

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 79-02066A
(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: David & Jo Ann Cereghino

Address: P.O. Box 387; Lucile, Idaho 83542-0387

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. Perhaps this is a typographical error?

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)

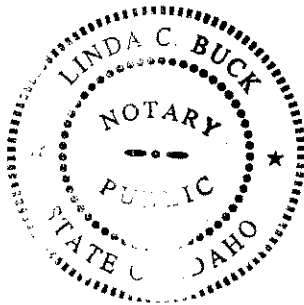
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

June 11, 2007
Linda C. Buck
Linda C. Buck



Notary Public for State of Idaho

Residing at: Mountain Home, ID.

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 June 12th, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

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

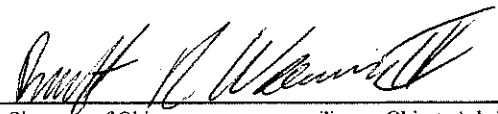
Name: David & Jo Ann Cereghino
Address: P.O. Box 387; Lucile, Idaho 83542-0387
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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

10/23/2006

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

RIGHT NUMBER: 79-2066A
NAME AND ADDRESS: JO ANN CEREGHINO
PO BOX 387
LUCILE ID 83542-0387
DAVID CEREGHINO
PO BOX 387
LUCILE ID 83542-0387

Unauthorized POU on BLM:

-The place of use described below is located on public land.
-Perhaps this is a typographical error and should be Lot 5 (NWSW).

SOURCE: JOHN DAY CREEK
QUANTITY: 2.330 CFS
TRIBUTARY: SALMON RIVER

USE OF THIS RIGHT WITH RIGHT NO. 79-7203 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.80 CFS.

PRIORITY DATE: 06/12/1929

POINT OF DIVERSION: T26N R02E S20 NWSE Within IDAHO County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	02/15 11/30	2.330 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T26N R01E S23	SWNE	33.00	T26N R01E S23	SENE	6.00
T26N R01E S23 Lot 4	SENW	23.00	T26N R01E S23	NESW	36.00
BLM T26N R01E S23 Lot 6	NWSW	2.00	T26N R01E S23	NESE	8.00
T26N R01E S23	NWSE	32.00			

140 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 79-7203 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 140 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 135.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

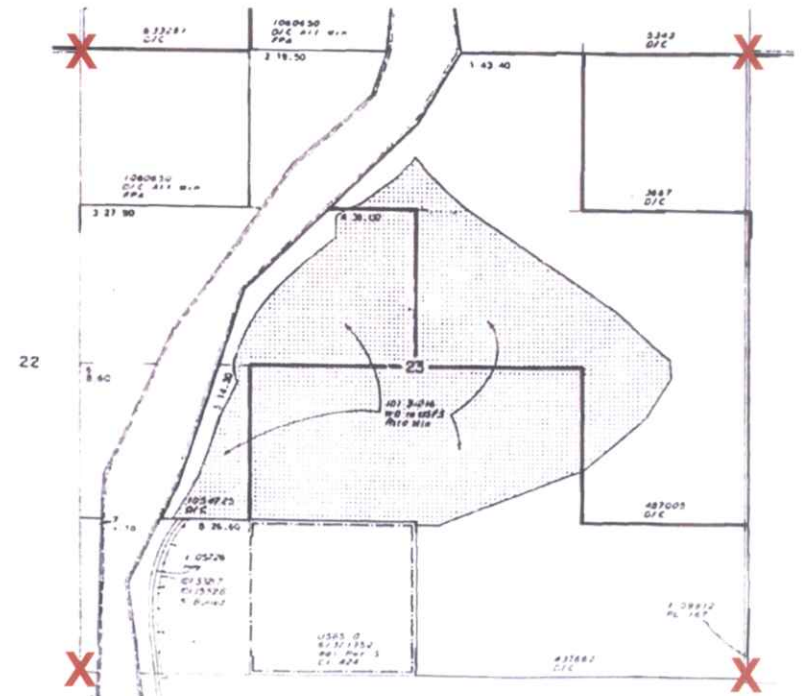
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

79-02066A David and Jo Ann Cereghino



-T26N R01E S23 Lot 6 (NWSW) 2.0 acres is BLM land and the legal description appears to be a typographical error and should be Lot 5 (NWSW) 2.0 acres.

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

CONVICTS OF THE DISTRICT

COTTONWOOD

MT PLAT

[illegible]

50 7/18/1973 Open to Entry 2001 to 546 24 191
 200 3 Reg 10 7/2/1970
 546 33 1616 2

(Continued on Supplemental Plat No 1)

[illegible]

Boise Mer
T. 26 N.
R. 1 E.

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

Journal of Democracy

THAT plot is the Guinness Revolt of Tull, and should be used mainly as a graphic display of the township survey data. It should be used as a teaching aid in the township survey course, and as a reference for the township survey course.

SCALE IN CHARGE

