

OCT 28 2003

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 34-13675

(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: Jimmie K WaddoupsAddress: 4253 Antelope RdMoore ID 83255Daytime Phone: 208-554-3813

Name & Address of Attorney, if any:

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

Name: Paula A DaviesAddress: 384 Yvonne StArco ID 83213-8764

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: One half the spring flow throughout the period of use

4. ☒ **Priority Date**

Should be: 08/19/1930

5. ☒ **Point(s) of Diversion**

Should be: T 03N R24E S5 NWSESE - on Davies property

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: _____

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):** see attached

Attachment – Paragraph E. Reasons Supporting Objection

The quantity of water should be divided equally upon availability, as 0.030 CFS is not available during drought years and may not be available throughout the period of use. The current spring flow is probably less than two thousand gallons per day. Quantity of water could be measured in gallons/hour at the source: However, this may be difficult as the spring seeps throughout a rather large boggy area.

The diversion points for the Davies and Waddoups stock water should be located on their respective properties. The spring seeps over an extended area located on both properties allowing access for independent spring boxes and delivery systems. The points of diversion must be precise and clear to the user to prevent future misunderstandings between property owners. An incident has already occurred where we installed a spring box on our property to utilize our cattle water right. The delivery system, which was located on our property, was removed by the Davies. We did not further pursue this source of water for our cattle.

The existing off-line property fence further complicates the problem and should be placed on approximate property lines so diversion points are clear to both users. We would then have access to our spring and water right.

We object to any plan that depends on trust and cooperation for execution, as that approach will cause problems for both current and future water users.

F.

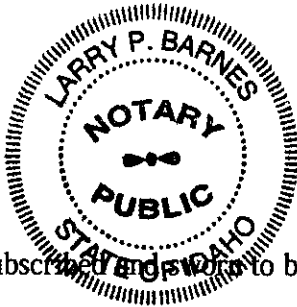
VERIFICATION (Must be Completed)

State of IDAHO)

County of BUTTE)ss.

Jimmie K Waddoups, 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]
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 10-24-03

[Signature]
Notary Public for ALICE IDAHO
Residing at: ALCO
My Commission Expires: 6-20-09

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 October 24, ²⁰⁰³~~1999~~, 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
PO Box 2707
Twin Falls, ID 83303-2707

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

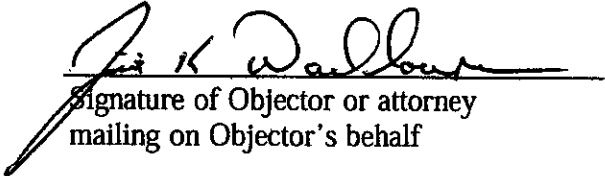
Name: Paula Davies
Address: 384 Yvonne St
Arco ID 83213-8764

3. 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 and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Signature of Objector or attorney
mailing on Objector's behalf