

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. 34-04190
(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,

OBJECTION

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.

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)

OBJECTION - 1

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:

LeAnne Waddoups
Wade Waddoups...

Address:

Rt 1 Box 20

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. ☒ Water Right Recommendation: I object to:
- a. ☒ 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. ☒ Other: I object to: The historical source of water
to fill the purpose of this claim is rising ground-
water.

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 Director's 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.

☒ 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 page.

VERIFICATION (Must be Completed)

State of Idaho

County of Butte

Kelene Waddoups
Kelene Waddoups, 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.

Kelene Waddoups
Signature of person filing objection

By: Kelene Waddoups
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 15 day of March,
1993.

Karen A. Waddoups
Notary Public for Idaho
Residing at: More
My Commission expires: April 30, 1993

(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 15 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

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.

AJ5856NP

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

DATE: MAY-27-1992
PAGE: A-381

RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATE

PURPOSE OF USE
FROM TO

PERIOD OF USE
FROM TO

MAXIMUM
QUANTITY

SOURCE: BIG LOST RIVER

TRIBUTARY: SINKS

BASIS OF CLAIM

34-00890A LE ANNE WADDICUPS

WADE WADDICUPS
RT. 1 BOX 20
MOORE ID 83255

06/01/1889 IRRIGATION

05-01 10-15

.2

CFS

DECREED

POINT OF DIVERSION:
T05N R26E S04

PLACE OF USE: IRRIGATION

MUSESE

TOTAL QUANTITY:
CONSUMPTIVE USE:

.2

CFS

AFY

T04N R26E S18

20.7 ACRES TOTAL

MUNE 13.6

SUNE 7.1

34-00890B

MARY KEITH JOHNSON
2654 N. 25TH E.
IDAHO FALLS ID 83401

06/01/1889 IRRIGATION

05-01 10-15

.544

CFS

DECREED

POINT OF DIVERSION:
T05N R26E S04

PLACE OF USE: IRRIGATION

MUSESE

TOTAL QUANTITY:
CONSUMPTIVE USE:

.544

CFS

AFY

T04N R26E S19

28.0 ACRES TOTAL

MUNE 28.0

REMARKS: WATER IS DELIVERED THROUGH MOORE DIVERSION.

34-00890C

CLYDE SMITH
R. WANDA SMITH
P.O. BOX 827
ARCO ID 83213

06/01/1889 IRRIGATION

05-01 10-15

.2

CFS

DECREED

POINT OF DIVERSION:
T05N R26E S04

PLACE OF USE: IRRIGATION

MUSESE

TOTAL QUANTITY:
CONSUMPTIVE USE:

.2

CFS

AFY

T04N R26E S18

13.0 ACRES TOTAL

SUNE 11.0

MUNE 2.0

REMARKS: WATER DELIVERED THROUGH MOORE DIVERSION, MOORE CANAL.

EX. C

RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATEPURPOSE OF USE
PERIOD OF USE
FROM TOMAXIMUM
QUANTITY

BASIS OF CLAIM

SOURCE: BIG LOST RIVER

TRIBUTARY: SINKS

34-06040

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

06/01/1958 WILDLIFE

STORAGE

01-01 12-31

243.0

AFY

STOCKWATER FROM 01-01 12-31
STORAGE

20.1

AFY

STOCKWATER

01-01 12-31

243.0

AFY

WILDLIFE FROM 01-01 12-31

STORAGE

7.2

AFY

DIVERSION TO 01-01 12-31

STORAGE

.44

CFS

TOTAL QUANTITY:

.44

CFS

243.0

AFY

NON-IRRIGATION-USES:

STOCKWATER, 2000 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

POINT OF DIVERSION:

102N R28E S11

NWNSE

PLACE OF USE: WILDLIFE STORAGE

SAME AS OTHER USE

PLACE OF USE: STOCKWATER FROM STORAGE

102N R28E S11

NESE

NUSE

SESE

SWSU

SENU

SESU

SENU

SESU

S14

NWNSE

NUSE

SESE

SWSU

SENU

SESU

SENU

SESU

S15

NESE

NUSE

SESE

SWSU

SENU

SESU

SENU

SESU

S23

NWNSE

NUSE

SESE

SWSU

SENU

SESU

SENU

SESU

S24

NWNSE

NUSE

SESE

SWSU

SENU

SESU

SENU

SESU

S25

NWNSE

NUSE

SESE

SWSU

SENU

SESU

SENU

SESU

PLACE OF USE: STOCKWATER STORAGE

SAME AS OTHER USE

PLACE OF USE: WILDLIFE FROM STORAGE

SAME AS OTHER USE

PLACE OF USE: DIVERSION TO STORAGE

SAME AS OTHER USE

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 = 3403488096

AJ5856NP

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

DATE: NOV-17-1992
PAGE: A-34

RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATE

PURPOSE OF USE
FROM TO

MAXIMUM
QUANTITY

BASIS OF CLAIM

SOURCE: BIG LOST RIVER

TRIBUTARY: SINKS

34-04190

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

.23

CFS

BENEFICIAL USE

NON-IRRIGATION-USES:

TOTAL QUANTITY:

.23

CFS

STOCKWATER, 1000 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT
POINT OF DIVERSION:

102N R27E S01 LOT 1 (NENE) (B)
103N R27E S20 SENE (B)
102N R28E S01 NESE (E)
103N R27E S35 SESE (E)
PLACE OF USE: STOCKWATER

102N R27E S01 Lot 1 (NENE)

SENE

SWSW

SESW

R28E

NESE

SWSW

SWSW

SESW

S02

SESE

SWSW

SWSW

SESW

S03

SWSW

SESW

SESW

SESW

S04

SWSW

SESW

SESW

SESW

S05

SESE

SESW

SESW

SESW

S06

SESE

SESW

SESW

SESW

S09

SESE

SESW

SESW

SESW

S10

SESE

SESW

SESW

SESW

S11

SESE

SESW

SESW

SESW

S12

SESE

SESW

SESW

SESW

103N R27E S20

SESE

SESW

SESW

SESW

S21

SESE

SESW

SESW

SESW

S22

SESE

SESW

SESW

SESW

S26

SESE

SESW

SESW

SESW

S27

SESE

SESW

SESW

SESW

S28

SESE

SESW

SESW

SESW

S35

SESE

SESW

SESW

SESW

REMARKS: THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY

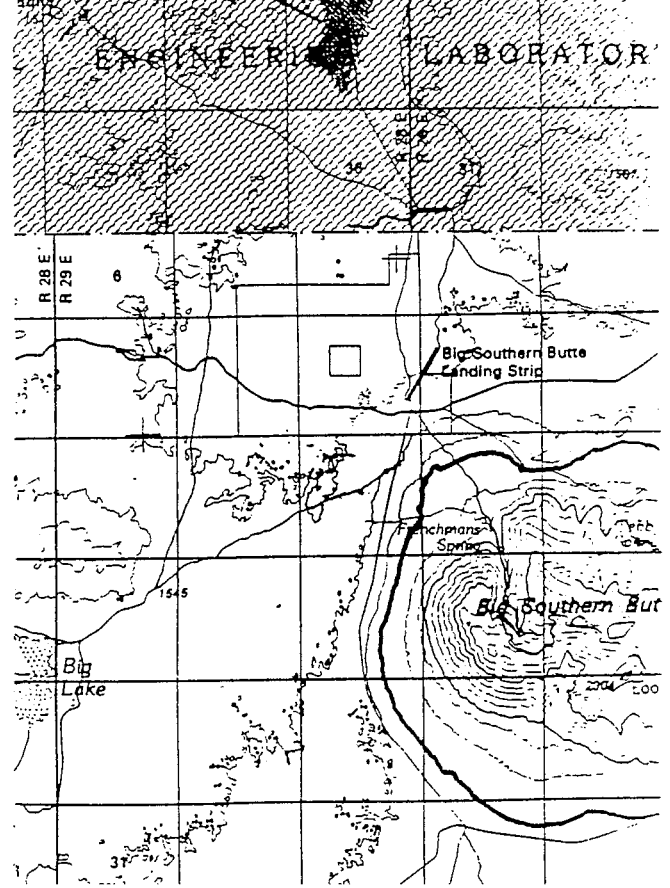
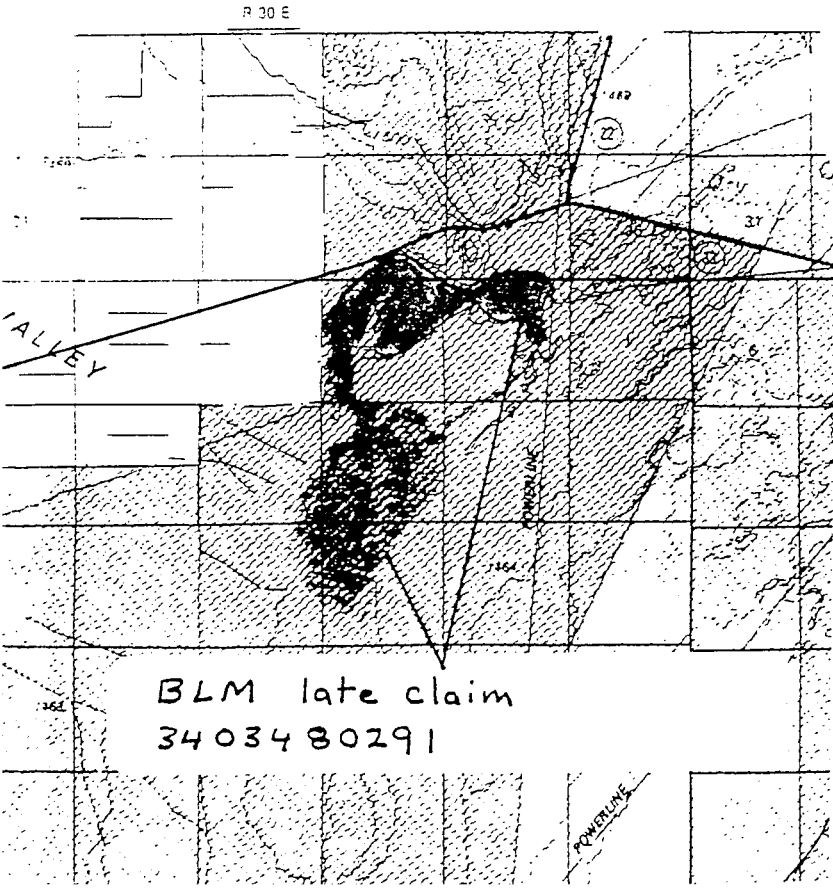
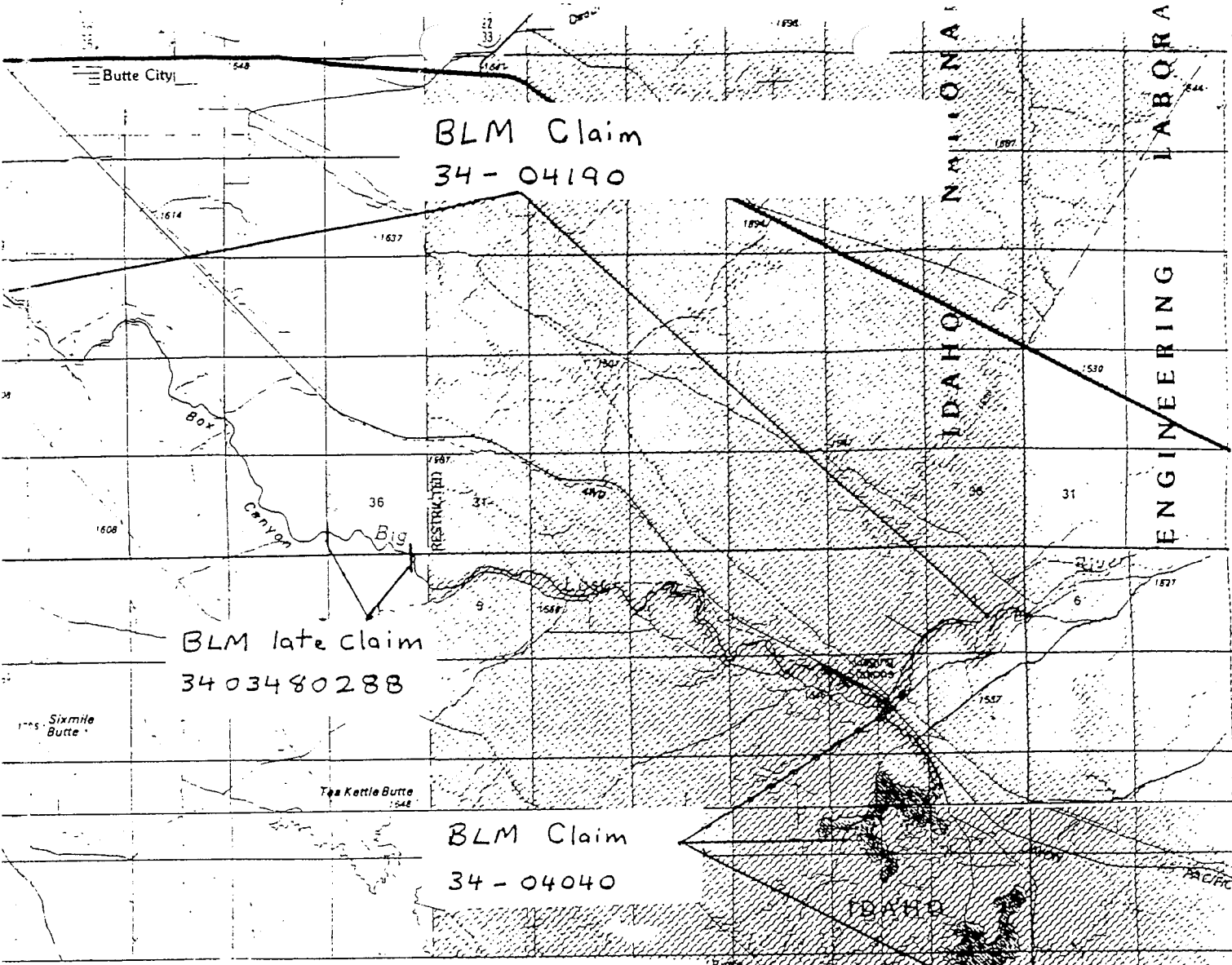


EXHIBIT A

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 B.

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	DECLARED BASIS OF CLAIM
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SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

34-00088	BILLY L. HARALSON CLAIRE SUZANNE HARALSON RT. 1 BOX 450 ARCO ID 83213	06/01/1896	IRRIGATION	05-01 10-15	1.17	CFS DECLARED
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POINT OF DIVERSION:
T05N R26E S04
PLACE OF USE: IRRIGATION
MUSESE
TOTAL QUANTITY: 1.17 CFS

T04N R26E S10
137.0 ACRES TOTAL
MUSEU 32.0
SESU 39.0
MUSE 34.0
SAGE 32.0

REMARKS: THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT TO IDAHO CODE 42-1616(1).
WATER IS DELIVERED THROUGH ISLAND DITCH.
USE OF THIS RIGHT WITH RIGHT NO. 34-07237 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.09 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 342.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 137 ACRES IN A SINGLE IRRIGATION SEASON.

34-00115	WADE WADDOLPS TE ARRE WADDOLPS RT. 1 BOX 20 MOORE ID 83255	06/01/1896	IRRIGATION	05-01 10-15	1.6	CFS DECLARED
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POINT OF DIVERSION:
T05N R26E S04
PLACE OF USE: IRRIGATION
MUSESE
TOTAL QUANTITY: 1.6 CFS

T05N R26E S33
68.0 ACRES TOTAL
NENU 37.0
MNUU 31.0

REMARKS: DELIVERED THROUGH THE MOORE DIVERSION, WESTSIDE DITCH
USE OF THIS RIGHT WITH RIGHT NO. 34-024268 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.84 CFS AND TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 170 ACRES FEET AND TO THE IRRIGATION OF A COMBINED TOTAL OF 68 ACRES IN A SINGLE IRRIGATION SEASON.
0.30 CFS OF RIGHT NO. 34-024268 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT AND RIGHT NO. 34-024268.

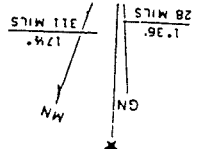
Exhibit B

APPENDIX III
3271 III NW

Topography by photogrammetric methods from aerial
photographs taken 1967. Field checked 1969
Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system,
central zone
1000-meter Universal Transverse Mercator grid ticks,
zone 12, shown in blue

Control by USGS and USCGS
Mapped, edited, and published by the Geological Survey

RAMSHORN CANYON, IDAH



RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATEPURPOSE OF USE
FROM TOMAXIMUM
QUANTITY

BASIS OF CLAIM

SOURCE: BIG LOST RIVER

TRIBUTARY: SINKS

34-004190

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

.23 CFS

BENEFICIAL USE

NON-IRRIGATION-USES:

TOTAL QUANTITY:

.23 CFS

STOCKWATER, 1000 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

POINT OF DIVERSION:

102N R27E S01 LOT 1 (NENE) (B)

103N R27E S20 SENE (B)

102N R28E S01 MESE (E)

103N R27E S35 SESE (E)

PLACE OF USE: STOCKWATER

102N R27E S01 Lot 1 (NENE)

SENE

SUSW

SESW

R28E

NESE

NWSE

SWSE

S02

SESE

SESW

SUSW

S03

SUSW

SESW

SUSW

S04

SENE

SESW

SESW

S05

SENE

SENE

SENE

S06

SENE

SENE

SENE

S09

SENE

SENE

SENE

S10

SENE

SENE

SENE

S11

SENE

SENE

SENE

S12

SENE

SENE

SENE

S20

SENE

SENE

SENE

S21

SENE

SENE

SENE

S22

SENE

SENE

SENE

S26

SENE

SENE

SENE

S27

SENE

SENE

SENE

S28

SENE

SENE

SENE

S35

SENE

SENE

SENE

REMARKS: THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING

ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY

EX-6

