

**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 01-00013
(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: Falls Irrigation District

Address: 310 Valdez St.; American Falls, Idaho 83211

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)

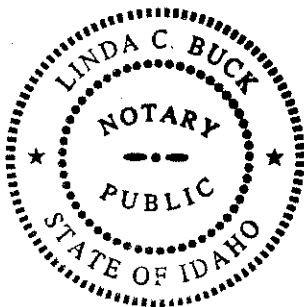
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

October 5, 2006
Linda C. Buck
Linda C. Buck



Notary Public for State of Idaho
Residing at: Mountain Home, ID.
My Commission Expires: 12-21-2011

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 Oct. 5, 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:

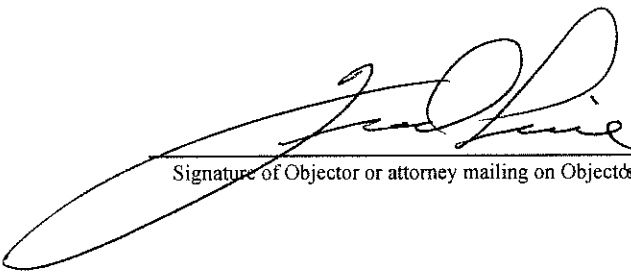
Name: Falls Irrigation District
Address: 310 Valdez St.; American Falls, Idaho 83211
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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: 1-13
NAME AND ADDRESS: FALLS IRRIGATION DISTRICT
310 VALDEZ ST
AMERICAN FALLS ID 83211

POU: Digital Boundary includes BLM

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 125.000 CFS

PRIORITY DATE: 04/01/1939

POINT OF
DIVERSION: T07S R31E S30 SWSE Within POWER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	125.000 CFS

PLACE OF USE:

12621 ACRES TOTAL

Place of use is within the boundary of Falls 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.

The rights listed below are limited to the irrigation of a combined total of 12,621 acres in a single irrigation season. Combined right nos. 01-13, 01-2061, 29-2262, 29-2267, 29-2288, 29-2306, 29-2307, 29-2310, 29-2341, 29-2380, 29-2568, 29-2614, 29-11167, 29-11168, 29-11169, 29-13388, 29-13389, 29-13426, 29-13427.

This right is limited to the irrigation of 6250 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The delivery of water to this right may be subject to procedures described in the United States Bureau of Reclamation "space holder" contracts and the Burley Irrigation Dist. v. Eagle, Supplemental Decree (Idaho 5th Jud. Dist., July 10, 1968) and Aberdeen-Springfield Canal Co. v. Eagle, Supplemental Decree (Idaho 7th Jud. Dist., March 12, 1969) together with the natural-flow and storage deliveries as calculated by the Idaho Department of Water Resources.

