

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 37-07045

(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: Janss Farms

Address: P.O. Box 99; Bliss, Idaho 83314

Name: c/o Peter Janss

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)

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

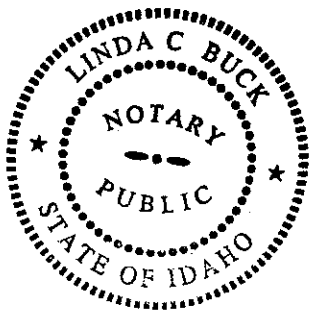
(Signature of person filing objection)

(Attorney signing in representative capacity)

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:

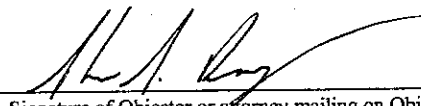
Name: Janss Farms
Address: P.O. Box 99; Bliss, Idaho 83314
Name: c/o Peter Janss
Address: ;
Name: ;
Address: ;
Name: ;
Address: ;

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: 37-7045
NAME AND ADDRESS: JANSS FARMS
C/O PETER JANSS
PO BOX 99
BLISS ID 83314

**POU on BLM
- Remove POU That
Describes Public Land**

SOURCE: CLOVER CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 2.000 CFS
960.00 AFY

PRIORITY DATE: 04/22/1969

POINT OF
DIVERSION: I04S R13E S31 SWNW Lot 7 Within GOODING County **BLM**

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 11/01	2.000 CFS 960.00 AFY

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within GOODING County

I04S R12E S35	SWNE	35.0	I04S R12E S35	SENE	2.6
T04S R12E S35	SWNW	6.7	T04S R12E S35	SENE	38.0
T04S R12E S35	NESW	33.0	T04S R12E S35	NWSW	21.0
I04S R12E S35	SWSW	33.0	T04S R12E S35	SESW	34.0
I04S R12E S35	NWSE	3.8	T04S R12E S36	SWNE	23.0
I04S R12E S36	SENE	4.2	I05S R12E S02	SWNE	3.6
I05S R12E S02 Lot 3	NENW	0.5	I05S R12E S02	SWNW	3.5
T05S R12E S02	SENE	32.0	T05S R12E S02	NESW	17.0
T05S R12E S02	NWSW	13.0	T05S R12E S02	NWSE	33.0
T05S R12E S02	SWSE	0.6	BLM I05S R12E S03 Lot 1	NENE	11.0
T05S R12E S03 Lot 2	NWNE	17.0			

365.5 ACRES TOTAL

Right nos. 37-808 and 37-7045 are limited to the irrigation of a combined total of 365.5 acres in a single irrigation season.

This right is limited to the irrigation of 320 acres within the place of use described above in a single irrigation season.

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

11/01/2005

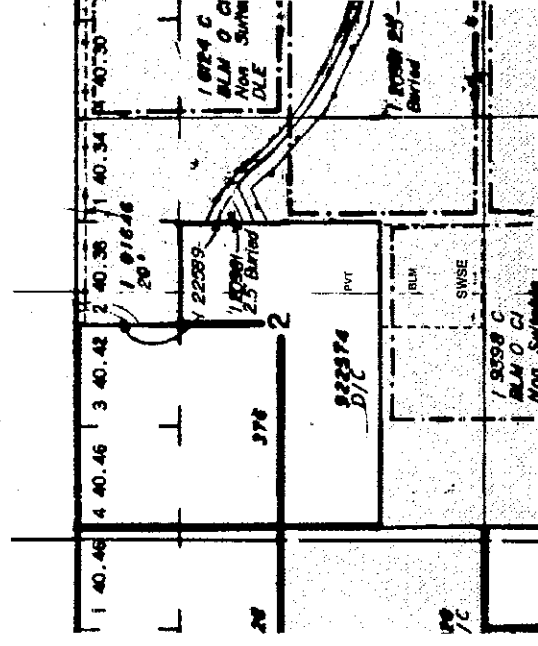
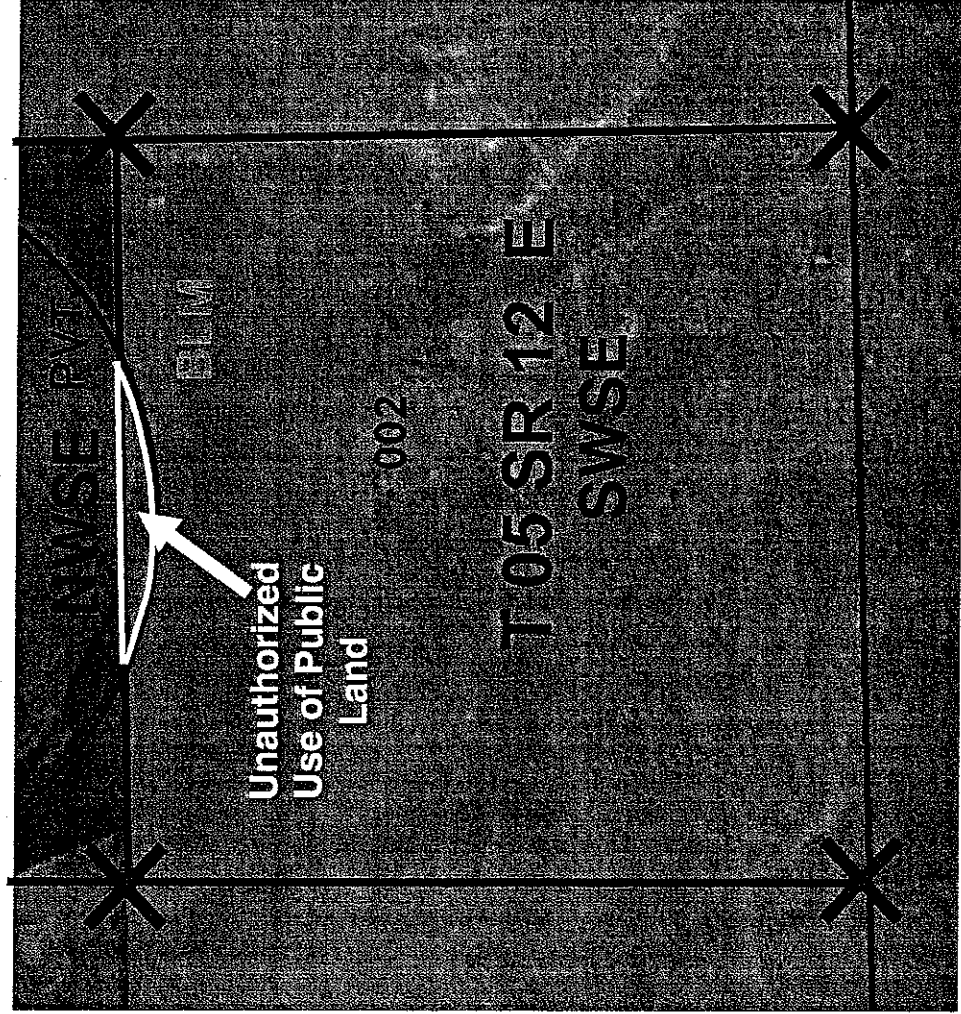
IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

