

RECEIVED

APR 28 2025

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 CFPRBA)

A. Subcase 97-7234

(Insert water right number)

Case No. 69576)

STANDARD FORM 1
OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Emma M. Scott Declaration of Trust
Name: Larry G. Scott Declaration of Trust

Address: 6324 Trevarton Lane, Longmont, CO 80503

Daytime Phone: _____

Name & Address of Attorney, if any:

John A. Finney

120 E. Lake Street, Ste. 317

Sandpoint, ID 83864

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

Name: Bryce & Marissa Humphrey

Address: PO Box 1153

Priest River, ID 83856-1153

SCANNED

APR 28 2025

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: 1 home only - See Narrative

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:**

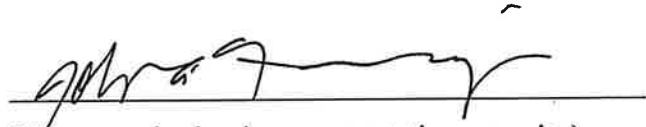
☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): _____

See attached Narrative.

(Signature of person filing objection)



(Attorney signing in representative capacity)

John A. Finney, Attorney
for Persons Objecting

4/23/2025

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 23, 2025, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to: Clerk of the District Court
Clark Fork – Pend Oreille River Basins 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: Bryce & MariSSa Humphrey

Address: PO Box 1153

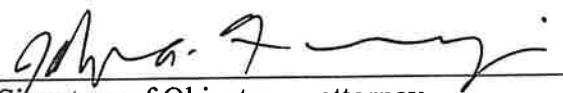
Priest River, ID 83856-1153

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



Signature of Objector or attorney
mailing on Objector's behalf

NARRATIVE

(Attached to In Re: CFPRBA Case No. 69579)
(Objections: 97-8480 & 97-7234)

EMMA M. SCOTT, or her successor, as Trustee under the Emma M. Scott Declaration of Trust dated April 27, 1998 and LARRY G. SCOTT, or his successor, as Trustee under the Larry G. Scott Declaration of Trust dated April 27, 1998, as successors in interest to George Naccarato and successors in interest to Otho and Marie Savage, are the holders of Claim ID 97-2006 with a priority date of 10/15/1917, consisting of spring water collection via wells/boxes to a cistern system to a residence.

In 1970, an additional connection was made to the collection and cistern system to serve a residence on the real property owned by Laurence D. Wright and Gladys Faye Wright. An Agreement was recorded April 13, 1970, as Instrument No. 126798, records of Bonner County, Idaho, between Savage and Wright regarding the connection and water to the one additional residence.

In 1978, an additional connection was made to the collection and cistern system to serve a residence on real property owned by Otho and Marie Savage, which was located on the south side of East Settlement Road. The connection was made to the south side from the residence and real property on the north side of the county road at that time.

In 1983, Water Right License 97-7234 was issued to Marie Savage and Gladys Wright to serve 2 residences. One residence was the Wright residence that had been attached in 1970. The other residence was the Savage residence that had been attached in 1978. These were in addition to the one residence then owned by Scott with Water Right 97-2006.

In approximately 2009, the Savage residence was sold and it was disconnected from the Scott house and system, and a well was drilled to serve the former Savage residence. Claim ID 97-9165 was made for that well serving the residence in this water rights adjudication by Patrick Lee Cox, which is recommended for approval by the Department of Water Resources. Patrick Lee Cox made no claim to Water Right License 97-7234.

In this water rights adjudication, Kevin L. Tucker and Kathy M. Tucker made a claim for the water that served what had been the Wright residence pursuant to the 1970 Agreement, using Claim ID 97-8480. This is the same residence served as indicated in Claim ID 97-7234. Tucker then sold the property to Bryce M. Humphrey and Marissa A. Humphrey.

LARRY G. SCOTT, or his successor, as Trustee under the Larry G. Scott Declaration of Trust dated April 27, 1998 and EMMA M. SCOTT, or her successor, as Trustee under the Emma M. Scott Declaration of Trust dated April 27, 1998, are successors-in-interest to Savage (the parties of the second part) and BRYCE M. HUMPHREY and MARISSA A. HUMPHREY, husband and wife, are successors-in-

interest to Wright (the parties of the first part). Scott and Humphrey terminated the Agreement, recorded April 13, 1970, records of Bonner County, Idaho, by a Termination of Agreement, recorded July 29, 2024 as Instrument No. 1036227, records of Bonner County, Idaho, a true and correct copy of which is attached hereto consisting of 5 pages.

The Department of Water Resources recommends approval for BRYCE M. HUMPHREY and MARISSA A. HUMPHREY, of Claim ID 97-7234 for domestic use of 2 homes. Only one home exists on the Humphrey property and only one domestic use existed or exists on the Humphrey property. One domestic use for a residence should be approved in this adjudication with Claim ID 97-7234.

The Department of Water Resources recommends approval for BRYCE M. HUMPHREY and MARISSA A. HUMPHREY, of Claim ID 97-8480 for domestic use of one home and for stockwater. Only one home exists on the Humphrey property and only one domestic use existed or exists on the Humphrey property. No stockwater use exists. One domestic use for a residence should be approved in this adjudication only by Claim ID 97-7234. Claim ID 97-8480 is duplicative and should be disallowed.

Instrument # 1036227
Bonner County, Sandpoint, Idaho
07/29/2024 12:10:24 PM No. of Pages: 5
Recorded for: FINNEY FINNEY & FINNEY, P.A.
Michael W. Rosedale Fee: \$23.00
Ex-Officio Recorder Deputy bcentorbi
Index to: MISC

Recorded By:

Above Space for Recorder's Use.

JOHN A. FINNEY
FINNEY FINNEY & FINNEY, P.A.
Attorneys at Law
Old Power House Building
120 East Lake Street, Suite 317
Sandpoint, Idaho 83864
(208) 263-7712

TERMINATION OF AGREEMENT

(Bonner County Instrument No. 126798)

WHEREAS, BRYCE M. HUMPHREY and MARISSA A. HUMPHREY, husband and wife, are successors-in-interest to Wright (the parties of the first part) and, subject to a secured indebtedness (Deed of Trust Bonner County Instrument No. 1012818) in favor of KEVIN L. TUCKER and KATHY M. TUCKER, husband and wife, as beneficiary, and SECURED LAND TRANSFERS, LLC, a Delaware limited liability company, doing business as TITLEONE, as Trustee, are the owners of certain real property described in that certain Agreement, recorded April 13, 1970, records of Bonner County, Idaho;

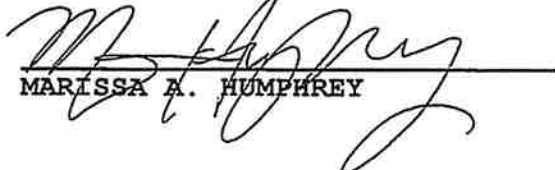
WHEREAS, LARRY G. SCOTT, or his successor, as Trustee under the Larry G. Scott Declaration of Trust dated April 27, 1998 and EMMA M. SCOTT, or her successor, as Trustee under the Emma M. Scott Declaration of Trust dated April 27, 1998, are successors-in-interest to Savage (the parties of the second part) and are the owners of certain real property described in that certain Agreement, recorded April 13, 1970, records of Bonner County, Idaho;

WHEREAS the parties have completed a boundary line adjustment of their parcels based upon recent survey work and have physically severed and separated the shared components of the water system subject to the recorded Agreement based upon the adjusted property line;

KNOW ALL MEN BY THESE PRESENTS, that each of the parties set forth above, hereby terminate and extinguish that certain Agreement, recorded April 13, 1970, records of Bonner County, Idaho, resulting in and confirming in the respective owners of the respective parcels all rights to water, water rights, and water works upon their respective parcels that were formerly subject to the terms of the Agreement for a shared water system.

IN WITNESS WHEREOF, the Parties have hereunto set their hands on this 7th day of June, 2024.

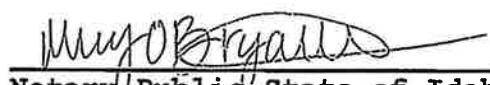

BRYCE M. HUMPHREY


MARISSA A. HUMPHREY

STATE OF IDAHO)
 : ss.
County of Kootenai)

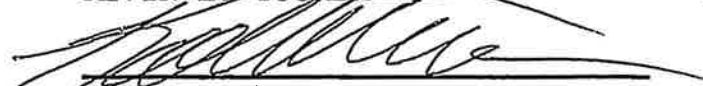
On this 7th day of June, 2024, before me, the undersigned Notary Public, personally appeared BRYCE M. HUMPHREY and MARISSA A. HUMPHREY, known to me, or proved to me on the basis of satisfactory evidence, to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

MOLLY O'BRYANT
Notary Public - State of Idaho
Commission Number 20233005
My Commission Expires 07-24-2029


Notary Public - State of Idaho
Residing at: Coeur d'Alene, ID
My Commission Expires: 07-24-2029

IN WITNESS WHEREOF, the Parties have hereunto set their hands on this 5 day of June, 2024.

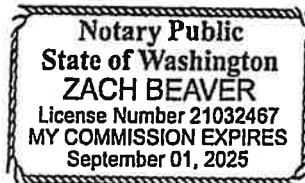

KEVIN L. TUCKER

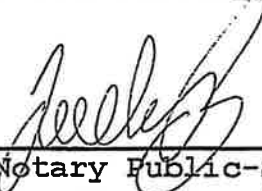

KATHY M. TUCKER

STATE OF WA,

County of Benton; ss.

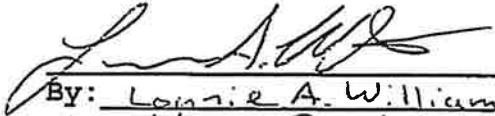
On this 5th day of June, 2024, before me, the undersigned Notary Public, personally appeared KEVIN L. TUCKER and KATHY M. TUCKER, known to me, or proved to me on the basis of satisfactory evidence, to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.




Notary Public-State of WA
Residing at: Benton County
My Commission Expires: 09-01-2025

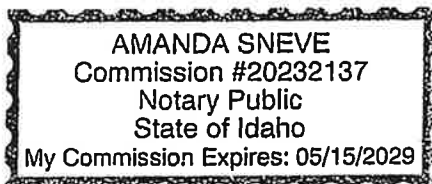
IN WITNESS WHEREOF, the Parties have hereunto set their hands on this 26 day of July, 2024.

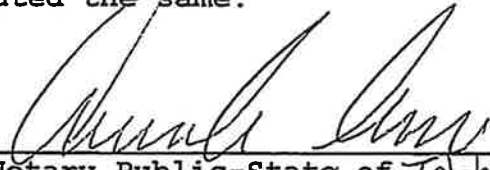
SECURED LAND TRANSFERS, LLC,
a Delaware limited liability
company, doing business as
TITLEONE


By: Lonnie A. Williams
Its: Vice President

STATE OF Idaho
County of Nez Perce ss.

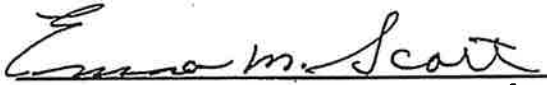
On this 26 day of July, 2024, before me, the undersigned Notary Public, personally appeared Lonnie A. Williams who proved to me on the basis of satisfactory evidence, to be the Manager of the limited liability company that executed the instrument or the person who executed the instrument on behalf of the limited liability company and acknowledged to me that such limited liability company executed the same.




Notary Public-State of Idaho
Residing at: Latah County
My Commission Expires: 05/15/2029

IN WITNESS WHEREOF, the Grantors have hereunto set their hands on this 7 day of June, 2024.

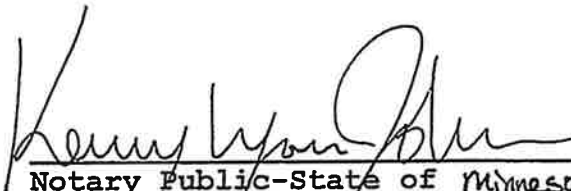

LARRY G. SCOTT, or his
successor, as Trustee under
the Larry G. Scott
Declaration of Trust dated
April 27, 1998


EMMA M. SCOTT, or her
successor, as Trustee under
the Emma M. Scott Declaration
of Trust dated April 27, 1998

STATE OF Minnesota)
 : ss.
County of Koochiching)

On this 7th day of June, 2024, before me, the undersigned Notary Public, personally appeared LARRY G. SCOTT and EMMA M. SCOTT, known to me, or proved to me on the basis of satisfactory evidence, to be the persons whose names are subscribed to the within instrument as Trustee under the Larry G. Scott Declaration of Trust dated April 27, 1998 and as Trustee under the Emma M. Scott Declaration of Trust dated April 27, 1998 and acknowledged to me that they executed the same as such Trustees of their Trust.




Notary Public-State of Minnesota
Residing at: Koochiching county
My Commission Expires: 01-31-2029