

**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 01-00149B
(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: Lenroot Canal Co.; c/o Lynn Nelson, Jr.
Address: 617 W. 7800 S.; Rexburg, Idaho 83440

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.

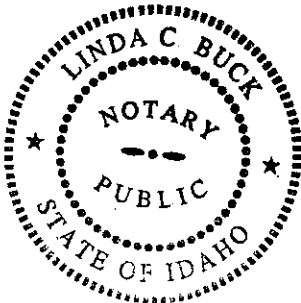
Fredric W. Price
(Signature of person filing objection)

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 4-17, 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: Lenroot Canal Co.; c/o Lynn Nelson, Jr.
Address: 617 W. 7800 S.; Rexburg, Idaho 83440

Name:
Address: ;

Name:
Address: ;

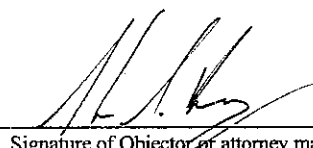
Name:
Address: ;

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: 1-149B

NAME AND ADDRESS: LENROOT CANAL CO
C/O LYNN NELSON JR
617 W 7800 S
REXBURG ID 83440

POU:

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

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0 140 CFS

Adequate headgates and measuring devices shall be maintained in a manner that will provide the watermaster suitable control of the diversion

The rights listed below are limited to a total combined annual diversion volume of 409.5 af. Combined Right Nos.: 1-149B, 1-150B, 1-151B, 1-182D, 1-187D, 1-251B, and 1-323B

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION: T04N R40E S8 SWNESW Within MADISON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0 140 CFS

PLACE OF USE:

3031 ACRES TOTAL

Place of use is within the area served by Lenroot 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.

The rights listed below are limited to the irrigation of a combined total of 117 acres in a single irrigation season. Combined Right Nos.: 1-149B, 1-150B, 1-151B, 1-182D, 1-187D, 1-251B, and 1-323B

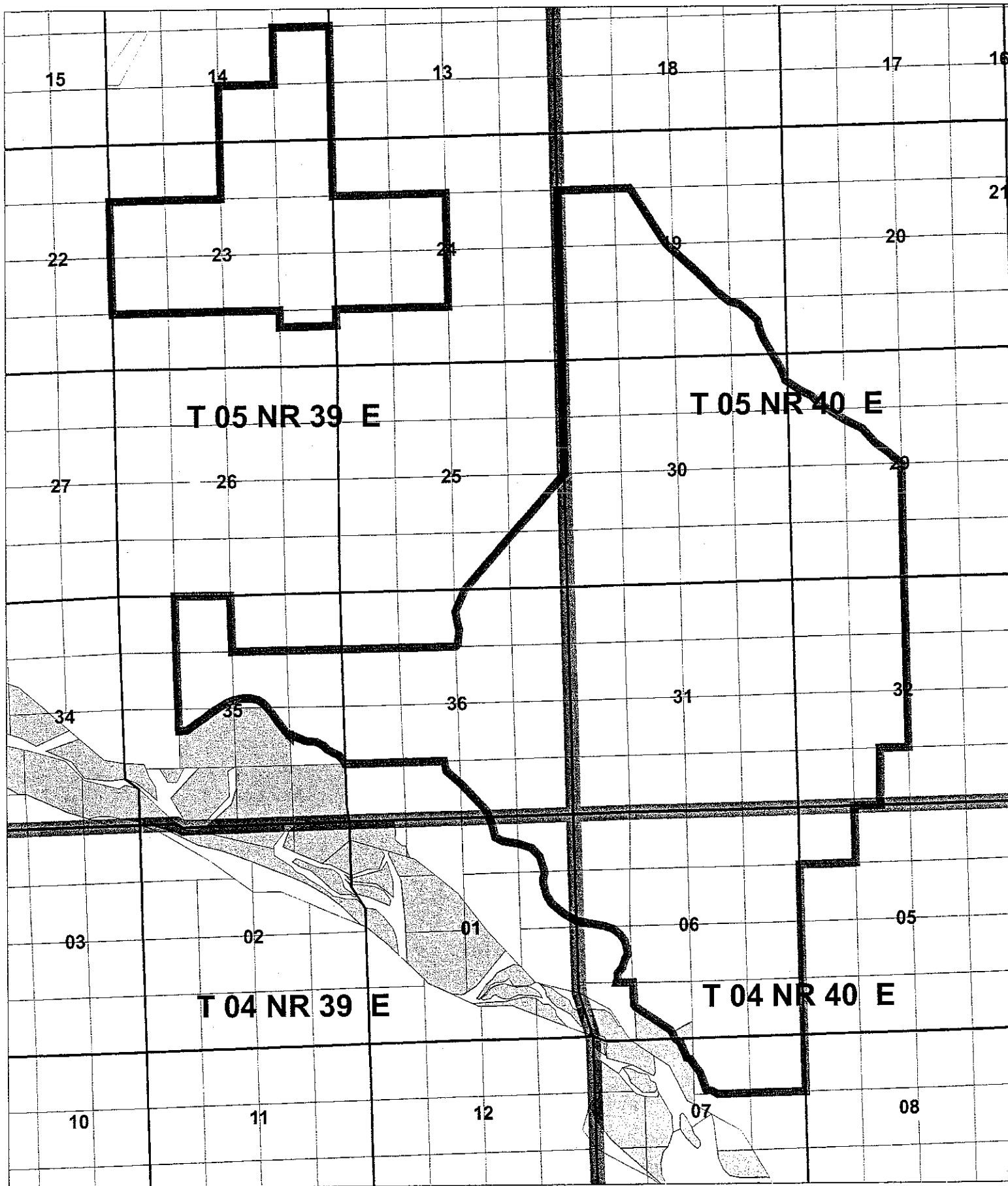
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 Lenroot Canal.

Use of water under this water right will be regulated by the watermaster of State Water District No. 1



Legend

-  SECTIONS_ID24_POLY
-  BLM
-  TOWNSHIPS_ID24_POLY
-  Inroot canal

0.08590.180.270.36
Miles



U.S. Department of the Interior
Bureau of Land Management
1010 North 1st Street
Bismarck, ND 58105
701/224-2800
www.blm.gov



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

10000 FEET DISTRICT SEC 15

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

INDEX TO SEGREGATED TRACTS			
TRACT NO.	T.	R.	SEC.
1	4	40	15
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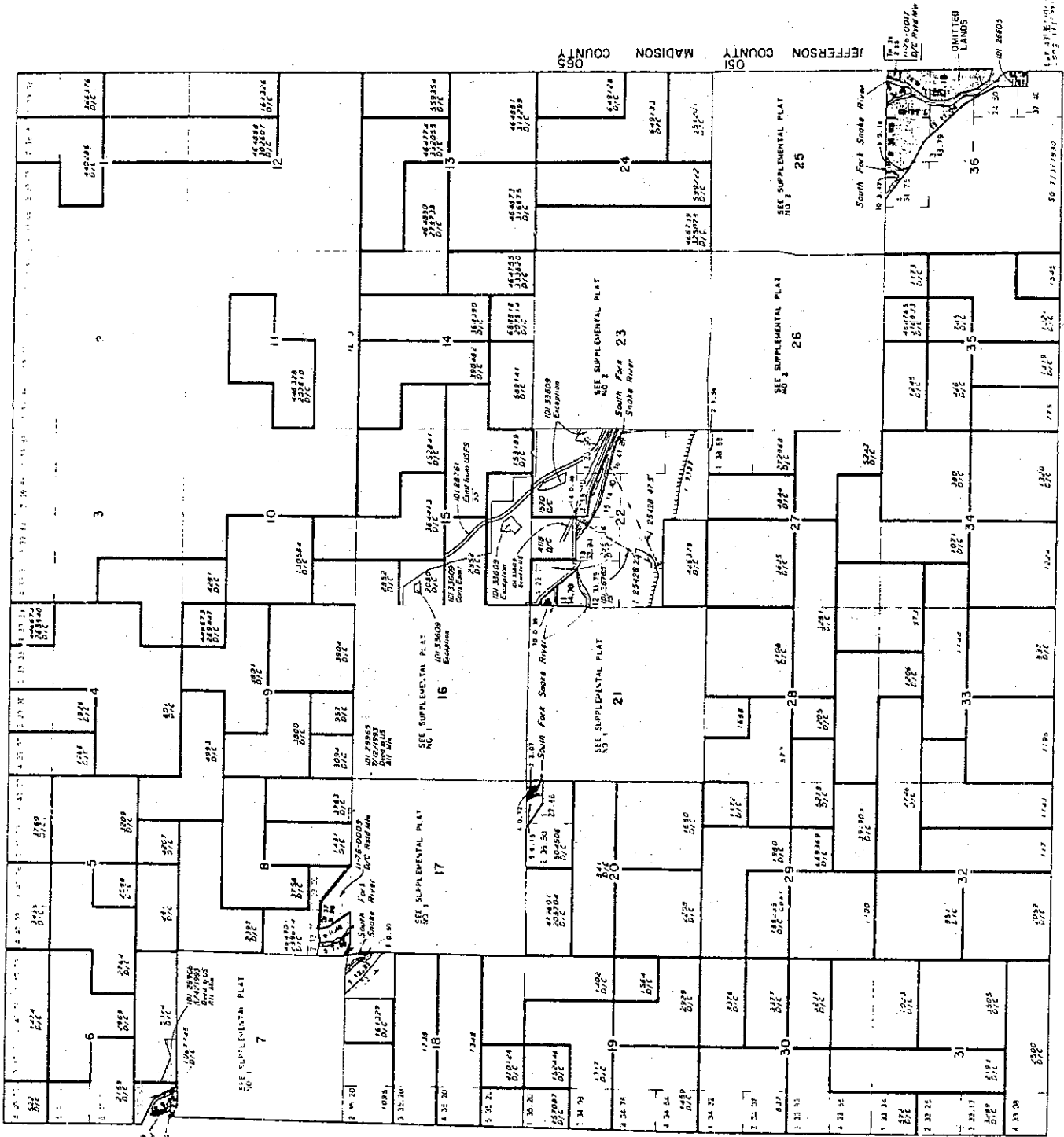
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WARNING STATEMENT
This plat is the Bureau's record of Title, and should be used
for reference only. It is not a warranty of title.

SCALE in Chains

USE PLATS

CURRENT TO

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

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

USDA - FALLS DISTRICT SEC 12

MADISON COUNTY 065

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Curriculum Falls 0157617 SEC 12

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL Sec 23,25,26

[illegible]

1. 1-26 offer of Charles Lewis to purchase
the Clementis farmward to act as Long 5/31/1982

See 21 Part Lot 10 (Now Tr 38)

See 22 Part lots 9, 10 (Now Tr 38), lot 15

see 24 part Lots 15 to 16 incl (Now Tr 38)

8240
SEC 25 W/LET, SAMEL CONTEL

