

RECEIVED

SEP 11 2014

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST
Application for Transfer No. 79495

September 08, 2014

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DEPARTMENT OF
WATER RESOURCES

1. Matter being protested

Application for Transfer No. 79495 by Montevieu Canal Company involving water rights 31-11760, 31-11762, 31-11764, 31-11766, 31-11889, 31-11891, 31-11893, 31-11895, 31-11897, 31-11899, 31-11901, 31-11903, 31-11905, and 31-11907.

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

United States Department of the Interior
Bureau of Land Management
Idaho State Office
1387 South Vinnell Way
Boise, Idaho 83709-1657

5. Service telephone no.

(208) 373-3831

6. Basis of protest (including statement of facts and law upon which the protest is based).

The Application for Transfer seeks to move existing well #12 located in T08N, R34E, S28, NWSWNE (BLM) (which is authorized under Right-of-Way ("ROW") IDI-21540) to T08N, R34E, S28, NESW (BLM). The Applicant is not authorized to relocate well #12 on BLM land. The Applicant has filed the appropriate application to obtain a ROW (IDI-037804) for the relocation of well #12, but an approved ROW has not been issued.

7. What would resolve your protest?

A. Withdraw the application, or

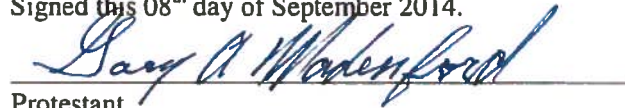
B. Applicant agreeing to relinquish the Transfer and remove well #12 from the Point of Diversion list (T08N, R34E, S28, NESW (BLM)) if the Applicant is unsuccessful in obtaining a ROW for the relocation of well #12; and accepting certain conditions in any approval of the Transfer:

Receipt
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- This right does not grant any right-of-way or easement across the land of another.
- Access to points of diversion on public land are subject to separate right-of-way agreements with the United States.
- Prior to the diversion and use of water under Transfer approval 79495, the right holder shall provide evidence of a right-of-way issued for well #12 by the United States.

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 08th day of September 2014.



Protestant
Gary A. Madenford
Water Rights Team Leader

Attachments:

- ◆Maps prepared by BLM for illustrative purposes.
- ◆Master Title Plat: T08N, R34E

FOR DEPARTMENT USE ONLY

Received by _____ Date _____

Fee Paid \$25.00 Date _____ Receipted by _____ Receipt # _____

CERTIFICATE OF SERVICE

I certify that on September 08, 2014, I served a true and correct copy of the "**Protest of Application for Transfer No. 79495**" 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)
State Office
Water Management Division
P.O. Box 83720
322 East Front Street
Boise, Idaho 83720-0098

Copies to:

Idaho Department of Water Resources
Southern Regional Office
650 Addison Ave W., Ste 500
Twin Falls, Idaho 83301-5858

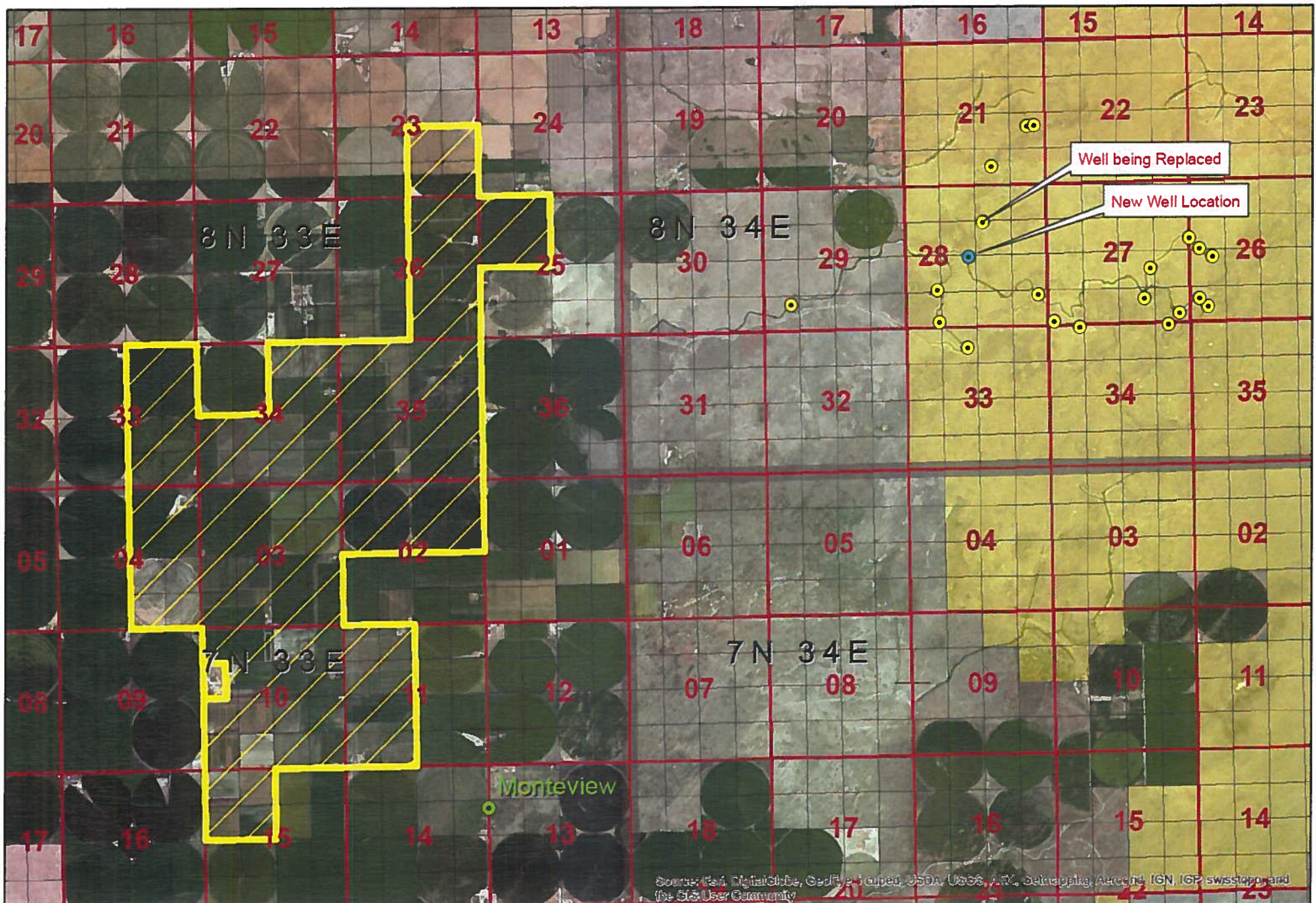
Monteview Canal Company
C/O Don Parker, President
684 E 2600 N
Monteview, ID 83435

Deena Teel, Supervisory Natural Resource Specialist
U.S., Department of the Interior,
Bureau of Land Management,
Upper Snake Field Office
1405 Hollipark Drive
Idaho Falls, ID 83401

Jordan D. Crane
Person Serving Documents (print name)

