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DEPARTMENT OF
WATER RESOURCES

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 21-00024A
(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: Fremont-Madison Irrigation District
Address: P.O. Box 15; St. Anthony, Idaho 83445
Name: Jerry R. Rigby (attorney for claimant)
Address: P.O. Box 250; Rexburg, Idaho 83440
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.

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 27, 2008

Linda C. Buck

LINDA C. BUCK NOTARY PUBLIC STATE OF IDAHO

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 6-27-2008, ~~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: Fremont-Madison Irrigation District
Address: P.O. Box 15; St. Anthony, Idaho 83445
Name: Jerry R. Rigby (attorney for claimant)
Address: P.O. Box 250; Rexburg, Idaho 83440
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: 21-24A

Digital Boundary contains BLM

NAME AND ADDRESS: FREMONT-MADISON IRRIGATION DISTRICT
PO BOX 15
ST ANTHONY ID 83445

SOURCE: SHERIDAN CREEK TRIBUTARY: HENRYS FORK

QUANTITY: 6.000 CFS
900.00 AFY

PRIORITY DATE: 05/10/1889

POINT OF DIVERSION:

T13N R43E S28 SWSW Lot 3 Within FREMONT County

The point of diversion in T13N, R43E, S28, Lot 3 (SWSW) is Island Park Dam.
Water diverted from storage under this right is rediverted through the canal companies in Fremont Madison Irrigation District.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	01/01 12/31	900.00 AFY
IRRIGATION FROM STORAGE	05/01 10/31	900.00 AFY
DIVERSION TO STORAGE	05/01 10/31	6.000 CFS

PLACE OF USE:

Place of use does not include federal public lands.

Place of use is within the area served by Fremont Madison Irrigation District.

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.

Place of use for irrigation from storage is with in the following counties: Fremont, Madison and Teton.

Place of use for irrigation storage is Island Park Reservoir.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

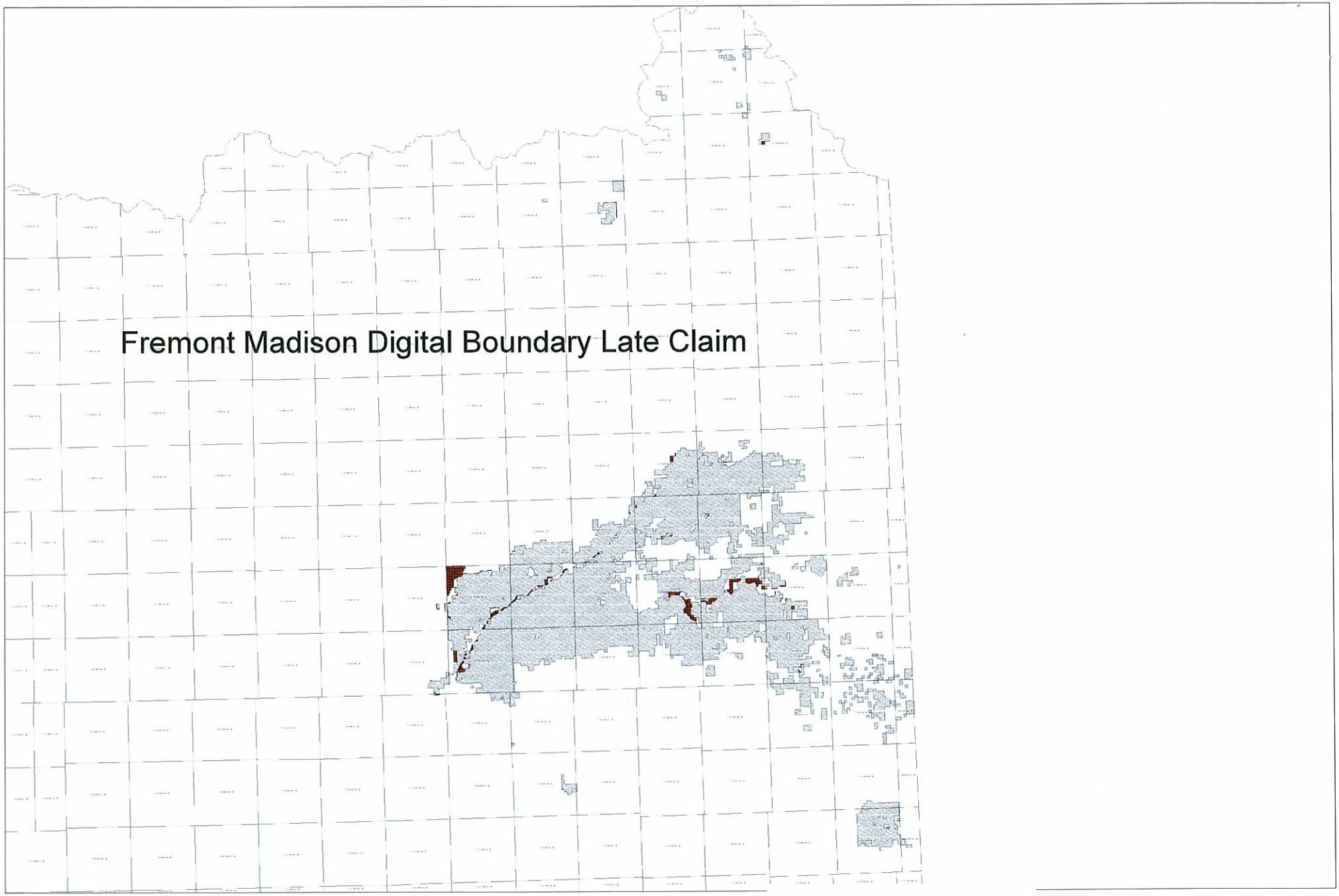
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

