

**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 01-00320
(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: New Sweden Irrigation District
Address: 2350 W. 1700 S.; Idaho Falls, Idaho 83402

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)

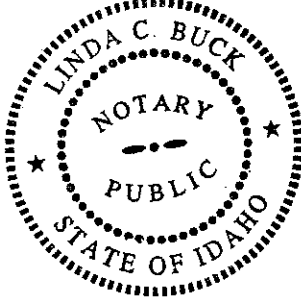
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

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: New Sweden Irrigation District
Address: 2350 W. 1700 S.; Idaho Falls, Idaho 83402

Name:
Address: ;

Name:
Address: ;

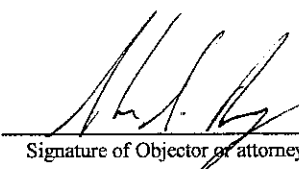
Name:
Address: ;

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: 1-320
NAME AND ADDRESS: NEW SWEDEN IRRIGATION DIST
2350 W 1700 S
IDAHO FALLS ID 83402
POU: -The Digital Boundary Place of Use describes BLM land that is not authorized for irrigation activities

SOURCE: SNAKE RIVER
TRIBUTARY: COLUMBIA RIVER

QUANTITY: 220.000 CFS

The point of diversion authorized under Transfer 71806 located in Lot 7 (SENEW), S25, T02N, R37E (Monroc-Lyons Pump, Diversion # 13059490) shall not exceed a total diversion rate of 4.61 cfs, and a total annual maximum diversion volume of 691.8 af.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

When water is not available to fill this right, the right holder shall cease diversion, shall rent water from the Water District 01 Rental Pool, or shall otherwise mitigate the depletion of water caused by this water use.

The points of diversion authorized under Transfer 69903 located in Lots 8 & 9 (NENW), S24, T3N, R37E shall not exceed a total diversion rate of 0.22 cfs, and a total annual maximum diversion volume of 39 af.

PRIORITY DATE: 04/01/1939

POINT OF

DIVERSION: T02N R37E S12 NWNENW Within BONNEVILLE County
T02N R37E S25 SENENW Lot 7 Within BONNEVILLE County
T03N R37E S13 NWNW Lot 8 Within BONNEVILLE County
T03N R37E S24 NENW Lot 8 Within BONNEVILLE County
T03N R37E S24 NENW Lot 8 Within BONNEVILLE County
T03N R37E S24 NENW Lot 9 Within BONNEVILLE County
T03N R37E S24 NENW Lot 9 Within BONNEVILLE County
T04N R37E S35 NENE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	220.000 CFS

PLACE OF USE:

27920 ACRES TOTAL

Place of use is within the boundary of New Sweden Irrigation District pursuant to Section 43-323, Idaho Code.

**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:

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.

