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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re the General Adjudication
of Rights to the Use of Water
from the Snake River Basin
Water System

Case No. 34-04140
(You must insert the
water right number you
are objecting to)

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

OBJECTION RECEIVED

MAR 16 1993

Department of Water Resources
Adjudication Bureau

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

(Over)

OBJECTION - 1

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting

Name: Jim Scouter, Linda Scouter
Address: RT1 Box 128
Moore, Idaho 83255

Briefly describe your interest in this water right:

This claim is in error as there is a
prior right that supersedes it in all
respects.

2. Owner of the water right:

Name: U.S. Dept. of Interior, B.L.M.
Address: Idaho State Office
3380 Americana Terrace
Boise, Idaho 83706

3. If this objection is filed by an attorney:

Attorney Name: _____
Attorney Address: _____

Attorney Phone No.: _____

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☒ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☒ Source: I object to the source of water.
3. ☒ Quantity: I object to:
 - a. ☒ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☒ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☒ Priority Date: I object to the priority date.
5. ☒ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☒ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☐ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I object to:
 - a. ☐ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☐ Remarks: I object to the "remarks" listed with the water right.

(Over)

12. ☒ Water Right Recommendation: I object to:
- a. ☒ this water right being recommended at all; or
- b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☒ Other: I object to: The historical source of water
to fill the purpose of this claim is rising ground-
water.

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

Please refer to exhibit A -attached.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

The Director's report should be changed to recommend
disallowance of this claim.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 15 day of March, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

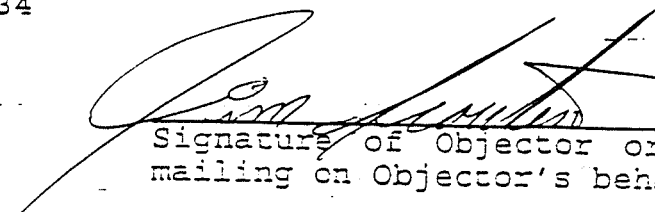
Owner name: United States of America
Owner's address: Bureau of Land Management
U.S. Dept. of Interior, Idaho State Office
3380 Americana Terrace
Boise, Idaho 83706-2544

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

4. One copy to: --

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Objector or attorney
mailing on Objector's behalf

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary.

Exhibit A- one page. Exhibit B- one page. Exhibit C-
one page.

VERIFICATION (Must be Completed)

State of Idaho

County of Butte

[Signature], being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

[Signature]
Signature of person filing objection

By: _____
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 14 day of March,
1993.

[Signature]
Notary Public for Idaho
Residing at: More
My Commission expires: 14th 3-1-93

REMARKS

REMARKS: THE CLAIMANT OBJECTS TO THIS WATER RIGHT RECOMMENDATION BECAUSE THE CLAIMANT HAS AN EARLIER PRIORITY DATE AND HAS USED THE WATER RIGHT EXCLUSIVELY SINCE THE WATER RIGHT WAS ESTABLISHED. THE CLAIMANT FOR THESE REASONS OBJECTS TO THE WATER RIGHT IN ITS ENTIRETY, INCLUDING THE NAME OF THE OWNER, SOURCE, PRIORITY DATE, PLACE OF USE, POINT OF DIVERSION/QUANTITY, AND PERIOD OF USE.

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

AJ5856NP

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
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TRIBUTARY: SINKS

SOURCE: BIG LOST RIVER

34-00823 EVERETT T. ACOR, JR.
RT 1, BOX 13
MOORE ID 83255

DECEED

1.6 CFS

05-01 10-15

06/01/1896 IRRIGATION

POINT OF DIVERSION:
T05N R26E S04
PLACE OF USE: IRRIGATION

WUSESE

WUSE 36.0

TOTAL QUANTITY: 1.6 CFS

REMARKS: RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
106.0 ACRES TOTAL
IDaho CODE 42-1416A.
WATER DELIVERED THROUGH MOORE DIVERSION, ISLAND DITCH.
USE OF THIS RIGHT WITH RIGHT NO. 34-00451B AND OTHER RIGHTS
LISTED THEREIN IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
2.47 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 265
AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 106 ACRES IN A
SINGLE IRRIGATION SEASON.

DECEED

.13 CFS

05-01 10-15

06/01/1896 IRRIGATION

POINT OF DIVERSION:
T05N R26E S04
PLACE OF USE: IRRIGATION

WUSESE

SESW 7.0

TOTAL QUANTITY: .13 CFS

REMARKS: WATER DELIVERED THROUGH MOORE DIVERSION, MOORE CANAL.
USE OF THIS RIGHT WITH RIGHT NO. 34-10378
IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 0.179 CFS AND TO A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 17.5 ACRE FEET AND TO THE IRRIGATION
OF A COMBINED TOTAL OF 7 ACRES IN A SINGLE IRRIGATION SEASON.

34-00880

JIM SCOUTEN
LINDA SCOUTEN
RT 1, BOX 128
MOORE ID 83255

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

AJ'S R-6NP

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
34-06100	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3580 AMERICANA TERRACE BOISE ID 83706	06/28/1934	STOCKWATER	01-01 12-31	.23	CFS BENEFICIAL USE
SOURCE: BIG LOSS RIVER						
TRIBUTARY: SINKS						
NON IRRIGATION-USES:						
STOCKWATER, 1000 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT						
POINT OF DIVERSION:						
102N R27E S01 LOT 1 (NENE) (B)						
103N R27E S20 SENE (B)						
102N R28E S01 NESE (E)						
103N R27E S35 SESE (E)						
PLACE OF USE: STOCKWATER						
102N R27E S01 Lot 1 (NENE)						
R28E NESW						
S02 NESE						
S03 SESW						
S04 SENE						
S05 NESE						
S06 SENW						
Lot 1 (NENE)						
Lot 2 (NENE)						
Lot 3 (NENE)						
Lot 4 (NENE)						
Lot 5 (NENE)						
Lot 6 (NENE)						
Lot 7 (NENE)						
Lot 8 (NENE)						
Lot 9 (NENE)						
Lot 10 (NENE)						
Lot 11 (NENE)						
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Lot 93 (NENE)						
Lot 94 (NENE)						
Lot 95 (NENE)						
Lot 96 (NENE)						
Lot 97 (NENE)						
Lot 98 (NENE)						
Lot 99 (NENE)						
Lot 100 (NENE)						

REMARKS: THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY

EXC

AJ5856NP

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

DATE: NOV 17 1992
PAGE: A-36

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
34-04040	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICAN TERRACE BOISE ID 83706	04/01/1958	WILDLIFE STORAGE	01-01 12-31	243.0	AFY

TRIBUTARY: SINKS

NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICAN TERRACE BOISE ID 83706	04/01/1958	WILDLIFE STORAGE	01-01 12-31	243.0	AFY
		STOCKWATER FROM STORAGE	01 01 12-31	20.1	AFY
		STOCKWATER STORAGE	01 01 12-31	243.0	AFY
		WILDLIFE FROM STORAGE	01-01 12-31	7.2	AFY
		DIVERSION TO STORAGE	01-01 12-31	.44	CFS
		TOTAL QUANTITY:		243.0	AFY

NON-IRRIGATION USES:

STOCKWATER, 2000 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

POINT OF DIVERSION:

102N R28E S11

PLACE OF USE: WILDLIFE STORAGE

SAME AS OTHER USE

PLACE OF USE: STOCKWATER FROM STORAGE

102N R28E S11	NESE	NUSE	SESE	SWSW
S13	NUNW	NUNW	NUSW	SENW
S14	NUNE	SUNE	SENE	SESW
	NESE	NUSE	SESE	SESW
S15	NESE	NUSE	SESE	
S23	NUNE	SUNE	SENE	NUNW
S24	SWNF	SENE	SENE	SWSW
	SI SW	SENE	SENE	SUSE
S25	SI SE	NESE	NESE	NI NW
	NI NE	NUSE	SENE	NUSW
	NUNW	SENE	SENE	
	SI SW	NUSE	NESE	

PLACE OF USE: STOCKWATER STORAGE

SAME AS OTHER USE

PLACE OF USE: WILDLIFE FROM STORAGE

SAME AS OTHER USE

PLACE OF USE: DIVERSION TO STORAGE

SAME AS OTHER USE

REMARKS:

THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.
BLM RECORD ID = 3403488096