

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 24 2017

WATER RESOURCES
WESTERN REGION

NOTICE OF PROTEST
Transfer No. 81499

April 24, 2017

1. Matter being protested

Transfer No. 81499 (Murphy Land Company, LLC) involving 02-02129, 02-02130, 02-02406, 02-07020, 02-07021, 02-07025, 02-07033, 02-07034, 02-07036, 02-07037, 02-07038, 02-07127, and 02-07350.

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).

Transfer No. 81499 seeks to establish a permissible Place of Use (POU). The transfer describes some POUs entirely on federal lands and some that are mixed ownership (ie. containing both private and federal lands). The applicant is not authorized to farm federal public land.

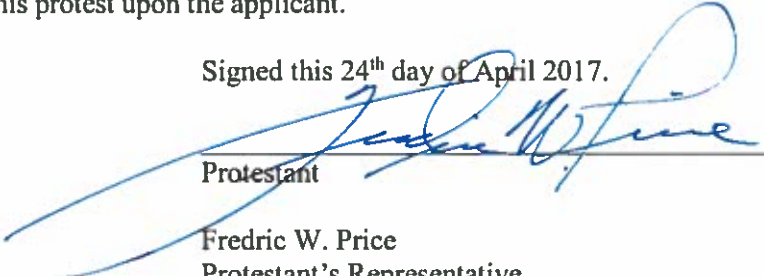
7. What would resolve your protest?

- 1) Remove Places of Use describing federal public lands.
- 2) Clarify mixed ownership POUs such that it is clear only private land is intended by describing lots where appropriate and conditioning all rights in the transfer as follows:
"Place of use does not include federal public lands."

Received by RN
W045213

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 24th day of April 2017.


Protestant

Fredric W. Price
Protestant's Representative

Attachments:

- ◆Maps prepared by BLM for illustrative purposes.
- ◆Master Title Plat: T05S, R04E; T05S, R05E; and T06S, R05E.

FOR DEPARTMENT USE ONLY

Received by RN Date 4/24/17
Fee Paid \$25.00 Date 4/24/17 Receipted by RN Receipt # W045213

CERTIFICATE OF SERVICE

I certify that on April 24, 2017, I served a true and correct copy of the **"Protest of Application for Transfer 81499"** 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:

Nick Miller, P. E., Regional Manager
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, Idaho 83702-5082

Copies to:

Murphy Land Company, LLC
PO BOX 3110
Pasco, Washington 99302-3110

Greg Sullivan, M.S.
Brockway Engineering PLLC
2016 N. Washington Street, Suite 4
Twin Falls, Idaho 83301

James Tarter, Natural Resource Specialist
U.S., Department of the Interior
Bureau of Land Management
Boise District Office
3948 South Development Avenue
Boise, Idaho 83705-5339

SANDRA MCCREA

Person Serving Documents (print name)



Signature of Person Serving Documents

Protest: Transfer 81499 (Murphy Land Company, LLC)

Exhibit B
Place of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
05S	04E	24									40			40		39	40		159
		25					40	40	40	40	40	40		40			40	40	360
		26	40	40															80
		36	40	40	40	40	40	40	40	40	40	40			40	40	40	40	560
05S	05E	28											23	40			40		103
		30											21	40					61
		31	40	40	40	40	40	40	40	40			40	40	40	40	40		560
		31	Lot 3	21															21
		32	40	40	40	40	40	40	40	40					40	40	40	40	480
		33		40	9		40	40	40	9									178
06S	05E	4							41	41	41	41	41	41					246
		5	41	41	41	41	40	40	41	41	41	41			41			36	485
		6	40	41	41	41	41	47		42					41	41			375
																			0

(3,335.0 acres will be irrigated in a POU within the 3,668.0 acre PPU)

Total 3668

Lands entirely describing federal lands:

T05S, R04E, S26, NWNE

T05S, R05E, S30, SESW

Lands describing mixed ownership (federal and private):

T05S, R05E, S28, SWSW; T05S, R05E, S31, SWNW
and SWSW

T05S, R05E, S33, SWNE and T05S, R05E, S33, SENW

T06S, R05E, S05, SESE

Protest Transfer 81499: Map of Exhibit B POU Legal Land Descriptions

Federal lands:
Remove and correct,
Should this be
T05S, R04E, S26, SENE?

Federal lands:
Correct by adding lot information.

Mixed Ownership:
Add conditioning remark to
exclude federal public lands.

Mixed Ownership:
Add conditioning remark to
exclude federal public lands.

Map labels include: PRIVATE, BLM, STATE, OWAYHEE COUNTY, 5S 4E, 5S 5E, 6S 4E, 6S 5E, 16, 15, 22, 23, 24, 19, 20, 21, 22, 26, 25, 30, 29, 28, 27, 36, 31, 32, 33, 34, 35, 36, 03, 04, 05, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36.

