

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)

A. Subcase 01-00093E
(Insert water right number)

Case No. 39576)

**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: Labelle Irrigating Co.; c/o Dee Simmons

Address: 467 N. 4400 E.; Rigby, Idaho 83442

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)

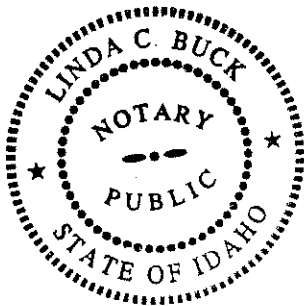
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

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: Labelle Irrigating Co.; c/o Dee Simmons

Address: 467 N. 4400 E.; Rigby, Idaho 83442

Name:

Address: ;

Name:

Address: ;

Name:

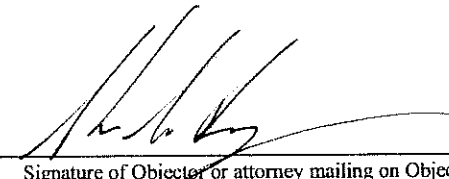
Address: ;

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: 1-93E

NAME AND ADDRESS: LABELLE IRRIGATING CO
C/O DEE SIMMONS
467 N 4400 E
RIGBY ID 83442

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: 45.800 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1885

POINT OF

DIVERSION: T04N R39E S13 NESESE Within JEFFERSON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

04/01 10/31

0.020 CFS

IRRIGATION

04/01 10/31

45.800 CFS

PLACE OF USE:

2087 ACRES TOTAL

Place of use is within the area served by Labelle Irrigating 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:

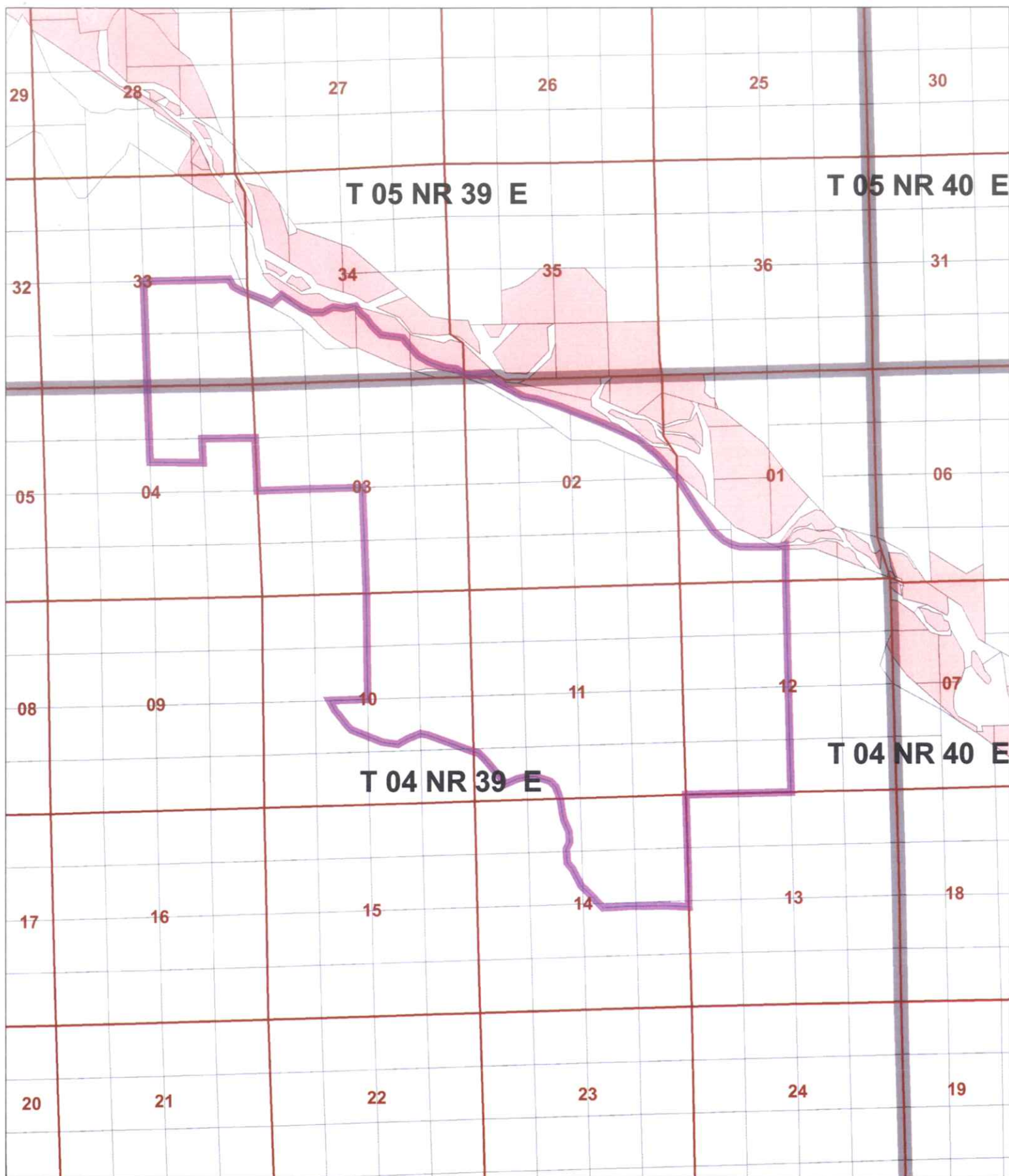
The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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

