

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 47-00202
(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: Bruce C. & Joan Kunkel
Address: 1645 N 2500 E; Twin Falls, Idaho 83301

Name: Alex & Lori Kunkel
Address: 1625 N 2500 E; Twin Falls, Idaho 83301

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: See attached.

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:

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 point of diversion is claimed. No diversion exists on federal public land at the described location. Claimant's water right should not include a POD on federal public land. The claimant's diversion is located on private land.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

) ss.

County of ADA

)

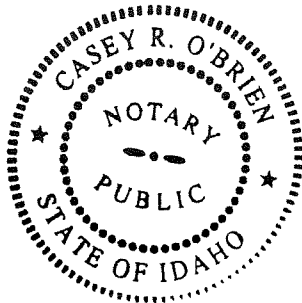
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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)

Casey R. O'Brien
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: September 18, 2007



Casey R. O'Brien
Casey R. O'Brien

Notary Public for State of Idaho

Residing at: Nampa, ID.

My Commission Expires: 10-31-2009

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 Sept. 18, 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:

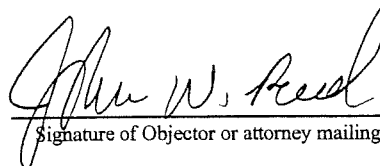
Name: Bruce C. & Joan Kunkel
Address: 1645 N 2500 E; Twin Falls, Idaho 83301
Name: Alex & Lori Kunkel
Address: 1625 N 2500 E; Twin Falls, Idaho 83301
Name:
Address: ;
Name:
Address: ;

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

01/29/2007

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

RIGHT NUMBER: 47-202

NAME AND ADDRESS: BRUCE C KUNKEL
1645 N 2500 E
TWIN FALLS ID 83301

JOAN KUNKEL
1645 N 2500 E
TWIN FALLS ID 83301

ALEX KUNKEL
1625 N 2500 E
TWIN FALLS ID 83301

LORI KUNKEL
1625 N 2500 E
TWIN FALLS ID 83301

POD on BLM:

-The POD on BLM has been abandoned
in favor of the POD on Private.

SOURCE: LITTLE COTTONWOOD CREEK TRIBUTARY: DEEP CREEK

QUANTITY: 1.500 CFS

This right when combined with all other rights shall provide no more than .02
cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 07/27/1906

POINT OF

DIVERSION:

T14S R16E S10 SWSENE Within TWIN FALLS County

T14S R16E S10 SENENW Within TWIN FALLS County

BLM

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

1.500 CFS

PLACE OF USE:

IRRIGATION in TWIN FALLS County

T14S R16E S02	NWSW	23.00	T14S R16E S02	SWSW	39.00
T14S R16E S02	SESW	2.80	T14S R16E S03	SWNE	2.20
T14S R16E S03	SENE	2.30	T14S R16E S03	SWNW	0.80
T14S R16E S03	SENW	1.50	T14S R16E S03	NESW	40.00
T14S R16E S03	NWSW	38.00	T14S R16E S03	SWSW	38.00
T14S R16E S03	SESW	39.00	T14S R16E S03	NESE	36.00
T14S R16E S03	NWSE	40.00	T14S R16E S03	SWSE	39.00
T14S R16E S03	SESE	39.00	T14S R16E S11	NENW	3.60
T14S R16E S11	NWNW	36.00			

420.2 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of
420.2 acres in a single irrigation season. Combined Right Nos.: 47-2435,
47-194, 47-202 and 47-17176.

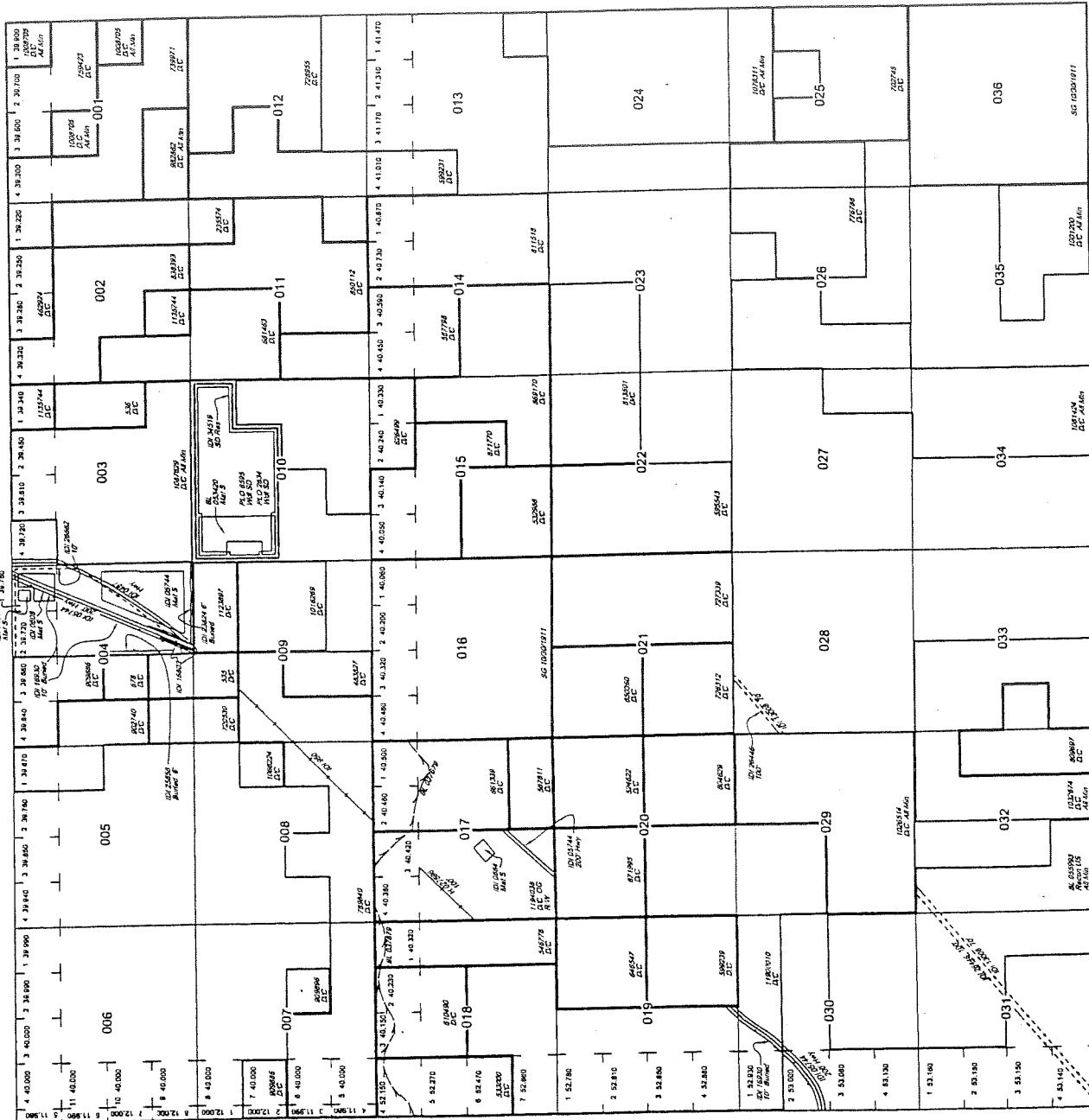
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

TWIN FALLS COUNTY 083
TWIN FALLS DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

MT PLAT

[illegible]

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



Disc: 1988

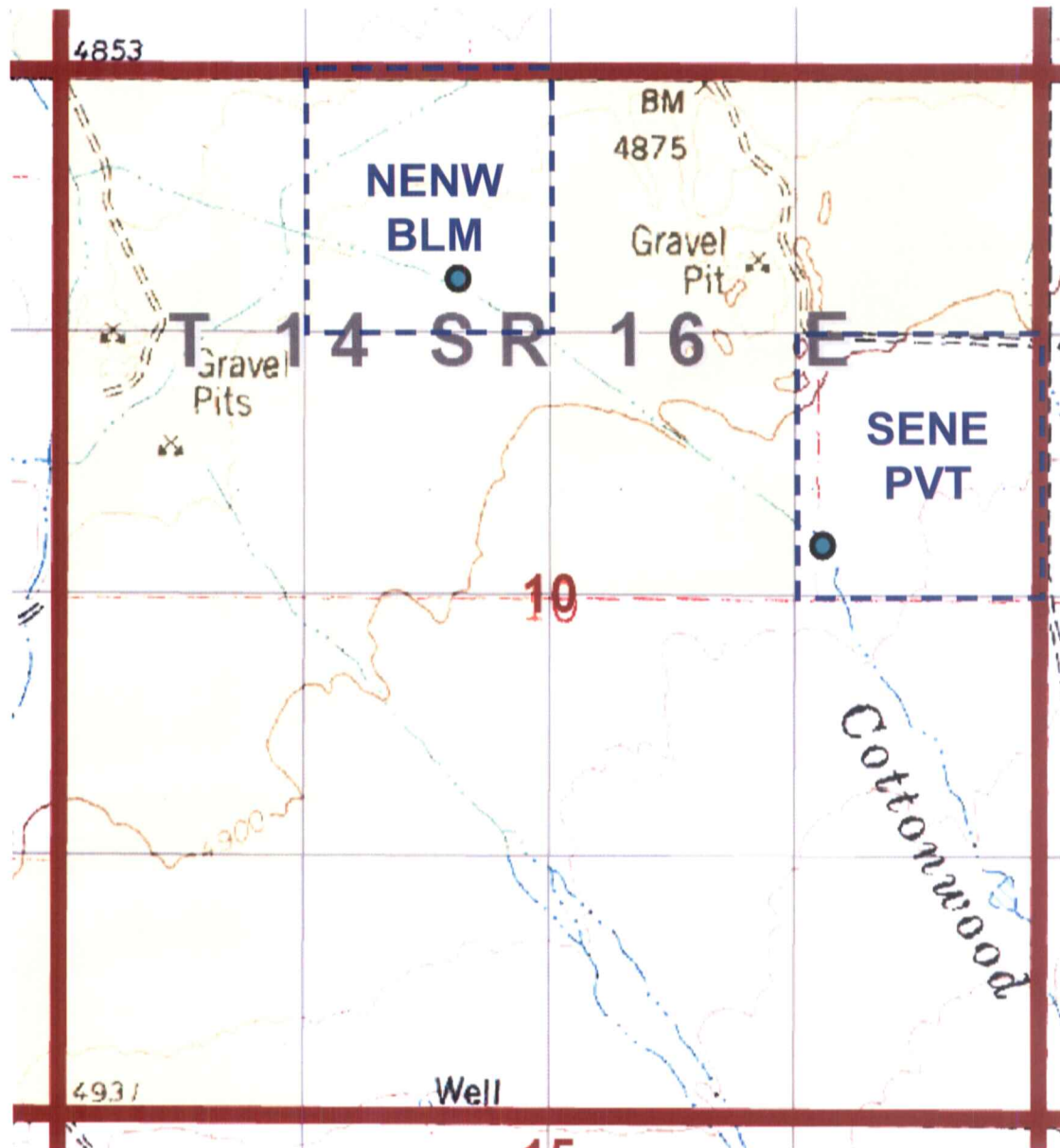
The criterion shown on worksheets represent the last census taken, but may not be the effective date. See the hypothesis index for the data source.

19 04

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

FILE REF: ID#90142031 DELMART0000.dwg	
CONVERTED TPT: 12/14/2007	911: DWG
LAST UPDATED: 12/14/2007	911: DWG
DWGNO: 911 EG 12/14/2008	DWGNO: 42, DWG
POSTED TO PUBLIC RECORDS: 911	
PUBLIC LAND SURVEY SYSTEM (P.L.S.)	
B.L.N. GROUP ASSIGNED: 6/4/2008	
OTHER: 911	
PROJECTED COORDINATE SYSTEM: UTM ZONE 11N, NAD 1983	
NOTED:	
USE PLANS:	

47-00202; Kunkel



POD on BLM:

-The POD on BLM has been abandoned in favor of the POD on Private.