

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 01-10440
(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: Roland L. Walker; Attn: David Jensen
Address: P.O. Box 129; Menan, Idaho 83434-0129

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 legal description for element nine (POU) above may include Federal land. The description should be made to be specific enough to exclude Federal 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)

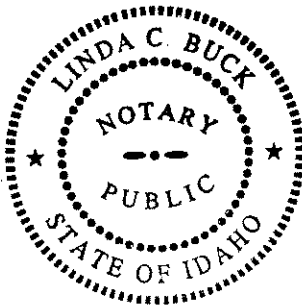
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

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: Roland L. Walker; Attn: David Jensen
Address: P.O. Box 129; Menan, Idaho 83434-0129

Name:
Address: ;

Name:
Address: ;

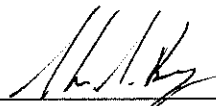
Name:
Address: ;

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: 1-10440
NAME AND ADDRESS: ROLAND L WALKER
ATTN: DAVID JENSEN
PO BOX 129
MENAN ID 83434-0129

Mixed POU:

-Place of Use identified below contain both public and private land.
-Please clarify such that only private land is intended.

SOURCE: SNAKE RIVER
QUANTITY: 0.910 CFS
PRIORITY DATE: 10/11/1901
POINT OF DIVERSION: T05N R38E S20 SWNEW Lot 3 Within JEFFERSON County
PURPOSE AND PERIOD OF USE:

TRIBUTARY: COLUMBIA RIVER

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.910 CFS

PLACE OF USE: IRRIGATION in JEFFERSON County

Section	Subsection	Acres	Section	Subsection	Acres
T05N R37E S13	NESW	5.50	T05N R37E S13	NWSW	14.00
T05N R37E S13	SWSW	31.00	T05N R37E S14	SESW	3.90
T05N R37E S14 Lot 5	SESW	15.00	T05N R37E S14	NESE	0.70
T05N R37E S14 Lot 7	NESE	14.00	T05N R37E S14 Lot 16	NESE	0.70
T05N R37E S14	NWSE	15.00	T05N R37E S14 Lot 6	NWSE	5.30
T05N R37E S14 Lot 17	NWSE	0.90	T05N R37E S14	SWSE	2.70
T05N R37E S14 Lot 6	SWSE	37.00	T05N R37E S14	SESE	40.00

185.6 ACRES TOTAL

Use of the rights listed below is limited to the irrigation of a combined total of 185.6 acres in a single irrigation season. Combined Right Nos.: 1-10440, 1-10445, and 1-10448.

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 split from former right 25-249.

Use of this right is combined with water from Long Island Irrigation Co.

Water is delivered through Bear Trap Canal.

Insertion of the following language under Place of Use and re-describing Lot 16 and 17 as described below would resolve BLM's mixed ownership objection.

"Place of use does not include federal public land."

T05N R37E S14 Lot 16 (NESE) is BLM and has been resurveyed to Lot 22 (NESE).

