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APR 29 2019

DEPARTMENT OF
WATER RESOURCES

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

In Re CSRBA

Case No. 49576

A.

Subcase

95-9676

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: TIMOTHY A. WATSON

Address: 32 WATSON WAY

BLANCHARD, ID 83804

Daytime Phone: 208-946-1723

Name & Address of Attorney, if any:

N/A

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

Name: TIMOTHY A WATSON

Address: 34 WATSON WAY

BLANCHARD, ID 83804

D. I object to the following elements or general provision 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 of Diversion**
Should be: INCLUDED AT SW1/4 SW1/4, Section 8, T54N R5W
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☒ **Period of Year**
Should be: 01/01 12/31 WHENEVER STREAM IS FLOWING
9. ☒ **Place of Use**
Should be: T54N R05W NESW
T54N R05W SWSW, T54N R05W E2E2 NWSW
10. ☐ **General Provision** ☐ Individual Water Right ☐ All Water Rights
☐ Should not be recommended.

☐ This general provision was not recommended but should be recommended as described below.
Should be: _____

☐ General provision was recommended but should be modified as described below.
Should be: _____

11. ☐ I object because the recommendation contains an accomplished transfer under Idaho Code § 42-1425 resulting in injury to my water right(s) and/or enlargement of the original right.
12. ☒ 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): _____

SEE ATTACHED INFORMATION SHEET

Timothy A. Waters

(Signature of person filing objection)

(Attorney signing in representative capacity)

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.

F. CERTIFICATE OF MAILING

I certify that on APRIL 27, 2019, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to: Clerk of the District Court
Coeur d'Alene-Spokane 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: TIMOTHY A WATSON
Address: 32 WATSON WAY
BLANCHARD, ID 83804

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0010

Timothy A Watson
Signature of Objector or attorney
mailing on Objector's behalf

April 27, 2019

To Whom it may concern:

E: REASONS SUPPORTING OBJECTIONS:

#5 Our SWSW Diversion Point was denied because your topography maps and the old 1911 claim said the creek sinks in section NWSW. But the fact that water floods the powerline below that shows that is NOT CORRECT.

I asked to have someone come out to verify this, but no one came. Arial photo maps show the water sitting in SWSW section at the powerline. We have lots of pictures also that show it in that section with numbered powerline poles in the water.

Most of our land is in Forestland status. We have had two or more lodgepole harvestings from the SWSW section since 1975 in part because of the amount of water that sinks there, helping the trees grow quickly.

Because of the clear-cutting harvest above us on the mountain, the snow now melts too fast for the creek to stay in its normal channels. So we have had to make changes here and there to prevent flood damage in some areas.

Our father had some diversion points back in the 40's that he used; then again in 1976 to divert some of the water to other areas of trees. I guess that would be Beneficial Use (historical) method for basis of claim. And I would suppose that would be the same for the SWSW Diversion Point that I started working on in 2003.

#8 Depending on the weather for sure each year, but these last three years has had our cement dam colvert overflowing in MARCH. Whenever the creek is running we would like to get it to the trees, not just let it sink in one place, but spread it out to more trees.

#9 A percentage of this water right will be given to Rozanne Hazel Little and Carl Gene Thorsheim Jr to use in their section T54N R05W E2E2NWSW when this all gets figured out.

I see new parcel numbers have been added that were not originally on. Our sister Grace Ellen Dolly's portion of section NWSW, according to our older siblings, was never irrigated back in the 40's or 50's before the folks moved to Seattle. Nor after retiring and returning in 1975, it was never irrigated that side of the creek except if the creek flooded, but even then it was not to that area.