

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST
Transfer 82434

July 9, 2018

RECEIVED

JUL 09 2018

DEPARTMENT OF
WATER RESOURCES

RECEIVED

JUL 13 2018

Department of Water Resources
Eastern Region

1. Matter being protested

Application for Transfer No. 82434, involving water rights 35-07274, 35-07491, 35-07616A, and 35-07740 for LCSC Enterprises, LLC

2. Name of protestant

United States Department of the Interior
Bureau of Land Management
Idaho State Office
1387 South Vinnell Way
Boise, Idaho 83709-1657

3. Protestant's Representative for service (if different than protestant)

Fredric W. Price (contact person)

4. Service mailing address

same as above

5. Service telephone no.

(208) 373-3831

6. Basis of protest (including statement of facts and law upon which the protest is based).

On May 17, 2018, LCSC Enterprises, LLC filed an application for transfer involving water rights 35-07274, 35-07491, 35-07616A, and 35-07740. The transfer seeks to Change the point of diversion of 35-07274 from groundwater (T03S, R34E, S06) to an existing canal (Peoples Canal which is tributary to the Snake River), and also adds existing decreed groundwater diversions to all the water rights involved in this transfer. The transfer also seeks to change the Permissible Place of Use ("PPU"). The transfer's proposed POU and PPU includes the following legal land descriptions; T09S, R28E, S14, NESW, NWSW, NESE and NWSE which describe mixed ownership (i.e. both federal and private land). The applicant is not authorized to irrigate BLM land.

This protest is being filed to ensure that conditions are carried over from the partial decrees that make it clear that only private land is intended;

- i) Partial Decree 35-07616A language, "The use of water within T.09S., R.28E., S14, NESW and NWSW is limited to the S1/2 of those places of use."
- ii) Partial Decree 35-07491 language, "The use of water within T09S, R28E, S14, NESW, NWSW, NESE and NWSE is limited to the S1/2 of those places of use."

It is unclear from the transfer how these rights will be delivered through Peoples Canal as this PPU is located five townships south (approximately 45.9 miles southeast) of Peoples Canal service area. If this transfer also seeks PODs on Peoples Canal system, then some form of authorization from BLM and/ or Peoples maybe necessary.

Receipt
#C105345

7. What would resolve your protest?

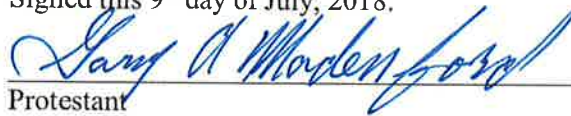
A. Withdraw the application, or:

B. Amend the application to except terms and conditions that makes it clear only private land is intended. Conditions shall be as follows:

- 1) "The place of use does not include any federal land."; or
"The use of water within T09S, R28E, S14, NESW, NWSW, NESE and NWSE is limited to the S1/2 of those places of use."
- 2) "This right does not grant a right-of-way or easement across the land of another."
- 3) More info on how these rights will interface with Peoples Canal.

I hereby, acknowledge that if I, or my designated representative, fail to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 9th day of July, 2018.


Protestant

Gary A. Madenford
Protestant's Representative

Attachments:

◆Maps prepared by BLM for illustrative purposes.

◆Master Title Plats: T03S, R34E, T09S, R28E; and T09S, R29E.

FOR DEPARTMENT USE ONLY

Received by AU

Date 7-9-18

Fee Paid \$25.00

Date 7-9-18

Received by AU

Receipt # C105345

CERTIFICATE OF SERVICE

I certify that on July 9, 2018, I served a true and correct copy of the **"Protest of Application for Transfer No. 82434"** with enclosures upon the following individuals by placing the documents in the United States mail in Boise, Idaho, postage paid, and addressed as follows:

Original to:

Jeff Peppersack, Bureau Chief, Water Allocations Bureau
Idaho Department of Water Resources (IDWR)
State Office
Water Management Division
P.O. Box 83720
322 East Front Street
Boise, Idaho 83720-0098

Copies to:

Lyle Swank, P.E., Regional Manager
Idaho Department of Water Resources
Eastern Regional Office
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402-7177

LSCS Enterprises LLC
c/o Blair Lee Dance
433 Las Colinas Blvd East, Suite 1290
Irving, Texas 75039-5058

Jason C. Helms, P.E.
6755 North Albert Lane
Idaho Falls, Idaho 83401-5603

Steve Davis, Hydrologist
Jennifer Cranney, Realty Specialist
U.S., Department of the Interior,
Bureau of Land Management,
Burley Field Office (MS-220)
15 East 200 South
Burley, Idaho 83318-5435

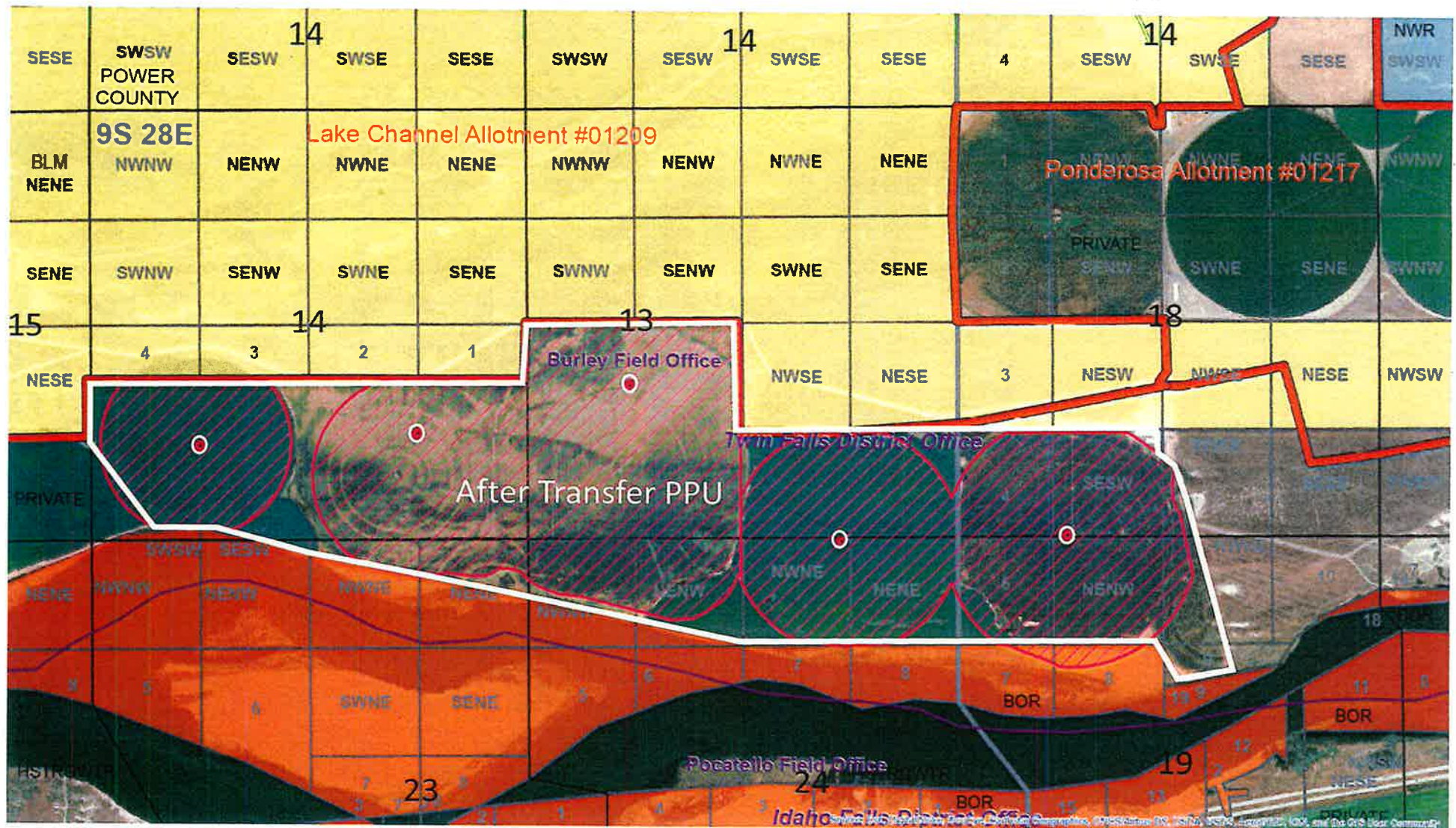
Sandra McCrea

Person Serving Documents (print name)

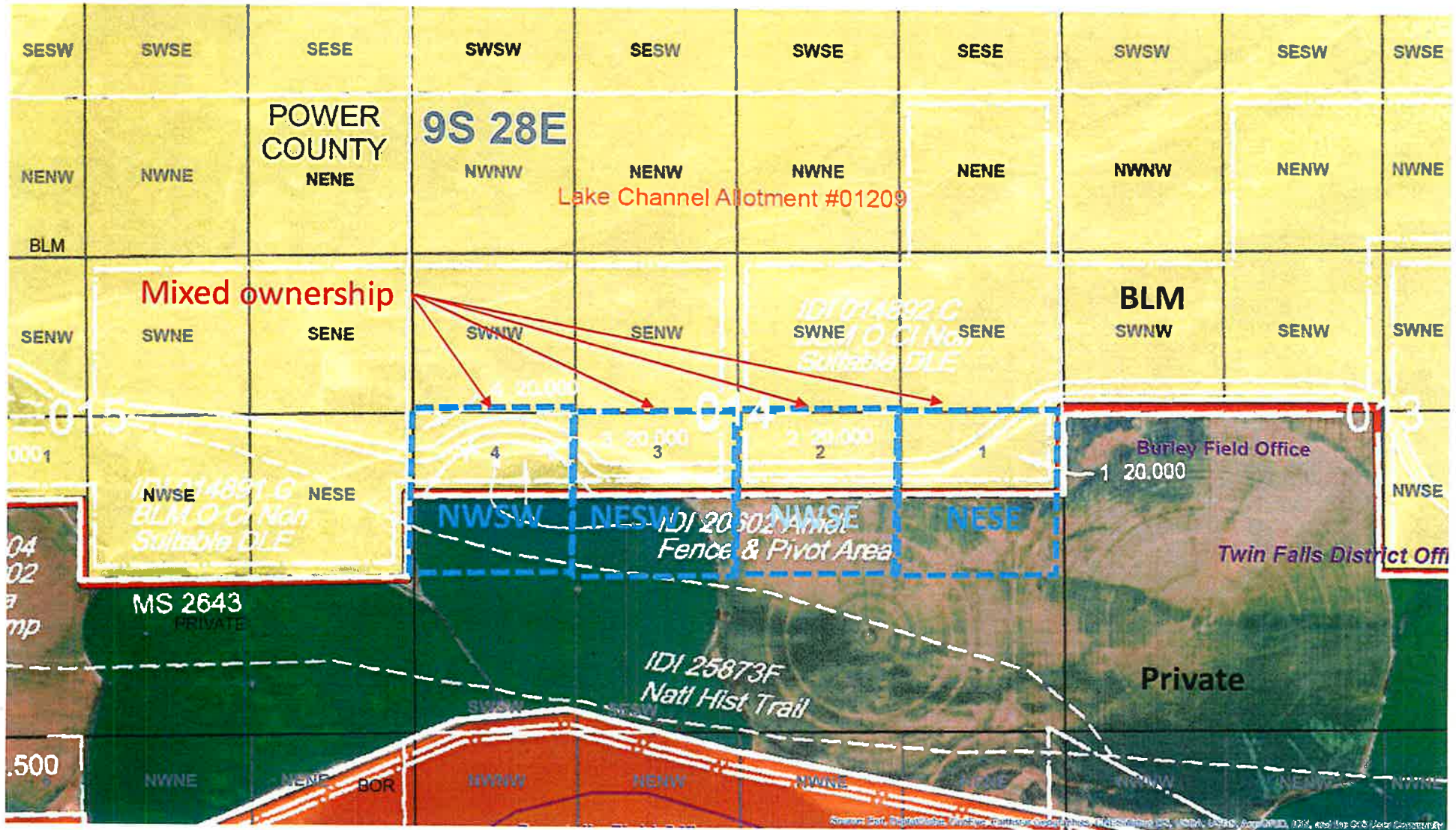


Signature of Person Serving Documents

T09S, R28E, S14, NESW, NESW, NESE, and NWSE is mixed ownership (BLM land and private land)



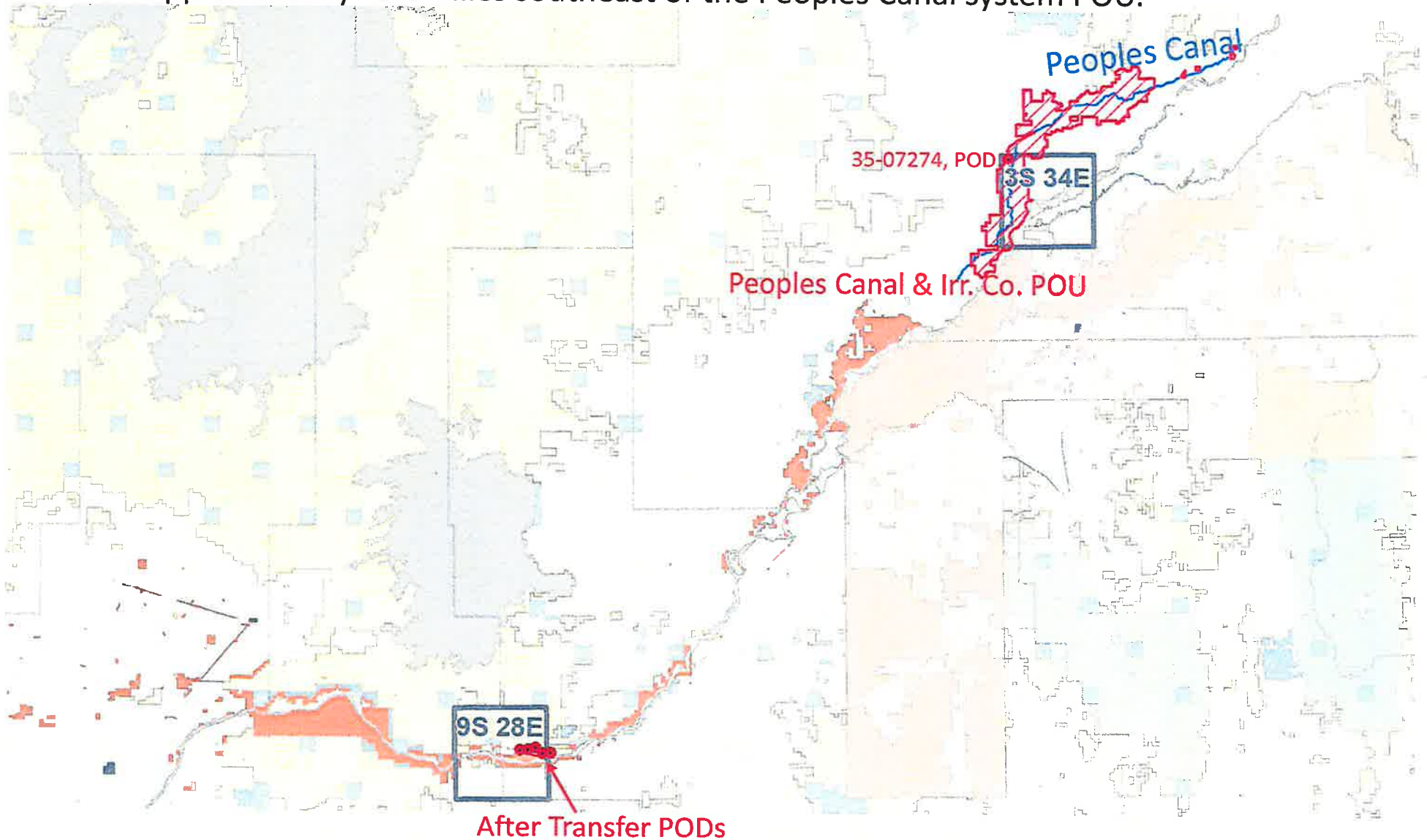
T09S, R28E, S14, NESW, NESW, NESE, and NWSE is mixed ownership (BLM land and private land)



Protest: Transfer 82434 (LCSC Enterprises, LLC),

involving water rights 35-07274, 35-07491, 35-07616A, and 35-07740.

It is unclear from the transfer how water rights will get water delivered from Peoples Canal, which is approximately 45.9 miles southeast of the Peoples Canal system POU.



BINGHAM COUNTY 011

MT PLAT

INDEX TO SEGREGATED TRACTS

[illegible]

SAC SF LOTS 78

50 12-23-1304 Open to Friday July to Jan 24 FFA
Pwr 5 Feb 117 EO 07/201910
See 29 Loc 2.3
See 30 Loc b

EO 7449 (4/15/1204) The Joint of Any Lands from
Dept of Agr to Dept of the BIA
All land having within Fort Hall Ind Res

DO 2024-01/049 Office of General Services to
Performance Right Claimants pursuant to Act of
Cong 93/94/1992

Seq 11: Loci 4, Pind Loci 5 (Nlow Tr 37)
 Seq 12: Pind Loci 5 (Nlow Tr 39)
 Seq 13: Loci 5, Pind Loci 6 (Nlow Tr 40)
 Seq 14: Loci 5
 Seq 15: Loci 5
 Seq 16: Loci 5, 12, 13
 Seq 17: Pind Loci 5, Loci 5A, GENE (Nlow Tr 47)

See **Contractor Fee approved TAP 2008 for details**
 acting offering equal subdivisions
 See 32

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

FILE REF:	JAGGERS-ECHEVERRIA-2002-00000000		
FORWARD TO FR:	11/20/2008	BY:	JCR
LAST UPDATED:	11/20/2008	BY:	JCR
WAGE:		GRADE:	
FOOTED TO PUBLIC INQUIRIES			
#1			
PUBLIC AND SURVEY SYSTEM IS USED			
PULL DOWN RECORDS:	YES		
OTHER:	NA		



U.S. Bureau of Land Management - Idaho Region Office
1387 S. Street Way, Boise, Idaho 83709
(208) 372-4000



DISCLAIMER

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STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS[illegible]

104 13816 Sales Act 02/01/1960

500

Sept 21, 2014

KN 25073 Alan Hill Yard

motorist information only. Area not shown.

© 2004 Blackwell Publishing Ltd
Journal of Internal Medicine 255: 105–112

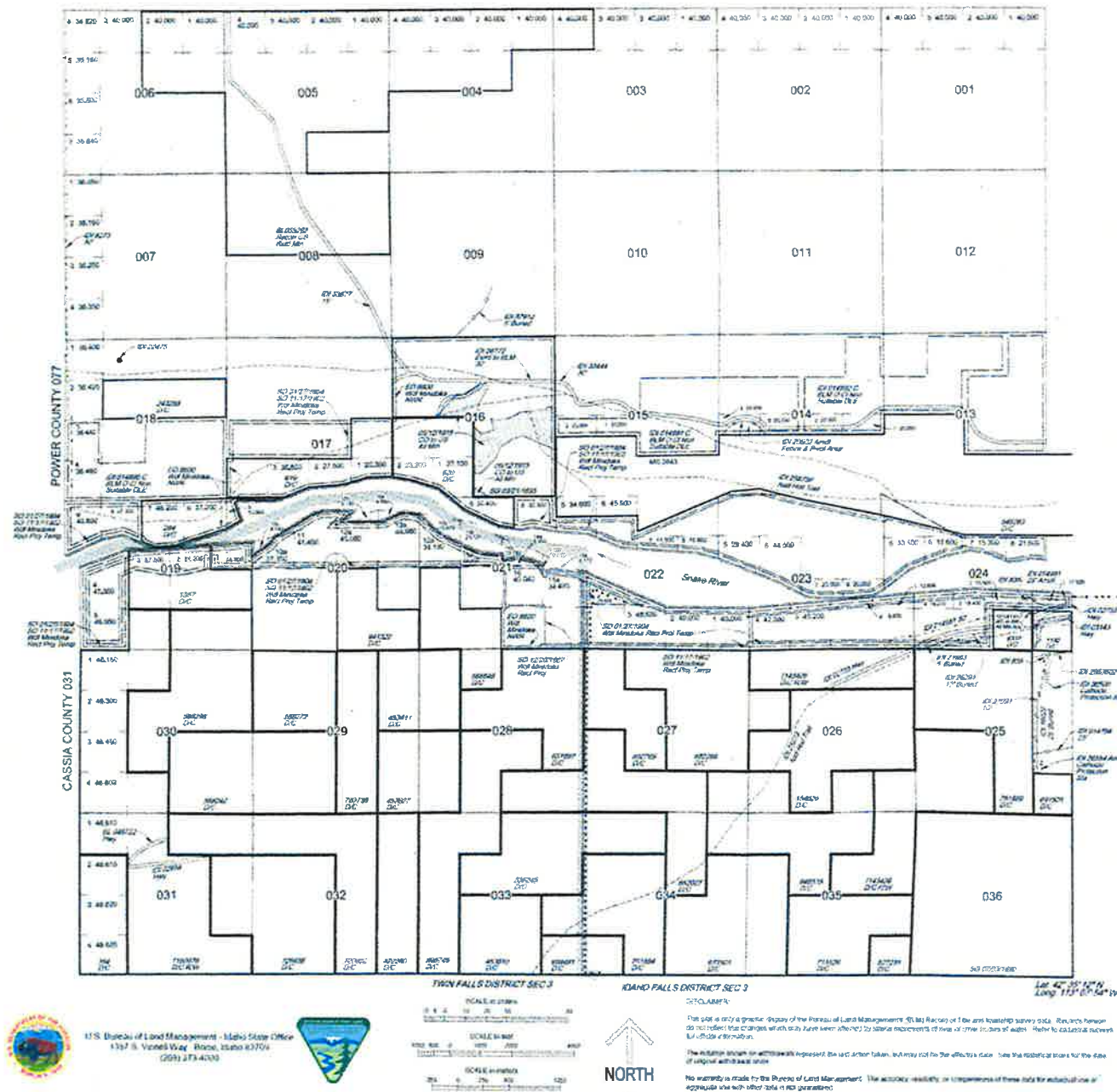
3) 25% of 1400 = 350

Historical information only. Does not describe public access.

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UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE KEY	GOODS/INVENTORY/INVENTORY KEY	
COMPLETED FILE	STATUS	BY JOB
LAST UPDATED	DATE	BY CD
QUANTITY	QUANTITY	
ADJUSTED TO PUBLIC RECORDS	Printed June 21, 2010	
	BY	
FISCAL YEAR SHOWS	FISCAL MONTHS	
SEE GDS ACCOUNTS	ACCOUNTS	
OTHER	N/A	
FINANCIAL INFORMATION SYSTEM	FINANCIAL SYSTEM	
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Even More
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POWER COUNTY 077

MT PLAT

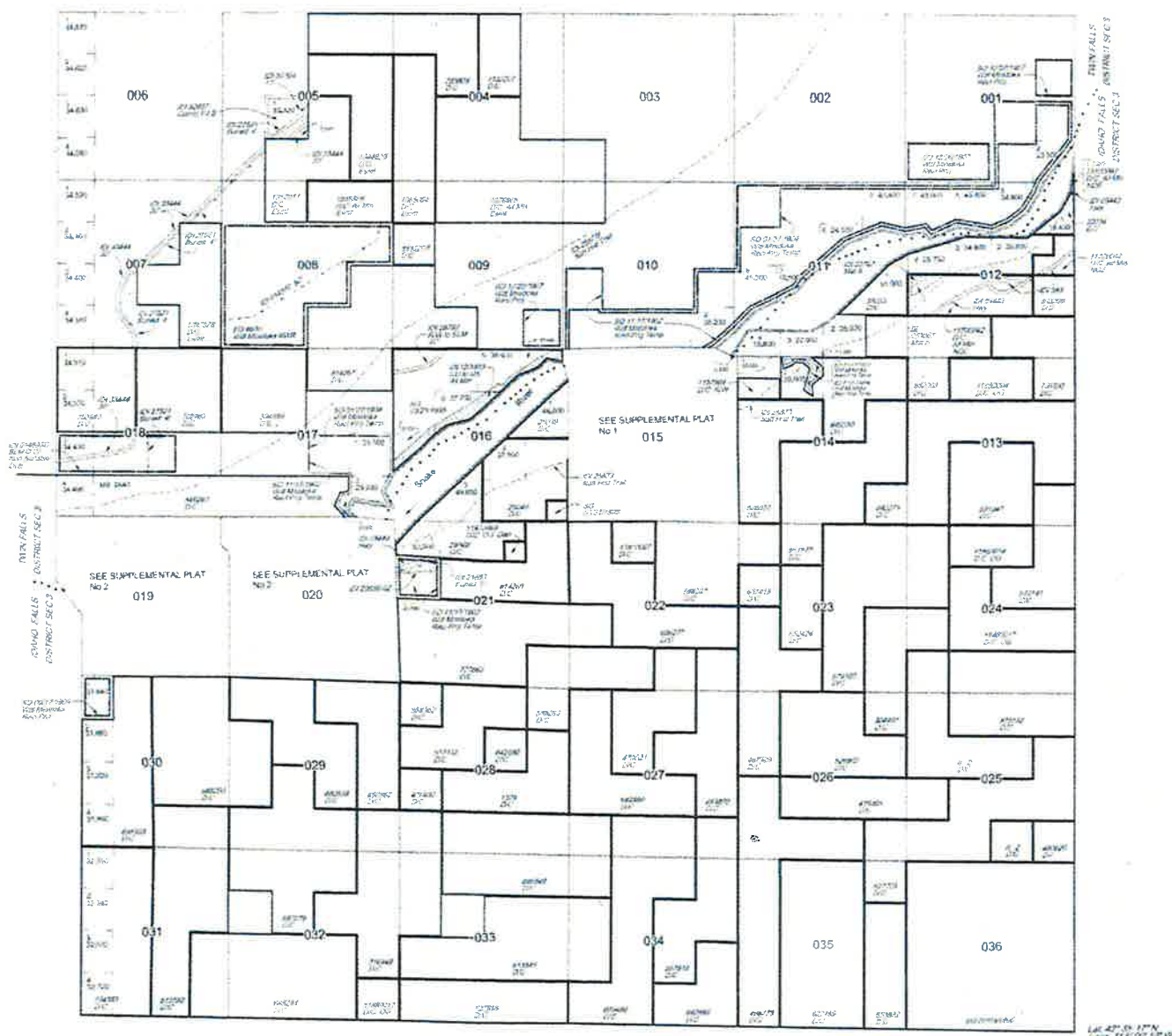
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IDU 2687 IF NOT RECD THIS

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FURLE LAMINATE SYSTEM (FLS)	
IN GOOD ACQUIRED	OTHER
OTHER	NA
FURLE LAMINATE SYSTEM OTHERS (FLS)	
OTHERS	

2025.11.11
 T. S. S.
 H. S. S.



Lat 22° 05' 17" N
Long 120° 02' 57" E

DECLARED

This staff is only a rough sketch of the Bureau of Land Management's (BLM) focus at The Wildlands Institute. Specific research or management changes will have been selected for various stakeholders of wild or great natural places. People like you are needed to make it happen.

The authors declare no potential conflicts of interest with respect to the research, authorship, and/or publication of this article. The authors declare that they have no financial interests that may be construed as a potential conflict of interest.

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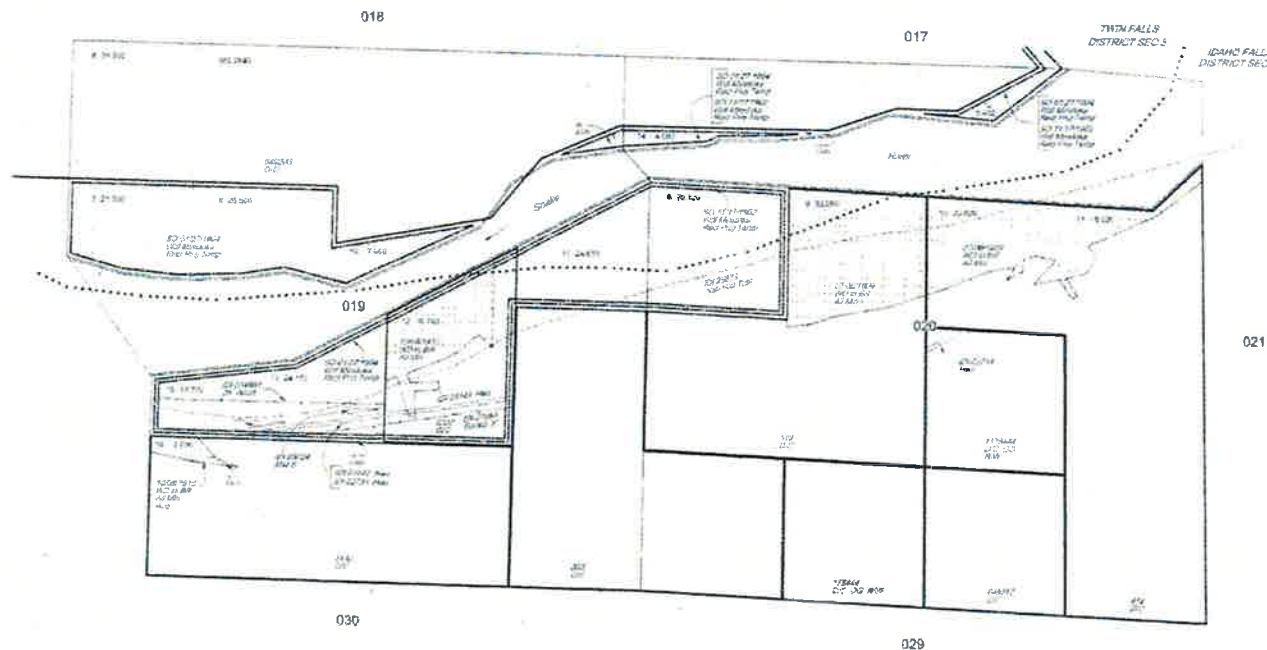


U.S. Bureau of Land Management - Idaho State Office
1387 S. Vinel Way, Boise, Idaho 83709
(208) 375-4000



POWER COUNTY 077

MT PLAT
SUPPL Secs 19, 20



INDEX TO SEGREGATED TRACTS

NO SURVEY INTERNAL SECURITY - C
TRACINGS: I R GEN SUBVERSIVE ACTIVITIES

Source: National Archives and Records Administration. Document ID: A60897. Date of transcription: 10-10-2010.

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MISCELLANEOUS DOCUMENTS

Page 102 **CONFIDENTIAL** **CONFIDENTIAL** **CONFIDENTIAL**
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 LAST UPDATED: 01/01/2010
CONFIDENTIAL **CONFIDENTIAL** **CONFIDENTIAL**
 DOWNLOADED FROM: **CONFIDENTIAL** **CONFIDENTIAL**
 01/01/2010
 PUBLIC LAND SUMMARY BY STATE (13)
 BLM GRASS ACRES **CONFIDENTIAL**
 01/01/2010 **CONFIDENTIAL**
 PROJECT BY STATE/STATE SYSTEMS 1174 ZONE: 72% NAD 1983
 NAD83

272 61.8.15

7. 23 ±
 No. 2



U.S. Bureau of Land Management - Idaho State Office
1907 S. Vinland Way Boise, Idaho 83709
(208) 373-4000



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