

7-6

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 35976

Case No. 34-02452

(Insert water right number)

STANDARD FORM 1

OBJECTION

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. To object to more than one water right, you must file a separate objection form for each. The water right number you are objecting to must be indicated above in the blank space following "Case No." 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 SRBA Court no later than 14 days before the filing deadline to file their pleadings.

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. *Party/Claimant objecting:*

Name: ALBERT C. BABCOCK/MARK G. BABCOCK

Address: RT 1, BOX 76

MOORE, ID 83255

Phone: Work: _____ Home: (208) 527-3394

Briefly describe your interest in this water right:

CLAIMANT

If this objection is filed by an attorney:

Attorney Name: WILLIAM R. HOLLIFIELD

Attorney Address: P.O. BOX 66, TWIN FALLS, IDAHO 83303

Attorney Phone No.: (208) 734-5610

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

2. *Owner of the water right. You must identify the owner exactly as it appears in the Director's Report:*

Name: ALBERT C. BABCOCK / MARY G. BABCOCK

Address: RT 1, BOX 76, MOORE, ID 83255

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. Water Right Recommendation: I object to:
 - ☐ a. this water right being recommended at all; or
 - ☐ b. this water right not being recommended.
12. ☐ Description of Reservation: I object to the legal description of the reservation.

13. ☒ Other: I object to: REMARKS

REASONS SUPPORTING EACH BOX CHECKED

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

~~CHANGES ARE NECESSARY TO REFLECT A SETTLEMENT REACHED IN A RELATED~~

SUBCASE. THE DIRECTORS REPORT SHOULD BE CHANGED AS SHOWN ON THE ATTACHMENT

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.

SEE ATTACHED

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

☐ 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.

DRAFT DIRECTOR'S REPORT FOR RIGHT NO. 34-02452

VERIFICATION (Must be Completed)

State of _____

County of _____

Alton E. Beck, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection (as listed on Page 2, Section 2, "Party/Claimant Objecting") as defined by I.C. § 42-1401A(1) and (7), and that I have read this objection, know its contents and that the statements are true to the best of my knowledge and belief.

/
Signature of person filing objection

F.P. A.
By: Attorney signing in representative capacity

Subscribed and sworn to before me on: 07-

Debbie L. Otero
Notary Public for Idaho
Residing at: Twin Falls
My Commission expires: 10-16-98

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 all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I hereby certify that on _____, 199__, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or 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 at the following address:

Name: ALBERT C. BABCOCK
Address: RT 1, BOX 76
MOORE, ID 83255

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 033
Boise, Idaho 83734

Signature of party/claimant or attorney

AJ5856NP

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

DATE: JUN-05-1995
PAGE: A-1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
34-02452	ALBERT C BABCOCK MARY G BABCOCK RT 1 BOX 76 MOORE ID 83255	08/01/1961 03/27/1963	IRRIGATION	04-15 10-15	1.68 23413	CFS BENEFICIAL USE AFY 170688
SOURCE: GROUNDWATER						
TRIBUTARY:						
POINT OF DIVERSION: T05N R26E S33 PLACE OF USE: IRRIGATION 104N R26E S03 67.0 ACRES TOTAL						
REMARKS: WATER DELIVERED THROUGH WESTSIDE EAST DITCH. USE OF THIS RIGHT WITH RIGHT NO. 34-00050E IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.91 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 167.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 67 ACRES IN A SINGLE IRRIGATION SEASON. 0.34 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT AND RIGHT NO. 34-00050E. RIGHT NO. 34-02404 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. THIS RIGHT MAY BE USED IN COMBINATION WITH RIGHT NO. 34-02404 IN ROTATION ON THE PLACE OF USE DESCRIBED ABOVE WHEN BOTH THIS RIGHT AND RIGHT NO. 34-02404 ARE USED ON THE RESPECTIVE PLACE OF USE OF EACH RIGHT IN THE SAME IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 34-02404 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.08 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 572.7 AF.						
TOTAL QUANTITY: 1.68 CFS TOTAL VOLUME: 23413 AFY						
NESW 4.0 NWSW 5.0 SWSW 36.0 SESW 22.0						

