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JAN 31 2008

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

73-00090

(Insert water right number
From the Objection Form)

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name:

BILLY GYDESEN
BARG FARM ENTERPRISE

Address:

PO BOX 175

MAY, IDAHO 83724

Daytime Phone: 208 940-1907

Name & Address of Attorney, if any:

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING

Name:

BUREAU OF LAND MANAGEMENT, IDAHO STATE OFFICE

Address:

1387 SOUTH VINNELL WAY

BOGE, IDAHO 83709-1657

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☐ Name and Address
2. ☐ Source
3. ☐ Quantity
4. ☐ Priority Date
5. ☐ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☒ Place of Use
11. ☐ Recommendation

AS STIPULATED ON OBJECTION YOU SHOULD
HAVE THE PHRASE "PLACE OF USE DOES NOT
INCLUDE PUBLIC LANDS" ADDED
- SEE ATTACHED -

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. VERIFICATION (Must be Completed)

State of IDAHO)
County of CUSTER) ss.

BILLY GYDESEN, duly sworn, upon oath, deposes and says:
(Name of person filing response)

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

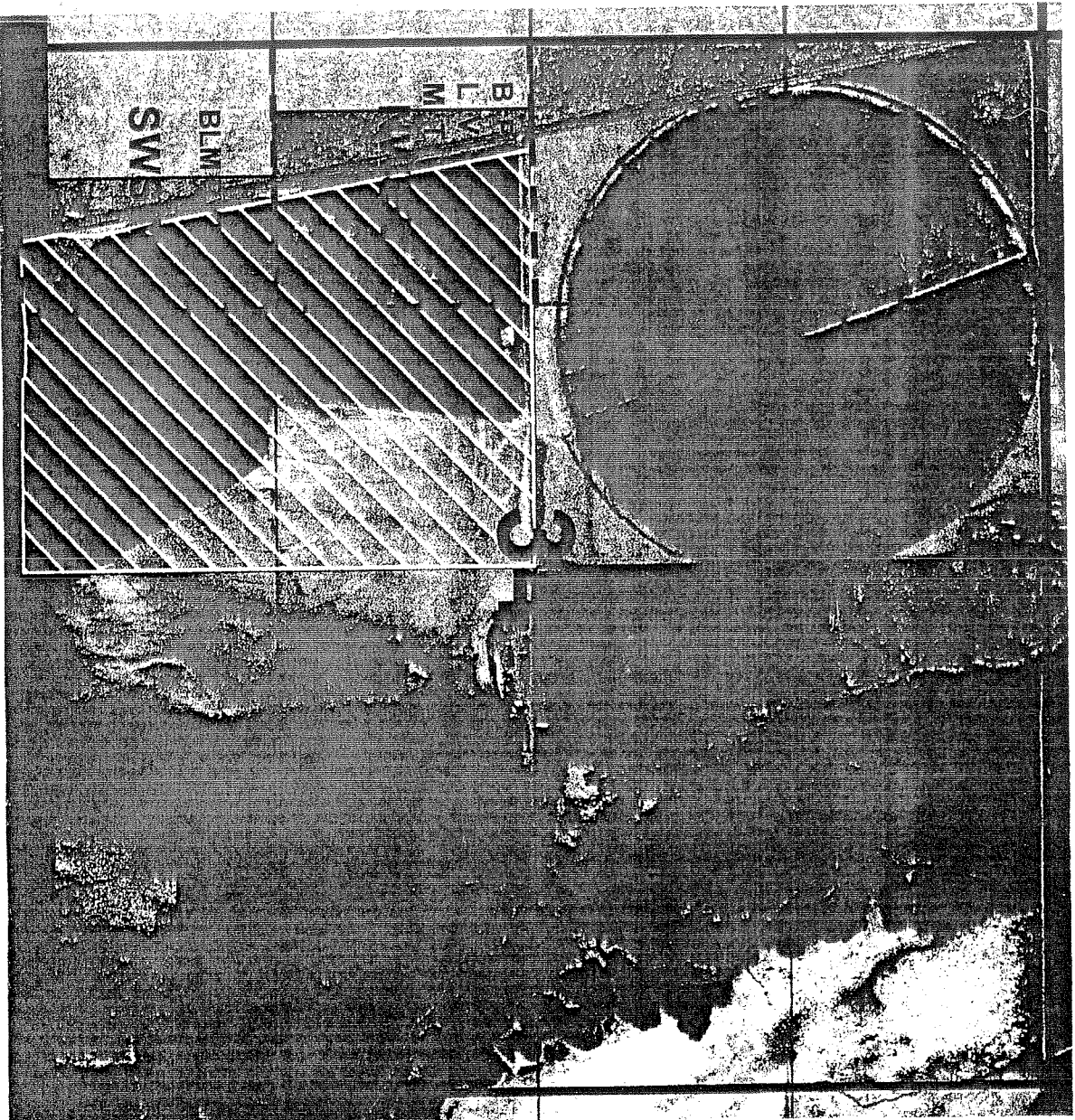
Billy Gydesen
(Signature of person filing response)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 29, 2008

Lacinda Philips
Notary Public for Idaho
Residing at: Challis, Idaho
My Commission Expires: 3-19-13

73-00090, 73-11978, 73-11983
Bar G Farms Enterprises Trust



Mixed POUs:

-The places of use recommended T15N R21E S34 NWSW and SWSW describe both private and public lands. Please clarify such that only private land is intended by inserting the following language under place of use:

"Place of use does not include federal public lands."

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

RIGHT NUMBER: 73-90
 NAME AND ADDRESS: BAR G FARMS ENTERPRISES TRUST
 PO BOX 175
 MAY ID 83253

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 2.500 CFS

PRIORITY DATE: 04/18/1888

POINT OF DIVERSION: T14N R21E S1 NESESW Within CUSTER County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.500 CFS

PLACE OF USE: IRRIGATION in CUSTER County

<u>T15N R21E S34</u>	<u>NESW</u>	<u>40.00</u>	<u>T15N R21E S34</u>	<u>NWSW</u>	<u>21.00</u>	Mixed
<u>T15N R21E S34</u>	<u>SWSW</u>	<u>13.00</u>	<u>T15N R21E S34</u>	<u>SESW</u>	<u>40.00</u>	
<u>114 ACRES TOTAL</u>						

Right Nos. 73-90 and 73-11978 are limited to the irrigation of a combined total of 114 acres 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 - Decreed

Mixed POUs:

-The places of use recommended T15N R21E S34 NWSW and SWSW describe both private and public lands. Please clarify such that only private land is intended by inserting the following language under place of use:

"Place of use does not include federal public lands."

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, 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.

F.

CERTIFICATE OF MAILING

I certify that on 29 JAN, 2008, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

7005 0390 0006 2698 2241

7005 0390 0006 2698 2210

7005 0390 0006 2698 2227

7005 0390 0006 2698 2234

7005 0390 0006 2694 0418

2. One copy to the claimant of the water right at the following address:

Name: _____

Address: _____

3. One copy to the party who filed the objection at the following address:

Name: _____

Address: _____

BUREAU OF LAND MANAGEMENT, IDAHO STATE OFFICE
1387 SOUTH VINNELL WAY
BOISE, IDAHO 83709-1657

4. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

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

ATTN: LARRY A. BROWN
GENERAL LITIGATION SECTION

Billy H. [Signature]

Your signature or signature of attorney
mailing on your behalf