

Fredric W. Price
Water Rights Specialist
U.S.D.I., Bureau of Land Management
Idaho State Office
1387 S. Vinnell Way
Boise, Idaho 83709-1657
(208) 373-3831 phone
fwprice@blm.gov

2025 AUG 07 10:20
DEPARTMENT OF
WATER RESOURCES

RECEIVED

AUG 07 2025

DEPT. OF WATER RESOURCES
EASTERN REGION

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF TRANSFER NO. 89743)
ON BEHALF OF MEDICINE LODGE) **PETITION**
HOLDINGS, LLC)
_____)
)

On April 23, 2025, Carl Taylor (“Applicant”), on behalf of Medicine Lodge Holdings, LLC, filed Application for Transfer 89743 (“Application”) to add Points of Diversion (“POD”) to water rights 32-10151, 32-10152, and 32-10153 to create a set of permissible PODs for all three rights. The transfer did not seek to change the Place of Use (“POU”) element of these rights.

On July 21, 2025, IDWR issued an approval for Transfer 89743. Approved transfers are not advertised, and BLM just stumbled across the approval. Unfortunately, IDWR’s approval removed a couple of conditions decreed in the Snake River Basin Adjudication (“SRBA”) under contested subcase 32-10151, and IDWR’s current shapefile is inconsistent with the settlement of that subcase, as it includes BLM land that was removed in the Standard Form 5 (“SF-5”).

On December 17, 1999, BLM filed a Standard Form 1 (“SF-1”) Objection in response to the Director’s Report recommendation for 32-10151 because it included acres of irrigation on BLM land where there was no authorization for irrigated agricultural use:

T12N, R33E, S06, SWNE, and NENW (2 spots).

On July 19, 2000, the parties to the subcase filed an Amended Standard Form 5 ("SF-5") with the SRBA Court removing federal land from the POU element by including a clarifying condition under the POU element which limited the water use to the portion of these legal land descriptions that is private land. This change also caused a reduction in the total combined use acres from 208.8 acres to 205.2 acres:

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~208.8~~ 205.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-02070, 32-00053 ~~AND~~ AND 32-10152.

THE USE OF WATER WITHIN SWNE, S06, T12N, R33E IS LIMITED TO THE NW1/4NW1/4, S1/2NW1/4, AND N1/2SW1/4.

THE USE OF WATER WITHIN LOT 3 (NENW), S06, T12N, R33E IS LIMITED TO THE NW1/4SW1/4, S1/2SW1/4, AND SW1/4SE1/4.

On May 23, 2001, the SRBA Court issued an Amended Partial Decree for 32-10152 consistent with the Amended SF-5 and included the following conditions:

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 205.2 ACRES IN A SINGLE IRRIGATION SEASON.

COMBINED RIGHT NOS.: 32-02070, 32-00053 AND 32-10152.

THE USE OF WATER WITHIN SWNE, S06, T12N, R33E IS LIMITED TO THE NW-1/4 NW-1/4, S-1/2 NW-1/4, AND N-1/2, SW-1/4.

THE USE OF WATER WITHIN LOT 3 (NENW), S06, T12N, R33E IS LIMITED TO THE NW-1/4 SW-1/4, S-1/2 SW-1/4, AND SW-1/4 SE-1/4.

IDWR is bound by SRBA decrees, and yet IDWR's July 21, 2025 transfer approval (#89743) is inconsistent with the Amended Partial Decree in 32-10151 in two ways:

- total combined acres of 208.8 acres was decreed as 205.2 acres; and
- conditions limiting use within two POUs are omitted.

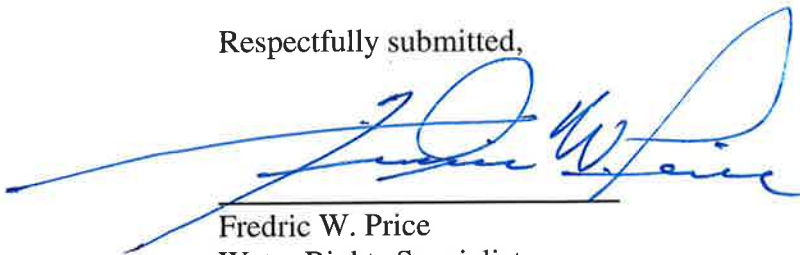
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BLM respectfully requests that IDWR amend the transfer to correct errors and omissions inconsistent with the SRBA Amended Partial Decree for 32-10151.

