

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 01-10509
(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: Twin Falls Canal Co.
Address: P.O. Box 326; Twin Falls, Idaho 83303-0326
Name: North Side Canal Co., Ltd.
Address: 921 N. Lincoln Ave.; Jerome, Idaho 83338
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.

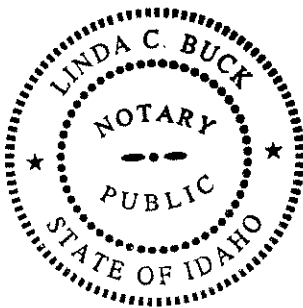
Fredric W. Price
(Signature of person filing objection)

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:

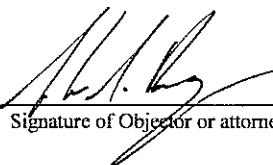
Name: Twin Falls Canal Co.
Address: P.O. Box 326; Twin Falls, Idaho 83303-0326
Name: North Side Canal Co., Ltd.
Address: 921 N. Lincoln Ave.; Jerome, Idaho 83338
Name:
Address: ;
Name:
Address: ;

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: 1-10509
NAME AND ADDRESS: TWIN FALLS CANAL CO
PO BOX 326
TWIN FALLS ID 83303-0326

NORTH SIDE CANAL CO LTD
921 N LINCOLN AVE
JEROME ID 83338

Pou: Digital Boundary includes BLM

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 24,400.00 AFY

This right provides for maintaining a water surface elevation of 4133.72 feet measured at the upstream face of the dam.

PRIORITY DATE: 06/21/1913

POINT OF
DIVERSION: T10S R21E S28 SWNW Within TWIN FALLS County
T10S R21E S28 NWSW Within TWIN FALLS County
T10S R21E S29 NESE Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	01/01 12/31	24,400.00 AFY
IRRIGATION FROM STORAGE	03/15 11/15	24,400.00 AFY

This right is for checking and impounding the waters of the Snake River at Milner Dam.

PLACE OF USE:

Place of use for irrigation from storage is within the boundaries of Twin Falls Canal Company and North Side Canal Company.

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.

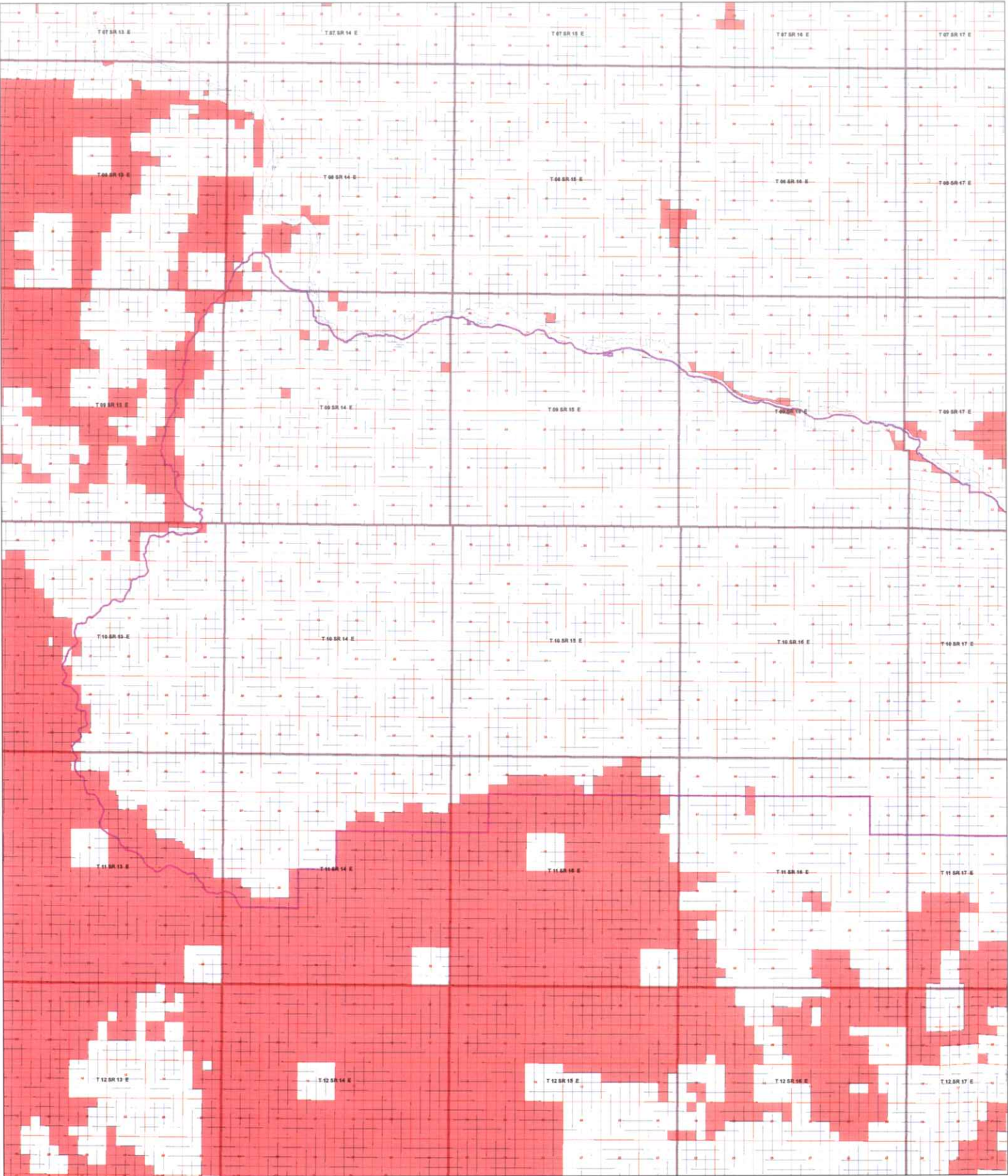
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Twin Falls Canal Company has 6/11ths ownership interest in this right and North Side Canal Company has 5/11ths ownership interest in this right.

Points of diversion listed above describe the location of Milner Dam.

Place of use for irrigation storage is Milner Reservoir.

The right holder may reduce, as necessary, the water surface elevation to facilitate maintenance and repair on Milner Dam and appurtenant structures.

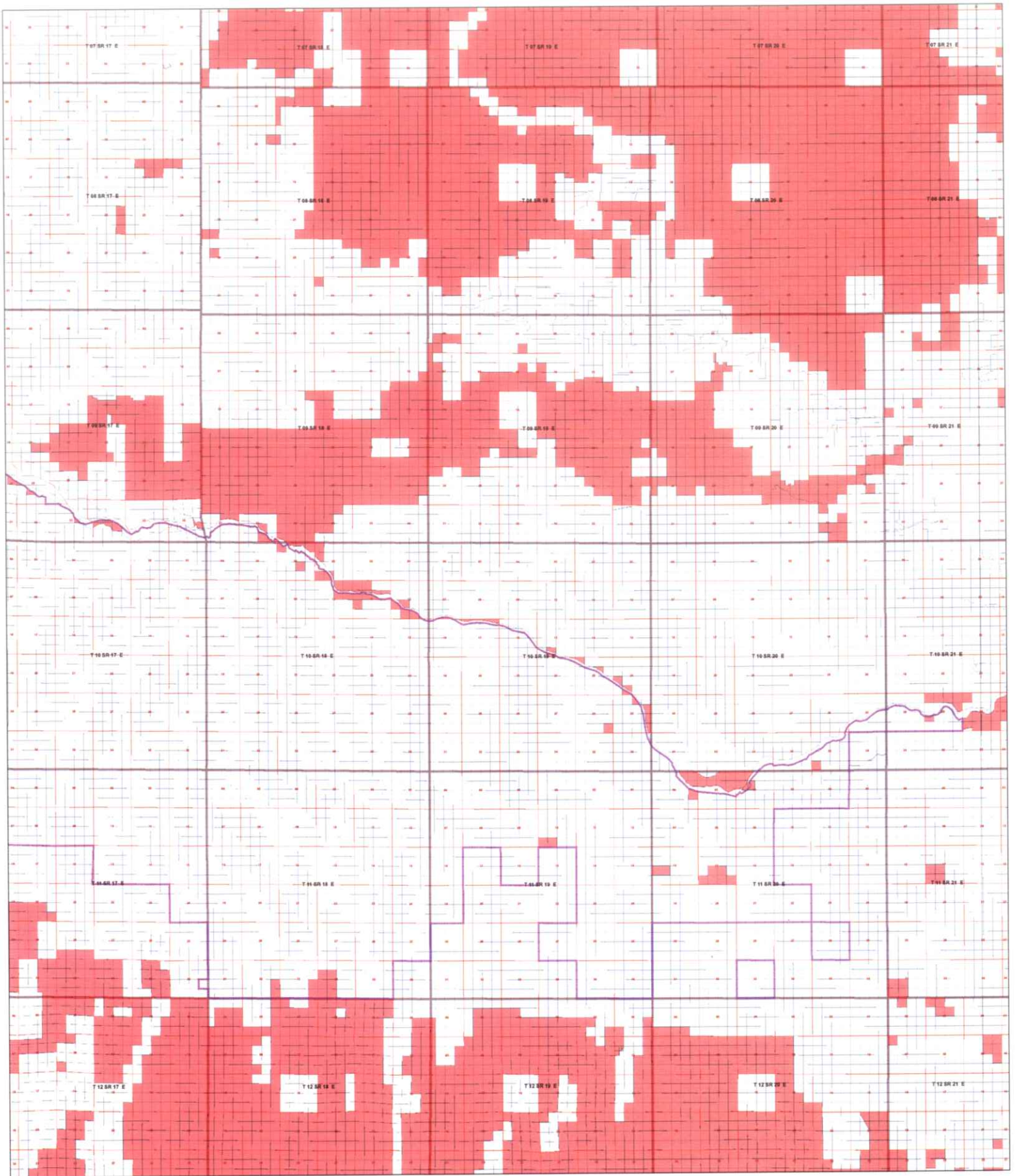


Legend

- SECTIONS_ID24_POLY
- BLM
- TOWNSHIPS_ID24_POLY
- Twin_Falls_Canal_Co_Digital_Boundary_West_Half

0.25 1 1.5 2 Miles





Legend

- SECTIONS_ID24_POLY
- BLM
- TOWNSHIPS_ID24_POLY
- Twin_Falls_Canal_Co_Digital_Boundary_East_Half

0 0.5 1 1.5 2 Miles



U.S. Department of the Interior
Bureau of Land Management
1010 North 3rd Street
Boise, ID 83724



TOWNSHIP 11 SOUTH RANGE 18 EAST OF THE BOISE MERIDIAN, IDAHO

TWIN FALLS COUNTY 083

BLK/ET DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS			
TRACT NO	T	R	SEC
1	11	18	1
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7	11	18	7
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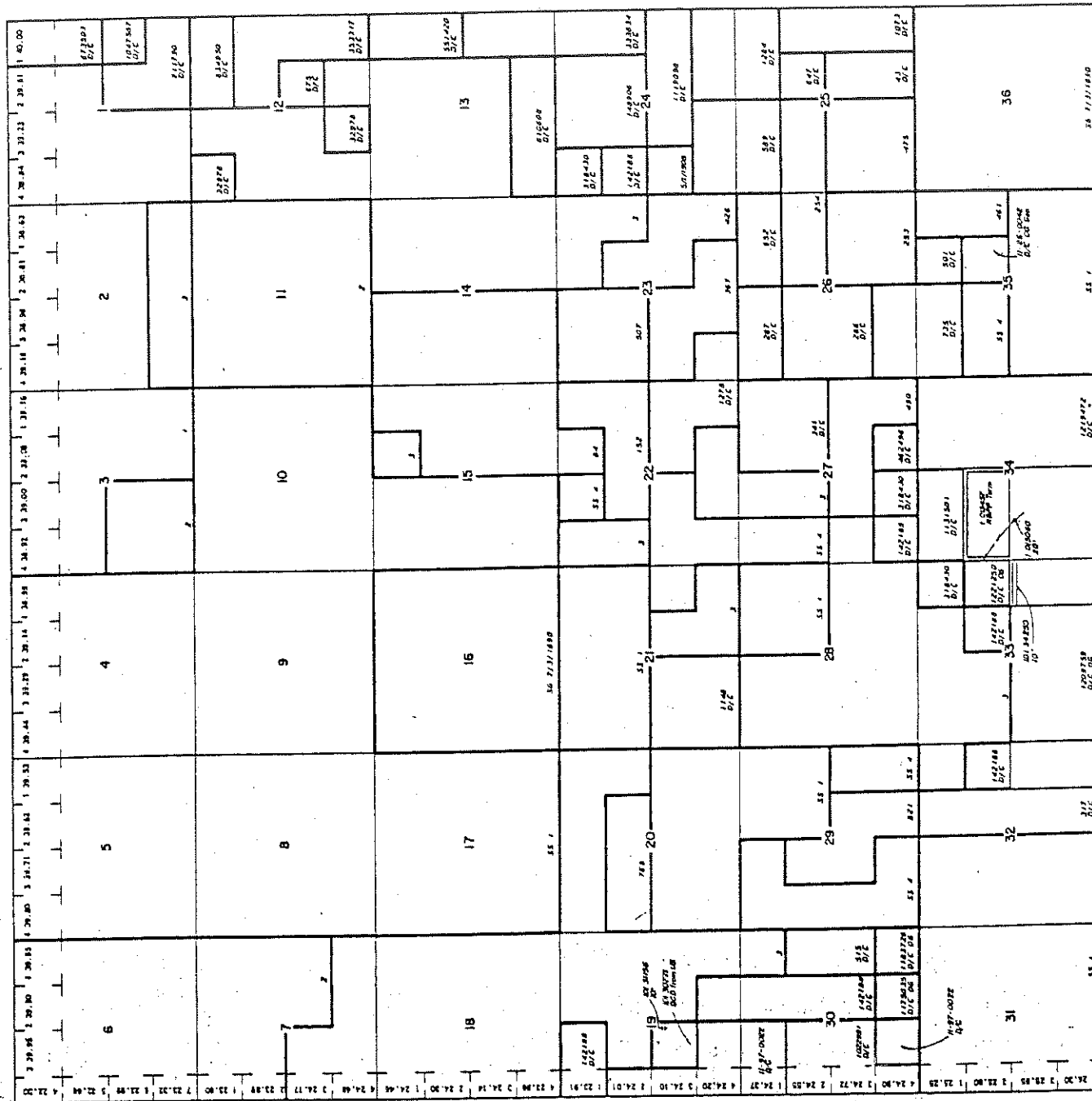
DOI 11816 3/10/1976

Sec 19 Lot 2, 3, 4, E2SW

Sec 30 Lot 1, 1/4NW, SE3SW

DOI 013457 R8PP Landfill 1/4 Term 8/19/1983

Sec 34 SE2NW



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

CURRENT TO	CURRENT TO
SEC 17	SEC 17

USE PLATS
