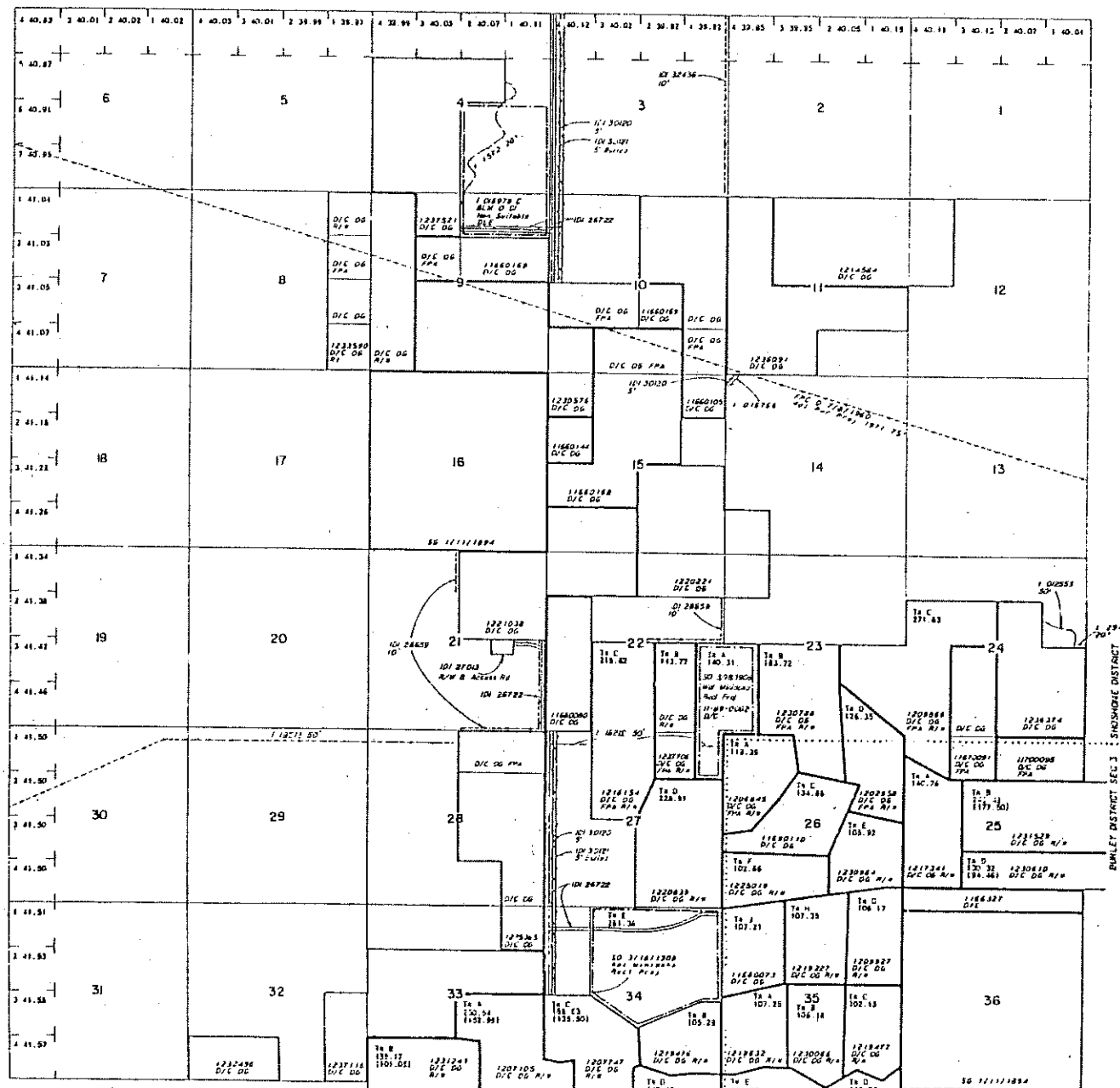
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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



JEROME COUNTY 053

MT PLAT

[illegible]

1 15243 SILENS Act 9/18/1978

Sac 9: 11 $\frac{1}{2}$ NE $\frac{1}{2}$

$$S_{NE} 10^{\circ} S \frac{1}{2} NW \frac{1}{2}$$

Sac 15: SE $\frac{1}{2}$ NE $\frac{1}{2}$

Ser 22: S $\frac{1}{2}$ NE $\frac{1}{2}$ SA

50c 22: SWL 4100

Sec 27: 544 1/2, 1/2 1/2 1/2

506341 W 1/2 NW 1/4

101 28925 Per

Sec 11 1725WSE

Syn 12: W2W2W2W2

Sve 121 Y21 Y2W21 Y2

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

CURRENT TO	CURRENT TO

USE PLAYS:

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

REMARKS	ORIGINAL SURVEY
TRACT NO. 1	SEC. 1, T. 9 S., R. 21 E.
TRACT NO. 2	SEC. 2, T. 9 S., R. 21 E.
TRACT NO. 3	SEC. 3, T. 9 S., R. 21 E.
TRACT NO. 4	SEC. 4, T. 9 S., R. 21 E.
TRACT NO. 5	SEC. 5, T. 9 S., R. 21 E.
TRACT NO. 6	SEC. 6, T. 9 S., R. 21 E.
TRACT NO. 7	SEC. 7, T. 9 S., R. 21 E.
TRACT NO. 8	SEC. 8, T. 9 S., R. 21 E.
TRACT NO. 9	SEC. 9, T. 9 S., R. 21 E.
TRACT NO. 10	SEC. 10, T. 9 S., R. 21 E.
TRACT NO. 11	SEC. 11, T. 9 S., R. 21 E.
TRACT NO. 12	SEC. 12, T. 9 S., R. 21 E.
TRACT NO. 13	SEC. 13, T. 9 S., R. 21 E.
TRACT NO. 14	SEC. 14, T. 9 S., R. 21 E.
TRACT NO. 15	SEC. 15, T. 9 S., R. 21 E.
TRACT NO. 16	SEC. 16, T. 9 S., R. 21 E.
TRACT NO. 17	SEC. 17, T. 9 S., R. 21 E.
TRACT NO. 18	SEC. 18, T. 9 S., R. 21 E.
TRACT NO. 19	SEC. 19, T. 9 S., R. 21 E.
TRACT NO. 20	SEC. 20, T. 9 S., R. 21 E.
TRACT NO. 21	SEC. 21, T. 9 S., R. 21 E.
TRACT NO. 22	SEC. 22, T. 9 S., R. 21 E.
TRACT NO. 23	SEC. 23, T. 9 S., R. 21 E.
TRACT NO. 24	SEC. 24, T. 9 S., R. 21 E.
TRACT NO. 25	SEC. 25, T. 9 S., R. 21 E.
TRACT NO. 26	SEC. 26, T. 9 S., R. 21 E.
TRACT NO. 27	SEC. 27, T. 9 S., R. 21 E.
TRACT NO. 28	SEC. 28, T. 9 S., R. 21 E.
TRACT NO. 29	SEC. 29, T. 9 S., R. 21 E.
TRACT NO. 30	SEC. 30, T. 9 S., R. 21 E.
TRACT NO. 31	SEC. 31, T. 9 S., R. 21 E.
TRACT NO. 32	SEC. 32, T. 9 S., R. 21 E.
TRACT NO. 33	SEC. 33, T. 9 S., R. 21 E.
TRACT NO. 34	SEC. 34, T. 9 S., R. 21 E.
TRACT NO. 35	SEC. 35, T. 9 S., R. 21 E.
TRACT NO. 36	SEC. 36, T. 9 S., R. 21 E.

CL 043022 American Falls, Reg. Dist. 2
(Act of Cong. 8/11/1910) affects land in
Secs. 30 to 32 incl.

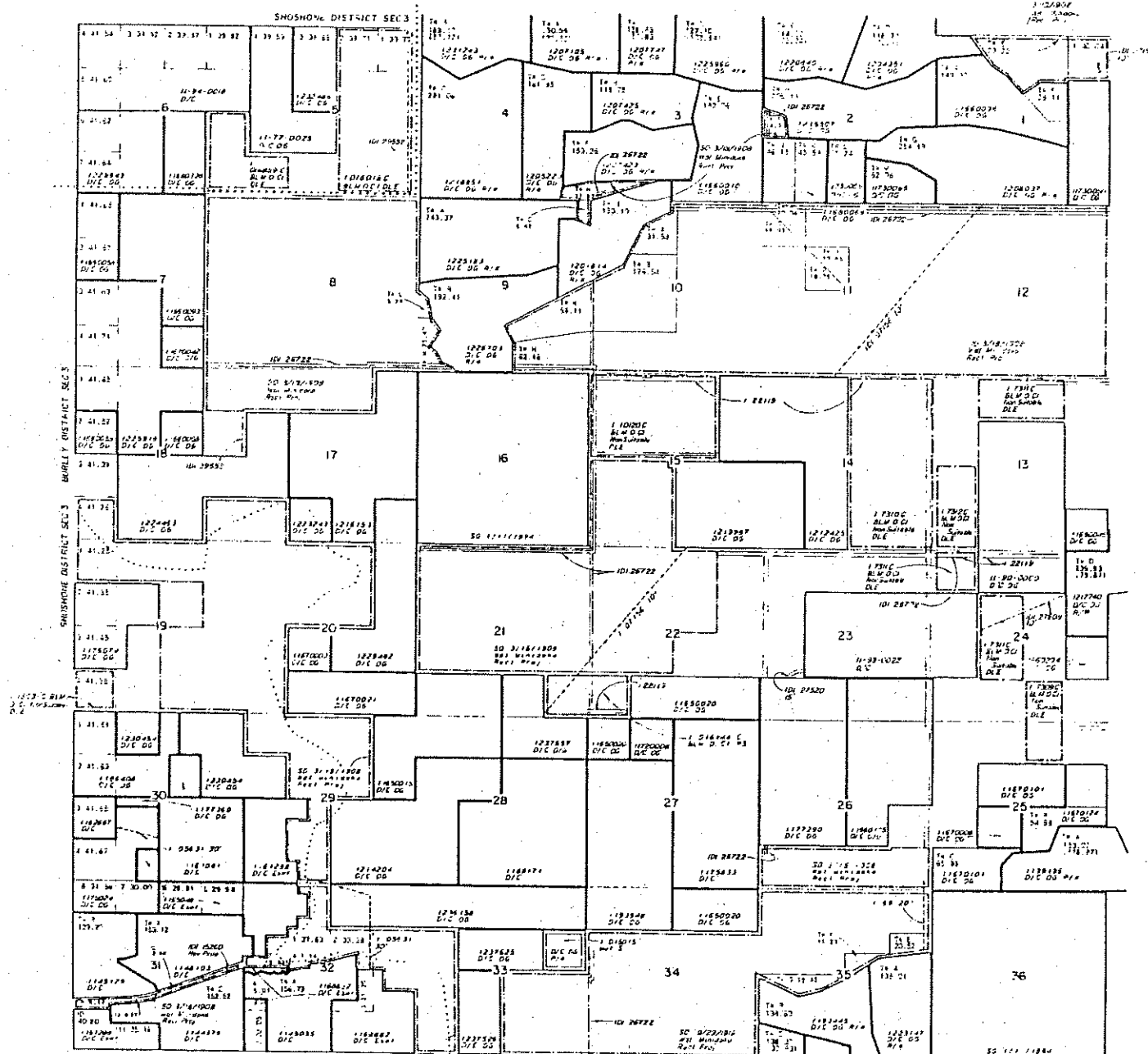
1824, 1825, 1826, 1827, 1828
Secs. 30, 31, 32, 33, 34, 35, 36
Secs. 30, 31, 32, 33, 34, 35, 36
Secs. 30, 31, 32, 33, 34, 35, 36

Survey Pending Group No. 1146
Partial 1p.

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

CURRENT TO CURRENT TO

USE PLATS



STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES[illegible]

FO 1/19/1915 Bul Per 5 Reg 422 P/O Frank Lora
all land lying within 50' of center line of
H 0119CB, x 01-071

Sec 8: 5/51
Sec 2: 3/1501
Sec 01: 1/4, 36/161, 4/56
Sec 22: 5/51
Sec 18: 16/161, 30/1501, 30/1501
Sec 22: 1/161
Sec 32: 1/161
Sec 33: 16/161

EL 029242 Victor Low Lift Irrigation Dist
(Act of Cong 8/11/1916) affects land in:
Secs 23, 26, 27, 30, 31, 32

BLM O 3/24/1934 Pur 5 Res 117 Open to entry
Subj to Sec 24 FPA
Sec 29: Lot 5
Sec 30: Lots 7, 8

1 3362 BLM O C Mult Use, Miner Wildlife Habitat Area
Segt from Approps under HE, OLE, LA, PS, PLS, LS, &
general mining laws
All Unappropriated public land S of Snake River within
Sect 22, 23, 24, 27, 33

11816 Sites Act 3/11/1976
Sec 29 Lot 5

PX WD is US HDE until Order Issues
Sec 25: Lots 2,3

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

15921 Sides Acl 3/15/1979
 Sec 22: Lot 3
 Sec 23: Lot 4
 Sec 23: Lots 2, 3, 6, NW 1/4 SE 1/4, S 1/4 SE 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 1, 2, 3, 4, S 1/4 N 1/4, S 1/4 SE 1/4, SW 1/4
 Sec 28: Lots 2, 6, 7, 8, S 1/4 SE 1/4, SE 1/4 SW 1/4
 Sec 33: 1/4 NW 1/4

1:2342 PM WVD Recon 12 US NOE until Order Issued
Sec 27: S $\frac{1}{2}$ SW $\frac{1}{2}$, SW $\frac{1}{2}$ SE $\frac{1}{2}$

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

CURRENT ID JUL 09 2006	CURRENT ID
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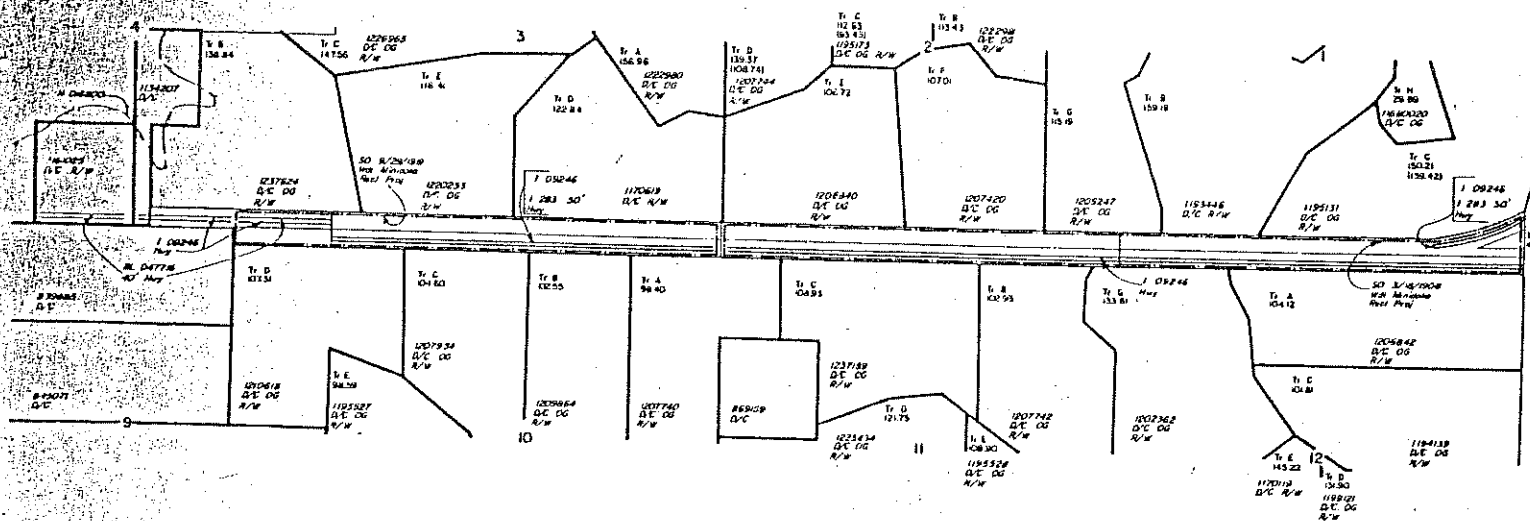
No 1
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

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

[illegible]

EO 7/19/1915 Well Pore 5 Feet 128 H/W Trunk Line
all kind lying within 50' of center line of H 011508.
H 014971

Sec 9: SW, SW



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

CURRENT TO	CURRENT TO
USE PLAYS:	

WARNING STATEMENT
This plot is the Bureau's Record of Title, and should be used
in accordance with the instructions on the reverse side.

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 Hart Hist Trail
Historical information only, does not denote
public access

IDI 25873F Hart Hist 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
Sec 29: Lot 2 413 acres

Blank lined paper for writing.

Blank lined paper for writing.

[illegible]

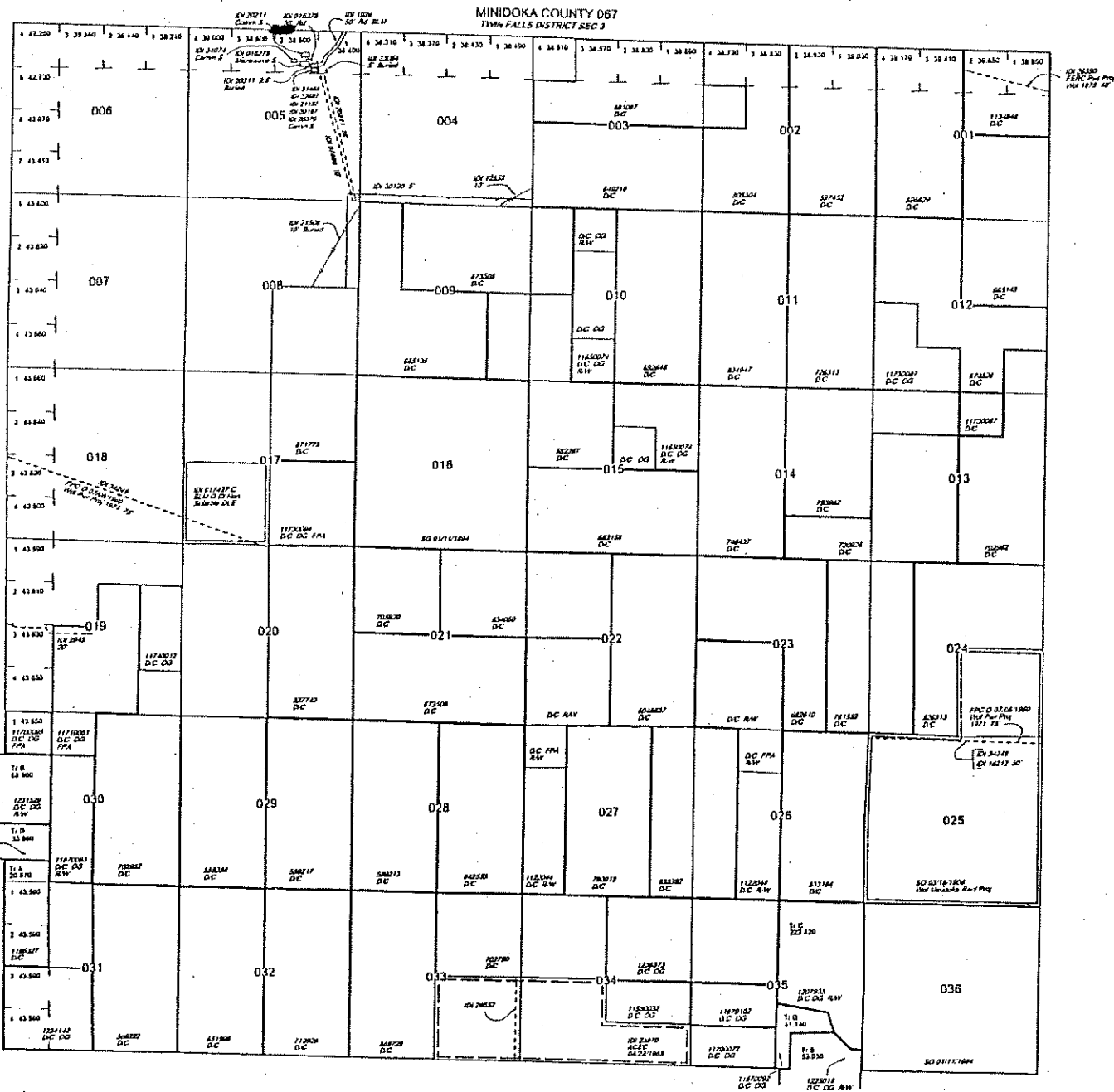
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CLERK TO	CLERK TO
JUL 16 1953	

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

MINIDOKA COUNTY 067

TWIN FALLS DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

ID# 2556 BLM O Cl Mule Use, Minnesota County;
 Seg# from appropriation under DLE, NE, SA, & PS
 All unappropriated public land