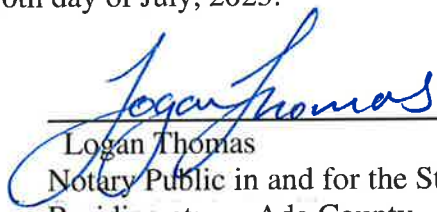
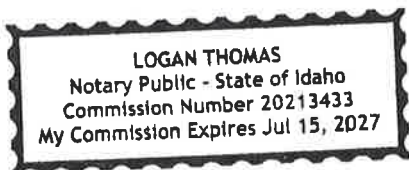
Respectfully submitted,



Fredric W. Price
Water Rights Specialist

Subscribed and sworn to before me this 30th day of July, 2025.

Witnessed by my hand and official seal.



Logan Thomas
Notary Public in and for the State of Idaho
Residing at: Ada County
My Commission Expires: 07-15-2027

CERTIFICATE OF SERVICE

I HEARBY CERTIFY that on July 30, 2025 I served a true and correct copy of the foregoing **PETITION, TRANSFER 89743** by placing the document in the United States Mail in Boise, Idaho, postage paid, and addressed as follows:

Original to:

Mathew Weaver, Director
Idaho Department of Water Resources
State Office
Water Management Division
P.O. Box 83720
322 East Front Street
Boise, Idaho 83720-0098

Copies to:

Medicine Lodge Holdings LLC
7891 S. Yellowstone Hwy
Idaho Falls, Idaho 83402

Carl Taylor
2700 N 35th W
Idaho Falls, Idaho 83402

Deena Teel, Assistant Field Manager
U.S.D.I., BLM
Upper Snake Field Office
1405 Hollipark Dr.
Idaho Falls, Idaho 83401



