

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 )

A. Subcase 37-00344A  
(Insert water right number)

Case No. 39576 )

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)

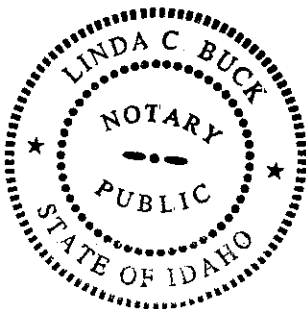
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(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:

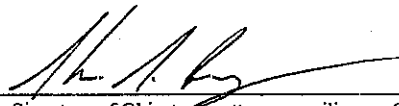
Name: Barbara Farms, LLC  
Address: P.O. Box 424; Shoshone, Idaho 83352  
Name:  
Address: ;  
Name:  
Address: ;  
Name:  
Address: ;

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

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

RIGHT NUMBER: 37-344A  
NAME AND ADDRESS: BARBARA FARMS LLC  
PO BOX 424  
SHOSHONE ID 83352

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

SOURCE: LITTLE WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 4.000 CFS

PRIORITY DATE: 04/06/1883

POINT OF  
DIVERSION: T05S R17E S29 SWNW Within LINCOLN County  
T05S R17E S30 SWNE Within LINCOLN County  
T05S R17E S30 NWSE Within LINCOLN County  
T05S R17E S32 NWNW Within LINCOLN County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/15 11/15          | 4.000 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 NWNW |      | 18.0 |     | T05S R17E S30 Lot 2 SWNW |      | 35.0 |
| T05S R17E S30            | SESW | 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            | NWNW | 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.: 37-59D & 37-973.

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

11/01/2005

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

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

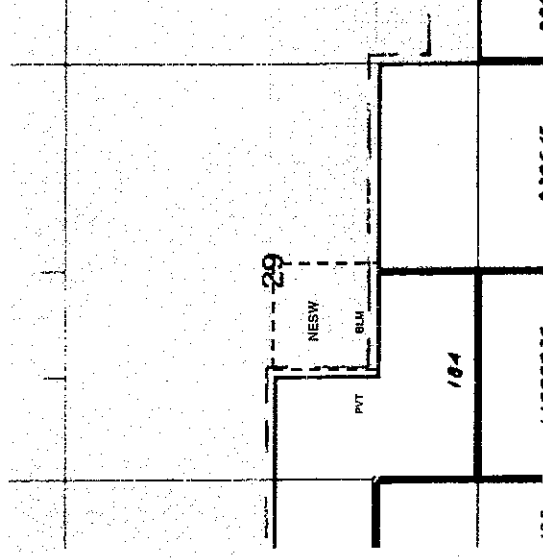
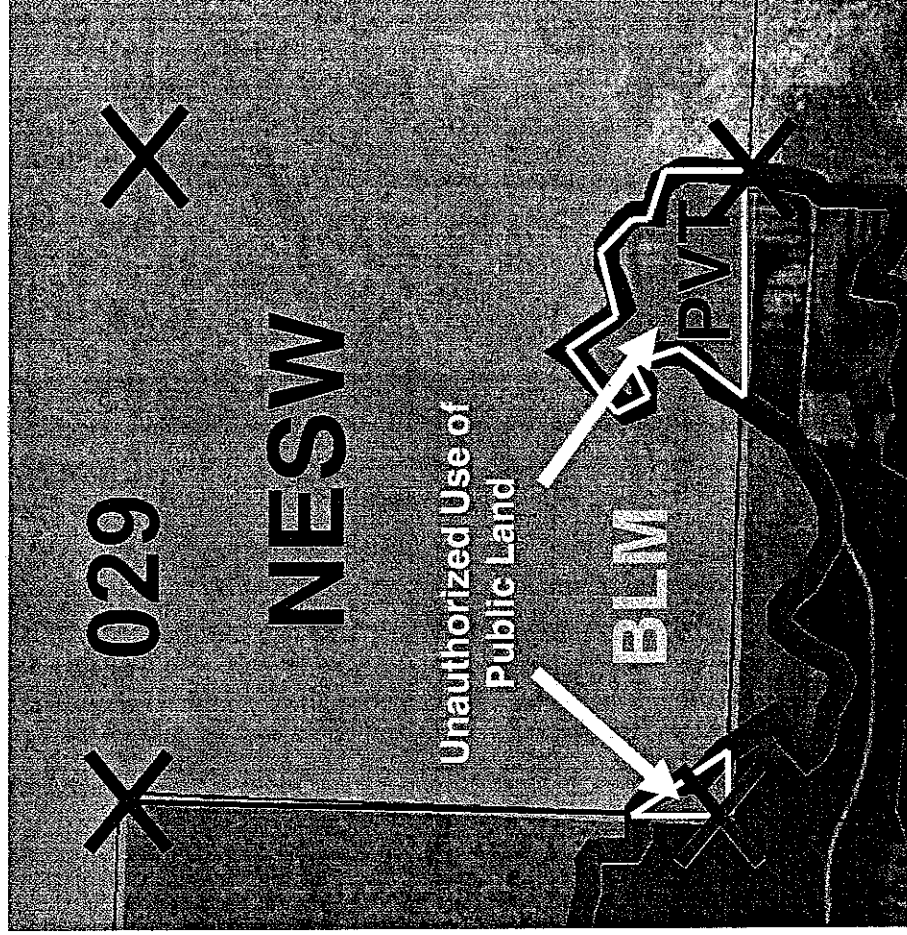
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT  
TO SECTION 42-1425, IDAHO CODE.