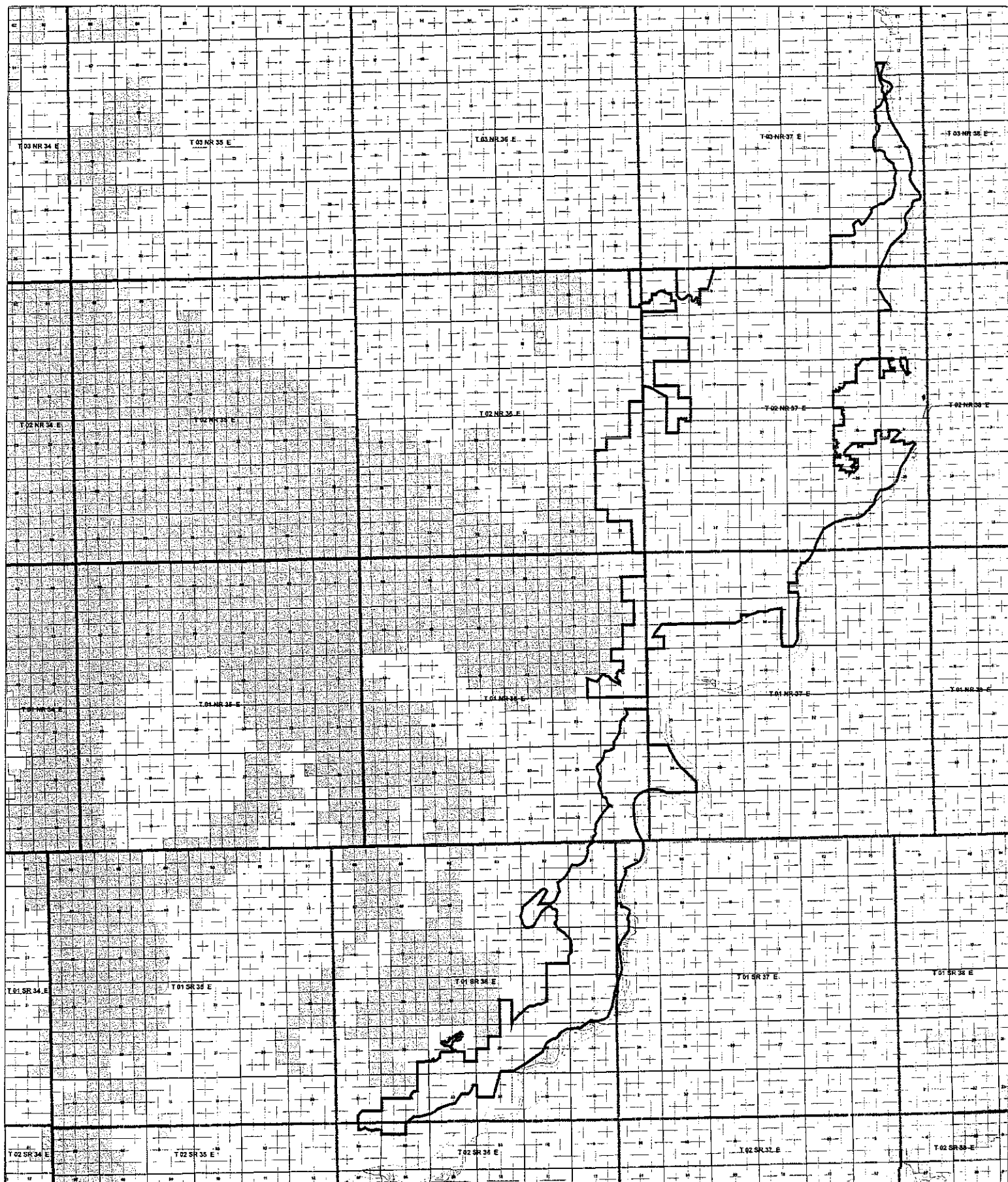
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Monroc-Lyons pump, Crandall pump, Harmel pump, Wackerli pump, Lingo pump, Fowler pump, Great Western Canal and Porter Canal.

Failure of the right holder to comply with the conditions of transfer 71810 is cause for the Director to rescind approval of the transfer.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. As of July 17, 2006, this water right is within State Water District No. 01

The right holder shall accomplish the change authorized by transfer 71810 by July 17, 2007.

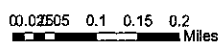
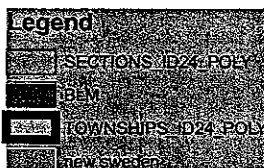


Legend

-  SECTIONS_ID24_POLY
-  BLM
-  TOWNSHIPS_ID24_POLY
-  new sweden

00.0 0.4 0.8 1.2 1.6
Miles





U.S. Department of the Interior
Bureau of Land Management
1666 North Lincoln
Bozeman, MT 59717
406/556-6000
www.blm.gov