Sec 2: 1444

Sec 4 Lots 1,2 S2NE 5E

SAC 33 SE

Sac 34. 54V, 525E

ID: A5243 S46: A4 09/18/1978

Sec 31: E2M

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

FILE REF: 94AC000570.DEN\TDC04.dwg
 CONVERTED TFF: 00/05/2006 BY: LFM
 LAST UPDATED: 05/26/2006 BY: LFM
 QACD FILE: E G QACD FILE NO: 67766
 PORTED TO PUBLIC RECORDS:
 BY: JUN 20 2006
 PUBLIC LAND SURVEY SYSTEM (PLSS)
 BLM GDS ACQUIRED: 04/26/2008
 OTHER: N/A
 PROJECTED COORDINATE SYSTEM: UTM ZONE 12N HAED 1983
 NOTE:

MINIDOKA COUNTY 067

BURLY DISTRICT SEC 3

MT PLAT[illegible]

12556 BLVD Et Built Use, Winipiska County:
Segr from appropriation under BLE, HE, IA, & PS
All unappropriated public land
Sec 3: lot 4

1. 15243 Subv. Act 9/18/1978

Sec 7: NE 1 SW 1, Lot 2.3

Sec 18: E NW Lot 1, 2

Soc 19: SE / SW / Lot 4

Sec 30: 4E6 NW 1/4, 2d 1

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

CURRENT TO	CURRENT TO

USE PLAYS:

BURLEY DISTRICT SEC 3

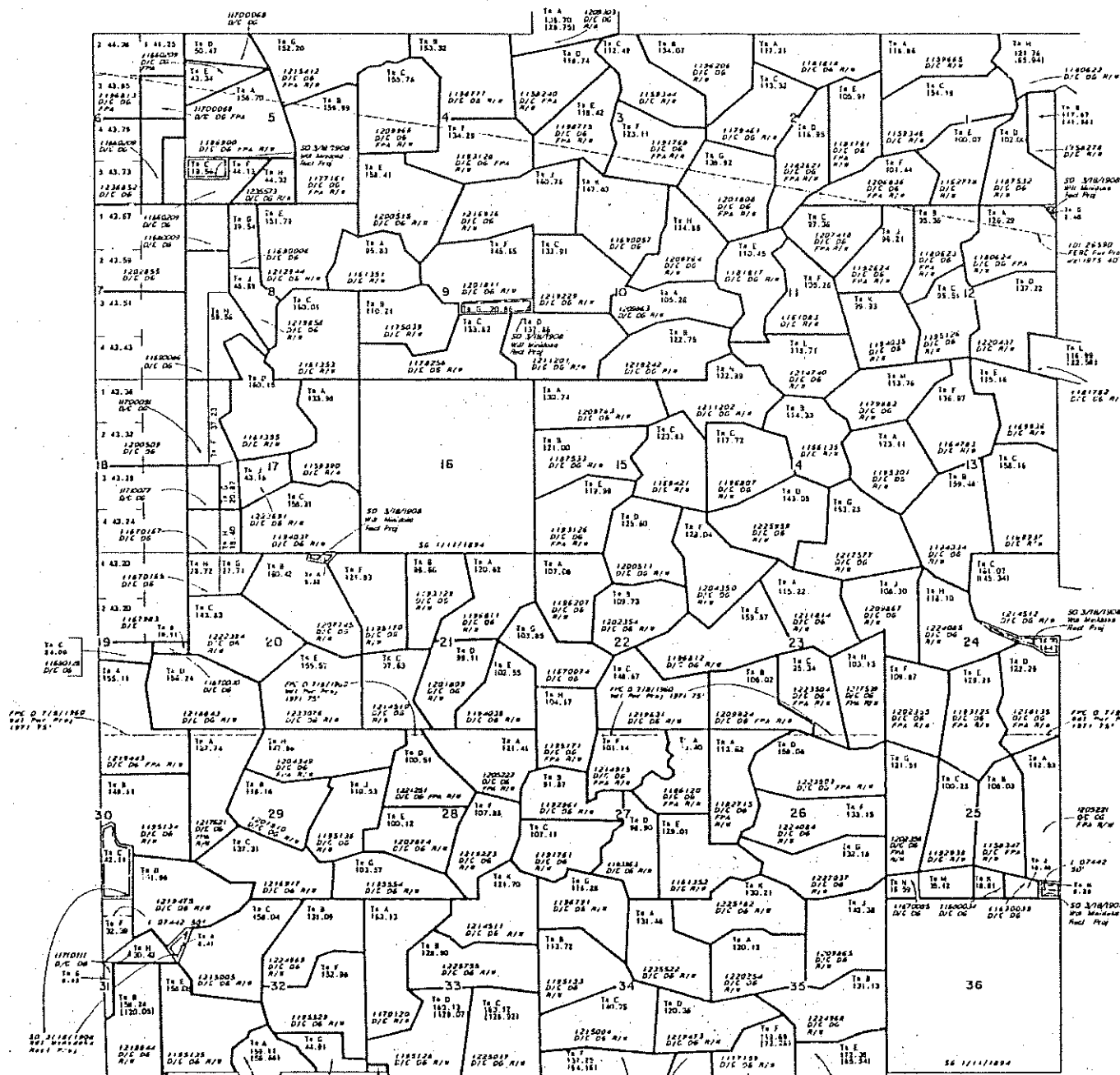
MT PLAT

[illegible]

1 15243 Sikes Act 9/18/1978
Sec 31: Tract F

CURRENT TO	CURRENT TO

USE PLATE:



BURLEY DISTRICT SEC 3

MT PLAT

[illegible]

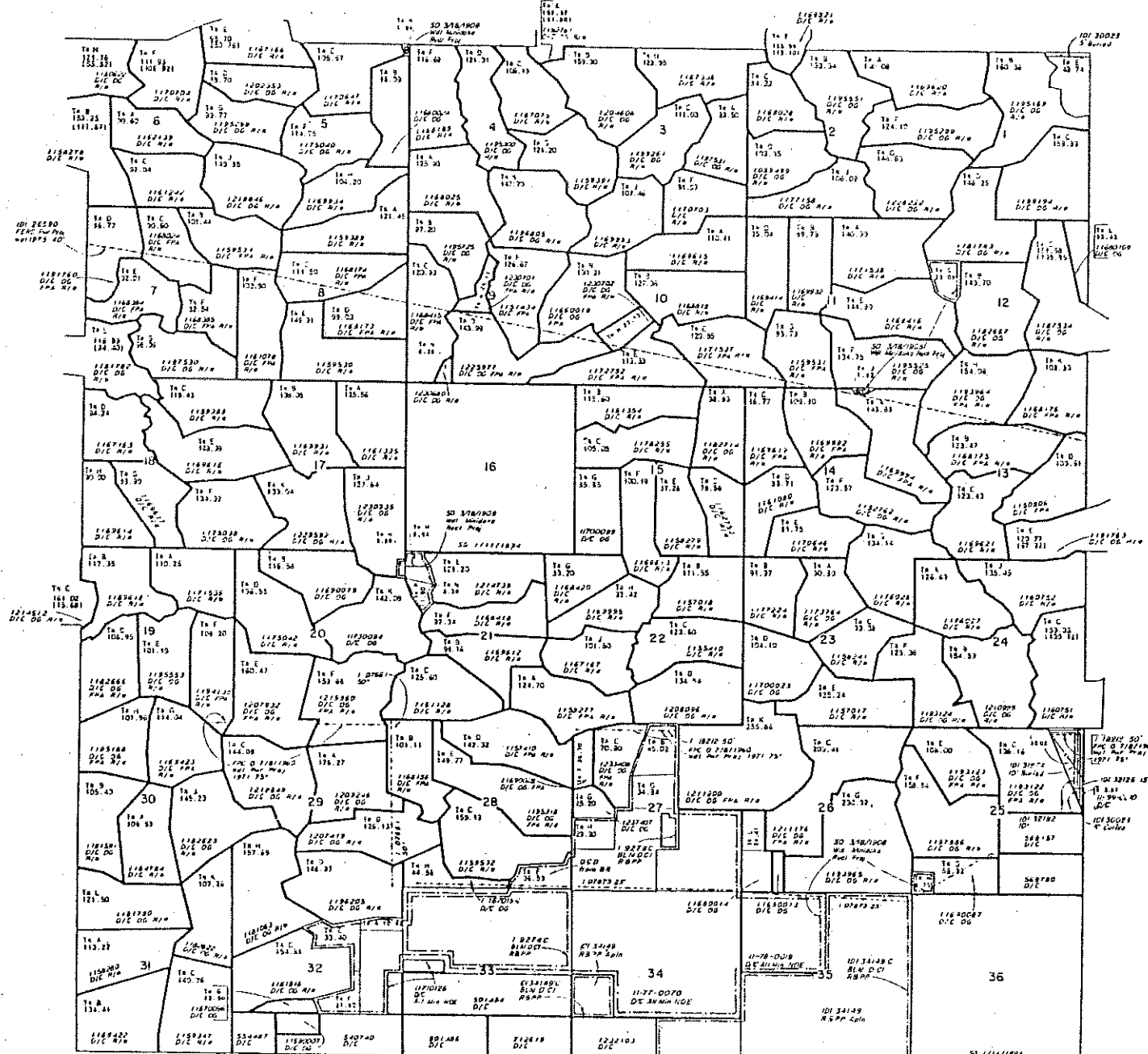
115243.50 ex Act. 9/15/1978

Sec 1: Tract E

...Sec 25: Read a

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

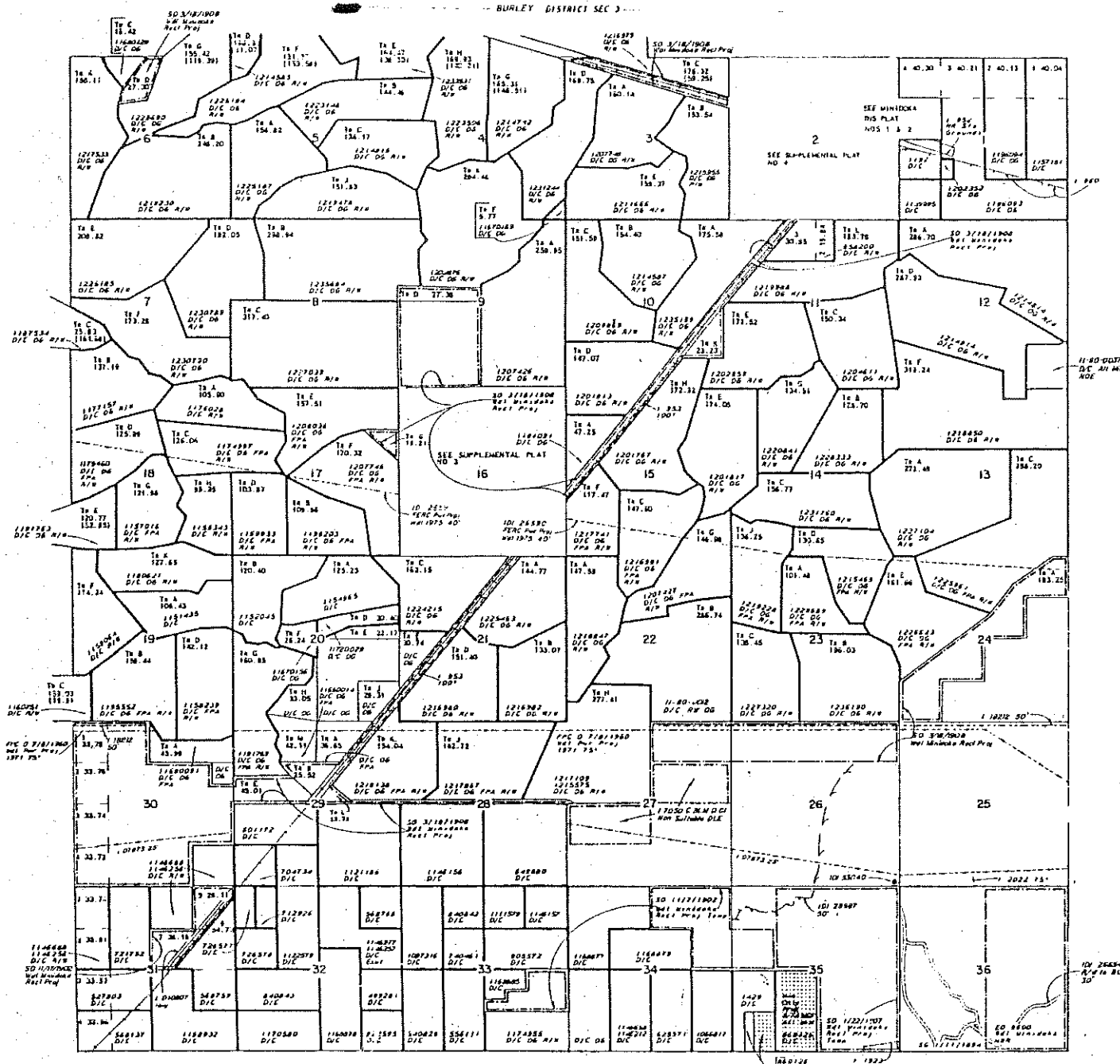
CURRENT TO	CURRENT TO



MINIDOKA COUNTY

-- BURLEY DISTRICT SEC 3 --

MT PLAT

[illegible]

15243 Sings Act 9/16/1978
Sec 2: NE 1/4 SW 1/4, Lot 5
Sec 35: NW 1/4 NW 1/4

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

CURRENT TO	CURRENT TO
JUN 8 2001	
7	

USE PLAYS:

MINIDOKA COUNTY

BURLEY DISTRICT SEC 3

NO 4

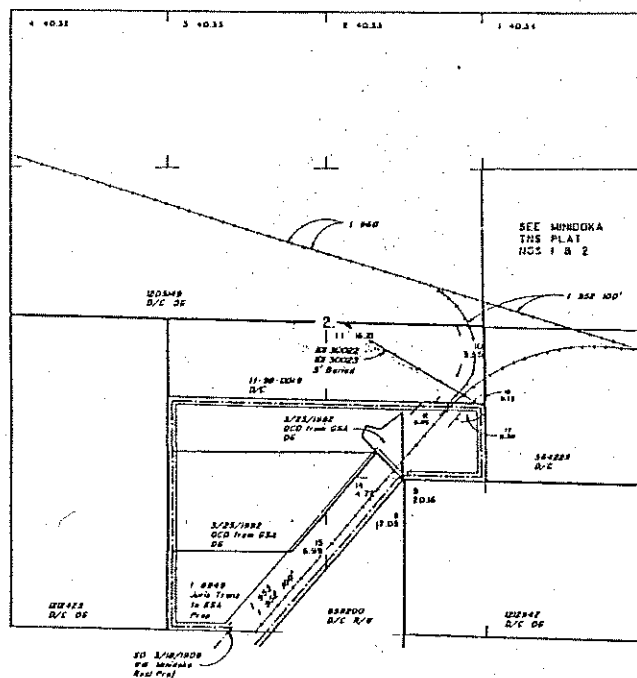
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL SEC 2

6.4.3.1

[illegible]

15243 Since Act 9/18/1978
Sec 35: HHHH

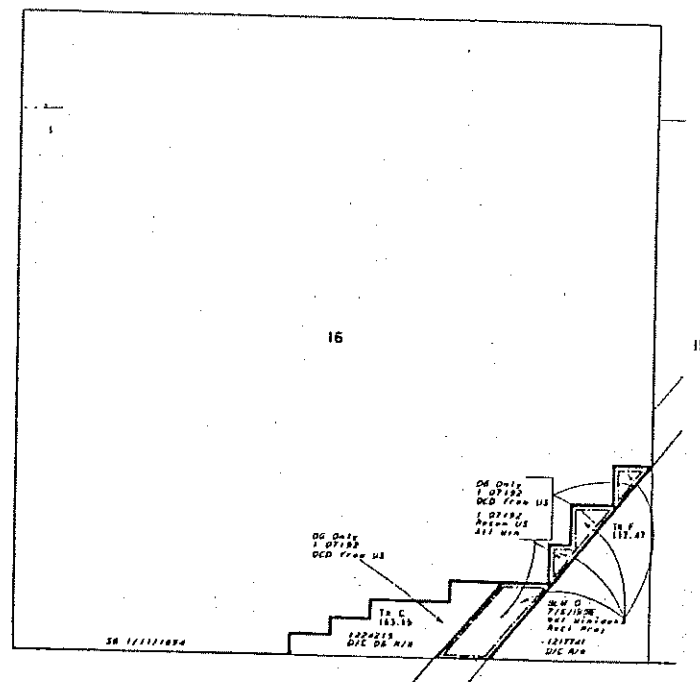


FOR ORDERS EFFECTING DISPOSAL OF USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CLASSIFIED BY	CLASSIFY TO
EXPIRATION DATE	EXPIRATION TO
NOV 2 2000	
USE PLATS:	

... ..

MTP
SUPP Sec 16

[illegible]

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

NC 2
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MINIDOKA
TOWNSITE PLAT
SHEET 2

INDEX MAP



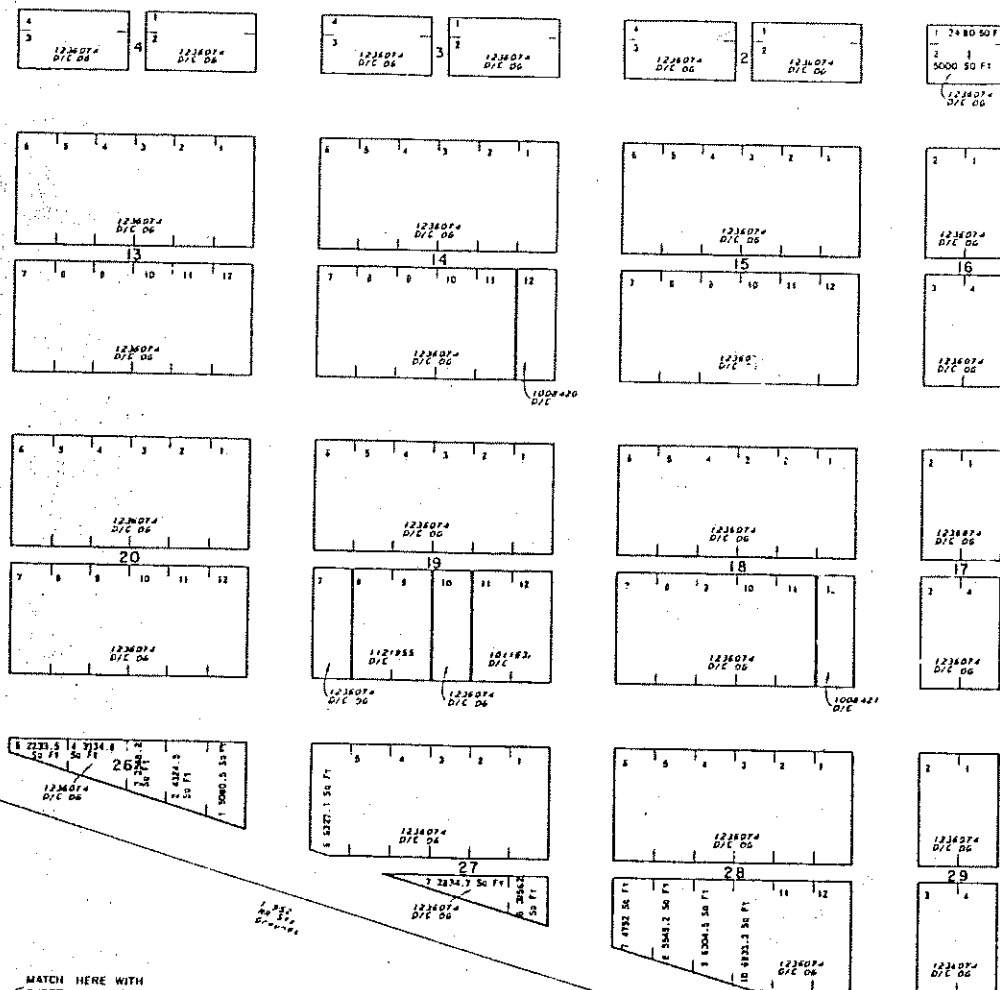
INDEX TO SEGREGATED TRACTS

[illegible]

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

CURRENT TO	CURRENT TO
AUGUST 20 1964	
USE PLATE:	

MATCH HERE WITH
SHEET 1



MATCH HERE WITH
SHEET 1

FO 2142
251 1st Avenue

Note: All lots in 4 $\frac{1}{2}$ blocks 2, 3, 4 contain 3472 Sq Ft
All other lots unless otherwise noted contain 7000 Sq Ft

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES[illegible]

Blank lined paper for writing.

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

CURRENT TO	COMMENT TO
155	

USE PLATS:

Boiss Mer

[illegible]

note: All lots in blocks E, F, G, H, contain 3740 Sq Ft
All lots, unless otherwise noted contain 7000 Sq Ft