

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

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

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.

Case No. 34 04040
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

MAR 18 1993

Department of Water Resources
Adjudication Bureau

34-04040 -0006/
93-03-0266

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.

OBJECTION 1

(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: Robert D. Waddoups

Address: Box 42
Moore, Idaho 83255

Briefly describe your interest in this water right:

This claim is in error as I have a prior
right that supersedes it in all respects.

2. Owner of the water right:

Name: U. S. Department of the Interior, BLM

Address: Idaho State Office
3380 American 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.

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 U. S. Department of Interior (BLM)
claiming any water rights under theories that water rights were
established through a federal reservation of water by executive
order dated April 17, 1926, FWP No. 107

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.

Dis-allowance of this claim

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

State of Idaho
County of Butte

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.

Robert D. Waddoups
Signature of person filing objection

By:

(Attorney signing in
representative capacity)

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

Notary Public for Idaho
Residing at: Arco Idaho
My Commission expires: 5-17-96

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 16 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: Claimant: U. S. Department of Interior (BIM)

Owner's address: Idaho State Office

3380 Americana Terrace
Boise, Idaho 83706

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

Robert D. Waddorpe
Signature of Objector or attorney
mailing on Objector's behalf

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

34-04040	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	04/01/1958	WILDLIFE STORAGE	01-01 12-31	243.0	AFY
			STOCKWATER FROM	01-01 12-31	20.1	AFY
			STOCKWATER	01-01 12-31	243.0	AFY
			STOCKWATER	01-01 12-31	7.2	AFY
			WILDLIFE FROM	01-01 12-31	.44	CFS
			STORAGE	01-01 12-31	.44	CFS
			DIVERSION TO	01-01 12-31	243.0	AFY
			STORAGE			
			TOTAL QUANTITY:			

NON-IRRIGATION-USES:

STOCKWATER, 2000 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

POINT OF DIVERSION:

TO2N R28E S11

PLACE OF USE: WILDLIFE STORAGE

SAME AS OTHER USE

PLACE OF USE: STOCKWATER FROM STORAGE

TO2N R28E S11

S13

S14

S15

S23

S24

S25

NESE	MUSE	SESE	SVSW
MUNW	SUNW	MUNW	SESW
MUNE	SUNE	MUNE	SESW
MESW	MUSW	MESW	SESW
NESE	MUSE	SESE	
NESE	SESE	MUNW	
MUNE	SUNE	MUNW	
SUNE	SENE	MUNW	
SUNW	SESW	MUNE	
SESW	SESE	SWNE	
SESE	MUNE	SESW	
MUNW	SESW	MUNE	
SESW			

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

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

TRIBUTARY: SINKS

34-04190	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3360 AMERICANA TERRACE BOISE ID 83706	06/28/1934	STOCKWATER	01-01 12-31	.23	CFS	BENEFICIAL USE
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NON-IRRIGATION-USES:

TOTAL QUANTITY: .23 CFS

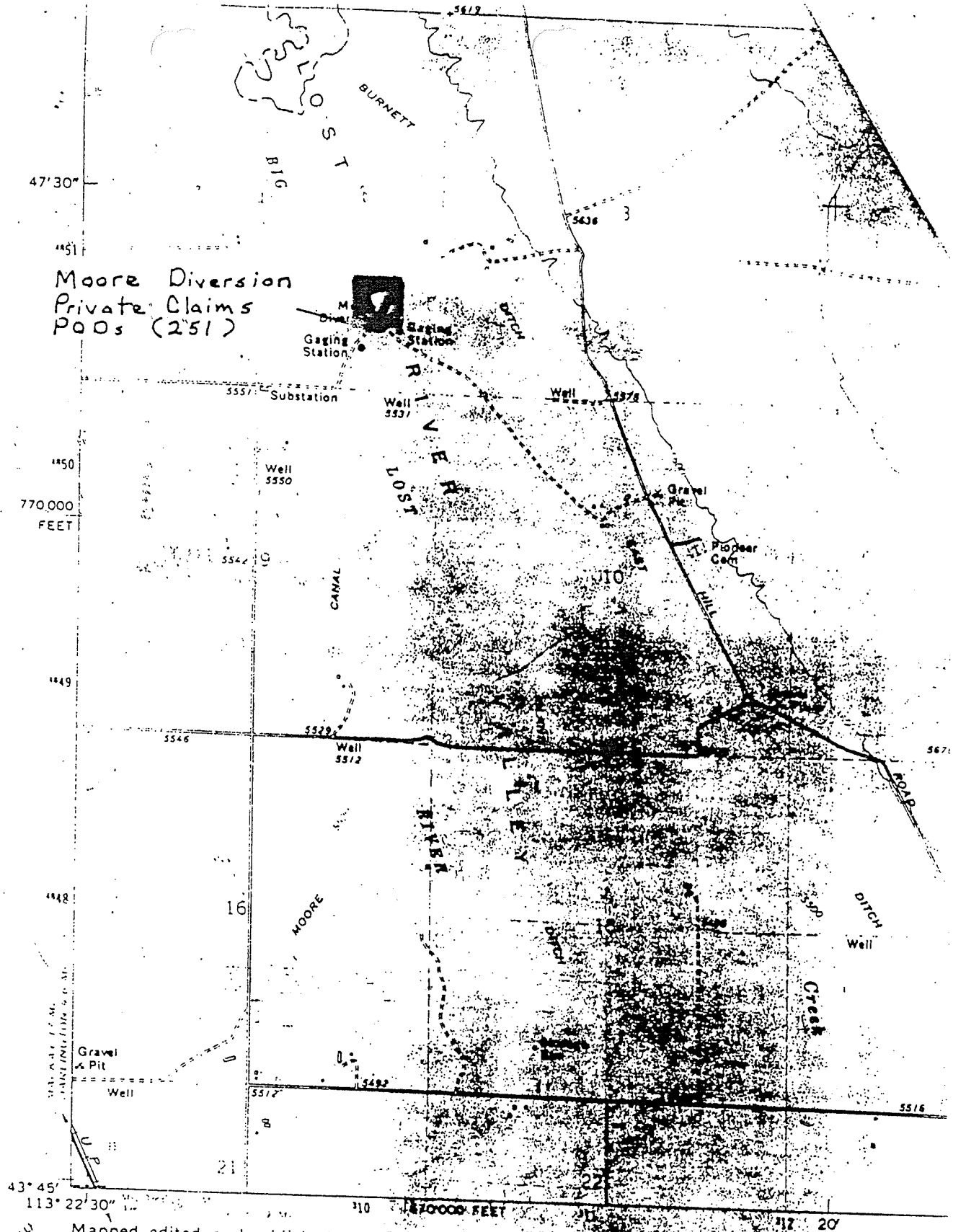
STOCKWATER, 1000 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT
POINT OF DIVERSION:

102N R27E S01	LOT 1 (NENE) (B)	SENE (B)
103N R27E S20	SENE (B)	SENE (B)
102N R28E S01	NESE (E)	NESE (E)
103N R27E S35	SESE (E)	SESE (E)

PLACE OF USE: STOCKWATER

102N R27E S01	Lot 1 (NENE)	SENE	SWSW	SESW
R28E	NESE	SWSW	SWSE	
S02	SESE	SWSE		
S03	SWSW	SESW		SWSW
S04	SWNE	SWNE		
S05	SENE	SENE	Lot 4 (SWNW)	SWNW
S06	Lot 1 (NENE)	Lot 2 (NENE)	Lot 3 (NENE)	Lot 5 (SWNW)
	SESW			
S09	SENE	SENE	SENE	SENE
S10	SENE	SENE	SENE	SENE
S11	SENE	SENE	SENE	SENE
S12	SENE	SENE	SENE	SENE
103N R27E S20	SENE	SENE	SENE	SENE
S21	SENE	SENE	SENE	SENE
S22	SENE	SENE	SENE	SENE
S26	SENE	SENE	SENE	SENE
S27	SENE	SENE	SENE	SENE
S28	SENE	SENE	SENE	SENE
S35	SENE	SENE	SENE	SENE

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



APPENDIX 15 HILL
3271 W 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,
zone 12, shown in blue

1:1000
571

SHOEN CANYON, IDAHO

RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATE

PURPOSE OF USE
FROM TO

MAXIMUM
QUANTITY

BASIS OF CLAIM

PAGE: A-180

SOURCE: BIG LOST RIVER

TRIBUTARY: SLICKS

34-00311A ROBERT D. WOODRUP

P.O. BOX 42
MOORE ID 83255

07/15/1984 IRRIGATION

05-01 10-15

.8 CFS

DECREASED

POINT OF DIVERSION:

TOSH R26E S04

WSESE

TOTAL QUANTITY:

.8 CFS

PLACE OF USE: IRRIGATION

TOSH R26E S08

SAME 40.0

SENE 40.0

REMARKS: WATER DELIVERED THROUGH THE MOORE DIVERSION, MOORE CANYAL.

USE OF THIS RIGHT WITH RIGHT NOS. 34-024168 AND 34-006220 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.29 CFS AND TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 200 ACRES FEET AND TO THE IRRIGATION OF A COMBINED TOTAL OF 80 ACRES IN A SINGLE IRRIGATION SEASON.

34-003118

JEAN P ANDERSEN
JAY A ANDERSEN
RT 1 BOX 41
MOORE ID 83255

07/15/1984 IRRIGATION

05-01 10-15

.8 CFS

DECREASED

POINT OF DIVERSION:

TOSH R26E S04

WSESE

TOTAL QUANTITY:

.8 CFS

PLACE OF USE: IRRIGATION

TOSH R26E S05

SUSE 35.5

REMARKS: RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO

IDAHO CODE 42-1416A. WATER DELIVERED THROUGH THE MOORE DIVERSION, MOORE CANYAL.

USE OF THIS RIGHT WITH RIGHT NO. 34-00621A IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 80.8 ACRES FEET AND TO THE IRRIGATION OF A COMBINED TOTAL OF 35.5 ACRES IN A SINGLE IRRIGATION SEASON. 0.90 CFS OF RIGHT NO. 34-00621A IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.