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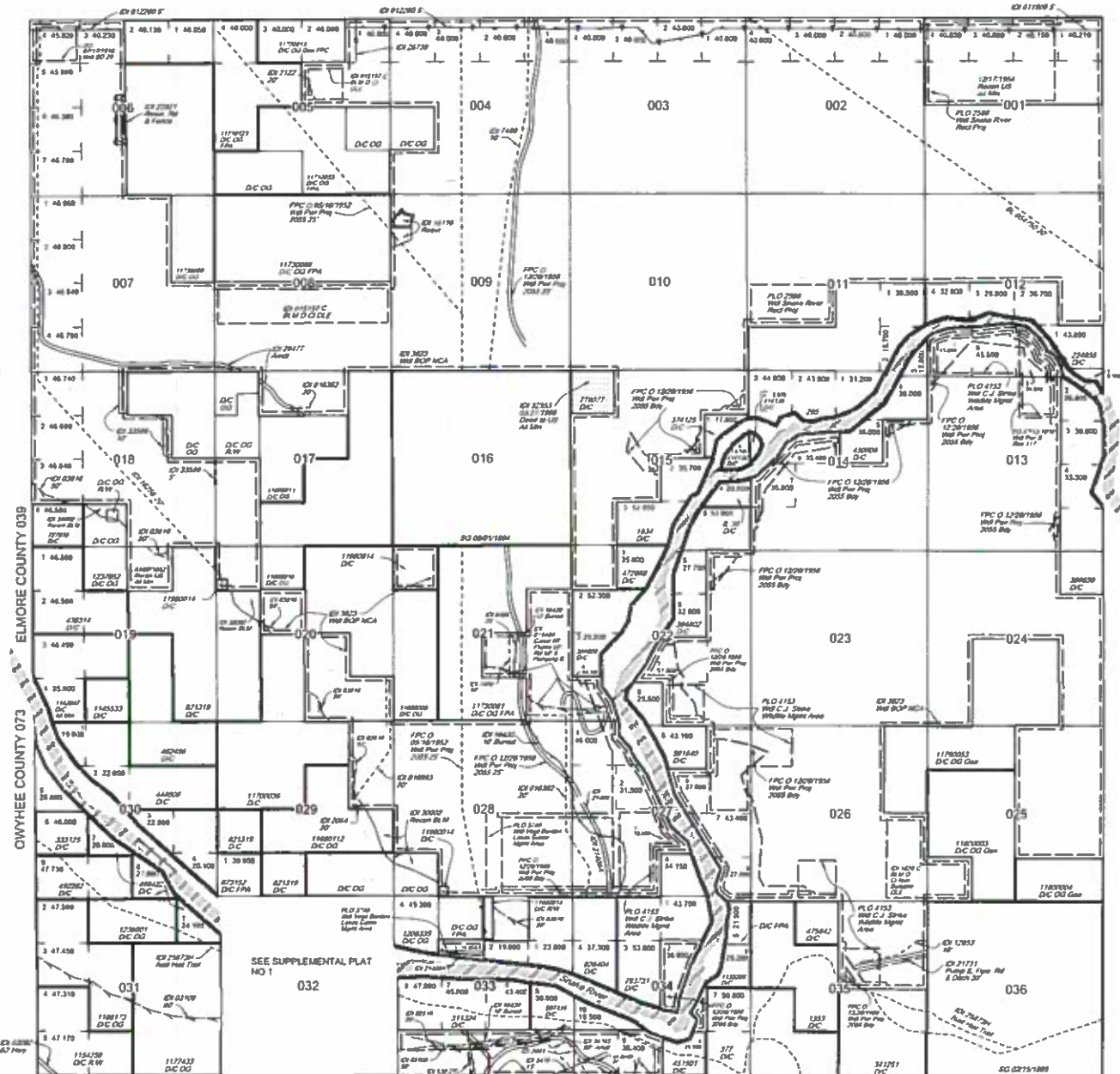
BOISE DISTRICT SEC 3

MT PLAT

[illegible]

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

FILE REF:	AC088898B6H0GCM100000.dwg	
CONVERTED TWT:	18-07-2008	BY: JCB
LAST DATED:	04-06-2008	BY: LFM
QA/QC #:		QA/QC RE:
POSTED TO PUBLIC RECORDS BY:	August 1, 2012	
PUBLIC LAND SURVEY SYSTEM (PLSS)		
BLM DATE ACQUIRED	04-26-2008	
OTHER:	N/A	
PROJECTED COORDINATE SYSTEM:	UTM ZONE 11N NAD 1983	
NOTES:		
USE PLATS:		

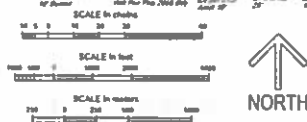


No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed.

Lat 42° 58' 21" N
Long 115° 55' 5" W



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



BOISE DISTRICT SEC 3

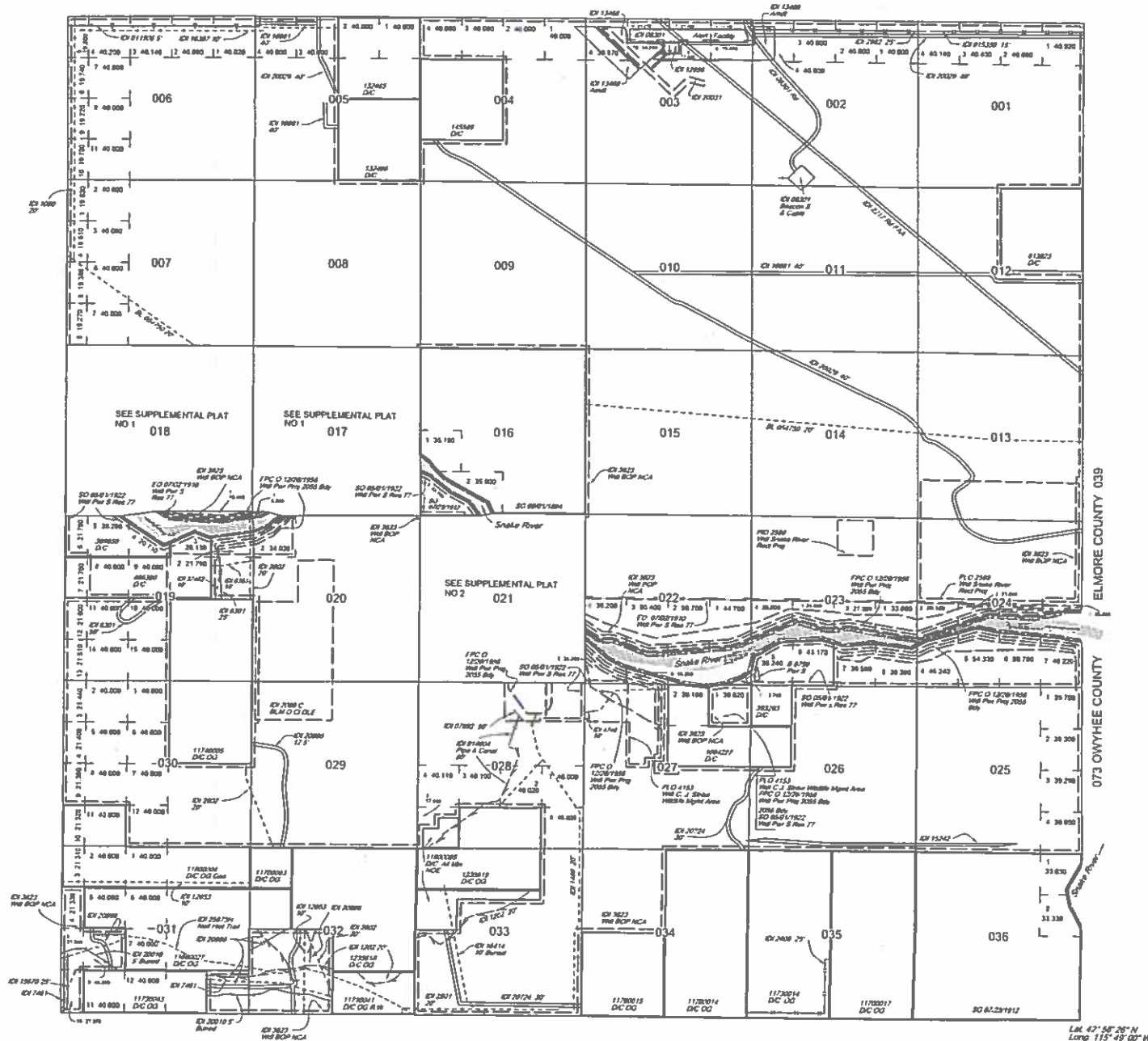
MT PLAT

[illegible]

See Cadastral Plat approved 05/20/2014 for official acres and survey information affecting legal subdivisions and tracts.

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

FILE REF: ID00000000000000000000.dwg
 CONVERTED TIT: 06/06/2006 BY: PG
 LAST UPDATED: 06/23/2016 BY: JCB
 QMAC #1: 538 652724 QMAC #2: 538
 POSTED TO PUBLIC RE CORDS: May 23, 2016
 BY:
 PUBLIC LAND SURVEY SYSTEM (PLS):
 BLM OGBE ACQUIRED: 04/26/2005
 OTHER: b4a
 PROJECTED COORDINATE SYSTEM: UTM ZONE 11N NAD 1983
 NOTES:
 USE PLATE:



Lat 42° 56' 26" N
Long 115° 49' 03" W

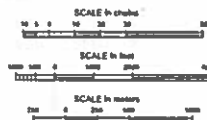


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**Take My
T S S
R S F**

OWYHEE COUNTY 073
BOISE DISTRICT SEC 3

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Lat 42° 51' 00" N
Long 115° 49' 00" W

[illegible]

NDI 35578 For
Sec 18 Lot 9 30.00 acres

FILE REF:	E0406080000E.d4100008.dwg	
CONVERTED TFF:	08/08/2008	BY: ST
LAST UPDATED:	16/07/2015	BY: HS
QA/QC #1:	020 16-16-2015	QA/QC #2:
POSTED TO PUBLIC RE CONDS		October 7, 2015
BY:		

PUBLIC LAND SURVEY SYSTEM PLSSS

BLM GDSB ACQUIRED:	04-26-2005
OTHER:	N/A

PROJECT
NOTES:

USE PLATE: