

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST
Transfer 81477

March 27, 2017

RECEIVED
MAR 27 2017
DEPARTMENT OF
WATER RESOURCES
RECEIVED
MAR 31 2017
Department of Water Resources
Eastern Region

1. Matter being protested

Transfer Application No. 81477 by Randy Purser involving water rights 34-00235D, 34-00424D, 34-00790D and 34-00791D.

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).

Randy Purser (Applicant) is seeking to add a point of diversion (POD) at the head of 3-in-1 Ditch to four (4) of his water rights: 34-00235D, 34-00424D, 34-00790D and 34-00791D. The proposed POD is located federal public land within T06N, R25E, S14, SENWSE. BLM has not authorized the transportation of Purser's water rights across federal public land.

The Applicant has another water right on 3-in-1 Ditch under 34-00314 that describes this same POD pursuant to Transfer #2891 approved in 1983, however Purser does not have a right-of-way (ROW) to transport any water rights across federal public land.

7. What would resolve your protest?

BLM's protest can be resolved by:

- 1) Removing the POD on BLM land in T06N, R25E, S14, SENWSE; or
- 2) Applicant seeking and obtaining a ROW to transport these five (5) water rights across BLM land, and obtaining permission from the owners of 3-in-1 Ditch to use the ditch.

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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 27th day of March 2017.



Protestant
Gary Madenford
Water Rights Team Leader

Attachments:

- Maps prepared by BLM for illustrative purposes.
- Master Title Plats

FOR DEPARTMENT USE ONLY

Received by _____

Date _____

Fee Paid \$25.00

Date 3/27/17

Received by VC

Receipt # C1032009

Page 2 of 3

Protest of Transfer No. 81477 (34-00235D, 34-00424D, 34-00790D, 34-00791D)

Randy Purser

March 27, 2017

CERTIFICATE OF SERVICE

I certify that on March 27, 2017, I served a true and correct copy of the **Protest of Application for Transfer 81477** by Randy Purser 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, Regional Manager
Idaho Department of Water Resources
Eastern Region
900 N Skyline Drive
Idaho Falls, Idaho 83402-1718

Randy Purser
3539 West 3600 North
Moore, ID 83255

Deena Teel, Supervisory Natural Resource Specialist
Becky Lazdauskas, Realty Specialist
USDI, BLM
Upper Snake Field Office
1405 Hollipark Drive
Idaho Falls, ID 83701

SANDRA MCCREA

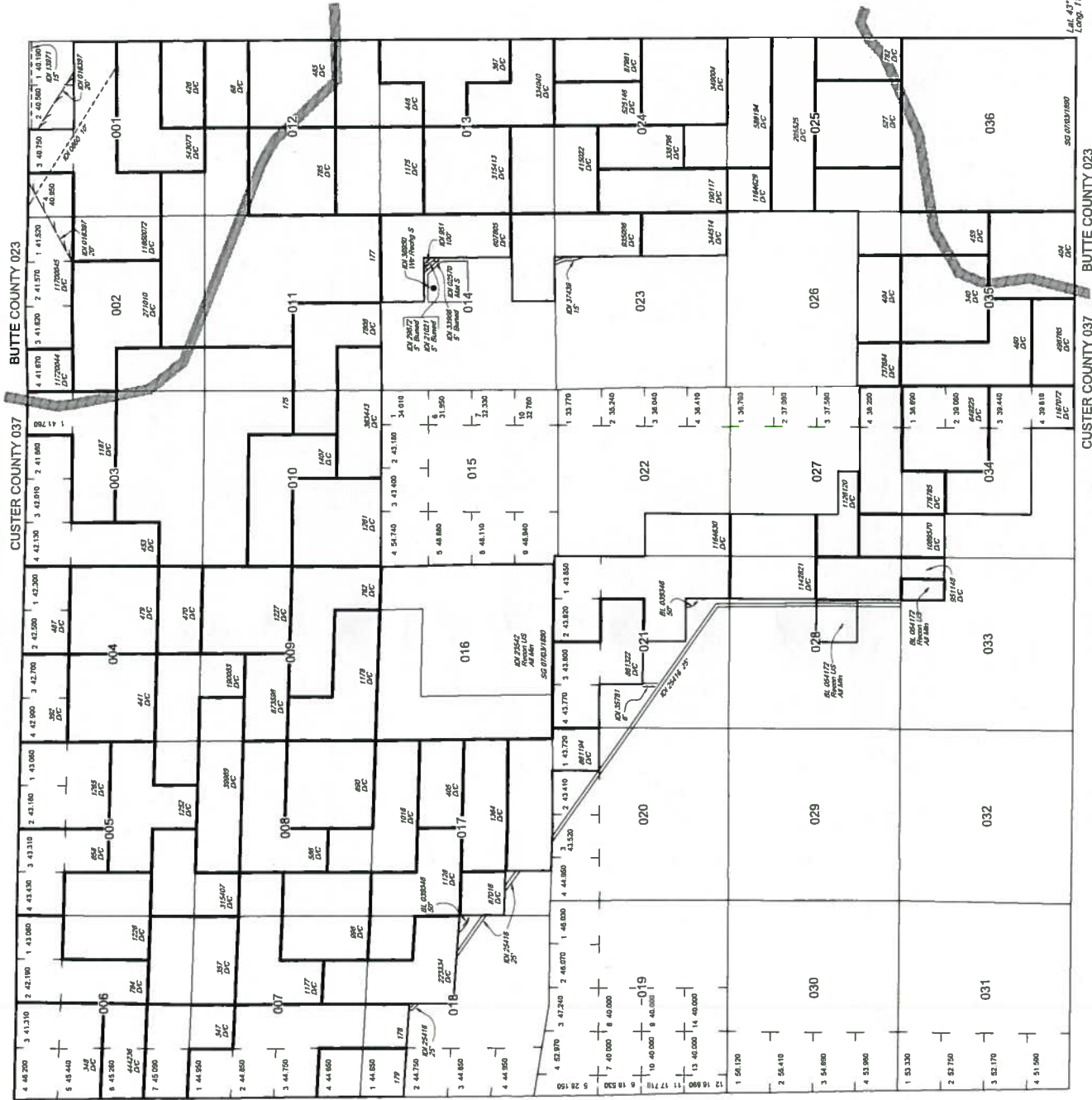
Person Serving Documents (print name)



Signature of Person Serving Documents

IDAH0 FALLS DISTRICT SEC 3

MT PLAT

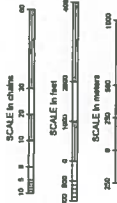
[illegible]

Lat. 43° 48' 35" N
Long. 113° 24' W

BUTTE COUNTY 023

CUSTER COUNTY 037

This plan is only a graphic display of the Bureau of Land Management (BLM) Record of Title and Landmark survey data. Records between adjacent landowners may have been affected by latent movements of title or other bodies of water. Holder to colonial surveys for critical information.



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



Bolag Met.
T. 6 N
R. 25 E

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

FILE REF:	B00800002506.J4110000.dwg
CONVERTED TIME:	11/05/2008
LAST UPDATED:	11/05/2012
QAOG F1:	QAOG F2:
POSTED TO PUBLIC RECORDS:	November 19, 2012
BY:	
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BLM SECTOR ACQUIRED:	06/06/2005
OWNER:	N/A
PROJECTED COORDINATE SYSTEM:	UTM ZONE 12N, 18Q 1983
NUTEL:	
USE PLANT:	

Protraction Diagram approved 01/27/1903

MT PLAT

[illegible]

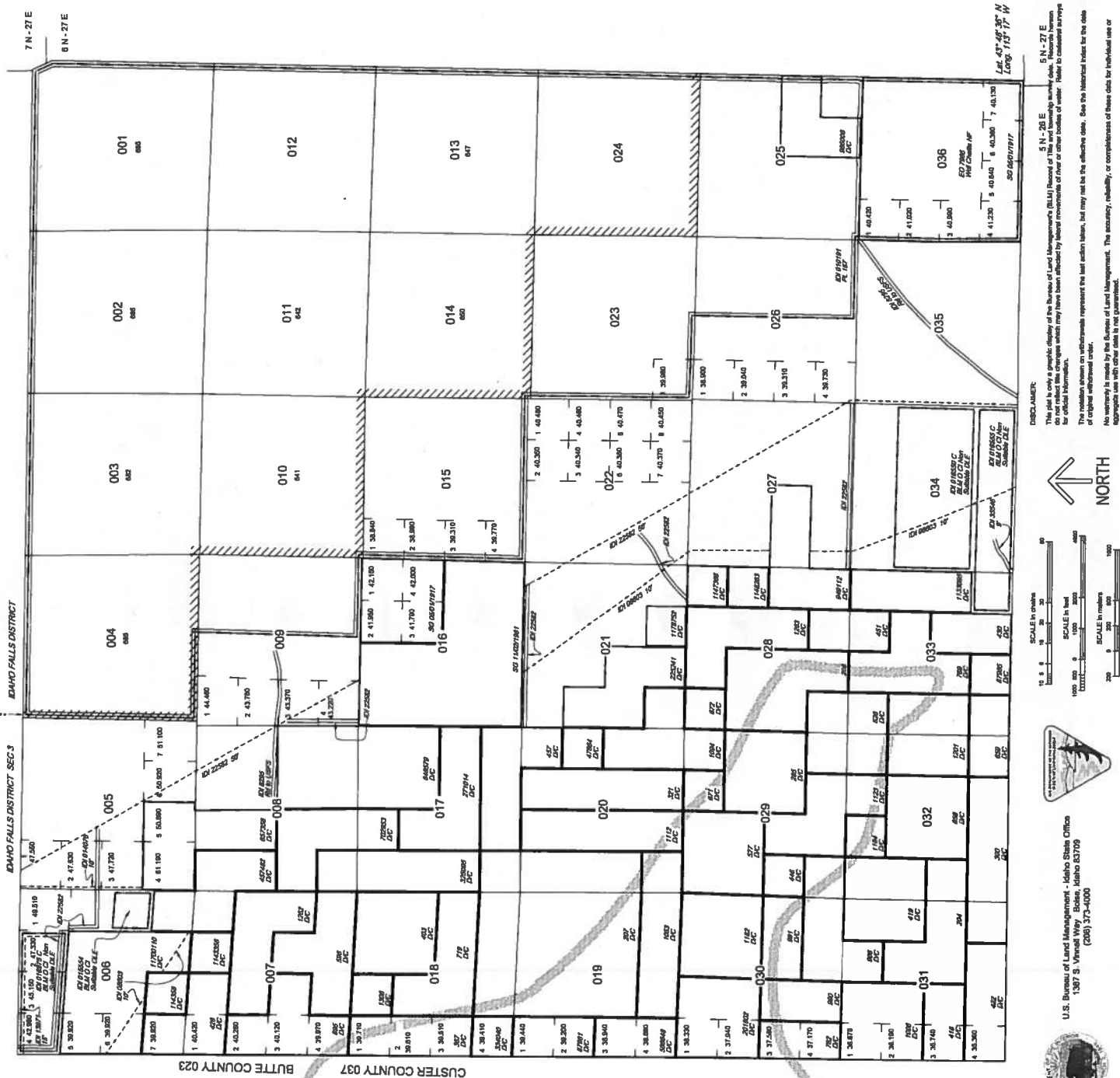
NDI 010191 Del PL 167 (Act of Cong 07/23/1955)
completed 02/24/1981. All NF surface Mgmt by

DI 12010 Wild Carey Act Prop
Sec 21: N2NE, N2NW

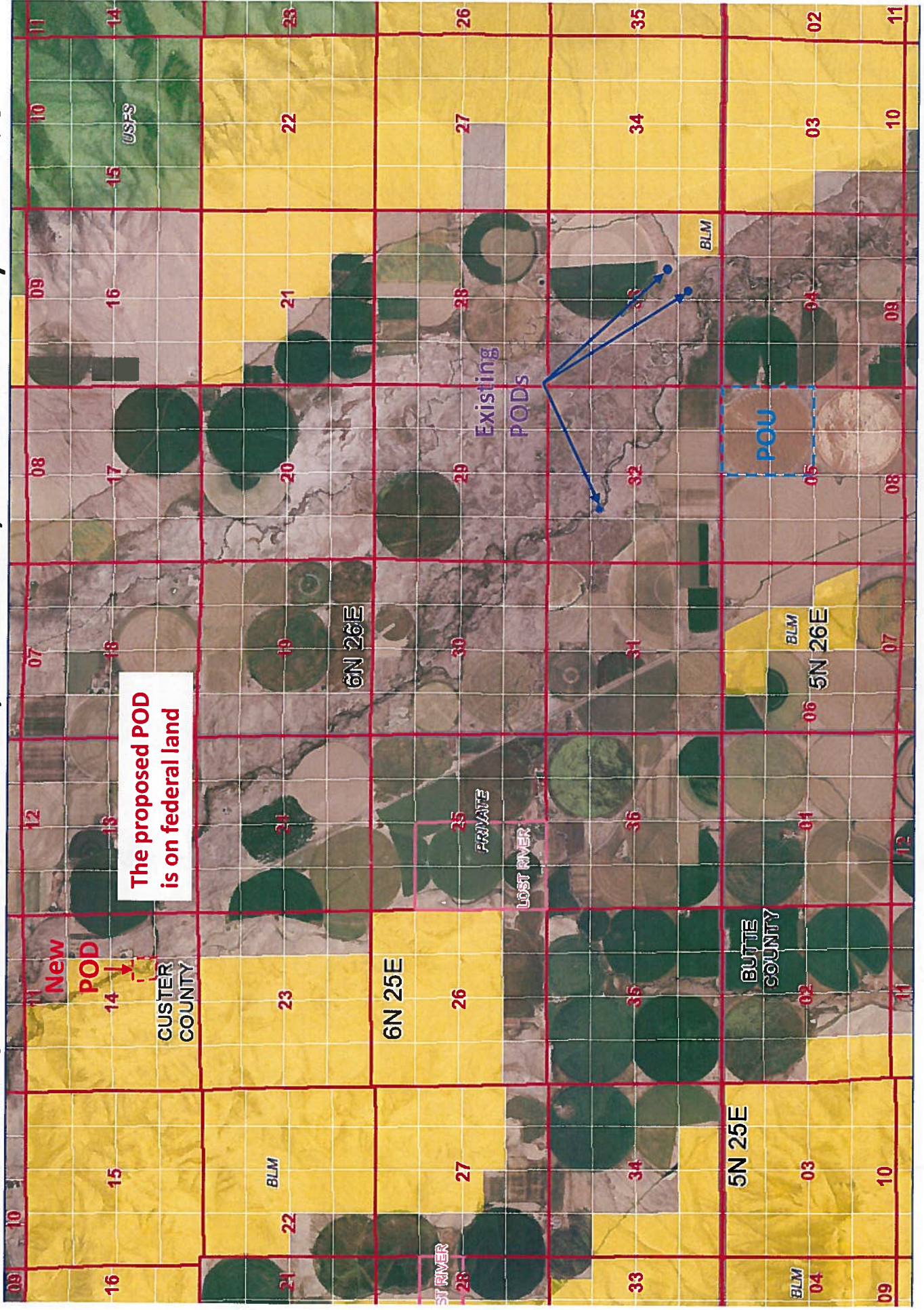
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

[illegible]

T. 6 N
 R. 28 E



Transfer 81477 (34-00235D, 34-00424D, 34-00790D, and 34-00791D) POD Issue



Idaho Department of Water Resources Receipt

Receipt ID: C103269

Payment Amount \$25.00 Date Received 3/27/2017 4:31 PM Region STATE
Payment Type Check Check Number 1021
Payer WELLS, TERRIANN/ DOI-BUREAU OF LAND MANAGEMENT
Comments NOTICE OF PROTEST

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	PROTESTS	56103	0229	21		1155



Signature Line (Department Representative)