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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 01-00035AC

(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: Butler Island Canal Co.; c/o Ann Ferguson

Address: 15533 E. Ririe Hwy.; Ririe, Idaho 83443

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)

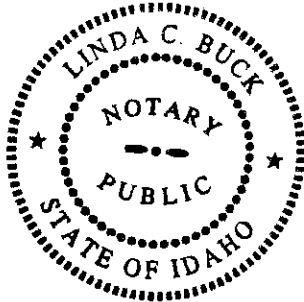
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price  
(Signature of person filing objection)

Larry A. Brown  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

04-16-07  
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 4-16, 2007, 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: Butler Island Canal Co.; c/o Ann Ferguson  
Address: 15533 E. Ririe Hwy.; Ririe, Idaho 83443

Name:  
Address: ;

Name:  
Address: ;

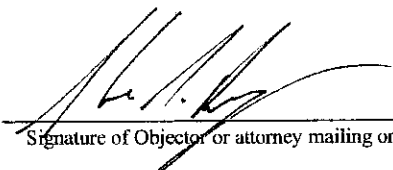
Name:  
Address: ;

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

12/16/2006

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

RIGHT NUMBER: 1-35AC

NAME AND ADDRESS: BUTLER ISLAND CANAL CO  
C/O ANN FERGUSON  
15533 E RIRIE HWY  
RIRIE ID 83443

**POU:**

-The Digital Boundary Place of Use describes BLM land that is not authorized for irrigation activities.

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed.

QUANTITY: 41.567 CFS

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION: T04N R40E S35 NENW Within JEFFERSON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE  
IRRIGATION

PERIOD OF USE  
04/01 10/31

QUANTITY  
41.567 CFS

PLACE OF USE:

938 ACRES TOTAL

Place of use is within the area served by Butler Island Canal Company.

**BLM land  
inside  
Digital  
Boundary**

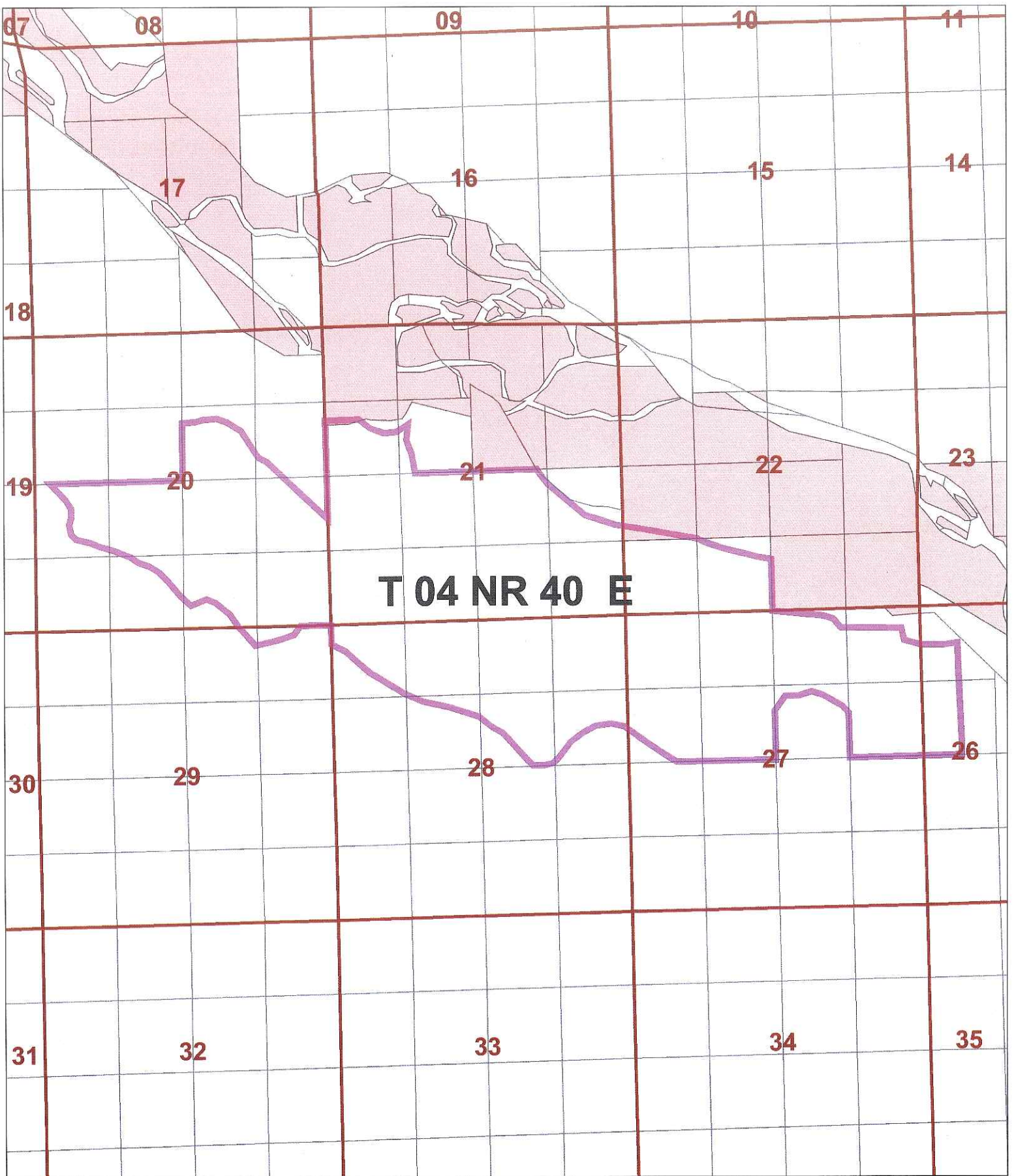
The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Butler Island Canal.



**Legend**

- SECTIONS\_ID24\_POLY
- BLM
- TOWNSHIPS\_ID24\_POLY
- butler island



0 0.1 0.2 0.4 0.6 0.8 Miles



U.S. Department of the Interior  
Bureau of Land Management  
1916 Act Authority  
BLM/AT-2016-001  
March 2, 2016



# TOWNSHIP 4 NORTH RANGE 40 EAST OF THE BOISE MERIDIAN, IDAHO

LEWIS FALLS DISTRICT SEC 15

STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL TITLES  
AND ACQUIRED LANDS

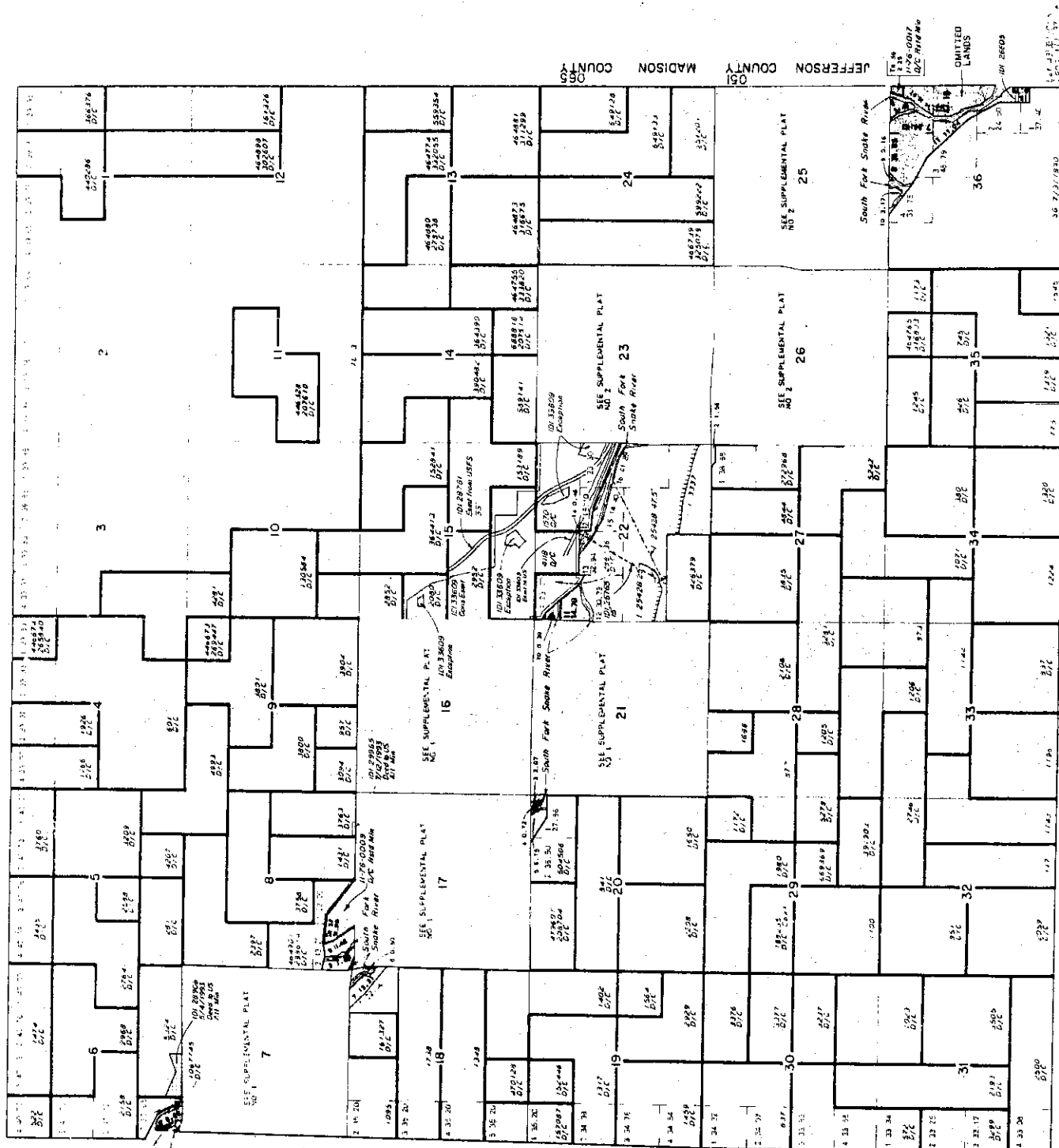
## MT PLAT

### INDEX TO SEGREGATED TRACTS

| TRACT NO. | SECTION | SUBDIVISION |
|-----------|---------|-------------|
| 1         | 1       | 1           |
| 2         | 2       | 2           |
| 3         | 3       | 3           |
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### Survey Pending Group No. 816

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WARNING: This plat is the business of a Title and should be used only as a graphic display of the township survey data. It is not a legal document and does not reflect the current status of the land.

SCALE IN Chains  
0 5 10 20 30 60

JEFFERSON COUNTY  
MADISON COUNTY  
OSI

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

CURRENT TO  
USE PLAT

2025 RELEASE UNDER E.O. 14176

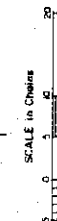
MTP  
SUPPL Sec 23,25,26

[illegible]

3-2065 Letter of Certified Mails re - 7-2-1982  
 1st 23 Enclaves pursuant to Act of Cong 7/11/1962  
 Sec 23 Part 101 IG (Now Tr 38)  
 Sec 27 Part 105 9, 40 (Now Tr 38), lot 15  
 Sec 26 Part 105 15 to 18 incl (Now Tr 38)

