

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)

A. Subcase 02-02284B
(Insert water right number)

Case No. 39576)

**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)

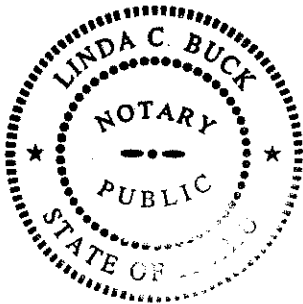
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on

December 4, 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: ;

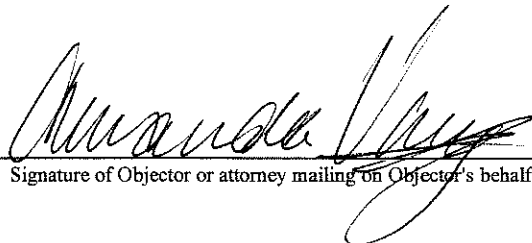
Name:
Address: ;

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

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

POUs on BLM:

-The places of use on BLM are not authorized.

RIGHT NUMBER: 2-2284B
NAME AND ADDRESS: GINGERICH BROTHERS FARMS
47589 STATE HWY 78
MOUNTAIN HOME ID 83647-5081

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.240 CFS
310.00 AFY

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.

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.

PRIORITY DATE: 03/05/1964

POINT OF DIVERSION: T06S R06E S6 NE1/4 Lot 1 Within OWYHEE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
1.240 CFS
310.00 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

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	NWSE	29.00	BLM
	T06S R06E S04	SWSE	40.00	T06S R06E S04	SESE	40.00	
	T06S R06E S05	SESW	0.70	T06S R06E S05	NESW	11.00	
	T06S R06E S05	SWSE	22.00	T06S R06E S05	SESE	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	
	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	
	T06S R06E S10	NENW	3.20	T06S R06E S10	NWNW	19.00	
	T06S R06E S10	SENE	40.00				
	T06S R06E S10	SESW	40.00				

1315 ACRES TOTAL

This right is limited to the irrigation of 62 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

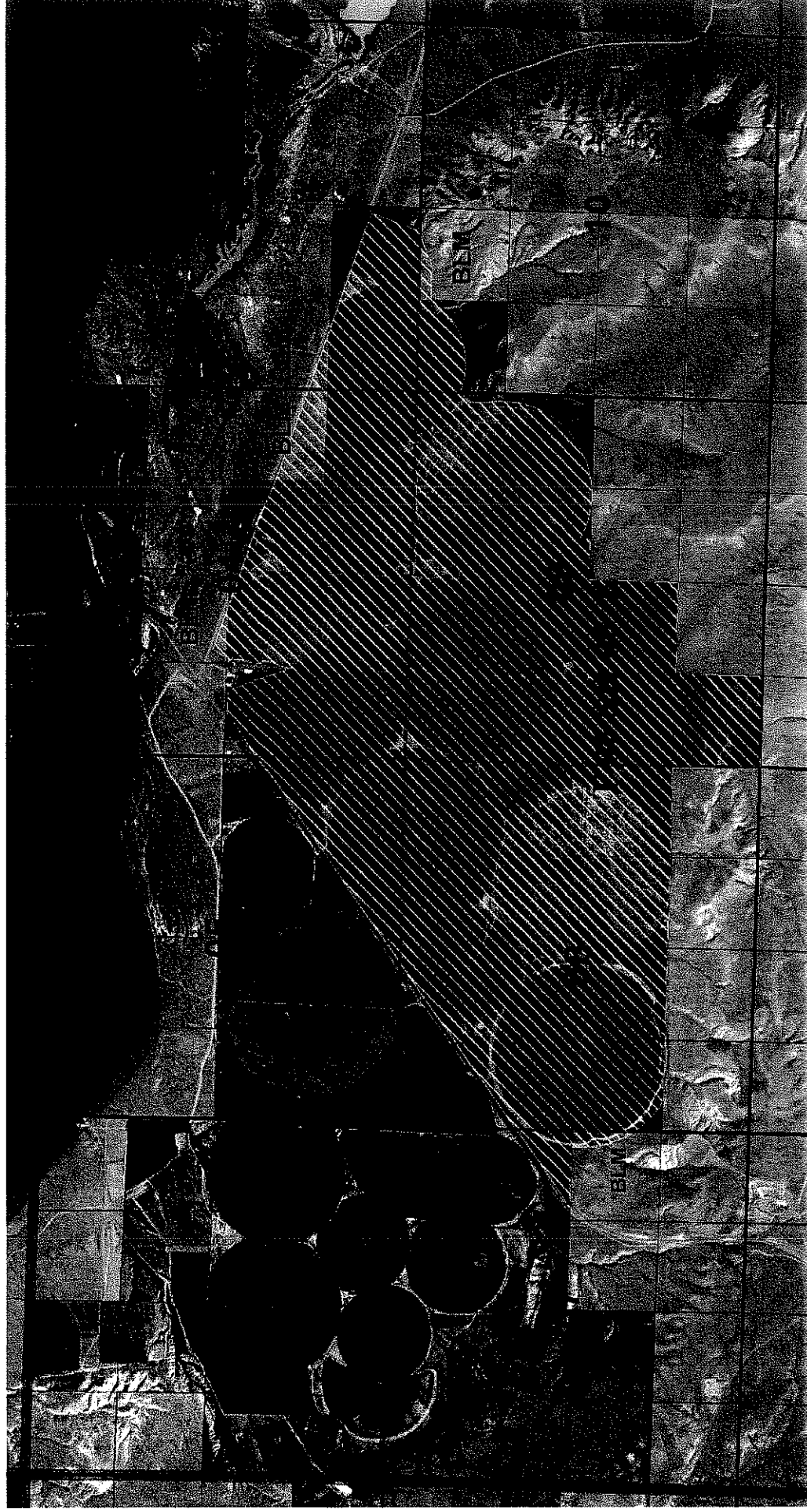
Rights 02-2094A, 02-2094B, 02-2181, 02-2182A, 02-2182B, 02-2183, 02-2375A, 02-2375B, 02-10289 and 02-10291 are diverted at the point of diversion described above.

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.



No. 1
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
MT PLAT
SUPPL Sec 4, 5

MT PLAT
SUPPL Sec 4, 5

[illegible]

DI 7322 WOI ELM Prop
40 NR land within 1/4 mile Brunei River in Tp

DI 23086 Sikes Act 08/19/1986
Sec 4: S3SENW, S2NESE
Sec 5: W3SEWNW

DI 258734 Natl Hist Trill
 Historical information only, does not denote
 public access

Age Group	Percentage (%)
18-24	9%
25-34	14%
35-44	18%
45-54	22%
55-64	25%
65-74	18%
75-84	10%
85+	3%

[illegible][illegible]

Figure 1. The effect of the number of iterations on the accuracy of the proposed algorithm. The accuracy of the proposed algorithm increases with the number of iterations. The accuracy of the proposed algorithm is 100% when the number of iterations is 1000.

1. 姓名: _____ 性别: _____ 年龄: _____ 职业: _____

[illegible][illegible][illegible][illegible]

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

UNCLASSIFIED DOCUMENTS

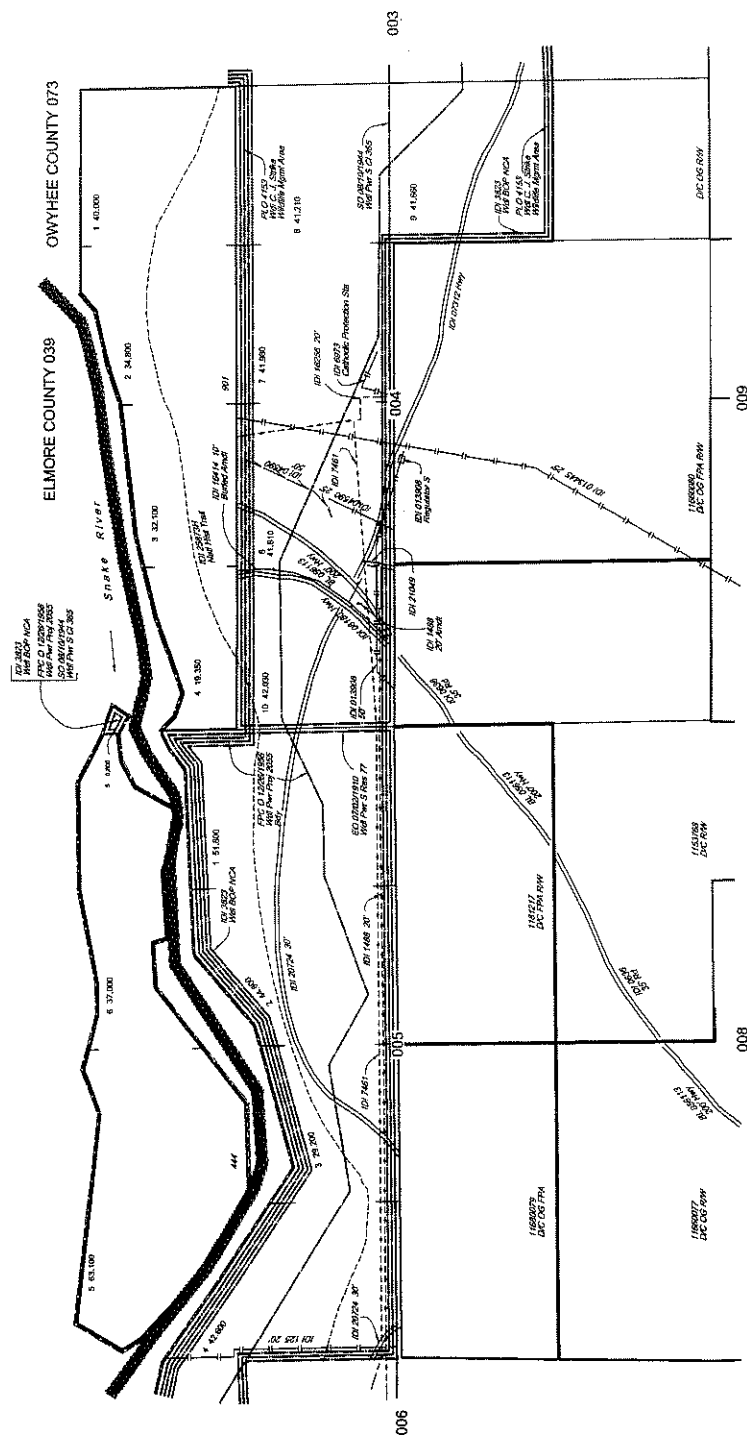
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CONVERTED TFF:	03/07/2004
BY:	LFM
LAST UPDATED:	03/07/2004
BY:	LFM

QAQC #1:	QAQC #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
NOTES:	

USE PLAYS:



4439

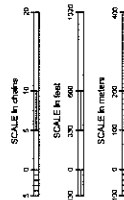
This plot is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and Township survey data. Records hereon do not reflect title changes which may have been affected by lateral movements of river or other bodies of water. Refer to cadastral surveys for official information.

The notation shown on withdrawals represents the last action taken, but may not be the effective date. See the Historical Index for the date of original withdrawal order.

is original withdrawn order.



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

NORTH
|

BOISE DISTRICT SEC 3

No. 2

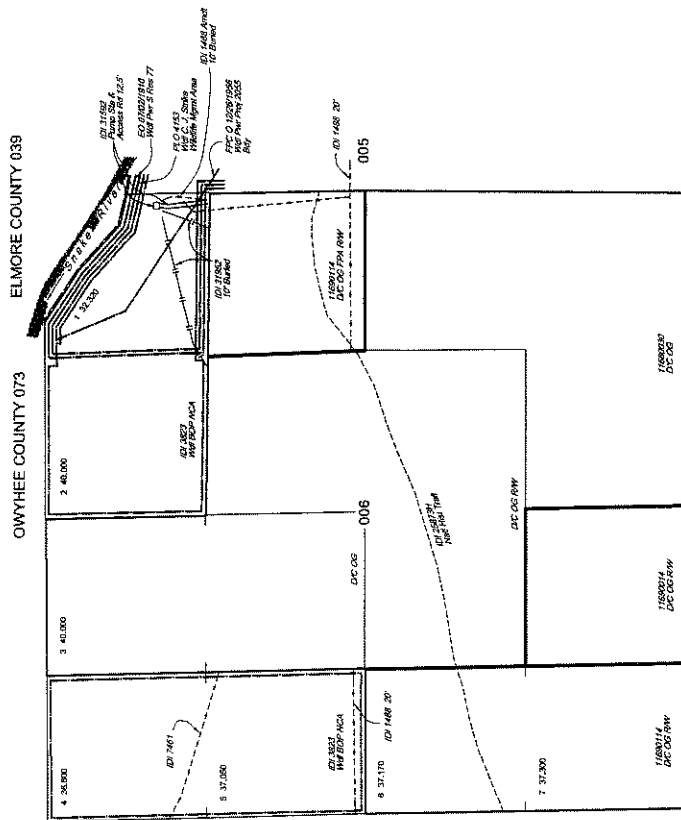
MT PLAT
SUPPL Sec 6

INDEX TO SEGREGATED TRACTS			
RESURVEY	ORDINANCE SURVEY		SUBDIVISION
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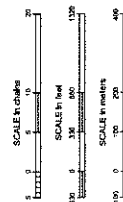
DI 7322 NW 3/4 Sec 17
all 1/4's land within 1/4 mile Boundary River in Tp
DI 22095 Slave Act 08/19/1986
Sec. 6: K2WAVE
DI 287234 Natl Hist Trail
Historical information only, does not describe
public access

FILE REF.: W0000098500ANT000A-04	BY: UTM
CONFIRMED TYP.: G0000000	BY:
LAST UPDATED:	
IMAGE #1:	G00C-E2
POSTED TO PUBLIC RECORDS BY:	
PUBLIC LAND SURVEY SYSTEM (PLSS)	BUM GOV# ACQUIRED: 06/06/2005
OTHER:	N/A
PROJECTED COORDINATE SYSTEM: UTM ZONE 17N MAG 1983	
NOTES:	
USE PLATS:	

John M. J.
T. 6 S
R. 6 E
No. 2



200



— 35 —

This plot is only a graphic display of the Bureau of Land Management's (BLM) Record of Decision and township survey data. Records herein do not reflect any changes which may have been effected by lateral encroachments of river or other bodies of water. Refer to contacting surveys for official information.

The notation shown on withdrawals represents the last action taken, but may not be the effective date. See the historical ledger 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.

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