

COPY

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

RECEIVED

MAR 17 1993

Department of Water Resources
Adjudication Bureau

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)

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: G. Craig And Or Jackie Stewart

Address: Rt 1 Box 58B

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

RECEIVED

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.

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

☒ 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

G. Craig And/or Jackie Stewart, 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.

G. Craig Stewart
Signature of person filing objection

By: _____

(Attorney signing in
representative capacity)

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

Thomas D. Cannon
Notary Public for Idaho
Residing at: Arco
My Commission expires: 12-30-97

(Over)

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-128

RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATE

PURPOSE OF USE
FROM TO

MAXIMUM
QUANTITY

BASIS OF CLAIM

SOURCE: BIG LOSI RIVER

TRIBUTARY: SINKS

34-00943

G. CRAIG STEWART
JACKIE STEWART
RT. 1 BOX 588
MOORE ID 83255

04/22/1804 IRRIGATION

05-01 10-15

.14

CFS

DECREED

POINT OF DIVERSION:

105N R26E S04

PLACE OF USE: IRRIGATION

MUSESE

TOTAL QUANTITY:

.14

CFS

104N R26E S20

NENE 38.0

SENE 36.0

NESE 40.0

114.0 ACRES TOTAL

REMARKS: THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT TO
IDAHO CODE 42-1416(1).

WATER DELIVERED THROUGH THE MOORE DIVERSION, WESTSIDE CANAL.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL

COMBINED DIVERSION RATE OF 4.24 CFS, A TOTAL COMBINED ANNUAL

CONSUMPTIVE USE VOLUME OF 530 AF, AND TO THE IRRIGATION OF A

COMBINED TOTAL OF 212 ACRES IN A SINGLE IRRIGATION SEASON.

COMBINED RIGHT NOS.: 34-024198, 34-12391, 34-00213E, 34-00214C

AND 34-00589.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO

IRRIGATION OF A COMBINED TOTAL OF 114 ACRES IN A SINGLE

IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00213E, 34-00214C,

34-00589.

34-10126

ROBERT E. SHAW
124 N. 7TH
POCATELLO ID 83201

04/22/1884 IRRIGATION

05-01 10-15

.12

CFS

DECREED

POINT OF DIVERSION:

107N R23E S12

PLACE OF USE: IRRIGATION

MUNUSE

TOTAL QUANTITY:
CONSUMPTIVE USE:

.12
12.5

CFS
AFY

107N R24E S21

SUSW 5.0

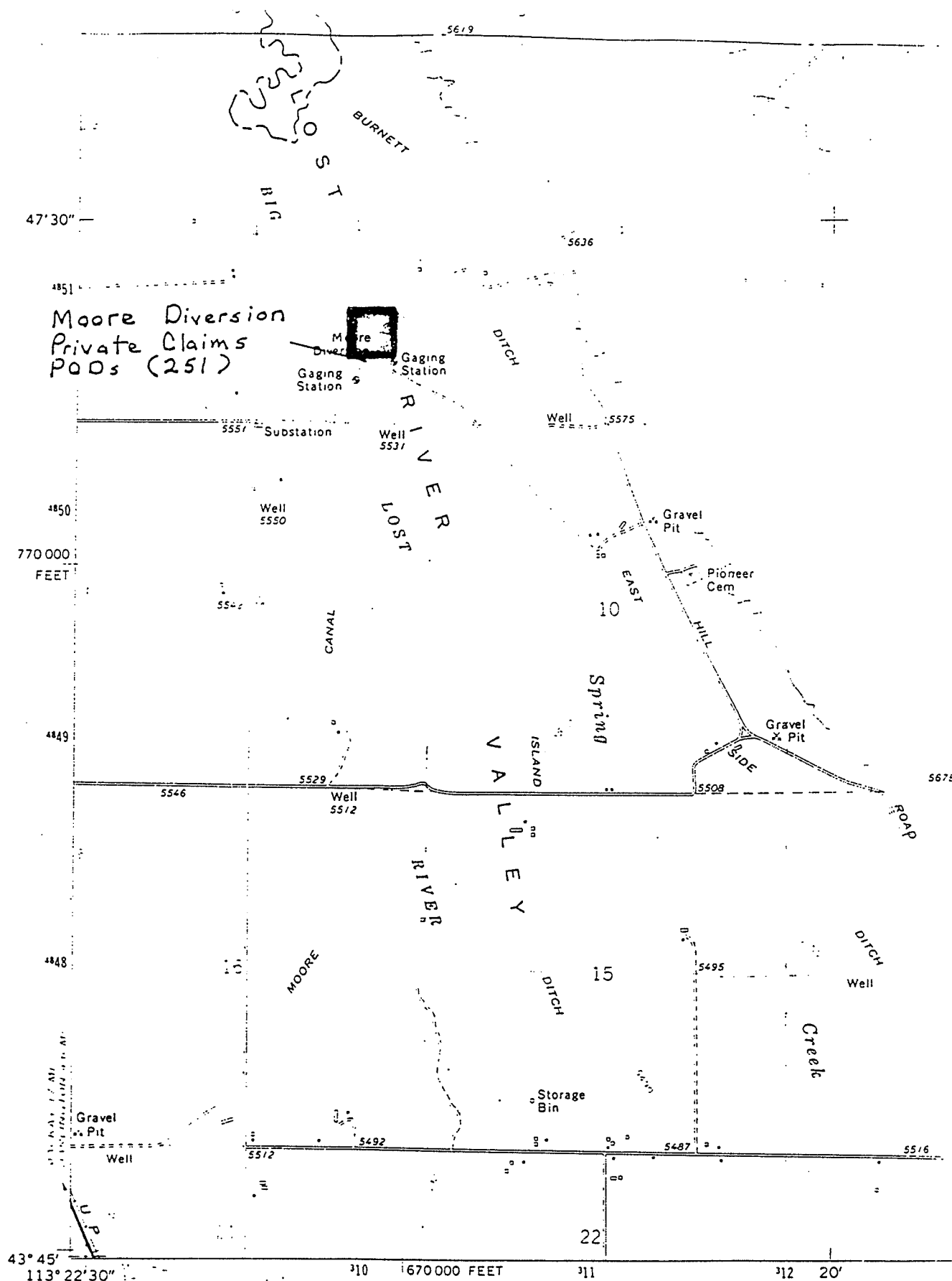
5.0 ACRES TOTAL

REMARKS: WATER DELIVERED THROUGH SHARP DITCH.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 34-00005 AND

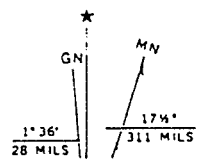
34-00006.

Exhibit B
Page 1 of 4



APPENDIX HILL
331 IN NW

Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS
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,



RAMSHORN CANYON, IDAHO

AJ5856NP

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

DATE: MAY-27-1992
PAGE: A-313

RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATE

PURPOSE OF USE
FROM TO

MAXIMUM
QUANTITY

BASIS OF CLAIM

SOURCE: BIG LOST RIVER

TRIBUTARY: SIKKS

34-00213E

JACKIE STEWART
G. CRAIG STEWART
RT. 1 BOX 588
MOORE ID 83255

03/13/1887 IRRIGATION

05-01 10-15

.7

CFS

DECREED

POINT OF DIVERSION:

T05N R26E S04

MUSESE

TOTAL QUANTITY:

.7

CFS

PLACE OF USE: IRRIGATION

T04N R26E S20

NENE 38.0

SENE 36.0

NESE 40.0

REMARKS: THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT TO
IDAHO CODE 42-1416(1).

WATER DELIVERED THROUGH THE MOORE DIVERSION, WESTSIDE CANAL.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.24 CFS, A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF 530 AF, AND TO THE IRRIGATION OF
A COMBINED TOTAL OF 212 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-02419B, 34-12391, 34-00943, 34-00214C
AND 34-00589.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 114 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00943, 34-00214C,
34-00589.

Exhibit B
Page 2 of 4

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE FROM TO	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
34-00214C	JACKIE STEWART G. CRAIG STEWART RT. 1 BOX 588 MOORE ID 83255	09/01/1901	IRRIGATION	05-01 10-15	.5	CFS DECREED
SOURCE: BIG LOST RIVER						
TRIBUTARY: SINKS						
POINT OF DIVERSION: T05N R26E S04 PLACE OF USE: IRRIGATION						
TOTAL QUANTITY: .5 CFS						
104N R26E S20 114.0 ACRES TOTAL MENE 38.0 SENE 36.0 NESE 40.0						
REMARKS: THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT TO IDAHO CODE 42-1616(1). WATER DELIVERED THROUGH THE MOORE DIVERSION, WESTSIDE CANAL. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.24 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 530 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 212 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-024198, 34-12391, 34-00213E, 34-00943 AND 34-00589. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO IRRIGATION ON OF A COMBINED TOTAL OF 114 ACRES IN A SINGLE IRRIGATION SEASON COMBINED RIGHT NOS.: 34-00213E, 34-00943, 34-00589.						

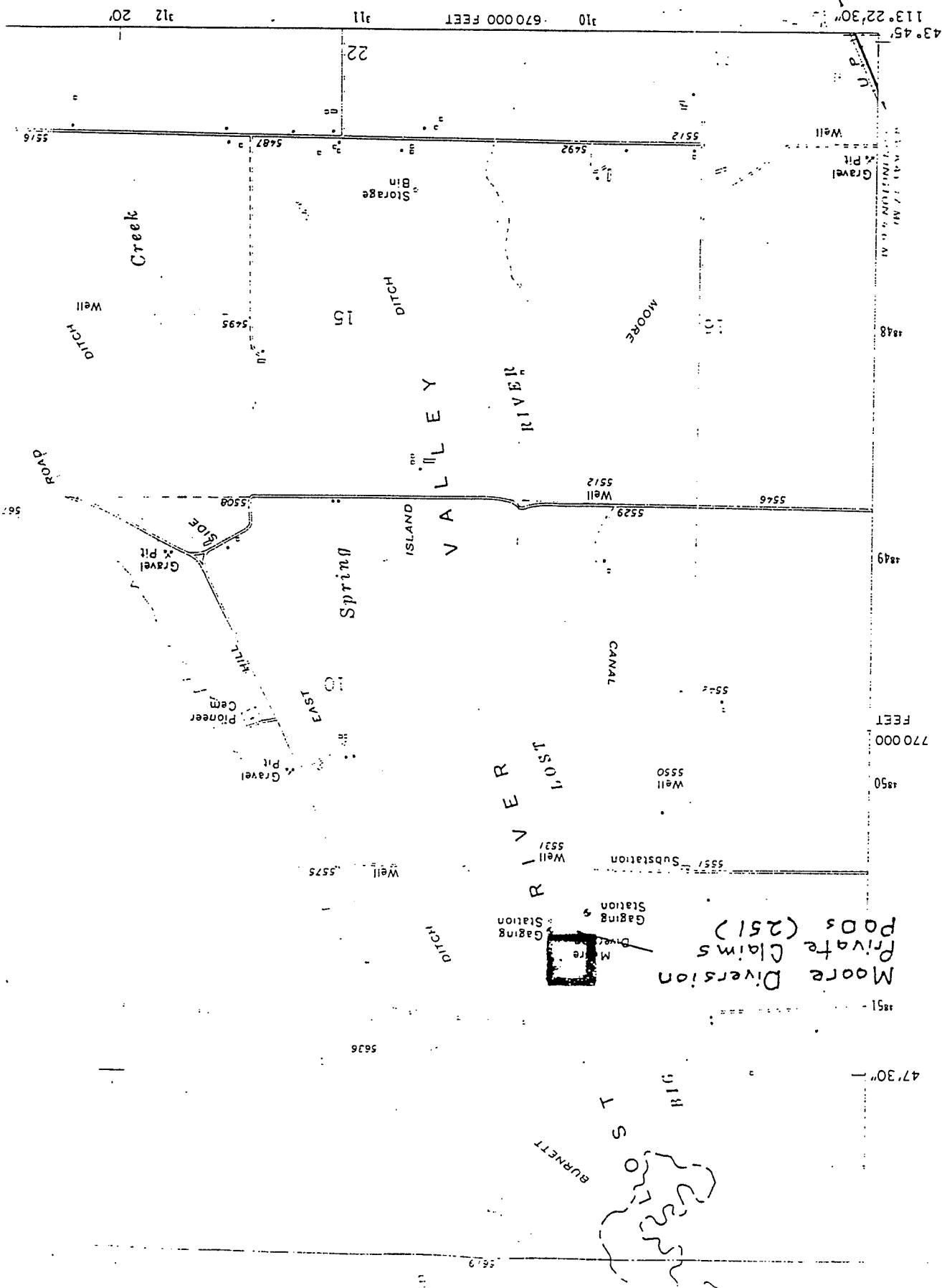
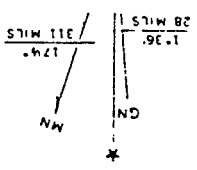
Exhibit B
Page 3 of 4

Control by USGS and USC&GS
 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

APPENDIX HILL
 2011 WNW

Mapped, edited, and published by the Geological Survey

RAMSHORN CANYON



RIGHT NUMBER	NAME & ADDRESS	PRIORITY	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
		DATE				

SOURCE: BIG LOST RIVER

TRIBUTARY: SINKS

34-00589	G. CRAIG STEWART JACKIE STEWART RT. 1 BOX 568 MOORE ID 83255	10/12/1884	IRRIGATION	05-01 10-15	1.25	CFS	DECREED
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POINT OF DIVERSION:

105N R26E S04

MUSESE

TOTAL QUANTITY:

1.25 CFS

PLACE OF USE: IRRIGATION

104N R26E S20

NENE 38.0

SENE 36.0

NESE 40.0

REMARKS: THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT TO
IDAHO CODE 42-1416(1).

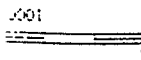
WATER DELIVERED THROUGH THE MOORE DIVERSION, WESTSIDE CANAL.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.24 CFS, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 530 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 212 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-02419B, 34-12391, 34-00213E, 34-00214C
AND 34-00943.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO
IRRIGATION OF A COMBINED TOTAL OF 114 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS. 34-00213E, 34-00214C,
34-00943.

Exhibit B
Page 4 of 4

Control by USGS and US&GS
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.

113° 22' 30" 10 670 000 FEET 11 20



RAMSHORN CANYON

RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATE

PURPOSE OF USE

PERIOD OF USE
FROM TOMAXIMUM
QUANTITY

BASIS OF CLAIM

SOURCE: BIG LOST RIVER

TRIBUTARY: SINKS

36-04190 US DEPT OF INTERIOR 06/28/1934 STOCKWATER 01-01 12-31 .23 CFS BENEFICIAL USE
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3580 AMERICANA TERRACE
BOISE ID 83706

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)
R28E NESE

SENE
NWSU
NWESE
SWSU
SWSE

SESU

S02

SESE

SESU

SWSU

SESU

S03

SESE

SESU

SWSU

SESU

S04

SESE

SESU

SWSU

SESU

S05

SESE

SESU

SWSU

SESU

S06

SESE

SESU

SWSU

SESU

S09

SESE

SESU

SWSU

SESU

S10

SESE

SESU

SWSU

SESU

S11

SESE

SESU

SWSU

SESU

S12

SESE

SESU

SWSU

SESU

S20

SESE

SESU

SWSU

SESU

S21

SESE

SESU

SWSU

SESU

S22

SESE

SESU

SWSU

SESU

S26

SESE

SESU

SWSU

SESU

S27

SESE

SESU

SWSU

SESU

S28

SESE

SESU

SWSU

SESU

S35

SESE

SESU

SWSU

SESU

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

Exhibit C

BASIS OF CLAIM

TRIBUTARY: SINKS

BENEFICIAL USE

.44	CFS
243.0	AFY

PLACE OF USE: STOCKWATER FROM STORAGE

MSM
CEM

SESH

MMNM

SASE

MENU

BLM RECORD ID = 3403488096