

RECEIVED
APR 21 2006
DEPARTMENT OF
WATER RESOURCES

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 63-00126F

(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: Farmers Union Ditch Co., LTD.

Address: 2153 N. Pollard; Star, Idaho 83669

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 these POUs.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

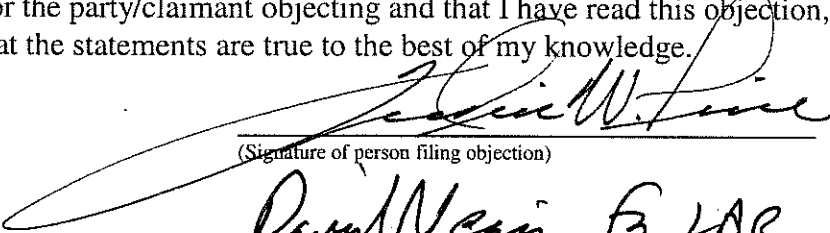
) ss.

County of ADA

)

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

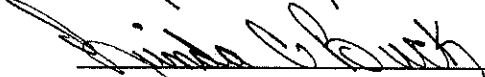
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

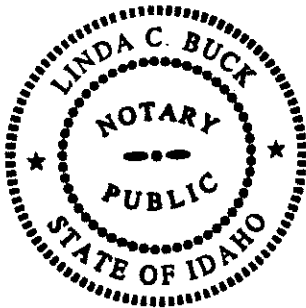

(Signature of person filing objection)

David Negin for LAB
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

April 19, 2006


Linda C. Buck



Notary Public for 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 4-19-, 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: Farmers Union Ditch Co., LTD.
Address: 2153 N. Pollard; Star, Idaho 83669

Name:
Address: ;

Name:
Address: ;

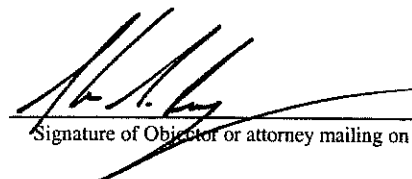
Name:
Address: ;

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

12/12/2005

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

RIGHT NUMBER: 63-126F

POUs on BLM:

NAME AND ADDRESS: FARMERS UNION DITCH CO LTD
2153 N POLLARD
STAR ID 83669

-Claimant is not authorized to farm public lands

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.080 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and preceding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of these decreed quantities, then this right and the other rights containing this condition, beginning with the latest and preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1891

POINT OF

DIVERSION: T03N R02E S5 NESENE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	0.800 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

8394 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SREA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 8394 ACRES WITHIN THE BOUNDARY OF THE FARMERS UNION DITCH COMPANY

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

THIS RIGHT IS DESIGNATED AS NO 126 IN THE STEWART DECREE AND THE BOISE WATER MASTERS RECORDS
WATER IS DELIVERED THROUGH THE FARMERS UNION CANAL
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-123C, 63-123D, 63-123F, 63-123G, 63-123H, 63-124Q, 63-125J, 63-126G, 63-165M, 63-198AG, 63-248, 63-297, 63-2360, 63-21729, 63-18700, 63-31832, 63-31937
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-126

RightID562207

Place(s) of use:

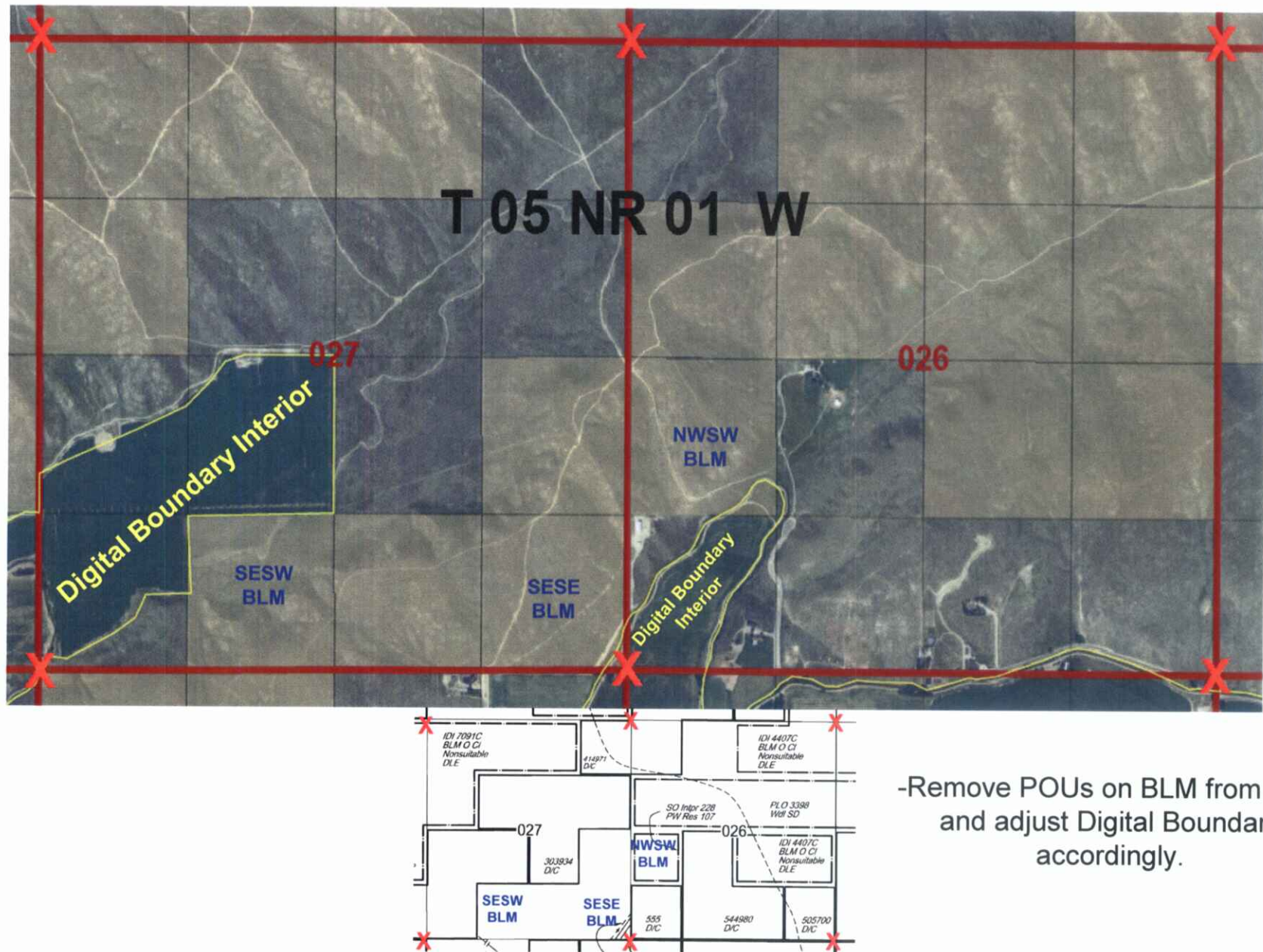
Place of Use Legal Description: IRRIGATION ADA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	01E	2		SWSW										
		3		SWNE			SENE							
			3	NENW		4	NWNW			SWNW			SENW	
				NESW			NWSW			SWSW			SESW	
				NESE			NWSE			SWSE			SESE	
		4	1	NENE		2	NWNE			SWNE			SENE	
			3	NENW		4	NWNW			SWNW			SENW	
				NESW			NWSW			SWSW			SESW	
				NESE			NWSE			SWSE			SESE	
		5	1	NENE		2	NWNE			SWNE			SENE	
			3	NENW		4	NWNW			SWNW			SENW	
				NESW			NWSW			SWSW			SESW	
				NESE			NWSE			SWSE			SESE	
		6	1	NENE		2	NWNE			SWNE			SENE	
			3	NENW		4	NWNW		5	SWNW			SENW	
				NESW		6	NWSW		7	SWSW			SESW	
				NESE			NWSE			SWSE			SESE	
		7		NENE			NWNE							
		8		NENE			NWNE			SWNE			SENE	
				NENW			NWNW			SWNW			SENW	
		9		NENE			NWNE			SWNE			SENE	
				NENW			NWNW			SWNW			SENW	
				NESW			NWSW							
				NESE			NWSE							
		10		NENE			NWNE			SWNE			SENE	
				NENW			NWNW			SWNW			SENW	
				NESW			NWSW			SWSW			SESW	
				NESE			NWSE			SWSE			SESE	
		11		NESW			NWSW			SWSW			SESW	
				NWSE			SWSE							
		13		SWNE										
				NWNW			SWNW			SENW				
				NESW			NWSW							
				NESE			NWSE			SESE				
		14		NENE			NWNE			SWNE			SENE	
				NENW			NWNW			SWNW			SENW	

		15	NENE		NWNE		SWNE		SENE
	02E	18	3 NWSW	4	SWSW		SESW		
		19	NWNE		SWNE				
			NENW	1	NWNW		SENE		
			NESW						
	01W	1	1 NENE	2	NWNE		SWNE		SENE
			3 NENW		SENE				
			NESE						
		2	2 NWNE						
			3 NENW	4	NWNW		SWNW		
		3	1 NENE	2	NWNE		SENE		
			3 NENW	4	NWNW		SWNW		SENE
			NESW		NWSW				SENE
		4	1 NENE	2	NWNE		SWNE		SENE
			3 NENW	4	NWNW		SWNW		SENE
			NESW		NWSW		SWSE		SESE
			NESE		NWSE		SWNE		SENE
		5	1 NENE	2	NWNE		SWNW		SENE
			3 NENW	4	NWNW		SESW		SESE
			NESW		NWSW		SWSE		SESE
			NESE		NWSE		SWNE		SENE
		6	1 NENE	2	NWNE		SWNW		SENE
			3 NENW	4	NWNW	5			SENE
			NESE						SENE
	02W	1	1 NENE	2	NWNE		SWNE		SENE
			3 NENW	4	NWNW		SWNW		
05N	01E	31	1 SWNE	2	SENE		SENE		
			1 NWNW	3	SWNW	4	SWSW		SESE
			NESW		NWSW		SWSE		SESE
			NESE		NWSE				
		32	SWNW		SENE				
			NESW		NWSW		SWSW		SESE
			SWSE						
		33	SESW		SESE				
			SWSE						
		34	SWSW		NWSW	BLM	SWSW		
	01W	26	NESW		SESE				
			SWSE		NWSW		SWSW		SESE
		27	NESW						
			SESE	BLM					BLM
		28	SESW		SESE				
			SWSE						

