

RECEIVED

MAR 13 2006

Department of Water Resources
Adjudication Bureau

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 37-00059D
(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 Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

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

Name: Barbara Farms, LLC

Address: P.O. Box 424; Shoshone, Idaho 83352

Name:

Address: ;

Name:

Address: ;

Name:

Address: ;

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 above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of ADA)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

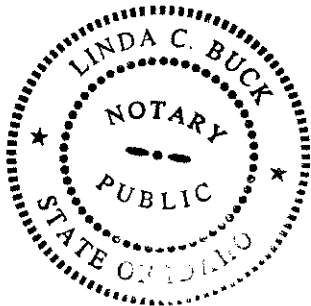
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

Linda C. Buck
Notary Public in and for the State of Idaho
Residing at: Mountain Home
My Commission Expires: 12-21-2011



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 March 9, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

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:

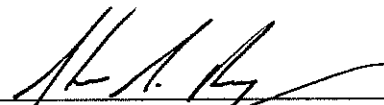
Name: Barbara Farms, LLC
Address: P.O. Box 424; Shoshone, Idaho 83352
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

3. Copies to:

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

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf

11/01/2005

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

RIGHT NUMBER: 37-59D
NAME AND ADDRESS: BARBARA FARMS LLC
PO BOX 424
SHOSHONE ID 83352

**POUs on BLM
- Remove POU's that
describe Public Land**

SOURCE: BIG WOOD RIVER
POINT OF INJECTION INTO JIM BYRNE SLOUGH THAT FLOWS INTO THE LITTLE WOOD RIVER. POINT OF REDIVERSION FROM THE LITTLE WOOD RIVER.

TRIBUTARY: MALAI RIVER

QUANTITY: 0.380 CFS

PRIORITY DATE: 05/27/1999

POINT OF
DIVERSION: T02S R18E S30 SWSENE Within LINCOLN County **BLM**
T03S R19E S19 SWNESE Injection Within LINCOLN County **BLM**
T04S R19E S25 SENWSE Injection Within LINCOLN County
T05S R17E S29 SWNWSW Rediversion Within LINCOLN County
T05S R17E S30 SWNESE Rediversion Within LINCOLN County
T05S R17E S30 NESWSE Rediversion Within LINCOLN County
T05S R17E S32 NWNENE Rediversion Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 - 11/15	0.380 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R17E S29	NESW	2.9	BLM	T05S R17E S29	NWSW	7.6
T05S R17E S29	SWSW	13.0		T05S R17E S29	SESW	20.0
T05S R17E S29	NWSE	0.1	BLM	T05S R17E S29	SWSE	0.1
T05S R17E S30	SWNE	19.0		T05S R17E S30	NENW	7.8
T05S R17E S30 Lot 1	NWSW	18.0		T05S R17E S30 Lot 2	SWNW	35.0
T05S R17E S30	SENW	27.0		T05S R17E S30	NESW	32.0
T05S R17E S30 Lot 3	NWSW	11.0		T05S R17E S30	SESW	8.6
T05S R17E S30	NESE	19.0		T05S R17E S30	NWSE	17.0
T05S R17E S30	SWSE	23.0		T05S R17E S30	SESE	23.0
T05S R17E S31	NENE	4.9		T05S R17E S31	NWNE	9.5
T05S R17E S32	NENW	2.2		T05S R17E S32	NWNW	0.3

301 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 301 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 37 344A & 37-973.

11/01/2005

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

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 - Decreed

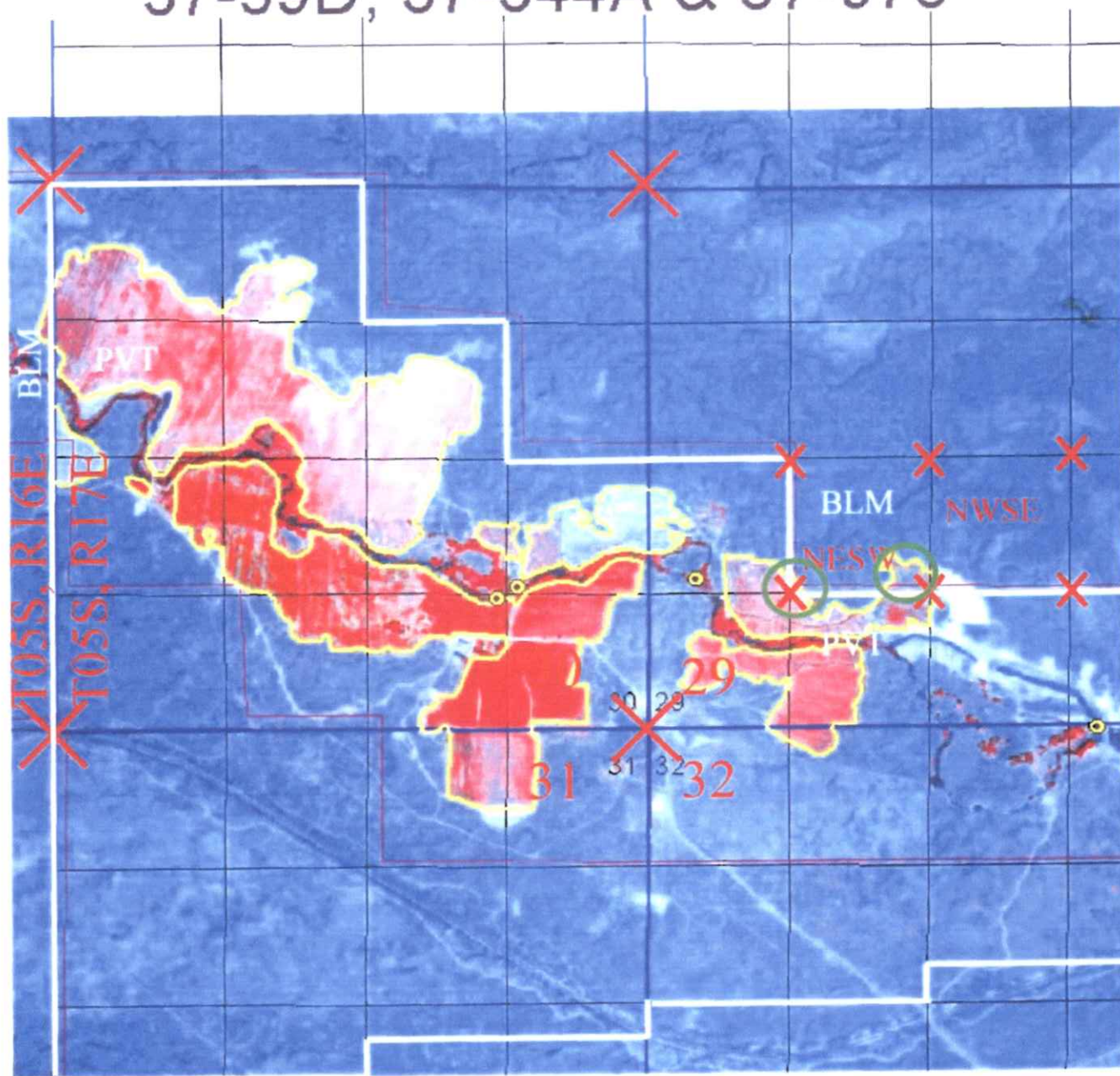
RIGHT SUBJECT TO 27% CONVEYANCE LOSS; 0.28 CFS CAN BE REDIVERTED FROM LITTLE WOOD RIVER.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM BIG WOOD CANAL CO.

IDAHO DEPT OF WATER RESOURCES

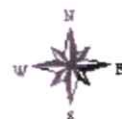
37-59D, 37-344A & 37-973



1320 0 1320 Feet

- Basin 37 part 1-POU
- Basin 37 part 1-POD
- Ownership FED-Private
- Streams
- Section Lines
- Quarter - Quarter lines

TWN: 5S
RNG: 17E



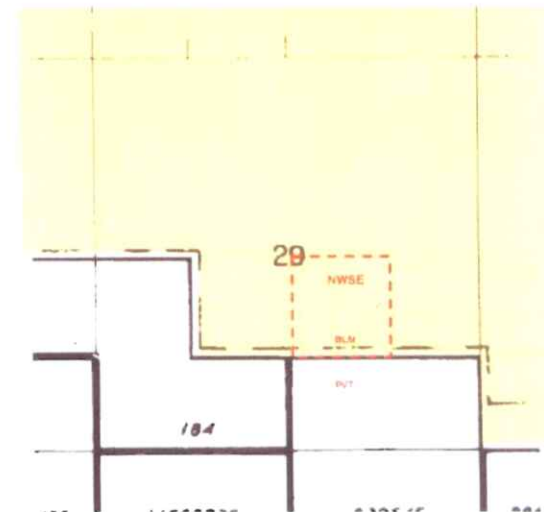
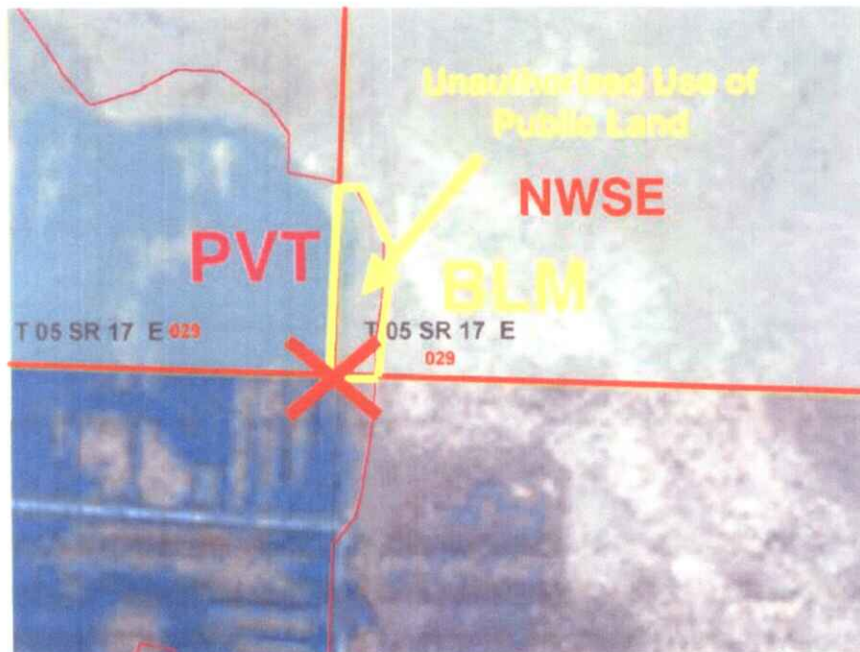
GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: MARCH 18, 2003

37-00059D, 37-00344A, & 37-00973

**Barbara Farms LLC
T05S, R17E, S29, NWSE**

	Town	Rang	Subcase	Sect	QQ	Quar	Bas	Gov	Mix	PVT	BLM	FS	BOR	OtherFed	State	Own Comment
	05S	17E	37-00059D	29 NW	SE	37			☐	☐	☒	☐	☐	☐	☐	Unauthorized Use
	05S	17E	37-00344A	29 NW	SE	37			☐	☐	☒	☐	☐	☐	☐	Unauthorized Use
	05S	17E	37-00973	29 NW	SE	37			☐	☐	☒	☐	☐	☐	☐	Unauthorized Use



Shape should be corrected to eliminate the intrusion on Public Land. This change should reduce acreage, quantity may also need to be proportionally reduced to reflect the acreage change.

