

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 01-10240
(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)

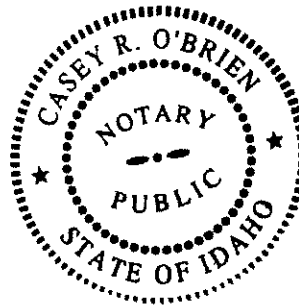
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Casey 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: 1-10240

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

POU: Digital Boundary contains BCM

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.180 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

1.180 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.

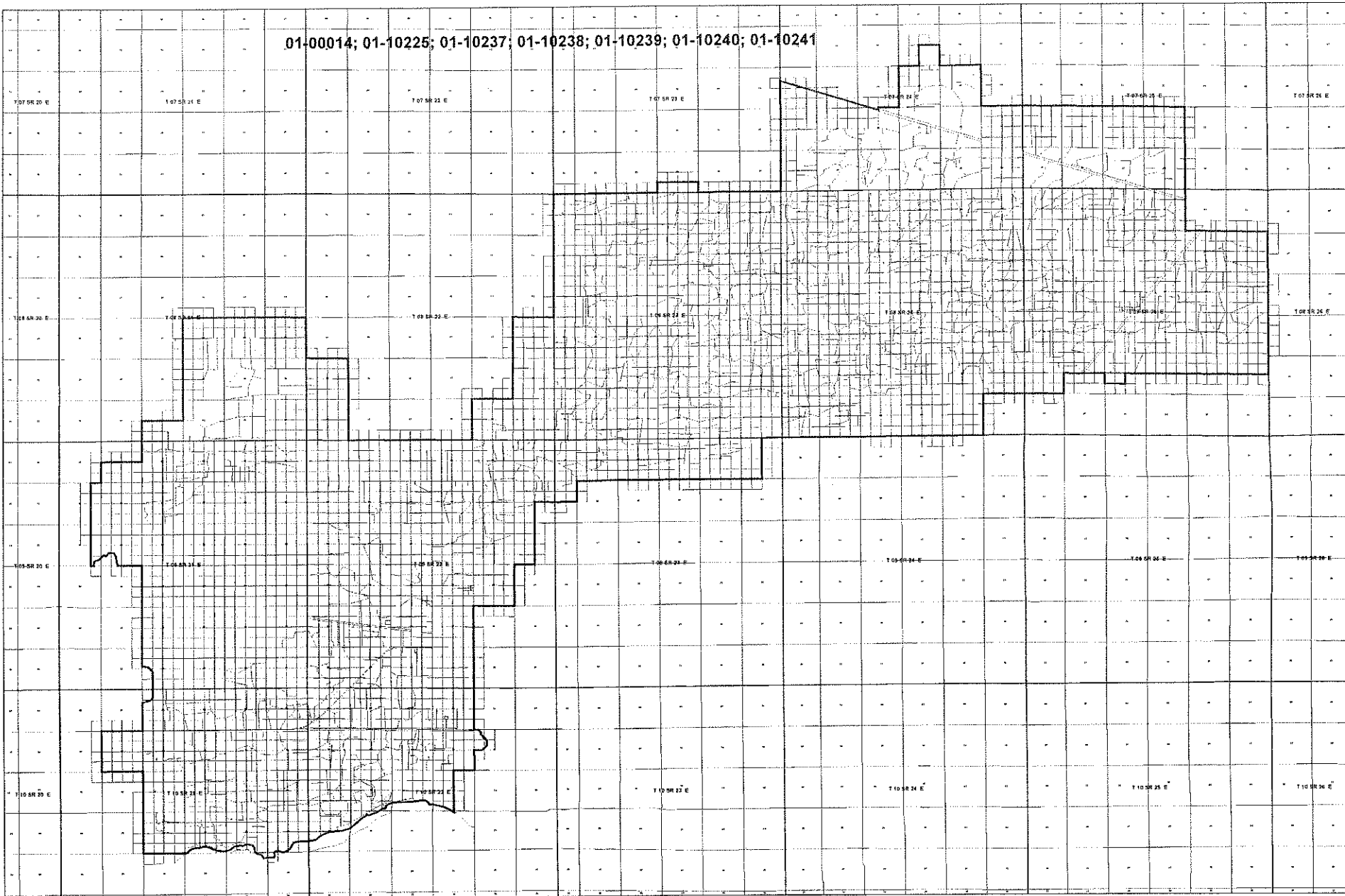
This right is limited to the irrigation of 59.2 acres within the place of use described above in a single irrigation season.

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.

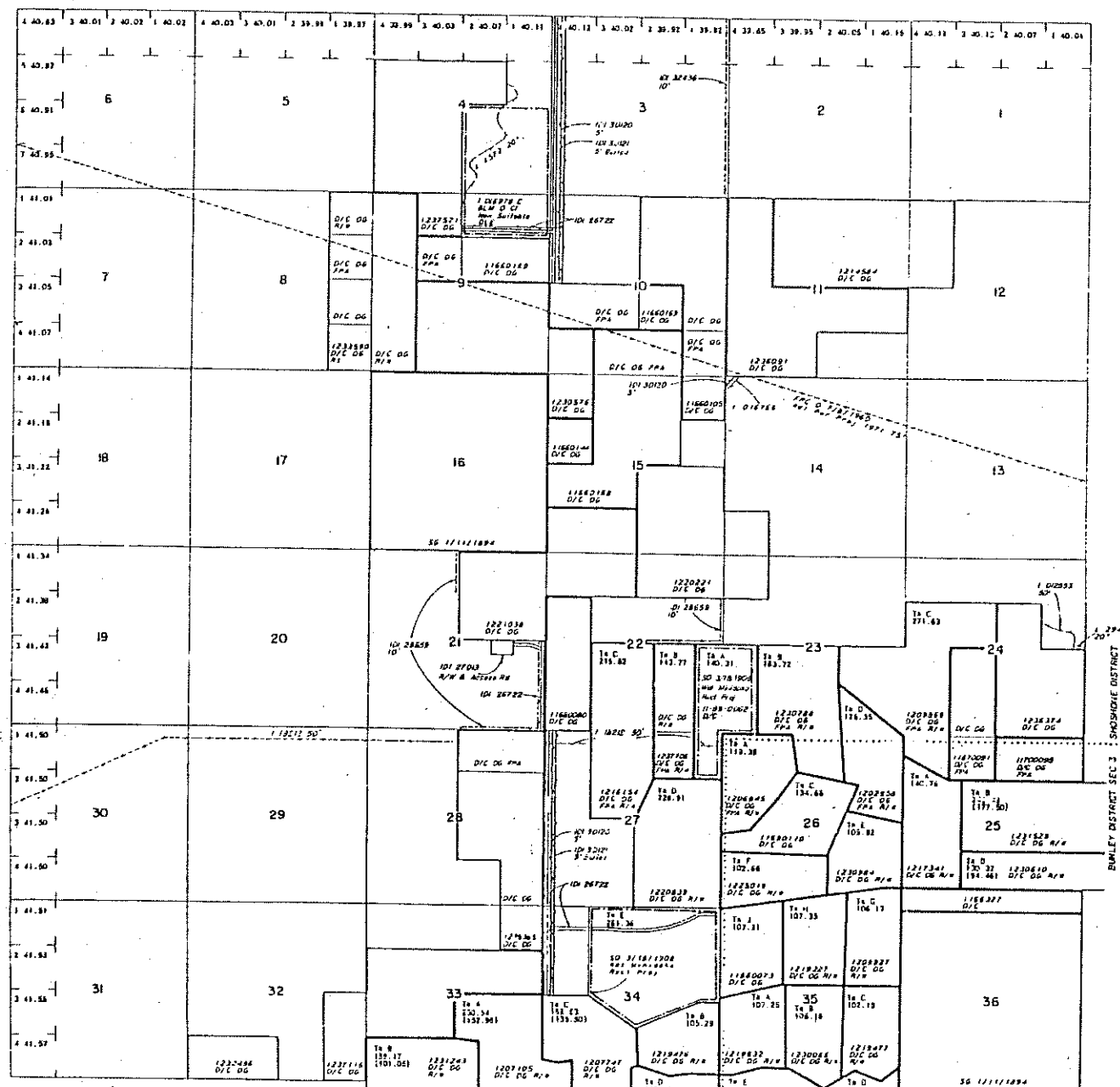
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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



JEROME COUNTY 053

MT PLAT

[illegible]

1 15243 Sikes Act 9/18/1978

SEC 9: 11 1/2 NE 1/4

500 (D) 5 1/2 NW 1

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

Sac 22: S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW

Sxc 27: SW $\frac{1}{2}$, NW $\frac{1}{2}$, NW $\frac{1}{2}$

Sec 34: W $\frac{1}{2}$ NW $\frac{1}{2}$

[illegible]

ID# 28925 P#1

Sec 11: W25WSE

546 12: 1Y2W2W2Y2E2NW, W2W2W2NW5W 28.00 EC

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

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USE PLAYS

JEROME COUNTY 053

MT PLAT

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TRACT NO. 6	SEC. 6
TRACT NO. 7	SEC. 7
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15741 100142 9.6 1/18
Sec 5: 5.24 SW, 3.44 NE, 3.5
Sec 6: E 1 SE
Sec 12: L 3, 5, 14 NE

Survey Pending Group No 1146
Partial Tp.

FOR INDEXES AFFECTING DISPOSAL OR USE OF
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COMMENT TO COMMENT TO

USE PLATE

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

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

10 1/19/1215 331 Fur S Reg 493 P/B Frank Litch.
all land lying within 50' of center line of
H 0119C, 4 01-471

Sec 8: 315
Sec 9: 30124
Sec 17: 474, 361NE, 113E
Sec 22: 315
Sec 23: 361NE, 30124, 30134
Sec 24: 61NE
Sec 28: 61E
Sec 33: 361NE

El 072242 Higher Low Lift Irrigation Dist
(Act of Cong 8/11/1918) affects land in
Secs 23, 26, 27, 30, 31, 32

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

1 3362 BLM O CI Mulk Use, Minor Wildlife Habitat Area
Segr from Appropn under HE, OLE, LA, PS, PL, S, S, B
general mining laws
All Unappropri public land S of Snake River within
Secs 22, 23, 26, 27, 33

11818 Sites Act 2/11/1976
Sec 29: Lot 5

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

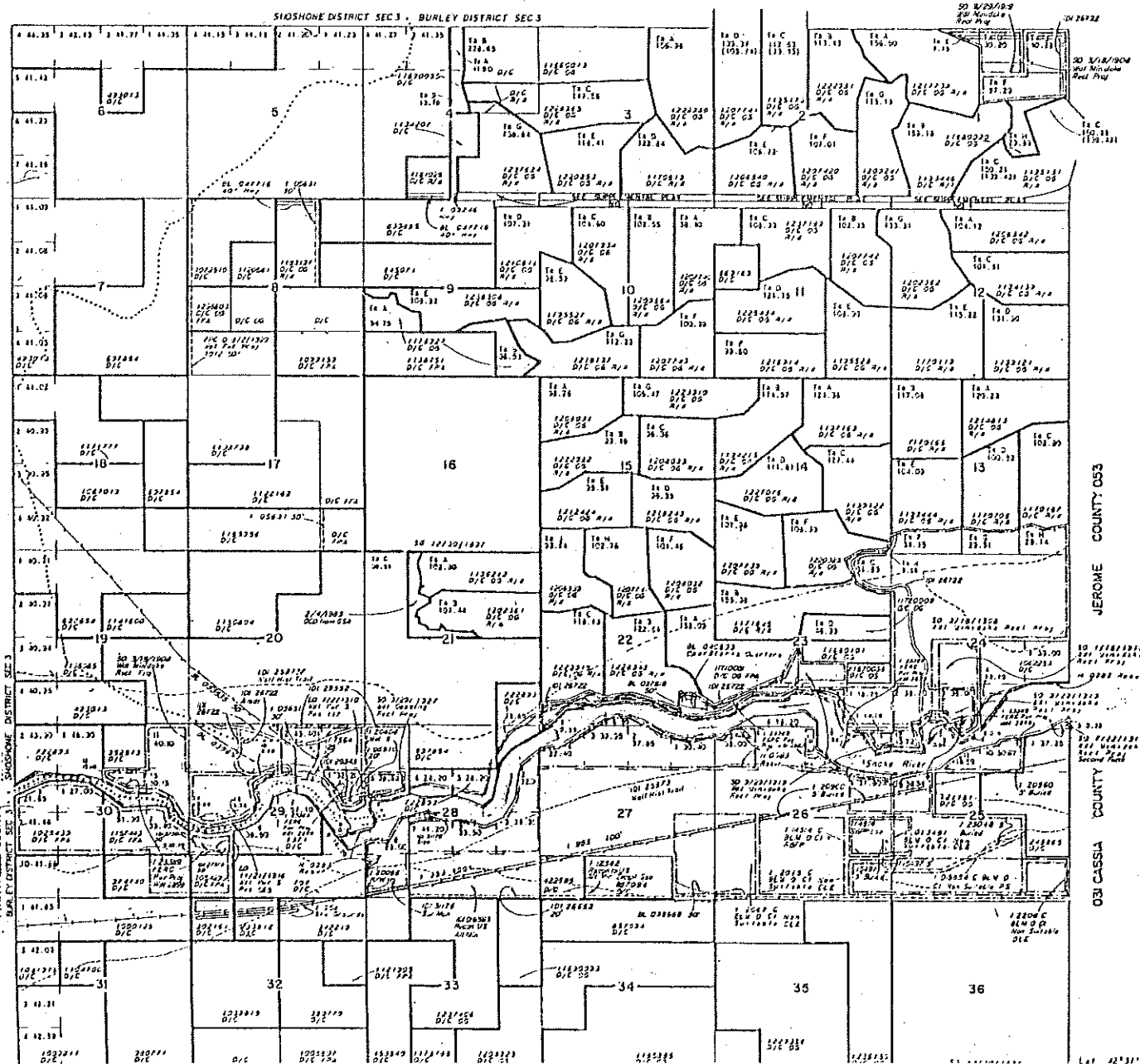
15243 Sikes Act 9/18/1978
Sec 28: NW NW
Sec 29: Lots 2, N NW NE NE

1 15321 Sikes Act 3/15/1979
 Sec 22: Lot 3
 Sec 23: Lot 4
 Sec 25: Lots 2, 3, 6 NW $\frac{1}{4}$, SE $\frac{1}{4}$, S $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$
 Sec 26: Lots 2, 3, 4 NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{4}$
 Sec 27: Lots 1, 2, 3, 4, 5, 6 NE $\frac{1}{4}$, N $\frac{1}{4}$, S $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$
 Sec 28: Lots 2, 6, 7, 8, 9 SE $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$
 Sec 35: 11 NW $\frac{1}{4}$

1 1234Z PX WD Racon 13 US HOE until Order Issues
SAC 27: S, SW, SW, SE

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
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CLASSIFIED TO	CLASSIFIED TO
FOI 09 2004	



