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MAY 08 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)

Case No. 39576)

A. Subcase 22-07198
(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: Joseph J. and Betty J. Jensen
Address: 5195 W. Hwy 33; Rexburg, Idaho 83440

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 a portion of the use is claimed. The claimant's use of Federal land is unauthorized. Claimant's water right should not include this POU.

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)

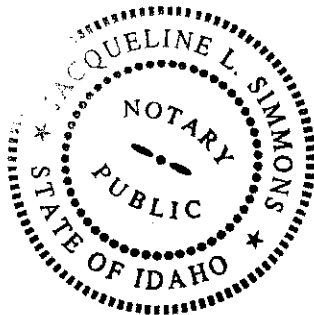
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

5-4-06



Jacqueline L. Simmons
Linda C. Buck

Notary Public for State of Idaho

Residing at: Mountain Home, ID, Boise, Idaho

My Commission Expires: 12-21-2011 4-7-2011

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 May 4, 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: Joseph J. and Betty J. Jensen
Address: 5195 W. Hwy 33; Rexburg, Idaho 83440

Name:
Address: ;

Name:
Address: ;

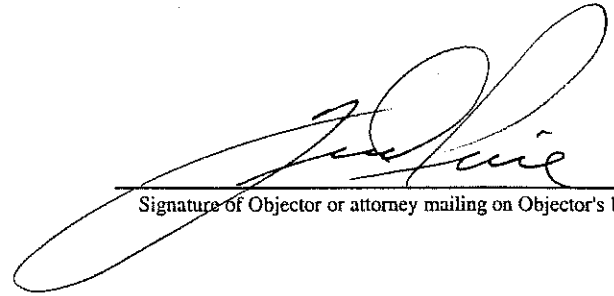
Name:
Address: ;

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

02/24/2006

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

RIGHT NUMBER: 22-7198
NAME AND ADDRESS: JOSEPH J JENSEN
5195 W HWY 33
REXBURG ID 83440
BETTY J JENSEN
5195 W HWY 33
REXBURG ID 83440

POU on BLM:

-Claimant is not authorized to farm public lands.

Mixed POU:

-The place of use described below contains both private and public lands.

-Clarify such that it is clear only private land is intended.

SOURCE: GROUND WATER
QUANTITY: 2.500 CFS
437.50 AFY
PRIORITY DATE: 10/18/1976
POINT OF DIVERSION: T06N R39E S29 SENENW Within MADISON County
PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	2.500 CFS 437.50 AFY

PLACE OF USE: IRRIGATION Within MADISON County

T06N R39E S29	NENE	34.00	T06N R39E S29	NWNE	36.00
T06N R39E S29	NENW	3.90	T06N R39E S29	SNNW	3.10
T06N R39E S29	SENE	36.00	T06N R39E S29	NWSW	16.00
T06N R39E S30	NENE	40.00	T06N R39E S30	SENE	39.00
T06N R39E S30	NESE	40.00	T06N R39E S30 Lot 11 NWSE		15.00
BLM T06N R39E S30 Lot 16 NWSE		2.10			

Mixed POU

265.1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 265.1 acres in a single irrigation season. Combined Right Nos.: 22-2170 and 22-7198

This right is limited to the irrigation of 125 acres within the place of use described above in a single irrigation season.

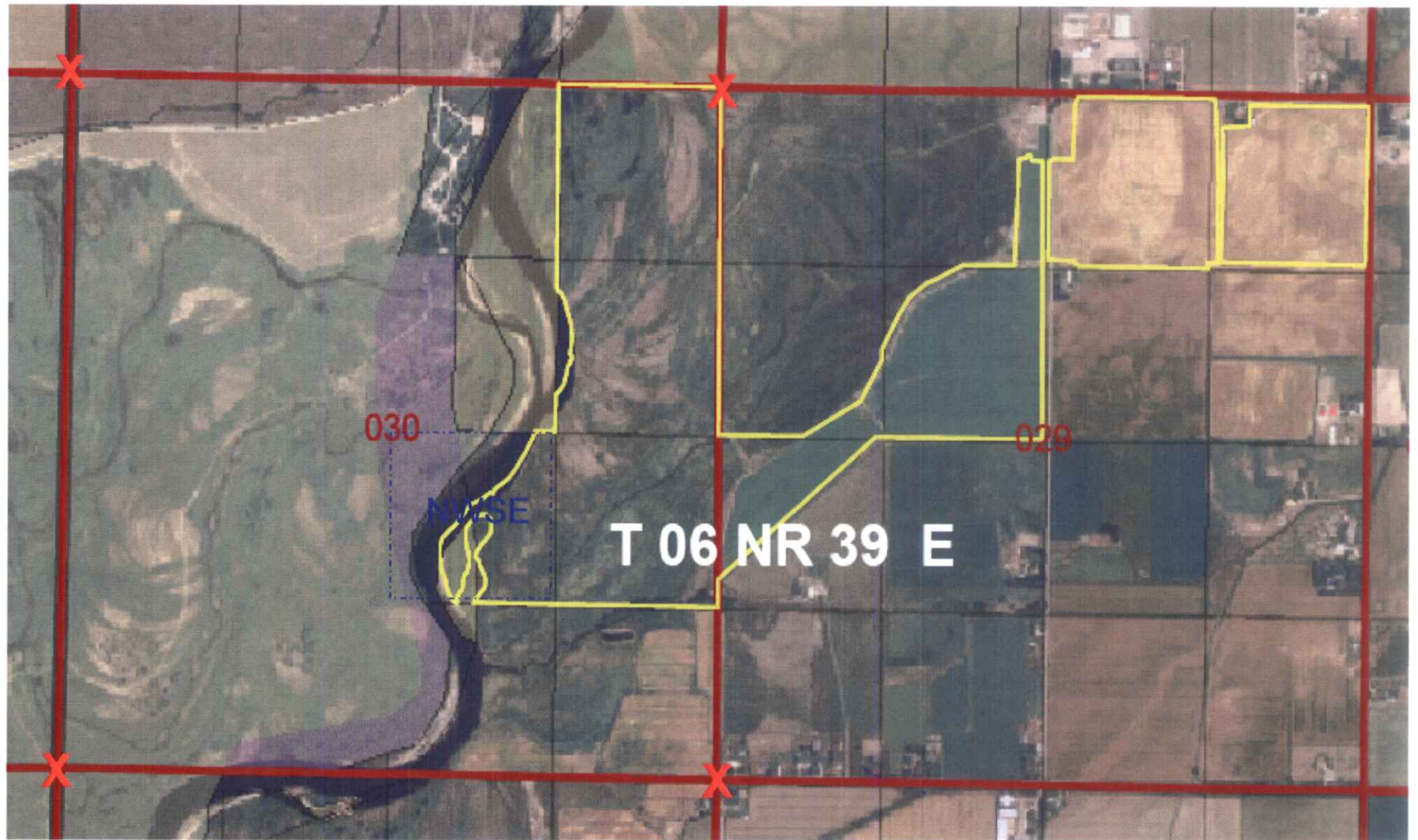
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

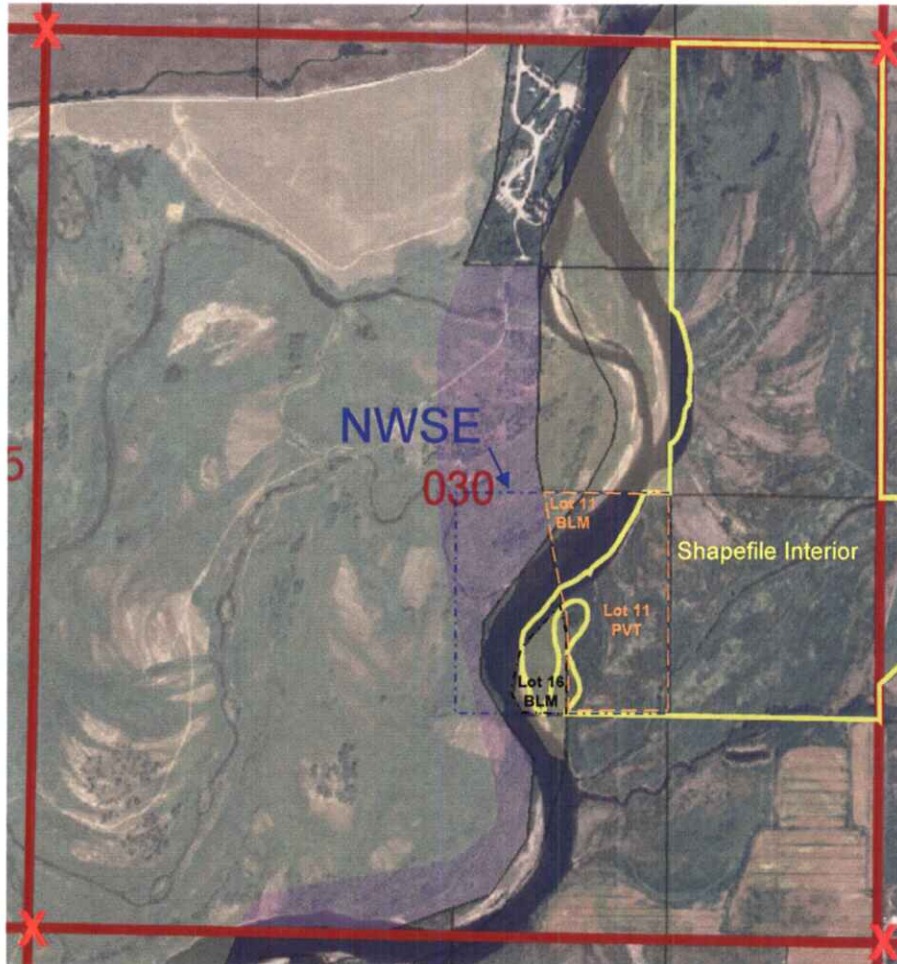
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

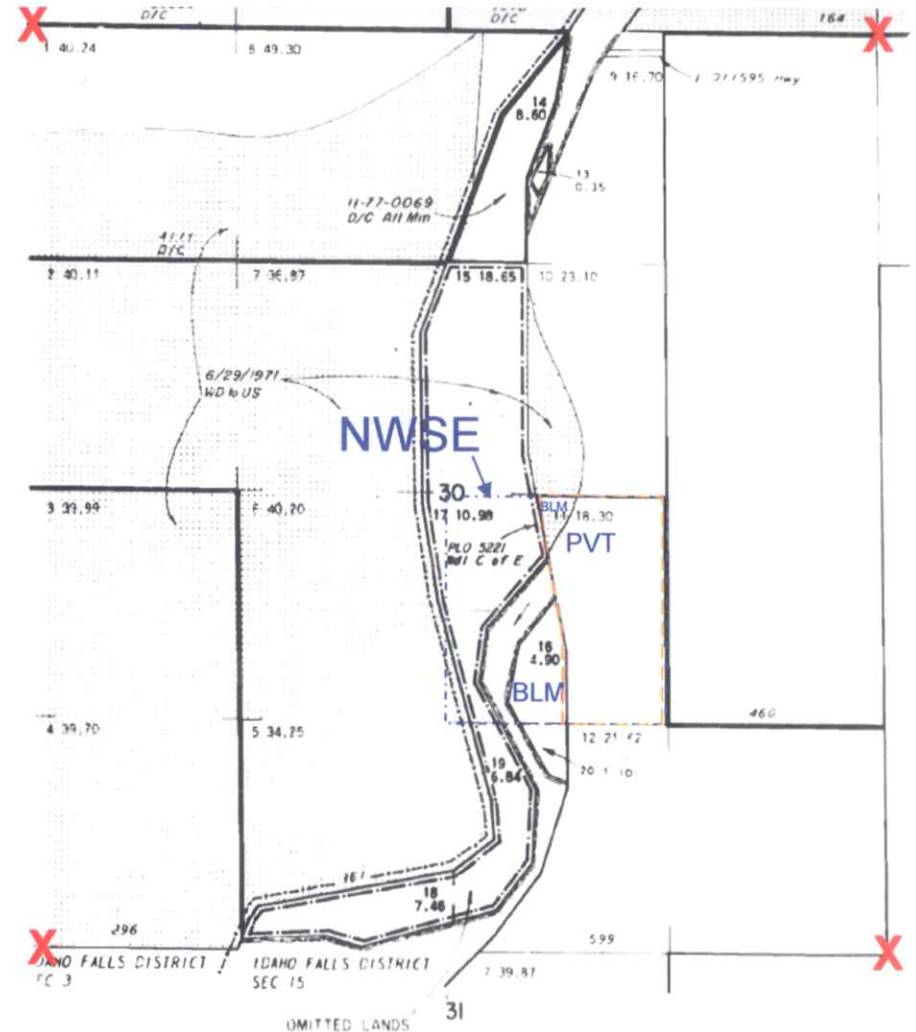
22-07198



22-07198



1. Lot 16 (NWSE) is entirely public land; remove from recommendation and adjust shapefile accordingly.



2. Since Lot 11 (NWSE) contains both private and public lands, please insert the following language under place of use to clarify this POU such that only private land is intended:

"The place of use does not include federal public lands."

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

22

[illegible]

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

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USE PLATE 2

THE ROTATION SCHEMATA ON WITHDRAWALS REPRESENT THE LAST

WARNING STATEMENT

Being Mr