

**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 )

Case No. 39576 )

A. Subcase 25-13389  
(Insert water right number)

**STANDARD FORM 1  
OBJECTION**

Please fill in the following information:

**B. NAME AND ADDRESS OF PERSON OBJECTING**

Name: United States of America acting through the Department of Interior,  
Bureau of Reclamation, Regional Director PN Code-3100

Address: 1150 N. Curtis Rd. Suite 100  
Boise, Idaho 83706-1234

Daytime Phone: (208) 378-5306 E.Gail McGarry

Name & Address of Attorney, if any:  
David W. Gehlert (303 312-7352) Trial Attorney,  
General Litigation Section  
Environment and Natural Resource Division  
U.S. Department of Justice  
999 18th Street, Suite N 945  
Denver, CO 80202

**C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT**

Name: Progressive Irrigation District

Address: 2585 N Ammon Rd  
Idaho Falls, ID 83401-1949

**D.** I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**  
Should be:
2. ☐ **Source**  
Should be:
3. ☐ **Quantity**  
Should be:
4. ☐ **Priority Date**  
Should be:
5. ☐ **Point(s) of Diversion**  
Should be:
6. ☐ **Instream Flow Description**  
Should be:
7. ☐ **Purpose(s) of Use**  
Should be:
8. ☐ **Period of Year**  
Should be:
9. ☒ **Place of Use**  
Should be: See Attached

**11. I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described.

**E. REASONS SUPPORTING EACH OBJECTION(S):**

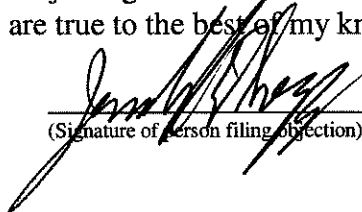
The United States of America, through the Bureau of Reclamation, is the owner of land upon which use is claimed. The claimant's use of Federal land is unauthorized. Claimant's water right should not include these POU's. For any POU's that contain both private and public land, the right should be clarified such that it is clear only private land is intended.

**F. VERIFICATION (Must be Completed)**

State of Idaho )  
 ) ss.  
County of Ada )

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

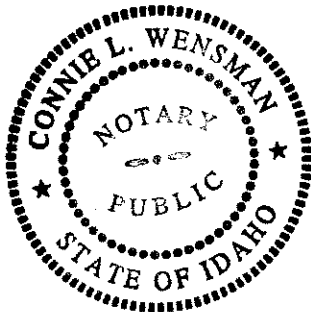
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

  
(Signature of person filing objection)

\_\_\_\_\_  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

  
\_\_\_\_\_  
\_\_\_\_\_



Notary Public for: Idaho  
Residing at: Meridian  
My Commission Expires: 10-6-10

## INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

### G. CERTIFICATE OF MAILING

I certify that on \_\_\_\_\_, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. One copy to the claimant of the water right at the following address:

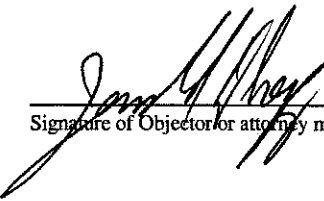
Name: Progressive Irrigation District  
Address: 2585 N Ammon Rd  
Idaho Falls ID 83401-1949

3. Copies to:

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P.O. Box 44449  
Boise, Idaho 83711-4449

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

United States Department of Justice  
Environment and Natural Resource Division  
General Litigation Section  
550 West Fort Street, MSC 033  
Boise, Idaho 83724

  
\_\_\_\_\_  
Signature of Objector or attorney mailing on Objector's behalf

SF1-Objection  
Amended 10/16/97

**25-13389**

POU's ON BOR

-IRRIGATION OF PUBLIC LAND IS NOT AUTHORIZED.

MIXED OWNERSHIP

-CLARIFY THE POU's SUCH THAT IT IS CLEAR THAT ONLY PRIVATE LAND IS INTENDED.

**UNAUTHORIZED POU's ON BOR:**

| <u>Legal Description</u> | <u>BOR acres</u>           | <u>Mixed Ownership</u> |
|--------------------------|----------------------------|------------------------|
| T03N R38E S19 SENE       | 4                          | Yes                    |
| T03N R38E S20            | 15-16 along outlet channel | Yes                    |
| T03N R38E S20 SWNE       | 20                         | Yes                    |
| T03N R38E S21            | 15-16 along outlet channel | Yes                    |
| T03N R39E S19            | 15-16 along outlet channel | Yes                    |
| T03N R39E S20 NESW       | 12                         | Yes                    |