

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST
Transfer No. 80271

August 24, 2015

RECEIVED

AUG 24 2015

DEPARTMENT OF
WATER RESOURCES

RECEIVED

AUG 27 2015

Department of Water Resources
Eastern Region

1. Matter being protested

Application for Transfer No. 80271 filed by Jared Baum involving 21-12949.

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 #80271 seeks a Place of Use (POU) within T09N, R42E, S32, Lot 6 (NWSE) for 8.0 acres or irrigation. Lot 6 describes BLM land in the SESE of Section 32 where irrigated agricultural use of BLM land is not authorized. There may be a typographical error in the transfer, in that, it appears the applicant should have described those 8.0 acres in T09N, R42E, S33, Lot 6 (NWSW) consistent with the map attached to the transfer.

7. What would resolve your protest?

- 1) Amend application to remove the POU on BLM land in T09N, R42E, S32, Lot 6; and
- 2) Amend application to correct typo by listing a POU on private land in Lot 6 (NWSW), S33, T09N, R42E.

//

//

//

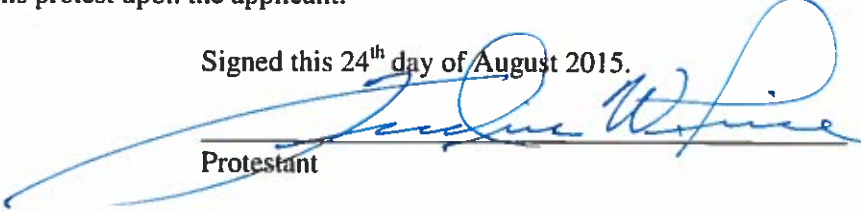
//

//

//

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 August 2015.


Protestant

Fredric W. Price
Protestant's Representative

Attachments:

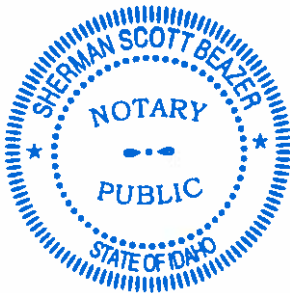
♦Maps prepared by BLM for illustrative purposes.

♦Master Title Plat: T09N, R42E.

NOTARY:

Subscribed and sworn to before me on this 24th day of August 2015

(Seal)




Sherman Scott Beazer
Notary Public in and for: State of Idaho
Residing at: Boise, Idaho
My Commission expires: December 10, 2015

FOR DEPARTMENT USE ONLY

Received by 

Date 8-24-15

Fee Paid \$25.00

Date 8-24-15

Received by 

Receipt # C100924

CERTIFICATE OF SERVICE

I certify that on August 24, 2015, I served a true and correct copy of the **Protest of Application for Transfer No. 80271** 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 (IDWR)
Idaho State Office
Water Management Division,
P.O. Box 83720
322 East Front Street
Boise, Idaho 83720-0098

Copies to:

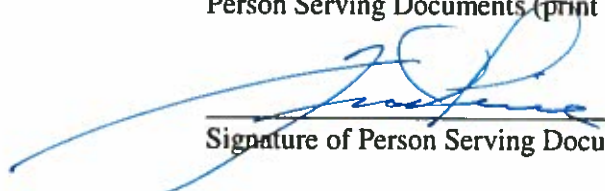
Idaho Department of Water Resources (IDWR)
Eastern Regional Office
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Jared Baum
3210 E 1300 N
Ashton, Idaho 83420-5001

Deena Teel, Supervisory Natural Resource Specialist
U.S.D.I., BLM
Upper Snake River Field Office
1405 Hollipark Dr
Idaho Falls, Idaho 83401-2100

Fred Price

Person Serving Documents (print name)



Signature of Person Serving Documents

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

[illegible]

2. Total amount of water proposed to be transferred or changed _____ cubic feet per second and/or _____ acre-feet per year.

☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it Attachment #5.

