

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 01-00109G

(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: Long Island Irrigation Co.; c/o Ora Lee Bennett

Address: 729 N. 3800 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)

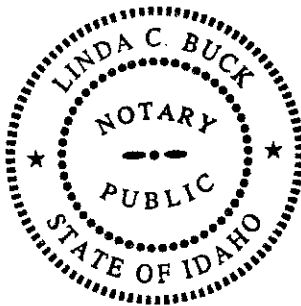
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

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:

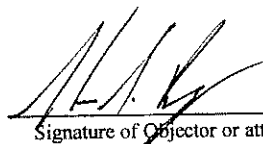
Name: Long Island Irrigation Co.; c/o Ora Lee Bennett
Address: 729 N. 3800 E.; Rigby, Idaho 83442
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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

12/16/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-109G
NAME AND ADDRESS: LONG ISLAND IRRIGATION CO
C/O ORA LEE BENNETT
729 N 3800 E
RIGBY ID 83442

POU:

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

SOURCE: SNAKE RIVER
Water is delivered from the Dry Bed.
TRIBUTARY: COLUMBIA RIVER

QUANTITY: 38.520 CFS
PRIORITY DATE: 06/11/1880

POINT OF
DIVERSION: T04N R39E S5 SWSWSE Within JEFFERSON County
T04N R39E S10 SWNWSE 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	38.520 CFS

PLACE OF USE:

11276 ACRES TOTAL

Place of use is within the area served by Long Island Irrigation 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:

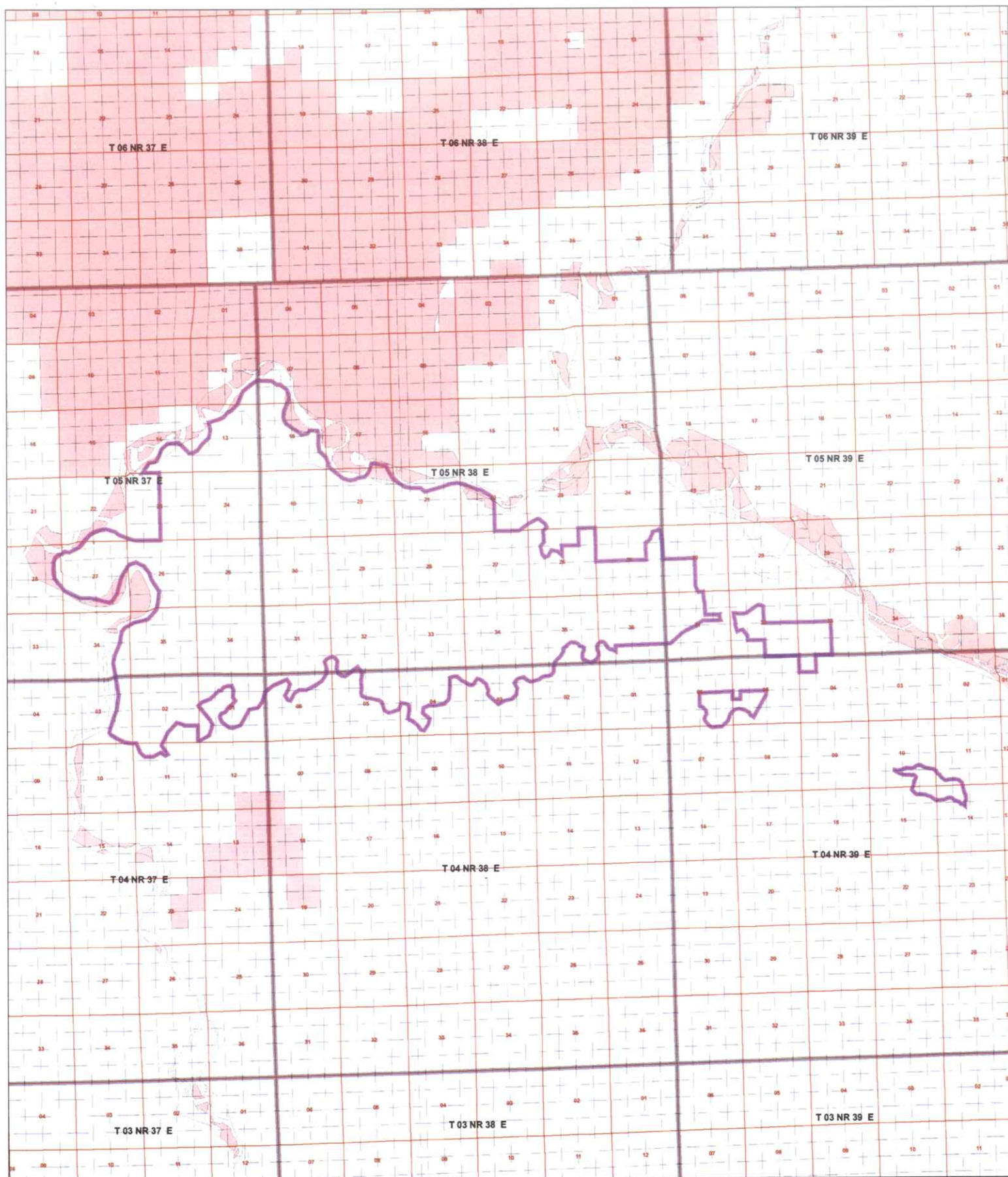
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through West Labelle & Long Island Canal and White Ditch.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

This right is old Right No. 1-109E.



Legend

- SECTIONS_ID24_POLY
- BLM
- TOWNSHIPS_ID24_POLY
- long island irr co

0 12850.50.75 1
Miles



TOWNSHIP 5 NORTH RANGE 38 EAST OF THE BOISE MERIDIAN, IDAHO

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

INDEX TO SEGREGATED TRACTS			
REQUIREMENTS	ORIGINAL SURVEY	SUBDIVISION	
TRACT NO.	I	A	SEC
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101 132 R/W Lanes
Secs 20, 21, 22, 24, 25

101 381 4 Other of Owned Lands to preference
Rights claimants pursuant to Act of City
05/11/1982

Sec 7, Lot 14

Sec 13, Part lots 12, 13, 16, 17 (Now Tr 37)

Sec 20, Lot 8 Part lots 5, 6 (Now Tr 38)

Sec 21, Part Lot 10 (Now Tr 39)

Sec 22, Lot 10, Part lots 11, 12 (Now Tr 41)

Sec 24, Lot 3

101 15382 Shaws Act 02/07/1979

Sec 1, Lots 5, 6, 10

Sec 5, Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17

Sec 8, Lots 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19

Sec 20, 21, 22, 23

Sec 7, Lot 6, 10/16, SENE

101 32102 R/W Flood Control Lanes

Sec 13, Lots 12, 20, 21

101 32102 And R/W Flood Control Lanes

Sec 13, Lots 12, 20, 21

Sec 22, Lots 16, 17, 18, 20

101 32071 08/24/1982 Conced to US, All Lanes

Sec 7, Lot 7, Third Parcel Lying South of the Snake
River

Lot 7 Third Parcel Lying South of the Snake
River

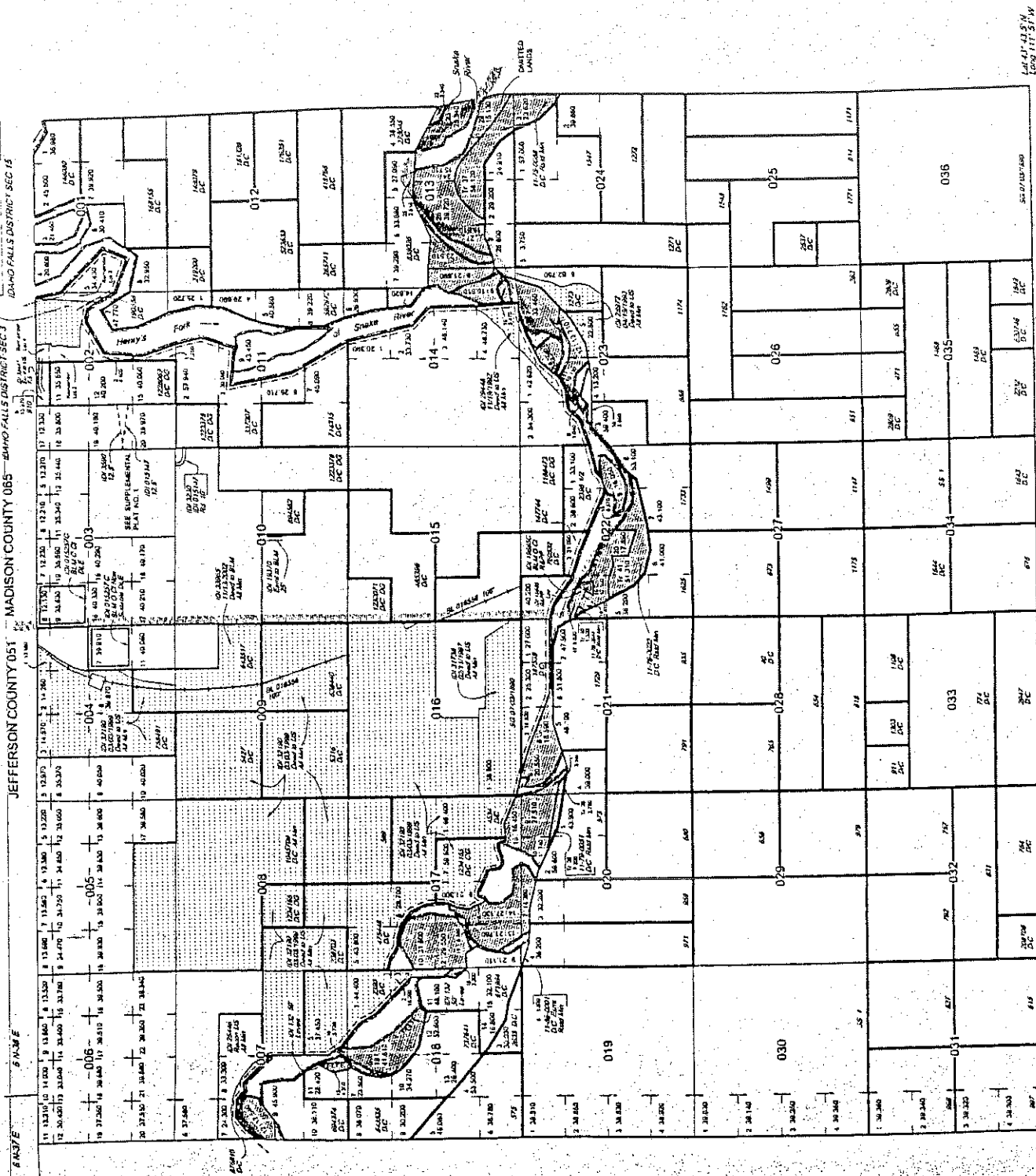
35.00 AC

Survey Pending Group No 816
Partial Tr

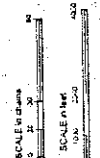
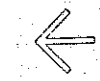
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE REF	UNRECORDED ANTIDOTE 816	BY	LPM
CONVERTED TFE	10/05/2006	BY	LPM
LAST UPDATED	06/06/2006	BY	LPM
CLASSTITLE	0400042	DATE	03/05
POSTED TO PUBLIC RECORDS		DATE	03/05
PUBLIC LAND SURVEY SYSTEM (PLS)		DATE	03/05
PLS CODE	0400042	DATE	03/05
PROJECTED COORDINATE SYSTEM	UTM ZONE 12N, MAG 1983		
NOTES			
USE PLAT			

Scale 1:50,000
T. 5 N
R. 38 E



DISCLAIMER:
This is a graphic display of the Bureau of Land Management (BLM) Survey of the Boise Meridian, Idaho. The BLM is not responsible for the accuracy of the information shown on this map. The information shown on this map is for informational purposes only and should not be used for any other purpose. The BLM is not responsible for the accuracy of the information shown on this map. The information shown on this map is for informational purposes only and should not be used for any other purpose.



U.S. Bureau of Land Management, Idaho State Office
1307 S. Virginia (208) 373-0003