

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 65-22746
(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 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 POUs on BLM land.

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)

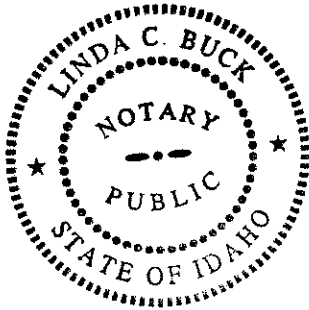
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(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

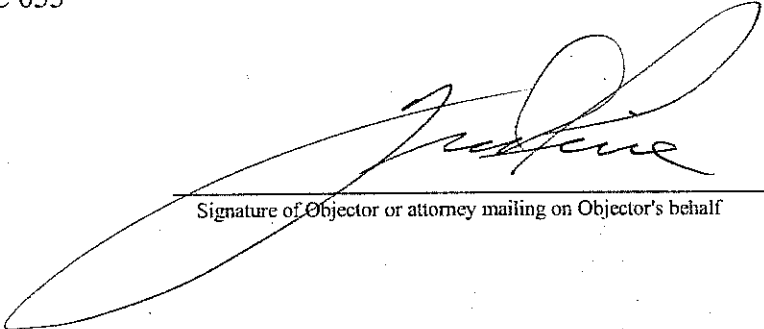
Travis L. Thompson
Barker, Rosholt & Simpson, LLP
113 Main Ave. W., Ste. 303
Twin Falls, Idaho 83301

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: 65-22746
NAME AND ADDRESS: A L CATTLE INC
PO BOX 608
EMMETT ID 83617

-Claim 65-22747 should be added to remark under quantity.
-Priority date should be in accordance with Aug. 29, 2002
Stipulation.

SOURCE: UNNAMED STREAM TRIBUTARY: FOUR MILE CREEK
QUANTITY: 0.020 CFS

The quantity of water under this right when combined with
65-19896 and 65-22747 shall not exceed 13,000 gallons per day.

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

POINT OF Within PAYETTE County
DIVERSION: T09N R01W S4 SENWSE } End of Stream Flow
T09N R01W S4 NESESE } *BLM* Begin of Stream Flow

PURPOSE AND
PERIOD OF USE:

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

PLACE OF USE: STOCKWATER Within PAYETTE County
T09N R01W S04 NWSE }
T09N R01W S04 SWSE } *BLM*
T09N R01W S04 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.

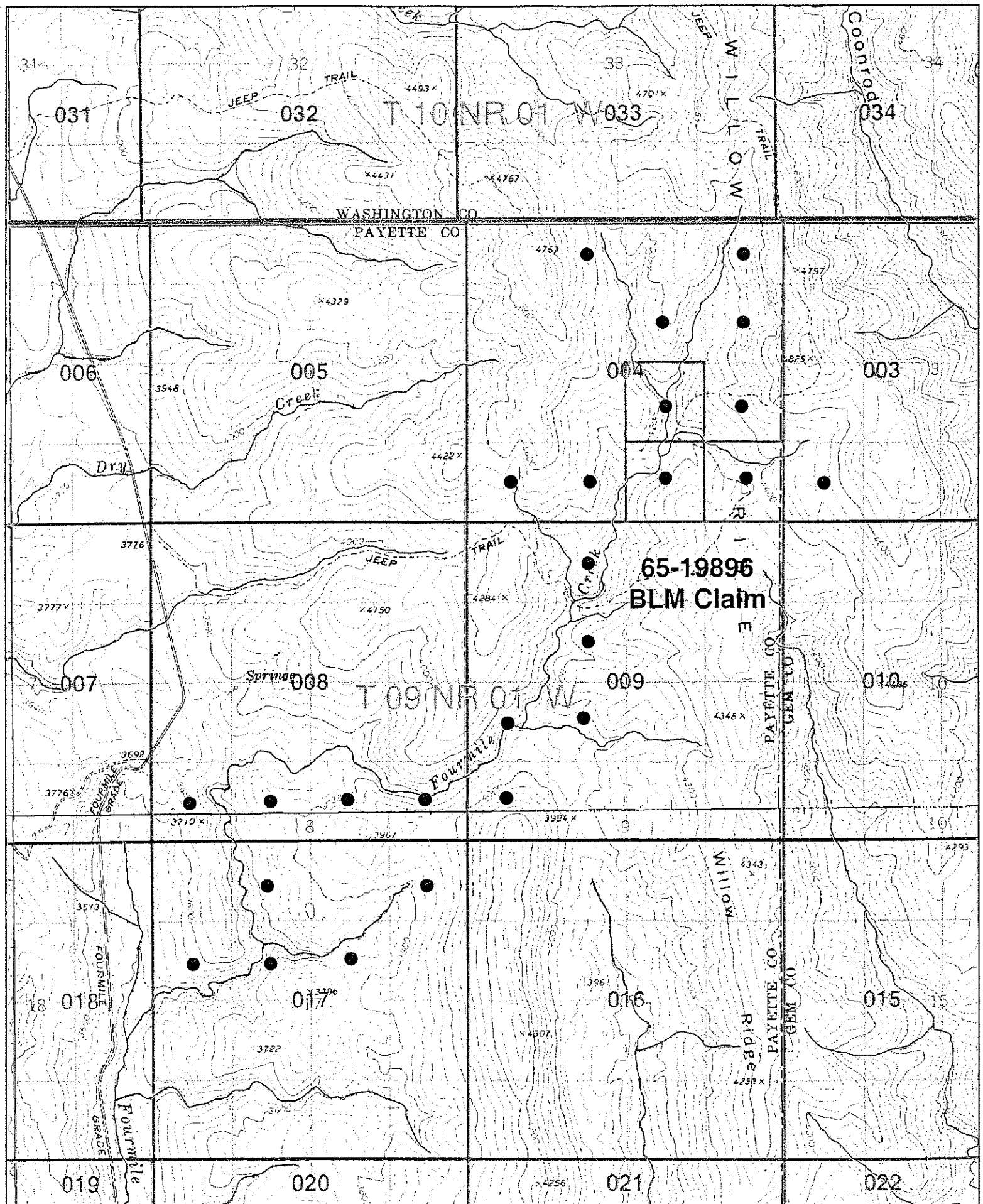
The operation, use, and administration of this water
right is also subject to the terms and conditions of the
Stipulation and Joint Motion for Order Approving Stipulation
entered into on August 29, 2002 between the United States of
America and Western Stockgrowers Association, et al.; the
provisions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

**-Add appropriate claim in the remark under quantity and adjust Priority Date
accordingly.**

65-22746 AL Cattle



STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

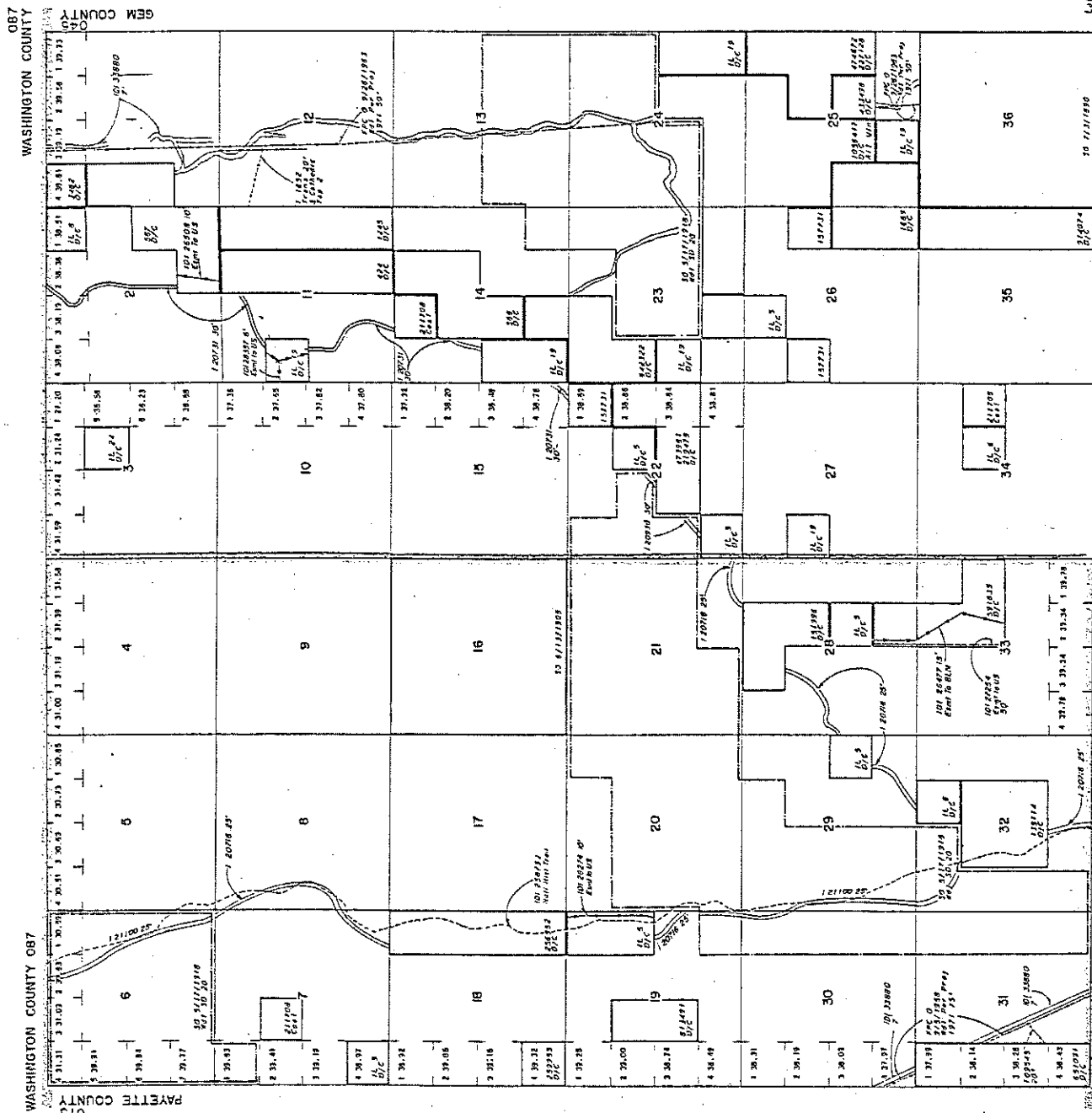
DDI 25073, 25073 list from
historical information only, does not denote
public access

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

CURRENT TO	CURRENT TO
OCT 27 1953	

USE PLATS:

Boke Mer
T. 3.11
R. 14



WARNING STATEMENT

This plan is the Bureau's Record of Time, and should be used only as a graphic display of the township survey data. Records herein do not include title changes which may have been affected by direct measurement of distances between buildings.

SCALE in Choice

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