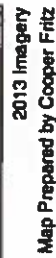
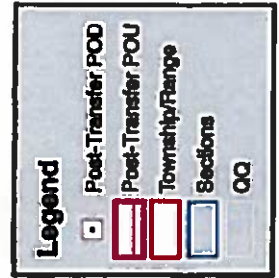
4. Place of use: (If irrigation, identify with number of acres irrigated per 1/2 tract.)

[illegible]

80271

-

21-12949 Post-Transfer Proposal

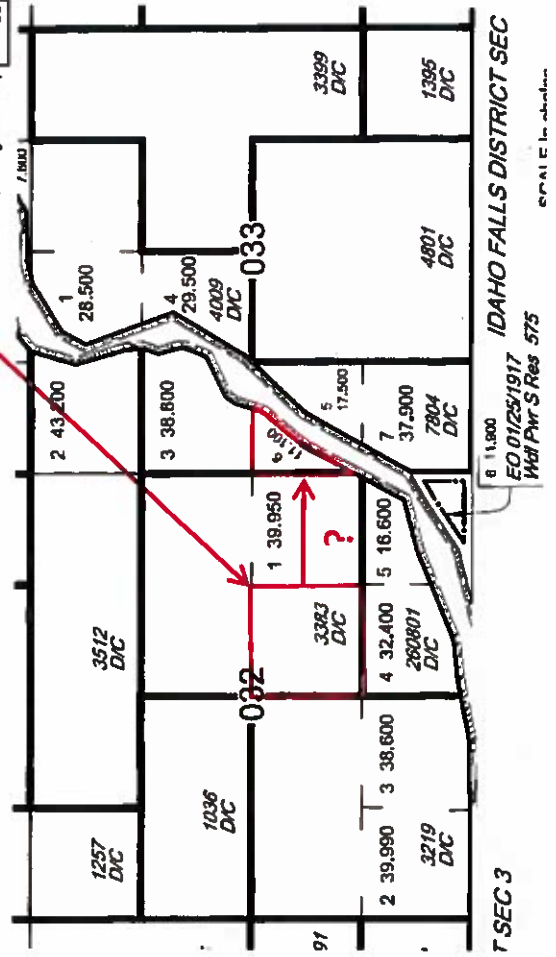


80271

- The map for the proposed place of use does not match the legal description.
- Is the portion of the POU in T09N R42E S32 Lot 6 (NWSE) supposed to be T09N R42E S33 Lot 6 (NWSW) to match the map?

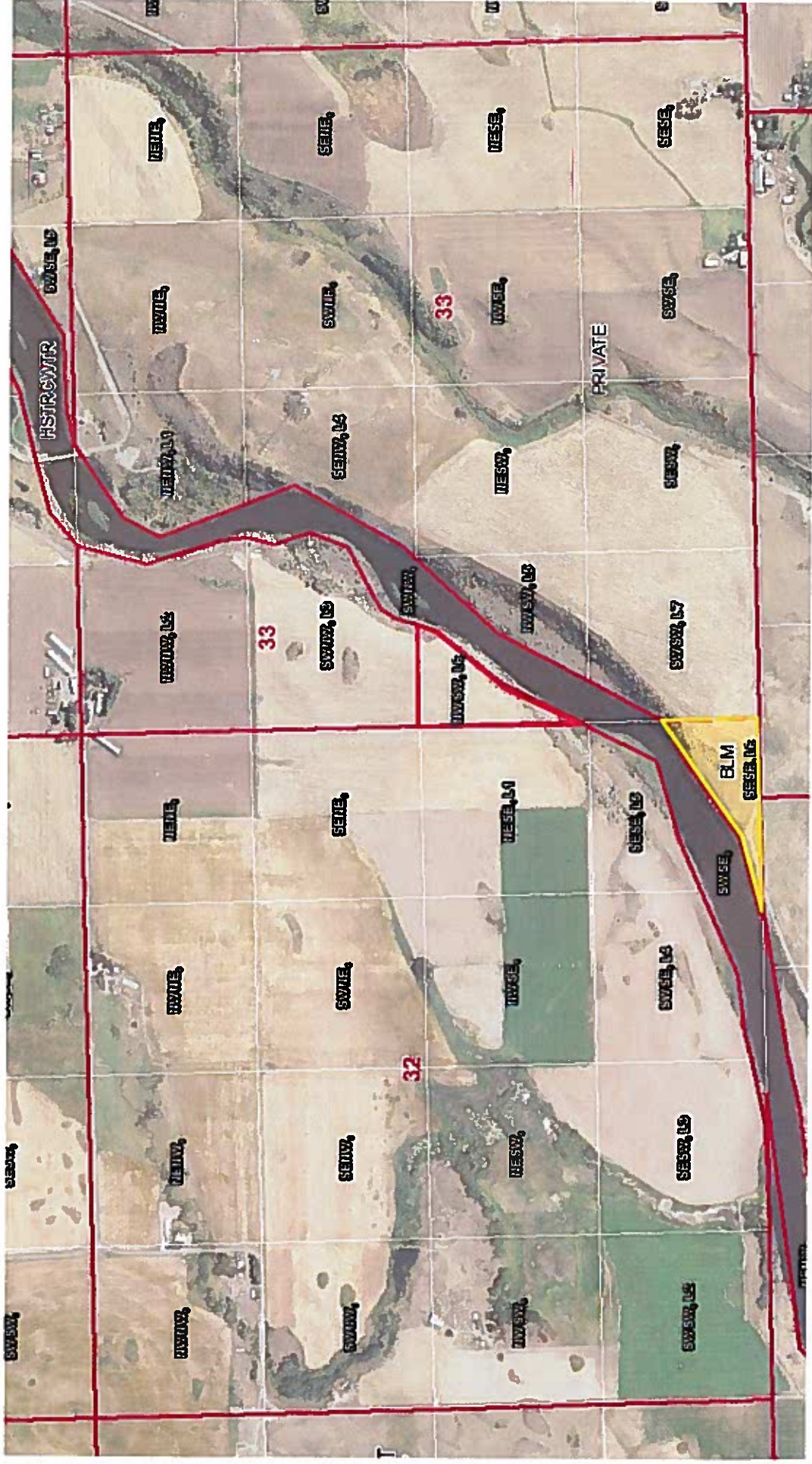
4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 section.)

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

[illegible]

Transfer 80271 (WR 21-12949) Map

- If the POU is supposed to include T09S R42E S32 Lot 6 (SESE) then there is trespass on BLM
- If the POU is supposed to include T09S R42E S33 Lot 6 (NWSW) as suggested by the map accompanying the transfer application, then the transfer needs to be amended



FREMONT COUNTY 043

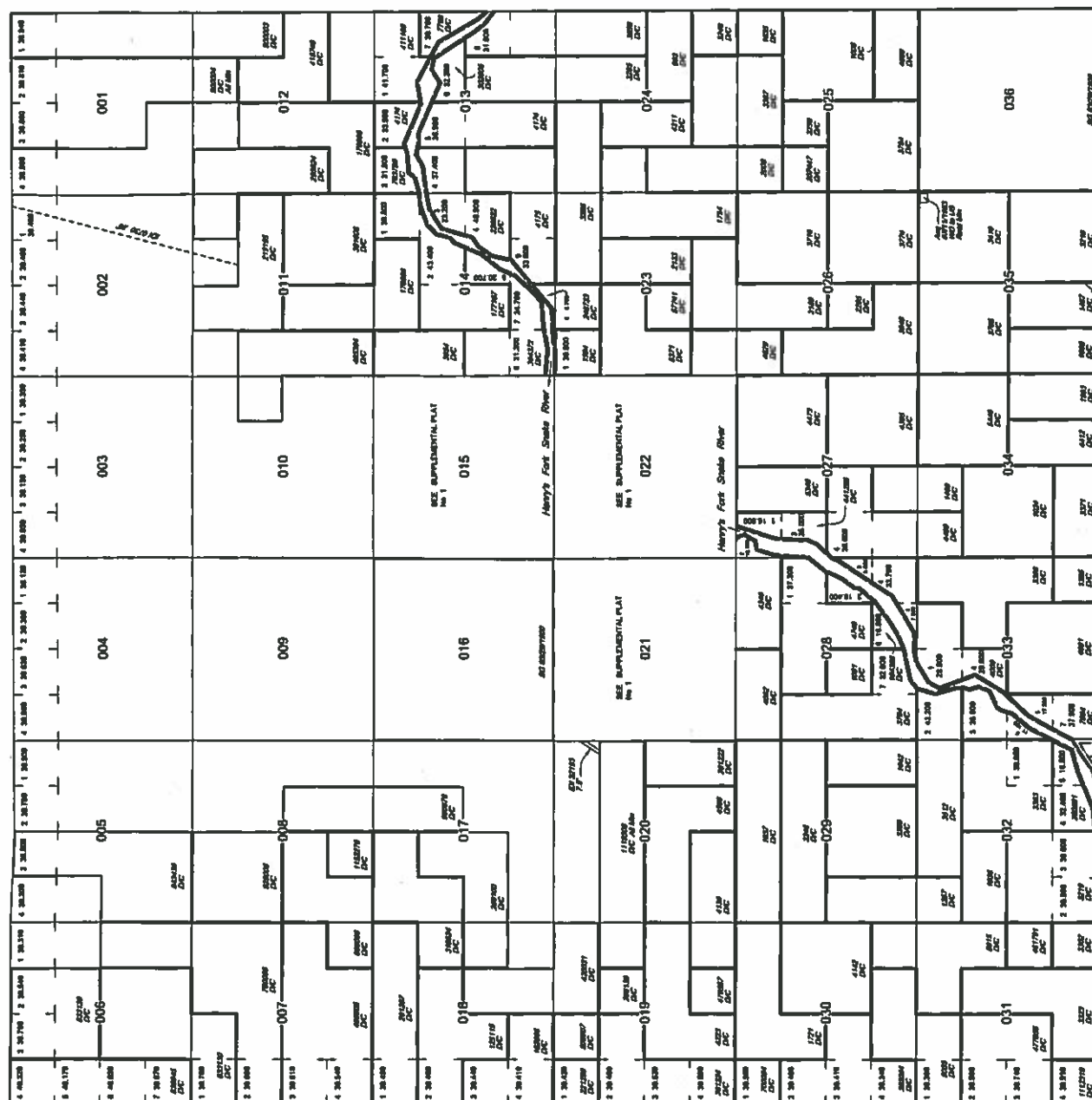
MT PLAT

[illegible][illegible]

FOR ORDERS EFFECTING DISPOSAL OR USE OF
IDENTIFIED LAND REFER TO INDEX OF
SCATTERED DOCUMENTS

FILE REF: C:\MSOFT\SQL\SQL00001.dwg	BY: JPL
COMPILED BY: JPL/020809	BY: JPL
LAST UPDATED: 1/24/2009	
DWG IN: 00001.DWG	
POSTED TO PUBLIC RECORDS: January 1, 2010	
BY: JPL	
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BUT SIZES ASSIGNED: 04/20/2008	
OWNER: NMA	
UNPUBLISHED COORDINATE SYSTEM: UTM ZONE 18N UTM 1803	
NOTES:	
SEE PLATE:	

PL 42 E



44.02.111 2467
N.50.57 707

1

This plan is only a graphic depiction of the Bureau of Land Management's (BLM) Revised Till and Invertebrate Survey plan. Comments received will not reflect the changes which may have been effected by future modifications of design or other factors of impact. Notes in subsequent surveys should indicate.

The relative phases are approximately represented for two values of α , but may not be the effective value. See for additional notes in the data section additional notes.

to be reported to the Bureau of Land Management. The accuracy, reliability, or completeness of these data is not guaranteed.



I.D. Bureau of Land Management - Idaho State Office
1387 S. Vermont Way Boise, Idaho 83709

(206) 373-4000

