

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 65-22748
(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 POU's 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)

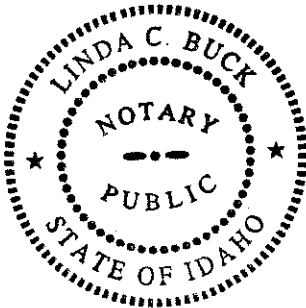
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

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

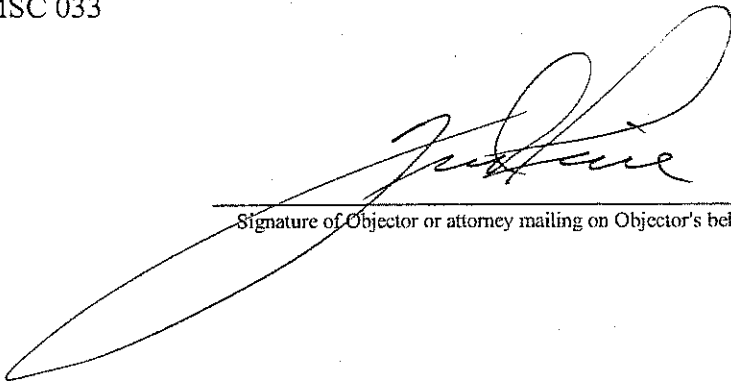
Travis L. Thompson
Barker, Rosholt & Simpson, LLP
113 Main Ave. W., Ste. 303
Twin Falls, Idaho 83301

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

04/18/2005

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

RIGHT NUMBER: 65-22748

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

SOURCE: UNNAMED STREAM

TRIBUTARY: ROCK CREEK

QUANTITY: 0.020 CFS

The quantity of water under this right when combined with 65-19926 and 65-541 shall not exceed 13,000 gallons per day.

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

POINT OF
DIVERSION:

T08N R01W S5 SESESW End of Stream Flow Within GEM County

T08N R01W S8 NWNWNE Begin of Stream Flow Within GEM County

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 GEM County

T08N R01W S05

SESW

T08N R01W S05

SWSE BLM

T08N R01W S08

NWNE

} BLM

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

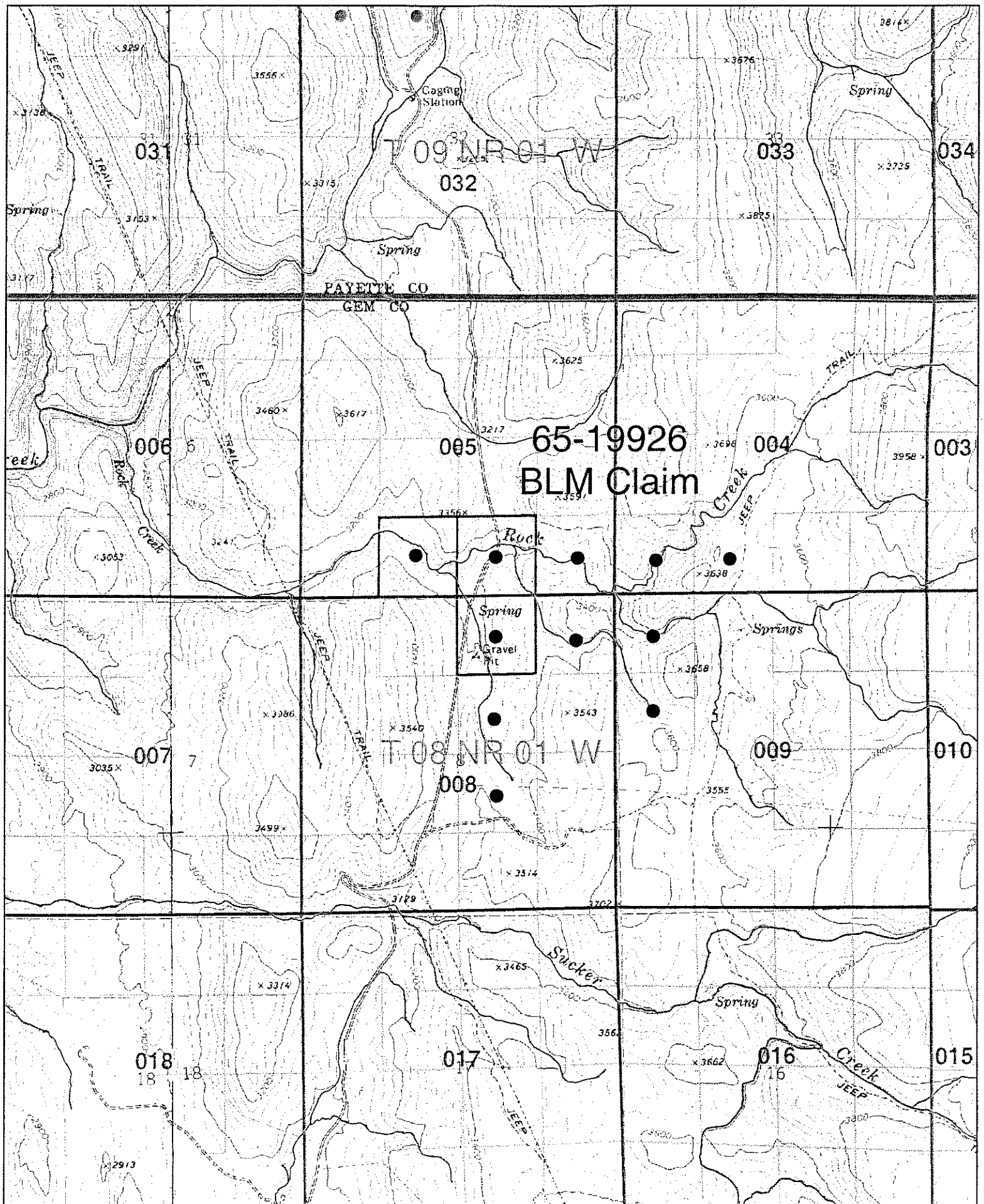
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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

65-22748 AL Cattle



TOWNSHIP 8 NORTH RANGE 1 WEST OF THE BOISE MERIDIAN, IDAHO

GEM COUNTY 045
BOISE DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS			
TRACT NO.	1	2	3
001			
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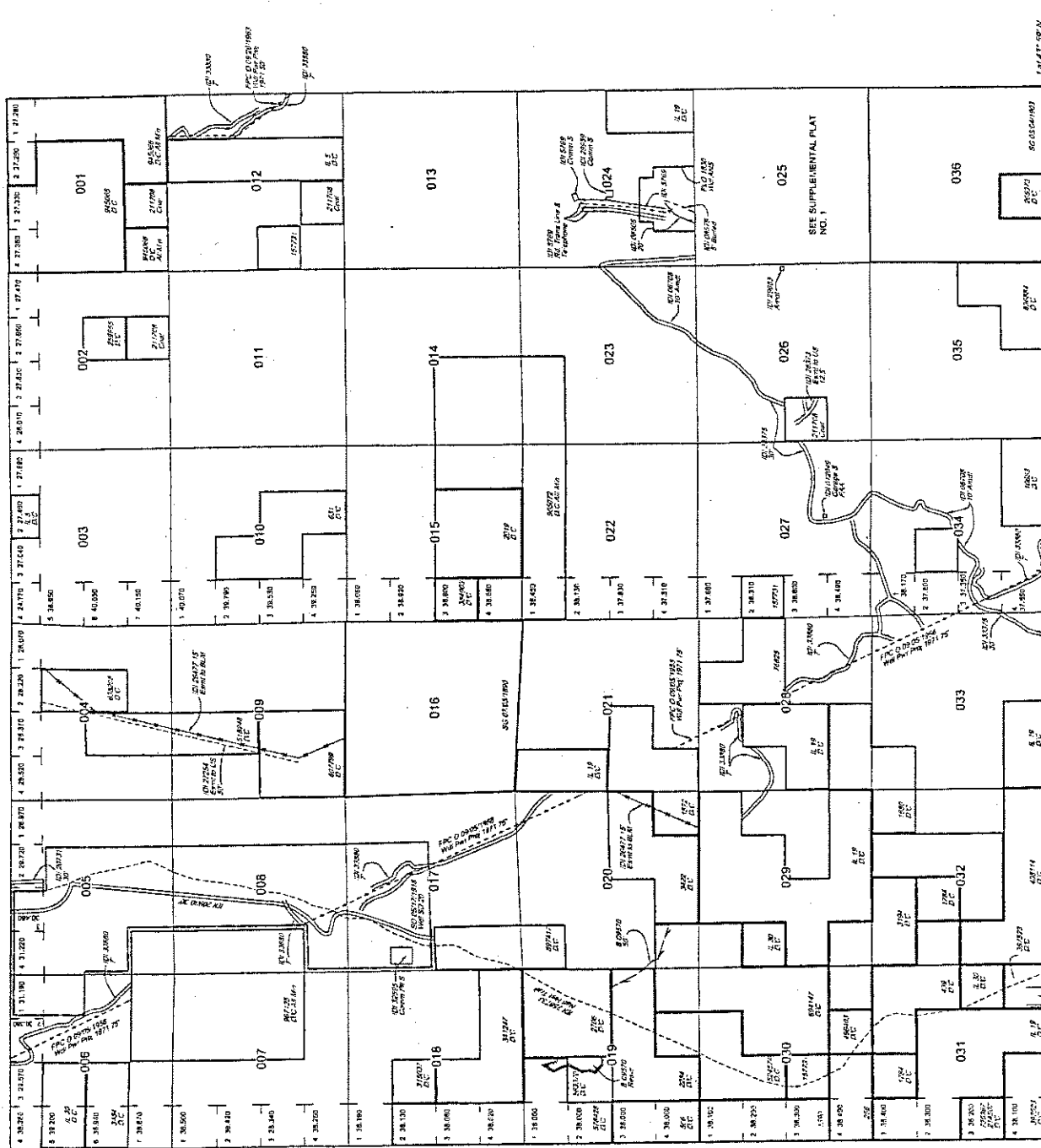
NOT 288.33 and 104.11
Historical information only, does not denote
public access

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

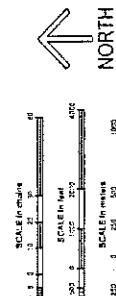
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CONVERTED TYPE	10240000100100000000
LAST UPDATED	10240000100100000000
LAST VERIFIED	10240000100100000000
PORTAL TO PUBLIC RECORDS	10240000100100000000
PUBLIC LAND SURVEY SYSTEM	10240000100100000000
DATE OF ACQUISITION	10240000100100000000
PROPOSED COORDINATE SYSTEM	10240000100100000000

UNIT PLATE	
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Scale for
T. 8 N
R. 1 W



Lat 43° 59' N
Long 116° 34' W



DISCLAIMER:
This plat is a graphic display of the Bureau of Land Management (BLM) records and is not a legal document. It is not intended to be used as evidence in any court of law. The BLM does not warrant the accuracy or completeness of the information shown on this plat. The information shown on this plat is for informational purposes only and should not be used for any other purpose.

U.S. Bureau of Land Management - Idaho State Office
1387 S. Vinland Way, Boise, Idaho 83709
(208) 333-4000