

RECEIVED  
APR 21 1996  
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

Case No. 39576

A. Subcase 63-00248  
(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: 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)

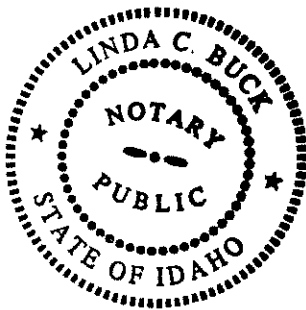
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

*Fredric W. Price*  
(Signature of person filing objection)

*David Nagi F3 LAB*  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: *April 19, 2006*

*Linda C. Buck*  
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: ;

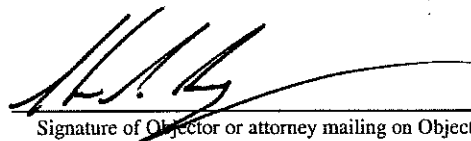
Name:  
Address: ;

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: 63-248  
NAME AND ADDRESS: FARMERS UNION DITCH CO LTD  
2153 N POLLARD  
STAR ID 83669

POUs on BLM:

-Claimant is not authorized to farm public lands

SOURCE: BOISE RIVER  
QUANTITY: 110.000 CFS

TRIBUTARY: SNAKE RIVER

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 those 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 50 percent of their decreed quantities.

PRIORITY DATE: 07/02/1894

Pursuant to a call in times of scarcity, this right is senior to Bryan decreed right 63-297 and any future splits of this right.

POINT OF  
DIVERSION: T03N R02E S5 NESHNE Within ADA County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY    |
|----------------|---------------|-------------|
| IRRIGATION     | 03/01 11/15   | 110.000 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 SRBA 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

WATER IS DELIVERED THROUGH THE FARMERS UNION CANAL

THIS RIGHT IS DESIGNATED AS NO 126 IN THE STEWART DECREE AND THE  
BOISE WATER MASTERS RECORDS

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE: 63-123C, 63-123D, 63-123E, 63-123F,  
63-123G, 63-124Q, 63-125J, 63-126F, 63-165M, 63-198AG, 63-120G,  
63-297, 63-236C, 63-21729, 63-18700, 63-31832, 63-31937

RightID562211

Place(s) of use:

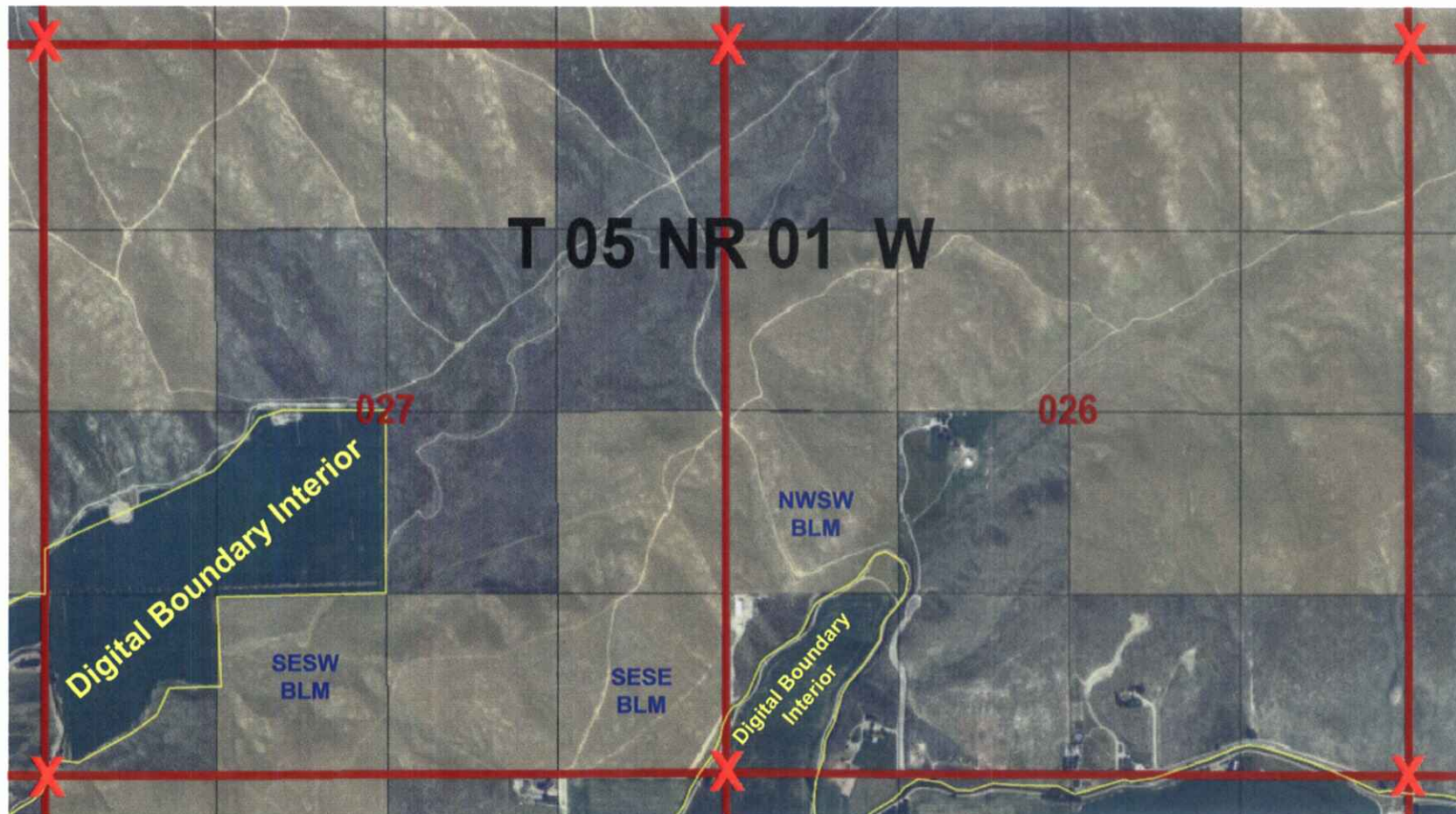
Place of Use Legal Description: IRRIGATION ADA County

| 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  |       |     | SENE  |       |
|          |       |         |     | NESW  |       |     | NWSW  |       |     | SWSW  |       |     | SESW  |       |
|          |       |         |     | NESE  |       |     | NWSE  |       |     | SWSE  |       |     | SESE  |       |
|          |       | 4       | 1   | NENE  |       | 2   | NWNE  |       |     | SWNE  |       |     | SENE  |       |
|          |       |         | 3   | NENW  |       | 4   | NWNW  |       |     | SWNW  |       |     | SENE  |       |
|          |       |         |     | NESW  |       |     | NWSW  |       |     | SWSW  |       |     | SESW  |       |
|          |       |         |     | NESE  |       |     | NWSE  |       |     | SWSE  |       |     | SESE  |       |
|          |       | 5       | 1   | NENE  |       | 2   | NWNE  |       |     | SWNE  |       |     | SENE  |       |
|          |       |         | 3   | NENW  |       | 4   | NWNW  |       |     | SWNW  |       |     | SENE  |       |
|          |       |         |     | NESW  |       |     | NWSW  |       |     | SWSW  |       |     | SESW  |       |
|          |       |         |     | NESE  |       |     | NWSE  |       |     | SWSE  |       |     | SESE  |       |
|          |       | 6       | 1   | NENE  |       | 2   | NWNE  |       |     | SWNE  |       |     | SENE  |       |
|          |       |         | 3   | NENW  |       | 4   | NWNW  |       | 5   | SWNW  |       |     | SENE  |       |
|          |       |         |     | NESW  |       | 6   | NWSW  |       | 7   | SWSW  |       |     | SESW  |       |
|          |       |         |     | NESE  |       |     | NWSE  |       |     | SWSE  |       |     | SESE  |       |
|          |       | 7       |     | NENE  |       |     | NWNE  |       |     |       |       |     |       |       |
|          |       | 8       |     | NENE  |       |     | NWNE  |       |     | SWNE  |       |     | SENE  |       |
|          |       |         |     | NENW  |       |     | NWNW  |       |     | SWNW  |       |     | SENE  |       |
|          |       | 9       |     | NENE  |       |     | NWNE  |       |     | SWNE  |       |     | SENE  |       |
|          |       |         |     | NENW  |       |     | NWNW  |       |     | SWNW  |       |     | SENE  |       |
|          |       |         |     | NESW  |       |     | NWSW  |       |     |       |       |     |       |       |
|          |       |         |     | NESE  |       |     | NWSE  |       |     |       |       |     |       |       |
|          |       | 10      |     | NENE  |       |     | NWNE  |       |     | SWNE  |       |     | SENE  |       |
|          |       |         |     | NENW  |       |     | NWNW  |       |     | SWNW  |       |     | SENE  |       |
|          |       |         |     | NESW  |       |     | NWSW  |       |     | SWSW  |       |     | SESW  |       |
|          |       |         |     | NESE  |       |     | NWSE  |       |     | SWSE  |       |     | SESE  |       |
|          |       | 11      |     | NESW  |       |     | NWSW  |       |     | SWSW  |       |     | SESW  |       |
|          |       |         |     | NWSE  |       |     | SWSE  |       |     |       |       |     |       |       |
|          |       | 13      |     | SWNE  |       |     |       |       |     |       |       |     |       |       |
|          |       |         |     | NWNW  |       |     | SWNW  |       |     | SENE  |       |     |       |       |
|          |       |         |     | NESW  |       |     | NWSW  |       |     |       |       |     |       |       |
|          |       |         |     | NESE  |       |     | NWSE  |       |     | SESE  |       |     |       |       |
|          |       | 14      |     | NENE  |       |     | NWNE  |       |     | SWNE  |       |     | SENE  |       |
|          |       |         |     | NENW  |       |     | NWNW  |       |     | SWNW  |       |     | SENE  |       |

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

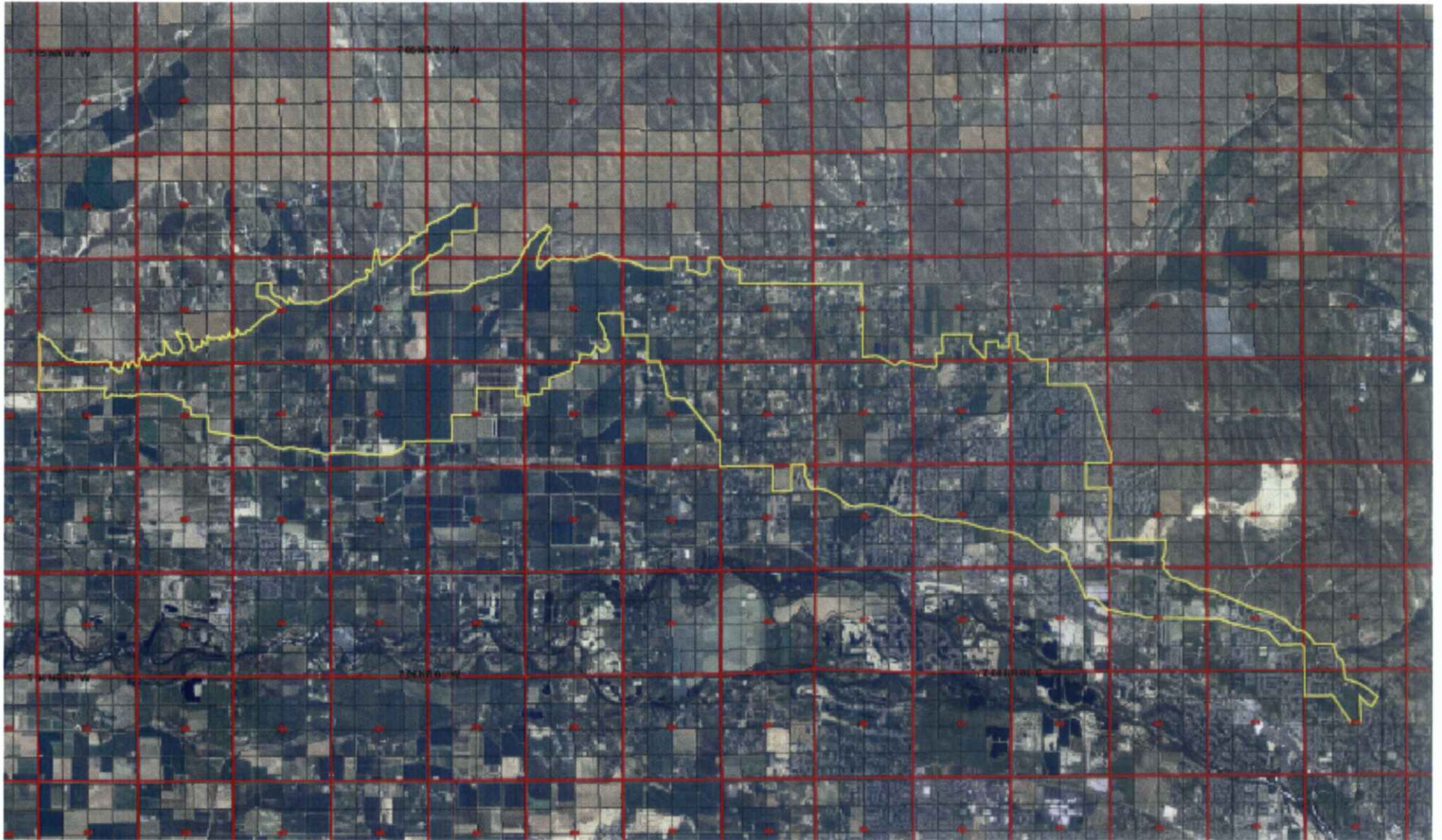
|     |       |      |     |      |      |      |
|-----|-------|------|-----|------|------|------|
|     | 31    | NESW | 4   | SWSW | SESW |      |
|     |       | NESE | BLM | NWSE | BLM  | SESE |
|     | 32    | SWNE |     | SENE |      |      |
|     |       | SENE |     |      |      |      |
|     |       | 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 | (36?) | 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

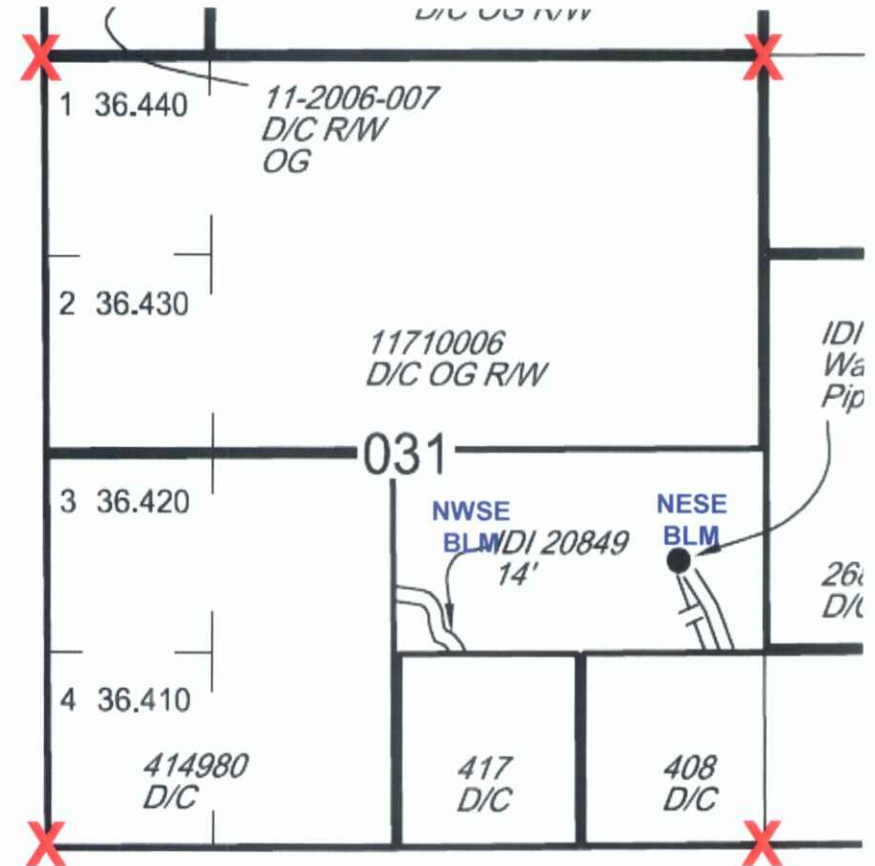


-Remove POUs on BLM from data  
and adjust Digital Boundary  
accordingly.

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 OBJECT SEC 3

STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL TITLES[illegible]

01 3788 BLUM CO 1441 New  
 York from transportation under DVE, NE, PW, PE, S  
 6444p. X, 5 pages are missing from  
 Sec. 30, 1st 1

01 350711 Med Vet Trial  
 historical information only, does not describe  
 public access

Survey Planning Group No. 1100  
 Printed In

01 344338 SW WD BLUM CO on 11/22/2004

10

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

|                                  |                            |
|----------------------------------|----------------------------|
| FILE REF                         | DISPATCHED (OPTIONAL) FILE |
| CONVERTED TO:                    | 03/17/2008                 |
| BT:                              | UTM                        |
| BT:                              | DATE                       |
| BT:                              |                            |
| LAST VERIF.                      | 01/09/2006                 |
| POSTED TO P.L. - RECORDS         | FEB 27 2008                |
| PUBLIC LAND SURVEY SYSTEM (PLSS) |                            |
| NLM GCON ACQUIRED                | 05/02/2006                 |
| LEAS COPY ACQUIRED               | N/A                        |
| PROJECTED COORDINATE SYSTEM      | UTM ZONE 11N NAD 1983      |
| NOTES                            |                            |

U.S. Bureau of Land Management - Idaho State Office

Bureau of Land Management - Idaho State Office

**DISCLAIMER:**

The plot is only a graphic display of the Bureau of Land Management's (BLM) Record of Decision survey data. Recordation does not reflect loss of wetlands which may have been affecting by future movements of river or other features of water. Refer to contact of surveyor for clear information.