Pgs 42B  
 Sec 24 1st 2nd 3rd 4th Conting

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

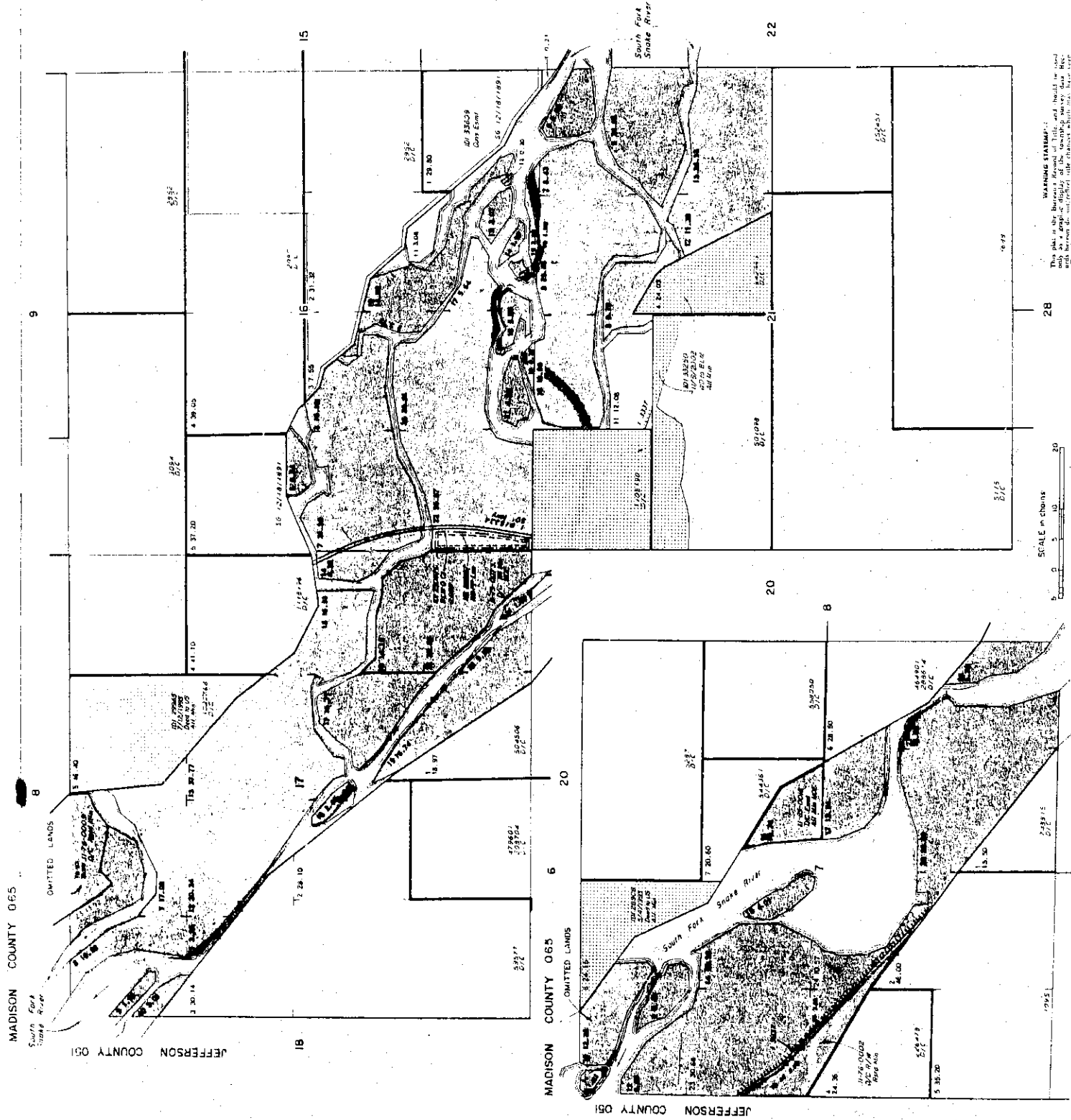
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**WARNING STATEMENT**

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| F.        | 4 | 7  |

# TOWNSHIP 4 NORTH RANGE 40 EAST OF THE BOISE MERIDIAN, IDAHO

(CONT. FROM PLAT 1151817 SEC. 13)



**WARNING STATEMENT:**  
This plat is the Bureau's record of title and should be used with the understanding that the Bureau does not warrant the accuracy of the information contained herein. The Bureau is not responsible for any errors or omissions in this plat or for any consequences arising therefrom.

SCALE in miles

1995

STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL TITLES  
AND ACQUIRED LANDS

MTP  
SUPPL Sec 7,16,17,21

| TRACT NO. | ORIGINAL SURVEY | SUBDIVISION |
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FOR ORDERS EFFECTING DISPOSAL OR USE OF  
UNIDENTIFIED LANDS REFER TO INDEX OF  
MISCELLANEOUS DOCUMENTS

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