

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 01-10241
(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)

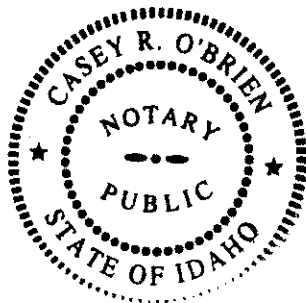
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Casey 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: ;

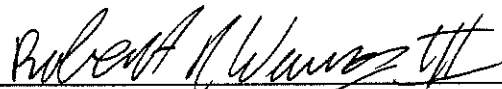
Name:
Address: ;

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: 1-10241

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: 1.090 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: 04/01/1978

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

1.090 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:

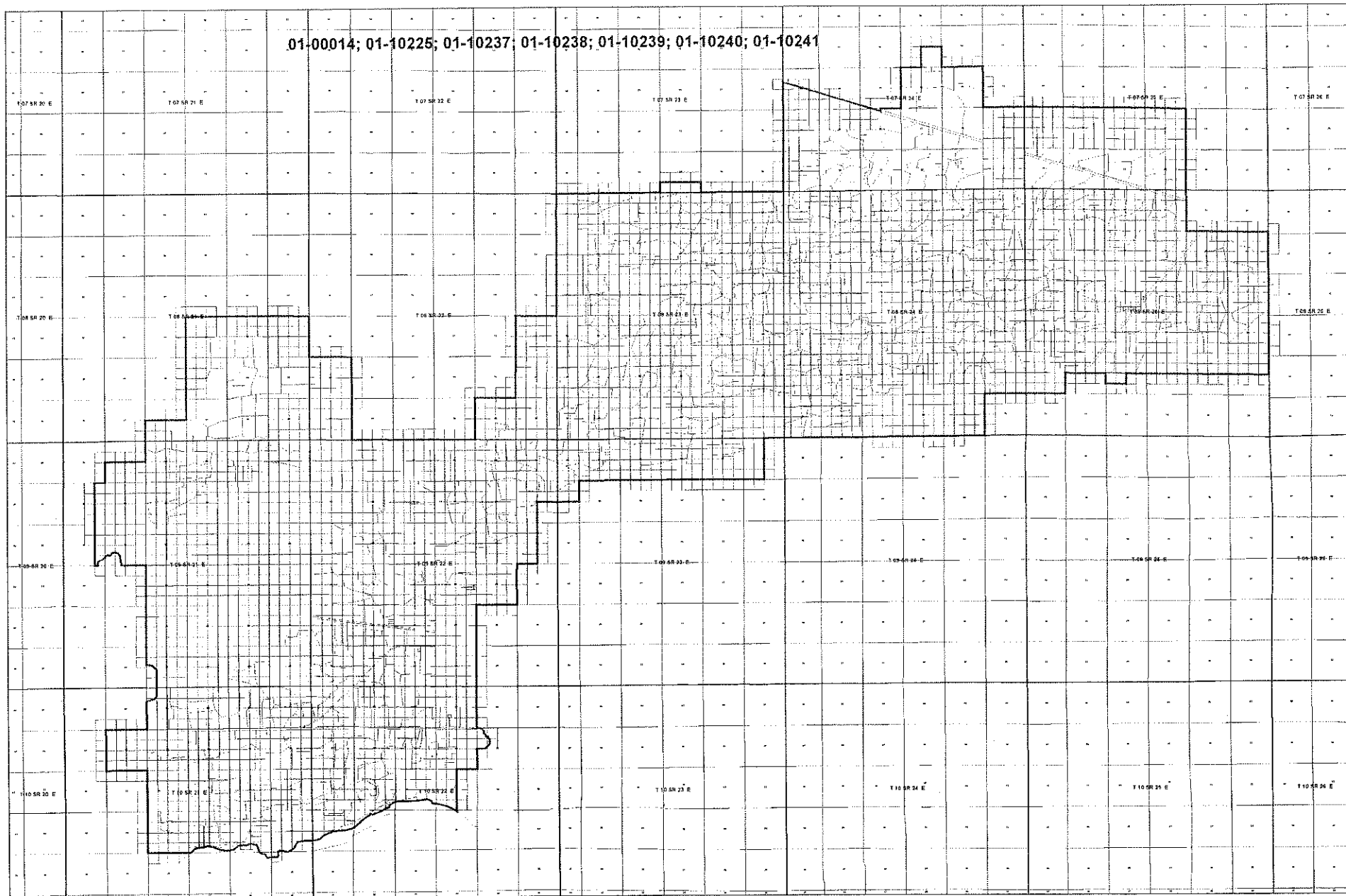
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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

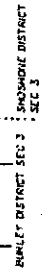
This right is for an enlargement of 54.5 acres within the place of use described for this right.

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



JEROME COUNTY 053

MT PLAT

[illegible]

Sac 9: 11 NE $\frac{1}{2}$
Sac 10: S NW $\frac{1}{2}$
Sac 15: SE NE $\frac{1}{2}$
Sac 22: S NE $\frac{1}{2}$, SE NW $\frac{1}{2}$
Sac 27: SW $\frac{1}{2}$, W NW $\frac{1}{2}$
Sac 34: W NW

Sec 11 W25WSE
Sec 12 W2W2W2W2E2NW, W2W2W2W2WSW 20.00 ac

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

CLARENT TO	CLARENT TO

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
1	18744	18744
2	18744	18744
3	18744	18744
4	18744	18744
5	18744	18744
6	18744	18744
7	18744	18744
8	18744	18744
9	18744	18744
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35	18744	18744
36	18744	18744

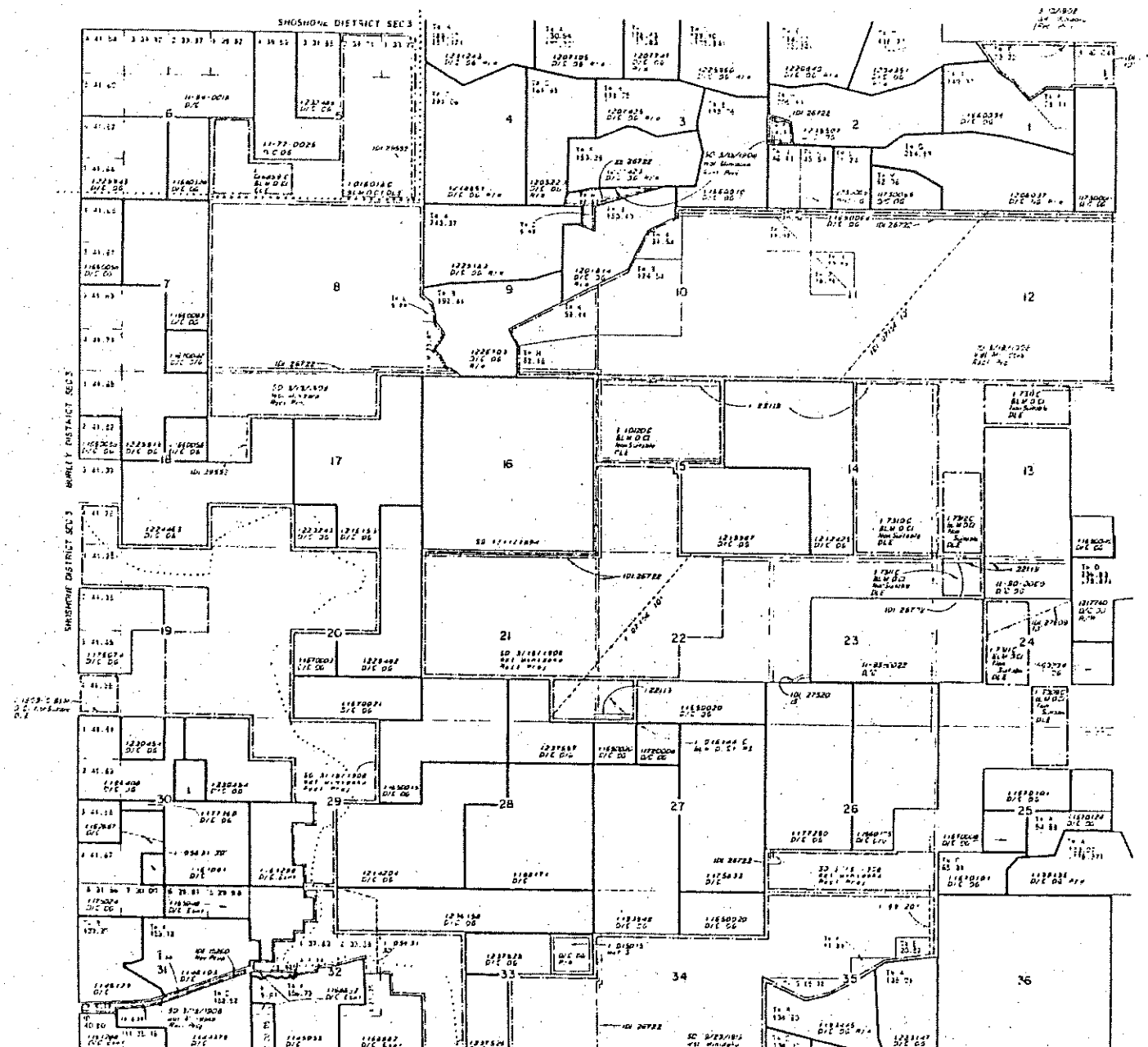
46. 64252 American Falls Equestrian Tract No. 2
Part of Cong. Dist. 19th at 19th and 20th
Secs. 30 to 32 incl.

18744, 18744, 18744, 18744
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 Tr.

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

CURRENT TO CURRENT TO



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

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

EQ 10/19/1215 Vol Par 5 Reg 92 P/B Items Lic.
 011 And lying within 50' of center line of
 H 0119C3, H 011911
 Loc 8: 5111
 Loc 2: 501101
 Loc 11: 5111, 5E1101, 1111
 Loc 21: 5111
 Loc 13: 5E1101, 501101, 501101
 Loc 20: 5111
 Loc 12: 5111
 Loc 33: 501101

EL 077242 Wilner (see Liff Termination Dist
(Act of Cong 8/11/1965) affects land in
Secd 23, 26, 27, 30, 31, 32

BLM D 3/24/1954 Pwr 5 Rec 117 Open to entry
Subj to Sec 24 FPA
Sec 29: Lot 5
Sec 30: Lots 7, 8

13362 BLM O CI Mulla, Minor Wildlife Habitat Area
Segr from Approp under HLE, DLE, LA, PS, PL, S, LE, B
General mining laws
All Unappropriated public land 3 of Snake River within
Secs 22, 23, 24, 27, 33

1986 Sites Act 1/12
Sec 29: Lot 5

PX WD is US NOE until Order Issues
See 251 Ltr 2.3

115243 Siles Act 9/18/1970
 Sec 28: NW NW
 Sec 29: Lots 1, 2, 11 NW NE NE

1 15327 Sikes Act 3/15/1979
 Sec 22: Lot 3
 Sec 23: Lot 4
 Sec 25: Lots 2, 3, 6, NW 1/4, SE 1/4, SE 1/4, SW 1/4
 Sec 26: Lots 2, 3, 4, NE 1/4, NW 1/4, SE 1/4, SW 1/4
 Sec 27: Lots 1, 2, 3, 4, SE 1/4, NE 1/4, SE 1/4, SW 1/4
 Sec 28: Lots 2, 6, 7, 8, SE 1/4, SE 1/4, SW 1/4
 Sec 33: NE 1/4 NW 1/4

142542 PA WD Reason is US NOE until Order issued
Soc 27, 54 SW 1/4, SW 1/4 SE 1/4

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

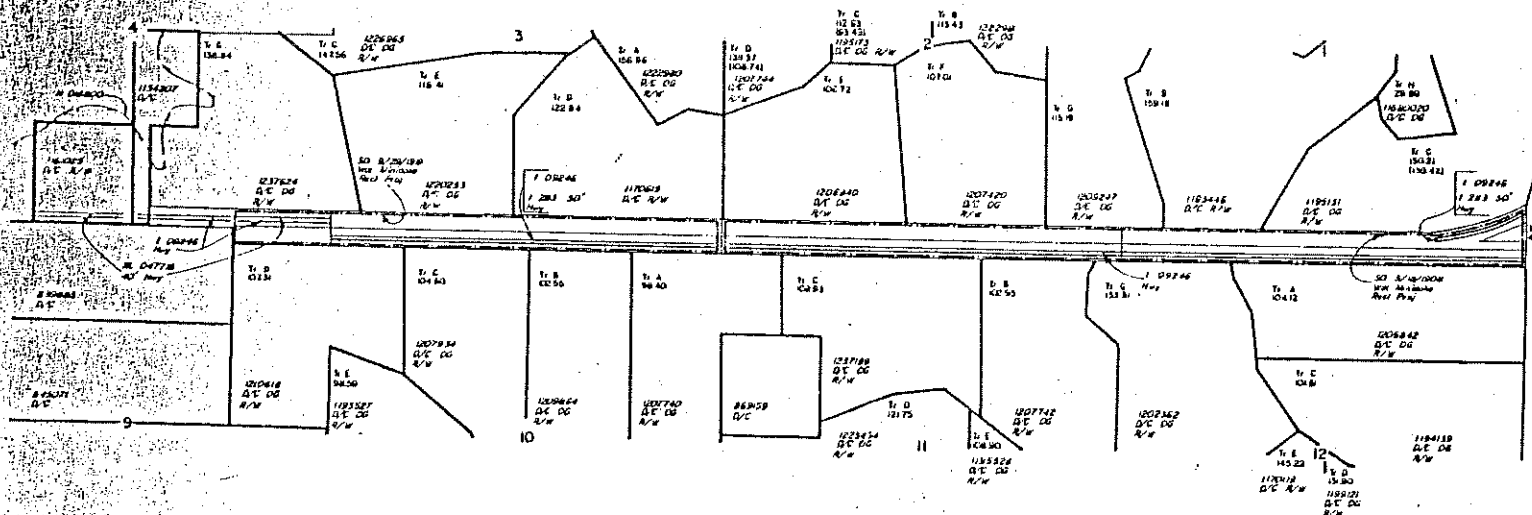
CLASSIFY TO	CLASSIFY TO
REF 09 2006	

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

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

[illegible]

EO 7/19/1945 Unit Pwr 2 Box 198 R/W Young, La.
off hand found within 20' of surface line of H 011524
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

LINE PLAYS

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

NO 2
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL REMARKS

101 25873 Han-Hai Yind
Historical information only, does not denote
public access

DOI 25873F Historical Text
Historical information only, does not denote
public access

DOI 29455 A/W Morning Signs
Sec 29: NE (portion)

101 29455 Amdt R/W Warning Signs
Sec 29, Lot 2 (portion)

IDI 29704 R/W Recreational Facility
See 29: Lot 2 4.43 acres

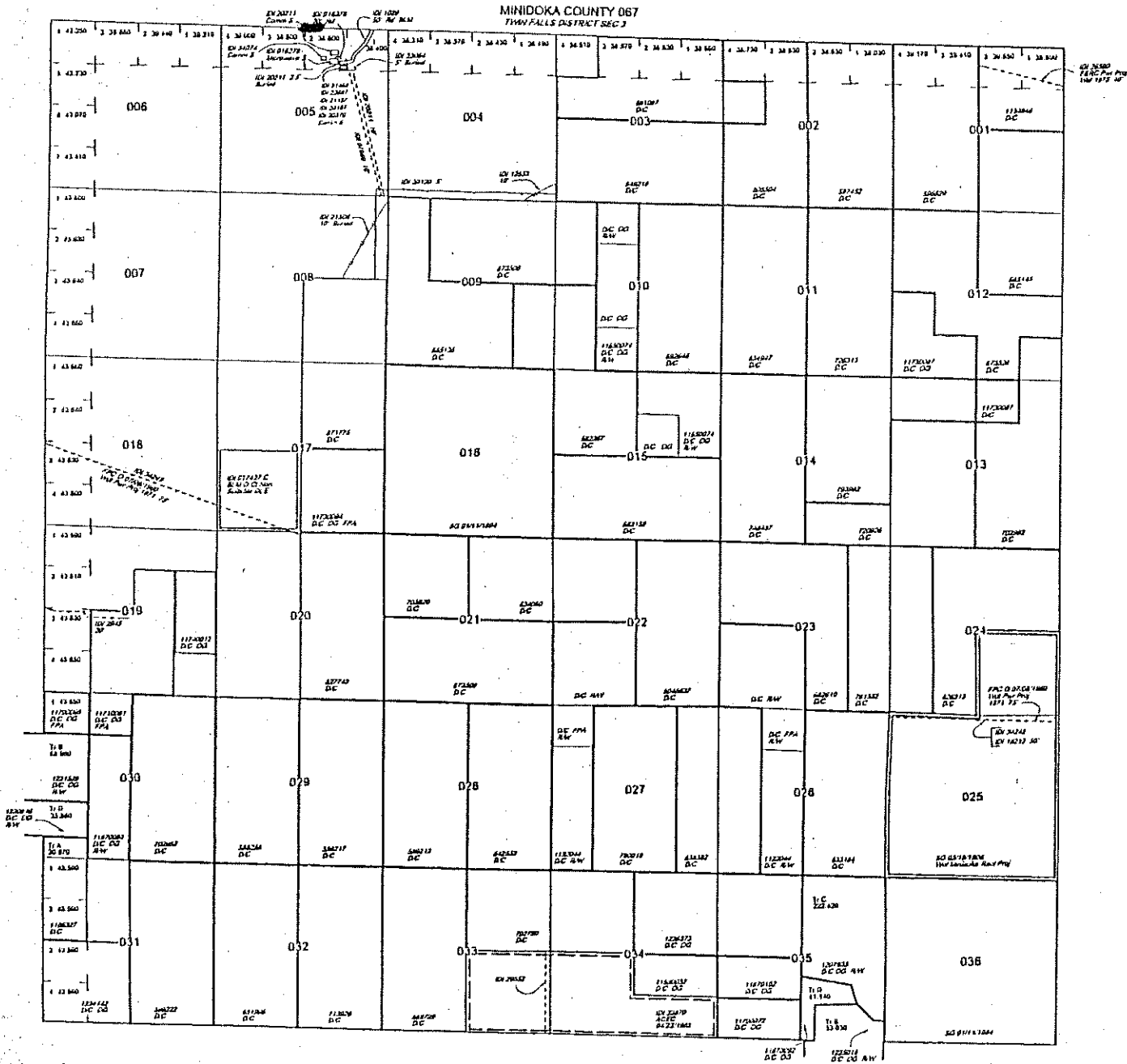
[illegible]

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

CURRENT TO	CURRENT TO
111 15 2000	

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]

101 2556 BLA C CH MIA Uia, Minnesota County;
Sagr from appropriation under DLE, HE, EA, & PS
All unappropriated public land

Sac. 2. 1 of 4

SAC 4.2 pls 1.2 57ME SE

SAC 11. SE

Sac 34: SW, S25E

IDA 15743 SAs as Act 09/12/1978
Sec 21: E2MV

Sec 11: E2MA

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

FILE REF: SCACMS02DZC.MTDCG06.dwg
CONVERTED TFF: D015/2006 BY: LFM
LAST UPDATED: 25/29/2006 BY: LFM
QACOC #1: E G QACOC #2: *D02 27/10*
POSTED TO PUBLIC RECORDS:
BY: JUN 20 2006
PUBLIC LAND SURVEY SYSTEM (PLSS)
BLM/GCB ACQUIRED: 6/12/2008
OTHER: N/A
PROJECT COORDINATE SYSTEM: UTM ZONE 12N, NAD 1983

BURLEY DISTRICT SEC 3

MT PLAT

[illegible]

1 15243 Sub A Act 9/18/1978
Buc. 31: Tract F

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

CLIENT TO	CLIENT TO

BURLEY DISTRICT SEC 3

MT PLAT

[illegible]Sec. 23. Legal

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

CURRENT TO	CURRENT TO
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MINIDOKA COUNTY

BURLEY DISTRICT SEC 3

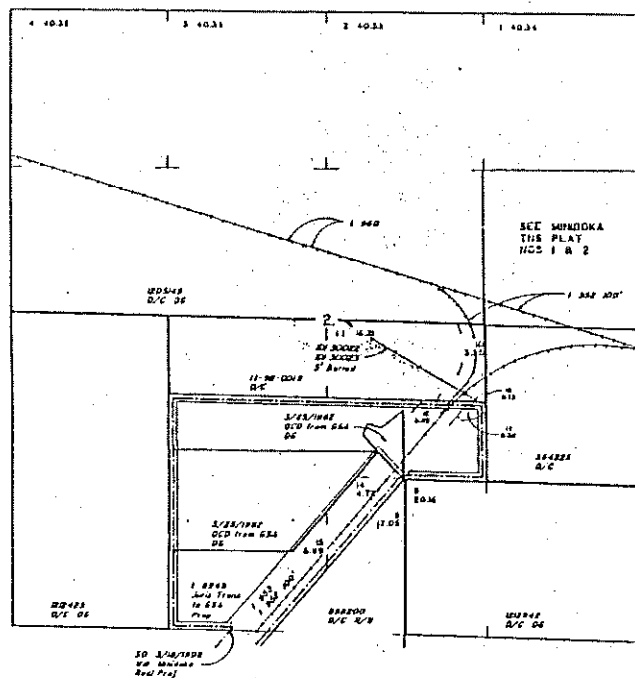
NO 4

MTP
SUPPL SEC 2

4437

[illegible]

1 10243 Siley Act 9/18/1970
Soc 35: MWW

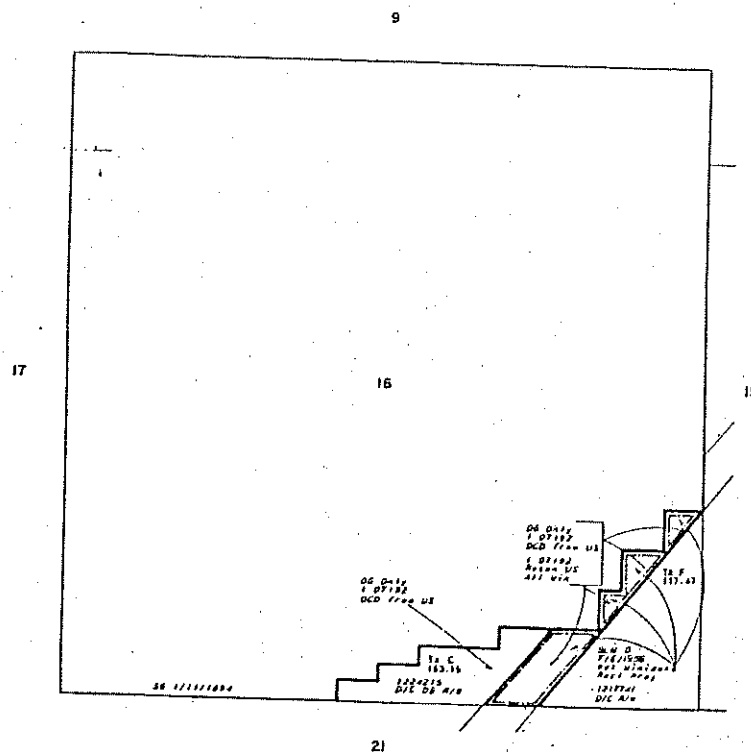


FOR PROCEEDS EFFECTIVE DISPOSAL OF USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CLASSIFY BY	CLASSIFY TO
~~SECRET~~	
NOV 2 2000	
USE PLATE:	

-----, 1941

MTP
SUPP Sec 16

[illegible]