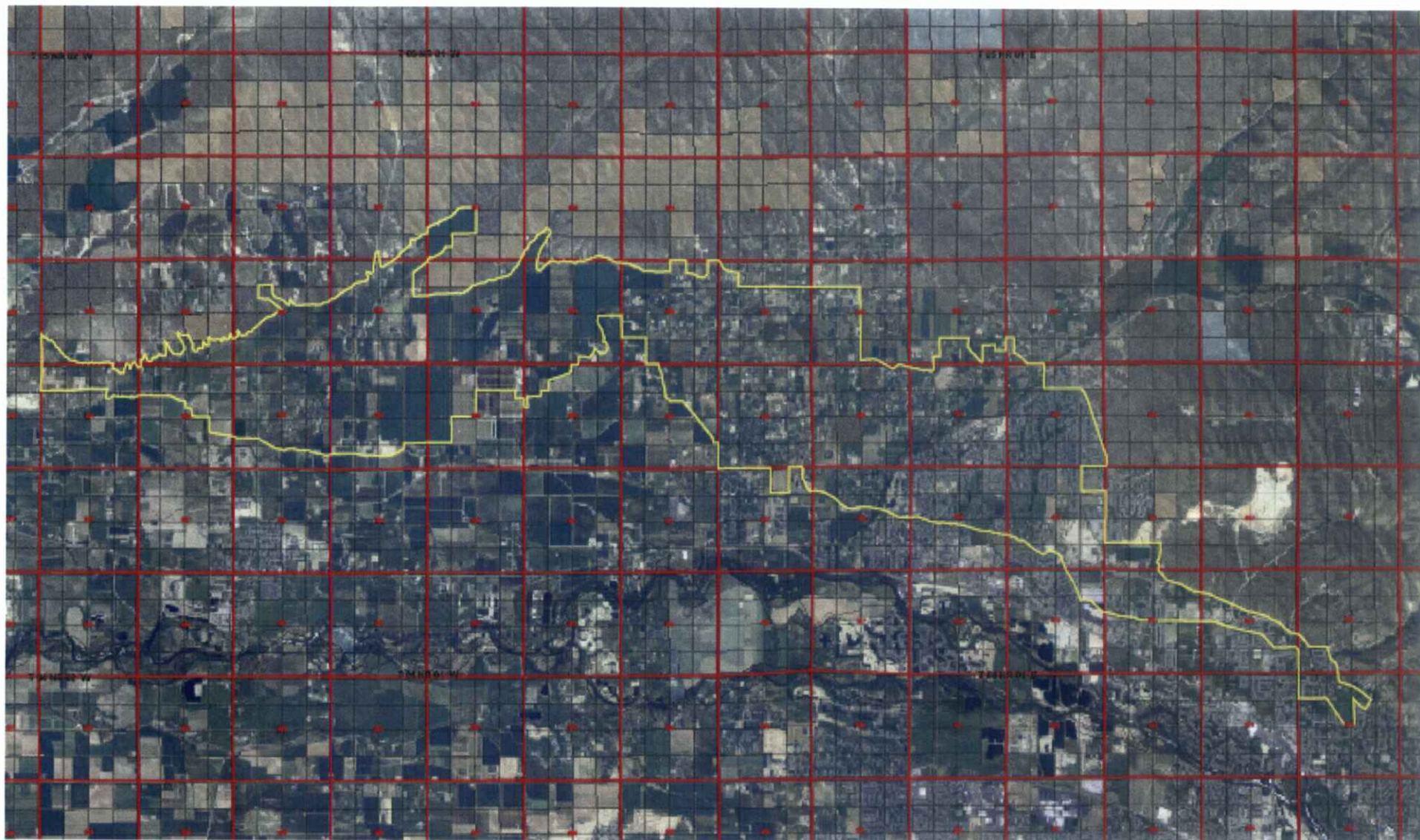
	31	NESW	4	SWSW	SESW	
		NESE	BLM	NWSE	BLM	SESE
	32	SWNE		SENE		
		SENE				
		NESW		NWSW	SWSW	SESW
		NESE		NWSE	SWSE	SESE
	33	NENE		NWNE	SWNE	SENE
		NENW		SWNW	SENE	
		NESW		NWSW	SWSW	SESW
		NESE		NWSE	SWSE	SESE
	34	NENE		NWNE	SWNE	SENE
		SWNW		SENE		
		NESW		NWSW	SWSW	SESW
		NESE		NWSE	SWSE	SESE
	35	NENE		NWNE	SWNE	SENE
		NENW		NWNW	SWNW	SENE
		NESW		NWSW	SWSW	SESW
		NESE		NWSE	SWSE	SESE
	36	NENE		NWNE	SWNE	SENE
		NENW		NWNW	SWNW	SENE
		NESW		NWSW	SESW	
		NESE		NWSE	SWSE	SESE
02W	(236?)	NWSW		SWSW	SESW	
		SWSE		SESE		

