

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST
APPLICATION FOR TRANSFER NO. 79101

June 09, 2014

RECEIVED
JUN 10 2014
WATER RESOURCES
WESTERN REGION

1. Matter being protested

Application for Transfer No. 79101 by Kim Astle (involving water right 02-04027).

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
JUN 09 2014
DEPARTMENT OF
WATER RESOURCES

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 Grand View Irrigation District 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?

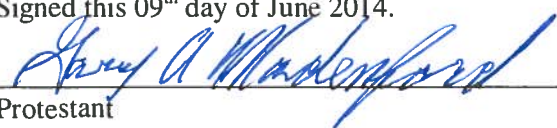
BLM's protest can be resolved by:

- 1.) Withdraw the application; or
- 2.) The Applicant seeks and obtains a new Right-of-Way ("ROW") to divert and transport 02-04027 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 09th day of June 2014.


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 

Date 06/09/14

Fee Paid \$25.00

Date 06/09/14

Receipted by 

Receipt # C198968

CERTIFICATE OF SERVICE

I certify that on June 9, 2014 I served a true and correct copy of the “**Protest of Application for Transfer No. 79102**” for Kim Astle 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

Kim Astle
33980 Mud Flat Road
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

Jordan D. Crane

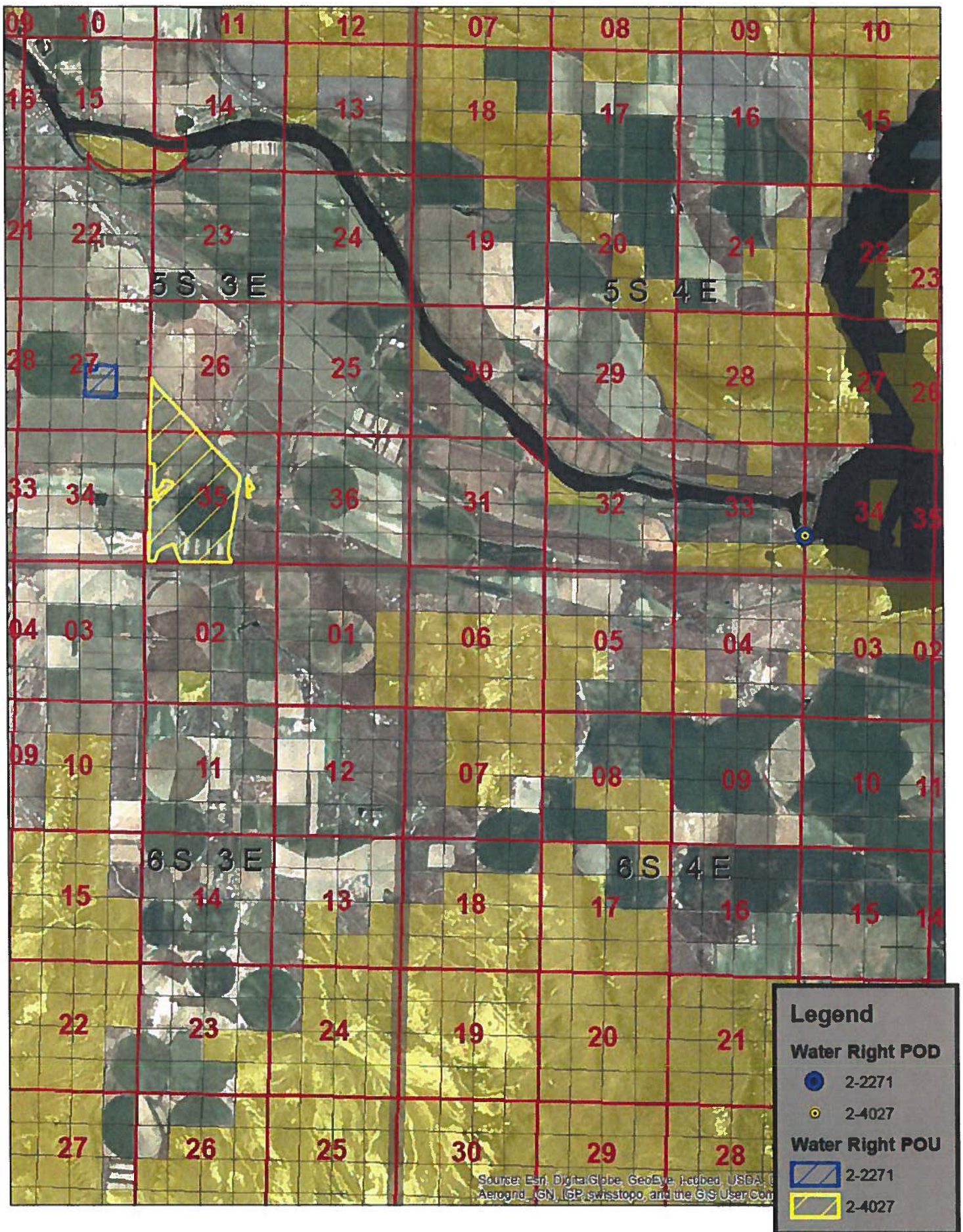
Person Serving Documents (print name)

Jordan D. Crane

Signature of Person Serving Documents

BLM Protest Maps

Place of Use Map

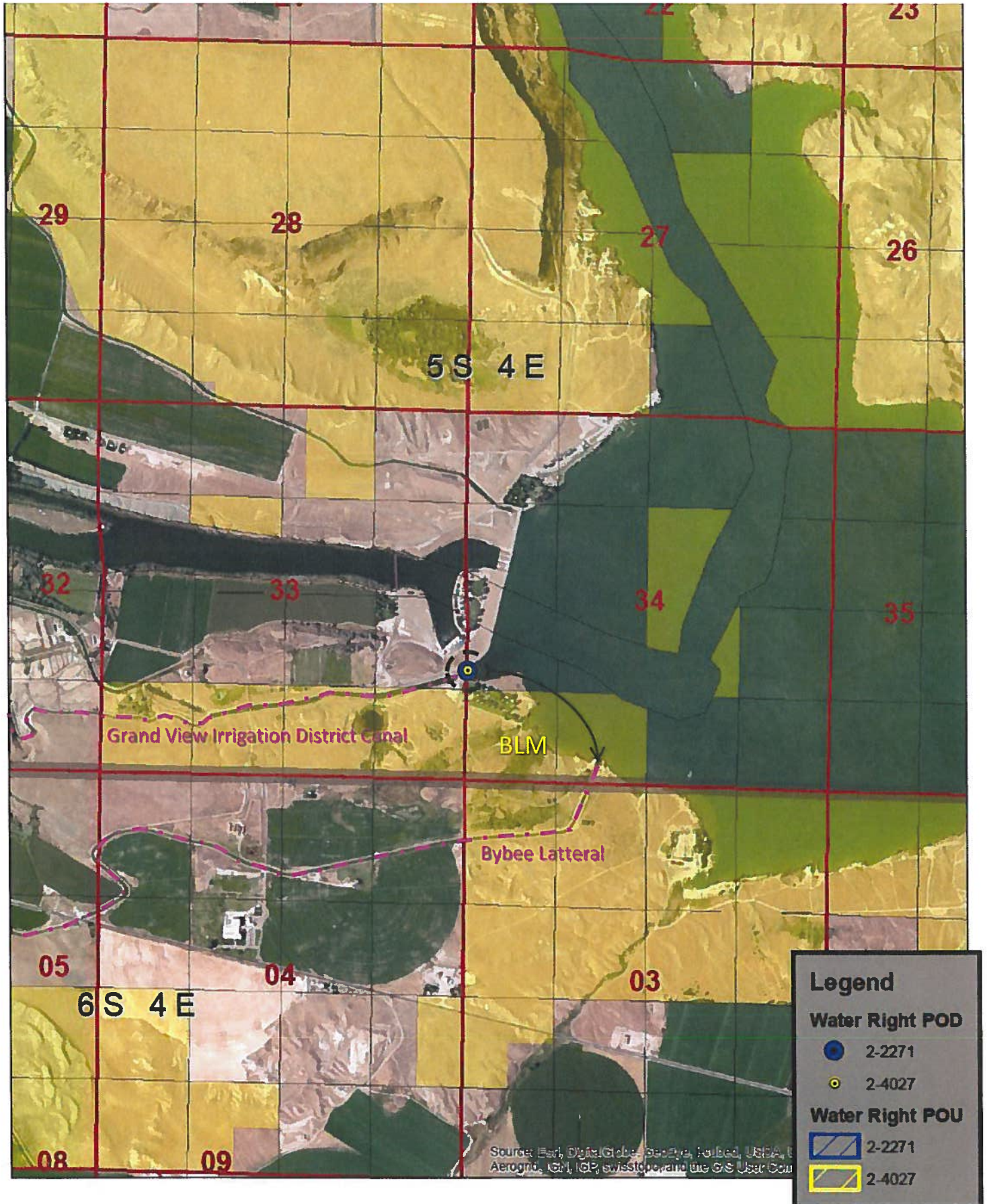


BLM Protest Maps

Arrow indicates Effect of Both Transfers:

Transfer 79101 (02-04027, Astle) and

Transfer 79102 (02-02271, Beus – Order of Tranquility)



BOISE DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES AND ACQUIRED LANDS

[illegible]

EO 0479/1912 Mod Pwr S Res 117, Pwr S Res 123
normal RR RAW

EO 10/29/1913 Wall Pwr S Res 406 R/W Trans line,
1 foot below within EOT of center line R/W

Sec 3: Lots 1-4 Incl

Sec 6: Lots 1-7 incl

Sec 7: Lots 1-4 incl

irena line

EO 07/10/1015 W&B Port S Res 408 ROW Trans Lino.
Land lying within 50' of center line ROW