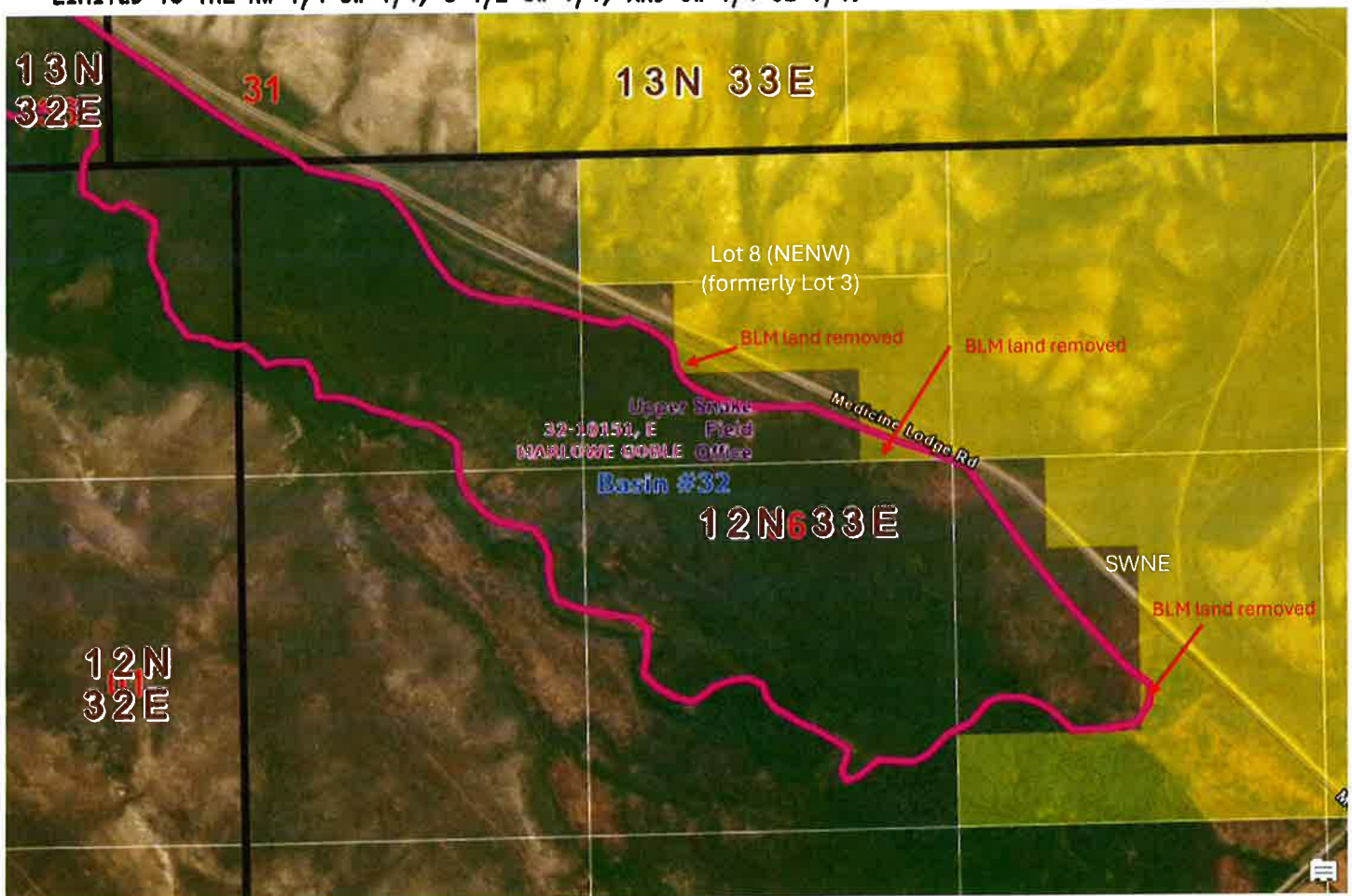
Signature of Person Serving Documents

32-10151: IDWR shapefile

-inconsistent with SRBA SF-5 and Partial Decree removing BLM land

THE USE OF WATER WITHIN **SWNE**, S06, T12N, R33E IS LIMITED TO THE NW-1/4 NW-1/4, S-1/2 NW-1/4, AND N-1/2, SW-1/4.

