

RECEIVED

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 02-02183
(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.

E.

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)

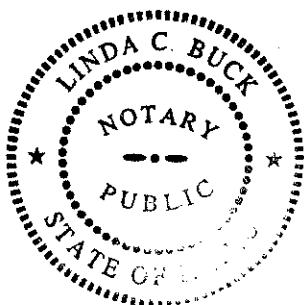
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

December 14, 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 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: ;

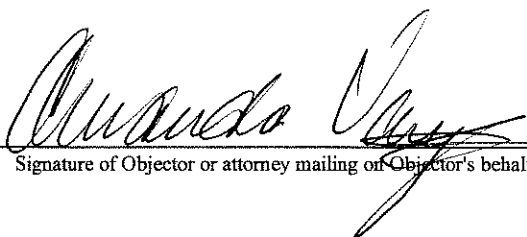
Name:
Address: ;

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

12/28/2006

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

RIGHT NUMBER: 2-2183

POUs on BLM:

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

-The places of use on BLM are not authorized.

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 6.060 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: 01/04/1963

POINT OF

DIVERSION: T06S R06E S4 NENEW Lot 3 Within Owyhee County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

IRRIGATION

PERIOD OF USE

03/01 11/15

QUANTITY

6.060 CFS

PLACE OF USE: IRRIGATION in Owyhee County

BLM	T06S R06E S03	NWSW	3.00	T06S R06E S03	SWSW	40.00	BLM
	T06S R06E S03	SESW	25.00	T06S R06E S04	SENW	1.90	
	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	NESW	16.00	T06S R06E S04	NWSW	29.00	BLM
	T06S R06E S04	SWSW	40.00	T06S R06E S04	SESW	40.00	
	T06S R06E S05	SESW	0.70	T06S R06E S05	NESW	11.00	
	T06S R06E S05	SWSW	22.00	T06S R06E S05	SESW	40.00	
BLM	T06S R06E S07	SENE	11.00	T06S R06E S08	NENE	40.00	BLM
	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	
BLM	T06S R06E S08	SENW	40.00	T06S R06E S08	NESW	40.00	BLM
	T06S R06E S08	NWSW	39.00	T06S R06E S08	NESW	40.00	
	T06S R06E S08	NWSW	40.00	T06S R06E S09	NENE	39.00	
	T06S R06E S09	NWNE	40.00	T06S R06E S09	SWNE	40.00	
BLM	T06S R06E S09	SENE	29.00	T06S R06E S09	NENW	40.00	BLM
	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	BLM
	T06S R06E S10	NENW	3.20	T06S R06E S10	NWNW	19.00	

1315 ACRES TOTAL

This right is limited to the irrigation of 315 acres within the place of use
described above in a single irrigation season.

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.

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

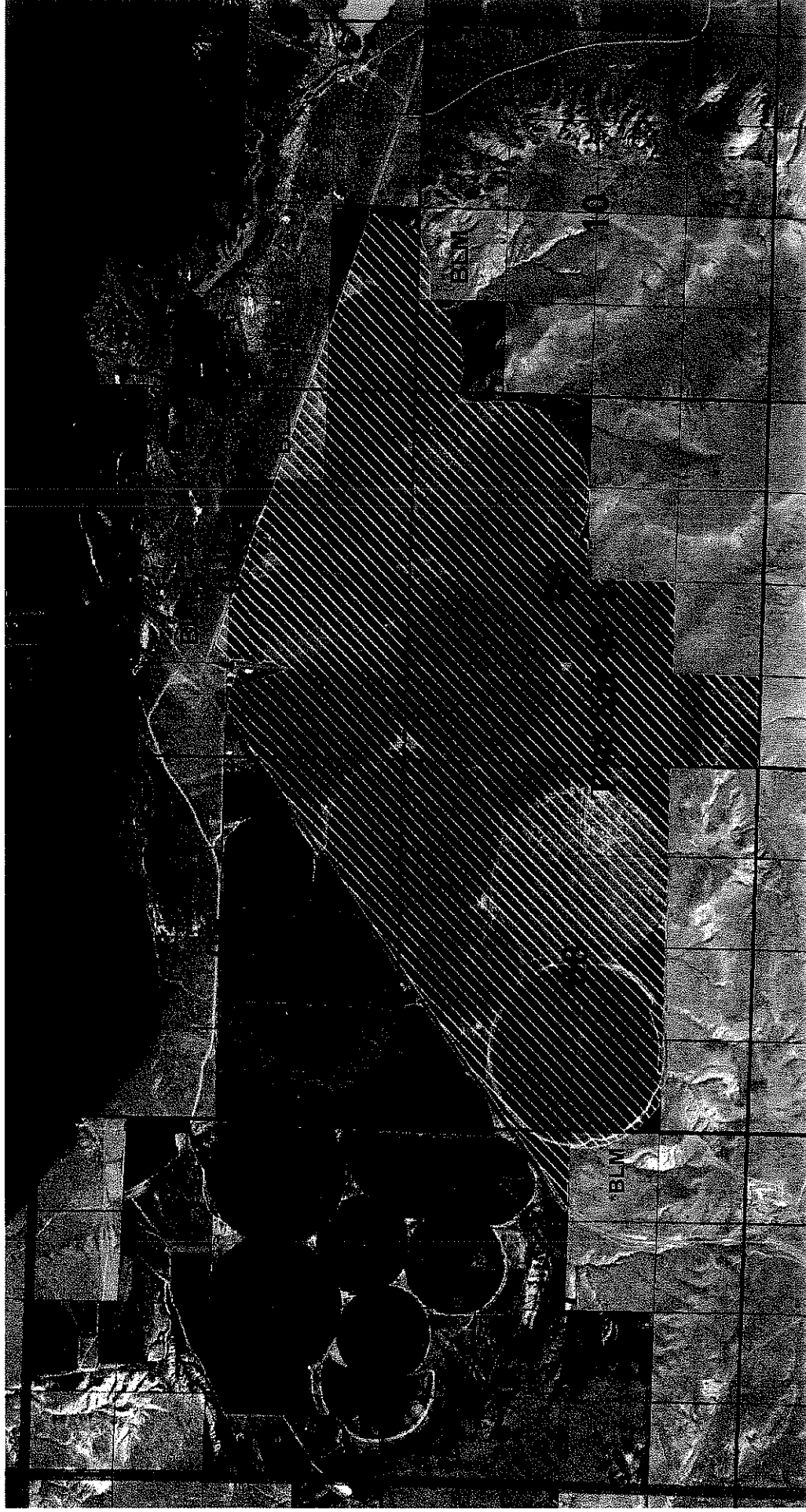
Rights 02-2094A, 02-2094B, 02-2181, 02-2182A, 02-2182B, 02-2183, 02-2375A, 02-2375B, 02-10289 and 02-10291 are diverted at the point of diversion described above.

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.



BOISE DISTRICT SEC 3

MT PLAT
SUPPL Sec 4, 5

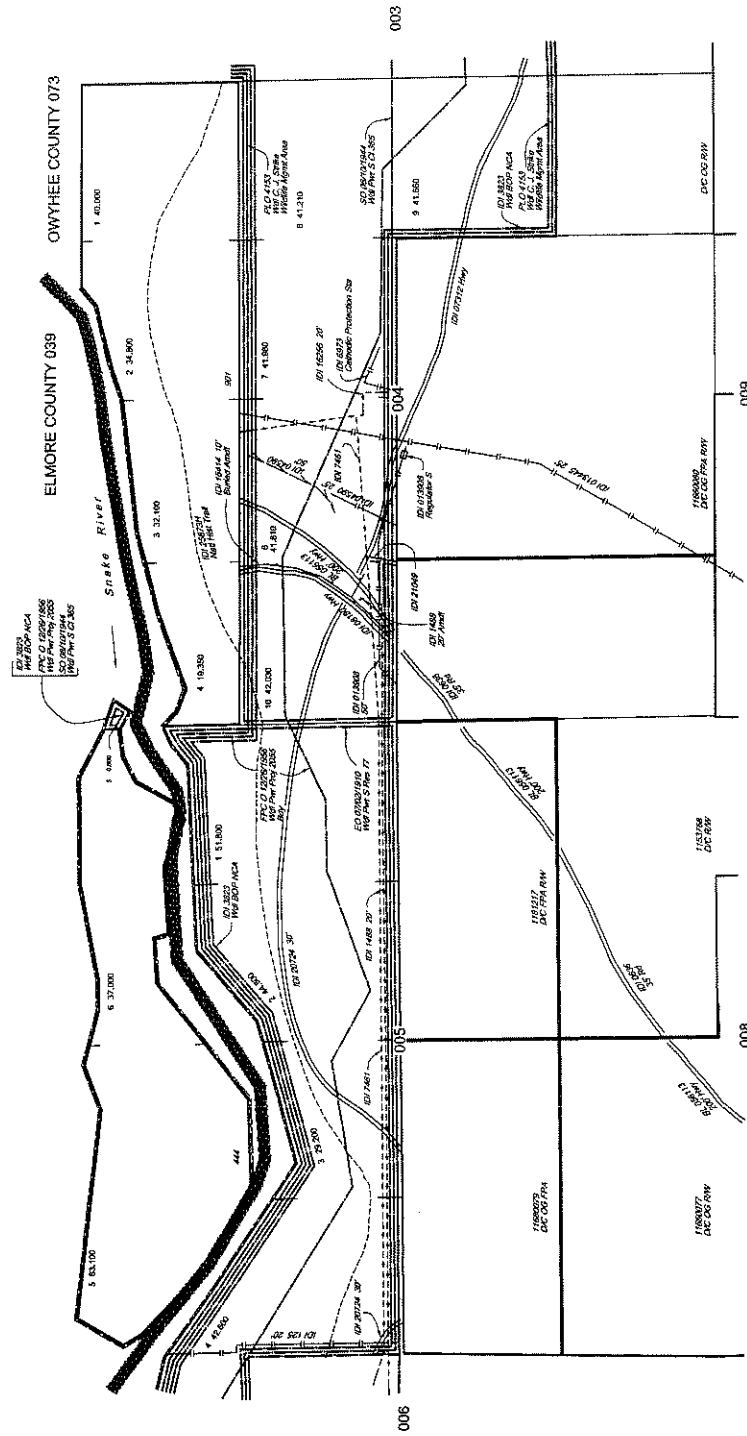
[illegible]

IDI 7322 Wolf Blum Prop All NE land within 1/4 mile Bruneau River in Tp	IDI 23086 SIMAS Act 08/19/1966 Soc 4: S2SEAW, S4NESE Soc 5: W2SWNW	IDI 25873H Wolf Hill Trail Historical information only, does not denote public access
---	---	---

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

[illegible]

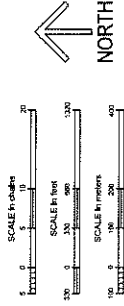
Botan. Mex.
T. 65
R. 6 E
No. 1



This is a plain, printable display of the Bureau of Land Management (BLM) Record of Decision and two-step survey data. Records have been not printed for the originator which may have been affected by data movement or file or other modes of error. Please do not contact the originator for such information.

The rotation shown on worksheet represent the best rotation value, but may not be the effective data. See the Historical Index for the data of original worksheet area.

No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or for purposes other than those for which they were generated, is not guaranteed.

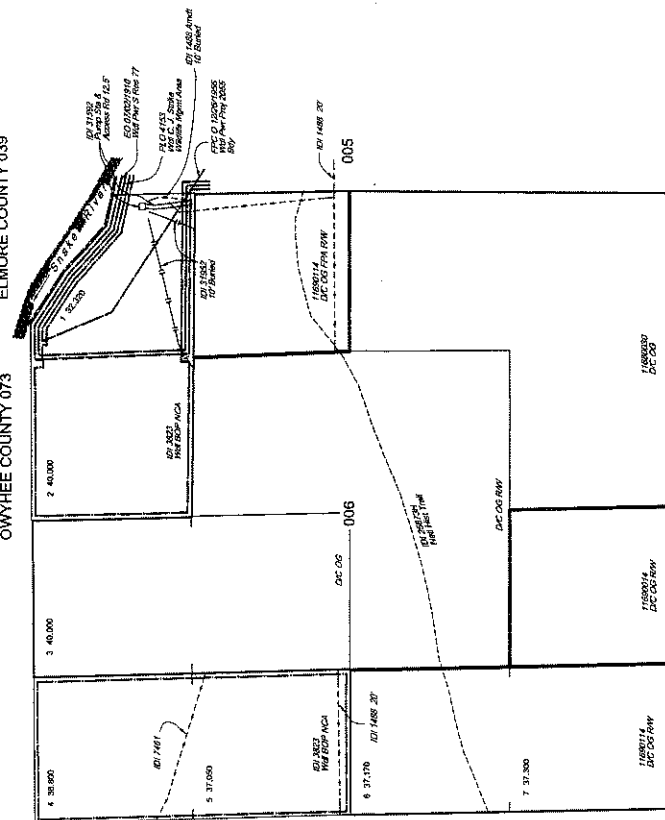


U.S. Bureau of Land Management - Idaho State Office
1387 S. Vinnell Way, Boise, Idaho 83709
(208) 373-4000



BOISE DISTRICT SEC 3

No. 2

[illegible]OWAHEE COUNTY 073
ELMORE COUNTY 039

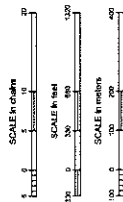
200

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

FILE REF: D030506020050MT002A.dwg	BY: JFM
CONVERTED TIF: 03/06/2009	BY:
LAST UPDATED:	
QACQ #1:	QACQ #2:
PORTED TO PUBLIC RECORDS BY:	
PUBLIC LAND SURVEY SYSTEM (PLSS)	
SUBSIDIES ACQUIRED:	DEPOSITS
OTHER:	DATA
PROJECTED COORDINATE SYSTEM UTM ZONE 18N, 1983	
NOTES:	
USE PLATS:	

DISCLAIMER:

This plot is only a graphic display of the Bureau of Land Management's (BLM) record of Title and Easement survey data. Records herein do not reflect the changes which may have been affected by lateral movements of flow or other bodies of water. Refer to cartographic surveys for critical movements.



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



T. 6 S
R. 6 E
No. 2