

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

October 3, 2016

RECEIVED

OCT 03 2016

DEPARTMENT OF
WATER RESOURCES

RECEIVED

OCT 06 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

1. Matter being protested

Transfer No. 81125 for Albion 12 Investments, LLC and Rose Creek Ranch, LLC, involving water right numbers 45-00236 et. al.

2. Name of protestant

United States Department of the Interior
Bureau of Land Management
Idaho State Office
1387 S. 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. 81125 seeks to create a permissible place of use (PPU) for irrigation that includes T12S, R25E, S20, NESE which is federal public land administered by the BLM. Irrigation agricultural use of this parcel of BLM land is not authorized. T12S, R25E, S20, NESE may have been listed on the transfer application in error as it is not included as part of the PPU shown by the map attached to the application.

The proposed PPU also lists T12S, R25E, S20, NWNE, SWNW, SENW which are on privately-owned land but are not included on the applicant's map. BLM is not concerned with this discrepancy.

7. What would resolve your protest?

1) Remove the POU on BLM land.

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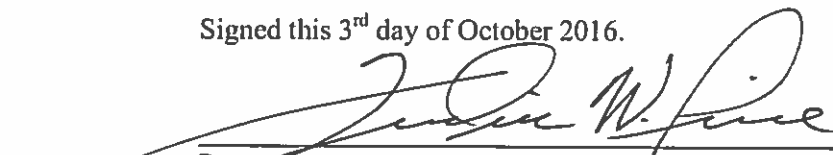
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I hereby, acknowledge that if I, or my designated representative, fail to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default 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 3rd day of October 2016.

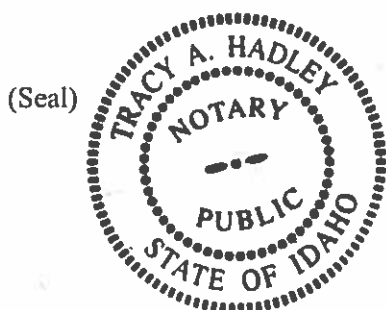

Protestant
Fredric W. Price, Water Rights Specialist
Protestant's Representative

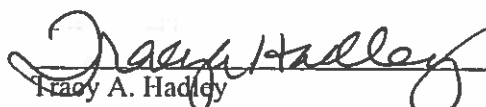
Attachments:

- ♦Maps prepared by BLM for illustrative purposes.
- ♦Master Title Plat: T12S, R25E.

NOTARY:

Subscribed and sworn to before me on this 3rd day of October 2016.




Tracy A. Hadley
Notary Public in and for: State of Idaho
Residing at: Meridian, Idaho
My Commission expires: August 22, 2021

FOR DEPARTMENT USE ONLY

Received by S. Shaul / S.O. Date 10/3/2016

Fee Paid \$25.00 Date 10/3/16 Received by S. Shaul Receipt # C102589

Page 2 of 3
Protest of Transfer No. 81125
Albion 12 Investments, LLC and Rose Creek Ranch, LLC
October 3, 2016

C102589
10-13-2016
(see E-mail & notes)
SCANNED
OCT 11 2016

CERTIFICATE OF SERVICE

I certify that on October 3, 2016, I served a true and correct copy of the **"Protest of Transfer No. 81125 for Albion 12 Investments, LLC and Rose Creek Ranch, LLC"** 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 E Front St
Boise, ID 83720-0098

Copies to:

Corey Skinner, P.E., Regional Manager
Idaho Department of Water Resources (IDWR)
Southern Regional Office
650 Addison Avenue West, Suite 500
Twin Falls, ID 83301-5858

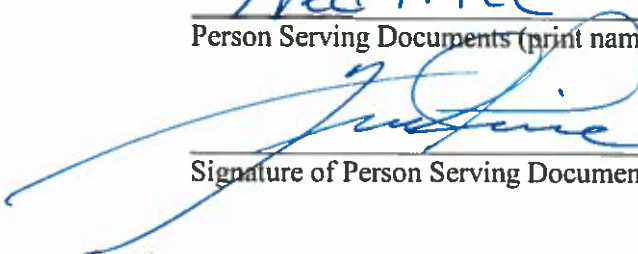
Albion 12 Investments, LLC
Rose Creek Ranch, LLC
7595 E. McDonald Dr, Suite 130
Scottsdale, AZ 85250-6018

G. Erick Powell, Ph.D., P.E.
2016 Washington Street North, Suite 4
Twin Falls, ID 83301-3082

Steven Davis, Hydrologist
U.S., Department of the Interior,
Bureau of Land Management,
Burley Field Office
15 East 200 South
Burley, ID 83318-5435



Person Serving Documents (print name)


Signature of Person Serving Documents

Transfer 81125 (Albion 12 & Rose Creek Ranch) Protest

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 tract.)

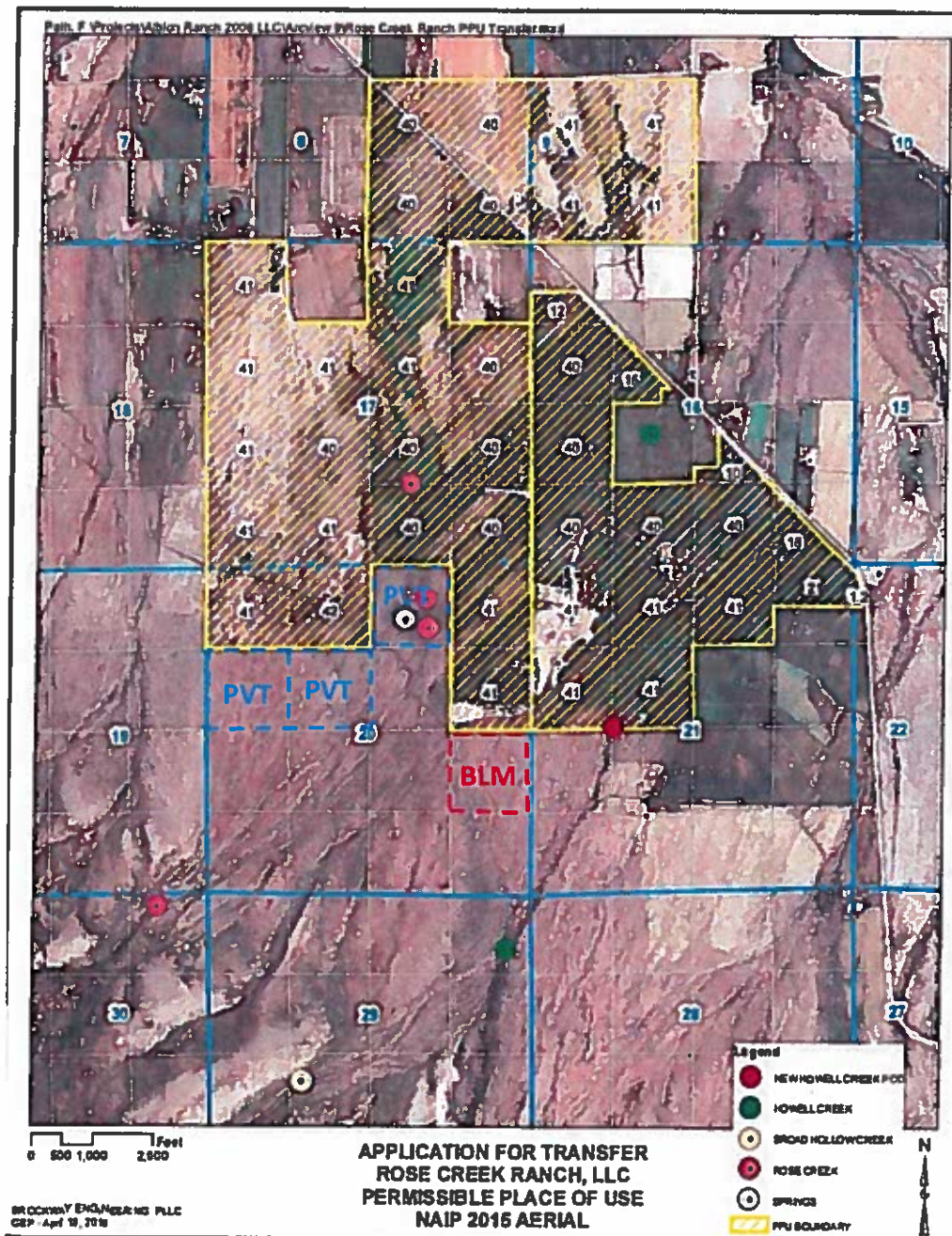
☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acres Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	25E	8																	160
12S	25E	9									41	41	41	41	40	40	40	40	164
12S	25E	16							12	40	16		40	40	40		10	40	253
12S	25E	17		41	41	40		41	41	41	40	41	41	41	40	40	40	40	568
12S	25E	20	40	40		41	41	41	41	42					41				327
12S	25E	21	21	41				41	41	41									226
12S	25E	22						12											12
Total Acres (for irrigation use)																			1699.2 PPU

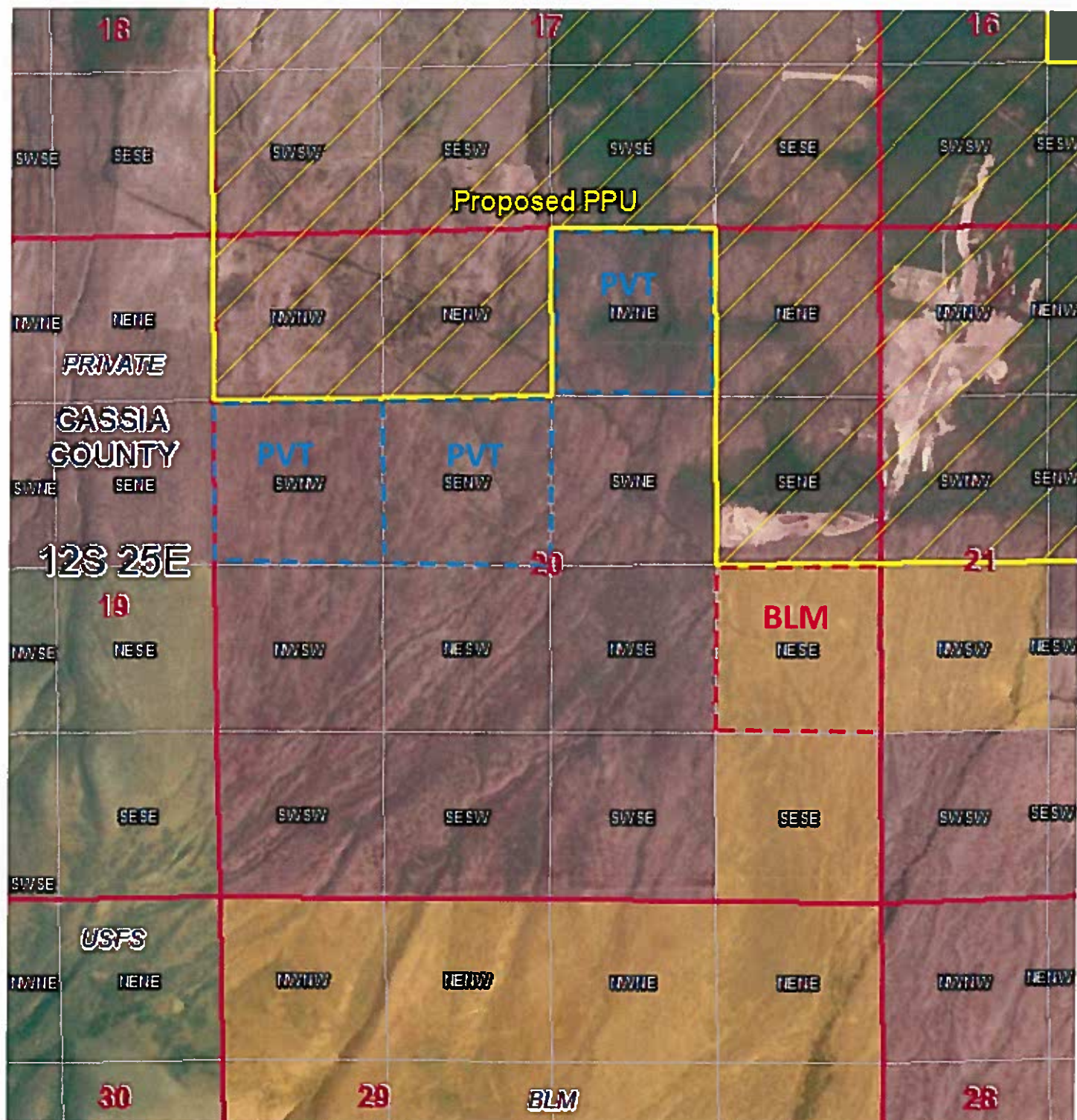
PPU Limited to 1,131.7 acres (732.5 acres from Rose Creek Ranch and 399.2 acres from Albion 12 Investments).

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- The described PPU includes T12S R25E S20 NESE, which is federal public land administered by the BLM.
- Applicants are not permitted to irrigate on federal public land.
- The described PPU also includes 3 QQs not shown on the associated map (T12S R25E S20 NWNE, SWNW, SENW).



Transfer 81125 (Albion 12 & Rose Creek Ranch) Protest



CASSIA COUNTY 031
TOWN FALLS DISTRICT SEC 3STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

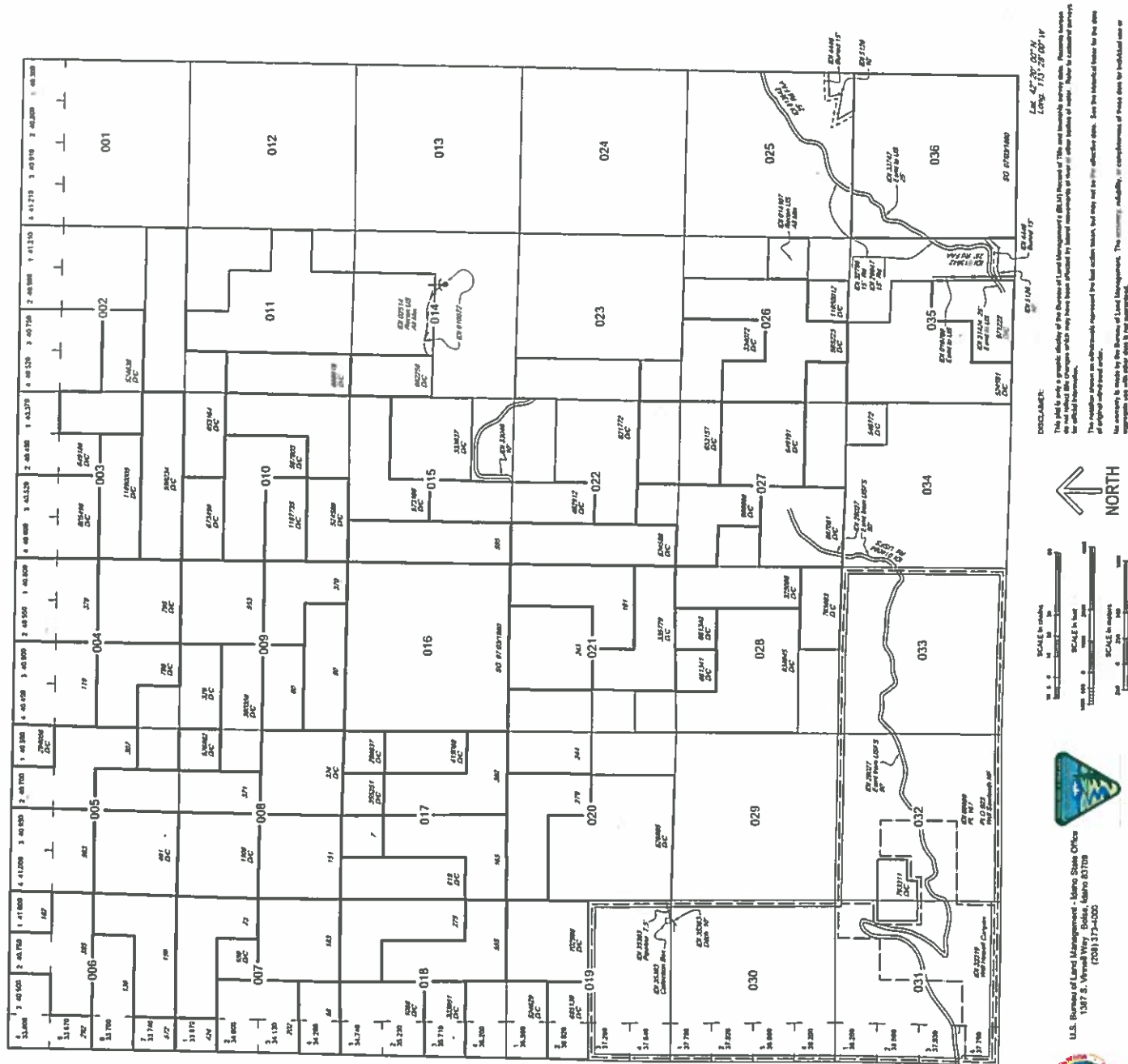
[illegible]

DI 09999 Del PL 167 (Act of Cong 07/23/1965)
completed 01/15/1982. All 7th Surface Mgmt by USFS

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

FILE REF	E0867286D9E4A000000.dwg
CADDED USER	BUT DWH
LAST UPDATED:	05/27/2015
QACD #1	00000000000000000000
QACD #2	00000000000000000000
POSTED TO PUBLIC RECORDS	March 27, 2015
PUBLIC LAND BAYNET BITTUM (PLS)	BT
SUB CLOS ACQUIRED	04-26-2008
OWNER	WA
PROJECTED COMPANATE ENTRY	U75 ZONE 12N ROAD 18B3
NOTES	
USE PLATS	

T. 12 S.
 R. 23 E.



1007-1247

[illegible]

The equation shows an advantage represented by last order dates, but may not be the effective date. See the standard issue for the date of a signed addendum order.



Management - Idaho State Office
800 W. Boise, Idaho 83708
(208) 333-7000

