

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST
Application for Permit 22-14308

April 23, 2018

RECEIVED

APR 23 2018

DEPARTMENT OF
WATER RESOURCES

RECEIVED

APR 27 2018

Department of Water Resources
Eastern Region

1. Matter being protested

Application for Permit 22-14308, existing rights include 22-07196, 22-07256, and 22-13329.

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 February 2, 2018, KLB, Inc ("Applicant") filed Application for Permit (22-14308) and amended the application on 03-12-2018. The applicant is seeking an additional 12.4 cfs for irrigation use to supplement existing water rights 22-07196, 22-7256, and 22-13329. The permit contains legal land descriptions that entirely describe BLM land, as well as, legal land descriptions that are mixed ownership (BLM /private). The applicant is authorized to irrigate federal land listed below under a Bureau of Reclamation Land Use Permit (Contract No. 13-07-14-LA779) dated April 02, 2018.

POD Legal Land Description entirely describing BLM lands:
T07N, R44E, S29, SENWNE.

POU Legal land descriptions entirely describing BLM lands:
T07N, R43E, S13, NWNW and NESW.
T07N, R43E, S14, NENW.
T07N, R44E, S19, NWSE.

POU Legal Land descriptions that describe mixed ownership (BLM /pvt):
T07N, R43E, S13, SWNW.
T07N, R43E, S14, SENW.
T07N, R43E, S15, NENE.

Receipt
C105005

BLM is filing a protest to Application for Permit 22-14308 to ensure any permit issued by IDWR includes conditions which were decreed under water rights 22-07196, 22-07256, and 22-13329:

"Place of use does not include federal public lands unless authorized in writing by the United States Bureau of Reclamation".

7. What would resolve your protest?

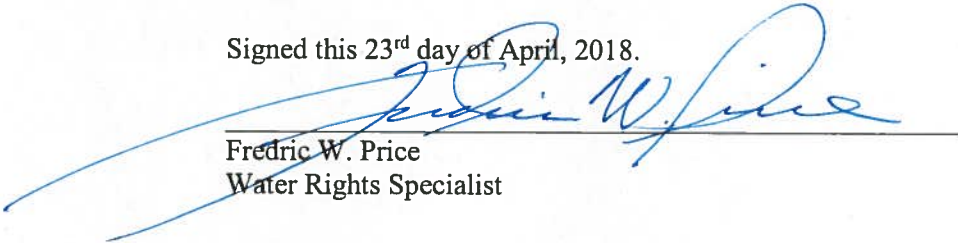
BLM's protest can be resolved by:

1.) Add the following limiting conditions to the permit:

"Place of use does not include federal public lands unless authorized in writing by the United States Bureau of Reclamation."

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 23rd day of April, 2018.


Fredric W. Price
Water Rights Specialist

Attachments:

◆Maps prepared by BLM for illustrative purposes.

◆Master Title Plats: T07N, R43E and T07S, R44E.

FOR DEPARTMENT USE ONLY

Received by TV

Date 4/23/08

Fee Paid \$25.00

Date 4/23/18

Received by TV

Receipt # C105005

CERTIFICATE OF SERVICE

I certify that on March 23, 2018, I served a true and correct copy of the "**Protest of Application for Permit 22-14308**" 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, Administrator
Idaho Department of Water Resources
Idaho 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 83402-1700

