3-19

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. 34-12468 (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 2 2 1993 Department of Water Resources Adjudication Bureau 34-12468 -0001/ 93-03-0513

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)

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: Lawrence Babcock, Trustee

Address: RR 1, Box 66

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. [X] Water Right Recommendation: I object to:

a. [X] 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. [X] Other: I object to: The prior exclusive use of this water includes irrigation and/or stockwater with a senior priority date.

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 Directors 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.

[X] 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~~ 5 page.

VERIFICATION (Must be Completed)

State of Idaho

County of Butte

Lawrence R Babcock, Trustee, 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.

Lawrence Babcock, Trustee
Signature of person filing objection

By: _____
(Attorney signing in representative capacity)

Subscribed and sworn to before me this 17 day of March, 1993.

Thomas D. Lamm
Notary Public for Idaho
Residing at: Arco
My Commission expires: 12-30-97

(Over)

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 17 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

Lawrence R. Babcock
Signature of Objector or attorney mailing on Objector's behalf

EXHIBIT A

REASONS: 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.

Exhibit 15

AJ5856WP

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

DATE: MAY-27-1992
PAGE: A-1710

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM	TO	MAXIMUM QUANTITY		BASIS OF CLAIM
	SOURCE: UNNAMED STREAM		TRIBUTARY: BECK CANYON					
34-02207	GRANITE TRUST ORGANIZATION PO BOX 66 MOORE ID 83255	03/10/1915	IRRIGATION	04-15	10-15	.5 87.5	CFS AFY	LICENSE
			STOCKWATER	04-15	10-15	.07	CFS	
				TOTAL QUANTITY:		.5 87.5	CFS AFY	
				CONSUMPTIVE USE:		62.5	AFY	

NON-IRRIGATION-USES:
STOCKWATER FOR 300 HEAD OF RANGE CATTLE
POINT OF DIVERSION:
T04N R25E S20 NENESE
S28 NENENW
S21 SWNESW (I)
SWNWSE (R)
PLACE OF USE: IRRIGATION

T04N R25E S21 NWSE 15.0 SWSE 10.0
25.0 ACRES TOTAL
PLACE OF USE: STOCKWATER
SAME AS OTHER USE
REMARKS: RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO IDAHO CODE 42-1416A.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO IDAHO CODE 42-1416A.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT TO IDAHO CODE 42-1416A.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO IDAHO CODE 42-1416A.
POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM BECK CANYON.
THE AMOUNT OF WATER DIVERTED FROM BECK CANYON SHALL BE REDUCED WHERE NECESSARY TO PREVENT INJURY TO APPROPRIATORS OF WATER DOWNSTREAM FROM THE POINT OF REDIVERSION.
SOURCES FOR THIS RIGHT ARE BECK CANYON TRIBUTARY TO SINKS AND UNNAMED STREAM TRIBUTARY TO BECK CANYON.

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM	TO	MAXIMUM QUANTITY		BASIS OF CLAIM
	SOURCE: UNNAMED STREAM		TRIBUTARY: SINKS					
34-04173	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	06/28/1934	STOCKWATER	01-01	12-31	.03	CFS	BENEFICIAL USE
				TOTAL QUANTITY:		.03	CFS	

NON-IRRIGATION-USES:
STOCKWATER, 91 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

POINT OF DIVERSION:
T04N R25E S29 SWNESE (B)
S21 SESESW (E)

PLACE OF USE: STOCKWATER

T04N R25E S21 SESW
S28 NENW NWNW SWNW NWSW
S29 NESE

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 = 3403488138

Exhibit C

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM	TO	MAXIMUM QUANTITY		BASIS OF CLAIM
	SOURCE: SPRING		TRIBUTARY: SINKS					
34-12467	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	01/01/1884	STOCKWATER	01-01	12-31	.02	CFS	BENEFICIAL USE
				TOTAL QUANTITY:		.02	CFS	

NON-IRRIGATION-USES:
STOCKWATER, 4 HORSES, 100 RANGE CATTLE
POINT OF DIVERSION:
T04N R25E S09 SENESW
PLACE OF USE: STOCKWATER

T04N R25E S09 NESW
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 = 3403480044

34-12468	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	01/01/1884	STOCKWATER	01-01	12-31	.03	CFS	BENEFICIAL USE
				TOTAL QUANTITY:		.03	CFS	

NON-IRRIGATION-USES:
STOCKWATER, 91 RANGE CATTLE.
POINT OF DIVERSION:
T04N R25E S28 NWSWNW
PLACE OF USE: STOCKWATER

T04N R25E S28 SWNW
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 = 3403480045

Exhibit C

AJ5856NP

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

DATE: NOV-17-1992
PAGE: A-1233

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM	TO	MAXIMUM QUANTITY		BASIS OF CLAIM
	SOURCE: UNNAMED STREAM		TRIBUTARY: BECK CANYON CREEK					
34-04178	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	06/28/1934	STOCKWATER	01-01	12-31	.03	CFS	BENEFICIAL USE
				TOTAL QUANTITY:		.03	CFS	

NON-IRRIGATION-USES:
STOCKWATER, 91 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

POINT OF DIVERSION:

T04N R25E	S21	NWSWSW	(B)
	S29	SWNWNE	(B)
		SENWSW	(B)
	S21	SENESW	(E)
	S29	NENWNE	(E)
		NESENW	(E)

PLACE OF USE: STOCKWATER

T04N R25E	S21	NESW	NWSW	SWSW	
	S29	NWNE	SENW	NESW	NWSW

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 = 3403488143

Exhibit C

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM	TO	MAXIMUM QUANTITY		BASIS OF CLAIM
	SOURCE: SPRING		TRIBUTARY: SINKS					
34-12467A	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	04/17/1926	STOCKWATER	01-01	12-31	.02	CFS	RESERVED
			STOCKWATER	01-01	12-31	.03	CFS	
				TOTAL QUANTITY:		.05	CFS	

NON-IRRIGATION-USES:
4 HORSES, 100 RANGE CATTLE
POINT OF DIVERSION:
T04N R25E S09 SENESW
PLACE OF USE: STOCKWATER

T04N R25E S09 NESW
PLACE OF USE: STOCKWATER
SAME AS OTHER USE
REMARKS: BLM RECORD ID = 3403480044
FIRST DATE OF BENEFICIAL USE - 1884; WATER ALSO FEDERALLY RESERVE
BY EXECUTIVE ORDER DATED APRIL 17, 1926, PWR NO. 107

34-12468A	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	04/17/1926	STOCKWATER	01-01	12-31	.03	CFS	RESERVED
				TOTAL QUANTITY:		.03	CFS	

NON-IRRIGATION-USES:
91 RANGE CATTLE
POINT OF DIVERSION:
T04N R25E S28 NWSWNW
PLACE OF USE: STOCKWATER

T04N R25E S28 SWNW
REMARKS: BLM RECORD ID = 3403480045
FIRST DATE OF BENEFICIAL USE - 1884; WATER ALSO FEDERALLY RESERVE
BY EXECUTIVE ORDER DATED APRIL 17, 1926, PWR NO. 107

Exhibit C

AJ5856NP

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

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM	TO	MAXIMUM QUANTITY		BASIS OF CLAIM
	SOURCE: BECK CANYON CREEK		TRIBUTARY: SINKS					
34-04169	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	06/28/1934	STOCKWATER	01-01	12-31	.12	CFS	BENEFICIAL USE
				TOTAL QUANTITY:		.12	CFS	

NON-IRRIGATION-USES:
STOCKWATER, 479 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

POINT OF DIVERSION:

T04N R24E S25	SWNE	(B)
R25E S21	NESW	(E)

PLACE OF USE: STOCKWATER

T04N R24E S25	NENE	SWNE	SENE	
R25E S19	SESW	NESE	SWSE	SESE
S20	SENE	NESW	SWSW	SESW
	NESE	NWSE		
S21	SWNW	NESW	NWSW	
S30	NENW	NWNW		

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 = 3403488134