

**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	<u>29-604A</u>
	)			
Case No. 39576	)			
	)			
	)			
	)			
	)			

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: R. Scott Wells
Address: 1922 W. Portneuf Rd.
Inkom, ID 83245
Daytime Phone: (208) 221-6026

Name & Address of Attorney, if any:

Josephine P. Beeman (#1806)
Beeman & Associates, P.C.
409 West Jefferson Street
Boise, Idaho 83702
(208) 331-0950

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

Name: R. Scott Wells
Address: 1922 W. Portneuf Rd.
Inkom, ID 83245-1606

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: January 1, 1863
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☒ **Purpose(s) of Use**
Should be: Irrigation and domestic purposes of use.
8. ☒ **Period of Year**
Should be: 1/1 to 12/31 for domestic purpose of use.
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): The priority date, purposes of use, and period of use for domestic purposes, as described above, are based upon the Decree entered in *United States v. Skeem (D. Idaho, Apr. 7, 1920)* and historical beneficial use of the water right. Leave will be sought from the court to amend the notice of claim for this water right to properly reflect the elements as set forth above.

F.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Ada)

Josephine P. Beeman, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

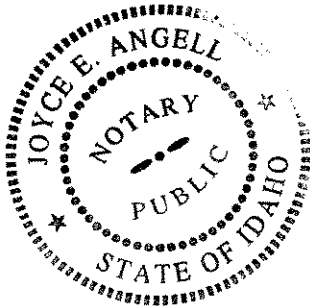
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(i) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Josephine P. Beeman

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: November 14, 2003



Joyce E. Angell

Notary Public for the State of Idaho
Residing at: Boise, Idaho
My Commission Expires: 7-29-2008

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 November 14, 2003, 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:

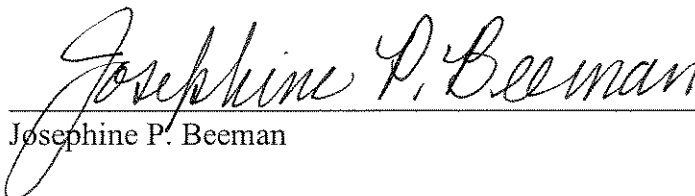
Name: R. Scott Wells
Address: 1922 W. Portneuf Rd
Inkom, ID 83245-1606

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
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



Josephine P. Beeman

BEEMAN & ASSOCIATES, P.C.

Counselors and Attorneys at Law
409 West Jefferson Street
Boise, Idaho 83702-6049

Josephine P. Beeman
jo.beeman@beemanlaw.com
Dana H. Rose
dana.rose@beemanlaw.com

Phone (208) 331-0950
Fax (208) 331-0954
office@beemanlaw.com

November 14, 2003

*Via Facsimile (208) 736-2121
and U.S. Mail*

Diana Delaney, Chief Deputy Clerk
Snake River Basin Adjudication
253 Third Avenue, North
Twin Falls, ID 83301

RECEIVED
NOV 14 2003
Department of Water Resources

Re: Objections to Director's Report for Irrigation and Other Water Rights in Basin 29

Dear Ms. Delaney:

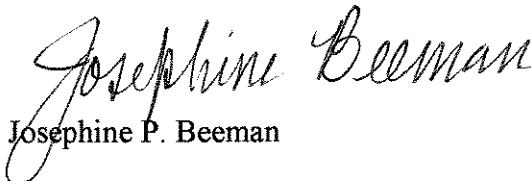
The City of Pocatello is filing objections to 40 water rights listed in the Director's Report for Irrigation and Other Water Rights in Basin 29.

We enclose a chart listing these 40 water rights and the grounds for objections to each. The bolding and notes on the chart explain which water rights are affected by the six group objections and which are affected by the 16 individual water right objections. We hope that this chart facilitates the court's handling of these objections.

The originals and copies for the court to conform have been sent by courier. Please call if we can be of additional help or answer questions. Thank you for your assistance in these matters.

Sincerely,

BEEMAN & ASSOCIATES, P.C.


Josephine P. Beeman

JPB:ja
cc: City of Pocatello
IDWR Document Depository
US Department of Justice
Office of Attorney General

Enclosure
Z:\1776\Obj\5998

CITY OF POCATELLO OBJECTIONS FILED NOVEMBER 13, 2003

	General Provisions	Municipal POU	Provisions Necessary	Correct Inter-connection	Accomplished Transfer	Point of Diversion (Surface)	Name and address	Source	Quantity	Priority Date	Points of Diversion Flow	Instream Flow	Purpose of Use	Period of Year	Place of Use
29 271	X	X				X									
29 272	X	X				X									
29 273	X	X				X									
29 274	X	X		X	X										
29 2338	X	X		X	X										
29 2354	X	X													
29 2382	X	X													
29 2401	X	X	X	X											
29 2499	X	X	X	X											
29 4221	X	X	X	X						X					
29 4222	X	X				X			X						
29 4223	X	X	X	X					X						
29 4224	X	X	X	X											
29 4225	X	X	X	X											
29 4226	X	X	X	X					X						
29 7106	X	X	X	X											
29 7118	X	X											X		X
29 7119	X	X											X		X
29 7222	X	X													
29 7322	X	X	X	X											
29 7375	X	X		X	X										
29 7431	X	X			X				X				X		X
29 7450	X	X	X								X				
29 7502	X	X													
29 7770	X	X											X		X
29 7782	X	X		X											
29 11339	X	X	X	X											
29 11344	X	X	X	X							X				
29 11348	X	X	X	X											
29 11609									X		X		X		X
29 12877							X	X	X	X	X	X	X	X	X
29 13558	X	X	X	X											
29 13559	X	X	X	X											
29 13560	X	X	X	X											
29 13561	X	X	X	X											
29 13562	X	X	X	X											
29 13636	X	X													
29 13637	X	X	X	X											X
29 13638	X	X	X	X							X				
29 13639	X	X	X	X						X	X				

Note 1: Six group objections affect multiple water rights (objections in bold).

Note 2: Sixteen objections are to individual water rights (water right numbers in bold).