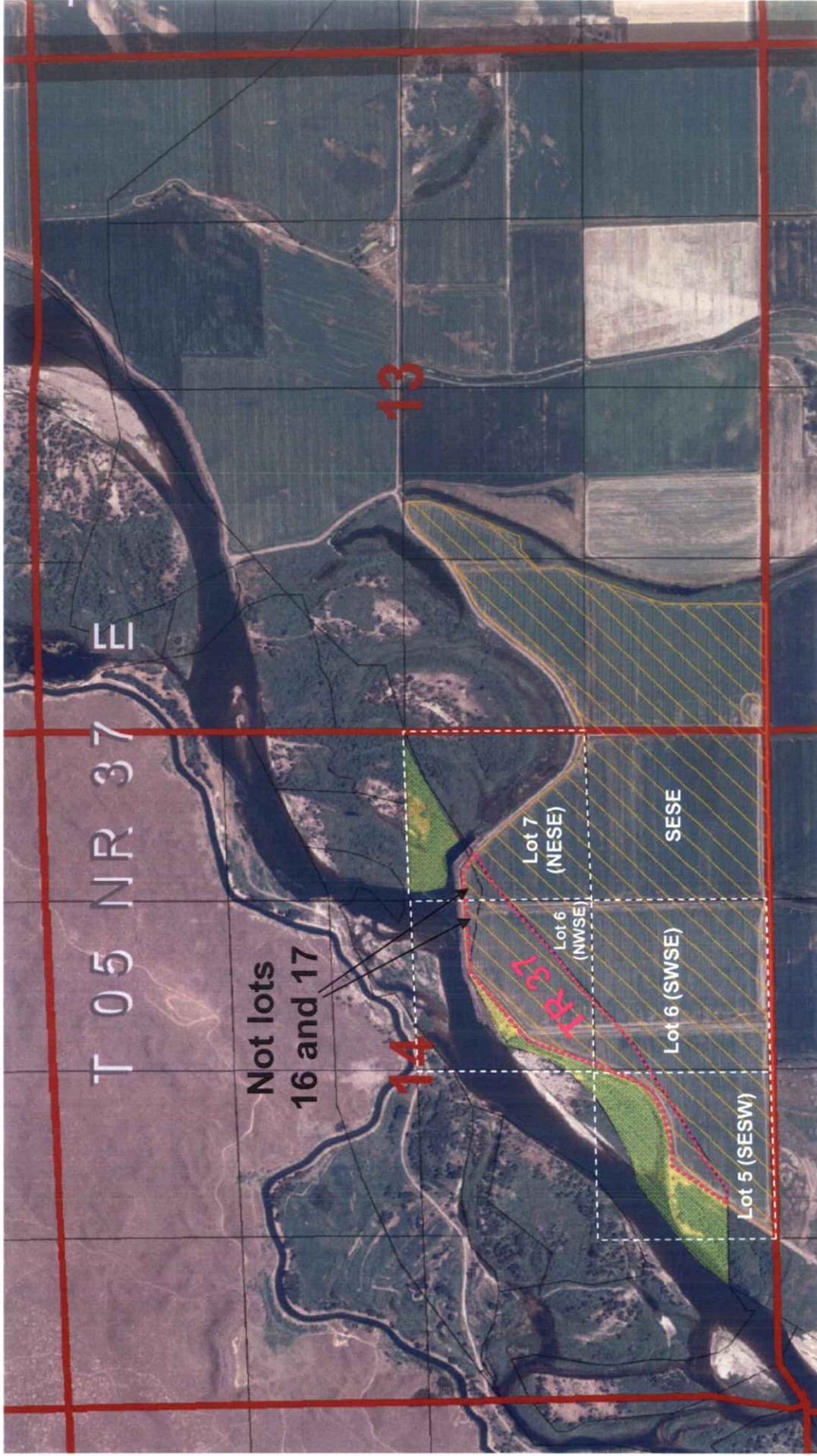
-What is shown in GCDB data as Lot 16 under the shapefile is actually part of Tract 37 and should be described as NESE, eliminating the lot designation.

T05N R37E S14 Lot 17 (NWSE) is BLM and has been resurveyed to Lot 23 (NWSE).

-What is shown in GCDB data as Lot 17 under the shapefile is actually part of Tract 37 and should be described as NWSE, eliminating the lot designation.

01-10440, 01-10445, 01-10448

Ronald Walker



Mixed POUs:

-T05N R37E S14 SESW, NESE, NWSE, and SWSE contains both public and private lands. Please clarify such that only private land is intended by inserting the following language under the place of use in the Director's Report Recommendation:

"Place of use does not include federal public land."

TOWNSHIP 5 NORTH RANGE 37 EAST OF THE BOISE MERIDIAN, IDAHO

JEFFERSON COUNTY 051

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

INDEX TO SEGREGATED TRACTS			
TRACT NO.	T	R	SEC.
1	5	37	E
2	5	37	E
3	5	37	E
4	5	37	E
5	5	37	E
6	5	37	E
7	5	37	E
8	5	37	E
9	5	37	E
10	5	37	E
11	5	37	E
12	5	37	E
13	5	37	E
14	5	37	E
15	5	37	E
16	5	37	E
17	5	37	E
18	5	37	E
19	5	37	E
20	5	37	E
21	5	37	E
22	5	37	E
23	5	37	E
24	5	37	E
25	5	37	E
26	5	37	E
27	5	37	E
28	5	37	E
29	5	37	E
30	5	37	E
31	5	37	E
32	5	37	E
33	5	37	E
34	5	37	E
35	5	37	E
36	5	37	E
37	5	37	E
38	5	37	E
39	5	37	E
40	5	37	E
41	5	37	E
42	5	37	E
43	5	37	E
44	5	37	E
45	5	37	E
46	5	37	E
47	5	37	E
48	5	37	E
49	5	37	E
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89	5	37	E
90	5	37	E
91	5	37	E
92	5	37	E
93	5	37	E
94	5	37	E
95	5	37	E
96	5	37	E
97	5	37	E
98	5	37	E
99	5	37	E
100	5	37	E

DOI 3663 BLM O C N A Use
Jefferson County, Seg from appropriation under
DLE HE LA & JS
All unappropriated public land within
Secs 1 to 6 Inc
Secs 8 to 12 Inc
Sec 14, 17
Sec 15
DOI 15302 Secs Act 02071979
All NRI in Tp
DOI 33192 RW Flood Control Levees
Sec 12, 13, 14, 15, 16, 17, 18, 19, 20
Sec 21, 22, 23
Sec 24, 25, 26, 27, 28, 29, 30
Sec 31, 32, 33, 34, 35, 36, 37, 38, 39, 40
Sec 41, 42, 43, 44, 45, 46, 47, 48, 49, 50
Sec 51, 52, 53, 54, 55, 56, 57, 58, 59, 60
Sec 61, 62, 63, 64, 65, 66, 67, 68, 69, 70
Sec 71, 72, 73, 74, 75, 76, 77, 78, 79, 80
Sec 81, 82, 83, 84, 85, 86, 87, 88, 89, 90
Sec 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

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

FILE REF	DO-000000000000000000000000	BY	LYN
COPYRIGHT TRF	10-28-2005	BY	LYN
LAST PRINTED	10-28-2005	BY	LYN
LAST REVISED	10-28-2005	BY	LYN
POSTED TO PUBLIC RECORDS			
PUBLIC LAND SURVEY SYSTEM (PLSS)			
BLM COPIES ACQUIRED	03-11-2008		
USFS OFF ACQUIRED	N/A		
PROJECTED COORDINATE SYSTEM	UTM ZONE 12N UTM 1200		
NOTES			
USE PLAT			

6 N-37 E

6 N-37 E

6 N-37 E

6 N-37 E

6 N-37 E

6 N-37 E

6 N-37 E

6 N-37 E

6 N-37 E

6 N-37 E

6 N-37 E

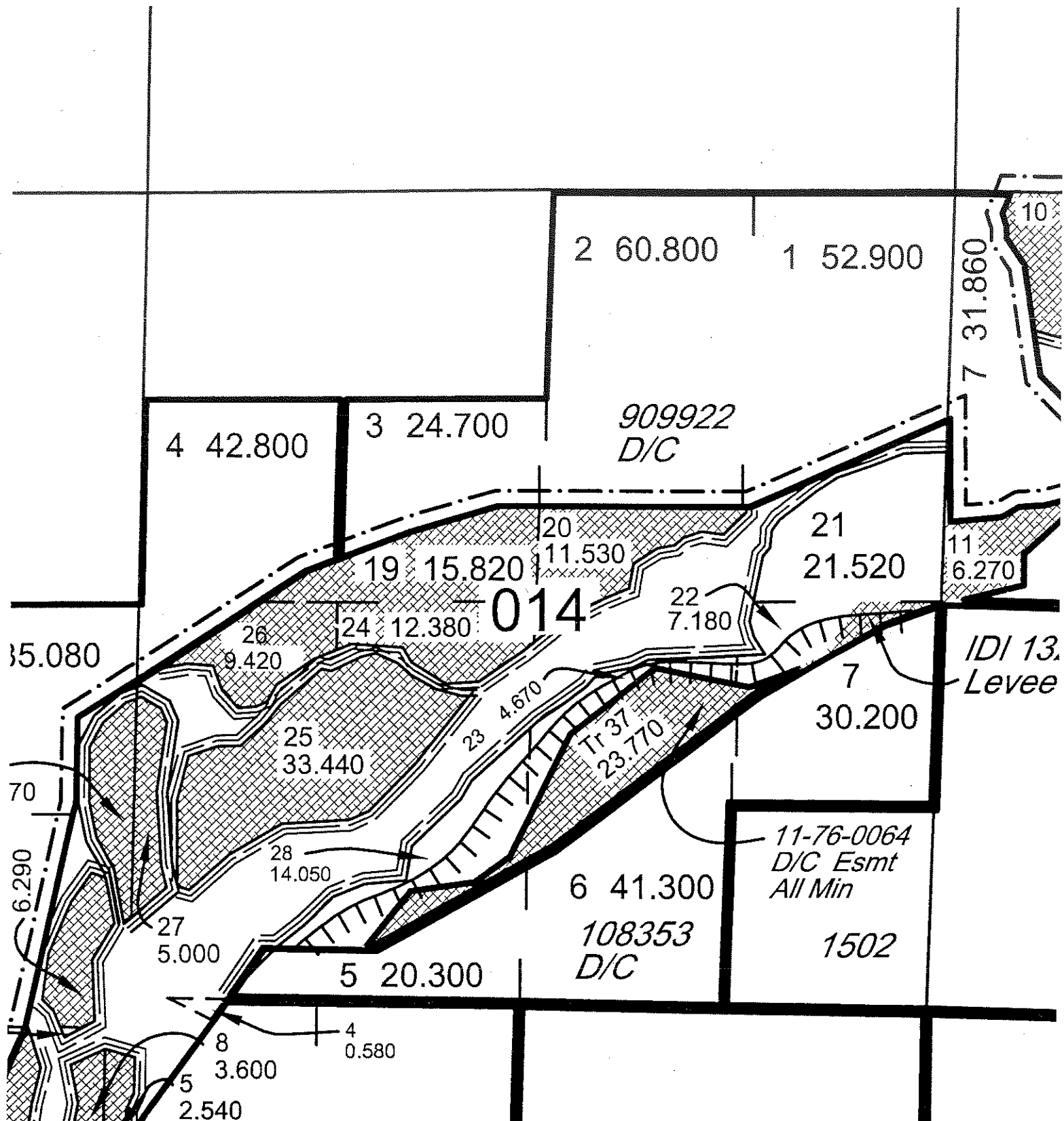
6 N-37 E

6 N-37 E

6 N-37 E

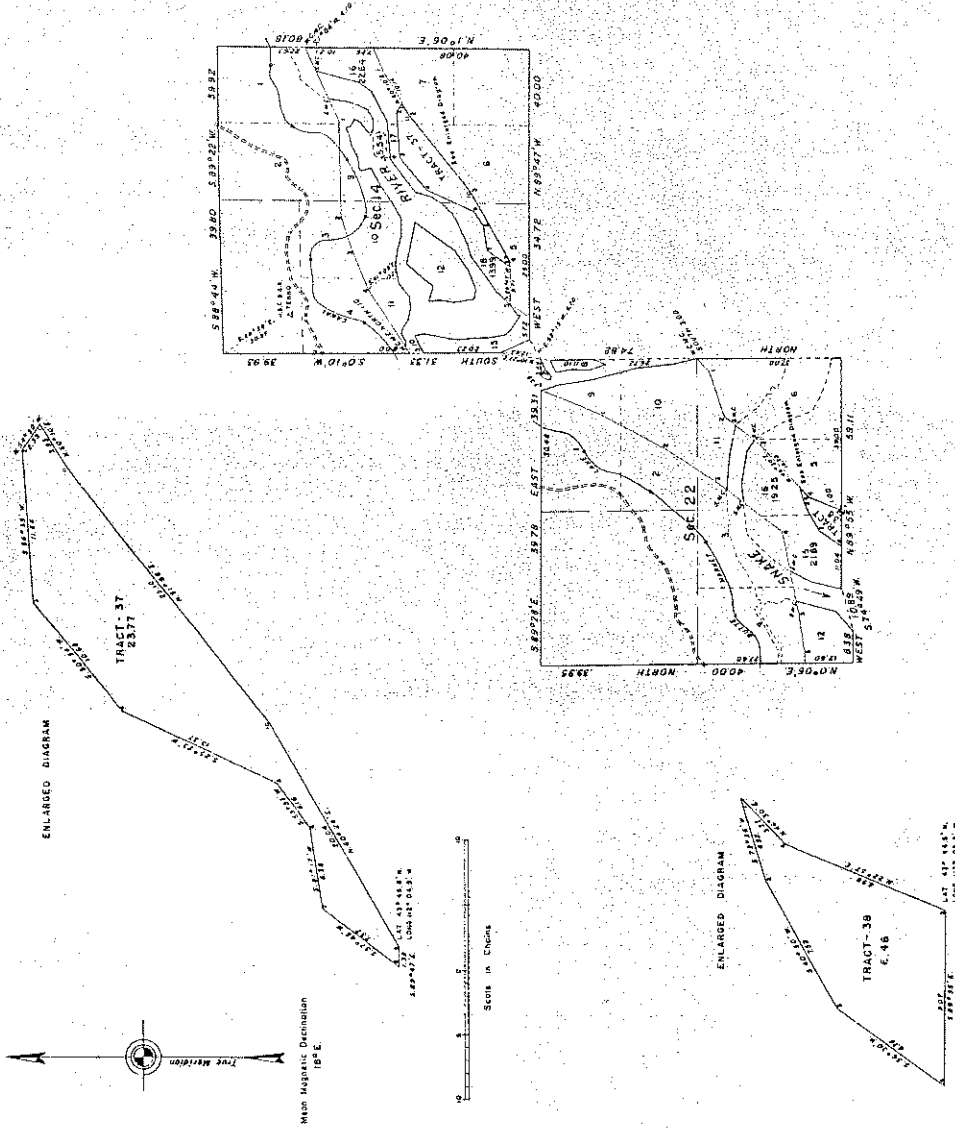
6 N-37 E

IDAHO FALLS DISTRICT SEC 15
IDAHO FALLS DISTRICT SEC 3
OMITTED LANDS
DEC. 1979
SCALE 1" = 1 MILE
U.S. Bureau of Land Management - Idaho State Office
1387 S. Vinnet Way Boise, Idaho 83709



TOWNSHIP 5 NORTH, RANGE 37 EAST, OF THE BOISE MERIDIAN, IDAHO

DEPENDENT RESURVEY AND SURVEY OF IRREGULAR TRACTS



The history of previous surveys is contained in the field note record.

This plat represents the dependent resurvey of a portion of the Boise Meridian, T. 5 N., R. 37 E., Boise Meridian, Idaho, including the survey of irregular tracts 37 through 43, inclusive, T. 5 N., R. 37 E., Boise Meridian, Idaho. The original survey of the Boise Meridian was made by the U.S. Surveyors General in 1879 and the plat accepted July 21, 1899.

These surveys were executed by Donald W. Dugan, Surveyor General, Boise, Idaho, on June 24, 1971 through June 4, 1971, pursuant to Special Instructions dated April 29, 1971 for Group 80, 468, Idaho.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington, D.C.

December 1, 1972

This plat is strictly conformable to the approved field record of the survey, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director

Paul F. Lunn

Chief, Division of Cadastral Survey

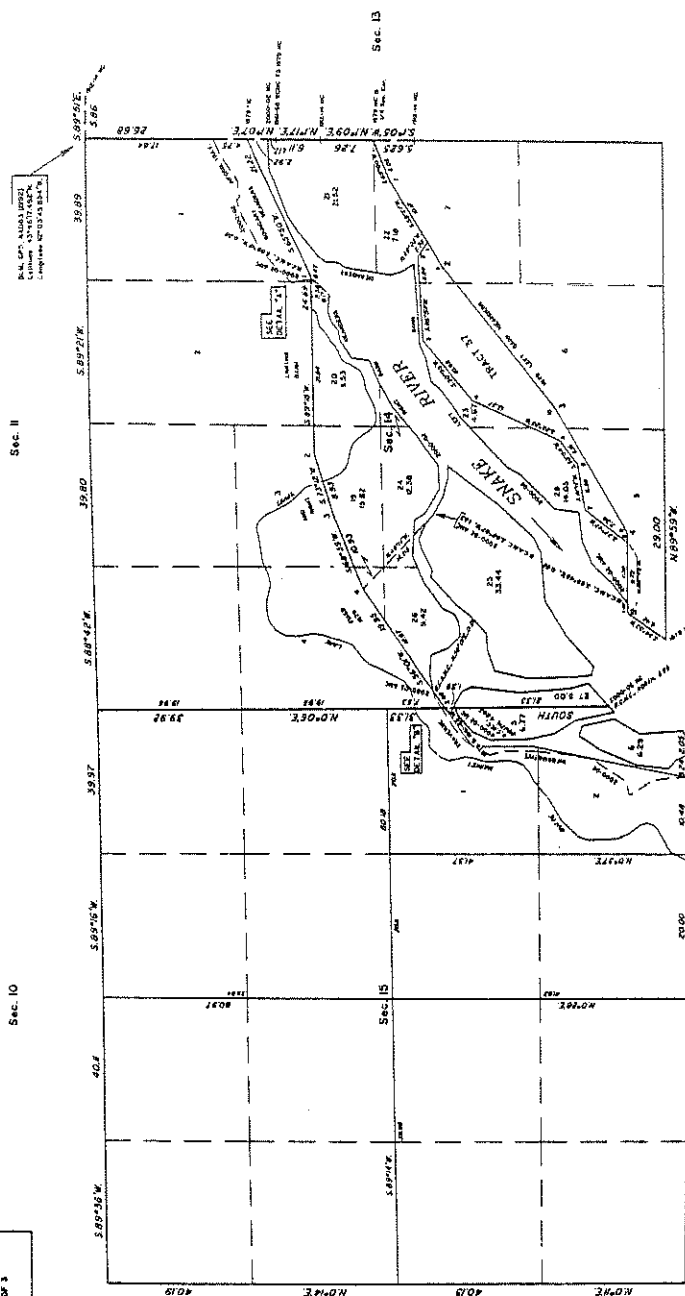
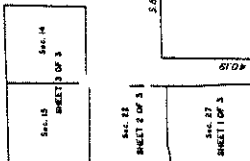
Area resurveyed: 169.32 acres.

TOWNSHIP 5 NORTH, RANGE 37 EAST, OF THE BOISE MERIDIAN, IDAHO
DEPENDENT RESURVEY, SUBDIVISION, SURVEY AND METES-AND-BOUNDS SURVEY

SHEET 3 OF 3

REFER TO SHEET 1 FOR SURVEY INFORMATION

INDEX DIAGRAM



SEE SHEET 2

Sec. 23

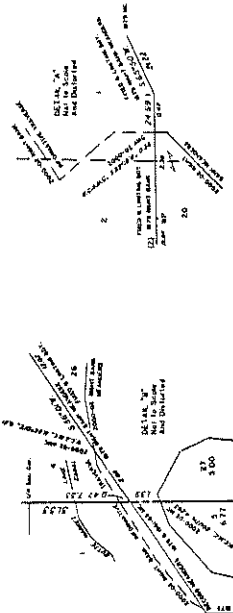
NOTE: Dashed member lines are the present bank location of the Snake River and are shown for informational purposes only.

SECTION 15

LOCATION	ACREAGE
NE 1/4 NE 1/4	39.96
SE 1/4 NE 1/4	40.00
SW 1/4 NE 1/4	40.00
NW 1/4 NE 1/4	39.96
NE 1/4 SE 1/4	40.00
SE 1/4 SE 1/4	40.00
SW 1/4 SE 1/4	40.00
NW 1/4 SE 1/4	40.00
NE 1/4 NW 1/4	40.00
SE 1/4 NW 1/4	40.00
SW 1/4 NW 1/4	40.00
NW 1/4 NW 1/4	40.00

SECTION 16

LOCATION	ACREAGE
NE 1/4 NW 1/4	39.92
SE 1/4 NW 1/4	39.92
SW 1/4 NW 1/4	39.92
NW 1/4 NW 1/4	39.92



UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Boise, Idaho

April 30, 2004

This plat is strictly conformable to the approved field notes and the survey having been conducted in accordance with the laws and the regulations of this Bureau, is hereby accepted.

For the Director

Harry K. Smith

Chief Cadastral Surveyor for Idaho