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

Barbara Farms LLC

T05S, R17E, S29, NESW

| Town | Rang | Subcase   | Sect | QQ | Quar | Bas | Gov | Mix | PVT | BLM                                 | FS                       | BOR                      | OtherFed                 | State                    | Own Comment      |
|------|------|-----------|------|----|------|-----|-----|-----|-----|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|------------------|
| 05S  | 17E  | 37-00059D | 29   | NE | SW   | 37  |     |     |     | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Unauthorized Use |
| 05S  | 17E  | 37-00344A | 29   | NE | SW   | 37  |     |     |     | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Unauthorized Use |
| 05S  | 17E  | 37-00973  | 29   | NE | SW   | 37  |     |     |     | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Unauthorized Use |



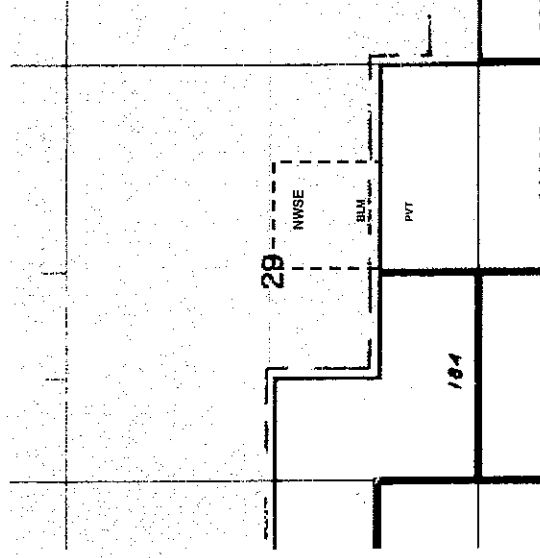
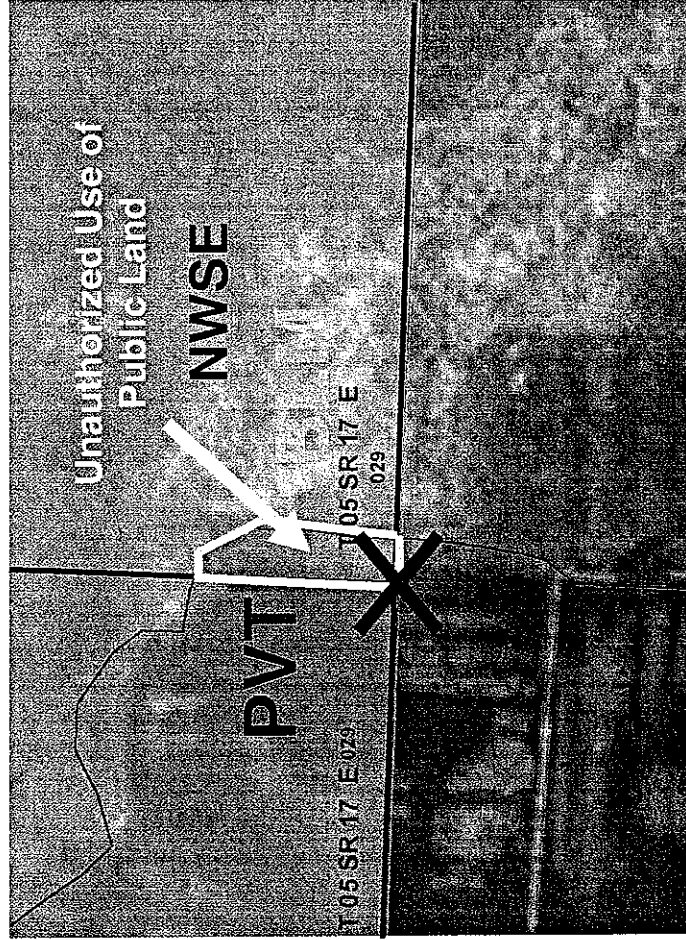
Shape should be corrected to eliminate the intrusion on Public Land. This change should reduce acreage, quantity may also need to be proportionally reduced to reflect the acreage change.