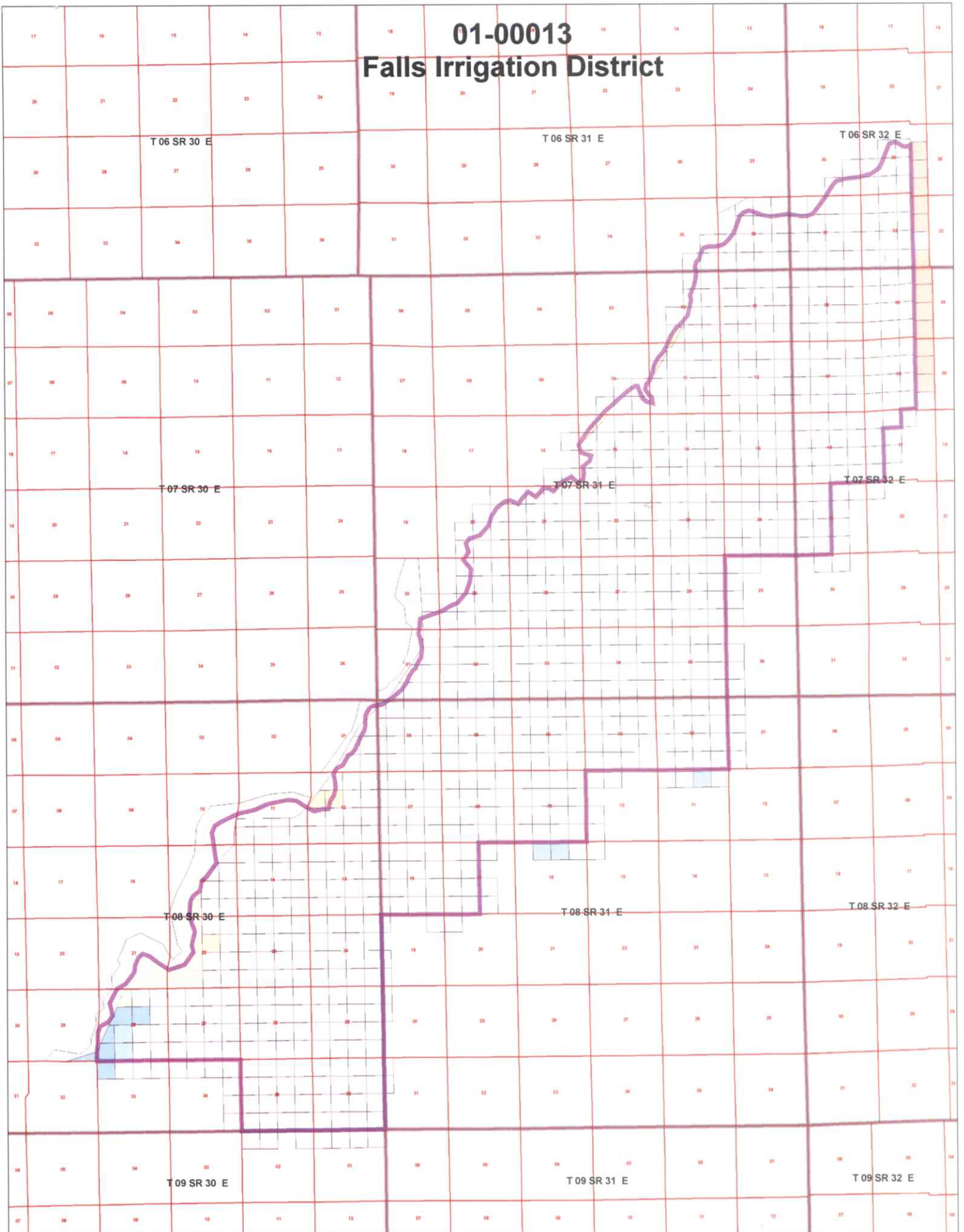
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Water is delivered through Michaud Canal at American Falls.

01-00013
Falls Irrigation District



POWER COUNTY 077
BURLEY DISTRICT SEC 3

NO 1
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL Sec II, 22, 28

[illegible]

BLM O 3/18/1954 Open to Entry Subj to Sec 24 FPA
 Par 5 Res 117 EO 72/1540
 Sec 11: Lots 7, 8

1 2556 RE N O C Multi Use, Power County;
Sagr from appropriation under DLE, NE, LA, & PS
All unappropriated public land within
Sec 11: Lot 14, N 1/4 NE 1/4, N 5/8 NE 1/4
Sec 12: Lot 3

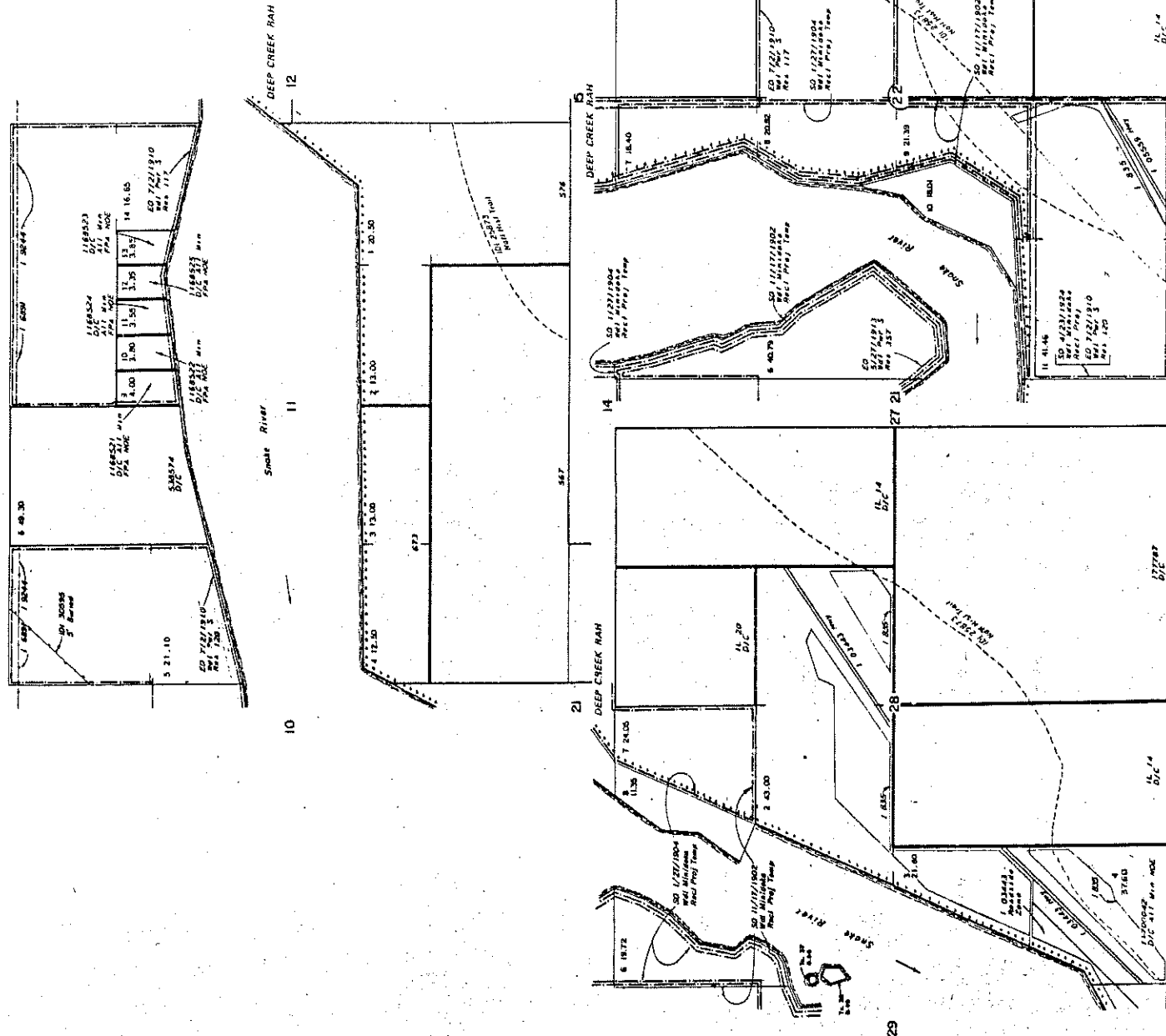
FDI 25873 Neil Hise Trail -
Historical information only, does not handle
public access

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

CURRENT TO	CURRENT TO
AGE 21.189	

USE PLAYS

T. 85



27
WARNING STATEMENT
This plot is the Bureau's record of Title, and should be used only as a graphic display of the mounting survey data.

SCALE in choice

33

TOWNSHIP 7 SOUTH RANGE 31 EAST OF THE BOISE MERIDIAN, IDAHO

POWER COUNTY 077

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

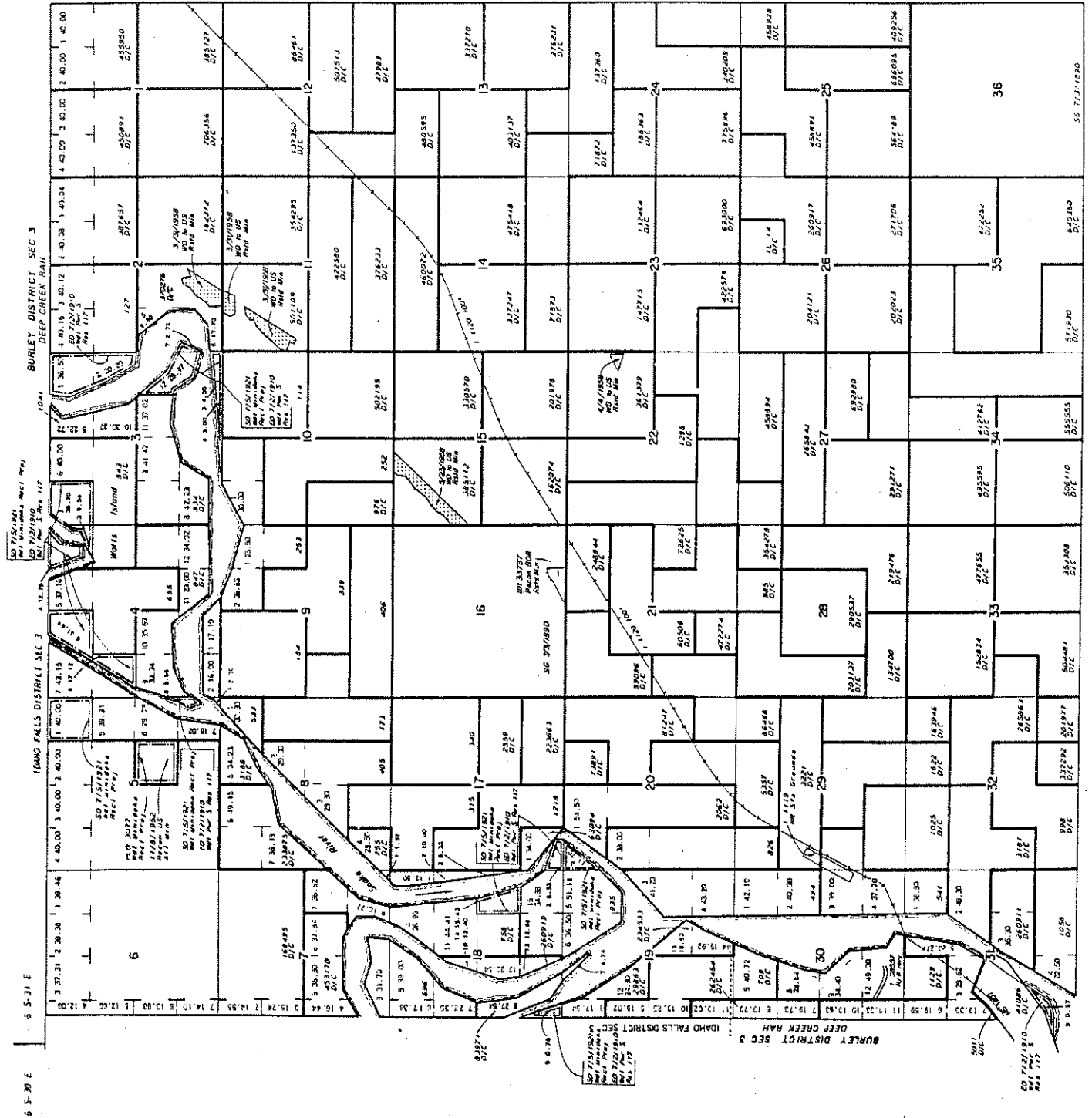
INDEX TO SEGREGATED TRACTS			
TRACT NO.	T	R	SEC
1	1	1	1
2	1	1	2
3	1	1	3
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33	1	1	33
34	1	1	34
35	1	1	35
36	1	1	36

4/23/1956 WD to US. Reid Min
Sec 30. All of Block 44. Original Townsite
of American Falls

2/5/1960 WD to US. Reid Min
Sec 1. SE 1/4 Lot 2
Containing 0.10 Acres MOL

7/27/1967 DD to US. Reid Min
Sec 11. NE 1/4 NW 1/4 NE 1/4
Containing 0.11 Acres MOL

1/29/1968 DD to US. Reid Min
Sec 1. SW 1/4 NW 1/4 SW 1/4
Containing 0.13 Acres MOL



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

CURRENT TO	CURRENT TO
18	18
USE PLATS	USE PLATS