63-00120G, 63-00123C, 63-00124Q, 63-00125J, 63-00126F, 63-00165M, 63-00198AG,
63-00248, 63-00297, 63-21729

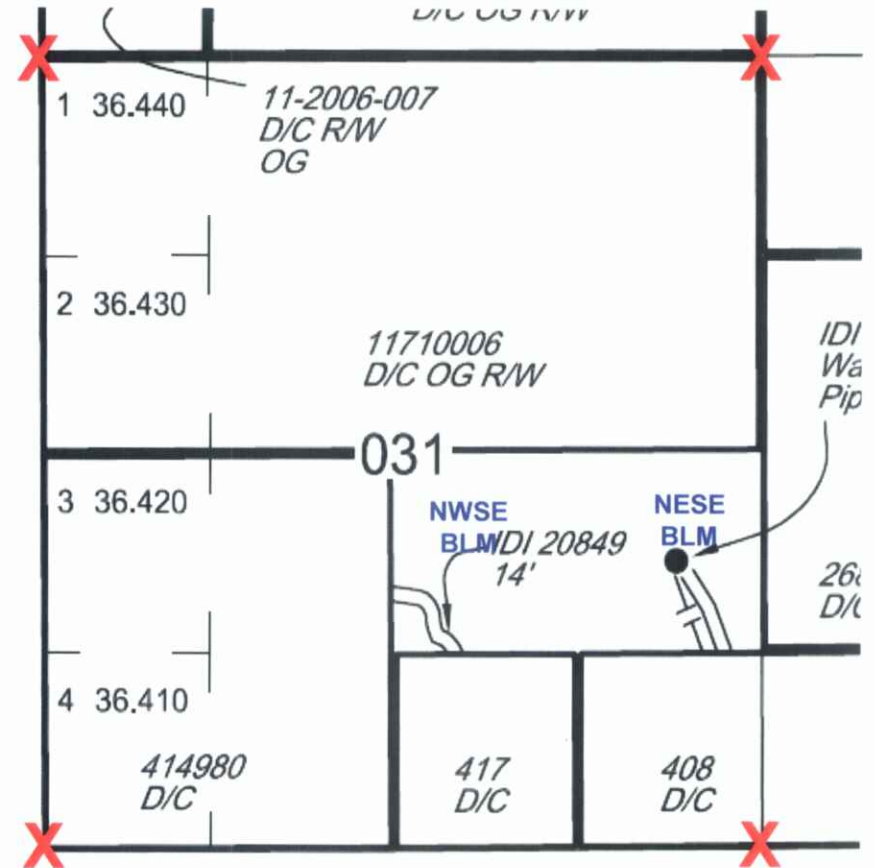
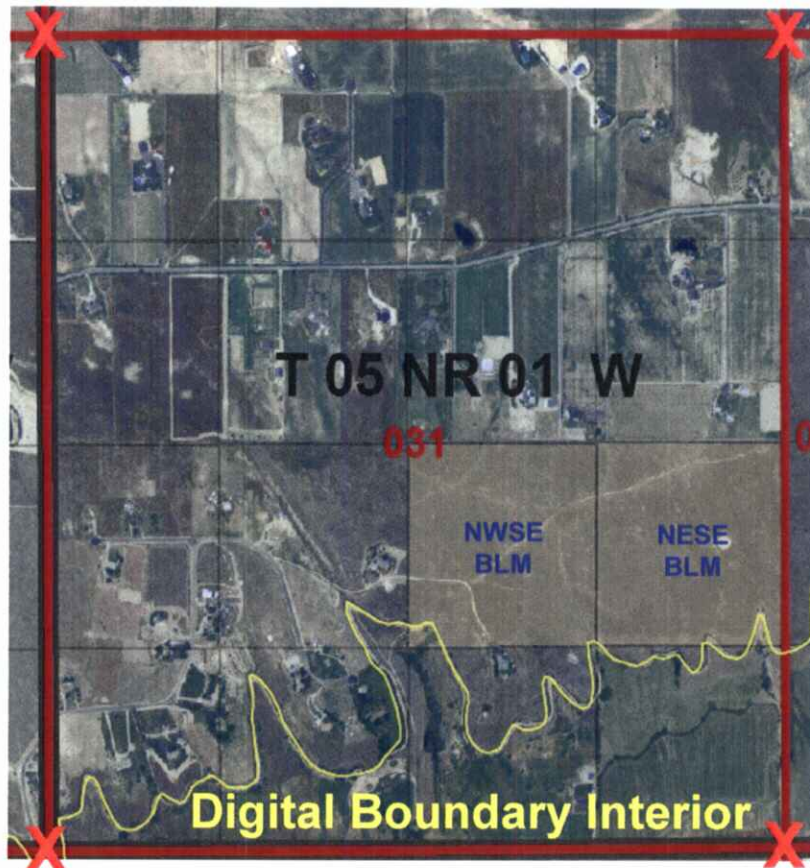


-Remove POUs on BLM from data
and adjust Digital Boundary
accordingly.

63-00120G, 63-00123C, 63-00124Q, 63-00125J, 63-00126F, 63-00165M, 63-00198AG,
63-00248, 63-00297, 63-21729



63-00120G, 63-00123C, 63-00124Q, 63-00125J, 63-00126F, 63-00165M, 63-00198AG,
63-00248, 63-00297, 63-21729



-Remove POUs on BLM from data
and adjust Digital Boundary
accordingly.

ADA COUNTY 001
BOISE ~~██████~~ OCT SEC 2

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

101 2788 BLM O CI Mast Use
Seagr from appropriation under DLE HE PS, PLS,
R&PP, X, & general mining laws
Sec 30; Lot 1

DOI 25873J New Heat Trail

Survey Pending Group No. 12098

DOI-34839 SX WD to BLM OE on 1/22/2004
Sec 5: SEINE

[illegible]

The figure consists of two parts. The top part shows a horizontal sequence of nodes represented by small circles, connected by vertical lines representing links. This is labeled with 'N' above the first node and 'L' below the last link. The bottom part shows a similar sequence of nodes, but with additional diagonal links connecting some nodes to others further along the chain, creating a more interconnected network. This is also labeled with 'N' above the first node and 'L' below the last link.

Figure 1 illustrates the experimental setup. A subject is seated at a table, viewing a screen. A camera is positioned above the screen. The screen displays a target (a small circle) and a starting point (a larger circle). The subject's hand is positioned at the starting point. The distance between the starting point and the target is labeled D . The distance between the starting point and the camera is labeled L . The distance between the camera and the screen is labeled d . The distance between the screen and the target is labeled d_t .

(continued)

[illegible][illegible][illegible]

Figure 1 illustrates the experimental setup. A subject is seated at a table, looking at a video screen. A camera is positioned above the screen. A horizontal bar is placed between the subject and the screen. The screen displays a visual feedback system with a target and a starting point. The subject's hand is positioned at the starting point. The diagram is labeled with 'Subject', 'Video Screen', 'Camera', 'Horizontal Bar', 'Target', 'Starting Point', and 'Hand'.

[illegible][illegible]

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

FILE REF : C06089404 10W-ATTITUDE Comp

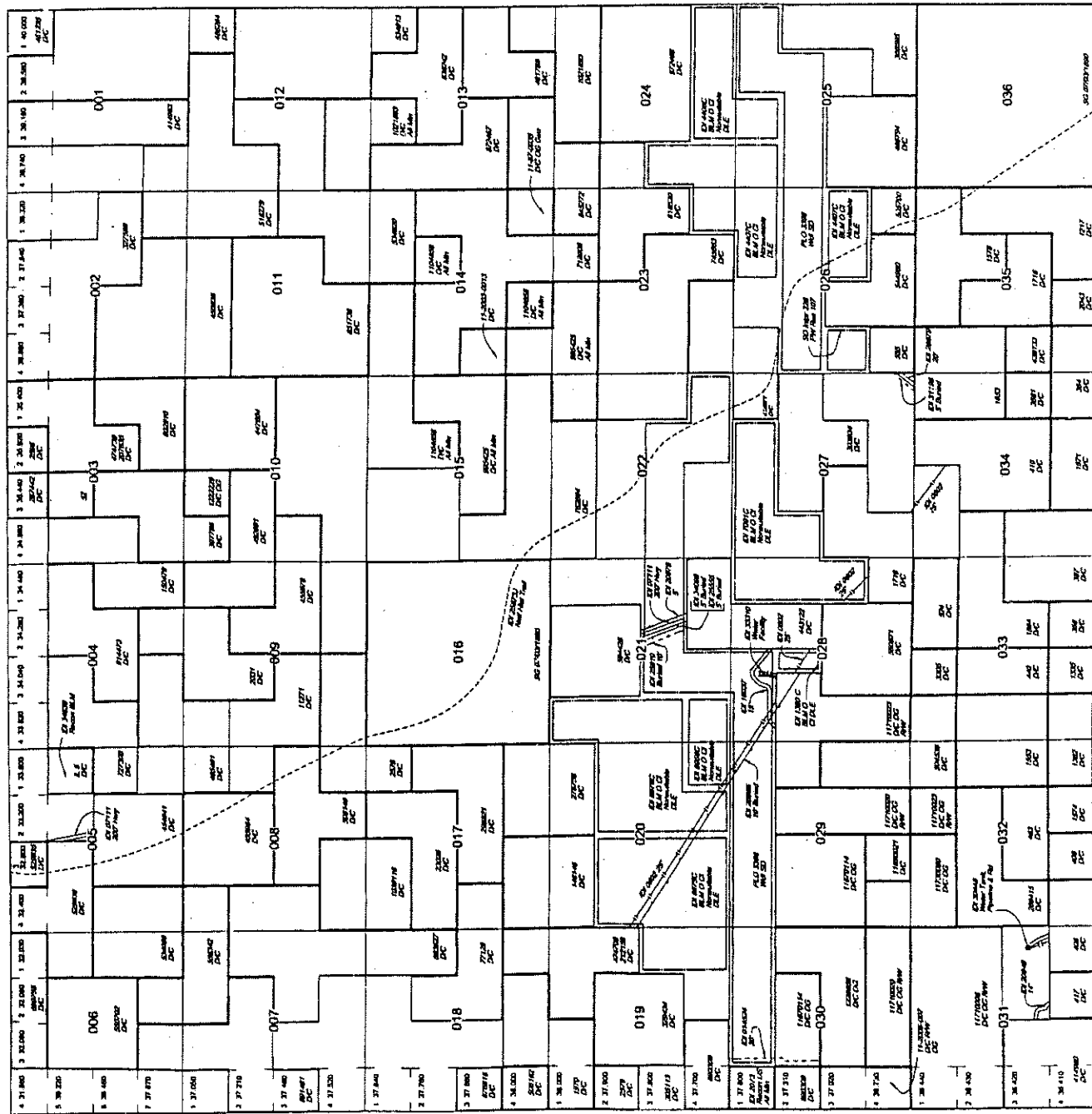
LAST UPDATED:	01/06/2006	BY:	DWS
LAST VERIF.		BY:	

PUBLIC LAND SURVEY SYSTEM (PLSS) 03-10-2006
BLM GCS# ACQUIRED:

PROJECTED COORDINATE SYSTEM: UTM ZONE 11N, JAN 1983

NOTES:

USE PLATS



DISCLAIMER

[illegible]

SCALE OF STRESS

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