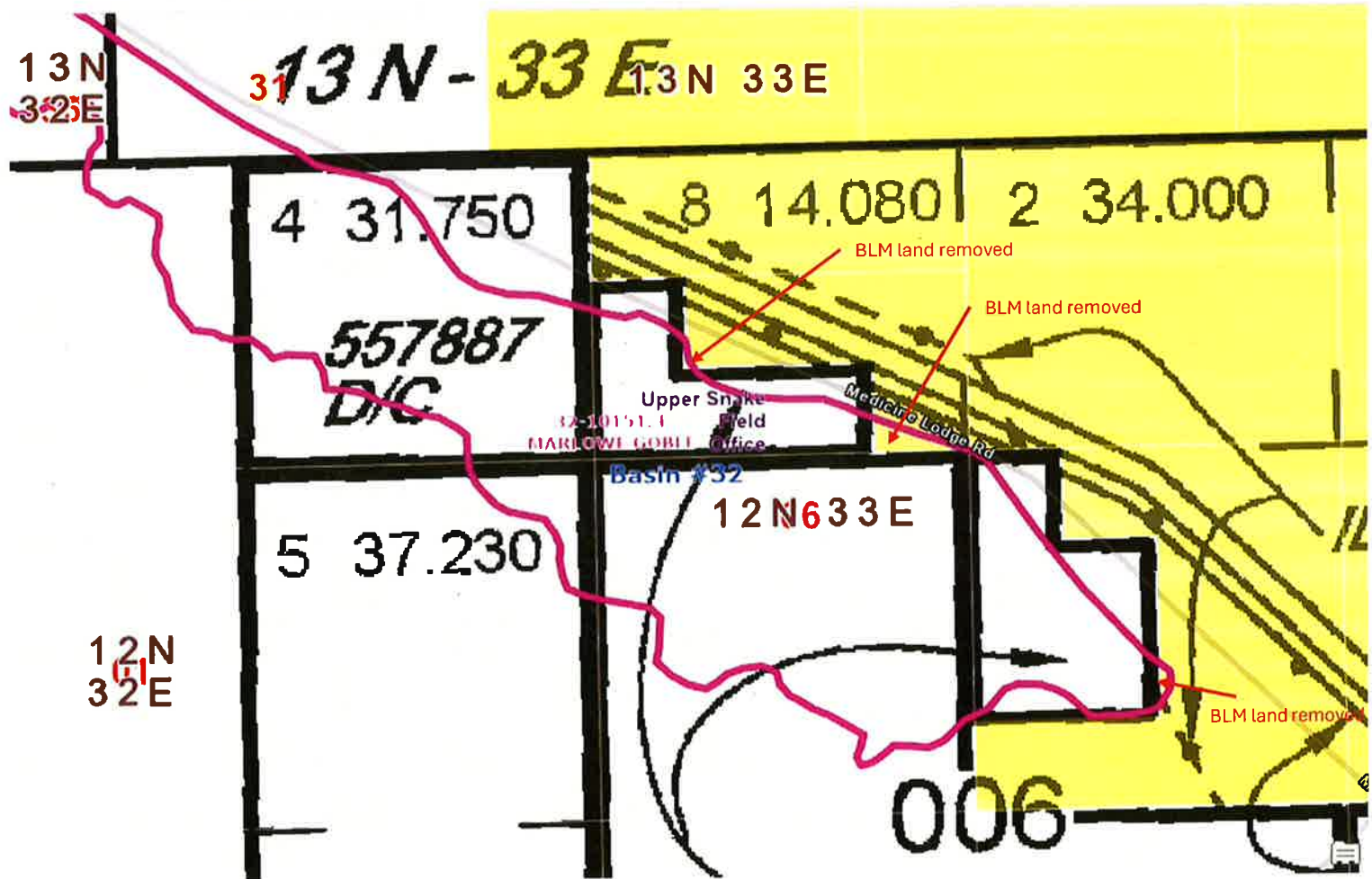
THE USE OF WATER WITHIN **LOT 3 (NENW)**, S06, T12N, R33E IS LIMITED TO THE NW-1/4 SW-1/4, S-1/2 SW-1/4, AND SW-1/4 SE-1/4.



