

3-16

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. 34-04190
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

MAR 16 1993

Department of Water Resources
Adjudication Bureau

34-04190 -0029/
93-03-0398

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:

Le Anne Waddups
Wade Waddups

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

Helene Waddoups
Helene 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.

Helene Waddoups

Signature of person filing objection

By:

Helene Waddoups

(Attorney signing in
representative capacity)

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

Karen A. Haddoups
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.

AJ5856P

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	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: BIG LOST RIVER						
TRIBUTARY: SINKS						

34-00890A LE ANNE WADDOWS 06/01/1889 IRRIGATION 05-01 10-15 .2 CFS DECREED
WADE WADDOWS
RT. 1 BOX 20
MOORE ID 83255

POINT OF DIVERSION:
T05N R26E S04
PLACE OF USE: IRRIGATION
MUSESE
TOTAL QUANTITY: .2 CFS
CONSUMPTIVE USE: 51.8 AFY

T04N R26E S18
20.7 ACRES TOTAL
MUNE 13.6
SUNE 7.1

34-00890B MARY KEITH JOHNSON 06/01/1889 IRRIGATION 05-01 10-15 .544 CFS DECREED
2654 N. 25TH E.
IDAHO FALLS ID 83401

POINT OF DIVERSION:
T05N R26E S04
PLACE OF USE: IRRIGATION
MUSESE
TOTAL QUANTITY: .544 CFS
CONSUMPTIVE USE: 70.0 AFY

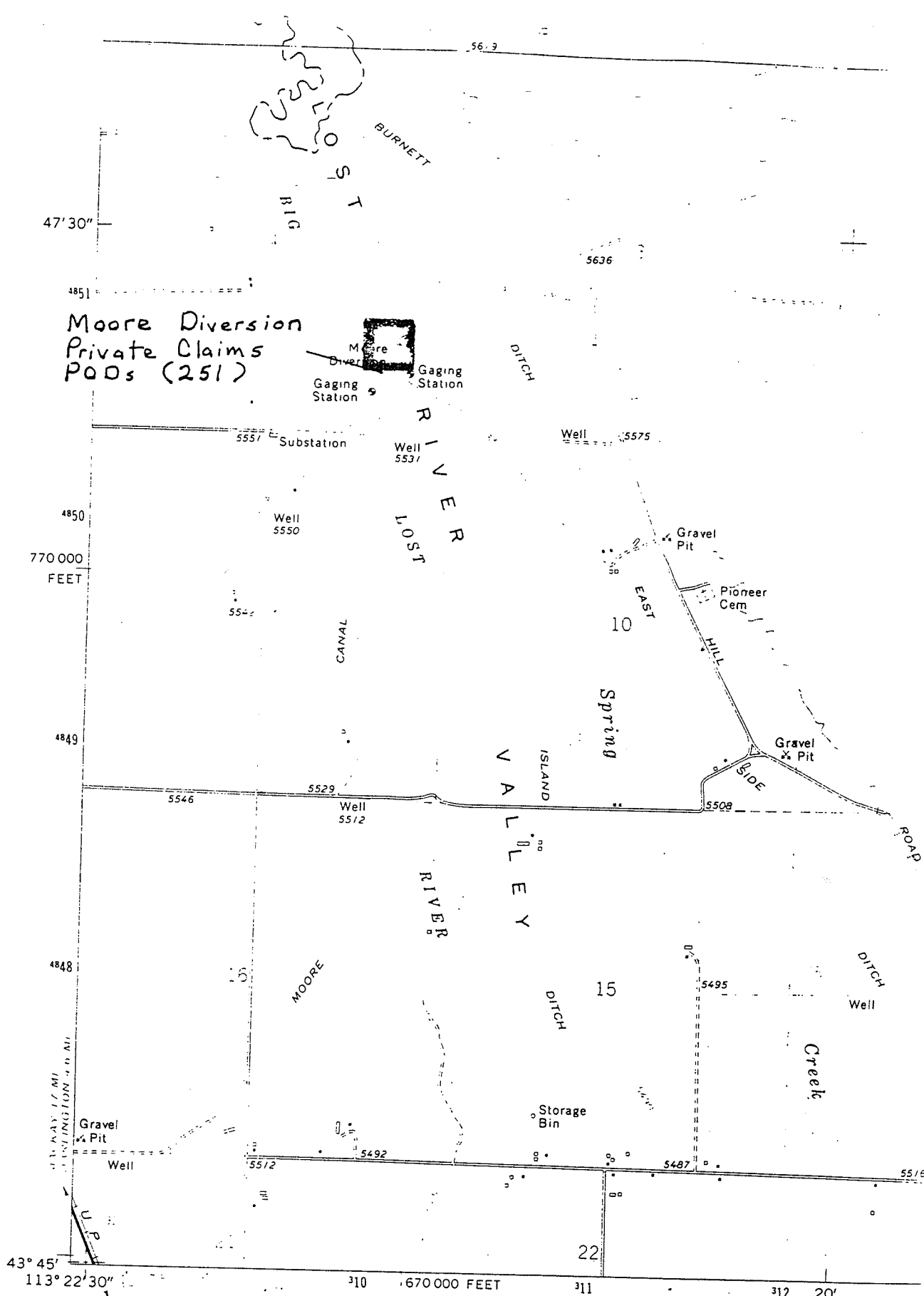
T04N R26E S19
28.0 ACRES TOTAL
MUNE 28.0

34-00890C CLYDE SMITH 06/01/1889 IRRIGATION 05-01 10-15 .2 CFS DECREED
R. WANDA SMITH
P.O. BOX 827
ARCO ID 83213

POINT OF DIVERSION:
T05N R26E S04
PLACE OF USE: IRRIGATION
MUSESE
TOTAL QUANTITY: .2 CFS
CONSUMPTIVE USE: 32.5 AFY

T04N R26E S18
S19
13.0 ACRES TOTAL
SUSE 11.0
MUNE 2.0

REMARKS: WATER DELIVERED THROUGH MOORE DIVERSION, MOORE CANAL.



(APPENDIX III)
3371 III NW

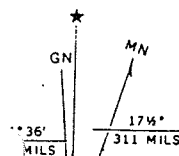
Mapped, edited, and published by the Geological Survey

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 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: NOV-17-1992
PAGE: A-36

EX. C

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

NON-IRRIGATION USES:

STOCKWATER, 2000 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

POINT OF DIVERSION:
102N R28E S11
PLACE OF USE: WILDLIFE STORAGE
SAME AS OTHER USE
PLACE OF USE: STOCKWATER FROM STORAGE

102N R28E S11	NESE	NWSE	SESE	SWSW
S13	NWNU	SWSW	NWNU	SWSW
S14	NWNU	SENE	SENU	SESW
	NESW	NWSW	SWSW	SESW
	NWSE	NWSE	SWSW	
S15	NESE	SESE	SENE	NWNU
S23	NWNU	SENE	SENU	SWSW
S24	SESW	SESW	NWNU	SWSW
	SESE	SESE	NWNU	SWSW
S25	SESE	SESE	SENE	SWSW
	SESE	SESE	SENU	SWSW
	SESW	SESW	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 = 340348B096

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-17-1992
PAGE: A-34RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATEPURPOSE OF USE
FROM TOMAXIMUM
QUANTITY

BASIS OF CLAIM

SOURCE: BIG LOST RIVER

TRIBUTARY: SINKS

34-04190 US DEPT OF INTERIOR 06/28/1934 STOCKWATER 01-01 12-31 .23 CFS BENEFICIAL USE
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 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

SENE

NESE

SESE

SESE

SESE

SESE

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

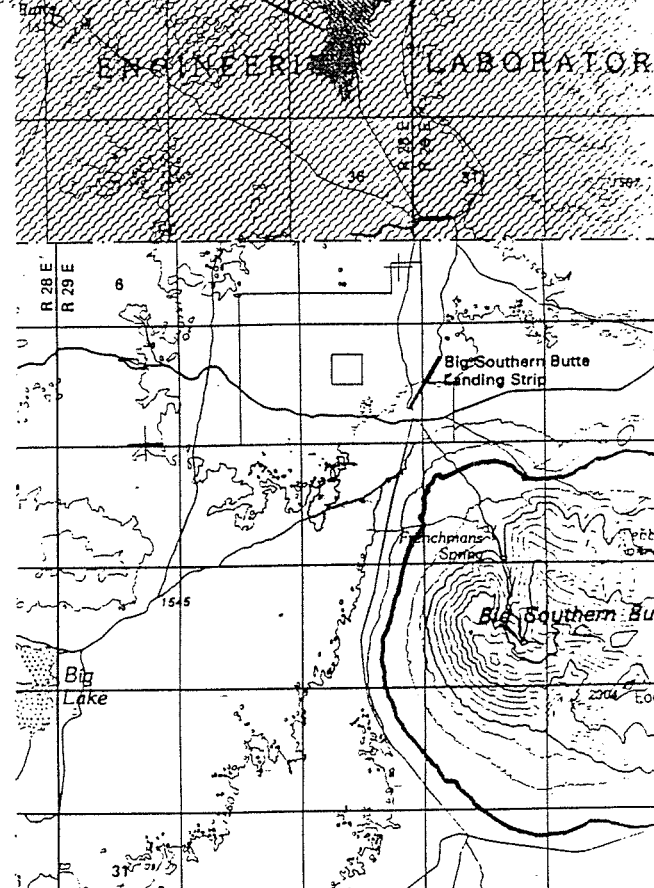
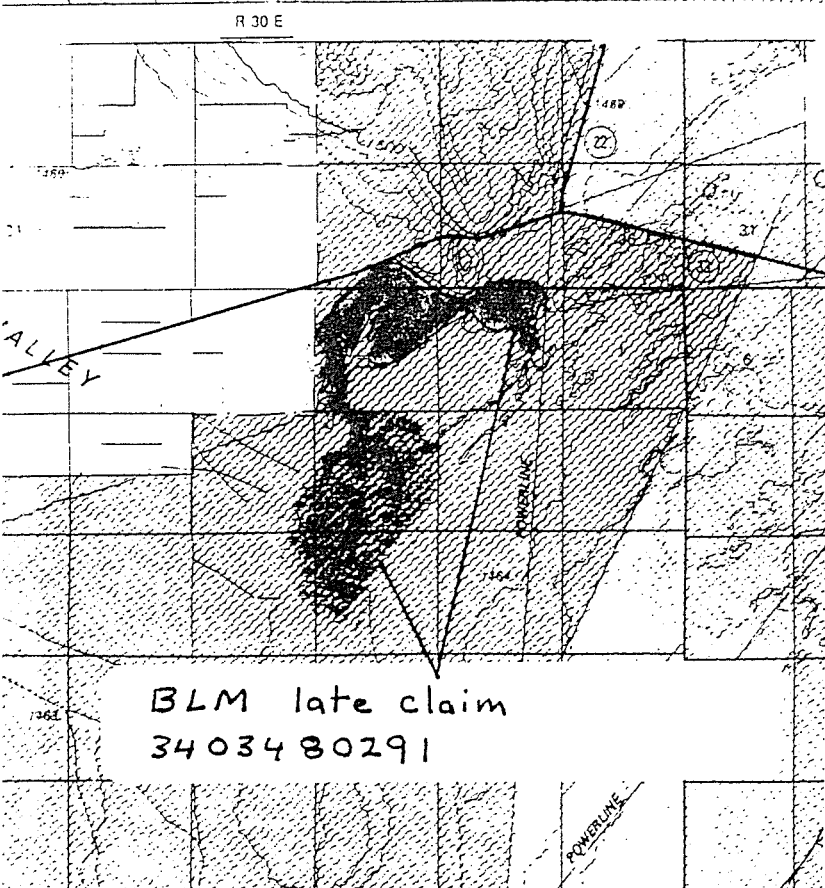
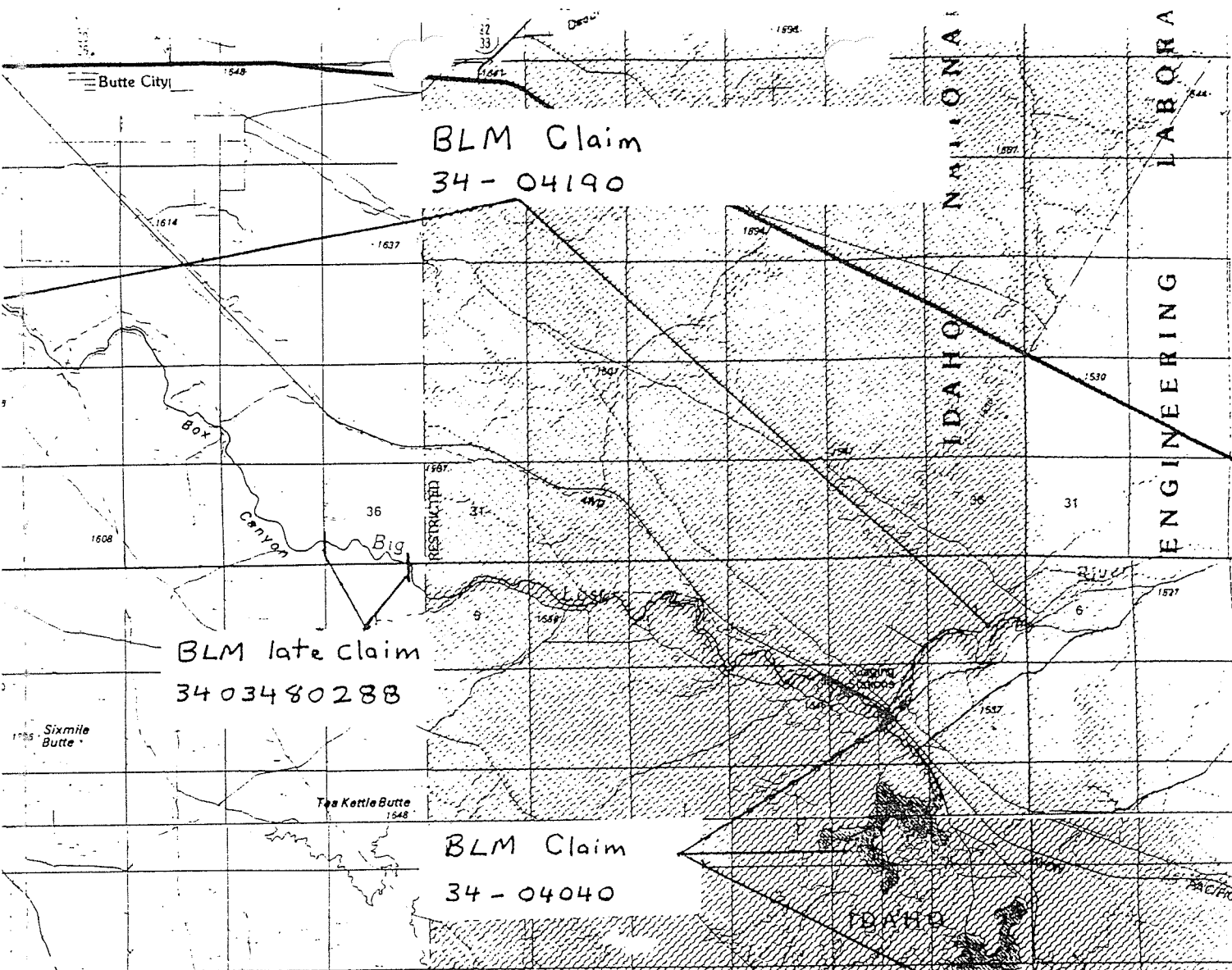


EXHIBIT A

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	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 DECREED

POINT OF DIVERSION:

TOSN R26E S04
PLACE OF USE: IRRIGATION

NUSESE

TOTAL QUANTITY:

1.17 CFS

TOSN R26E S10

NUSEW 32.0

SESW 39.0

NUSE 34.0

SUSE 32.0

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.

34-00115

WADE WADDOKPS
LE ANNE WADDOKPS
RT. 1 BOX 20
MOORE ID 83255

06/01/1896 IRRIGATION

05-01 10-15

1.6 CFS DECREED

POINT OF DIVERSION:

TOSN R26E S04

NUSESE

TOTAL QUANTITY:

1.6 CFS

PLACE OF USE: IRRIGATION

TOSN R26E S33

MEMW 37.0

MMW 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.

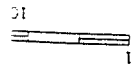
0.30 CFS OF RIGHT NO. 34-024268 IS LIMITED TO USE FOR
CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT AND RIGHT NO.
34-024268.

Exhibit B

Topography by photogrammetric methods from aerial photographs taken 1967. Field checked 1969

Polycoric 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, IDAH



BASIS OF CLAIM

TRIBUTARY: SINKS

BENEFICIAL USE

.23 CFS

.23 CFS

SESM

MSM

SHNU

MMMS)

.....

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

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-17-1992
PAGE: A-36RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATEPURPOSE OF USE
PERIOD OF USE
FROM TOMAXIMUM
QUANTITY

BASIS OF CLAIM

SOURCE: BIG LOST RIVER

TRIBUTARY: SINKS

34-04040

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

04/01/1958 WILDLIFE

01-01 12-31

243.0

BENEFICIAL USE

STORAGE

STOCKWATER FROM 01-01 12-31

STORAGE

STOCKWATER 01-01 12-31

STORAGE

WILDLIFE FROM 01-01 12-31

STORAGE

DIVERSION TO 01-01 12-31

STORAGE

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TOTAL QUANTITY:
243.0 CFS
AFY