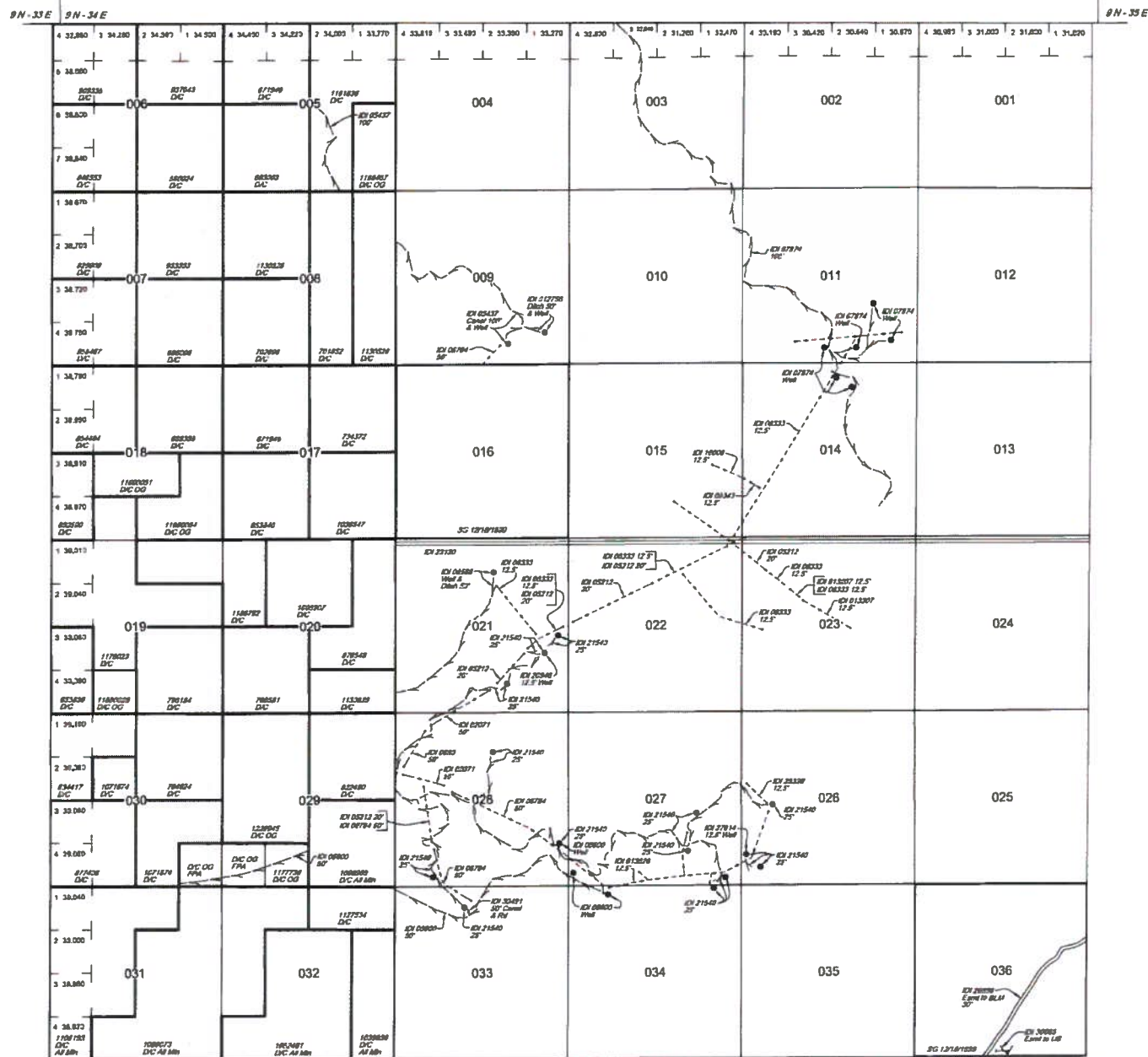
Jordan D. Crane
Signature of Person Serving Documents

31-11760 (Montevieu Canal Co. Inc.)
Transfer No. 79495



JEFFERSON COUNTY 051
IDAHO FALLS DISTRICT SEC 3

MT PLAT

[illegible]

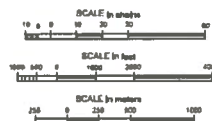
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE #:	D:\B000\B000\B000\B000.dwg	
CONVERTED TPT:	18/10/2012	BY: JCB
LAST UPDATE:	18/10/2012	BY: JCB
QAGC #1:	QAGC #2:	
PORTED TO PUBLIC RECORDS: October 18, 2012		
BY:		
PUBLIC LAND SURVEY SYSTEM (PLSS)		
BLM ACQUISITION:		04/06/2005
OTHER:		N/A
PROJECTED COORDINATE SYSTEM:		UTM ZONE 12N NAD 1983
NOTES:		
USE PLATE:		

S. 34 E
 T. 8 N
 R. 34 E



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



DISCLAIMER:

This plot is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and townships survey data. Records herein do not reflect title changes which may have been affected by lateral movements of river or other bodies of water. Refer to historical surveys for official information.

The notation shown on withdrawals represent the last action taken, but may not be the effective date. See the Historical Index for the date of original withdrawal entry.

This 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.