Barbara Farms LLC
T05S, R17E, S29, NESW

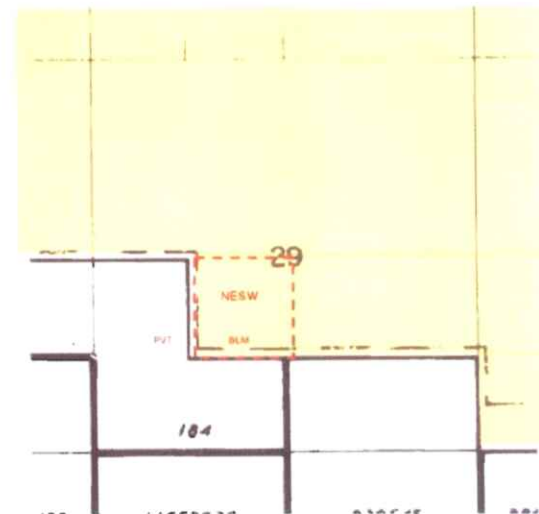
029

NESW

Unauthorized Use of Public Land

BLM

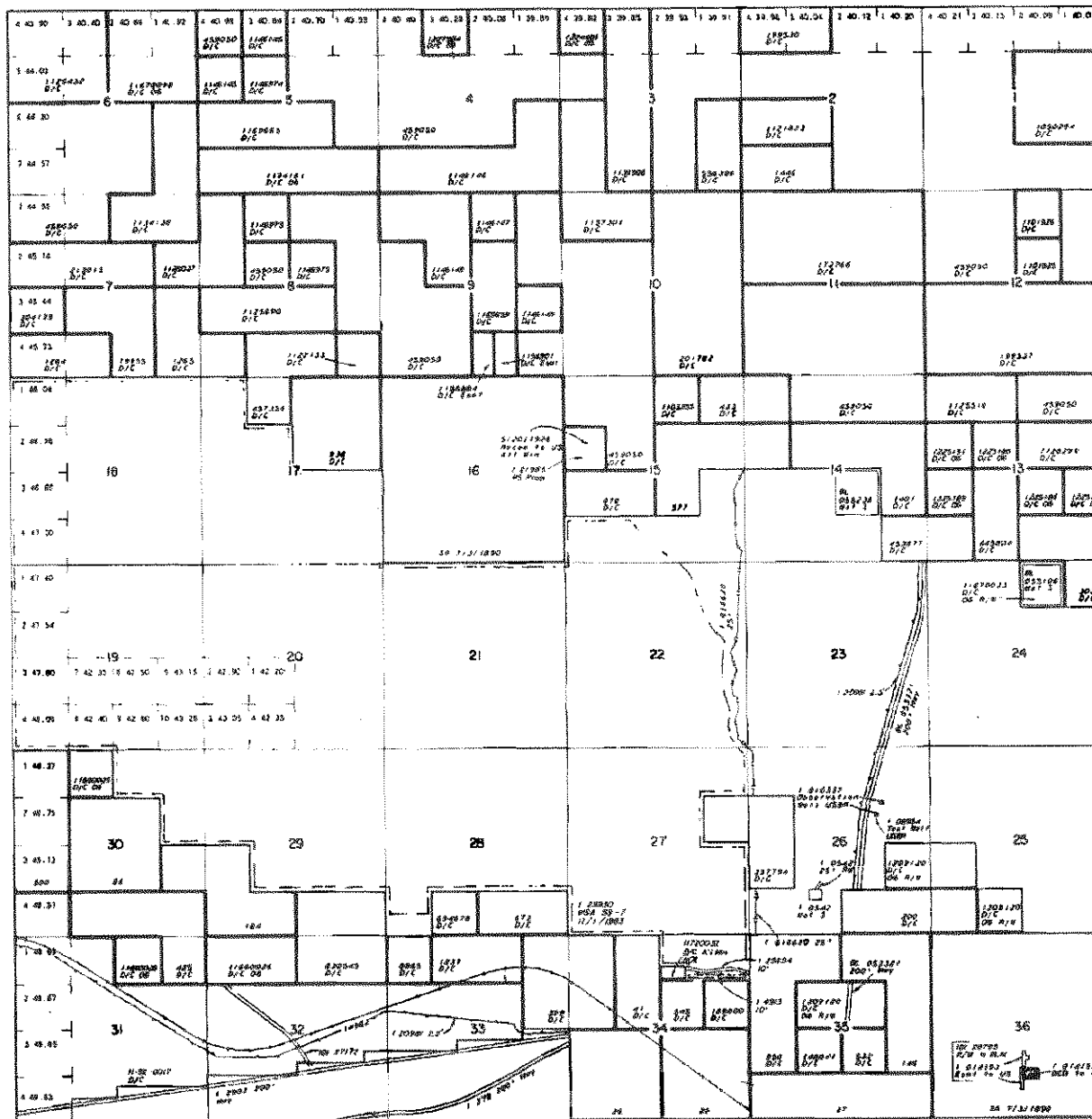
PVT



Shape should be corrected to eliminate the intrusion on Public Land. This change should reduce acreage, quantity may also need to be proportionally reduced to reflect the acreage change.

LINCOLN COUNTY 063
SHOSHONE DISTRICT SEC 3

MT PLAT

[illegible]

44-643852 American Fulla Beaver Dike No 2 (acc of
 George R/11/1916) affects lands in
 Sock 6 to 9 Inc1
 Sock 13, 29

15243 Supra Act 9/18/1978
Sac 14 W/125814

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

CLAIMANT TO	CLAIMANT TO
RECEIVED	
DATE PLATE	

Full in Charge

WARNING! STATISTICS!

This plot is the Bureau's Record of Tides and should be used only as a graphic display of the recorded survey data. Do not use it to determine tide changes which may have been affected by natural movements of rivers or other bodies of water. Refer to the individual surveys for actual survey information.

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL PRICE FOR THE DATE OF THE ORIGINAL WITHDRAWAL ORDER.

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