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

37-07045 – Janss Farms

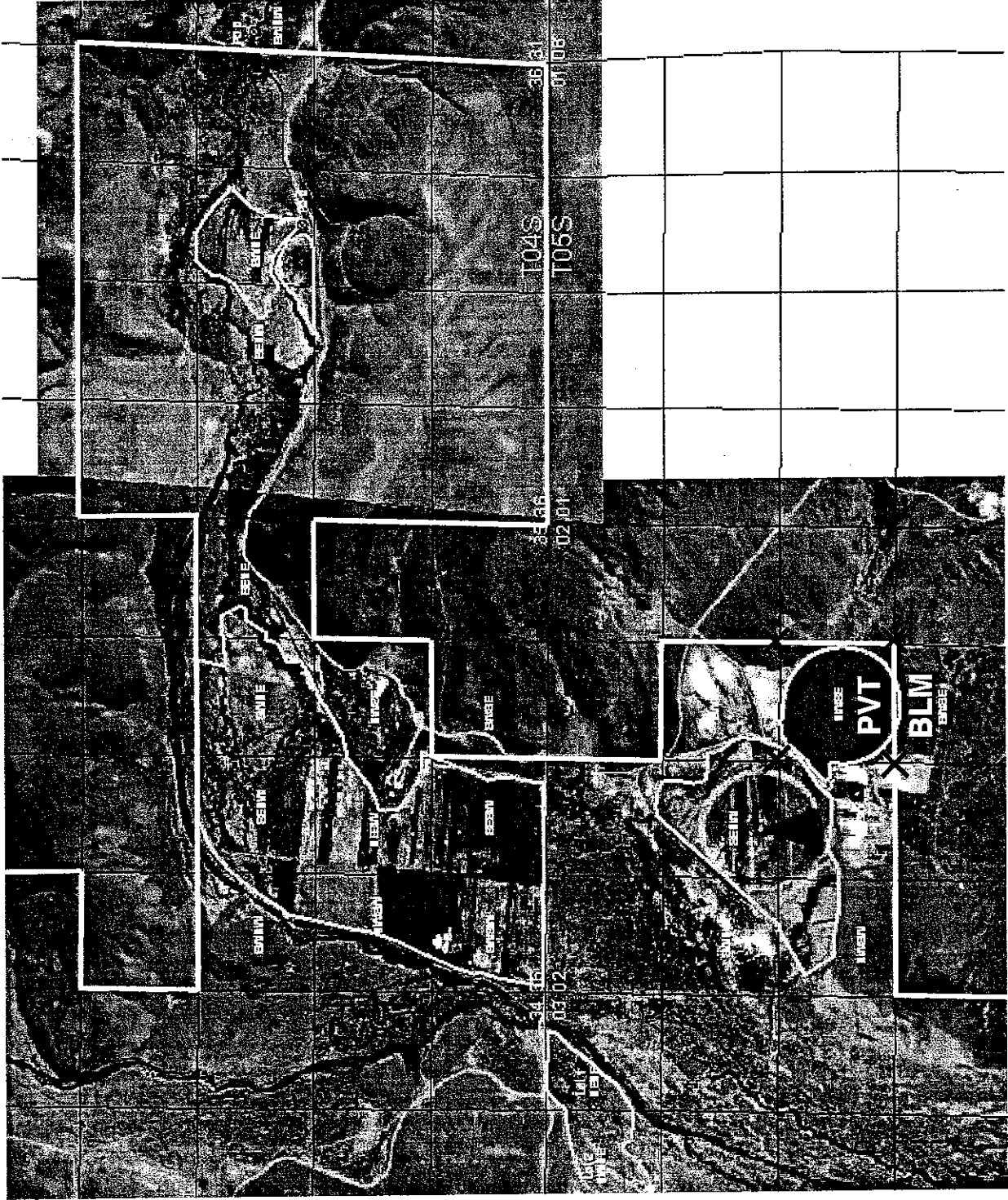
T05S, R12E, S02, NWSE

Town	Rang	Sect	QQ	Quar	Gov	Subcase	Mix	PVT	BLM	FS	BOR	Other	Fed	State	Own Comment
05S	12E	2	SW	SE		37-07045			☒						
Unauthorized Use															

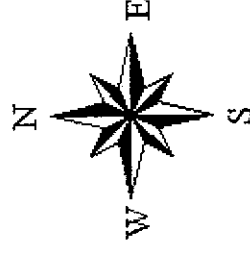


Shape should be corrected to eliminate the intrusion on Public Land. This change should reduce acreage, quantity may also need to be proportionally reduced to reflect the acreage change.

