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Names of Parties Filing Document:

UNITED STATES OF AMERICA

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**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	)	Subcase Numbers 55-10288B, 55-10289B,
	)	55-10290B, 55-10292B, 55-10293B,
	)	55-10295, 55-10296, 55-10297B,
	)	55-10298, 55-10299B, 55-10300,
Case No. 39576	)	55-10303B, 55-13451, 55-13844, and
	)	55-13846
	)	
LU Ranching Co.,	)	UNITED STATES' NOTICE OF
	)	CROSS-APPEAL
Appellant/Cross-Respondent	)	
	)	
v.	)	
	)	
United States of America	)	
	)	
Respondent/Cross-Appellant	)	
	)	

TO: THE ABOVE NAMED CROSS-RESPONDENT, LU RANCHING CO., AND THE CROSS-RESPONDENT'S ATTORNEYS, MICHAEL J. VAN ZANDT, ELIZABETH P. EWENS, AND ROGER D. LING, AND THE CLERK OF THE ABOVE-ENTITLED COURT.

NOTICE IS HEREBY GIVEN THAT:

1. Pursuant to I.A.R. 15, the United States of America (the "United States") cross-appeals against LU Ranching Co. to the Idaho Supreme Court from the Memorandum Decision and Order on Challenge; Order of Partial Decrees entered in the above-entitled action on the 4th day of January, 2005 and the Order on LU Ranching Co.'s Motion for Reconsideration entered in the above-entitled action on the 2nd day of May, 2005, the Honorable Judge John M. Melanson, presiding.

2. The United States has a right to appeal to the Idaho Supreme Court, and orders described above are appealable under and pursuant to I.A.R. 11(a)(3) and I.A.R. 11(a)(7).

3. The issue on cross-appeal is whether the District Court erred in awarding LU Ranching Co. stockwatering rights that designate public lands as places of use with priority dates that pre-date the time LU Ranching Co. first used the claimed stockwater. In accordance with I.A.R. 17, the United States reserves the right to assert other issues on cross-appeal.

4. The District Court did not enter an order sealing any portion of the record.

5. LU Ranching Co. requested preparation of transcripts in its Notice of Appeal filed in the above-entitled action on the 10th day of June, 2005.

6. In accordance with Administrative Order 13, the United States respectfully requests that the following briefs or memoranda be included as exhibits to the clerk's record:

- a. United States' Motion for Partial Summary Judgment and Memorandum in Support dated October 15, 1998;
- b. Special Master's Order Granting the United States' Motion for Summary Judgment dated January 8, 1999;
- c. Special Master's Order Denying Motion to Alter or Amend dated July 27, 1999;
- d. United States' Memorandum in Support of United States' Motion to Alter or Amend the Special Master's Report and Recommendation, Findings of Fact and Conclusions of Law dated April 10, 2003;
- e. United States' Memorandum in Reply to LU's Opposition to the United States' Motion to Alter or Amend the Special Master's Report and Recommendation, Findings of Fact and Conclusions of Law dated May 30, 2003;
- f. United States' Memorandum in Support of the United States' Challenge of the Special Master's Order on Motion to Alter or Amend dated July 29, 2004;
- g. United States' Memorandum in Reply to LU Ranching Company, Inc.'s Memorandum in Opposition to the United States' Challenge of the Special Master's Order on Motion to Alter or Amend dated September 24, 2004; and
- h. United States' Memorandum in Opposition to LU Ranching Co.'s Motion for Reconsideration dated January 31, 2005.

8. I certify:

- a. That any fee for the preparation of clerk's record will be paid by the United States within 30 days of presentation of a bill for such fees;

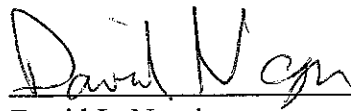
b. That any appellate filing fee required to be paid by the United States shall be paid within 30 days of the date of filing this Notice of Cross-Appeal; and

c. That service has been made upon all parties required to be served pursuant to I.A.R. 20.

DATED this 30th day of June, 2005.

Respectfully submitted,

UNITED STATES OF AMERICA

A handwritten signature in dark ink, appearing to read "David L. Negri", is written over a horizontal line.

David L. Negri

Larry A. Brown

Attorneys for the United States

CERTIFICATE OF SERVICE

I certify that on June 30, 2005, that I served a true and correct copy of foregoing **UNITED STATES' NOTICE OF CROSS-APPEAL** upon the following individuals by placing the document in the United States Mail in Washington D.C., postage paid, and addressed as follows:

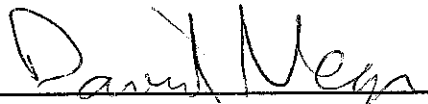
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Signature of attorney serving document