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DEC 07 2007
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 02-02094B
(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: Gingerich Brothers Farms
Address: 47589 State Hwy 78; Mountain Home, Idaho 83647-5081
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 federal public 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.

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: December 4, 2007

Linda C. Buck

LINDA C. BUCK NOTARY PUBLIC STATE OF IDAHO

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 12/5, 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: Gingerich Brothers Farms
Address: 47589 State Hwy 78; Mountain Home, Idaho 83647-5081
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

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

RIGHT NUMBER: 2-2094B

POUs on BLM:
-The places of use on BLM are not authorized.

NAME AND ADDRESS: GINGERICH BROTHERS FARMS
47589 STATE HWY 78
MOUNTAIN HOME ID 83647-5081

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 3.510 CFS

Rights 02-2094A, 02-2094B, 02-2181, 02-2182A, 02-2182B, 02-2183, 02-2375A, 02-2375B, 02-10289 and 02-10291 when combined shall not exceed a total diversion rate of 19.83 cfs.

Rights 02-2181, 02-2094B, 02-2182B, 02-2183, 02-2284B, 02-2375B and 02-10291 when combined shall not exceed a total annual maximum diversion volume of 5260.0 af at the field headgate.

PRIORITY DATE: 08/30/1955

POINT OF DIVERSION: T06S R06E S4 NENENW Lot 3 Within OWYHEE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	3.510 CFS

PLACE OF USE: IRRIGATION in OWYHEE County

BLM	T06S R06E S03	NWSW	3.00	T06S R06E S03	SWSW	40.00	
	T06S R06E S03	SESW	25.00	T06S R06E S04	SENW	1.90	BLM
	T06S R06E S04	NESW	40.00	T06S R06E S04	NWSW	34.00	
	T06S R06E S04	SWSW	40.00	T06S R06E S04	SESW	40.00	
BLM	T06S R06E S04	NESE	16.00	T06S R06E S04	NWSE	29.00	
	T06S R06E S04	SWSE	40.00	T06S R06E S04	SESE	40.00	
	T06S R06E S05	SESW	0.70	T06S R06E S05	NESE	11.00	
	T06S R06E S05	SWSE	22.00	T06S R06E S05	SESE	40.00	
	T06S R06E S07	SENE	11.00	T06S R06E S08	NENE	40.00	
	T06S R06E S08	NWNE	40.00	T06S R06E S08	SWNE	40.00	
	T06S R06E S08	SENE	40.00	T06S R06E S08	NENW	31.00	
	T06S R06E S08	NWNW	4.20	T06S R06E S08	SWNW	37.00	
	T06S R06E S08	SENW	40.00	T06S R06E S08	NESW	40.00	
	T06S R06E S08	NWSW	39.00	T06S R06E S08	NESE	40.00	
	T06S R06E S08	NWSE	40.00	T06S R06E S09	NENE	39.00	
	T06S R06E S09	NWNE	40.00	T06S R06E S09	SWNE	40.00	
	T06S R06E S09	SENE	29.00	T06S R06E S09	NENW	40.00	
	T06S R06E S09	NWNW	40.00	T06S R06E S09	SWNW	40.00	
	T06S R06E S09	SENW	40.00	T06S R06E S09	NESW	40.00	
	T06S R06E S09	NWSW	40.00	T06S R06E S09	SWSW	40.00	
BLM	T06S R06E S10	NENW	3.20	T06S R06E S10	NWNW	19.00	

1315 ACRES TOTAL

Rights 02-2181, 02-2094B, 02-2182B, 02-2183, 02-2284B, 02-2375B and 02-10291 when combined shall not exceed the irrigation of 1315 acres.

This right is limited to the irrigation of 182 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.

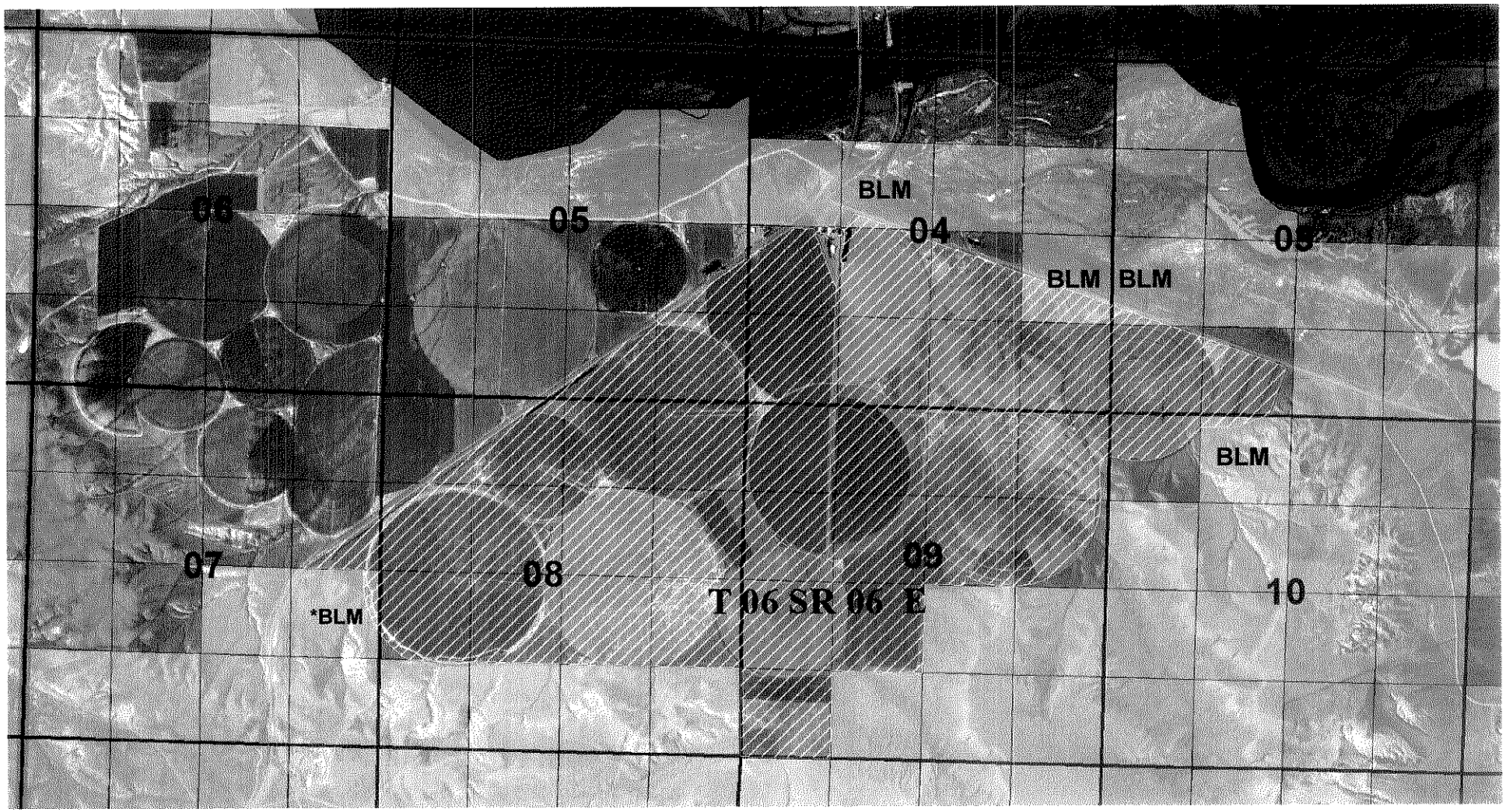
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Rights 02-2094A, 02-2094B, 02-2181, 02-2182A, 02-2182B, 02-2183, 02-2375A, 02-2375B, 02-10289 and 02-10291 are diverted at the point of diversion described above.

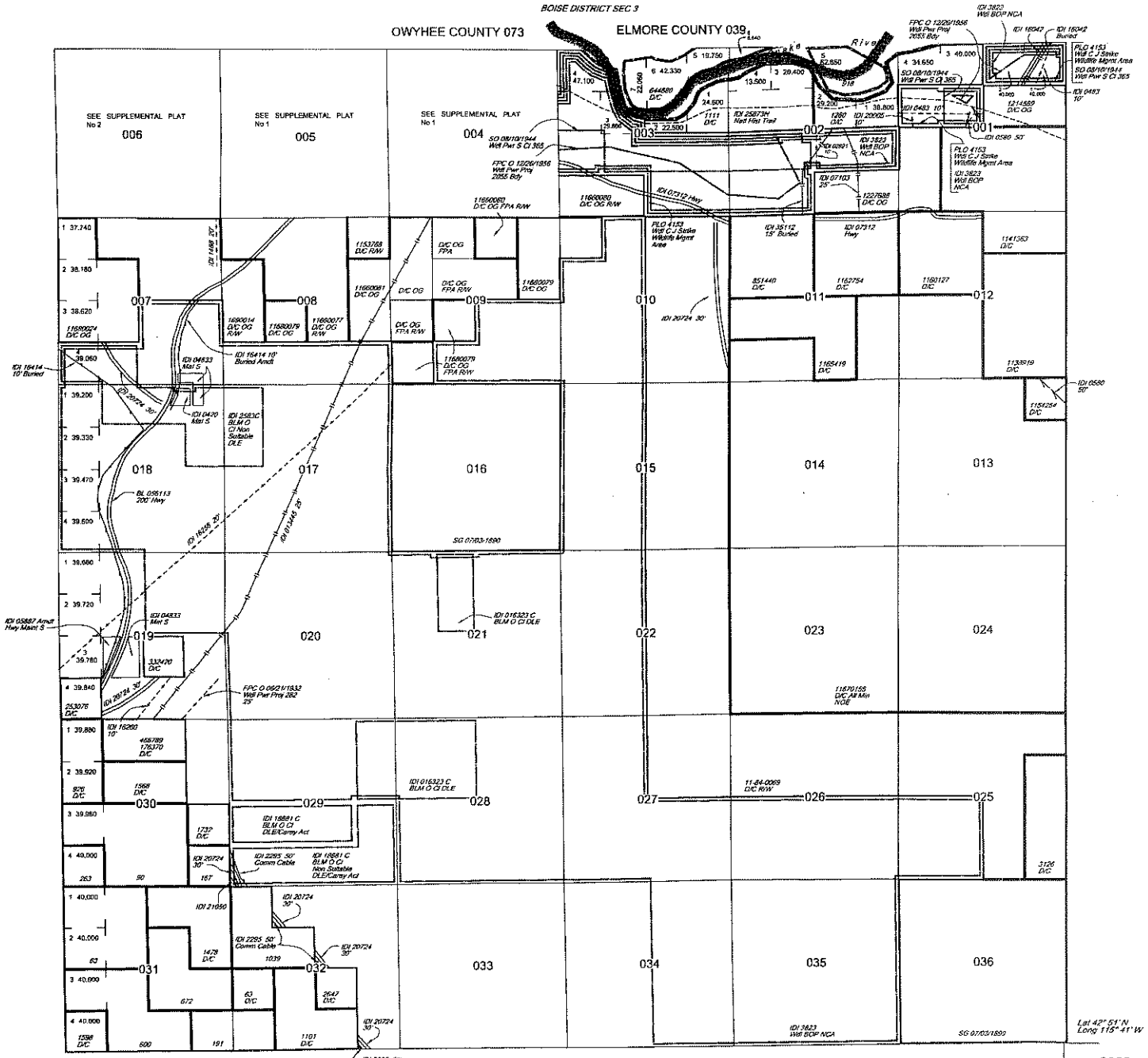
02-02094B, 02-02181, 02-02182B, 02-02183, 02-02284B, 02-02375B, 02-10291
Gingerich Brothers Farms

POUs on BLM:
-The places of use on BLM are not authorized.

***Note:** Only 1 place of use was recommended in T06S R06E S07 (i.e. SENE, 11.00 acres, private land) but there is also BLM land in the NESE, S07 within the shapefile that was not recommended. Remove NESE, S07 from the shapefile.



TOWNSHIP 6 SOUTH RANGE 6 EAST OF THE BOISE MERIDIAN, IDAHO



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

SCALE in chains

SCALE in feet

SCALE in meters

NORTH

DISCLAIMER:

This plat is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and township survey data. Records hereon do not reflect title changes which may have been affected by lateral movements of river or other bodies of water. Refer to cadastral surveys for official information.

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 original withdrawal order.

No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed.

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS				
RESURVEY	ORIGINAL SURVEY			
TRACT NO	T	R	SEC	SUBDIVISION

BLM O 03/12/1957 Pwr S Cl 365, Pwr Proj 2055
Open to Entry Subj to Sec 24 FPA
Sec 2: N2SW, N2SE
Sec 3: Lots 3,4, SWNW, NESW, N2SE

IDI T322 Wdl BLM Prop
All NR land within 1/4 mile Bruneau River

IDI 23086 Sikes Act 08/1976
Sec 3: S2NWSW
Sec 4: S2SENW, S2NESE
Sec 5: W2SWNW
Sec 6: W2NWNE

IDI 25873H Natl Hist Trail
Historical information only, does not denote public access

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

FILE REP:	ID080060S0080EoMT2000a.dwg
CONVERTED TIFF:	03/03/2009 BY: LFM
LAST UPDATED:	07/19/2007 BY: LFM
QA/QC #1:	QA/QC #2:
POSTED TO PUBLIC RECORDS:	July 19, 2007 BY:
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BLM GCDB ACQUIRED:	04/26/2005
OTHER:	N/A
PROJECTED COORDINATE SYSTEM:	UTM ZONE 11N, NAD 1983
NOTES:	
USE PLATS:	

Boise Mer.
T. 6 S
R. 6 E

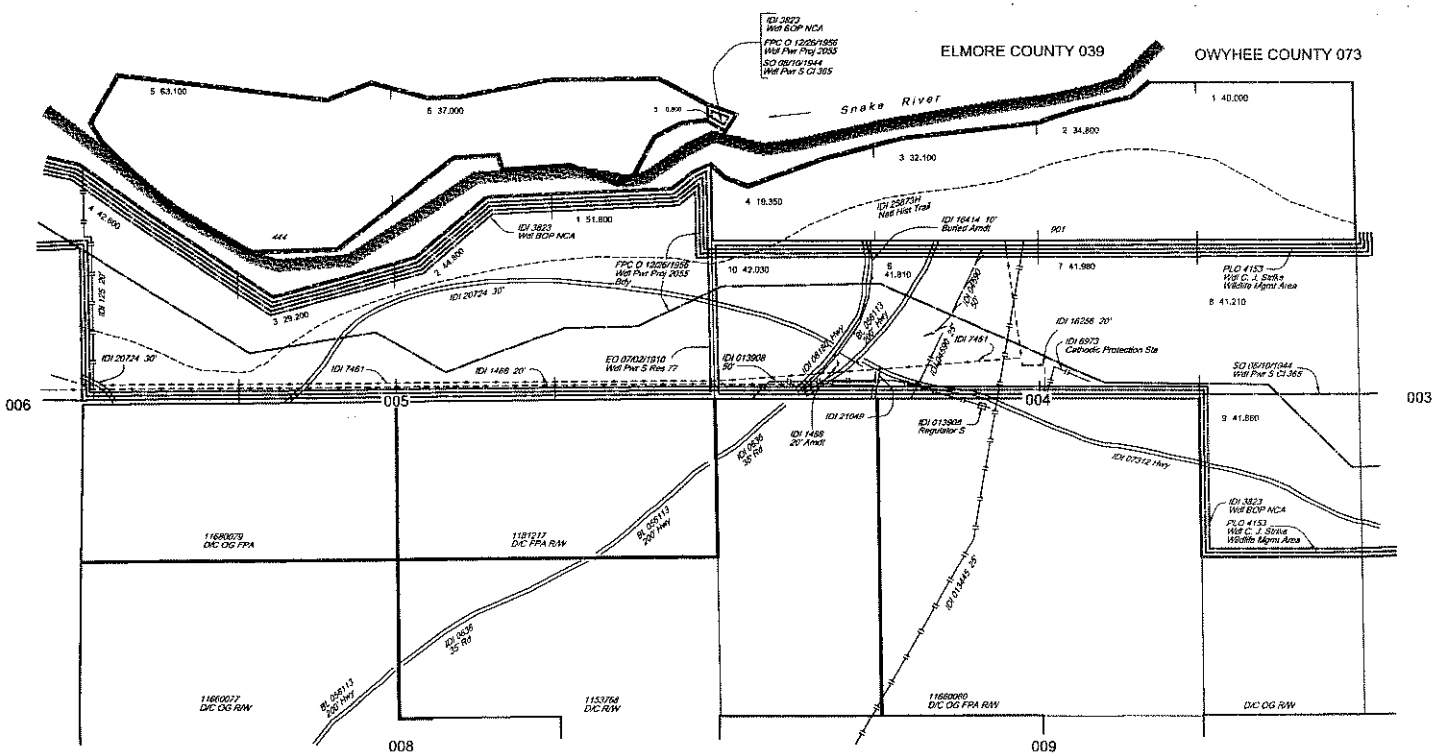
TOWNSHIP 6 SOUTH RANGE 6 EAST OF THE BOISE MERIDIAN, IDAHO

BOISE DISTRICT SEC 3

No. 1

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT
SUPPL Sec 4, 5



INDEX TO SEGREGATED TRACTS

RESURVEY	ORIGINAL SURVEY			
TRACT NO	T.	R.	SEC.	SUBDIVISION

IDI 7322 Wdl BLM Prop
All NR land within 1/4 mile Bruneau River in Tp

IDI 23086 Sikes Act 08/19/1986
Sec 4: S2SENW, S2NESE
Sec 5: W2SWNW

IDI 25873H Natl Hist Trail
Historical information only, does not denote public access

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

FILE REF:	ID080606SG060EaMT0001a.dwg
CONVERTED TIFF:	03/07/2006 BY: LFM
LAST UPDATED:	03/07/2006 BY: LFM
QA/QC #1:	QA/QC #2:
POSTED TO PUBLIC RECORDS:	BY:
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BLM GCDB ACQUIRED:	04/26/2005
OTHER:	N/A
PROJECTED COORDINATE SYSTEM:	UTM ZONE 11N, NAD 1983
NOTES:	
USE PLATS:	

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

SCALE in chains: 5 0 5 10 20

SCALE in feet: 330 0 330 660 1320

SCALE in meters: 100 0 100 200 400

NORTH

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Boise Mer.
T. 6 S.
R. 6 E.
No. 1

TOWNSHIP 6 SOUTH RANGE 6 EAST OF THE BOISE MERIDIAN, IDAHO

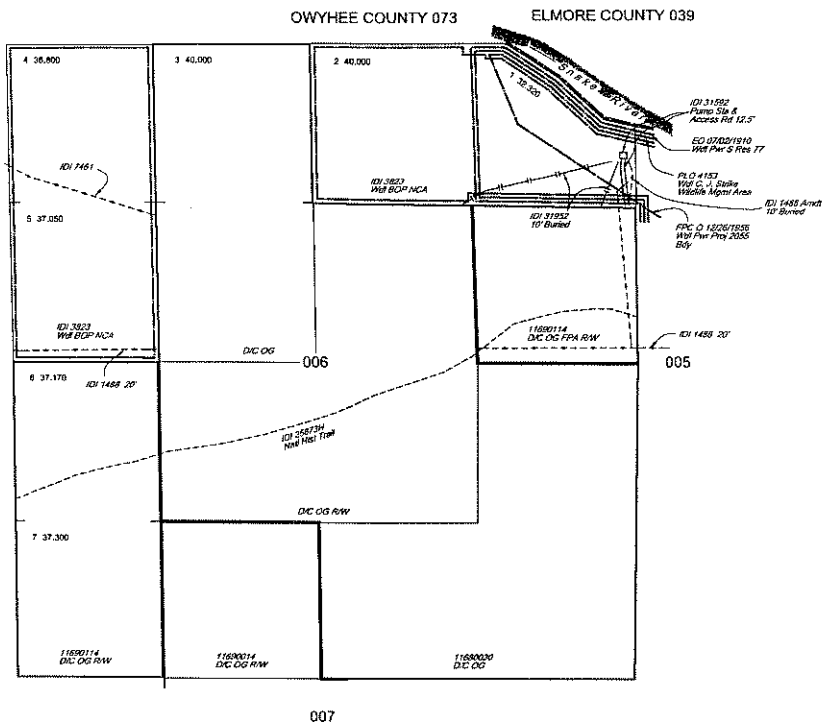
BOISE DISTRICT SEC 3

No. 2

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT
SUPPL Sec 6

INDEX TO SEGREGATED TRACTS				
RESURVEY				ORIGINAL SURVEY
TRACT NO	T.	R.	SEC	SUBDIVISION



IDI 7322 Wdl BLM Prop
All NR land within 1/4 mile Bruneau River in Tp

IDI 23086 Sikes Act 08/19/1986
Sec 6: W2NWNE

IDI 25873H Natl Hist Trail
Historical information only, does not denote public access

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

FILE REF:	ID060006S0060EeMT2002a.dwg
CONVERTED TIFF:	03/08/2006 BY: LFM
LAST UPDATED:	BY:
QA/QC #1:	QA/QC #2:
POSTED TO PUBLIC RECORDS:	BY:
PUBLIC LAND SURVEY SYSTEM (PLSS):	
BLM GCDB ACQUIRED:	04/26/2005
OTHER:	N/A
PROJECTED COORDINATE SYSTEM:	UTM ZONE 11N, NAD 1983
NOTES:	
USE PLATS:	

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Boise Mer.
T. 6 S.
R. 6 E.
No. 2