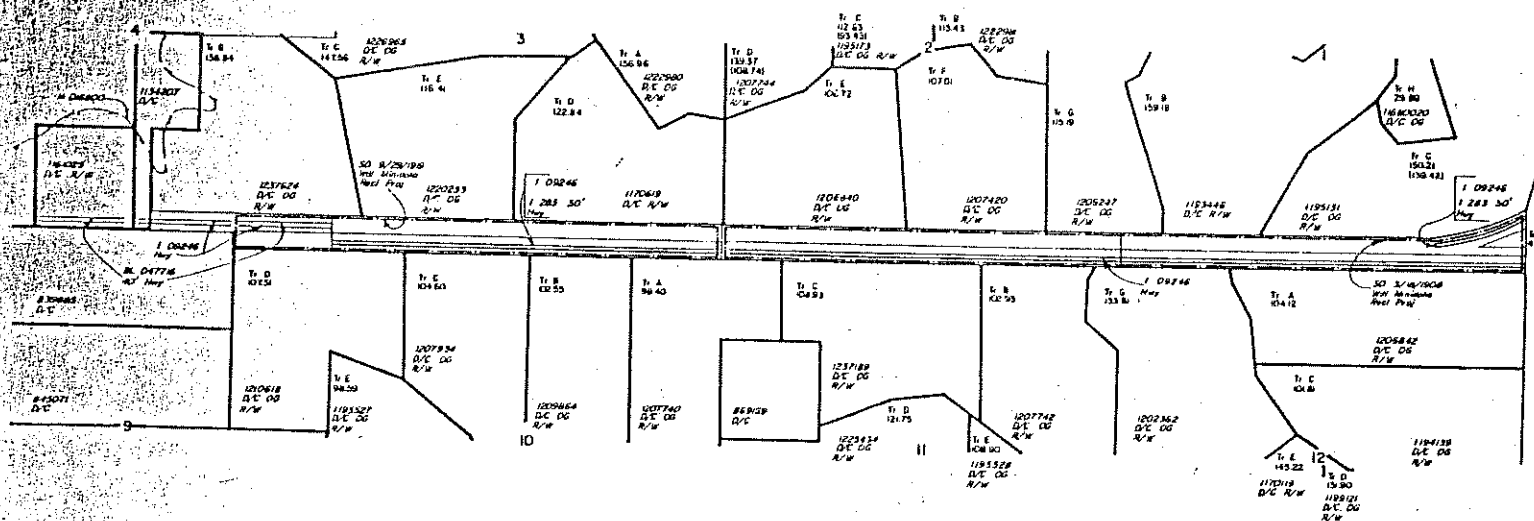
**STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES**

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

[illegible]

EO 7/19/1945 Will Pay \$ Per 428 R/W Trunk Line.
all land here within 50' of center line of H 011200
H 014971

Sec 9: SW, SW



FOR ORDERS 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 Second of Title, and should be used only in conjunction with the monthly survey data. For-

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

NO 2
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL REMARKS

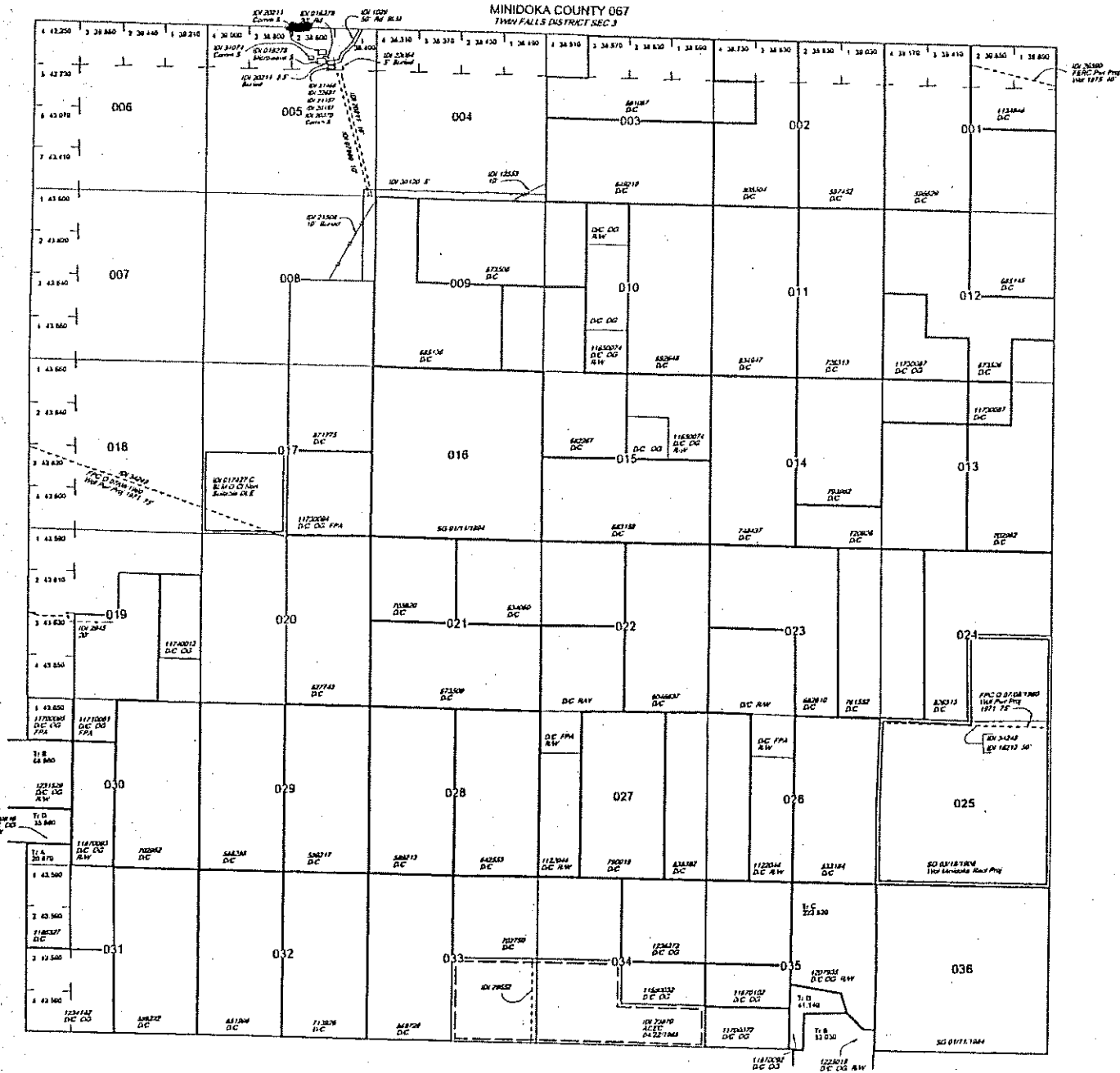
[illegible]

FOR ORDERS EFFECTING DISPOSAL OR USE OF
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CURRENT TO	CURRENT TO
JUL 16 2072	

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]

1D1 2556 BLM O C1 Mult Use, Minidoka County:
Segs from appropriation under DLF, HE, LA, & PS
All unappropriated public land

Sac 3. lot 4
Sac 4 lots 1, 2, 5
Sac 33. SE
Sac 34. SW, S2SE

100-13243 Sub A of 09/18/1978
Sec 31: E2MY

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
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FILE REF: VM06C8057226-1012946.dwg
CONVERTED TFF: 05/25/2006 BY: LTM
LAST UPDATED: 05/24/2006 BY: LTM
DACC #1: E G DACC #2: JEF 2/11/06
POSTED TO PUBLIC RECORDS:
BY: JUN 20 2006
PUBLIC LAND SURVEY SYSTEM (PLSS)
BLM GDOS ACQUIRED: 04/26/2006
OTHER: N/A
PROJECTED COORDINATE SYSTEM - UTM ZONE 13N NAD 1983
NOTES:

BURLEY DISTRICT SEC 3

MT PLAT

1 15243 Sites ACS 948/1978
 Sec 7: NE 1 SW 1 Lot 23
 Sec 18: E 1 NW 1 Lot 2
 Sec 19: SE 1 SW 1 Lot 4
 Sec 30: NE 1 NW 1 Lot 1

USE PLAYS:

BURLEY DISTRICT SEC 3

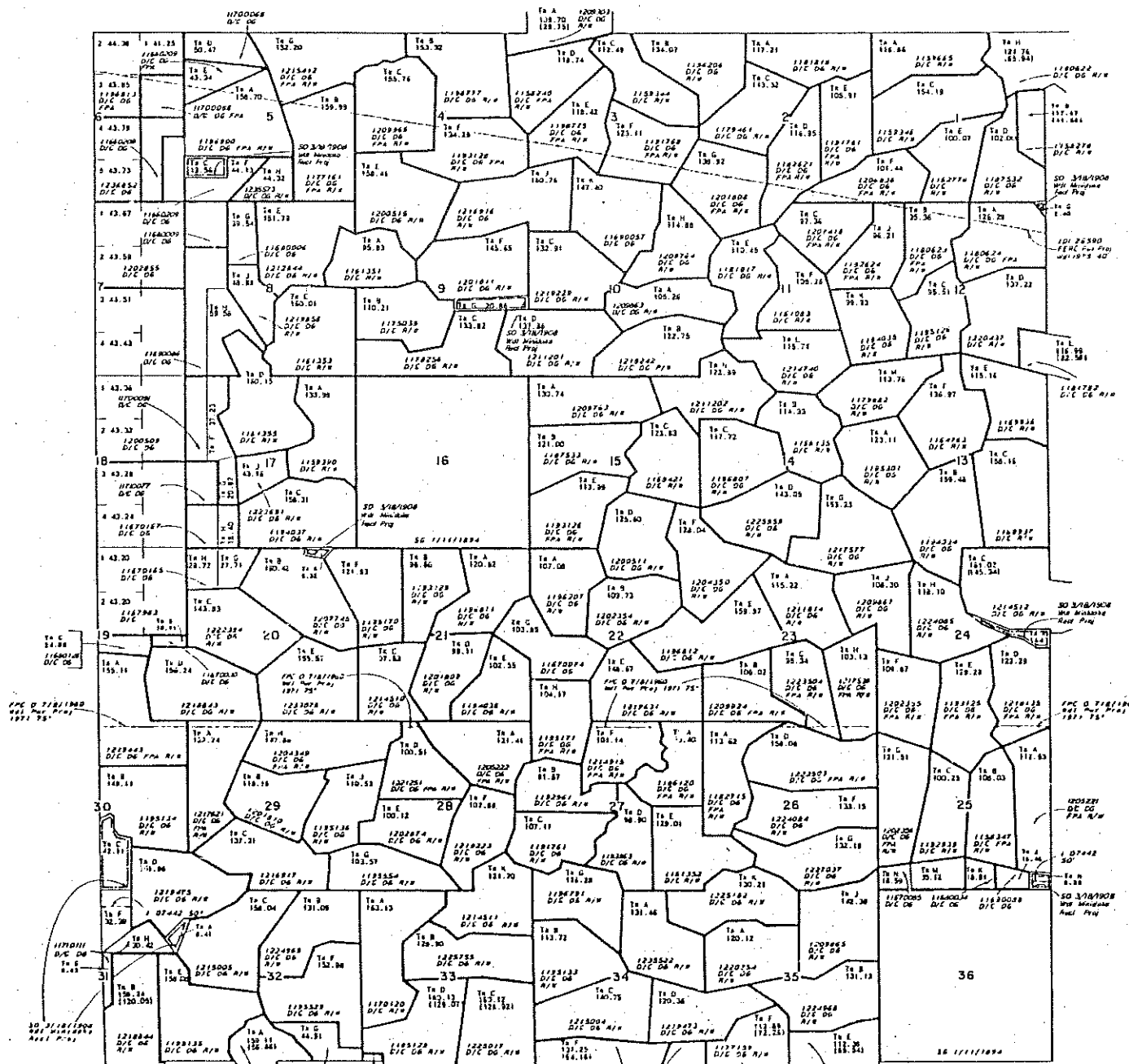
MT PLAT

[illegible]

1 15243 Sibel Act 9/18/1970
Sec 31: Tract F

CURRENT TO	CURRENT TO

UXK PLATS:



MINIDOKA COUNTY
BURLEY DISTRICT SEC J

MT PLAT

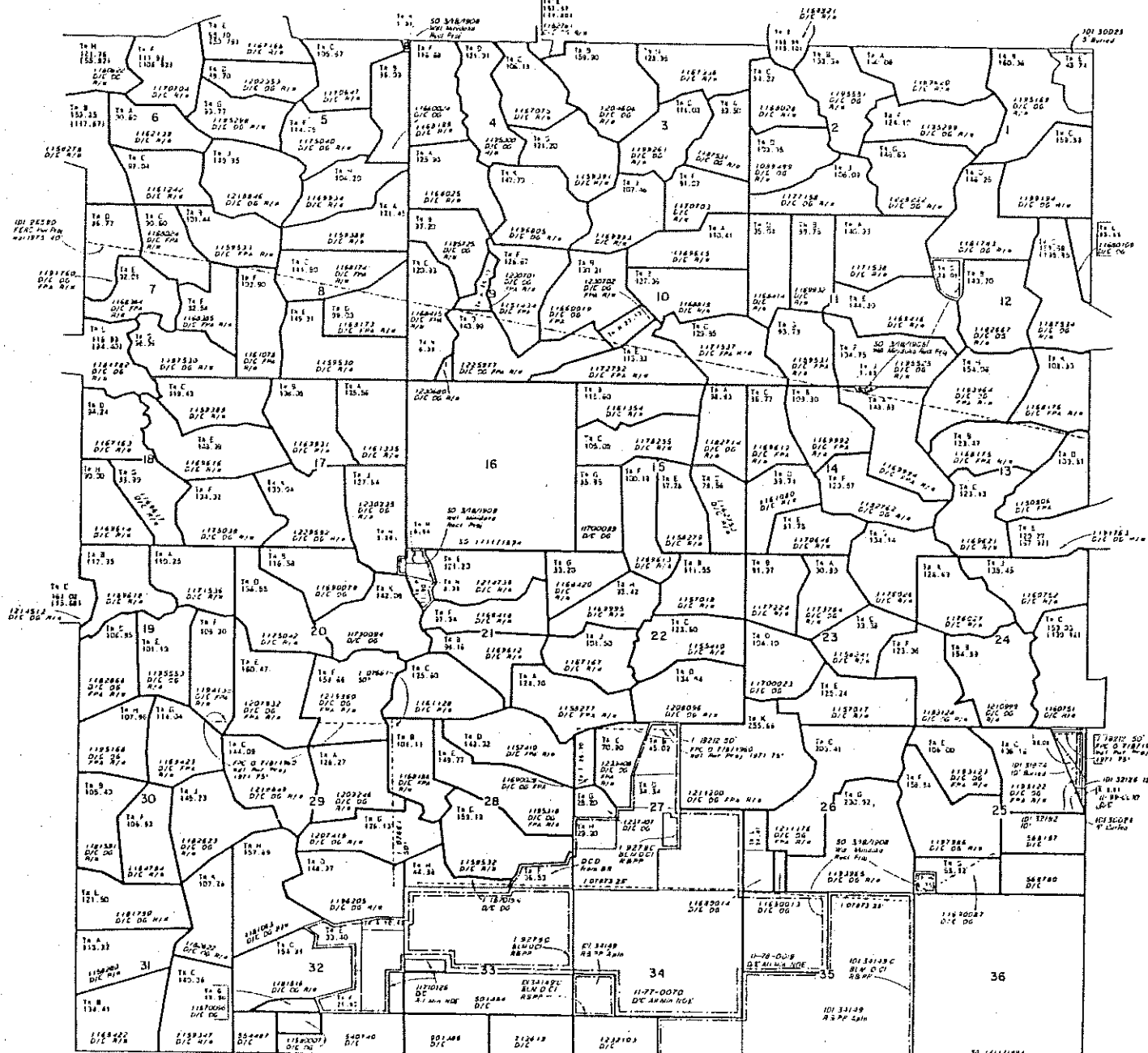
[illegible]

L15243 Subs Acl 9/15/1978
Sec 1: Tract E
Sec 25: Tract A

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
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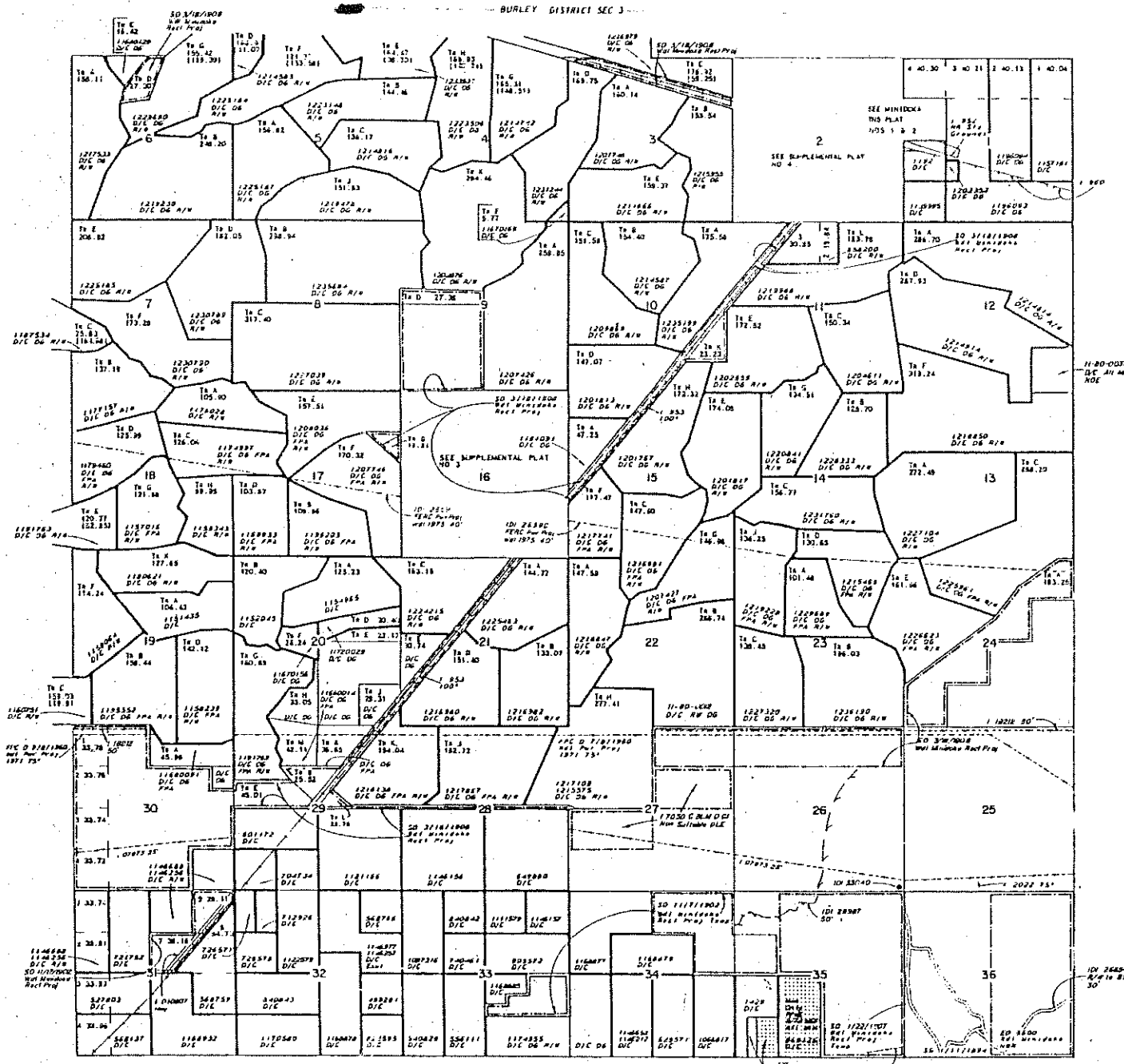
SEE PLATE



MINICOYA COUNTY

... BURLEY DISTRICT SEC 3 ...

MT PLAT

[illegible]

1 15243 Sims Act 9/16/1978
Sec 2: NE 1 SW 1, L 15
Sec 35: NW 1 NW 1

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USE PLATE:

MINIDOKA COUNTY

BURLEY DISTRICT SEC 3

NO 4

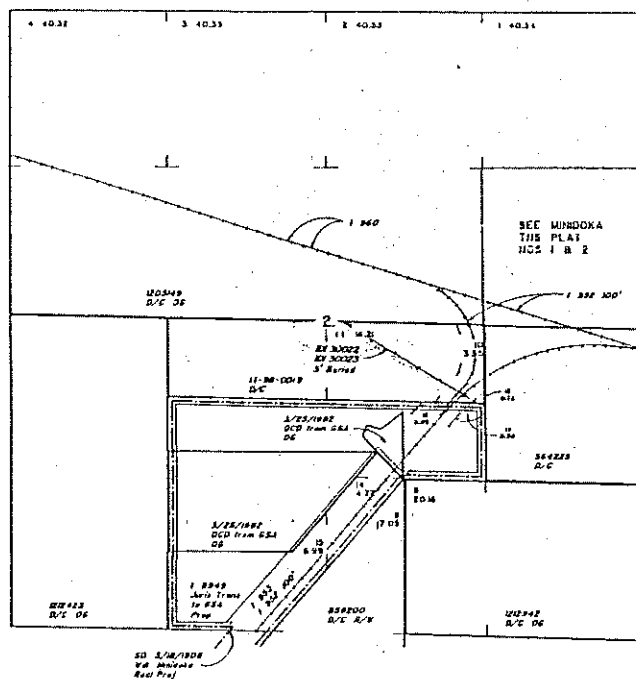
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL SEC 2

447

[illegible]

1 15243 S/leg Act 9/16/1978
Sec 35: NWNW

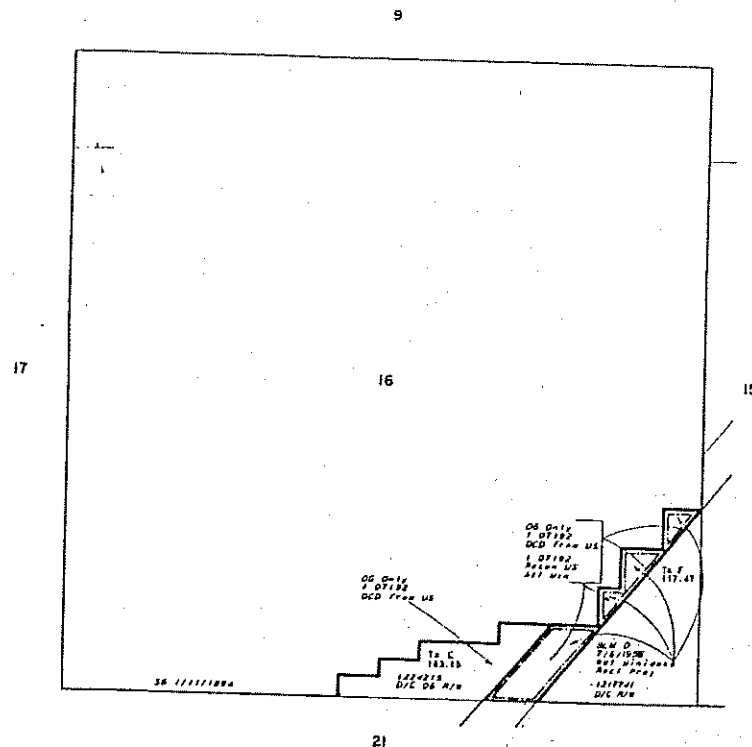


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THE UNIVERSITY OF MICHIGAN

MTP
SUPP Sec 16

[illegible]

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
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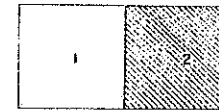
USE PLATE:

BURLEY DISTRICT SEC 3

NO 2
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MINIDOKA
TOWNSITE PLAT
SHEET 2

INDEX MAP

[illegible]

FOR ORDERS EFFECTING DISPOSAL OR USE OF
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STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MINIDOKA
TOWNSITE PLAT
SHEET 1

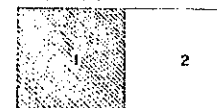
INDEX TO SEGREGATED TRACTS

[illegible]

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



MATCH HERE WITH
SHEET 2

MATCH HERE WITH
 SHEET 2

note: All lots in blocks E, G, H, contain 3740 Sq Ft
All lots, unless otherwise noted contain 7200 Sq Ft

SCALE in feet

Excerpts from