

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 63-03583
(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: Jim D. Scarrow

Address: 3184 S 1900 E; Wendell, Idaho 83355

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 legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal 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.

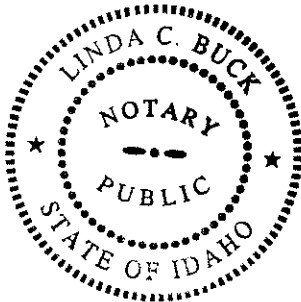
Fredric W. Price
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

June 13, 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 June 13th, 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: Jim D. Scarrow
Address: 3184 S 1900 E; Wendell, Idaho 83355

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

12/14/2006

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

RIGHT NUMBER: 63-3583
NAME AND ADDRESS: JIM D SCARROW
3184 S 1900 E
WENDELL ID 83355
SOURCE: GROUND WATER
QUANTITY: 1.500 CFS
472.50 APY

Mixed POUs:
-The place of use identified below contains both private and public lands.
-Please clarify such that only private land is intended.

TRIBUTARY:

The total instantaneous diversion of water from all points of diversion under Rights 63-3182, 63-3583, 63-7177, 63-7533, 63-31839, 63-31840, 63-31841, 63-31842, 63-31854 and 63-31855 shall not exceed 20.8 cfs, nor a total combined annual volume of 5185.5 af for the irrigation of 990 acres and dairy uses.

Rights 63-3583, 63-31841, 63-31842, 63-31854 and 63-31855 when combined shall not exceed a total diversion rate of 5.84 cfs.

PRIORITY DATE: 02/17/1967

POINT OF DIVERSION:

T06N R05W S23 NENE Within PAYETTE County
T06N R05W S23 NWNE Within PAYETTE County
T06N R05W S23 SWNE Within PAYETTE County
T06N R05W S23 NENW Within PAYETTE County
T06N R05W S23 SESW Within PAYETTE County
T06N R05W S23 NESE Within PAYETTE County
T06N R05W S23 NESE Within PAYETTE County
T06N R05W S23 SWSE Within PAYETTE County
T06N R05W S24 NWNW Within PAYETTE County

Rights 63-3182, 63-7177, 63-7533, 63-31839, 63-31840, 63-31841, 63-31842, 63-31854 and 63-31855 are also diverted through the points of diversion described above.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	1.500 CFS 472.50 APY

The use of water for irrigation under this right may begin as early as March 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 or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in PAYETTE County

T06N R05W S13	SWSW	40.00	T06N R05W S14	SWSW	37.00
T06N R05W S14	SESE	20.00	T06N R05W S15	SESE	39.00
T06N R05W S22	NENE	40.00	T06N R05W S22	NWNE	39.00
T06N R05W S22	SWNE	35.00	T06N R05W S22	SENE	40.00
T06N R05W S22	NENW	39.00	T06N R05W S22	SENW	39.00
T06N R05W S22	NESW	39.00	T06N R05W S22	SESW	39.00
T06N R05W S22	NESE	40.00	T06N R05W S22	NWSE	40.00

	T06N R05W S22	SWSE	40.00	T06N R05W S22	SESE	40.00	
	T06N R05W S23	NENE	11.00	T06N R05W S23	SWNE	32.00	
	T06N R05W S23	SENE	6.00	T06N R05W S23	NENW	10.00	
	T06N R05W S23	NWNW	40.00	T06N R05W S23	SWNW	40.00	
	T06N R05W S23	SENW	40.00	T06N R05W S23	NESW	40.00	
	T06N R05W S23	NWSW	37.00	T06N R05W S23	SESW	20.00	Mixed
Mixed	T06N R05W S23	NESE	23.00	T06N R05W S23	NWSE	40.00	
	T06N R05W S23	SWSE	20.00	T06N R05W S24	NWNW	18.00	
	T06N R05W S24	SWNW	7.00				

990 ACRES TOTAL

This right is limited to the irrigation of 105 acres within the place of use described above 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 - License

Failure of the right holder to comply with the conditions of Transfer 71619 is cause for the Director to rescind approval of the transfer.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

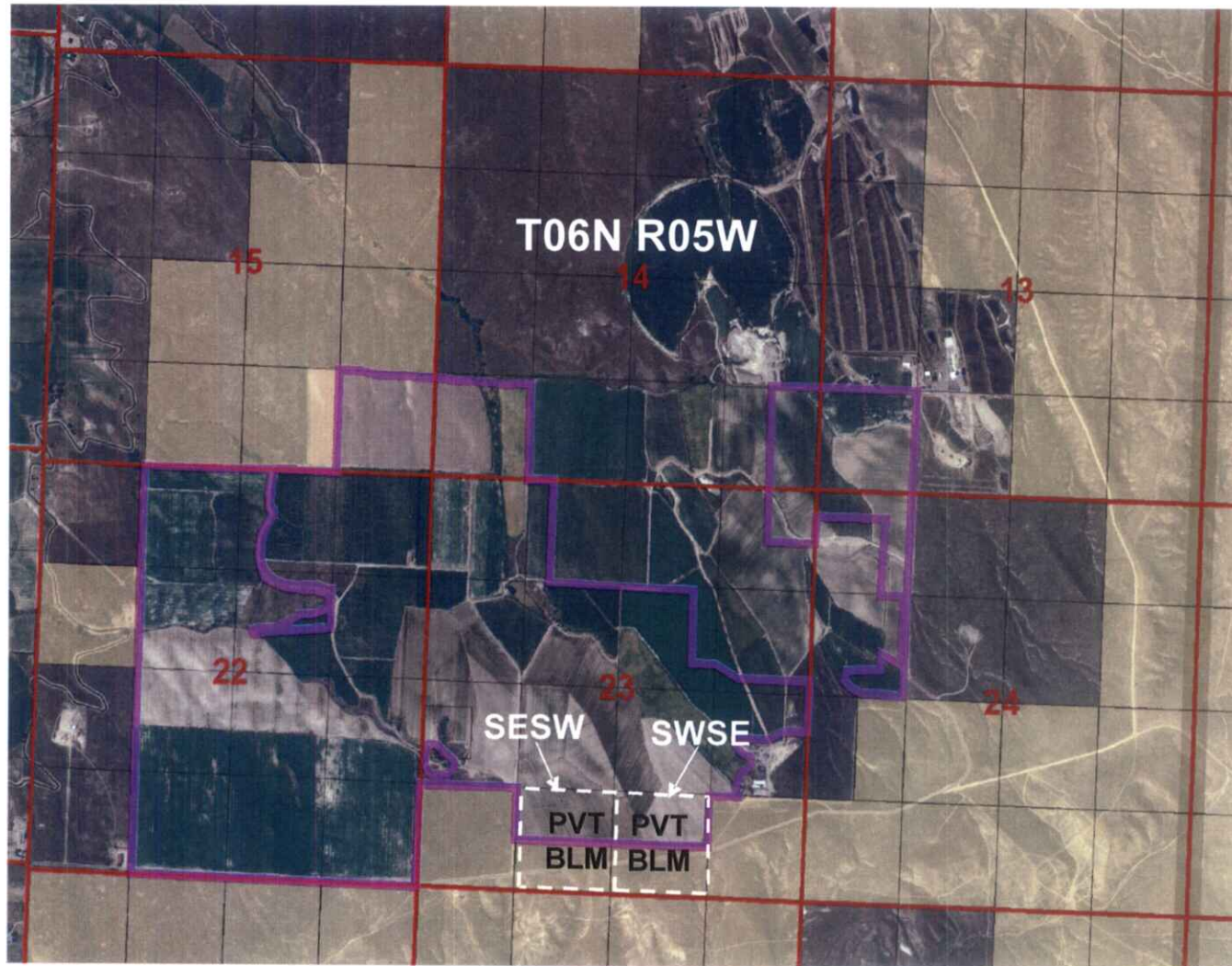
Stockwater use is for 16,598 dairy cattle.

Prior to diversion of water under Transfer 71619, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

The right holder shall accomplish the change authorized by Transfer 71619 within one year of the date of the approval.

63-03583, 63-07177, 63-31840, 63-31841, 63-31842, 63-31854, 63-318855
Jim D. Scarrow



Mixed POUs:

- The places of use T06N R05W S23 SESW & SWSE contains both private and public lands.
- Please clarify such that only private land is intended by inserting the following remark under place of use:
"The place of use does not include federal public land."

BCUSE DISTRICT SEC 3

MT PLAT

[illegible]

B 077550 Black Canyon Irrigation Dist (Act of
Cong 08/11/1916) affects land in
Secs 1,2,10,11,15,20,21,22,27,28,29,34,35

PL0 3016 04081903 Wolf Deer Flat NWR, all islands
in Snake River owned by the US
Since 0.7.18

Sec 27: SWNE
 IDI 3086 R&PP Landfill Lso Term 02/01/1994

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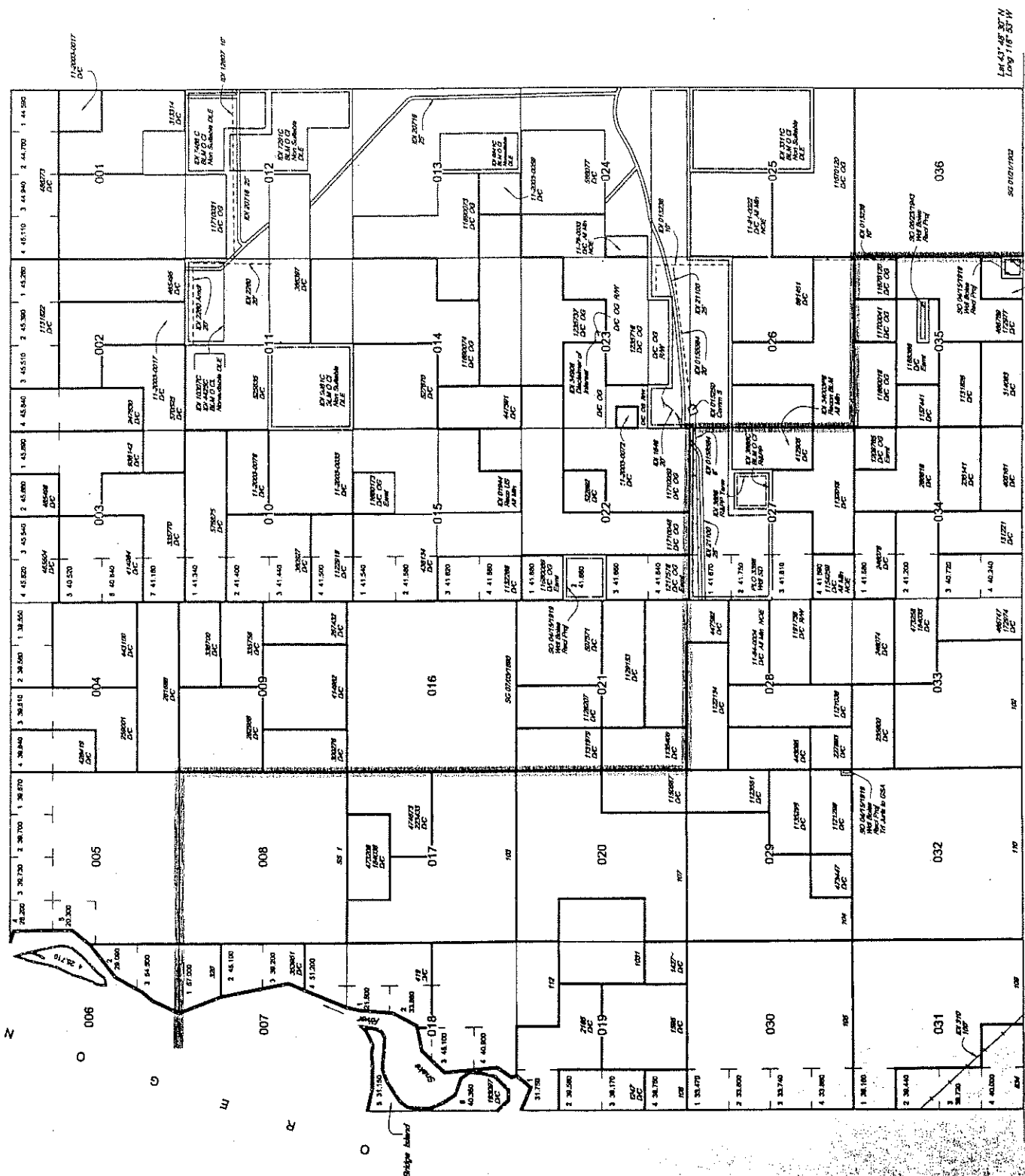
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CONVERTED DATE: 10/11/2009

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QACQ M: EG 3/2/07 QACQ PZ DWS
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BY: _____ PUBLIC LAND SURVEY SYSTEM (PLSS)

OTHER _____ N/A _____
PROJECTED COORDINATE SYSTEM: UTM ZONE 18N, NAD83
NOTE: _____

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CANYON COUNTY 027 PAYETTE COUNTY 075

This plot is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and Township Survey data. Recordation does not reflect the changes which may have been affected by lateral movements of river or other bodies of water. Refer to cadastral surveys.

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