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JUN 24 2005

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 65-22737  
(Insert water right number)

**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 Department of Interior,  
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way  
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax  
United States Department of Justice  
Environment and Natural Resource Division  
General Litigation Section  
550 West Fort Street, MSC 033  
Boise, Idaho 83724

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

Name: A L Cattle, Inc.  
Address: P.O. Box 608; Emmett, Idaho 83617

Name: \_\_\_\_\_  
Address: \_\_\_\_\_ ;

Name: \_\_\_\_\_  
Address: \_\_\_\_\_ ;

Name: \_\_\_\_\_  
Address: \_\_\_\_\_ ;

**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 attached.
4. ☒ **Priority Date**  
Should be: See attached.
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: See attached.

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 combined use remark under the quantity element refers to BLM claims that do not overlap with this claim. The reference to BLM water right numbers should be removed. The priority date recommended is not in accord with the settlement filed with the court on 08-29-02 that defined the priority for this claim should be 06-27-1934.

F.

**VERIFICATION** (Must be Completed)

State of Idaho

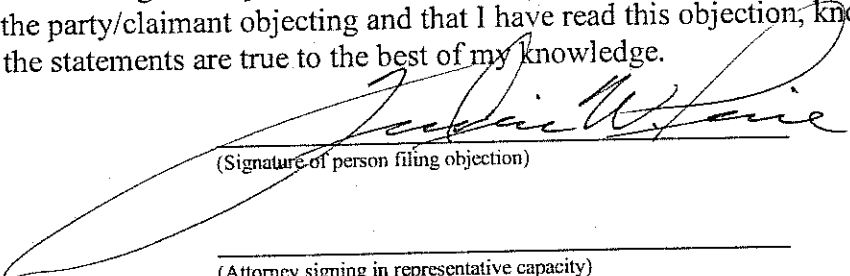
)  
) ss.

County of ADA

)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

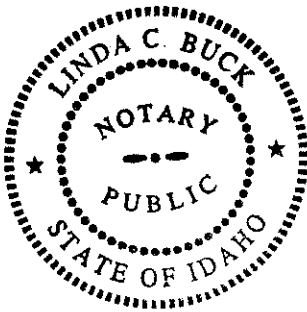
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

  
(Signature of person filing objection)

\_\_\_\_\_  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

June 20, 2005  
Linda C. Buck  
Linda C. Buck



Notary Public for Idaho  
Residing at: Mountain Home  
My Commission Expires: 12/21/2005

## 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 June 23, 2005, 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  
P.O. Box 2707  
Twin Falls, ID 83303-2707

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

Name: A L Cattle, Inc.  
Address: P.O. Box 608; Emmett, Idaho 83617

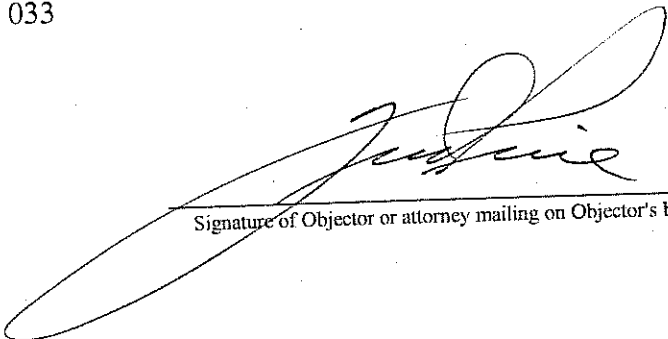
Travis L. Thompson  
Barker, Rosholt & Simpson, LLP  
113 Main Ave. W., Ste. 303  
Twin Falls, Idaho 83301

3. Copies to:

IDWR Document Depository  
P.O. Box 83720  
Boise, ID 83720-0098

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P.O. 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

  
\_\_\_\_\_  
Signature of Objector or attorney mailing on Objector's behalf

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

RIGHT NUMBER: 65-22737  
NAME AND ADDRESS: A L CATTLE INC  
PO BOX 608  
EMMETT ID 83617

**-BLM claims 65-19805, 65-20611, 65-20612 do not overlap with this claim.  
-Priority Date should be 06/27/1934 in accordance with Stipulation entered into on Aug 29, 2002.**

SOURCE: UNNAMED STREAM  
QUANTITY: 0.020 CFS

TRIBUTARY: DRY CREEK

The quantity of water under this right when combined with ~~65-19805, 65-20611, 65-20612,~~ and 65-22736 shall not exceed 13,000 gallons per day.

PRIORITY DATE: ~~01/25/1897~~ 06/27/1934

POINT OF  
DIVERSION:

T09N R02W S13  
T09N R02W S24

Within PAYETTE County  
SWSWSW } BLM Begin of Stream Flow  
NESWNW } End of Stream Flow

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
STOCKWATER

PERIOD OF USE  
01/01 12/31

QUANTITY  
0.020 CFS

PLACE OF USE:

STOCKWATER

T09N R02W S13  
T09N R02W S24  
T09N R02W S24

Within PAYETTE County  
SWSW }  
NWNW } BLM  
SWNW }

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.

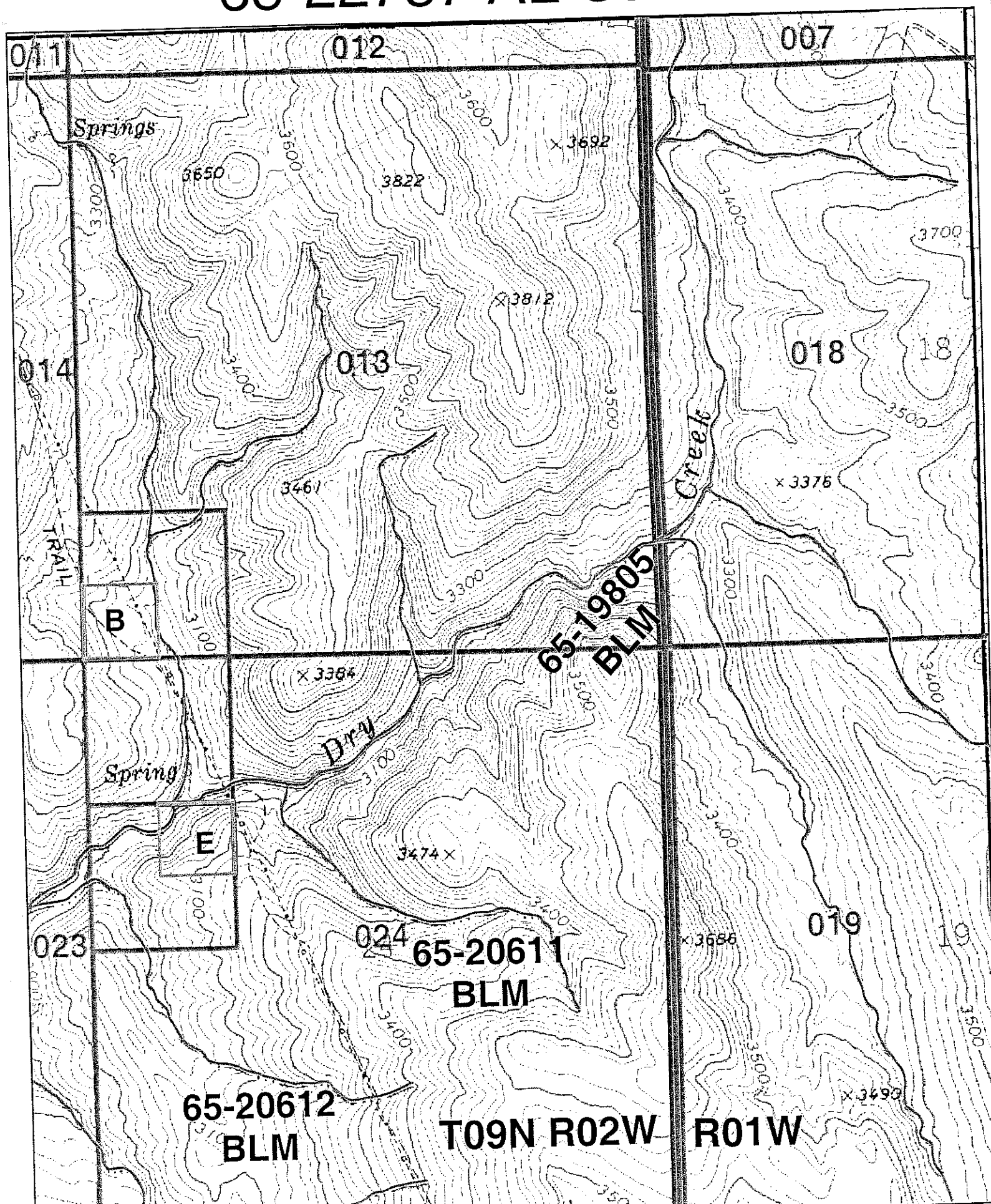
The operation, use, and administration of this water right is also subject to the terms and conditions of the Stipulation and Joint Motion for Order Approving Stipulation entered into on August 29, 2002 between the United States of America and Western Stockgrowers Association, et al.; the provisions of such Stipulation to apply fully to this water right.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

**-Remove reference to BLM's claim in the remark under quantity and adjust priority date accordingly.**

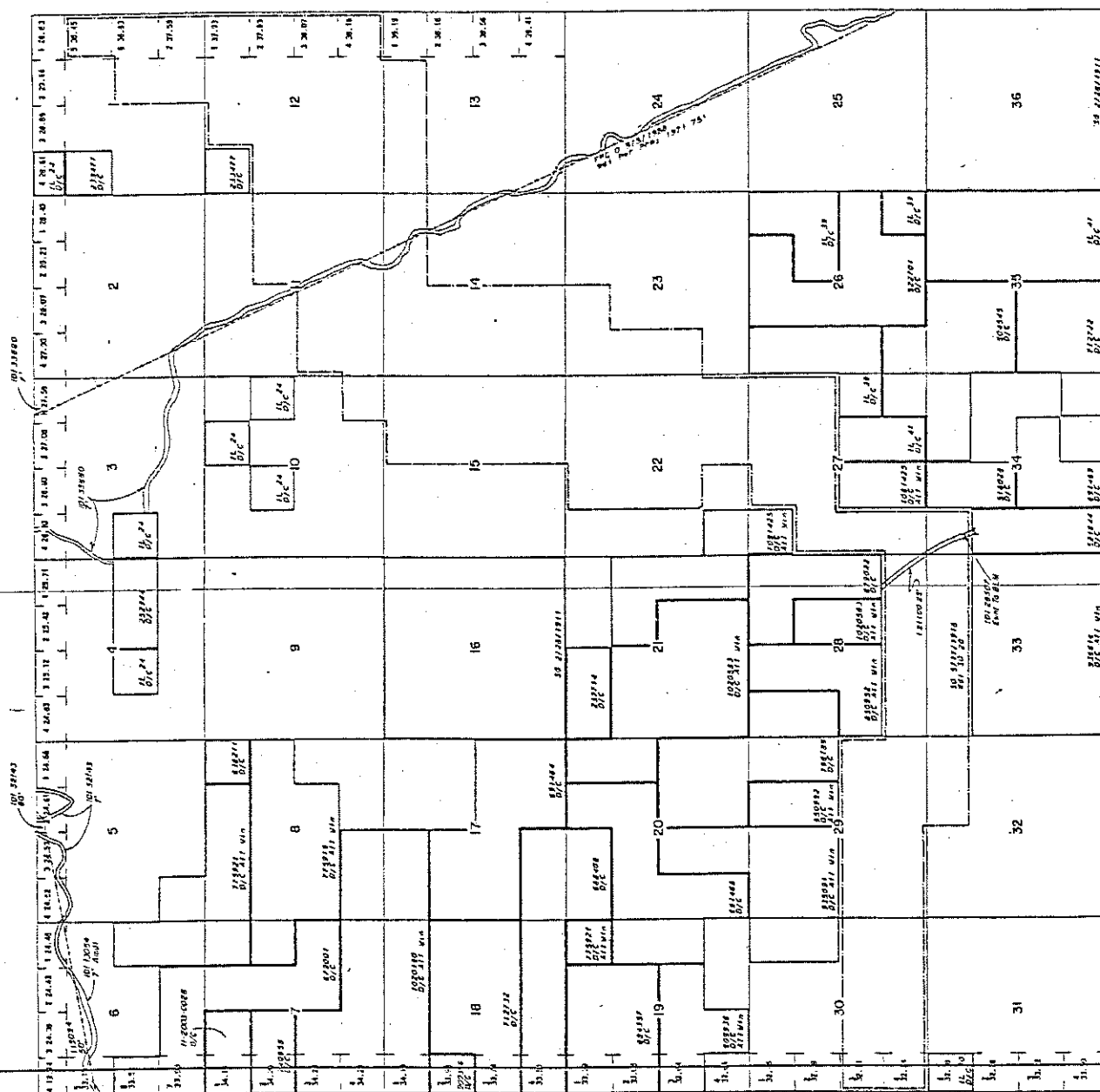
# 65-22737 AL Cattle



PAYETTE COUNTY 075  
50116 01 MAR 1963 J

STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL TITLES

## MT PLAT

[illegible]

**INTERVIEW QUESTIONNAIRE**

This plot is the **Blauguet Record of Tiller**, and should be used only as a guide display of the tangle-making survey data, and side horizon is not reflect the changes which may have been effected by lateral movements of rivers or other bodies of water.

For Back-Channel Information

SCALE IN CHINA

Lat. 44° 44' 14" N  
Long. 116° 31' 29" E.

|            |            |
|------------|------------|
| CURRENT ID | CURRENT IO |
| WAR 5.201  |            |

FOR ORDERS EFFECTING DISPOSAL OR USE OF  
UNIDENTIFIED LANDS REFER TO INDEX OF  
MISCELLANEOUS DOCUMENTS.

8.10 Mer