

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 <u>01-00119</u>
	)	(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: Lowder Slough Canal Co.; c/o Lois Poole
Address: 4483 E. 400 N.; 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)

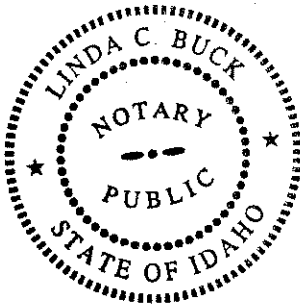
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

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: Lowder Slough Canal Co.; c/o Lois Poole

Address: 4483 E. 400 N.; Rigby, Idaho 83442

Name:

Address: ;

Name:

Address: ;

Name:

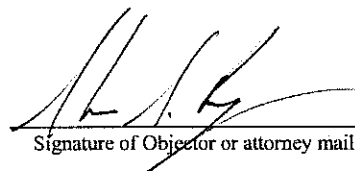
Address: ;

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: 1-119
NAME AND ADDRESS: LOWDER SLOUGH CANAL CO
C/O LOIS POOLE
4483 E 400 N
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: 26,000 CFS

PRIORITY DATE: 06/01/1890

POINT OF DIVERSION: T04N R40E S29 NENENW Within JEFFERSON County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	10,000 CFS
IRRIGATION	04/01 10/31	26,000 CFS

PLACE OF USE:

987 ACRES TOTAL

Place of use is within the area served by Lowder Slough Canal 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:

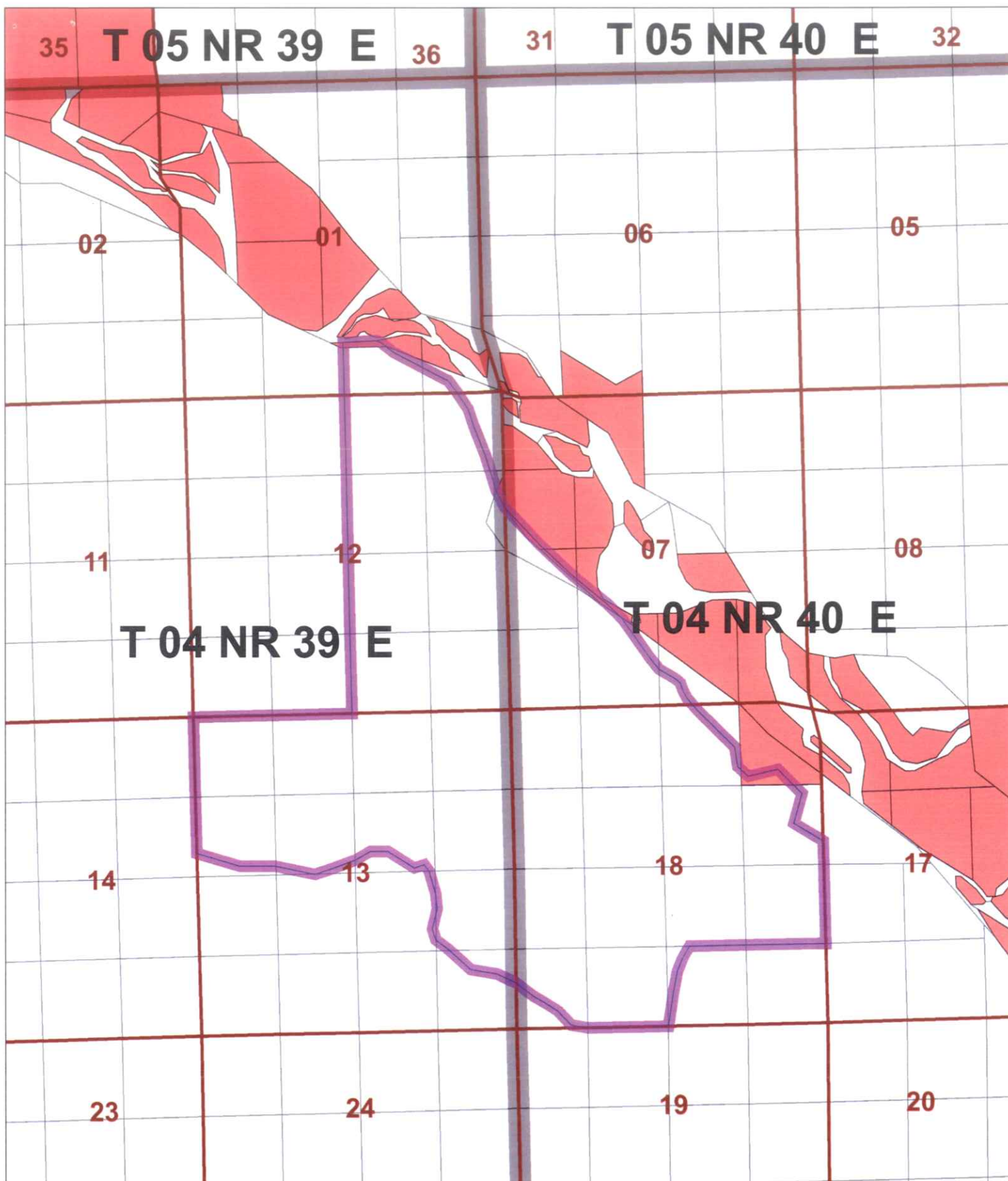
Diversion of this right for stockwater purposes between November 1 and April 30 is subject to the provisions for saving winter water as recognized in the Burley Irrigation Dist. v. Eagle, Supplemental Decree (Idaho 5th Jud. Dist., July 10, 1969) and Aberdeen-Springfield Canal Co. v. Eagle, Supplemental Decree (Idaho 7th Jud. Dist., March 12, 1969).

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 980 range cattle and 320 dairy cattle.

