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Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) A. Subcase 55-07383

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: LU Ranching Co., Inc., attn.: Tim Lowry, Vice President

Address: Box 415

Jordan Valley, OR 97910

Daytime Phone: (208) 583-2249

Name & Address of Attorney, if any:

Roger D. Ling

Ling & Robinson

P.O. Box 396

Rupert, ID 83350

Tel: (208) 536-4717

Michael J. Van Zandt, Esq.

Anthony L. Francois, Esq.

McQuaid, Metzler, Bedford & Van Zandt LLP

221 Main Street, 16th Floor

San Francisco, CA 94105

Tel: (415) 905-0200

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: United States of America Acting through U.S.D.I. Bureau
of Land Management, Idaho State Office

Address: 1387 S. Vinnell Way
Boise, ID 83709

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es).)

1. ☒ **Name and Address**
Should be: LU Ranching Co., Inc., Box 415, Jordan Valley, OR 97910
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☒ **Priority Date**
Should be: 1905
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____

8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
10. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): See Attachment A.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Owyhee)

Tim Lowry, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401 A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Tim Lowry

Tim Lowry
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

December 24, 2002

Merr Jo Freese

Notary Public for: Oregon

Residing at: Madison, Idaho

My Commission Expires: June 18, 2004



**ATTACHMENT A
TO LU RANCHING CO., INC. OBJECTION TO CLAIM # 55-07383**

LU Ranching Co., Inc., is a co-claimant of an identical water right (under SRBA subcase 55-13450) to that claimed by the United States in the present subcase. LU Ranching's claim in subcase 55-13450 was recommended for approval by the Idaho Department of Water Resources. The United States owns no livestock and does not put the water source claimed herein to any beneficial use. LU Ranching Co., Inc., its co-claimants under subcase 55-13450, and their predecessors in interest have put the claimed water source to beneficial use as stockwater continuously since 1905, and the water right for use of the claimed source is appurtenant to real property owned exclusively by LU Ranching Co., Inc., and its co-claimants under subcase 55-13450. Further, LU Ranching Co., Inc., is informed and believes that (a) the expansion of the water diversion and storage means, occurring on or about the date claimed by the United States as the priority date reported herein, was accomplished with funds paid as part of grazing fees by LU Ranching Co., Inc., its co-claimants under subcase 55-13450, and/or their predecessors in interest, and that (b) said expansion was carried out exclusively for the benefit of LU Ranching Co., Inc., its co-claimants under subcase 55-13450, and/or their predecessors in interest. Any license held by the United States related to the claimed water source or right inures only to the benefit of LU Ranching Co., Inc., its co-claimants under subcase 55-13450, and/or its predecessors in interest, as the actual beneficial user(s) of the water right claimed herein, and any such license, for the above stated reasons, is inadequate to support the decree of any water right to the United States or any of its Agencies, Departments, Bureaus, or Services.

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.**
You must also send a copy to all parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on January 2, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: United States of America acting through USDI BLM, Idaho State Office
Address: 1387 S. Vinnell Way
Boise, ID 83709-1657

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Anthony L. Francis, Esq.
Anthony L. Francis, Esq.