RECEIVED
MAY 20 2013
DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST
Permit 21-13160

May 20, 2013

RECEIVED
MAY 28 2013
DEPT. OF WATER RESOURCES
SOUTHERN REGION

1. Matter being protested
Application for Permit No. 21-13160 for Idaho Water Resource Board.

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).
Idaho Water Resource Board (IWRB) is claiming water for recharge purposes within an existing network of canals located on land owned by the United States. Idaho Water Resource Board is not authorized to use federal public land for "Ground Water Recharge" purposes, nor is it authorized to utilize someone else's canal right of way (ROW) on federal land.

7. What would resolve your protest?
BLM's protest can be resolved by:
1) Obtaining formal permission from holders of canal ROWs to cohabitate their ROWs for a recharge purpose;
2) IWRB seeking a ROW for canal use from the BLM;
3) Making it clear that recharge activities are limited to in-canal and that discharging water onto BLM land outside of the canal is not permitted. Clarifying conditions similar to the ones below could resolve this portion of BLM's protest.

> "Places of Use for Groundwater Recharge describing federal public land is limited to within the canal and discharges outside of the canal onto federal public land are not authorized. This right does not grant any right-of-way or easement across the land of another."

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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 20th day of May 2013.

Protestant
Fredric W. Price
Water Rights Specialist

FOR DEPARTMENT USE ONLY

Received by HP Date 5-20-13

Fee Paid $25.00 Date 5-20-13 Receipted by HP Receipt # C097191

CERTIFICATE OF SERVICE

I certify that on May 20, 2013, I served a true and correct copy of the **"Protest of Application for Permit 21-13160** for Idaho Water Resource Board 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
Southern Regional Office
1341 Fillmore St., Suite 200
Twin Falls, Idaho 83301

Idaho Department of Water Resources
Eastern Regional Office
900 North Skyline Drive
Idaho Falls, ID 83402-1718

Idaho Water Resource Board
Attn: Helen Harrington
P.O. Box 83720
Boise, ID 83720-0098

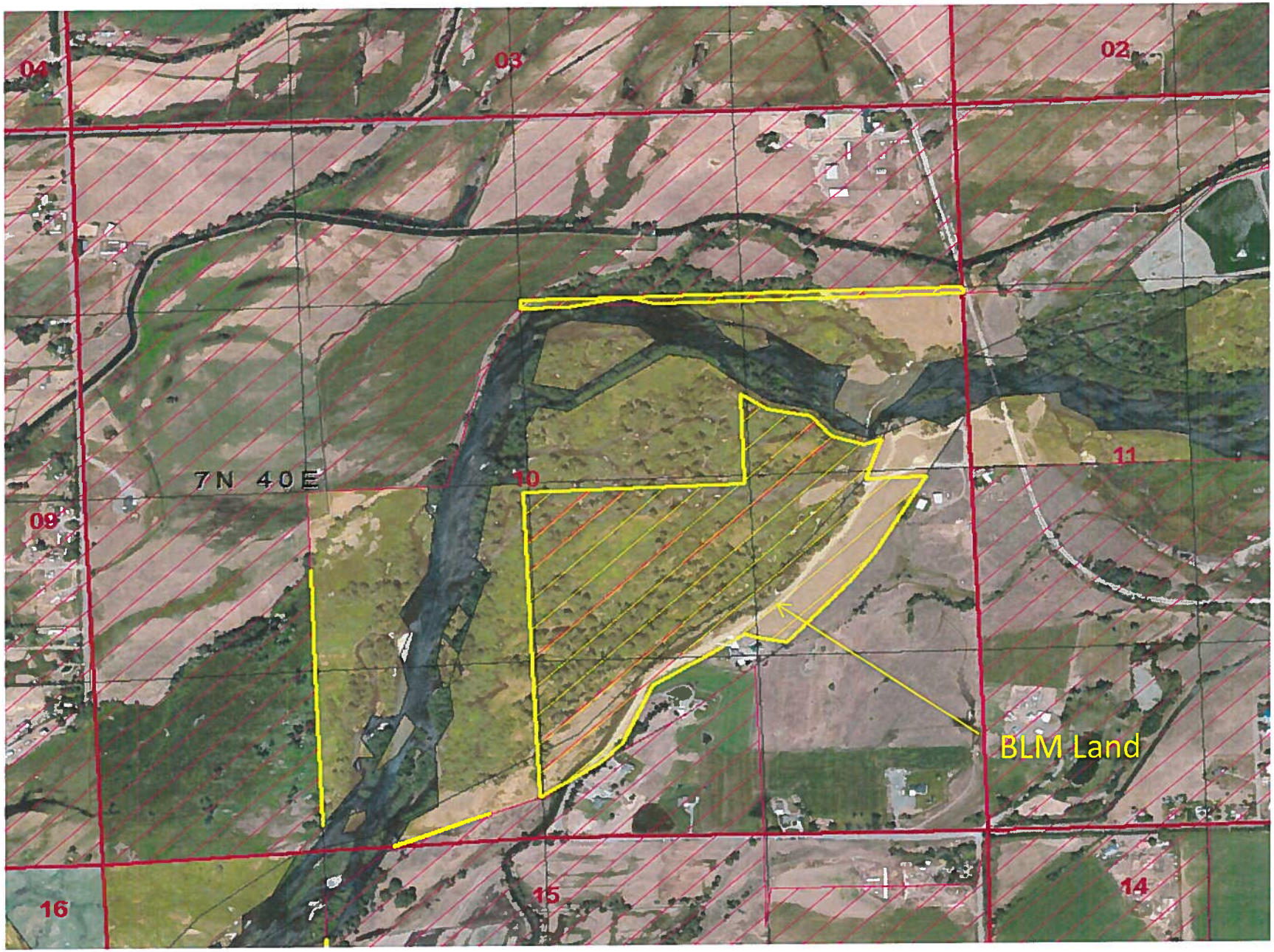
Office of the Attorney General
Harriet A. Hensley
700 W. State St. 2nd Floor
P.O. Box 83720
Boise, ID 83720-0010

Harley Bateman
U.S., Department of the Interior,
Bureau of Land Management,
Idaho Falls Field Office
1405 Hollipark Drive
Idaho Falls, ID 83401

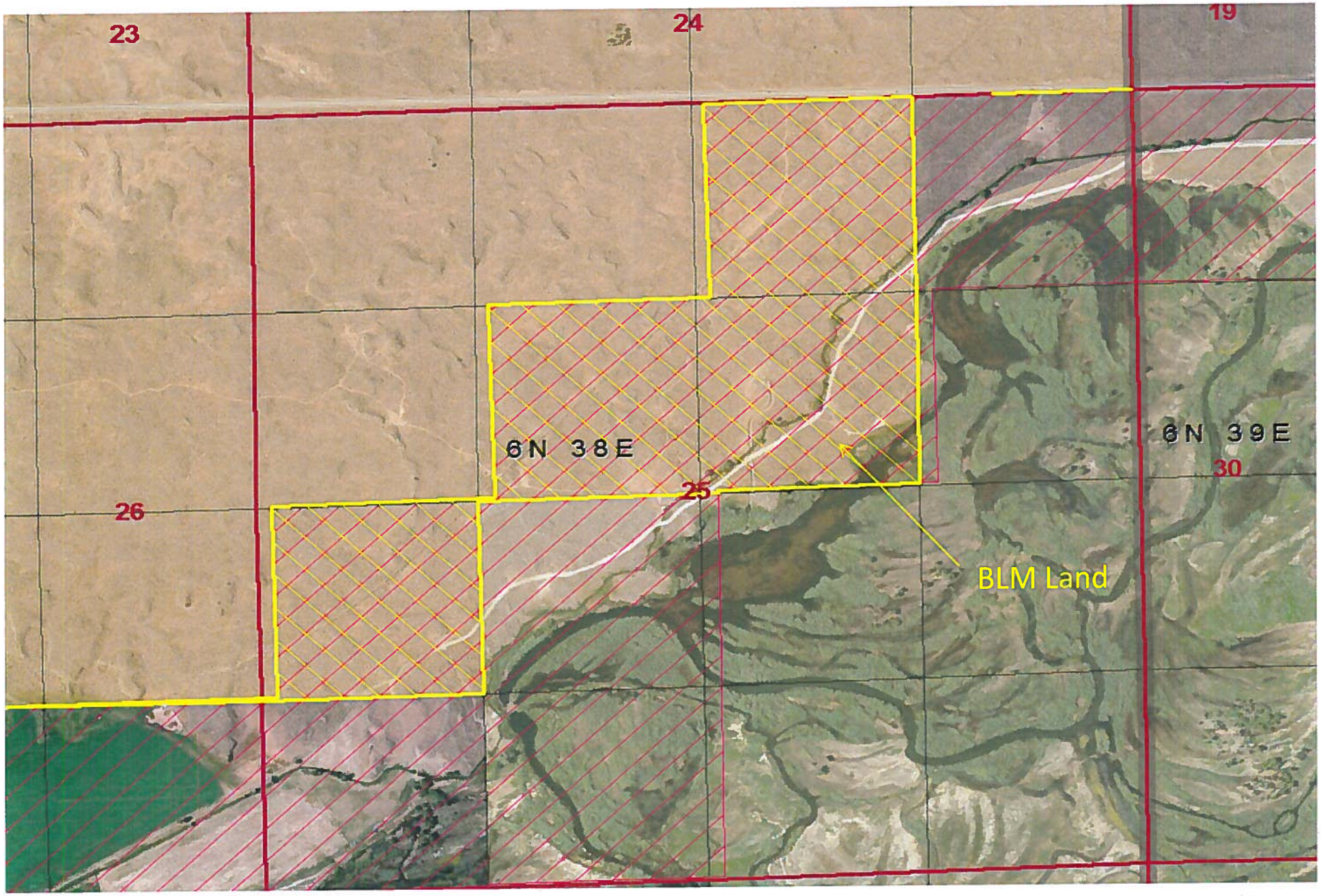
Brandon Anderson
Person Serving Documents (print name)

Brandon Anderson
Signature of Person Serving Documents

21-13160, Idaho Water Resource Board



21-13160, Idaho Water Resource Board



TOWNSHIP 7 NORTH RANGE 40 EAST OF THE BOISE MERIDIAN, IDAHO

MADISON COUNTY 065

FREMONT COUNTY 043

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES AND ACQUIRED LANDS

MT PLAT

INDEX TO SEGREGATED TRACTS				
RESURVEY	ORIGINAL SURVEY			
TRACT NO	T	R	SEC	SUBDIVISION

IDI 14810 Offer of Omittted Lands to Preference Right Claimants pursuant to Act of Cong 05/31/1962

Sec 9: Lot 3
Sec 10: Lot 14 (portion)
NWSE (portion)
Lot 23 (portion)
Sec 16: Lot 12
Lot 14 (portion)
Lot 15
Sec 17: Lot 7
Lot 12
Sec 18: Lot 8
Sec 19: Lots 10,11,12,14,&16

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

FILE REF:	ID080070N0400EsMT0000e.dwg
CONVERTED TIFF: 05/16/2006	BY: LFM
LAST UPDATED: 01/01/2005	BY:
QA/QC #1:	QA/QC #2:
POSTED TO PUBLIC RECORDS:	BY:
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BLM GCDB ACQUIRED:	04/28/2005
OTHER:	N/A
PROJECTED COORDINATE SYSTEM:	UTM ZONE 12N, NAD 1983
NOTES:	
USE PLATS:	

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

SCALE in chains

SCALE in feet

SCALE in meters

NORTH

DISCLAIMER:

This plat is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and township survey data. Records hereon do not reflect title changes which may have been affected by lateral movements of river or other bodies of water. Refer to cadastral 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 order.

No 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.

Boise Mer.
T. 7 N
R. 40 E

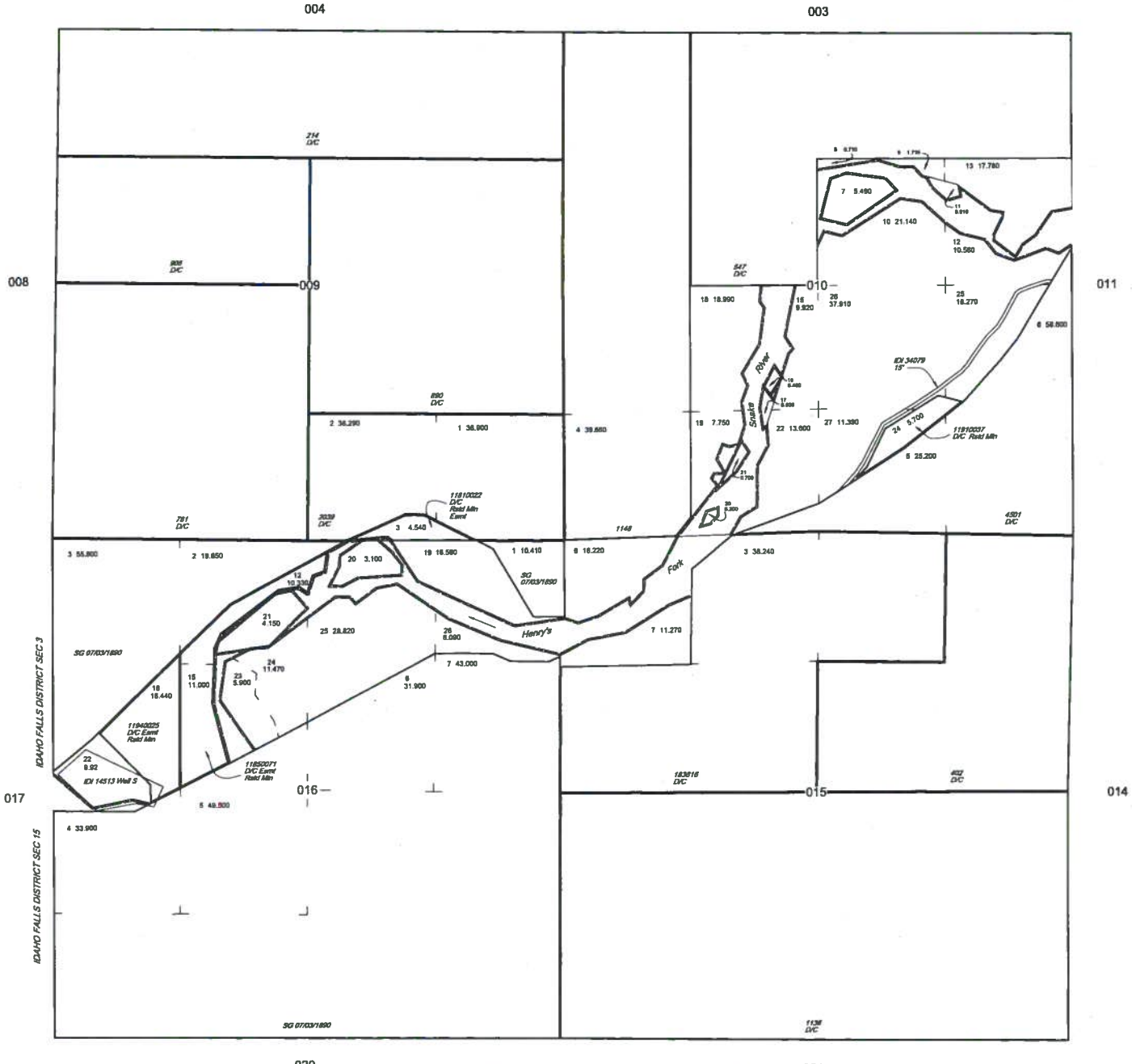
TOWNSHIP 7 NORTH RANGE 40 EAST OF THE BOISE MERIDIAN, IDAHO

FREMONT COUNTY 043

No. 2

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT
SUPPL Sec 9,10,15,16



INDEX TO SEGREGATED TRACTS

RESURVEY				ORIGINAL SURVEY
TRACT NO	T	R	SEC	SUBDIVISION

IDI 14810 Offer of Omitted Lands to Preference Right Claimants pursuant to Act of Cong 05/31/1962

Sec 9: Lot 3

Sec 10: Lot 14 (portion), Lot 23 (portion), NWSE (portion)

Sec 16: Lots 12,15,16

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

FILE REF:	ID680070N0400EsM110002.dwg		
CONVERTED TIFF:	05/17/2006	BY:	LFM
LAST UPDATED:	04/24/2013	BY:	JCB
QA/QC #1:	SSB 04/29/2013	QA/QC #2:	SSB
POSTED TO PUBLIC RECORDS:	April 24, 2013		
BY:			
PUBLIC LAND SURVEY SYSTEM (PLSS)			
BLM GCDB ACQUIRED:	04/29/2005		
OTHER:	N/A		
PROJECTED COORDINATE SYSTEM:	UTM ZONE 11N, NAD 1983		
NOTES:			
USE PLATS:			

Boise Mer.
T. 7 N
R. 40 E
No. 2

U.S. Bureau of Land Management - Idaho State Office
1387 S. Vinnell Way Boise, Idaho 83709
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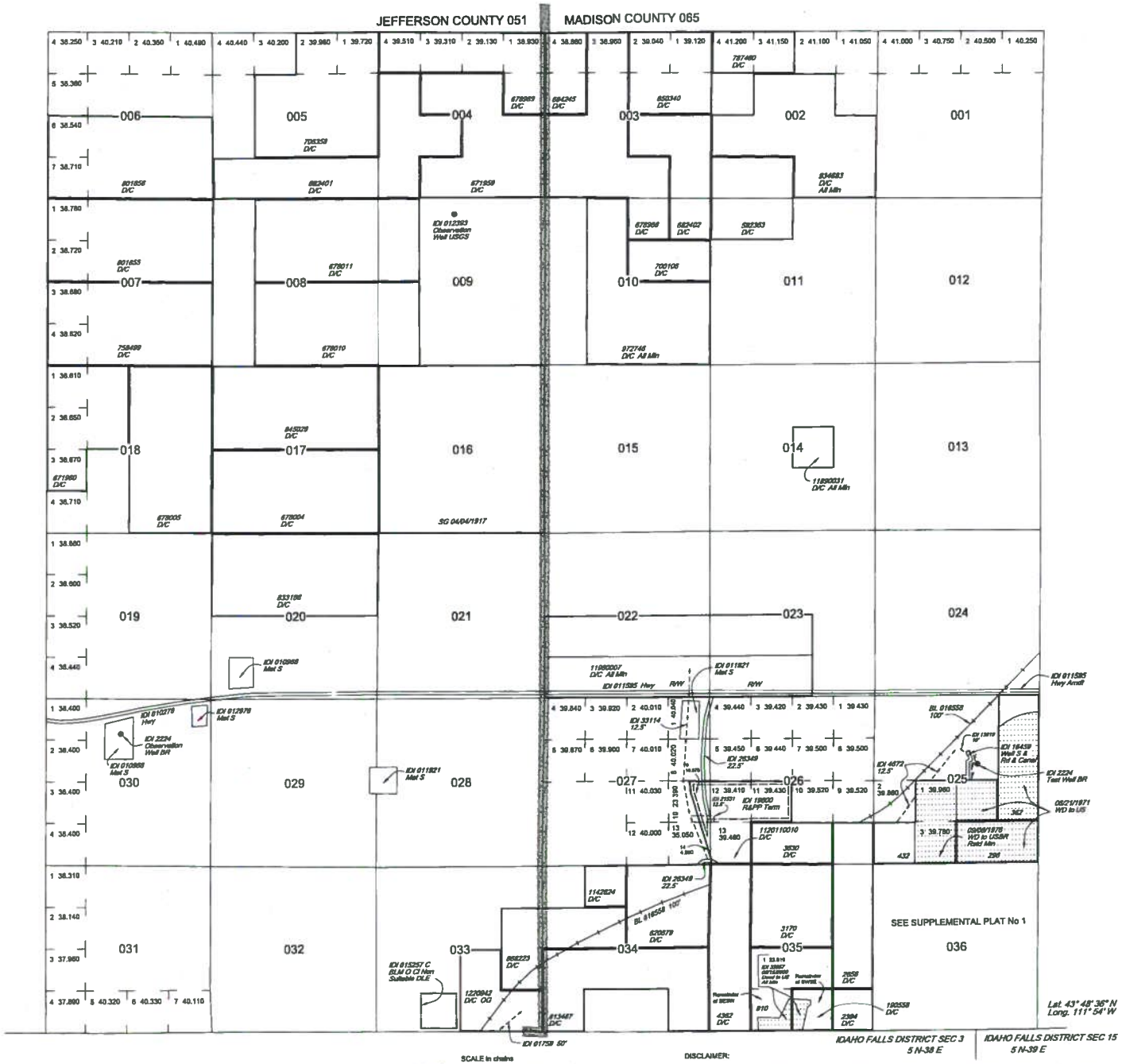
TOWNSHIP 6 NORTH RANGE 38 EAST OF THE BOISE MERIDIAN, IDAHO



STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES AND ACQUIRED LANDS

MT PLAT

INDEX TO SEGREGATED TRACTS				
RESURVEY			ORIGINAL SURVEY	
TRACT NO	T	R	SEC	SUBDIVISION

IDI 15382 Silma Act 02/07/1979
All NRL in Tp Excl
Sec 34: SESWSWSE

IDI 1960001 R&PP Landfill Lse Term 07/28/2011
Sec 26: Lots 11,12
Sec 27: Lots 9,14

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

FILE REF:	ID038060N0360EsM100000.dwg
CONVERTED TIFF: 05/19/2005	BY: LFM
LAST UPDATED: 09/02/2011	BY: LFM
QA/QC #1:	QA/QC #2:
POSTED TO PUBLIC RECORDS:	September 8, 2011
BY:	
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BLM GCDB ACQUIRED:	04/26/2005
OTHER:	N/A
PROJECTED COORDINATE SYSTEM:	UTM ZONE 12N, NAD 1983
NOTES:	
USE PLATS.	

Boise Mer.
T. 6 N
R. 38 E

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