32-10151: IDWR shapefile

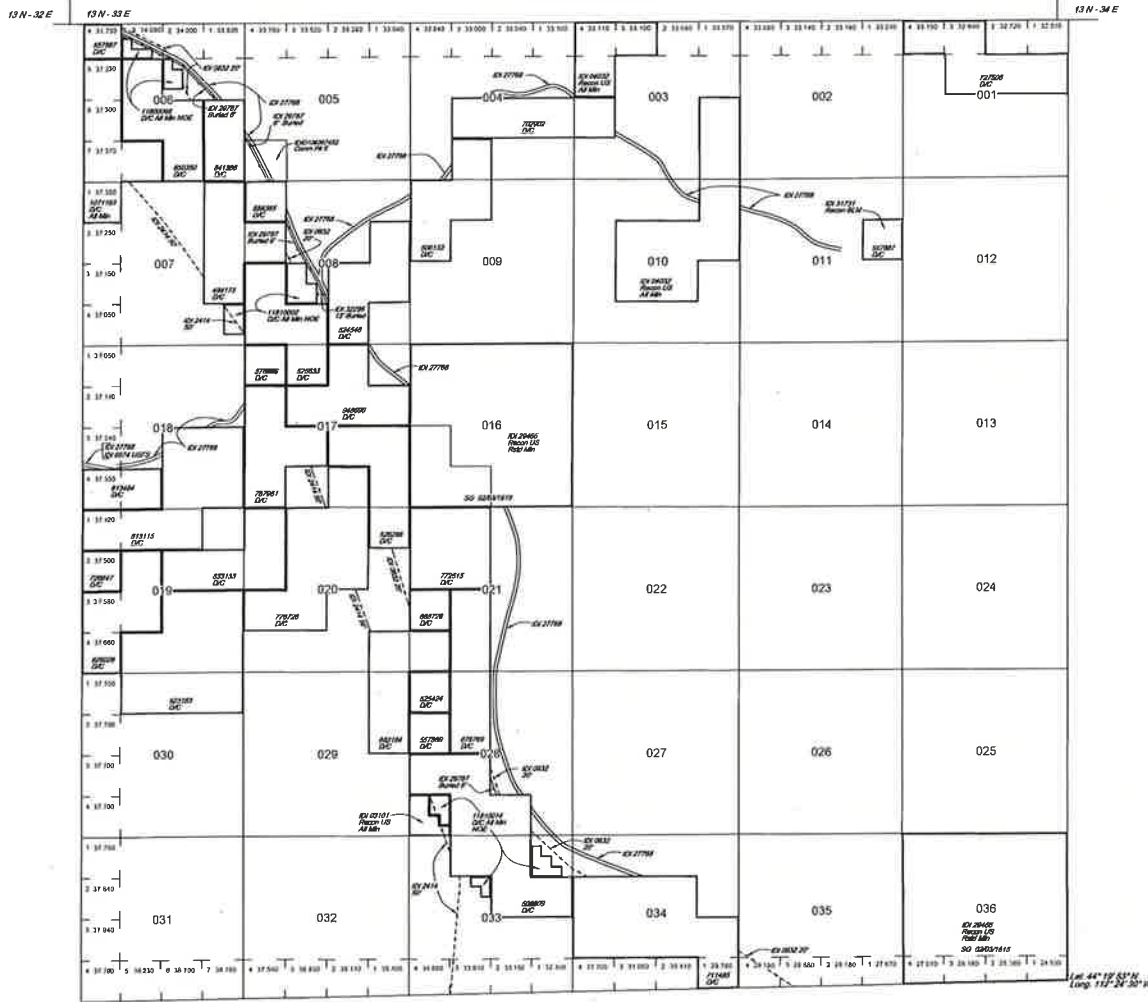
-inconsistent with SRBA SF-5 and Partial Decree removing BLM land

MTP: T12N, R33E



TOWNSHIP 12 NORTH RANGE 33 EAST OF THE BOISE MERIDIAN, IDAHO

CLARK COUNTY 033
IDAHO FALLS DISTRICT SEC 3



STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS			
TRACT NO.	P	R	SEC
001			
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TO 2448 BLM D C3 Mult Use Clark County
Sage from appropriation under DLE, HE, IA, and PS
All unappropriated public land within Tp
Further Sage from appropriation under general mining laws
within BLM's Historic Archeological S
Sec 22 NENW
BY 29465 SIX to BLM DE on 12/28/1997
Sec 16 NE, NE1/4 SE
Sec 36 SE1/4 12, 13
N2, N2S2
BY 31731 FOX to BLM DE on 03/11/2000
Sec 13 SE1/4

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

FILE NO.	00000000000000000000
CONVATED RFP	01/01/01
LAST UPDATED	01/01/01
DATE	01/01/01
POSTED TO PUBLIC RECORDS	April 15, 2008
PUBLIC LAND SURVEY SYSTEM (PLS)	BLM GCM ACQUIRED
OTHER	NA
PROJECTED COORDINATE SYSTEM	UTM 2008 12N, NAD 1983
NOTES	
USE PLAT	

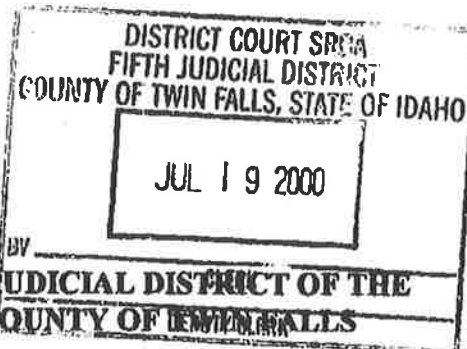
Scale bar
T. 12 N
R. 33 E



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



DISCLAIMER
This plat is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and township survey data. Research has been conducted to verify the accuracy of the data. However, the BLM does not warrant the accuracy of the data. The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed.



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

) Subcase No. 32-10151

Case No. 39576

) AMENDED Standard Form 5

) **STIPULATED ELEMENTS**
) **OF A WATER RIGHT** *ck*

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

E. Marlowe Goble

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Ray W. Rigby 7-19-00
Ray W. Rigby Date

Rigby, Thatcher, Andrus, Rigby & Kam, Chartered
Of Attorneys for Claimant

Larry A. Brown 7/19/00
Larry A. Brown FWP Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

ERNEST CARLSEN

Ernest Carlson July 19 '00
Water Rights Supervisor Date

IDWR CONCURRENCE:

APPROVED AS TO FORM

Mike Spencer 7-19-00
DEPUTY ATTORNEY GENERAL Date

Amended
Standard Form 5

Subcase No. 32-10151

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 32-10151

NAME & ADDRESS: E MARLOWE GOBLE
152 S 600 W
LOGAN UT 84321

SOURCE: GROUNDWATER

QUANTITY: 0.5 CFS
211.0 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO
A TOTAL COMBINED DIVERSION RATE OF 6.90 CFS. COMBINED RIGHT
NOS.: 32-02070, 32-00053 AND 32-10152.

PRIORITY DATE: 06/02/1952

POINT OF
DIVERSION: T13N R32E S36 NENWSE

Within CLARK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 10-31

QUANTITY
0.5 CFS
211.0 AFY

PLACE OF USE:

IRRIGATION

Within CLARK County

T12N R32E S01	Lot 1 (NENE) 4.4	
R33E S06	SWNE 8.4	Lot 3 (NENW) 8
	Lot 4 (NWNW) 19	Lot 5 (SWNW) 2.4
	SENE 26	
T13N R32E S36	NESE 4	NWSE 8.1
	SWSE 1	SESE 11
R33E S31	Lot 4 (SWSW) 3.6	
95.9 ACRES TOTAL		

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF ~~200.0~~ 205.2 ACRES IN A
SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-02070,
32-00053 ~~AND~~ AND 32-10152.

THE USE OF WATER WITHIN SWNE, S06, T12N, R33E IS LIMITED
TO THE NW1/4NW1/4, S1/2NW1/4, AND N1/2SW1/4.

THE USE OF WATER WITHIN LOT 3 (NENW), S06, T12N, R33E IS
LIMITED TO THE NW1/4SW1/4, S1/2SW1/4, AND SW1/4SE1/4.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE

ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO
CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

FWP RWR
MS NBS

CERTIFICATE OF MAILING

I certify that on 7-19, 2000, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication *by hand*
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copy to:

Idaho Department of Water Resources
Adjudication Bureau *by hand*
1301 North Orchard Street
Boise, Idaho 83706

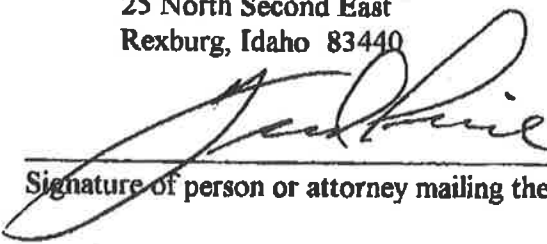
IDWR Document Depository
P. O. Box 83720 *by hand*
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

E. Marlowe Goble
152 S. 600 W.
Logan, Utah 84321

Ray W. Rigby *by hand*
Rigby, Thatcher, Andrus, Rigby & Kam, Chartered
P.O. Box 250
25 North Second East
Rexburg, Idaho 83440



Signature of person or attorney mailing the form

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**AMENDED**

2001 MAY 23 PM 12:44

In Re SRBA)
Case No. 39576)
_____)PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 32-10151

FILED
TWIN FALLS CO., IDAHONAME AND ADDRESS: E MARLOWE GOBLE
152 S 600 W
LOGAN, UT 84321

SOURCE: GROUNDWATER

QUANTITY: 0.50 CFS
211.00 AFYUSE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 6.90 CFS.
COMBINED RIGHT NOS.: 32-02070, 32-00053 AND 32-10152

PRIORITY DATE: 06/02/1952

POINT OF DIVERSION: T13N R32E S36 NENWSE Within Clark County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.50 CFS 211.00 AFY

PLACE OF USE:	Irrigation	Within Clark County
	T12N R32E S01 LOT 01 (NENE) 4.4	
	R33E S06 SWNE 8.4	LOT 03 (NENW) 8.0
	LOT 04 (NWNW) 19.0	LOT 05 (SWNW) 2.4
	SENE 26.0	
	T13N R32E S36 NESE 4.0	NWSE 8.1
	SWSE 1.0	SESE 11.0
	R33E S31 LOT 04 (SWSW) 3.6	
	95.9 Acres Total	

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 205.2 ACRES IN A SINGLE
IRRIGATION SEASON.

COMBINED RIGHT NOS.: 32-02070, 32-00053 AND 32-10152.

THE USE OF WATER WITHIN SWNE, S06, T12N, R33E IS LIMITED TO
THE NW-1/4 NW-1/4, S-1/2 NW-1/4, AND N-1/2, SW-1/4.THE USE OF WATER WITHIN LOT 3 (NENW), S06, T12N, R33E IS
LIMITED TO THE NW-1/4 SW-1/4, S-1/2 SW-1/4, AND SW-1/4 SE-1/4.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

SRBA

SUBCASE SUMMARY REPORT 32-10151

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SRBA
07-30-2025

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 32-10151 FILE#: 00113
CLAIMANT: GOBLE, E MARLOWE
152 S 600 W

LOGAN UT 84321
STATUS: PD ISSUED SPECIAL MASTER: WOOD, BARRY
WATER SOURCE: GROUNDWATER
ISSUES: PLACE OF USE

**** PARTIES INVOLVED ****

E MARLOWE GOBLE C ATTY: RAY W RIGBY
USDI BLM O ATTY: U S DEPARTMENT OF JUSTICE

**** ROA ENTRIES ****

12-17-1999 OBJ 01 F/B USDI BLM	RB 04-21-2000 0001
05-10-2000 NOTICE SETTING INITIAL HEARING	1S 07-19-2000 0100
07-19-2000 HEARING HELD - INITIAL HEARING	1H 07-19-2000 0100
07-19-2000 MINUTES - INITIAL HEARING	
07-19-2000 STANDARD FORM 5 FILED	07-19-2000
07-19-2000 NTC OF APPEARANCE - RIGBY FOR GOBLE DONE ON RECORD IN OPEN COURT	
07-19-2000 REPORT & RECOMMENDATION OF MASTER	CB 08-28-2000
07-19-2000 NTC OF ISSUANCE OF MASTER'S REPORT & RECOMM.	
07-19-2000 JOINT MTN TO CORRECT CLERICAL ERROR - DONE IN MG	07-19-2000
OPEN COURT TO CORRECT TOTAL COMBINED IRRIGATED ACRES FROM 208.8 TO 205.2	
07-19-2000 BENCH ORDER GRANTING JOINT MTN TO CORRECT CLERICAL ERROR (I.R.C.P. 60A)	
07-19-2000 AMENDED STANDARD FORM 5 FILED	07-19-2000
07-27-2000 AMENDED REPORT & RECOMMENDATION OF MASTER	CB 08-28-2000
07-27-2000 NOTICE OF ISSUANCE - MASTERS R&R	
07-27-2000 CERTIFICATE OF MAILING - MASTER R&R	
10-31-2000 ORDER OF PARTIAL DECREE	
10-31-2000 CERTIFICATE OF MAILING - PARTIAL DECREE	
<u>10-31-2000</u> PARTIAL DECREE FILED	10-31-2000
05-23-2001 AMENDED ORDER OF PARTIAL DECREE TO CORRECT CLERICAL ERROR I.R.C.P. 60(A)	
05-23-2001 CERTIFICATE OF MAILING	
<u>05-23-2001</u> AMENDED PARTIAL DECREE FILED	05-23-2001
12-08-2017 PAPER FILES SENT TO STATE ARCHIVE BOX 725	0A 12-08-2017

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