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SEP - 5 2002

Department of Water Resources

Diamond A Livestock, Inc.



Fred, Jeff & Jay Faulkner
(208) 934-5391
1997 South 1875 East
Gooding, Idaho 83330

September 3, 2002

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

Re: Right Number 37-10604
SF.1 Objection
Section D.3-Quantity

For many years, this water system has been an important part of our operation. Historic use, as nearly as we can determine between 1950 and 1963 would include:

From April 1 to July 1 of each year, this system piped water on the BLM east of State Highway 46 to 4+/- bands of sheep and 500 cattle.

From 4/1 to 10/1 of each year, 200+/- cattle that remained on the ranch were watered from this system.

From 10/1 to 4/10, 1,000+/- yearlings were watered. From 12/15 to 4/1, 1,000 cows were watered.

Presently, our CAFO permit authorizes a 4,000-head capacity. The CAFO, combined with other livestock usage, would require considerable more usage than the proposed limit of 13,000 gallons per day.

Because we have historically and continuously used the water for so many years, we object to the decision to drastically reduce the quantity of water allowed on the system.

Please advise of any other documentation required.

Fred Faulkner
President, Diamond A Livestock

cc:
Diamond A Livestock Inc.
Chief, Natural resources Division
Office of Attorney General State of Idaho
US Department of Justice
Environmental and Natural Resource Division
IDWR Document Depository

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 37-10604

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Fred Faulkner, President

Address: 1997 S. 1875 E.

Gooding, Idaho 83330

Daytime Phone: 208-934-5391 or 539-5391

Name & Address of Attorney, if any:

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

Name: Diamond A Livestock Inc.

Address: 1997 S. 1875 E.

Gooding, Idaho 83330

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: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: .26 cfs MINIMUM
4. ☐ **Priority Date**
Should be: _____
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: S 1/2 of Section 19

11. **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 attached letter

F.

VERIFICATION (Must be Completed)

State of Idaho)
County of Gooding)ss.

Fred Faulkner, 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. §§ 42-1401A(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.

x Fred Faulkner
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

Sept. 3, 2002

Catherine L. Varin

Notary Public for Gooding County
Residing at: Gooding, Idaho
My Commission Expires: 6-25-03



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 the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on September 3 2002, 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:

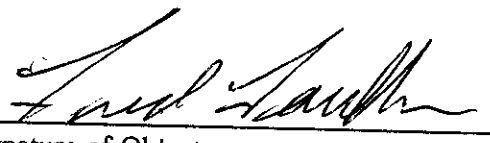
Name: Diamond A Livestock Inc.
Address: 1997 S. 1875 E.
Gooding, Idaho 83330

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

x 
Signature of Objector or attorney
mailing on Objector's behalf

08/05/2002

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

RIGHT NUMBER: 37-10604

NAME AND ADDRESS: DIAMOND A LIVESTOCK INC
1989 S 1875 E
GOODING ID 83330

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.110 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1953

POINT OF
DIVERSION: T06S R15E S19 NESWSE Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
01/01 12/31

QUANTITY
0.110 CFS

PLACE OF USE: STOCKWATER Within GOODING County

T06S R15E S19 SWSE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO
LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION
42-1412(6), IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use