

COPY

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 Number: 02-02267

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: State of Idaho,
Department of Lands
Address: 300 N. 6th St.
P. O. Box 83720
Boise, Idaho 83720-0050
Daytime Phone: (208) 334-0200

Name and Address of Attorney, if any:

Attorney Name: LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER (ISB # 2597)
Deputy Attorney General
Attorney Address: Office of the Attorney General
JRW Building, Second Floor
700 West State Street
P.O. Box 44449
Boise, ID 83711-4449
Attorney Phone No. (208) 334-2400

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

Name: BLANKSMA LAND & STORAGE LLC
Address: PO BOX 106
HAMMETT ID 83627

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: State of Idaho, Department of Lands, 300 N. 6th St., P. O. Box 83720, Boise, ID 83720-0050 should be added as a joint owner of the water right for that portion of the place of use owned by the State of Idaho, Department of Lands, hereinafter the "IDL."
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: Not applicable
7. ☐ **Purpose of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: There are two classes of land within the place of use. First, The IDL owns NW¼NW¼ of section 16, Twp. 06S, Rge. 07 East, B.M. This land should be split into a separate water right. Second, the claimant has private land within the place of use, which should be described in a separate water right.

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 2007 Annual Report for Blanksma Land & Storage, LLC, the claimant, lists the following persons associated with that business entity:

Jeffery C. Blanksma, Member (Mgr)
Robert H. Blanksma, Member
Jeffery J. Blanksma, Member
Nicholas C. Blanksma, Member
Nancy Blanksma, Secretary

The 2007 Annual Report for Golden Sun Farms, Inc. lists the following persons associated with that business entity:

Jeffery C. Blanksma, Pres.
Robert H. Blanksma, V.P.
Jeffery J. Blanksma, V.P.
Nancy B. Blanksma, Sec/Treas.

Golden Sun Farms, Inc. and the State of Idaho, State Board of Land Commissioners, executed State Land Lease, Lease No. G-6748, hereinafter referred to as "Lease No. G-6748," for a term from January 1, 2002 through December 31, 2011. Paragraph 17 of Lease No. C-6748 states as follows:

17. WATER RIGHTS

The establishment of any water right or rights shall be by and for the lessor, and no claim thereto shall be made by the lessee; such rights shall attach to and become appurtenant to said land. The lessee shall not cause any water to be conveyed off the land without prior written approval of the lessor.

In accordance with paragraph 17, the IDL proposes that the water right be split. The water right that includes the state lands should have joint ownership of Golden Sun Farms, Inc. and of the IDL. The following remark should be added to this separate water right: "The ownership of water right no. 02-02267 is governed by a private agreement executed by the Idaho Department of Lands and Golden Sun Farms, Inc." The other water right that includes only the private land should have Blanksma Land & Storage, LLC, the claimant, as the sole owner. Golden Sun Farms, Inc. would also need to amend the lease with the IDL, because the present lease does not allow a crop land use of this real property.

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F.

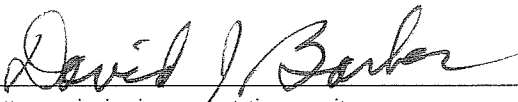
VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

DAVID J. BARBER, Deputy Attorney General, duly sworn, upon oath, deposes and says:

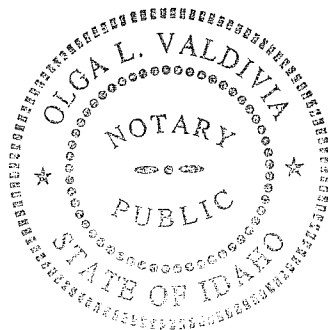
That the State of Idaho, Department of Lands, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Lands, which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER
Deputy Attorney General



By Attorney signing in representative capacity

Subscribed and sworn to before me on: December 3, 2007
(Insert Date)





Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/8/2012

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

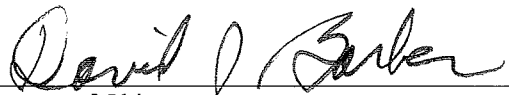
I certify that on December 3, 2007 I caused the original and the copies of this objection, including all attachments, to be served on the following persons by the method designated:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
HAND DELIVERY
2. One copy to the owner of the water right at the following address:
Blanksma Land & Storage LLC
Golden Sun Farms, Inc.
PO Box 106
Hammett, ID 83627
U.S. MAIL
3. Copies to:
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098
STATEHOUSE MAIL

State of Idaho
Department of Lands
300 N. 6th St.
Boise, Idaho 83720-0050
STATEHOUSE MAIL

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724
U.S. MAIL

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449
(not applicable)



Signature of Objector or attorney
Mailing on Objector's behalf