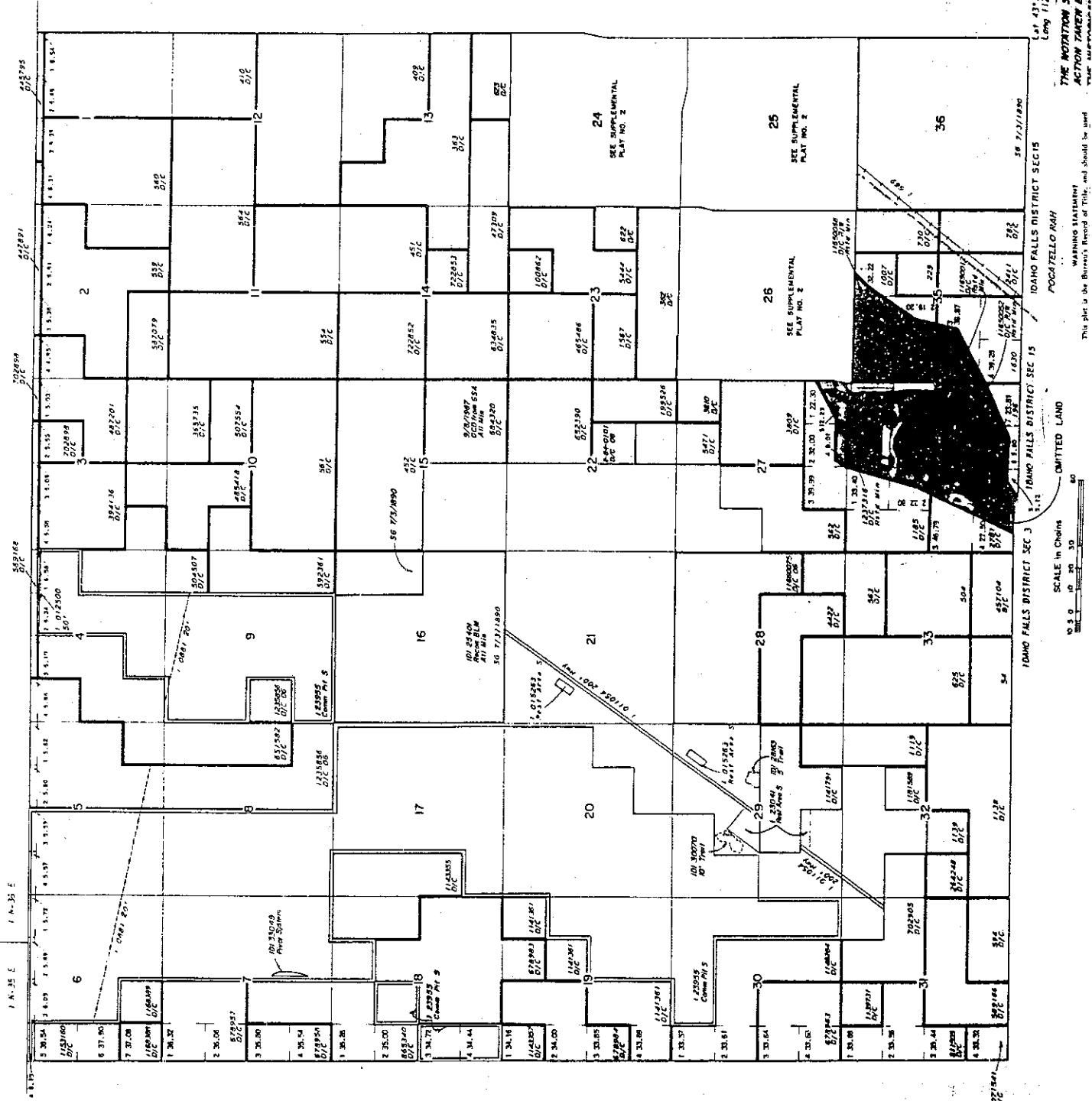
TOWNSHIP 1 SOUTH RANGE 36 EAST OF THE BOISE MERIDIAN, IDAHO

BINGHAM COUNTY 011

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS			
TRACT NO.	T.	R.	SEC.
1	1	36	1
2	1	36	2
3	1	36	3
4	1	36	4
5	1	36	5
6	1	36	6
7	1	36	7
8	1	36	8
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35	1	36	35
36	1	36	36



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

CURRENT TO	CURRENT TO
AUG 8 2000	

USE PLATS

Lat 43°16'37.612\"

Long 112°10'39.045\"

THE NOTATION SHOWN ON WITHDRAWS REPRESENT THE LAST
ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE

WARNING STATEMENT
This plat is the Bureau's Record of Title, and should be used
for information only. It is not a legal document.

SCALE in Chains
0 10 20 30 40

OMITTED LAND

IDAHO FALLS DISTRICT SEC 3

IDAHO FALLS DISTRICT SEC 15

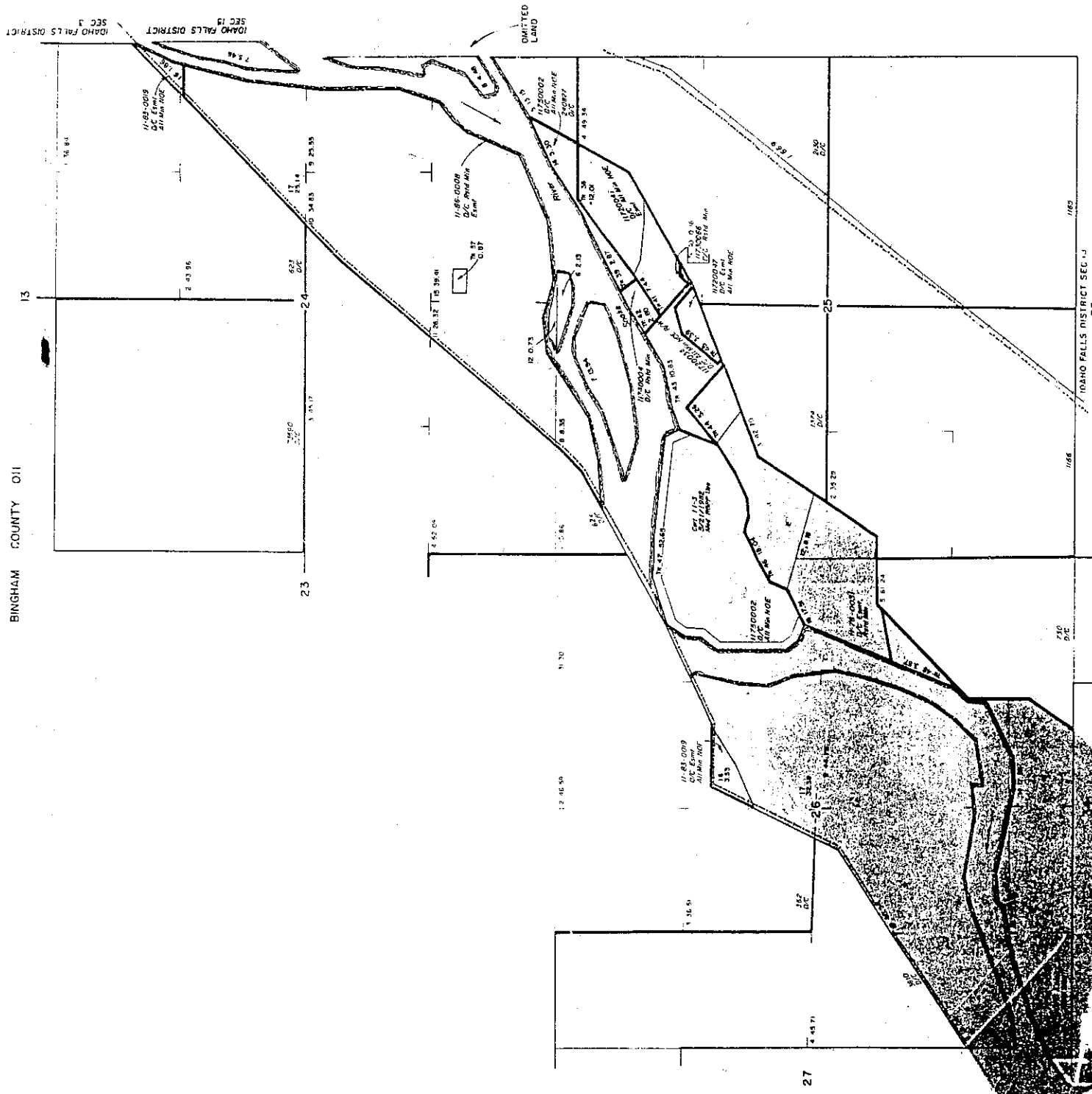
POCAHELLO RAY

Boise Mer

T. 1S

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL SECS. 24, 25, 26

[illegible]

SCALE in CHOIR

Days (X)	Eggs (Y)
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10	10
15	15
20	20

POCATELLO RAH 35

35

WARNING STATEMENT

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITH-

Borse Mer
T. 15
R. 36 E