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

CURRENT TO	CURRENT TO
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USE PLAYS:

BURLY DISTRICT SEC 3

LAND AND MINERAL RIGHTS

SHEET 2

INDEX TO SEGREGATED TRACTS

[illegible]

INDEX MAP

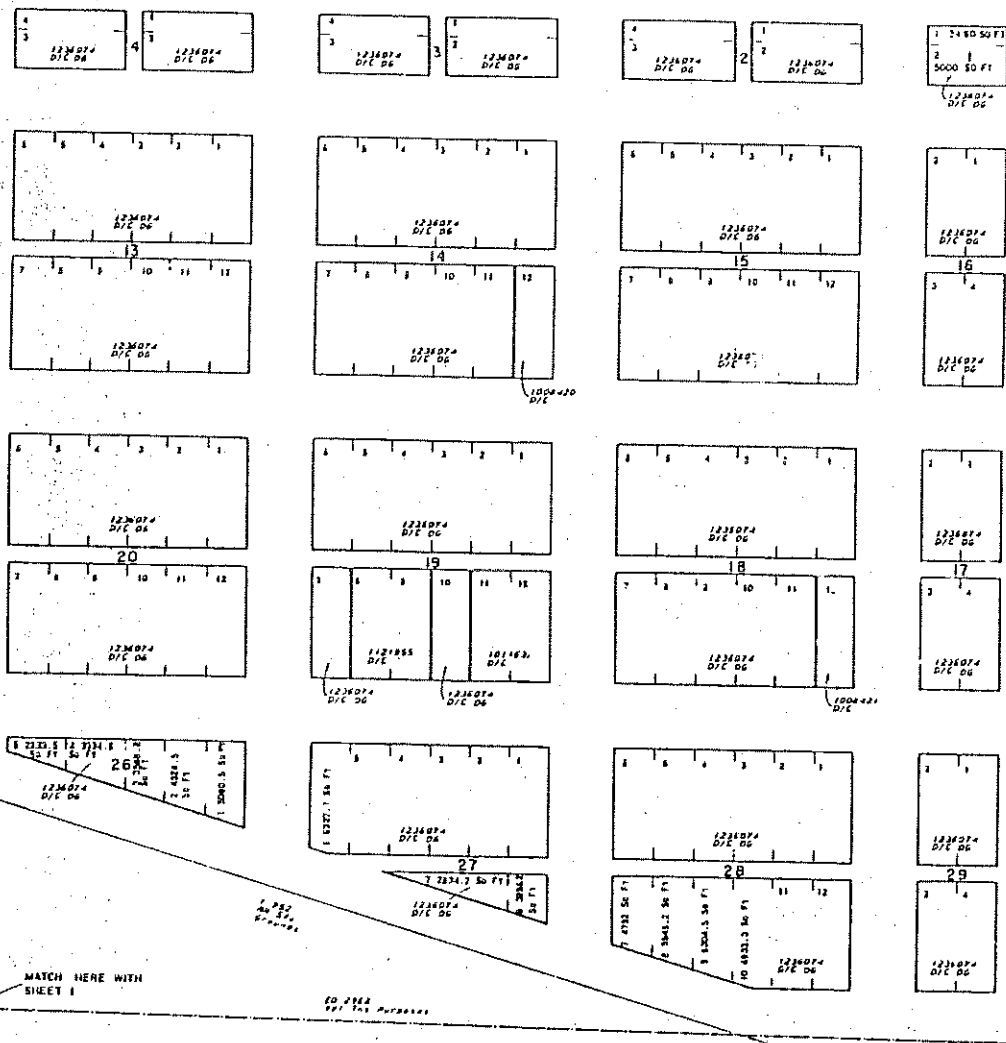


FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
AUG 2 1963	

USE PLAYS:

MATCH HERE WITH



Note: All lots in W 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]

MATCH HERE WITH
SHEET 2

Note: All lots in blocks 5, 6, 7, 8, contain 3740 Sq Ft
All lots, unless otherwise noted contain 3000 Sq Ft

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

COMMENT TO	COMMENT TO
4-136	

USE PLATS: