

RECEIVED
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 65-22740
(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:
4. ☒ **Priority Date**
Should be: See attached.
5. ☒ **Point(s) of Diversion**
Should be: See attached.
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 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 for POU's on BLM land.

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.

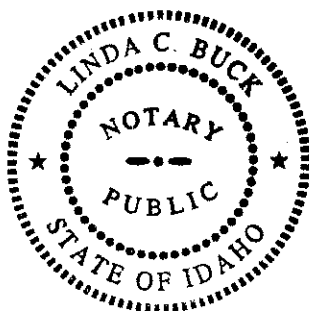
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

Linda C. Buck

Notary Public for Idaho
Residing at: Mountain Home
My Commission Expires: 12/21/2009



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

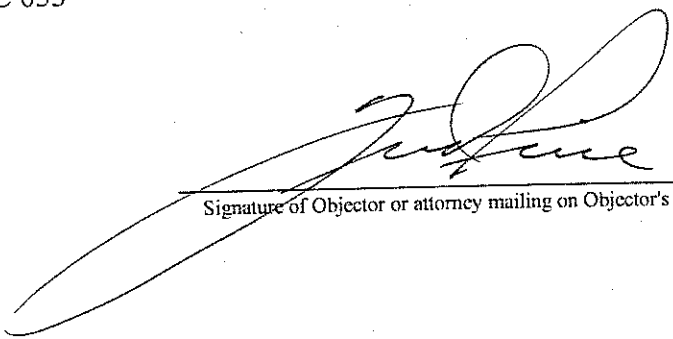
Travis L. Thompson
Barker, Rosholt & Simpson, LLP
113 Main Ave. W., Ste. 303
Twin Falls, Idaho 83301

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

04/18/2005

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

RIGHT NUMBER: 65-22740

NAME AND ADDRESS: A L CATTLE INC
PO BOX 608
EMMETT ID 83617

SOURCE: SUCKER CREEK TRIBUTARY: BIG WILLOW CREEK

QUANTITY: 0.020 CFS

The quantity of water under this right when combined with 65-19924, and 65-1994 shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/25/1897 *should be 06/27/1934 for POU's on BLM.*

POINT OF DIVERSION: ^{BLM}
T08N R01W S8 SWSESW Begin of Stream Flow Within GEM County
T08N R02W S12[✓] NWSESW End of Stream Flow Within GEM County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within GEM County

T08N R01W S07	SWSW ^{BLM}	T08N R01W S07	SESW ^{BLM}
T08N R01W S07	SWSE ^{BLM}	T08N R01W S07	SESE ^{BLM}
T08N R01W S08	SWSW ^{BLM}	T08N R01W S08	SESW ^{BLM}
T08N R02W S12	SESW [✓]	T08N R02W S12	SWSE [✓]
T08N R02W S12	SESE [✓]		

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.

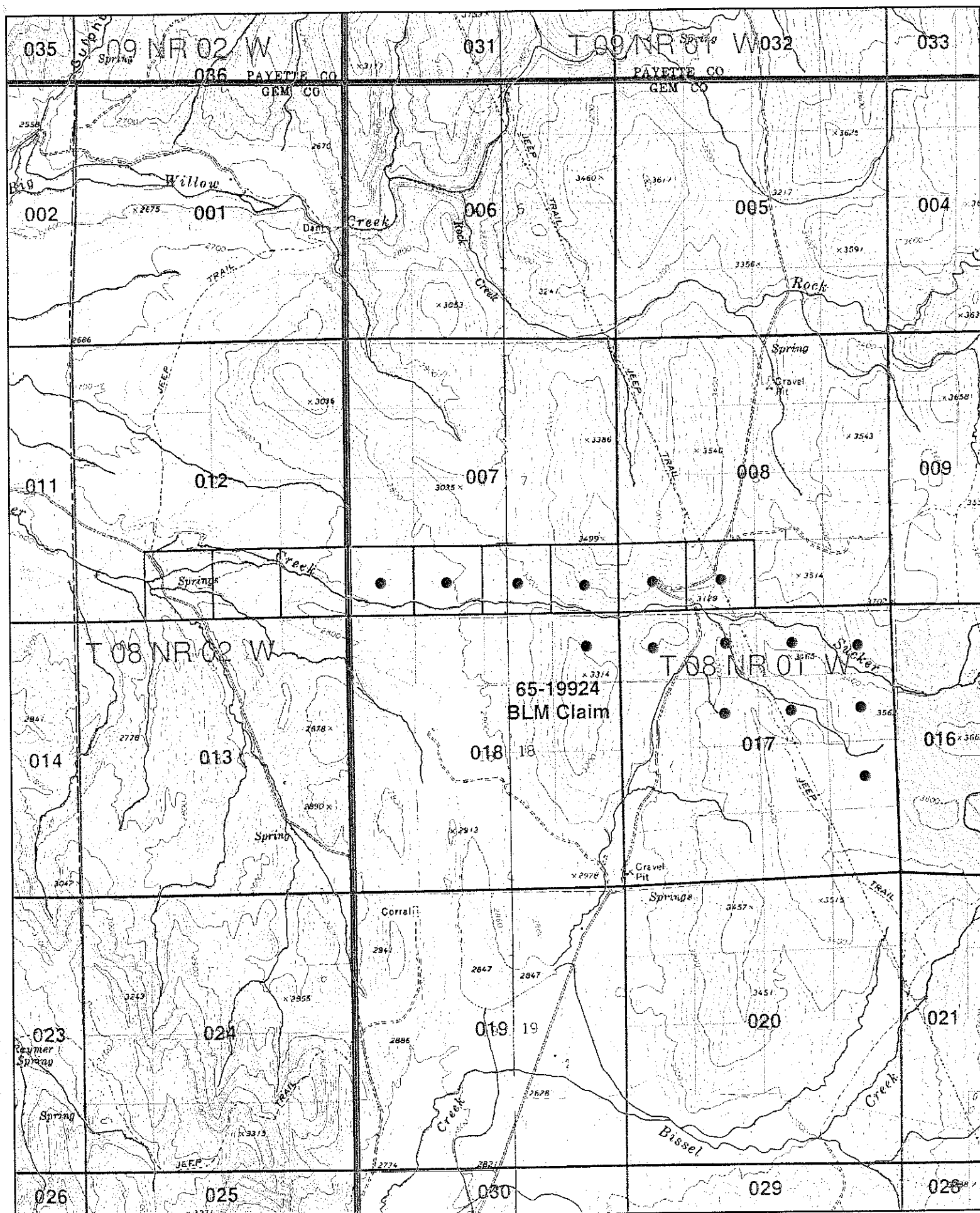
The operation, use, and administration of this water right is also subject to the terms and conditions of the Stipulation and Joint Motion for Order Approving Stipulation entered into on August 29, 2002 between the United States of America and Western Stockgrowers Association, et al.; the provisions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

Source also known as Succor Creek.

65-22740 AL Cattle



GEM COUNTY 045
BOISE DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

[illegible]

DOI-25873J Natl Hist Trail
Historical information only, does not denote
public access

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

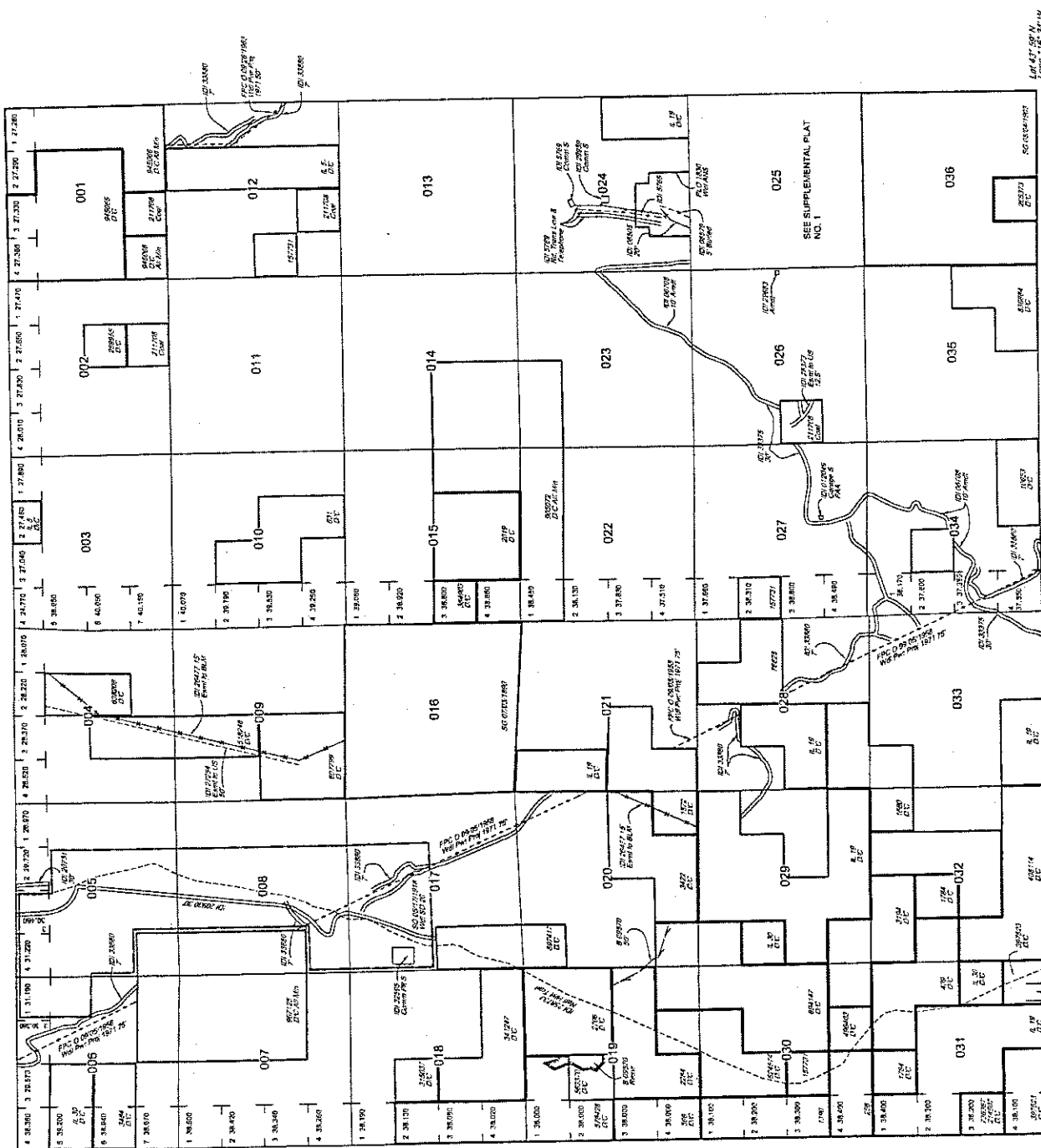
FILE REF.	1060383DNOICENTVANTTODICE.DWG
CONVERTED YRF.	03-09-2005
BY:	LTM
LAST UPDATED	03-10-2005
BY:	LTM
LAST GREPPER:	BY:
POSTED TO SURVEY RECORDS:	
PUBLIC LAND SURVEY SYSTEM (PLSS)	
N/A GUA ACQUIRED	11-07-2004
USFS OFF ACQUIRED	N/A
PROJECTED COORDINATE SYSTEM: UTM ZONE 14N, UTM 18B3	
NOTES:	

U.S. Bureau of Land Management - Idaho State Office
1387 S. Virtual Way Boise, Idaho 83709
(208) 373-4000

CONCLUSION

[illegible]

Y. 8 N
R. 1 W



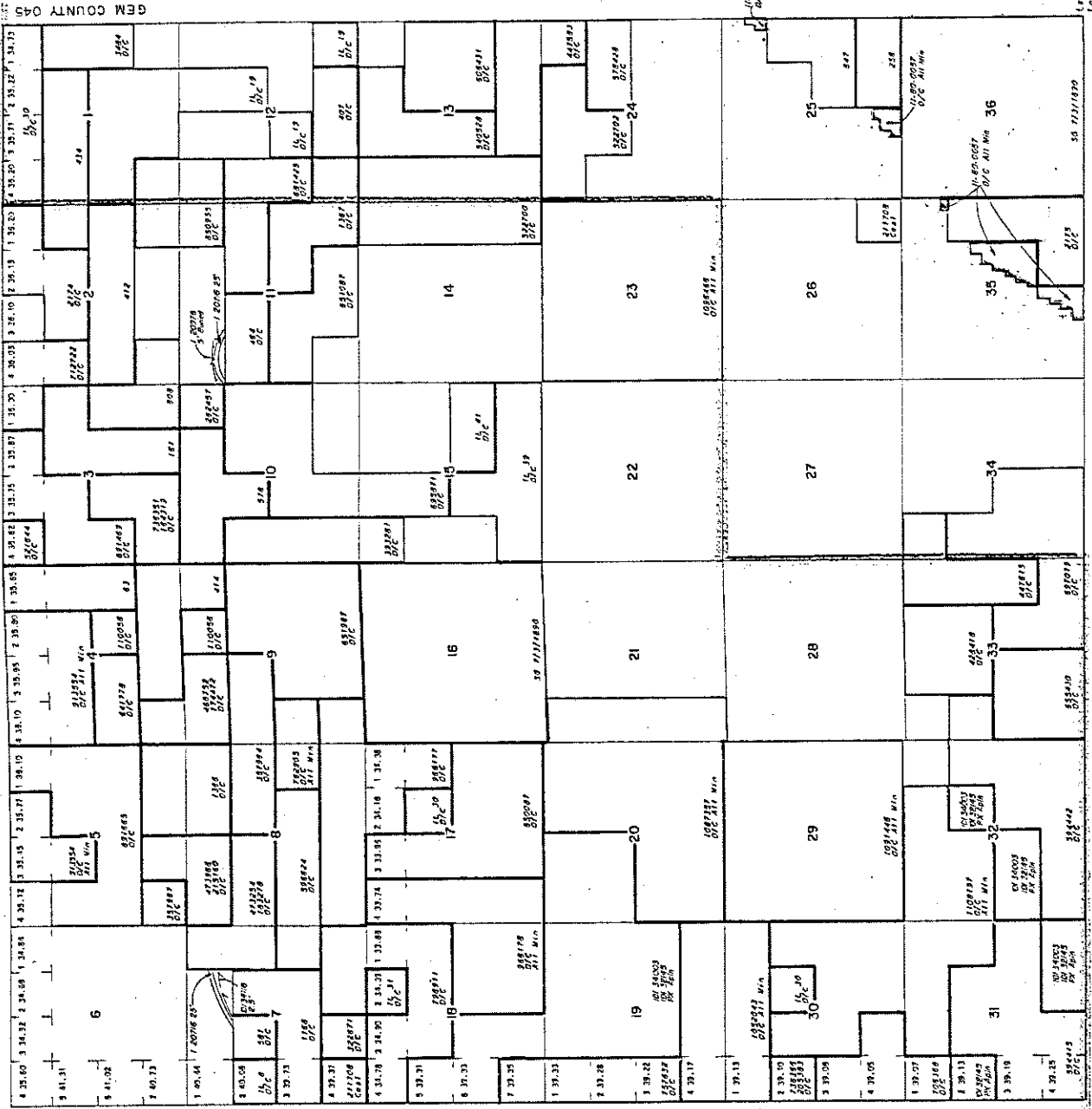
TOWNSHIP 8 NORTH RANGE 2 WEST OF THE BOISE MERIDIAN, IDAHO

BOISE DISTRICT SEC. 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

PAYETTE COUNTY OTS

MT PLAT



INDEX TO SEGREGATED TRACTS			
TRACT NO.	T.	R.	SEC.
1	8	2	1
2	8	2	2
3	8	2	3
4	8	2	4
5	8	2	5
6	8	2	6
7	8	2	7
8	8	2	8
9	8	2	9
10	8	2	10
11	8	2	11
12	8	2	12
13	8	2	13
14	8	2	14
15	8	2	15
16	8	2	16
17	8	2	17
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19	8	2	19
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21	8	2	21
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26	8	2	26
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28	8	2	28
29	8	2	29
30	8	2	30
31	8	2	31
32	8	2	32
33	8	2	33
34	8	2	34
35	8	2	35
36	8	2	36

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

CURRENT TO
CURRENT TO

USE PLAT

WARNING STATEMENT
THIS PLAT IS A SUMMARY OF THE RECORDS OF THE BOISE DISTRICT, IDAHO, AND SHOULD BE USED
AS A GUIDE ONLY. IT DOES NOT REPRESENT THE ACTUAL SURVEY. FOR THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITHDRAWAL ORDER
SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITHDRAWAL ORDER.

SCALE IN FEET
0 10 20 30 40 50