Soc 3: E2E2

Soc 7: Lot 4

Sec 10: EZEJ
Sec 11: W2NW, NWSW
Sec 12: Lots 6, 7

Sec 11 NWNW
Sec 15. Lot 4, NENE
Sec 1A WISE SESE

Sec 22: Lots 7 & SWSE

Soc 29: Lrd 1
Soc 30: Lrd 4, NESE

Sec 32: Lots 3, 4, 7, 8

Sec 34: Lot 5

PC O 09/16/1952 Wasl Pwr Proj 20553 RAW only

Soq 9: SENW 51WV

within 1/4 mile of Brunswick River, With for potential addition to Wild & Scenic River Systems

ON 7322 W&S BLM Prop

See Supplemental Remarks Flist No 1

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

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CONVERTED TFF:	10/3/2008	BY: JCB
LAST UPDATED:	09/31/2012	BY: LJM

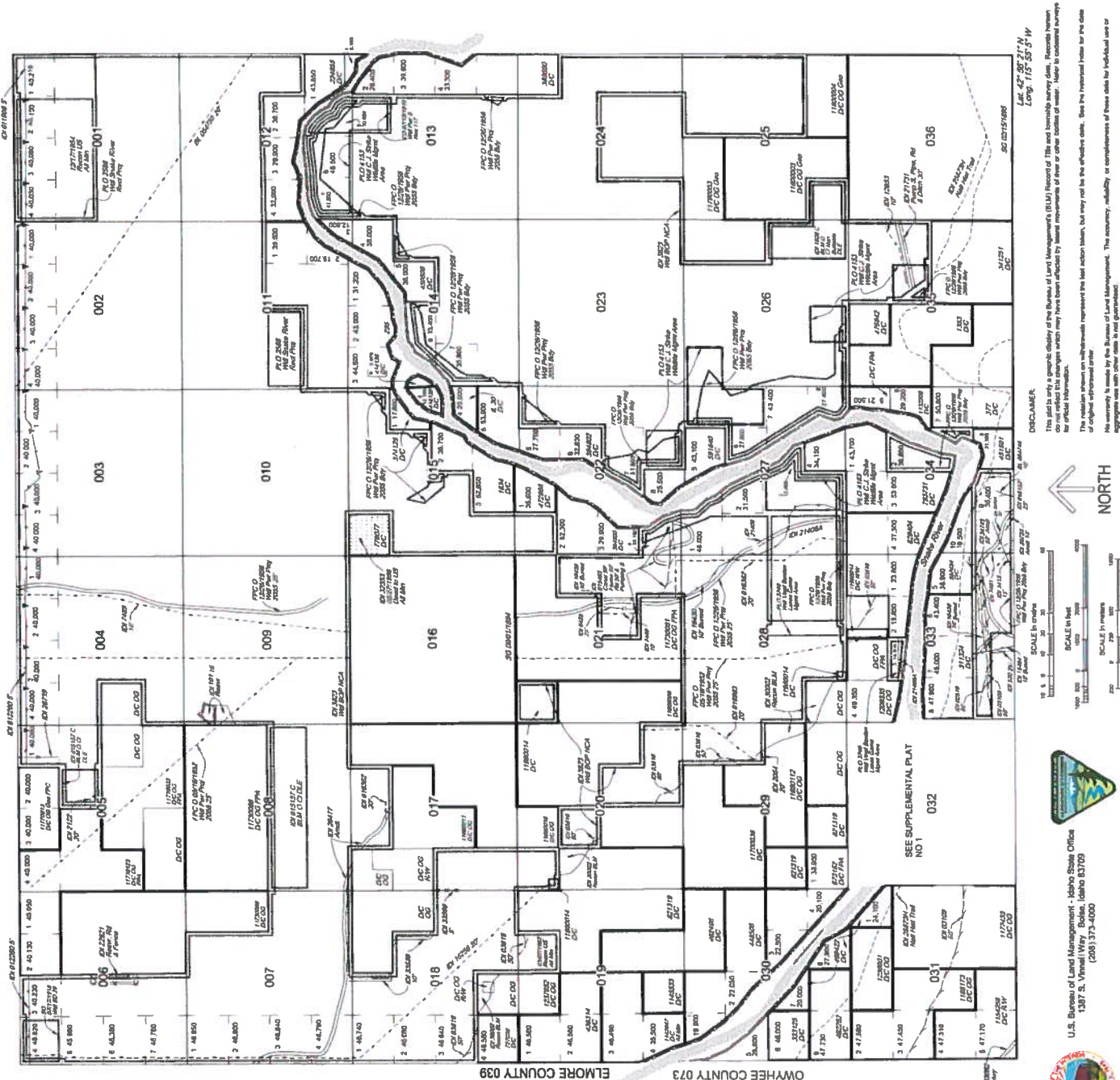
POSTED TO PUBLIC RECORDS: August 1, 2012
BY: [redacted]

BLM OCCAS ACQUIRED	04/25/2008
OTHER	N/A

NOTES:

USE PLATE:

T. 5 S. 5 E.



U.S. Bureau of Land Management - Idaho State Office
1387 S. Vinnell Way Boise, Idaho 83709

208) 373-4000

208) 373-4000