Stockwater use is for 1900 range cattle and 10 horses.

Water is delivered through East Labelle Canal.



Legend

- SECTIONS_ID24_POLY
- BLM
- TOWNSHIPS_ID24_POLY
- labelle irr co

0.06.1 0.2 0.3 0.4
Miles



TOWNSHIP 5 NORTH RANGE 39 EAST OF THE BOISE MERIDIAN, IDAHO

IDAHO FALLS DISTRICT SEC 16

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

INDEX TO SEGREGATED TRACTS	
REQUIREMENT	ORIGINAL SURVEY
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ID 3468 Order of vested lands to Preference Rights

Chumley pursuant to Act of Cong. (55/31/1982)

Sec 18 Part Lot 8

Sec 19 Part Lot 8

Sec 20 Part Lot 8

Sec 21 Part Lot 8

Sec 22 Part Lot 8

Sec 23 Part Lot 8

Sec 24 Part Lot 8

Sec 25 Part Lot 8

Sec 26 Part Lot 8

Sec 27 Part Lot 8

Sec 28 Part Lot 8

Sec 29 Part Lot 8

Sec 30 Part Lot 8

Sec 31 Part Lot 8

Sec 32 Part Lot 8

Sec 33 Part Lot 8

Sec 34 Part Lot 8

Sec 35 Part Lot 8

Sec 36 Part Lot 8

Sec 37 Part Lot 8

Sec 38 Part Lot 8

Sec 39 Part Lot 8

Sec 40 Part Lot 8

Sec 41 Part Lot 8

Sec 42 Part Lot 8

Sec 43 Part Lot 8

Sec 44 Part Lot 8

Sec 45 Part Lot 8

Sec 46 Part Lot 8

Sec 47 Part Lot 8

Sec 48 Part Lot 8

Sec 49 Part Lot 8

Sec 50 Part Lot 8

Sec 51 Part Lot 8

Sec 52 Part Lot 8

Sec 53 Part Lot 8