37-808 & 37-7045



T04S R12E
S35 & S36
T05S R12E
S02 & S03



Map prepared by: Carter Fritschle
Date prepared: 02/09/05
1987-1988 NAPP photograph

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

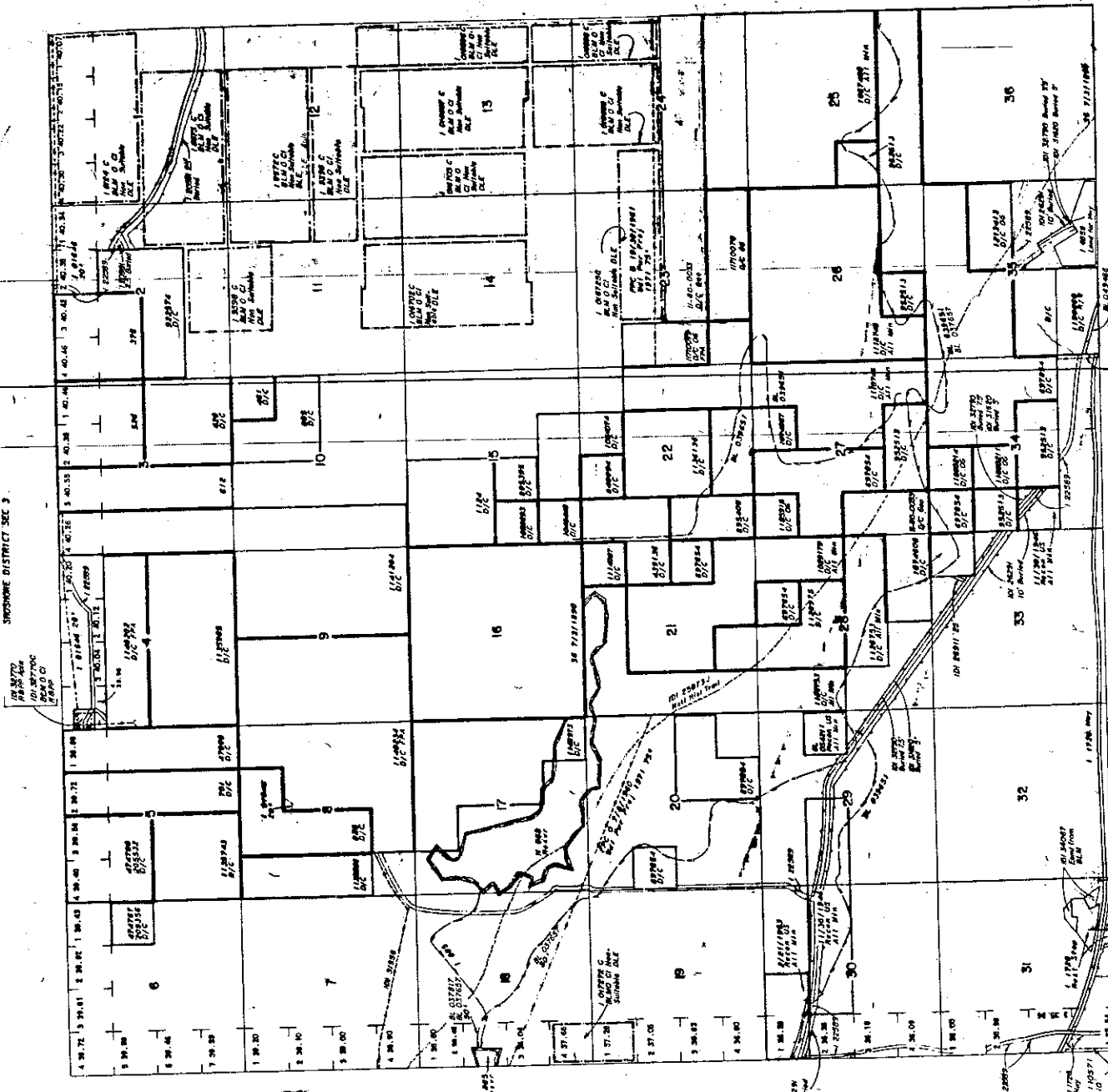
PLATE 1

[illegible][illegible]

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

CURRENT TO	
CURRENT TO	9
USE PLAYS:	

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



SCALE IN CHAINS

0 10 20 30