KLB, Inc
c/o John Brown
PO Box 579
Rexburg, Idaho 83440-0579

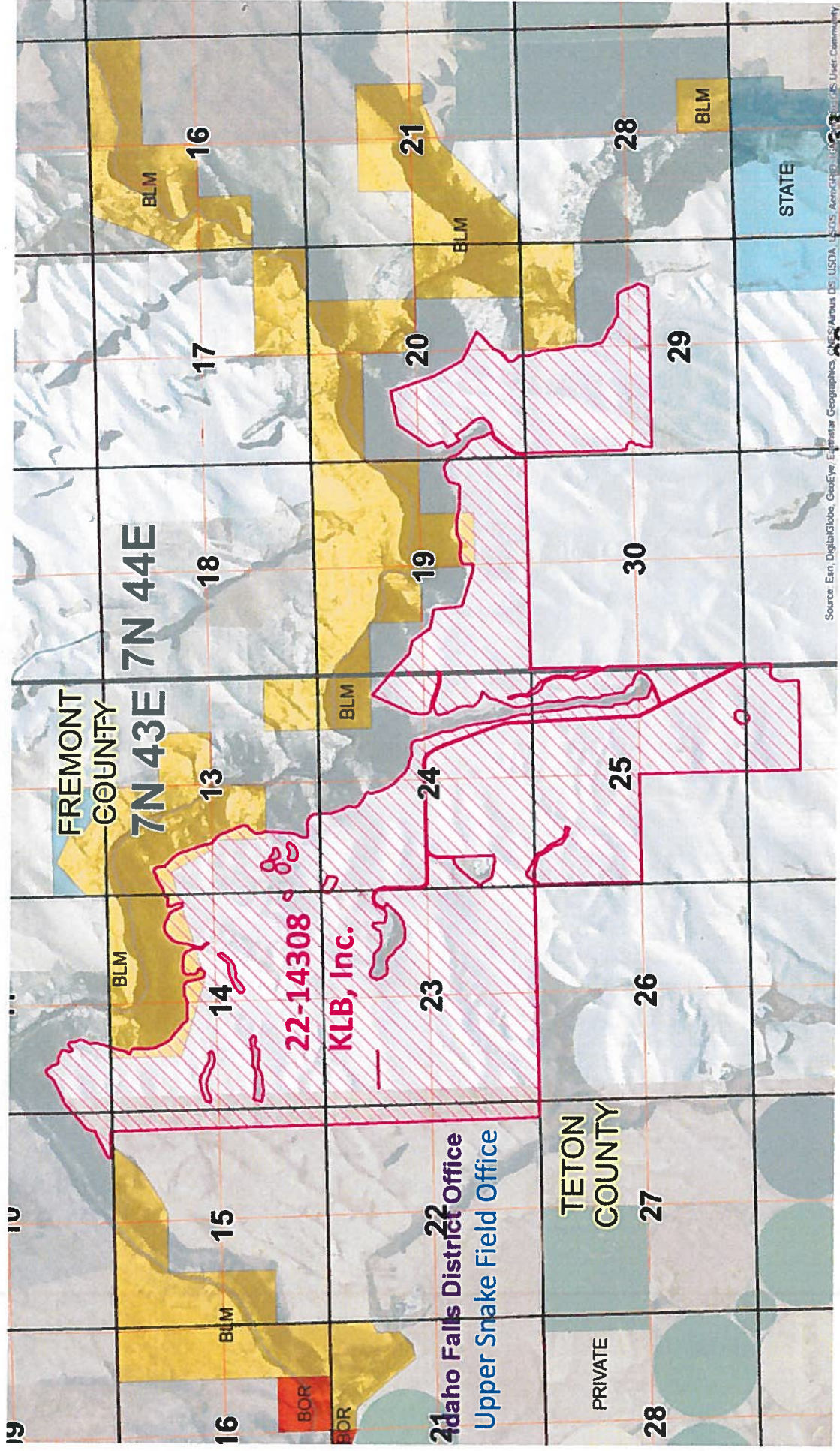
Deena Teel, Assistant Field Manager
Heather Schlenker, Realty Specialist
USDI-BLM;
Idaho Falls District Office
1405 Hollipark Drive
Idaho Falls, Idaho 83401-2100

Fred Rice

Person Serving Documents (print name)

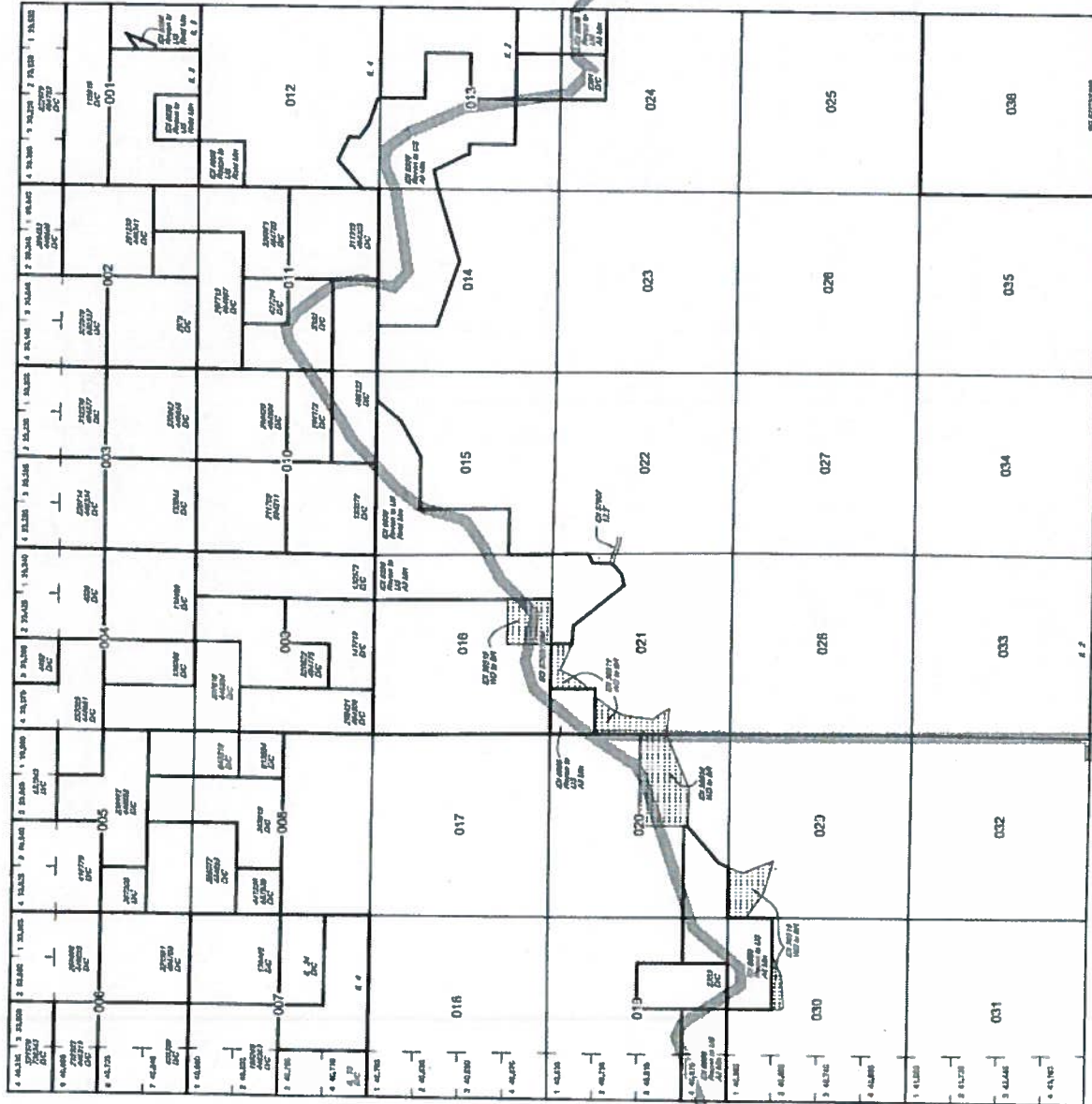
[Signature]
Signature of Person Serving Documents

Protest: Application for Permit 22-14308 (KLB, Inc.)



TOWNSHIP 7 NORTH RANGE 43 EAST OF THE BOISE MERIDIAN, IDAHO

BLAND HILLS DISTRICT SEC 18



U.S. Bureau of Land Management
1307 N. Vineyard Way
Boise, Idaho 83718
(208) 375-6000



ENCUMBRANCES

This map is a copy of a map of a portion of the Boise Meridian, Idaho, prepared by the U.S. Bureau of Land Management. It is not a survey map and should not be used for legal purposes. The map is a copy of a map of a portion of the Boise Meridian, Idaho, prepared by the U.S. Bureau of Land Management. It is not a survey map and should not be used for legal purposes. The map is a copy of a map of a portion of the Boise Meridian, Idaho, prepared by the U.S. Bureau of Land Management. It is not a survey map and should not be used for legal purposes.

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

INDEX TO SEGREGATED TRACTS			
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Scale: 1" = 1 mile
T. 7 N
R. 43 E