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

Barbara Farms LLC

T05S, R17E, S29, NWSE

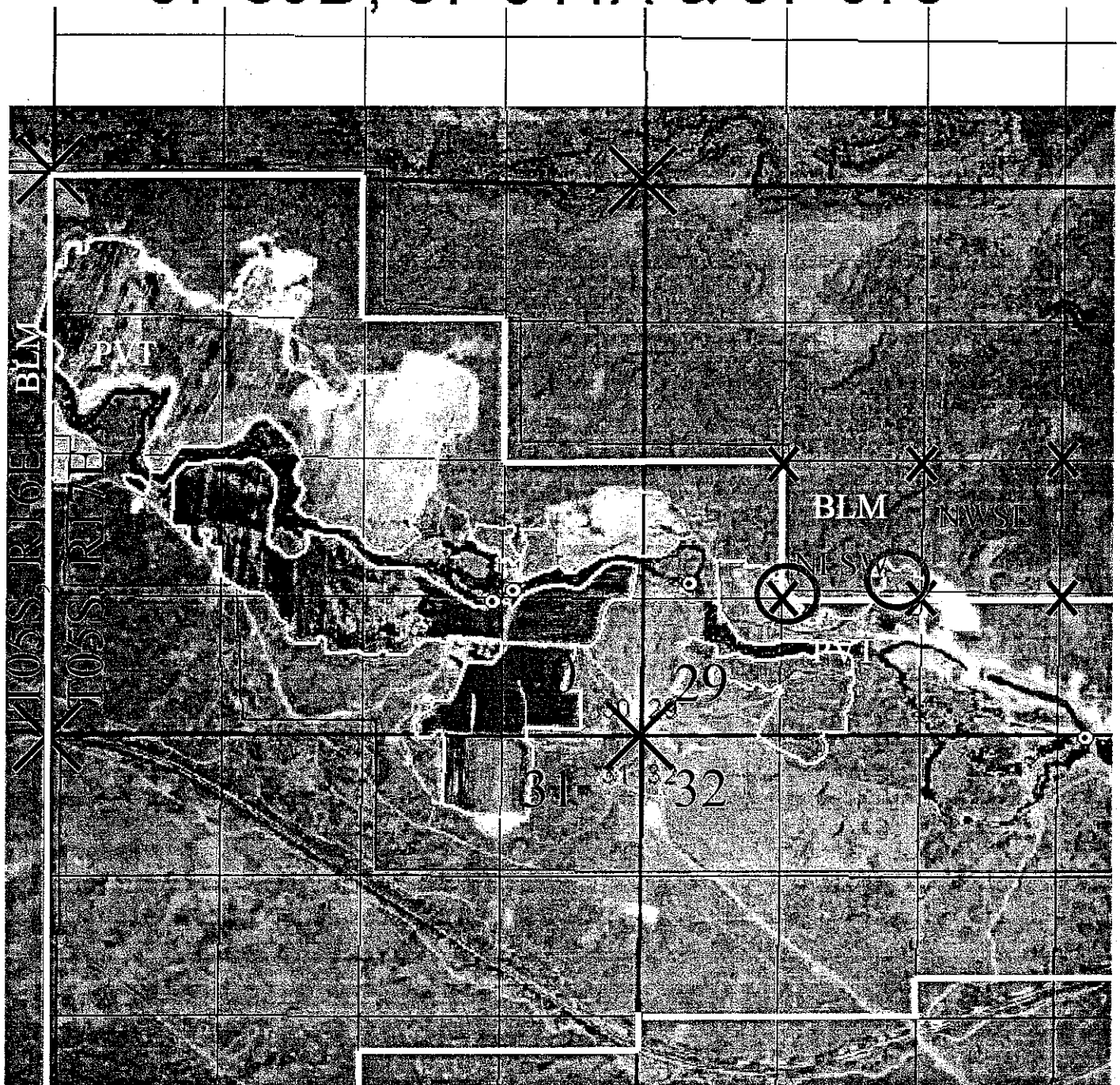
| Town | Rang | Subcase   | Sect | QQ | Quar | Bas | Gov | Mix                      | PVT                      | BLM                                 | FS                       | BOR                      | Other                    | Fed                      | State                    | Own Comment      |
|------|------|-----------|------|----|------|-----|-----|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|------------------|
| 05S  | 17E  | 37-00059D | 29   | NW | SE   | 37  |     | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Unauthorized Use |
| 05S  | 17E  | 37-00344A | 29   | NW | SE   | 37  |     | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Unauthorized Use |
| 05S  | 17E  | 37-00973  | 29   | NW | SE   | 37  |     | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 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.

# IDAHO DEPT OF WATER RESOURCES

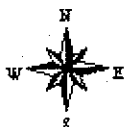
## 37-59D, 37-344A & 37-973



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

LINCOLN COUNTY 063  
SHOSHONE DISTRICT SEC 3

**STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL TITLES  
AND ACQUIRED LANDS**

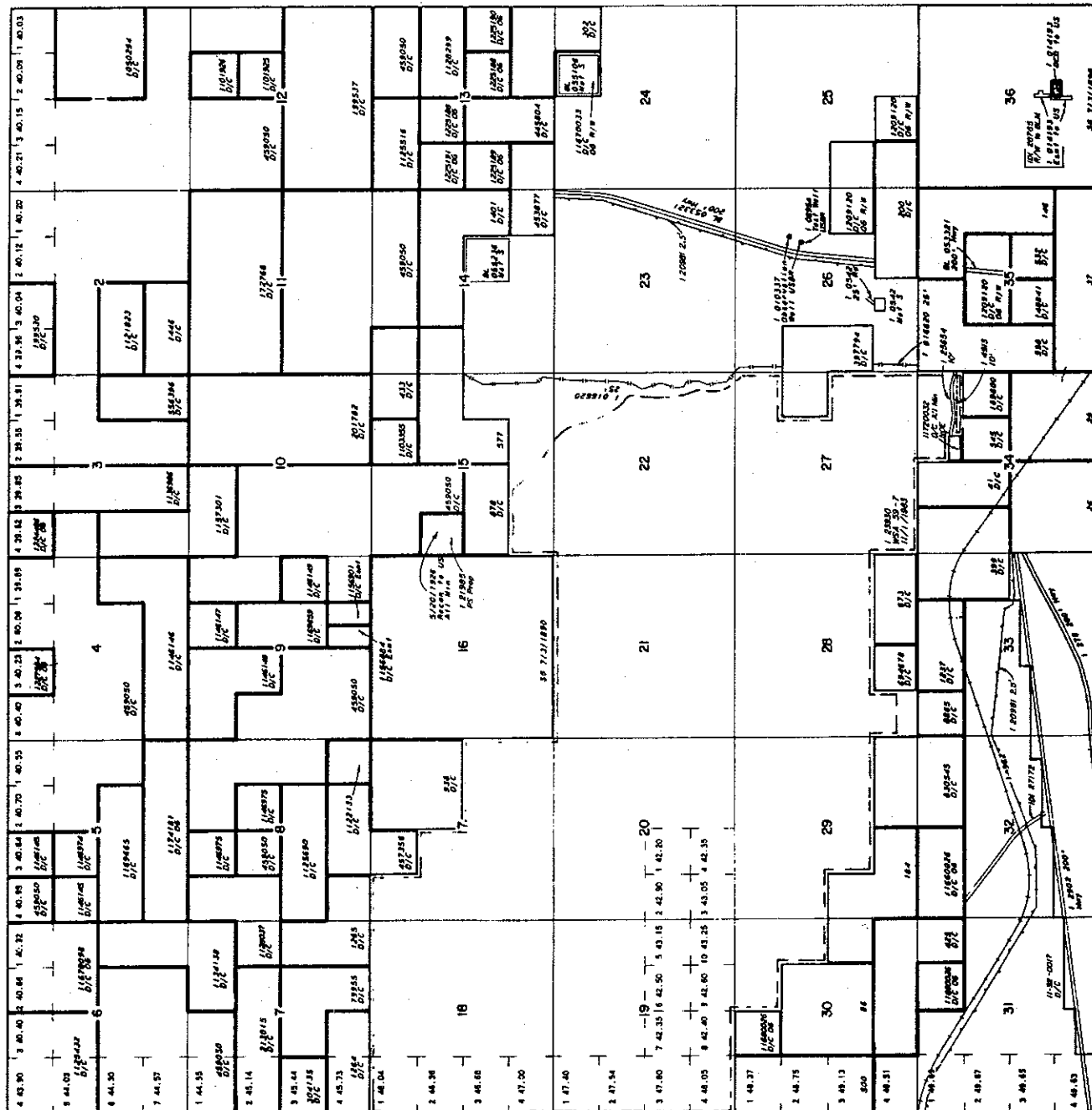
# MT PLAT

[illegible]

Re: 043852 American Falls Resrv Dist No 2 (Act of  
Cong 8/11/1916) affects lands in  
secs 6 to 9 incl  
secs 15, 29

|                                                                                                                      |                                                                          |
|----------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| <p>1. <u>15243 SHW. Ad. 9/19/1978</u></p> <p>2. <u>Shc. 14; W/25E/14</u></p>                                         | <p>3. <u>SHW. Ad. 9/19/1978</u></p> <p>4. <u>Shc. 14; W/25E/14</u></p>   |
| <p>FOR ORDERS EFFECTING DISPOSAL OR USE OF<br/>UNIDENTIFIED LANDS REFER TO INDEX OF<br/>MISCELLANEOUS DOCUMENTS.</p> |                                                                          |
| <p>5. <u>SHW. Ad. 9/19/1978</u></p> <p>6. <u>Shc. 14; W/25E/14</u></p>                                               | <p>7. <u>SHW. Ad. 9/19/1978</u></p> <p>8. <u>Shc. 14; W/25E/14</u></p>   |
| <p>FOR ORDERS EFFECTING DISPOSAL OR USE OF<br/>UNIDENTIFIED LANDS REFER TO INDEX OF<br/>MISCELLANEOUS DOCUMENTS.</p> |                                                                          |
| <p>9. <u>SHW. Ad. 9/19/1978</u></p> <p>10. <u>Shc. 14; W/25E/14</u></p>                                              | <p>11. <u>SHW. Ad. 9/19/1978</u></p> <p>12. <u>Shc. 14; W/25E/14</u></p> |
| <p>FOR ORDERS EFFECTING DISPOSAL OR USE OF<br/>UNIDENTIFIED LANDS REFER TO INDEX OF<br/>MISCELLANEOUS DOCUMENTS.</p> |                                                                          |
| <p>13. <u>SHW. Ad. 9/19/1978</u></p> <p>14. <u>Shc. 14; W/25E/14</u></p>                                             | <p>15. <u>SHW. Ad. 9/19/1978</u></p> <p>16. <u>Shc. 14; W/25E/14</u></p> |
| <p>FOR ORDERS EFFECTING DISPOSAL OR USE OF<br/>UNIDENTIFIED LANDS REFER TO INDEX OF<br/>MISCELLANEOUS DOCUMENTS.</p> |                                                                          |
| <p>17. <u>SHW. Ad. 9/19/1978</u></p> <p>18. <u>Shc. 14; W/25E/14</u></p>                                             | <p>19. <u>SHW. Ad. 9/19/1978</u></p> <p>20. <u>Shc. 14; W/25E/14</u></p> |
| <p>FOR ORDERS EFFECTING DISPOSAL OR USE OF<br/>UNIDENTIFIED LANDS REFER TO INDEX OF<br/>MISCELLANEOUS DOCUMENTS.</p> |                                                                          |
| <p>21. <u>SHW. Ad. 9/19/1978</u></p> <p>22. <u>Shc. 14; W/25E/14</u></p>                                             | <p>23. <u>SHW. Ad. 9/19/1978</u></p> <p>24. <u>Shc. 14; W/25E/14</u></p> |
| <p>FOR ORDERS EFFECTING DISPOSAL OR USE OF<br/>UNIDENTIFIED LANDS REFER TO INDEX OF<br/>MISCELLANEOUS DOCUMENTS.</p> |                                                                          |
| <p>25. <u>SHW. Ad. 9/19/1978</u></p> <p>26. <u>Shc. 14; W/25E/14</u></p>                                             | <p>27. <u>SHW. Ad. 9/19/1978</u></p> <p>28. <u>Shc. 14; W/25E/14</u></p> |
| <p>FOR ORDERS EFFECTING DISPOSAL OR USE OF<br/>UNIDENTIFIED LANDS REFER TO INDEX OF<br/>MISCELLANEOUS DOCUMENTS.</p> |                                                                          |
| <p>29. <u>SHW. Ad. 9/19/1978</u></p> <p>30. <u>Shc. 14; W/25E/14</u></p>                                             | <p>31. <u>SHW. Ad. 9/19/1978</u></p> <p>32. <u>Shc. 14; W/25E/14</u></p> |
| <p>FOR ORDERS EFFECTING DISPOSAL OR USE OF<br/>UNIDENTIFIED LANDS REFER TO INDEX OF<br/>MISCELLANEOUS DOCUMENTS.</p> |                                                                          |
| <p>33. <u>SHW. Ad. 9/19/1978</u></p> <p>34. <u>Shc. 14; W/25E/14</u></p>                                             | <p>35. <u>SHW. Ad. 9/19/1978</u></p> <p>36. <u>Shc. 14; W/25E/14</u></p> |
| <p>FOR ORDERS EFFECTING DISPOSAL OR USE OF<br/>UNIDENTIFIED LANDS REFER TO INDEX OF<br/>MISCELLANEOUS DOCUMENTS.</p> |                                                                          |
| <p>37. <u>SHW. Ad. 9/19/1978</u></p> <p>38. <u>Shc. 14; W/25E/14</u></p>                                             | <p>39. <u>SHW. Ad. 9/19/1978</u></p> <p>40. <u>Shc. 14; W/25E/14</u></p> |
| <p>FOR ORDERS EFFECTING DISPOSAL OR USE OF<br/>UNIDENTIFIED LANDS REFER TO INDEX OF<br/>MISCELLANEOUS DOCUMENTS.</p> |                                                                          |
| <p>41. <u>SHW. Ad. 9/19/1978</u></p> <p>42. <u>Shc. 14; W/25E/14</u></p>                                             | <p>43. <u>SHW. Ad. 9/19/1978</u></p> <p>44. <u>Shc. 14; W/25E/14</u></p> |
| <p>FOR ORDERS EFFECTING DISPOSAL OR USE OF<br/>UNIDENTIFIED LANDS REFER TO INDEX OF<br/>MISCELLANEOUS DOCUMENTS.</p> |                                                                          |
| <p>45. <u>SHW. Ad. 9/19/1978</u></p> <p>46. <u>Shc. 14; W/25E/14</u></p>                                             | <p>47. <u>SHW. Ad. 9/19/1978</u></p> <p>48. <u>Shc. 14; W/25E/14</u></p> |
| <p>FOR ORDERS EFFECTING DISPOSAL OR USE OF<br/>UNIDENTIFIED LANDS REFER TO INDEX OF<br/>MISCELLANEOUS DOCUMENTS.</p> |                                                                          |
| <p>49. <u>SHW. Ad. 9/19/1978</u></p> <p>50. <u>Shc. 14; W/25E/14</u></p>                                             | <p>51. <u>SHW. Ad. 9/19/1978</u></p> <p>52. <u>Shc. 14; W/25E/14</u></p> |
| <p>FOR ORDERS EFFECTING DISPOSAL OR USE OF<br/>UNIDENTIFIED LANDS REFER TO INDEX OF<br/>MISCELLANEOUS DOCUMENTS.</p> |                                                                          |
| <p>53. <u>SHW. Ad. 9/19/1978</u></p> <p>54. <u>Shc</u></p>                                                           |                                                                          |

Lat. 42° 56' 30" N  
Long. 114° 23' 30" E



## EXPERIMENTAL

**WARNING STATEMENT**

This plot is the Bureau's Record of Title, and is not to be used as a graphic display of the Township. The Bureau does not reflect title changes which are affected by lateral movements of rivers or other natural surveys for official use.

SCALE IN CHINESE

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 THE ORIGINAL WITH-

**Figure 1**

195