

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST
APPLICATION FOR TRANSFER NO. 78909

October 14, 2014

RECEIVED

OCT 14 2014

DEPARTMENT OF
WATER RESOURCES

1. Matter being protested

Application for Transfer No. 78909 by John & Leslie Field (involving water rights 02-02083, 02-02084, 02-02176A, 02-02176C, 02-02272, 02-02405A).

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

RECEIVED

OCT 15 2014

WATER RESOURCES
WESTERN REGION

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).

The Transfer seeks to change the location of the Point of Diversion ("POD") from T05S, R04E, S34, Lot 10 (NWSW) (private) at the Idaho Power Canal to T05S, R04E, S34, Lot 9 (SESW) (BLM) at the Bybee Lateral. The Bybee Lateral POD is located on BLM land, and the Lateral crosses BLM land in several locations. The Applicant is not authorized to transport a new water right in the existing water facility across BLM land.

7. What would resolve your protest?

BLM's protest can be resolved by:

- 1.) Withdraw the application; or
- 2.) The Applicant seeks and obtains a new Right-of-Way ("ROW") to divert and transport 02-02083 et. al across BLM land for irrigation purposes within the Bybee Lateral.

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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 14th day of October 2014.

Gary A Madenford
Protestant
Gary A. Madenford
Water Rights Team Leader

Attachments:

◆Maps prepared by BLM for illustrative purposes.

◆Master Title Plat: T05S, R04E.

FOR DEPARTMENT USE ONLY

Received by *CS* Date 10/14/14
Fee Paid \$25.00 Date 10/14/14 Receipted by *CS* Receipt # 0099516

CERTIFICATE OF SERVICE

I certify that on October 14, 2014 I served a true and correct copy of the **“Protest of Application for Transfer No. 78909”** for John & Leslie Field 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
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

John & Leslie Field
38167 State Highway 78
Grand View, ID 83624

James Tarter, NRS – Natural Resource Specialist
U.S., Department of the Interior,
Bureau of Land Management,
Four Rivers Field Office
3948 Development Avenue
Boise, ID 83705

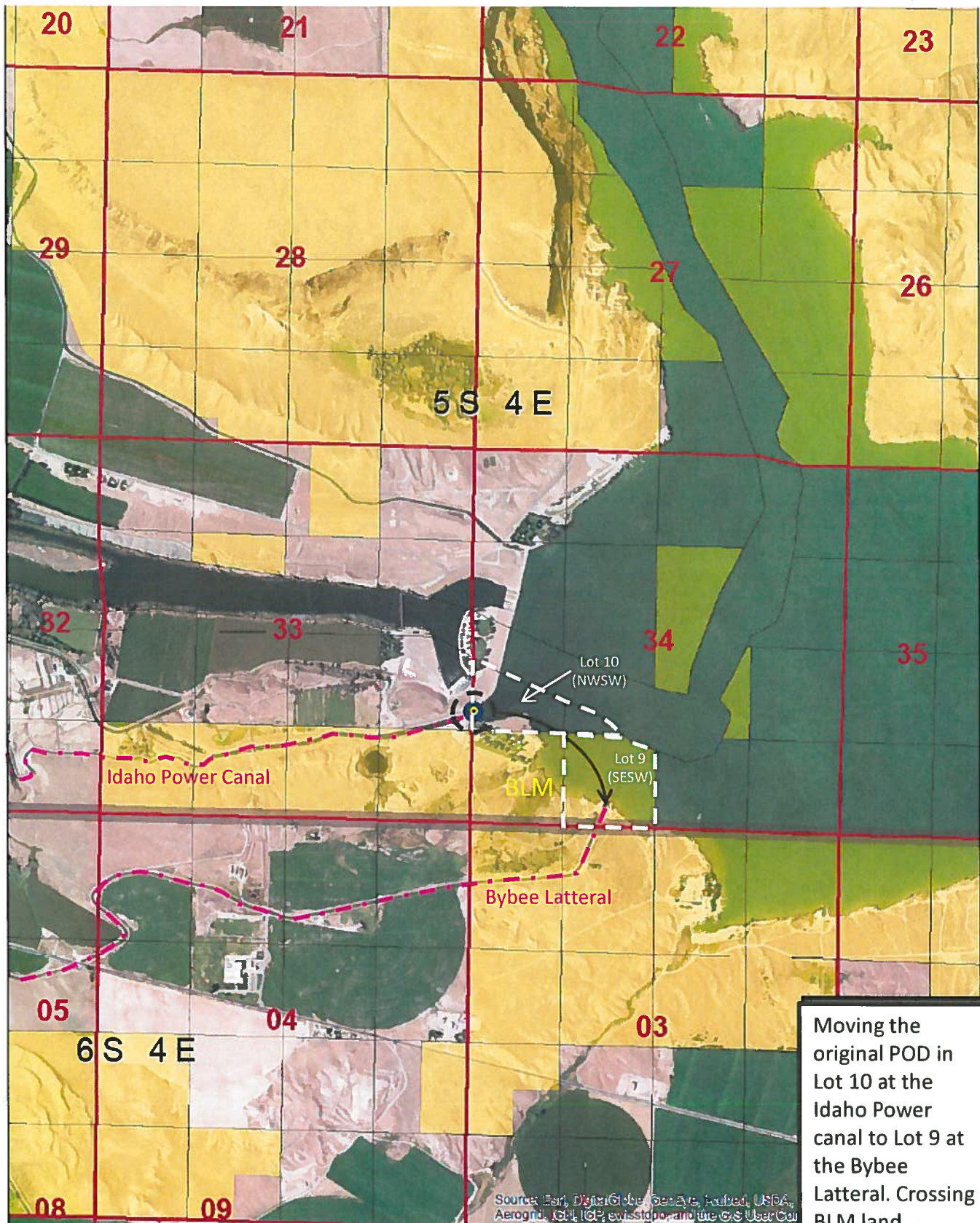
Karen Harvey
Person Serving Documents (print name)

[Signature]
Signature of Person Serving Documents

BLM Protest Maps

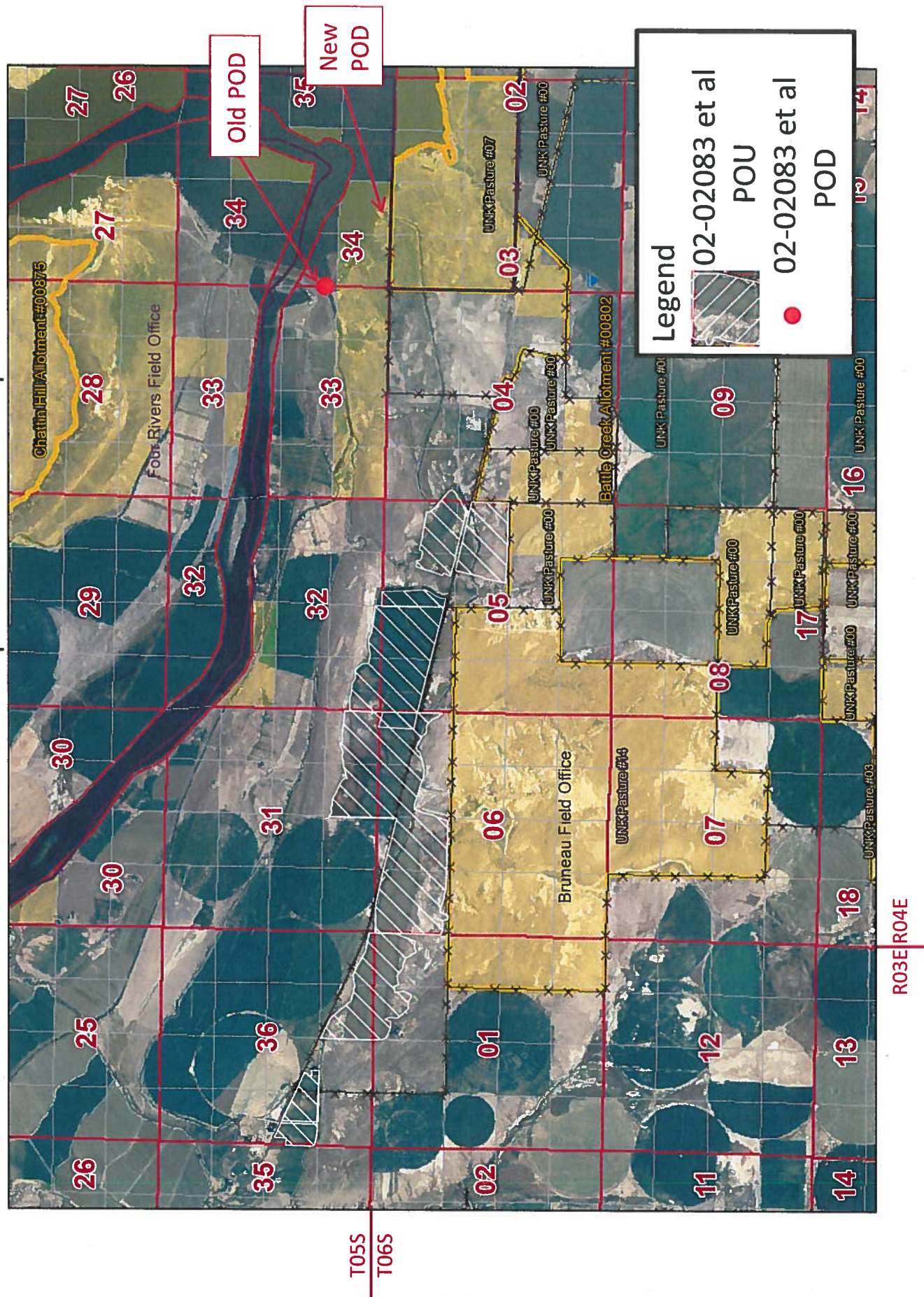
Arrow indicates effect of Transfer:

Transfer 78909 (02-02083 et. al – John & Leslie Field)



Moving the original POD in Lot 10 at the Idaho Power canal to Lot 9 at the Bybee Lateral. Crossing BLM land.

BLM Protest Map – Place of Use Map.



BOISE DISTRICT SEC 3

MT PLAT

[illegible]

EO 04/29/1912 Mod Per S Res 117, Per S Res 123
to amend RR R-1W

EO 10/20/1913 W&B Pwr S Res 408 RAW Trans line.
Will load 5,000 within 5/7 of counter line RAW

Sec 3: Lots 1-4 incl

Sec 4: Lots 1-4 incl

Sec 6: Lots 1-7 Incl
Sec 7: Lots 1-4 Incl

EQ 02/11/1915 Mod Part S Res 406 to permit RW

EO 07/10/1915 Well Port S. Ross 4DB RAW Trans line.
Well land lying within 50' of center line RAW

Soc 2: WJWZ

Soc 3: EZEZ

Soc 7: Lot 4

Sec 10 E7E2

Sec 11 W7NW, NW5W

Sec 17 1st 6 3

Sec 13: NW/4

Sec 15: Lot 4, NE/4

Sec 22 Lots 7 & SWSE

Sec 20, SWSW

Sec 29: Lot 1

Sec 30: Lot 4, NESE

Sec 32: Lots 3, 4, 7, 8

AN/2N 2003
S06 J3

REC'D 05/10/1953 WAFB Post Div 2004 BAW 0000

Soc D SENW, SINWV
Inchorage 75' x 200'

Act of Cong (Sec 5) 10/02/1908. all public land within 1/4 mile of Brunswick River. With for

ON 7/22 W41 BUM Prop

See Supplemental Remarks Plat No 1

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

MISCELLANEOUS DOCUMENTS

[illegible]

QA/QC # _____ QA/QC ref: _____
 POSTED TO PUBLIC RECORDS: August 1, 2012

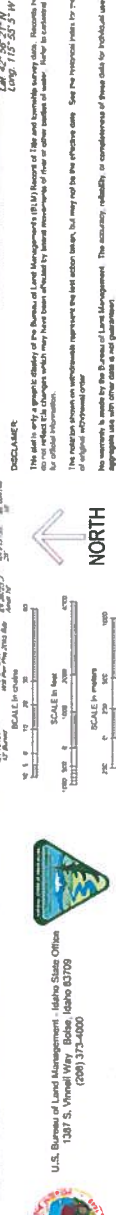
PUBLIC LAND SURVEY SYSTEM (PLSS)
BLM GCSB ACQUIREZ 04/24/2005

PROJECTED COORDINATE SYSTEM, UTM ZONE 11N, MAD 100)

NOTE.

USE PLATE:

Table 1
TSS
Data



DECLARATION

This is to certify that the Bureau of Land Management (BLM) Records of Title and Easement Survey data is accurate and correct, and that the same have been obtained by means of a survey of the land, and that the same have been obtained by means of a survey of the land, and that the same have been obtained by means of a survey of the land.

Long: 127.5025°W

U.S. Bureau of Land Management • Idaho State Office
1307 S. Vinell Way • Boise, Idaho 83709
(208) 373-4000