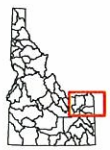
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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

Fremont Madison Digital Boundary Late Claim





0 1.25 2.5 5 7.5 10 Miles

Legend

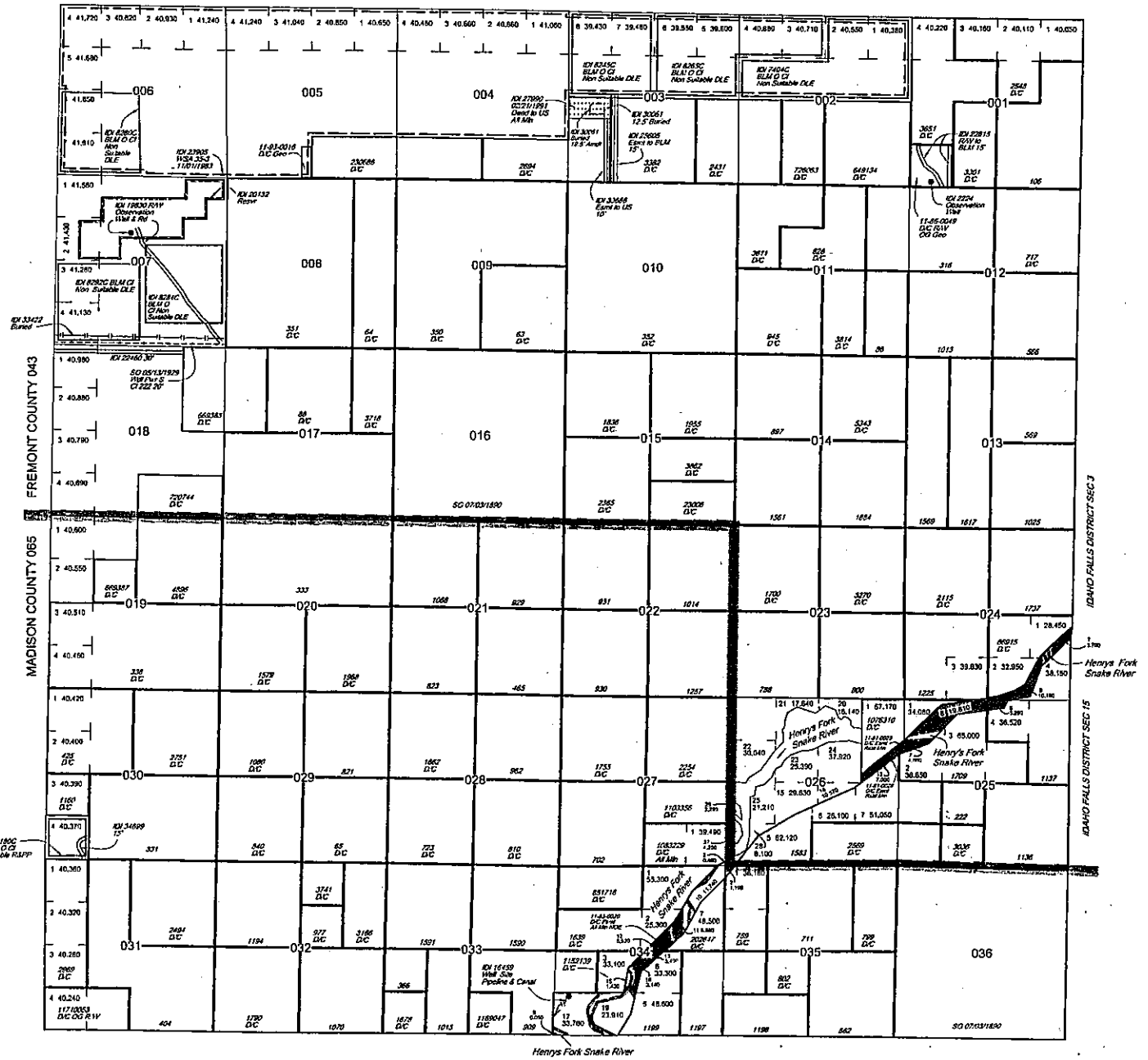
fmid_bndy_lateclaim

BLM land GCDB clip to FMID

N

"No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed."

TOWNSHIP 7 NORTH RANGE 39 EAST OF THE BOISE MERIDIAN, IDAHO



STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

INDEX TO SEGREGATED TRACTS				
RESURVEY			ORIGINAL SURVEY	
TRACT NO	T	R	SEC	SUBDIVISION

IDI 14810 Offer of Omitted Lands to Preference Right Claimants pursuant to Act of Cong 05/31/1962
- Sec 24: Lots 5,6
- Sec 25: Lots 5,6,7
- Sec 26: Lot 13
- Sec 34: Lots 11 thru 14, 16 (portion)

IDI 15392 Sikes Act 02/07/1979
- Sec 2: Lots 1,2,3,4, S2N2
- Sec 3: Lots 1,2,3,4, S2N2
- Sec 4: Lots 1,2,3,4, N2S2, S2N2
- Sec 5: Lots 1,2,3,4, SW, N2SE, S2N2
- Sec 6: Lots 1,2,3,4,5,6,7, N2SE, E2SW, S2NE, SENW
- Sec 7: Lots 1,2,3,4, E2, E2W2

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

FILE REF:	ID080070N0390EsMT0000a.dwg
CONVERTED TIFF:	09/10/2005 BY: LFM
LAST UPDATED:	09/10/2005 BY: LFM
POSTED TO PUBLIC RECORDS:	BY:
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BLM GCDB ACQUIRED:	04/28/2005
OTHER:	N/A
PROJECTED COORDINATE SYSTEM:	UTM ZONE 12N, NAD 1983
NOTES:	

USE PLATS:

Boise Mer.
T. 7 N
R. 39 E

U.S. Bureau of Land Management - Idaho State Office
1387 S. Vinnell Way Boise, Idaho 83709
(208) 373-4000

SCALE in chains
SCALE in feet
SCALE in meters

NORTH

DISCLAIMER:

This plat is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and township survey data. Records hereon do not reflect title changes which may have been affected by lateral movements of river or other bodies of water. Refer to cadastral surveys for official information.

The notation shown on withdrawals represent the last action taken, but may not be the effective date. See the Historical Index for the date of original withdrawal order.

No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed.