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AUG 23 2021

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 PRBA

Case No. 59576

A.

Subcase

87-7202B
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

Richard Tuck

Address:

3071 W. Twin Rd
Moscow ID, 83843

Daytime Phone:

208-882-1791

Name & Address of Attorney, if any:

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

Name:

Richard Tuck

Address:

3071 W. Twin Rd
Moscow ID, 83843

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: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☒ **Purpose(s) of Use**
Should be: Stock water use is for 4 horses.
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
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):

I drilled the well in 1994
and have had 4 horses
using the well water

Richard Tuck

(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 Aug 17, 2021 I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to: Clerk of the District Court
Palouse 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:

Address:

NA -

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

Richard Luch
Signature of Objector or attorney
mailing on Objector's behalf

07/28/2021

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

RIGHT NUMBER: 87-7202B

NAME AND ADDRESS: RICHARD TUCK
3071 W TWIN RD
MOSCOW ID 83843

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
1.30 AFY

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/12/1997

POINT OF DIVERSION: T40N R05W S33 NENE Within LATAH County

PURPOSE AND PERIOD OF USE: This right does not grant any right-of-way or easement across the land of another.

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1 /1 12/31	0.030 CFS
		1.20 AFY
STOCKWATER	1 /1 12/31	0.010 CFS
		0.10 AFY

Domestic use is for 1 home.

PLACE OF USE:

DOMESTIC in LATAH County
T40N R05W S33 NENE
STOCKWATER in LATAH County
T40N R05W S33 NENE

The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed.

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. Idaho Code § 42-1412(6).

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Place of use is located within Lot 1, Tuck Subdivision.

This right is a split from former right 87-7202.

Parcel No. RP018640000020 for Point of Diversion
Parcel No. RP018640000010 for Place of Use

Right No. 87-7202A is also diverted through the point of diversion described above.

Stockwater use is for 2 horses.

Point of diversion is located within Lot 2, Tuck Subdivision.

Should be 4