Sec 54 Part Lot 8

Sec 55 Part Lot 8

Sec 56 Part Lot 8

Sec 57 Part Lot 8

Sec 58 Part Lot 8

Sec 59 Part Lot 8

Sec 60 Part Lot 8

Sec 61 Part Lot 8

Sec 62 Part Lot 8

Sec 63 Part Lot 8

Sec 64 Part Lot 8

Sec 65 Part Lot 8

Sec 66 Part Lot 8

Sec 67 Part Lot 8

Sec 68 Part Lot 8

Sec 69 Part Lot 8

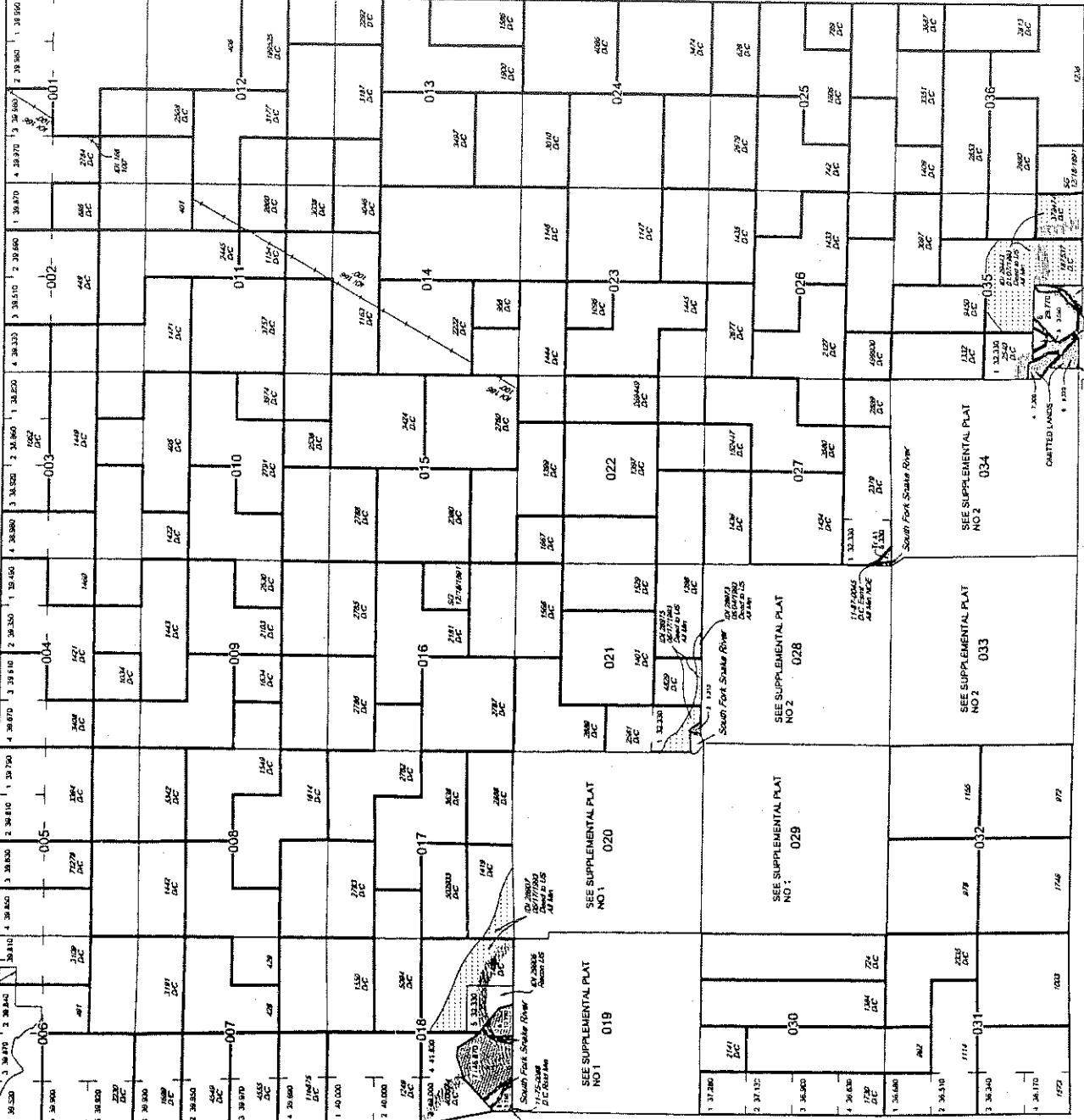
Sec 70 Part Lot 8

Sec 71 Part Lot 8

Sec 72 Part Lot 8

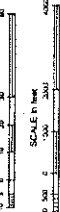
Sec 73 Part Lot 8

Sec 74 Part Lot 8



FILE REF: 0062540306AMTAD000.dwg	BY: LFN
CONVERTED TO: 05/10/2005	BY: LFN
LAST UPDATED: 05/10/2005	BY: LFN
LAST REVISION: 05/10/2005	BY: LFN
POSTED TO PUBLIC RECORDS	
PUBLIC LAND SURVEY SYSTEM PLANS	05/10/2005
BLM ACQUISITION	05/10/2005
USFS ACQUISITION	05/10/2005
PROPOSED COORDINATE SYSTEM	UTM 22Q UTM 17N NAD 83
NOTES:	

DISCLAIMER
This plan is a graphic survey of the Bureau of Land Management (BLM) Record of Title and Landmark Survey data. Records herein do not reflect the location of any boundary or other features of land or other interests of state. Refer to individual surveys for detailed information.
The location shown on this plan is based on the best available information. It may not be the effective date. See the map for the date of original acquisition.



U.S. Bureau of Land Management - Idaho State Office
1317 S. Vermilion
(208) 378-4000



STATUS OF PUBLIC DOMAIN
LAND-AND-MINERAL TITLES
AND ACQUIRED LANDS

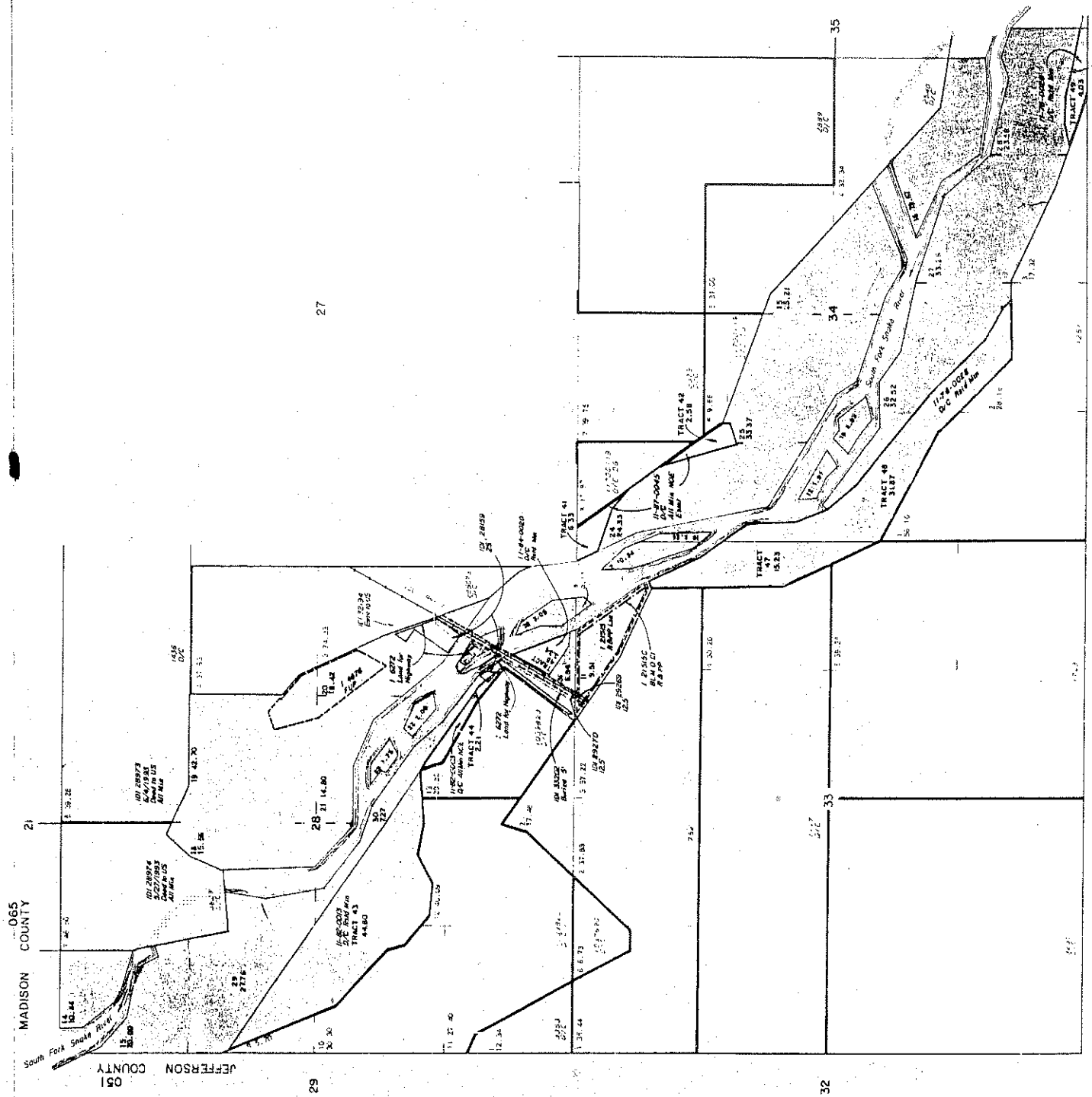
MTP
AND ACQUIRED LANDS
SUPPL Sec 28, 33, 34

INDEX TO SEGREGATED TRACTS	RECOUNT	ORIGINAL SURVEY	SUBDIVISION
TRACT NO. 1	R	SEE	

1. 3868 Offer of entitled lands to Preference Rights
Claimants pursuant to Act of Cong 5/3/1962
Sec 28: Part Lots 16, 17, 24, 25, 26
Sec 33: Part Lots 9, 10
Sec 34: Part Lots 9, 11, 13, 14, 17, 19, 21
ID1 32192 R/W Flood Control Levees
Sec 28: Lots 19, 30

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

USE PLAYS	CURRENT TO	CURRENT TO
	MAY 01 2001	



3143

OMITTED LANDS

House Men