Water is delivered through Lowder Slough Canal.



Legend

- SECTIONS_ID24_POLY
- BLM
- TOWNSHIPS_ID24_POLY
- lower slough canal

0.00060.120.180.24
Miles



U.S. Department of the Interior
Bureau of Land Management
1011 North 3rd Street
Bozeman, MT 59717
406/556-1311
BLM.gov



TOWNSHIP 4 NORTH RANGE 40 EAST OF THE BOISE MERIDIAN, IDAHO

12-10-1900 FALLS DISTRICT SEC 15

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

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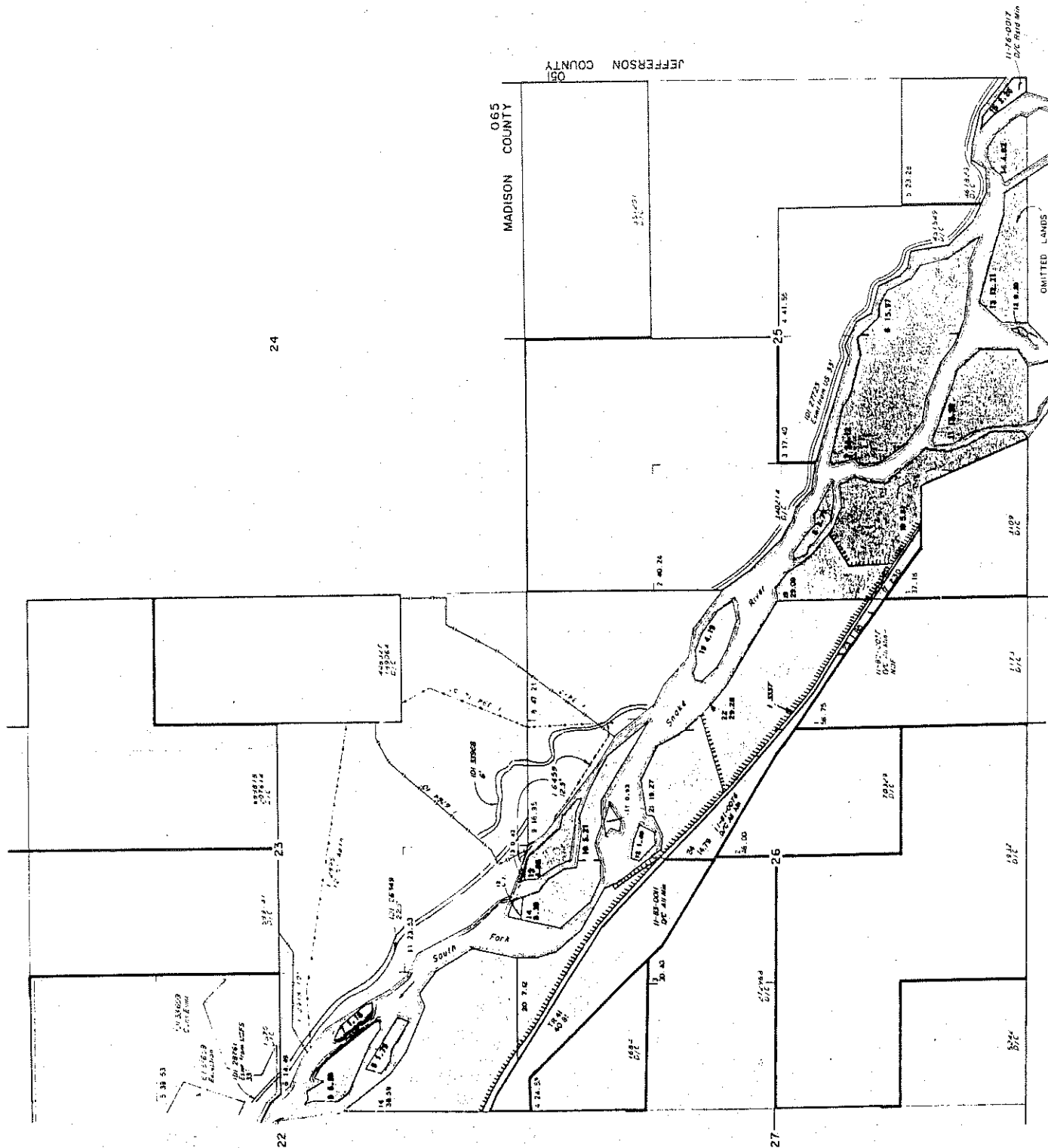
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL Sec 23,25,26

INDEX TO SEGREGATED TRACTS					
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1. 1/22E offer of Charles Lotts to purchase
2. 1/22E (Lotts) pursuant to Act of Cong. 3/31/1962
3. See 23 Part Lot 10 (Now Tr. 381)
4. See 23 Part lots 9, 10 (Now Tr. 381), lot 15
5. See 2E Part Lots 15 to 18 incl (Now Tr. 381)

Page 4428
See also: SADDLE CORNER



WARNING STATEMENT

WARNING STATEMENT
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THE FACULTY OF THE UNIVERSITY OF

1

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

MTP
SUPPL Sec 7,16,17,21

INDEX TO SEGREGATED TRACTS		ORIGINAL SURVEY		SUBDIVISION	
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See if there are further letters to get from the
High Commission returned to act of Govt 5/11/74

Sec 10 Lot 16 Date lots 13 14 15 new part 74.

Sec 10 Lot 11

See if Part c (New part 73)

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

CURRENT TO

USE PLAT 3

Figure 4.10.1

WARNING SEASONS:—This play is the Bureau's record of Title, and should be used only as a *graph* of the law-enforcement data. Records should not reflect title changes which may have been effected by lateral movements of officers or other "shifts" of men.

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SCALE in changes