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 01-10476
(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: Peoples Canal & Irrigation Co.
Address: 1050 W Hwy 39; Blackfoot, Idaho 83221
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.

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: October 5, 2006

Linda C. Buck

LINDA C. BUCK NOTARY PUBLIC STATE OF IDAHO

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: Peoples Canal & Irrigation Co.
Address: 1050 W Hwy 39; Blackfoot, Idaho 83221
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

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-10476

Pou: Digital Boundary includes BLM

NAME AND ADDRESS: PEOPLES CANAL & IRRIGATION CO
1050 W HWY 39

BLACKFOOT ID 83221

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 16.600 CFS

PRIORITY DATE: 07/15/1888

POINT OF DIVERSION: T01S R36E S26 NWSENE Lot 1 Within BINGHAM County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	16.600 CFS

PLACE OF USE:

15222 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 area served by Peoples Canal & Irrigation Company.

This right is limited to the irrigation of 770 acres within the place of use described above in a single irrigation season.

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

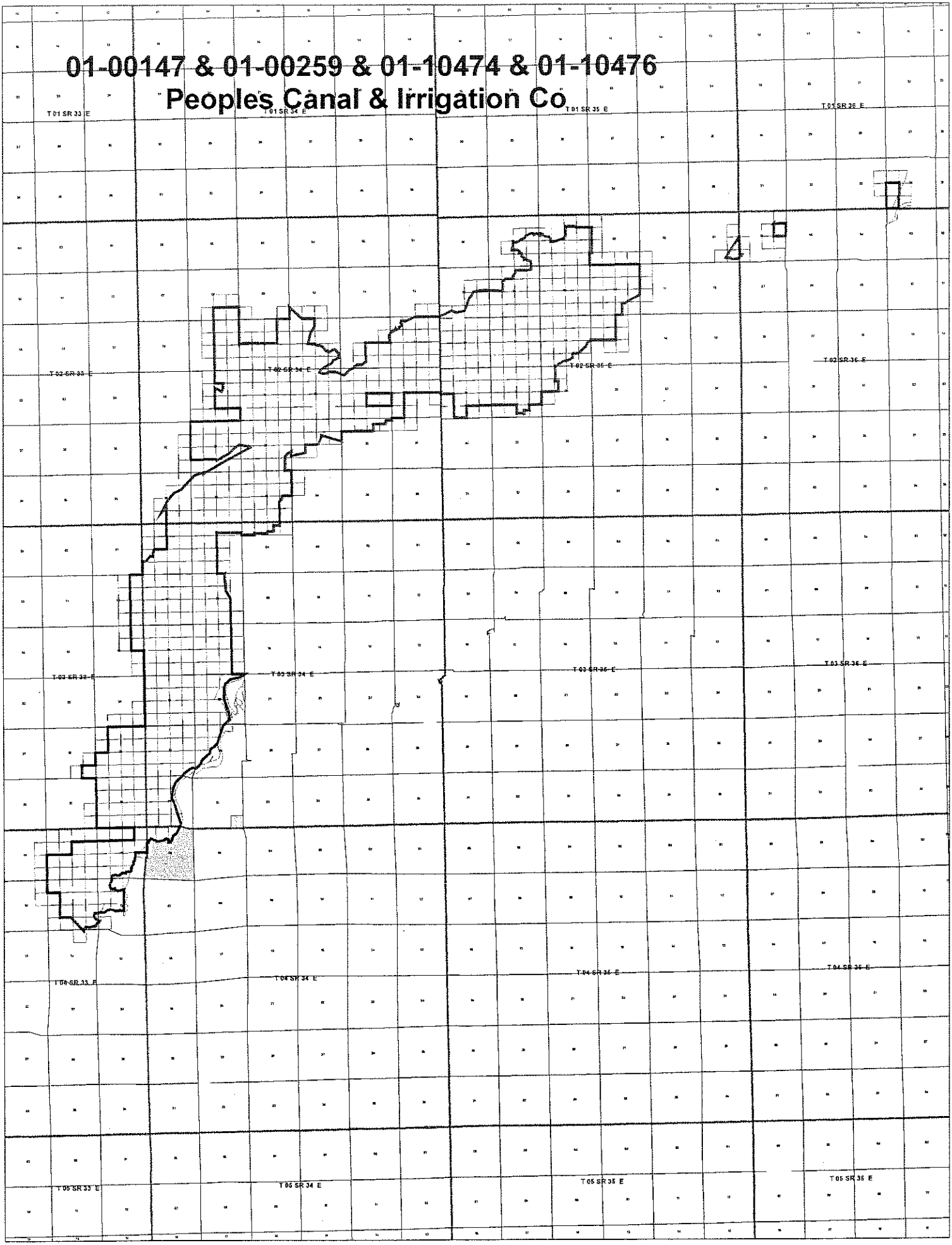
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a combination of old Right Nos. 1-192B, 1-192D, 1-192K, and 7.6 cfs of 1-192Q.

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

Water is delivered through Peoples Canal.

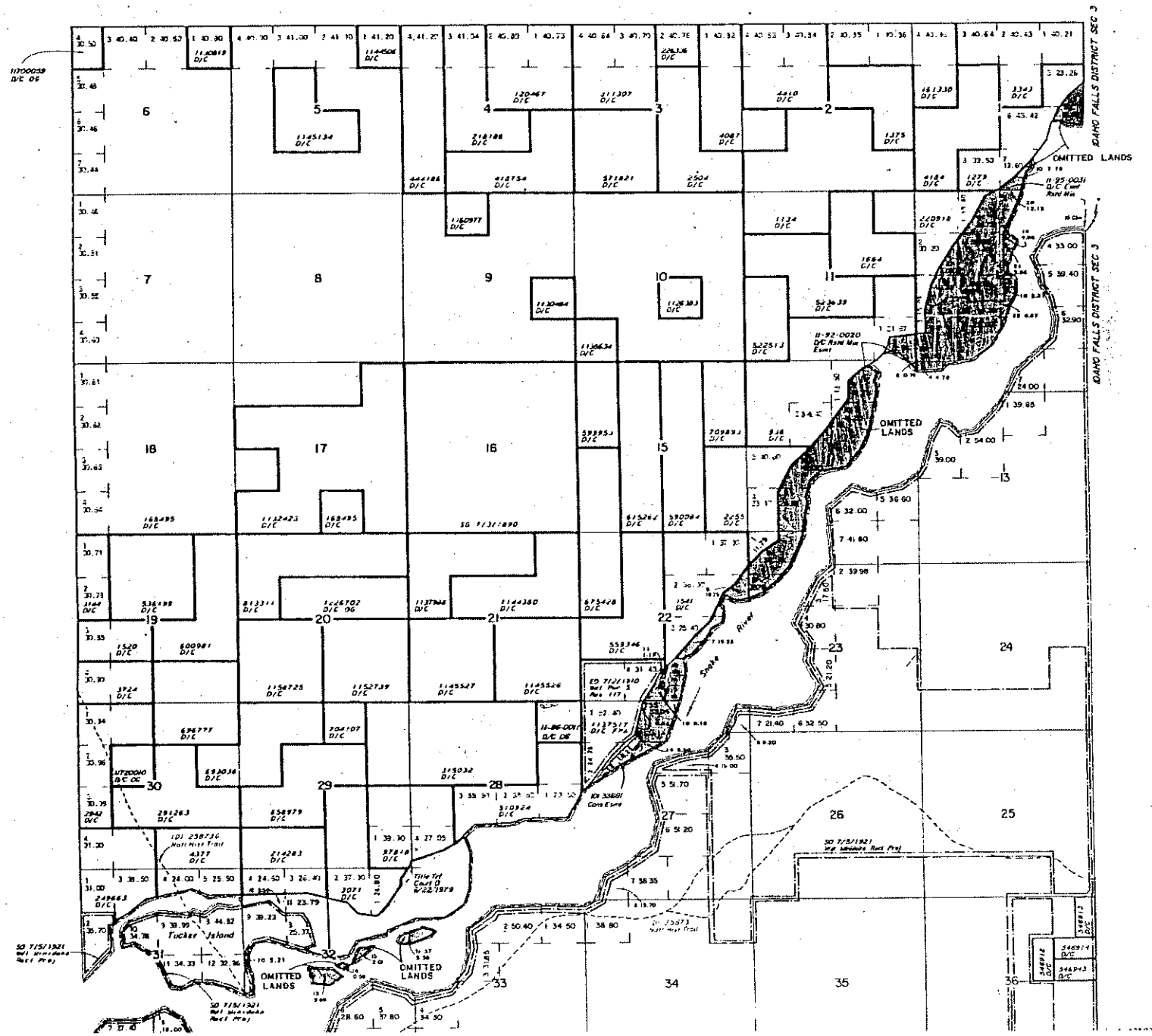

01-00147 & 01-00259 & 01-10474 & 01-10476
Peoples Canal & Irrigation Co
T 01 SR 33 E
T 01 SR 34 E
T 01 SR 35 E
T 01 SR 36 E
T 02 SR 33 E
T 02 SR 34 E
T 02 SR 35 E
T 02 SR 36 E
T 03 SR 33 E
T 03 SR 34 E
T 03 SR 35 E
T 03 SR 36 E
T 04 SR 33 E
T 04 SR 34 E
T 04 SR 35 E
T 04 SR 36 E
T 05 SR 33 E
T 05 SR 34 E
T 05 SR 35 E
T 05 SR 36 E

TOWNSHIP 4 SOUTH RANGE 33 EAST OF THE BOISE MERIDIAN, IDAHO

BINGHAM COUNTY OII

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT



INDEX TO SEGREGATED TRACTS				
RESURVEY	ORIGINAL SURVEY			
TRACT NO	T	R	SEC	SUBDIVISION

SD 7/5/1921 Wat Minidoka Rect Proj, all islands in Snake River

ED 7868 4/15/1938 Trf Juris of Acq Lands from Dept of Agric to Dept of Int, BIA
All land lying within Fort Hall Ind Res

GLO 8/16/1943 Open to Entry Subj to Sec 24 FPA Per S Ct 117 ED 7/2/1910
Sec 22: Lot 4, SW¼SE¼
Sec 27: Lots 1, 2

I 19390 Offer of Omitted Lands to Preference Rights Claimants Pursuant to Act of Cong 5/31/1962
Sec 1: Lot 10
Sec 11: Lot 2
Sec 12: Lots 8 thru 11, 14 (portion), NE¼SW¼ (portion)
Sec 14: Lot 9, 10 (portion), 11 (2 portions), 12 (portion)
Sec 27: Lot 10 (portion)

IDI 25873 Natl Hist Trail
Historical information only, does not denote public access

IDI 25873G Natl Hist Trail
Historical information only, does not denote public access

IDI 33016 Act of Cong Apln
Sec 22: Lot 11
Sec 27: Lots 11, 12

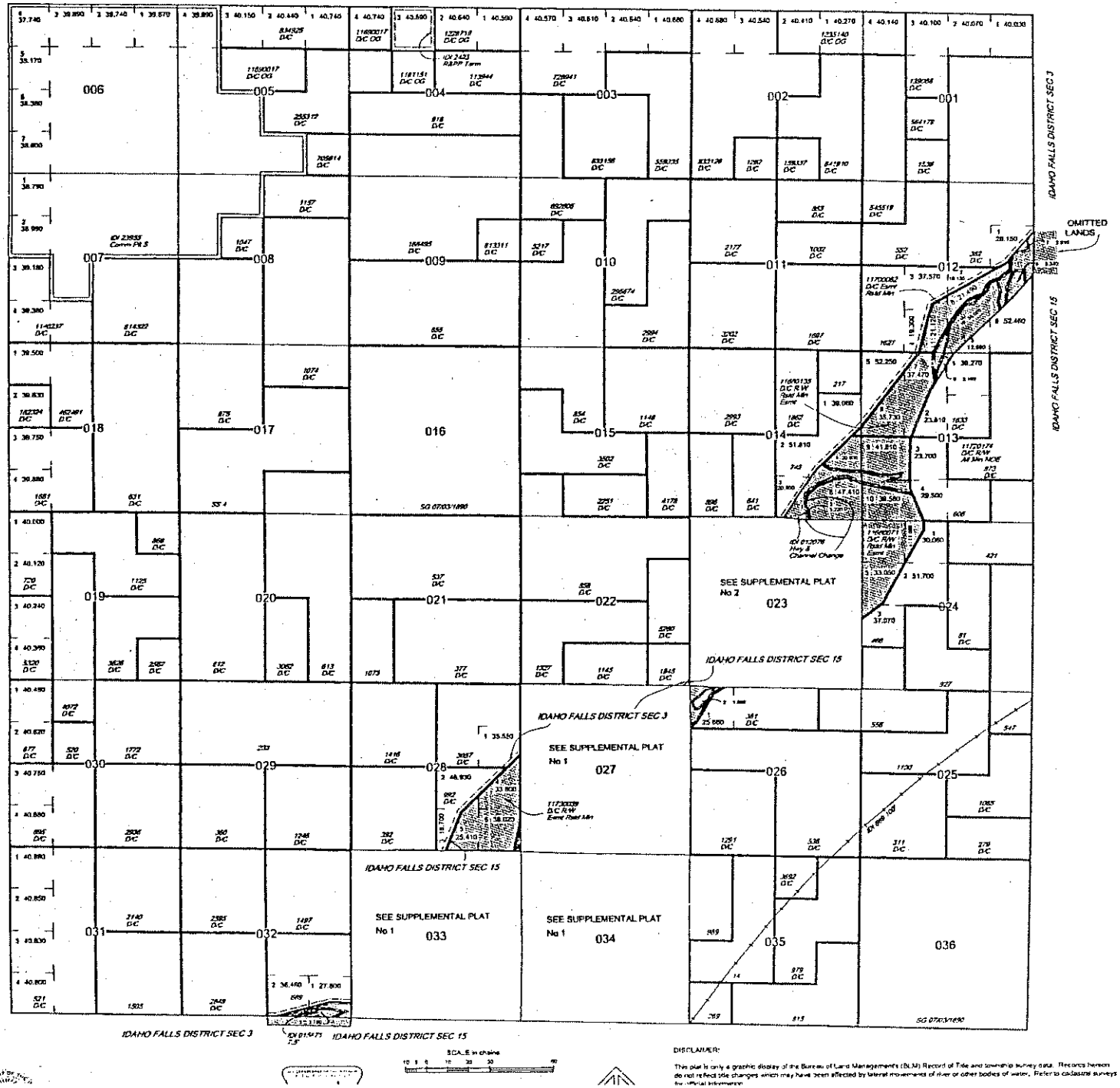
FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS REFER TO INDEX OF MISCELLANEOUS DOCUMENTS

CURRENT TO	CURRENT TO
NOV 15 '99	

USE PLATS:

TOWNSHIP 2 SOUTH RANGE 35 EAST OF THE BOISE MERIDIAN, IDAHO

BINGHAM COUNTY 011



STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS				
RESURVEY	ORIGINAL SURVEY			
TRACT NO	T	R	SEC	SUBDIVISION

IDI 013873 offer of omitted lands to Preference Right Claimants pursuant to Act of Cong 05/31/1962
- Sec. 23: Lots 14,18
- Sec. 27: Lots 8 to 14 Incl, 18
- Sec. 28: Lots 4 to 6 Incl
- Sec. 33: Lots 8 to 15 Incl. NENE
- Sec. 34: Lots 4 to 10 Incl, NENE

IDI 17090 offer of omitted lands to Preference Right Claimants pursuant to Act of Cong 05/31/1962
- Sec. 33: Lots 12,13,14,15 (portion)

Survey Pending Group No 894
- Partial Tp

IDI 2423 R&PP Landfill Lse Term 10/21/1988
- Sec. 4: Lot 3

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

FILE REF:	1008X02W0135NEAMT0000a.dwg
CONVERTED TIFF:	09/22/2005 BY: LFM
LAST UPDATED:	01/01/2005 BY:
QA/QC #1:	QA/QC #2:
POSTED TO PUBLIC RECORDS: BY:	MAR 10 2006
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BLM GCDB ACQUIRED:	04/26/2005
OTHER:	N/A
PROJECTED COORDINATE SYSTEM:	UTM ZONE 12N, NAD 1983
NOTES:	
USE PLATS:	

DISCLAIMER:

This plat is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and township survey data. Records hereon do not reflect title changes which may have been affected by lateral movements of river or other bodies of water. Refer to cadastral surveys for official information.

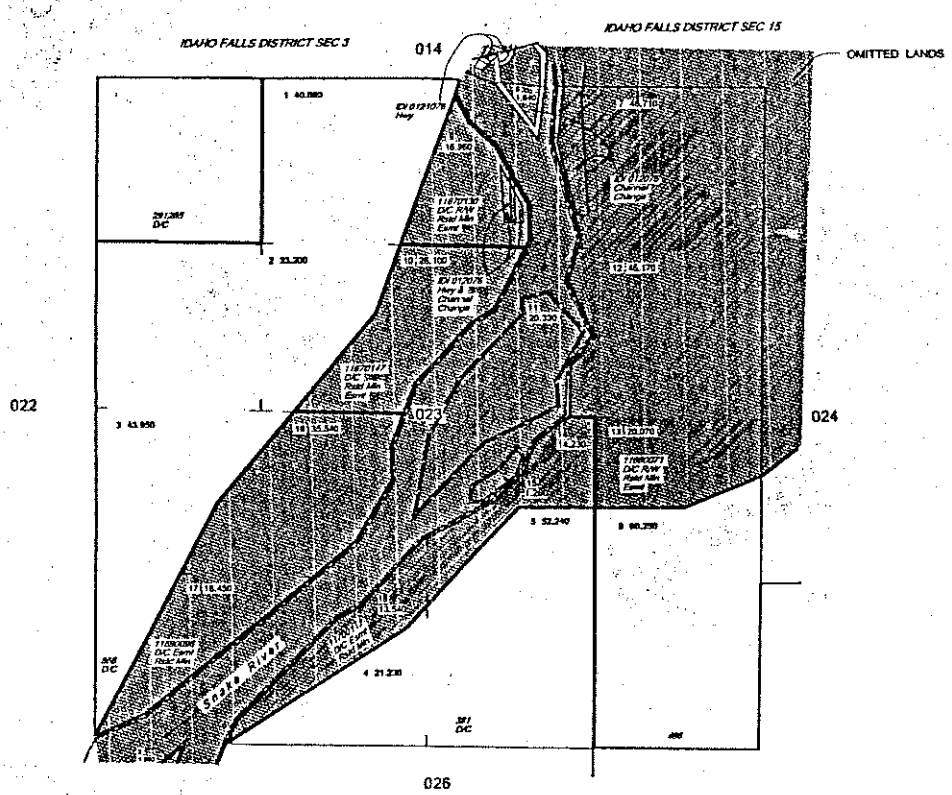
TOWNSHIP 2 SOUTH RANGE 35 EAST OF THE BOISE MERIDIAN, IDAHO

BINGHAM COUNTY 011

No. 2

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT
SUPPL Sec 23



INDEX TO SEGREGATED TRACTS				
RESURVEY	ORIGINAL SURVEY			
TRACT NO.	T.	R.	SEC.	SUBDIVISION

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

FILE REF:	ID060020S0350EsMT0023a.dwg
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QA/QC #1:	QA/QC #2:
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BLM GCDB ACQUIRED:	04/26/2005
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USE PLATS:	

SCALE in chains

SCALE in feet

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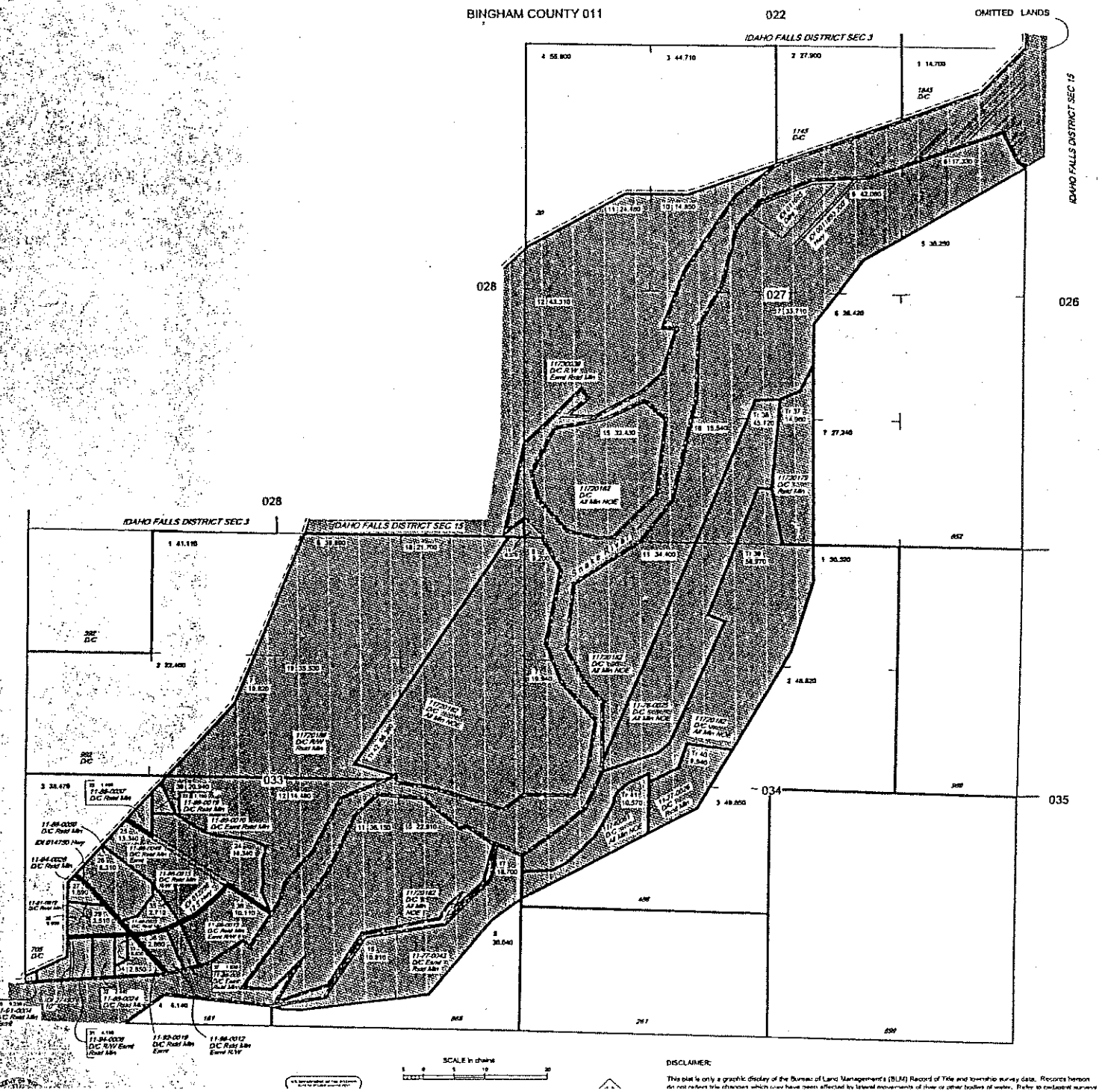

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No. 1

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

MT PLAT
SUPPL Sec 27, 33, 34

INDEX TO SEGREGATED TRACTS				
RESURVEY	ORIGINAL SURVEY			
TRACT NO	T	R	SEC	SUBDIVISION

IDI 014155 Act of Cong Aplt
Sec 33: M&B

IDI 014187 Act of Cong Aplt
Sec 33: Part lot 15

IDI 014194L In Litigation
Sec 33: Part lots 12,13,14

IDI 014011, IDI 014155, IDI 014177, IDI 014178, IDI 014179, IDI 014180, IDI 014186, IDI 014050, IDI 014189, IDI 014196 are involved with IDI 014194L

IDI 17090 offer of omitted lands to Preference Right Claimants pursuant to Act of Cong 05/31/1962
Sec 33: Lots 12,13,14,15 (portion)

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BY:	MAR 1 0 2006
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