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OCT 18 2004

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: _45-10353 _

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America, Acting through the USDA Forest Service

Address: 550 West Fort Street
MSC 033
Boise, Idaho 83724

Daytime Phone: (208) 331-5943

Name and Address of Attorney, if any:

David L. Negri
550 West Fort Street
MSC 033
Boise, Idaho 83724

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

Name: Luther Gardner Bill J Matthews

Address: 395 N Center 516 Cedar Dr
Oakley, ID 83346 Burley, ID 83318

Eugene Layton Keith Warr
Rt 1 Box 39A Rt 1 Box 111
Oakley, ID 83346 Oakley, ID 83346

Shoulder 3 Ranches Inc.
P.O. Box 218
Oakley, ID 83346

SF.1 Objection

Subcase: _45-10353 _

Page 1

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: See E Below
4. ☒ **Priority Date**
Should be: See E Below
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. ☐ **Places of Use**
Should be:

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):**

The United States objects to this water right recommendation in order to implement the terms and conditions of the Stockwater Stipulation and Joint Motion for Order Approving Stipulation signed by Luther Gardner, Bill J. Matthews, Shoulder 3 Ranches Inc., Eugene Layton and Keith Warr and filed on August 29, 2002.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Michael Collette , 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.

Michael Collette

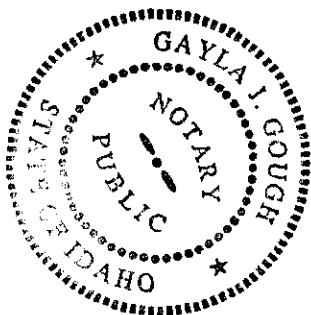
(Signature of person filing objections)

David Negri

(Attorney signing in representative capacity)

Subscribed and sworn before me on: October 15, 2004

Gayla J. Gough
Gayla J. Gough



Notary Public for: Idaho
Residing at: Kuna, Idaho
Commission Expires: 11/17/2004

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 October 15, 2004, 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:	Luther Gardner	Bill J Matthews	Objection served upon counsel for Claimant(s)
Address:	395 N Center Oakley, ID 83346	516 Cedar Dr Burley, ID 83318	

Eugene Layton	Keith Warr
Rt 1 Box 39A	Rt 1 Box 111
Oakley, ID 83346	Oakley, ID 83346

Shoulder 3 Ranches Inc.
P.O. Box 218
Oakley, ID 83346

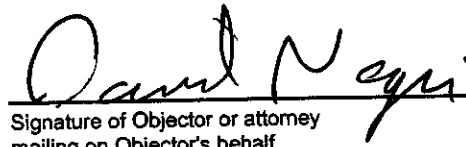
3. Copies to:

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

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

Travis L. Thompson
Barker Rosholt & Simpson LLP
113 Main Ave. W. Suite 303
Twin Falls, ID 83301

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



Signature of Objector or attorney
mailing on Objector's behalf