

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

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)
RECEIVED
MAR 18 1993
Department of Water Resources
Adjudication Bureau

OBJECTION

34-04040 -0028/
93-03-0288

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)

I. GENERAL INFORMATION

1. Person objecting

BILLY L. HARALSON

RT. 1 Box 450

This claim is in error as there is a

• 57000000

U.S. Dept. of Interior, B.L.M.

Idaho State Office

3380 Americana Terrace

Holse, 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)

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

disallowance of this claim.

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

CHANGES TO THE DIRECTOR'S REPORT

Please refer to exhibit A -attached.

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

REASONS SUPPORTING EACH BOX CHECKED

Water.

~~to fill the purpose of this claim is rising ground-~~

~~The historical source of water~~

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.

☒ 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~~ ^{FOUR} page. Exhibit C- ~~one~~ ^{TWO} page.

VERIFICATION (Must be Completed)

State of Idaho

County of Butte

BILLY L. HARALSON, 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.

Billy L. Haralson
Signature of person filing objection

By: _____

(Attorney signing in
representative capacity)

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

Burkha Thentz
Notary Public for State of Id.
Residing at: Arco, Id.
My Commission expires: 3/20/97

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 16th 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 4449
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

Bill J. Thurber
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.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: MAY-27-1992
PAGE: A-659

RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATE

PURPOSE OF USE

PERIOD OF USE
FROM TO

MAXIMUM
QUANTITY

BASIS OF CLAIM

SOURCE: BIG LOST RIVER

TRIBUTARY: SINKS

34-00510A

BILLY L. HARALSON
ROUTE 1 BOX 450
ARCO ID 83213

06/01/1902 IRRIGATION 05-01 10-15 .92 CFS DECREED

POINT OF DIVERSION:

T05N R26E S04
PLACE OF USE: IRRIGATION

NWSESE

TOTAL QUANTITY:

.92 CFS

T04N R26E S15

152.0 ACRES TOTAL

NENW 38.0

NNW 39.0

SNW 35.0

SENW 40.0

REMARKS: USE OF THIS RIGHT WITH WATER RIGHT NO. 34-00509A AND THE OTHER RIGHTS LISTED THEREIN IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.59 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 515 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 206 ACRES IN A SINGLE IRRIGATION SEASON.

34-00510B

MARSHAL TODD PERKES
RT. 1 BOX 69
MOORE ID 83255

06/01/1902 IRRIGATION 05-01 10-15 .66 CFS DECREED

POINT OF DIVERSION:

T05N R26E S04
PLACE OF USE: IRRIGATION

NWSESE

TOTAL QUANTITY:

.66 CFS

T04N R26E S16

115.0 ACRES TOTAL

NENE 37.0

NWE 39.0

SENE 39.0

REMARKS: WATER IS DELIVERED THROUGH THE MOORE DIVERSION, WESTSIDE CANAL. USE OF THIS RIGHT WITH RIGHT NOS. 34-00509B AND 34-10369 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.70 CFS AND TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 287.5 ACRE FEET AND TO THE IRRIGATION OF A COMBINED TOTAL OF 115 ACRES IN A SINGLE IRRIGATION SEASON.

LXHI 15 17 13

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

DATE: MAY-27-1992
PAGE: A-671

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
34-00577B	BILLY L. HARALSON ROUTE 1 BOX 450 ARCO ID 83213	05/17/1904	IRRIGATION	05-01 10-15	1.46	CFS

SOURCE: BIG LOST RIVER

POINT OF DIVERSION:

T05N R26E S04
PLACE OF USE: IRRIGATION

NWSESE

T04N R26E S16

54.0 ACRES TOTAL

NWSE 24.0

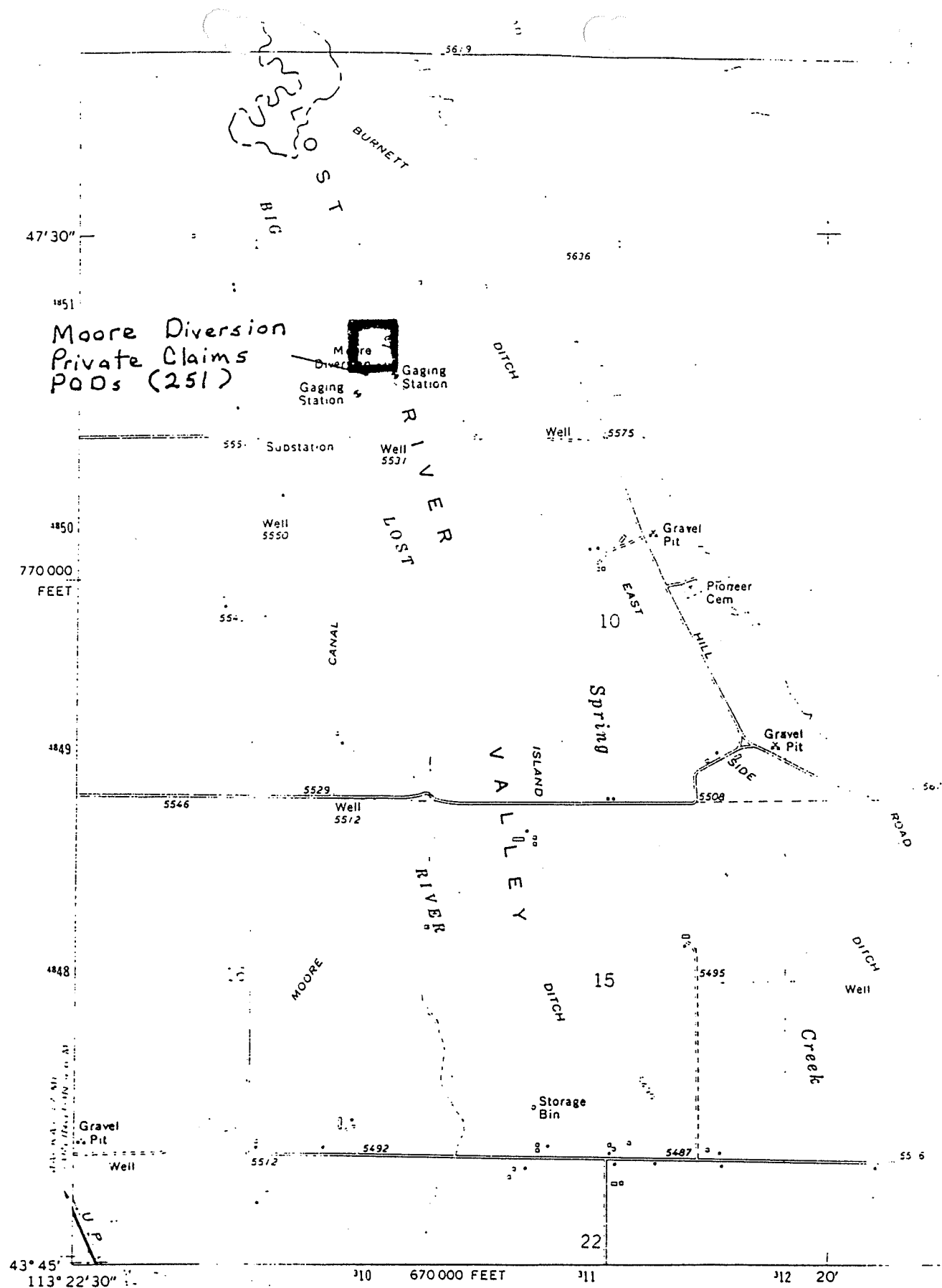
SUSE 30.0

REMARKS: USE OF THIS RIGHT WITH WATER RIGHT NO. 34-00509A AND THE OTHER RIGHTS LISTED THEREIN IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.59 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 515 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 206 ACRES IN A SINGLE IRRIGATION SEASON.

TOTAL QUANTITY:

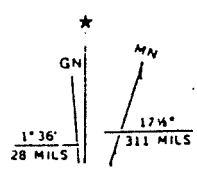
1.46 CFS

DECREED



(APPENDIX 175 HILL)
3271 III 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

EXHIBIT C

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

DATE: MAY-27-1992
PAGE: A-281

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

34-00509A

BILLY L. HARALSON
ROUTE 1 BOX 450
ARCO ID 83213

POINT OF DIVERSION:

T05N R26E S04

PLACE OF USE: IRRIGATION

T04N R26E S15

152.0 ACRES TOTAL

NEW 38-0

62. 11/11/11

0 54 11115

000000

REMARKS: USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.59 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 515 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 206 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00510A, 34-00577B, 34-10370 AND 34-10941

34-00509B

HARSHAL TOOD PERKES

RT. 1 BOX 69

MOORE ID 83225

POINT OF DIVERSION:

Y05W R26E S04

PLACE OF USE: IRRIGATION

T04W R26E S16

115.0 ACRES TOTAL

WENE 37 0

03 30 00

000000

REMARKS: WATER IS DELIVERED THROUGH THE MOORE DIVERSION, WESTSIDE CANAL.
USE OF THIS RIGHT WITH RIGHT NOS. 34-00510B AND
34-10369 IS LIMITED TO A TOTAL

COMBINED DIVERSION RATE OF 2.70 CFS AND TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 287.5 ACRE FEET AND TO THE IRRIGATION OF A COMBINED TOTAL OF 115 ACRES IN A SINGLE IRRIGATION SEASON.

DECREED

.68

05-01 10-15

06/01/1886 IRRIGATION

PERKES

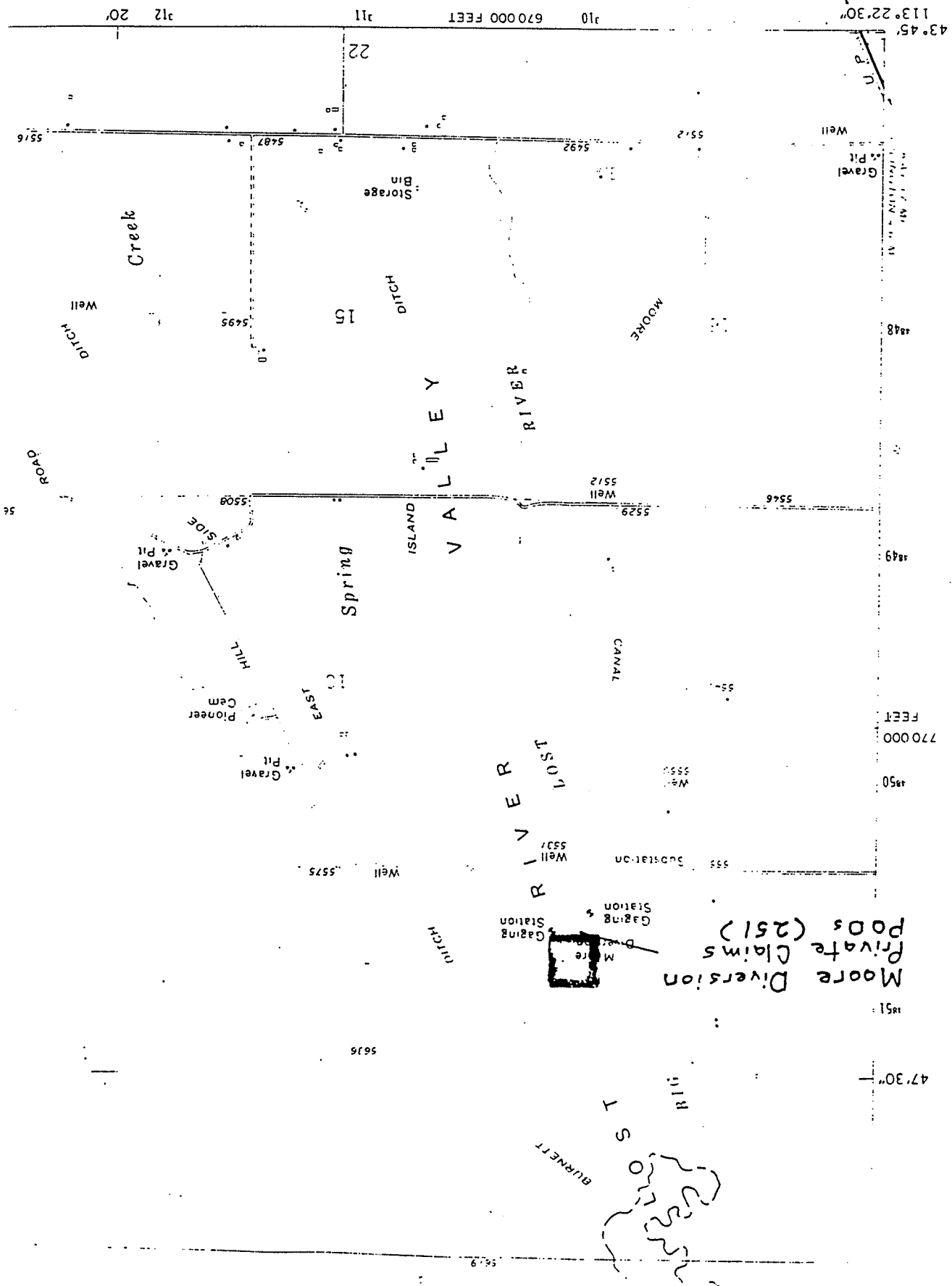
34-00509B

TOTAL QUANTITY:

Control by USGS and USCGS
Topography by photogrammetric methods from aerial
photographs taken 1967. Field checked 1969
Polconic projection 1927 North American datum
10,000-foot used on Idaho coordinate system.
Central zone
1000-meter Universal Transverse Mercator grid ticks

APPENDIX HILL
3371 W NW

Mapped, edited, and published by the Geological Survey



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

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 DECREED

POINT OF DIVERSION:

T05N R26E S04
PLACE OF USE: IRRIGATION

NWSESE

TOTAL QUANTITY: 1.17 CFS

T04N R26E S10

NESW 32.0

SESW 39.0

NWSE 34.0

SWSE 32.0

137.0 ACRES TOTAL

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

WADE WADDOLIPS

~~CLAUDE WADDOLIPS~~

RT. 1 BOX 20

MOORE ID 83255

06/01/1896 IRRIGATION 05-01 10-15 1.6 CFS DECREED

POINT OF DIVERSION:

T05N R26E S04

NWSESE

TOTAL QUANTITY: 1.6 CFS

T05N R26E S33

NENW 37.0

NNW 31.0

68.0 ACRES TOTAL

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 ACRE FEET AND TO THE

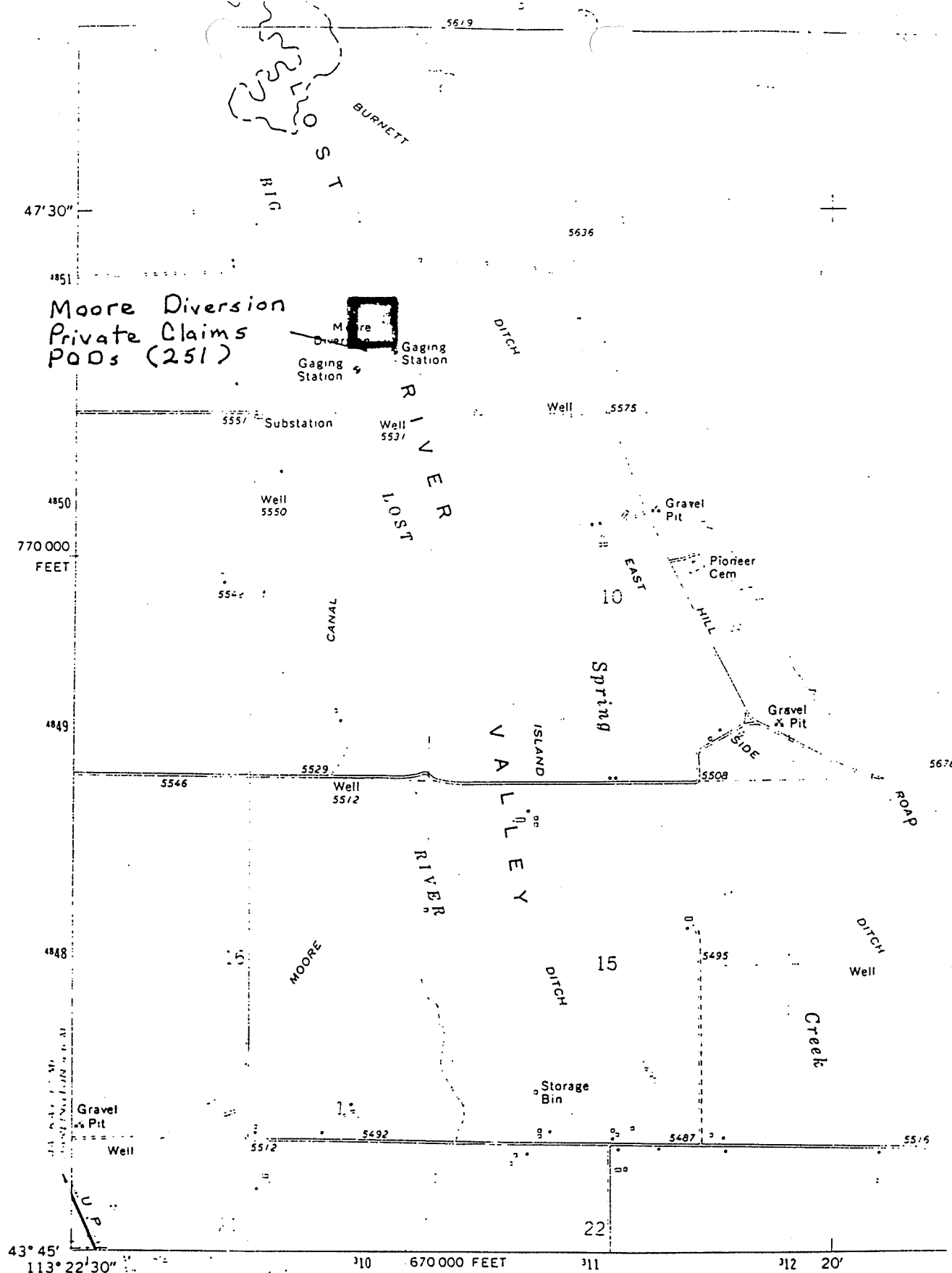
IRRIGATION OF A COMBINED TOTAL OF 68 ACRES IN A SINGLE IRRIGATION

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.



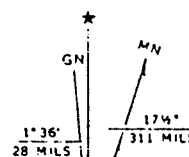
Mapped, edited, and published by the Geological Survey.

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



RAMSHORN CANYON, IDAHO

EXHIBIT C

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	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 3380 AMERICANA TERRACE BOISE ID 83706	06/28/1934	STOCKWATER	01-01 12-31	.23	CFS	BENEFICIAL USE
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TOTAL QUANTITY: .23 CFS

NON-IRRIGATION-USES:
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 R28E	Lot 1 (NENE)	SENE	SWSW	SESW
	NESE	NWSW	SWSW	
	SESE	NWSE	SWSW	
S02	SWSW	SESW		
S03	SWSW	SWSW		NWSW
S04	SWSW	NWSE	SESE	
S05	SWSW	SENE	SESE	SWSW
	SESE	SENE	SESE	
S06	Lot 1 (NENE)	SESE	SESE	Lot 5 (SWSW)
	SESE	SESE	SESE	
S09	SESE	SESE	SESE	
S10	SESE	SESE	SESE	
S11	SESE	SESE	SESE	
S12	SESE	SESE	SESE	
103N R27E S20 S21	SESE	SESE	SESE	
	SESE	SESE	SESE	
S22	SESE	SESE	SESE	
S26	SESE	SESE	SESE	
S27	SESE	SESE	SESE	
S28	SESE	SESE	SESE	
S35	SESE	SESE	SESE	

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

EXHIBIT C

AJ5856NP

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

DATE: NOV-17-1992
PAGE: A-36

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

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	BENEFICIAL USE
			STOCKWATER FROM	01-01	12-31	20.1	AFY	
			STOCKWATER STORAGE	01-01	12-31	243.0	AFY	
			WILDLIFE FROM	01-01	12-31	7.2	AFY	
			STOCKWATER STORAGE	01-01	12-31	.44	CFS	
			DIVERSION TO	01-01	12-31	.44	CFS	
			STOCKWATER STORAGE			243.0	AFY	
			TOTAL QUANTITY:					

NON-IRRIGATION-USES:
STOCKWATER, 2000 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

POINT OF DIVERSION:

102N R28E S11 NW/4SE

PLACE OF USE: WILDLIFE STORAGE

SAME AS OTHER USE

PLACE OF USE: STOCKWATER FROM STORAGE

102N R28E S11	NESE	WUSE	SESE
S13	NW/4W	NW/4W	NW/4W
S14	NW/4E	SWNE	SENE
	NW/4S	NW/4W	SWSW
	NESE	NW/4E	SWSE
S15	NESE	SESE	
S23	NW/4E	SWNE	NW/4W
S24	SW/4W	SENE	NW/4W
	SESW	SWNE	NW/4E
	SESE	NESE	
S25	NW/4E	NW/4E	SWNE
	NW/4W	SENE	NW/4W
	SESW	NW/4E	NW/4W

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