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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 47-11567
(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: Brian Olmstead B & T Farming
Address: 3128 E 3500 N. Twin Falls, Id. 83301

Daytime Phone: 733-6731

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Brian & Tim Olmstead dba. B & T Farming
Address: 3128 E 3500 N. Twin Falls, Id. 83301

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ Name and Address ^{changed address}
Should be: BKT Farming 3128 E 3500 N. Twin Falls, Id
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: 120 acres instead of 71 acres
This water has always (since 1961) been used on 120 acres.
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): This water has always
been used on 120 acres and still is. No
IDWR person came to talk to us before
arbitrarily reducing the acres. The acres (45)
in the SE, SW ~~SW~~ of section 35 was left out.
see page attached

F.

VERIFICATION (Must be Completed)

State of Idaho

County of Twin Falls) ss.

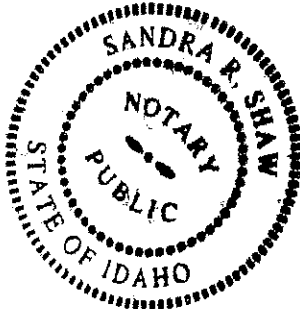
Brian Olmstead, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

Brian Olmstead
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 14th day of February, 2007



Sandra R. Shaw
Notary Public for Waps
Residing at: Twin Falls
My Commission Expires: 8-9-10

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DEPARTMENT OF
WATER RESOURCES

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 Feb. 14, 2007, 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
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Brian Olmstead B + T Farming.
Address: 3128 E. 3500 N.
Twin Falls, Id. 83301

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

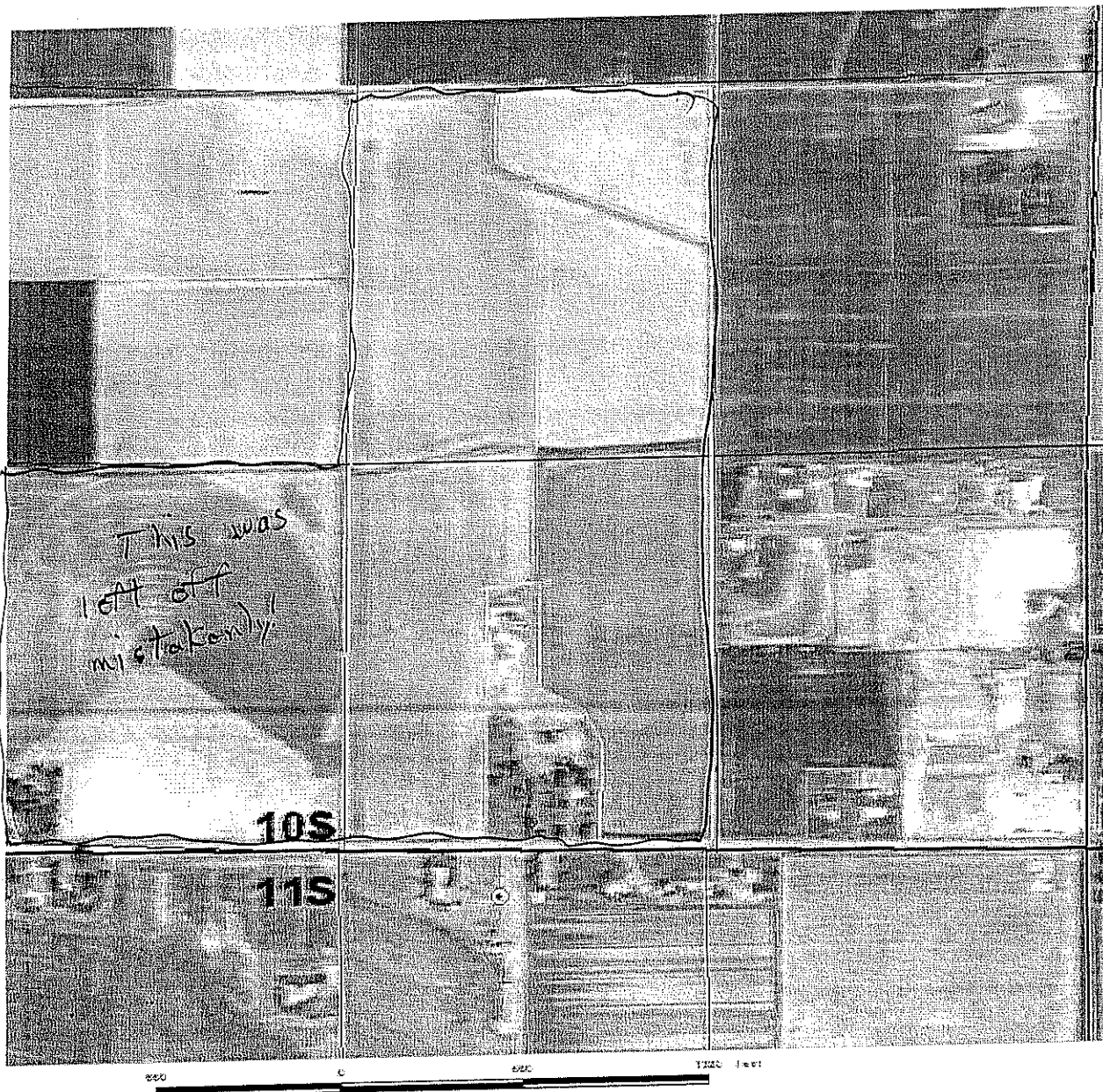
United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Brian Olmstead

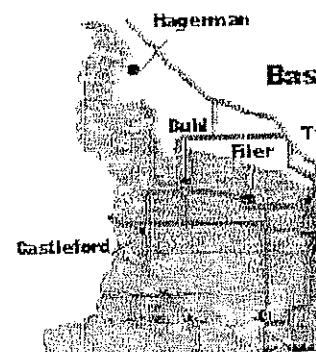
Signature of Objector or attorney
mailing on Objector's behalf

Idaho Department of Water Resources

RECOMMENDED PLACE OF USE FOR 47-11567



PLACE OF USE
TWP 10S, RNG 17E, SEC 35
Data entry on October 2, 2006



© RECOMMENDED POINT OF DIVERSION ▲

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 47-11567

WATER RIGHT NUMBER: 47-11567

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	TRIPLE O FARMS 3165 E 3500 N TWIN FALLS, ID 83301 (208)734-7285
Current Owner	B & T FARMING BRIAN & TIM OLMSTEAD PARTNERS 3165 E 3500 N TWIN FALLS, ID 83301 (208)734-7285

Priority Date: 05/01/1961
 Basis: Beneficial Use
 Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/01	1.500 CFS	
	<u>Total Diversion:</u>	1.500 CFS	

Location of Point(s) of Diversion

GROUND WATER

TWIN FALLS County

NW1/4NW1/4NE1/4

Sec. 2, Twp 11S, Rge 17E, B.M.

Place of Use

IRRIGATION

water has always been
 used here but was
 left off recommendation

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	17E	35												40.0			40.0	40.0	120.0

Total Acres: 120

correct

Conditions of Approval:

- THIS WATER IS SUPPLEMENTAL TO TFCC WATER.
 ADDRESS CHANGE 3/14/95 jr ***** OWNERSHIP CHANGE
 FROM TRIPLE "O" FARMS TO B&T FARMING. QUITCLAIM DEED SUBMITTED ALONG WITH
 AFFIDAVITS FROM OWNERS OF OTHER PARCELS STATING THEY HAVE AGREEMENTS FOR
 B&T TO USE ITS WATER RIGHT ON THEIR PROPERTY. ***** CLAIM ALSO AMENDED TO DROP
 THE 40 AC IN SWSW SECTION 35 AS WATER HAS NEVER ACTUALLY BEEN USED THERE.
 5/1/98 jr

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 47-11567 V1

WATER RIGHT NUMBER: 47-11567 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner:	B & T FARMING BRIAN & TIM OLMSTEAD PARTNERS 3165 E 3500 N TWIN FALLS, ID 83301 (208)734-7285
Original Owner	TRIPLE O FARMS 3165 E 3500 N TWIN FALLS, ID 83301 (208)734-7285

Priority Date: 05/01/1961

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.420 CFS	284.00 AF
	<u>Total Diversion:</u>	1.420 CFS	284.00 AF

Location of Point(s) of Diversion

GROUND WATER L2 (NW1/4NW1/4NE1/4) Sec. 2, Twp 11S, Rge 17E, B.M.
 TWIN FALLS County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
10S	17E	35																	38.0	33.0	71.0

Total Acres: 71

wrong !

Conditions of Approval:

1. S20 Use of this right is combined with water from Twin Falls Canal Co.
2. C18 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.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre for irrigation of the lands above.

Remarks: