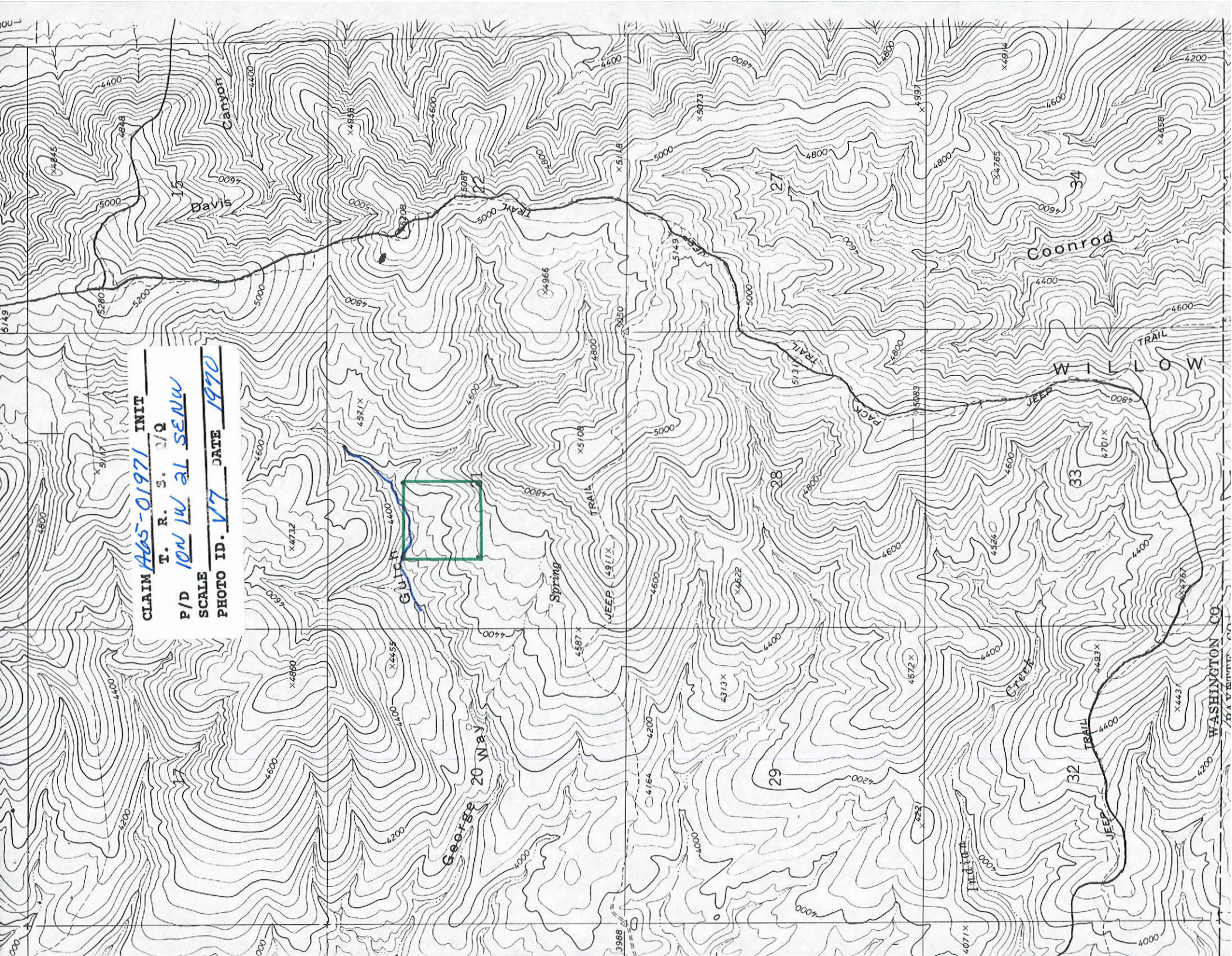


CLAIM AGS-01971 INIT INIT
T. R. S. 3/2
P/D 10N 1W 21 SENW
SCALE 17
PHOTO ID. 17 DATE 1970



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-01971
Date Received: 10/17/1989
Receipt No: X999999
Received By: AS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: A. L. CATTLE CO., INC. 208-365-2320
Address: P.O. BOX 608
EMMETT, ID 83617

2. Date of Priority: MAY 25, 1918

3. Source: LITTLE WILLOW CREEK Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	01W	21	SE	NW			WASHINGTON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.330		20.10

7. Total Quantity Appropriated is:
0.330 C.F.S. (and/or) 20.10 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	01W	21	SE	NW		STOCK	

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? YES

A65-01971

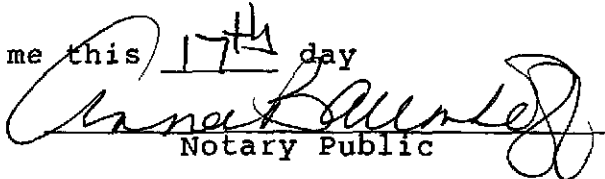
Page 1

Date: 10/17/89

MICROFILMED
SEP 18 1992

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 17th day
of October 1989


Notary Public

Seal

Residing at _____

My Commission Expires December 7, 1994
*Anna Baunhoff, Notary Public
Residing at Boise, Idaho*

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-01971

FILED *AM*
2004 APR 14 PM 3 27

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

SOURCE: GEORGE WAY GULCH CREEK TRIBUTARY: LITTLE WILLOW CREEK

QUANTITY: 0.33 CFS
20.10 APY

PRIORITY DATE: 05/25/1918

POINT OF DIVERSION: T10N R01W S21 SENW Within Washington County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.33 CFS 20.10 APY

PLACE OF USE: Stockwater Within Washington County
T10N R01W S21 SENW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977.

This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code Section 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

RECOMMENDATION

APR 14 2004

[Signature]
SPECIAL MASTER

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

JAN 24 2002

WATER RESOURCES
WESTERN REGION

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 65-1971
(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 Reclamation, Regional Director PN Code-3100
Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234
Daytime Phone: (208) 678-0461 (Dala Walton)

Name & Address of Attorney, if any:
David W. Gehlert (303 312-7352)
Trial Attorney, General Litigation Section
Environment and Natural Resource Division
U.S. Department of Justice
999 18th Street, Suite N 945
Denver, CO 80202

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

Name: A L Cattle Inc.
Address: PO Box 608
Emmett, ID 83617

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

- ☒ **General Provision Basin 65 Irrigation & Other Part III (3) Separate Streams**
1. ☐ **Name and Address**
Should be:
 2. ☐ **Source**
Should be:
 3. ☐ **Quantity**
Should be:
 4. ☐ **Priority Date**
Should be:
 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:
11. **I object because:**
- ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

The Bureau of Reclamation objects to the separate stream provision of the Director's Report for Basin 65, Part III. These streams should be administered as part of the Payette River System in order to adequately protect water rights in the Payette River subbasin.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

) ss.

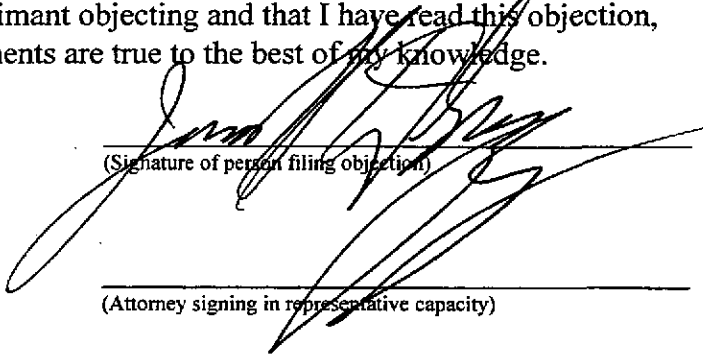
County of Ada

)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:

(Name of person filing objection)

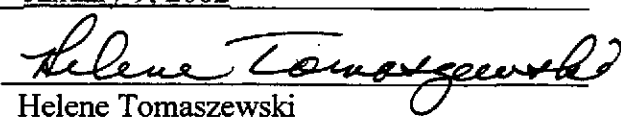
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

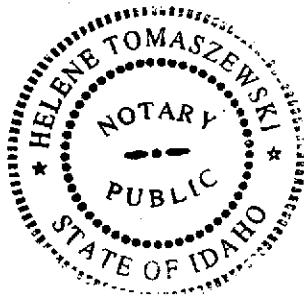
January 9, 2002


Helene Tomaszewski

Notary Public for: Idaho

Residing at: Meridian

My Commission Expires: 01-16-2002



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 January 17, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

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: PO Box 608
Emmett, ID 83617

3. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

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

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf

10/27/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-1971

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

SOURCE: GEORGE WAY GULCH CREEK TRIBUTARY: LITTLE WILLOW CREEK

QUANTITY: 0.33 CFS
20.1 AFY

PRIORITY DATE: 05/25/1918

POINT OF DIVERSION: T10N R01W S21 SENW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01-01 12-31	0.33 CFS
		20.1 AFY

PLACE OF USE:

STOCKWATER Within
WASHINGTON County
T10N R01W SENW
S21

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

THE QUANTITY OF WATER DECREED FOR THIS WATER
RIGHT IS NOT A DETERMINATION OF HISTORICAL
BENEFICIAL USE.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

STOCKWATER, 1500 RANGE CATTLE
SOURCE IS ALSO KNOWN AS LITTLE WILLOW CREEK.

03/07/2001 RECEIVED

NOTICE OF ERROR
REPLY

APR 11 2001

WATER RESOURCES
DIVISION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 13, 2001

Water right number: 65-1971

A L CATTLE INC

PO BOX 608

EMMETT ID 83617

Telephone Number: (208)365-2320

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4.11.01

SIGNATURE: AL. Cattle, Inc

Please print your name: by Agnes L. Brailsford

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

AJ5809NP
No. A65-01971

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/08/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	A L CATTLE INC PO BOX 608 EMMETT ID 83617 (208) 365-2320	05/25/1918	STOCKWATER	01-01 12-31	0.330 CFS	20.10 AFA
TOTAL DIVERSION:					0.330 CFS	20.10 AFA

Water Source: ~~LITTLE WILLOW CREEK~~

Tributary to:

Stage: DECREED

Point(s) of Diversion: T10N R01W S21 SENW

WASHINGTON County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:
10N	01W	21	:					:					:					:					:

POU County: WASHINGTON

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Audit: 10/17/89 BAUMHOFF 10/18/89 BAUMHOFF 03/30/95 POST-STD

EXP - B01

Stock - 1500

N11

INDICATES TOTAL

SOURCE: LITTLE WILLOW CREEK

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-2067	LITTLE WILLOW IRRIGATION DISTRICT 114 NORTH 8TH STREET, PAYETTE, IDAHO 83661 REMARKS: POINTS OF RE-DIVERSION & PLACES OF USE WITHIN LANDS OF LITTLE WILLOW IRRIGATION DISTRICT. SEE RIGHT 65-2149.	1/17/1908	IRRIGATION	3/15 11/15	--- AFA 4.94 CFS	SWSW S 2 T 8N R 4W	*2826*	LICENSE
65-2149	LITTLE WILLOW IRRIGATION DISTRICT 114 NORTH 8TH STREET, PAYETTE, IDAHO 83661 REMARKS: POINTS OF DIVERSION & RE-DIVERSION IN NWSE, S. 12, NENW, SWNW, S. 13, NWSE, S. 20, NENE, S. 30, T9N, R3W; SWSW, S. 2, T8N, R4W. STORAGE IN PADDOCK VALLEY RESERVOIR.	12/29/1913	IRRIGATION FROM STGR	3/15 11/15	36400.00 AFA --- CFS	SWSE S17 T10N R 2W	SAME AS OTHER USE	LICENSE
			IRRIGATION	3/15 11/15	--- AFA 50.00 CFS *---*AFA *50.00*CFS		*2826*	
65-3134	LITTLE WILLOW IRRIGATION DISTRICT 114 NORTH 8TH STREET, PAYETTE, IDAHO 83661 REMARKS: POINTS OF DIVERSION & PLACES OF USE WITHIN LANDS OF LITTLE WILLOW IRRIGATION DISTRICT. SEE RIGHT 65-2149.	4/ 1/1916	IRRIGATION	3/15 11/15	--- AFA 2.50 CFS	NWSW S 2 T 8N R 4W	*2826*	DECREE
65-1971	LITTLE, MYRN H. ROUTE J, BOX 151, EMMETT, IDAHO 83617	5/25/1918	STOCKWATER	1/ 1 12/31	20.10 AFA .33 CFS	SENW S21 T10N R 1W	SENW S21 T10N R 1W	BENEFICIAL USE
65-2240	ROLAND, CYRIL W. & ROLAND, IRENE STAR ROUTE, PAYETTE, IDAHO 83661	1/14/1920	IRRIGATION	3/15 11/15	--- AFA 1.80 CFS	SENE S17 T 8N R 4W	NENE(33) NWNE(16) SWNE(7) SESE(33) S17 T 8N R 4W *89*	LICENSE
65-1970	LITTLE, MYRN H. ROUTE 3, BOX 151, EMMETT, IDAHO 83617	4/24/1923	STOCKWATER	1/ 1 12/31	20.10 AFA .33 CFS	NWSE S20 T10N R 1W	NWSE S20 T10N R 1W	BENEFICIAL USE
65-3618	HIGBY, CHARLES S. & HIGBY, EMMA J. STAR ROUTE, PAYETTE, IDAHO 83661	1/ 1/1940	IRRIGATION	3/15 11/15	--- AFA .64 CFS	NWSE S17 T 8N R 4W SWSE S17 T 8N R 4W	NWSE(25) LOT 11 7) S17 T 8N R 4W *32*	BENEFICIAL USE

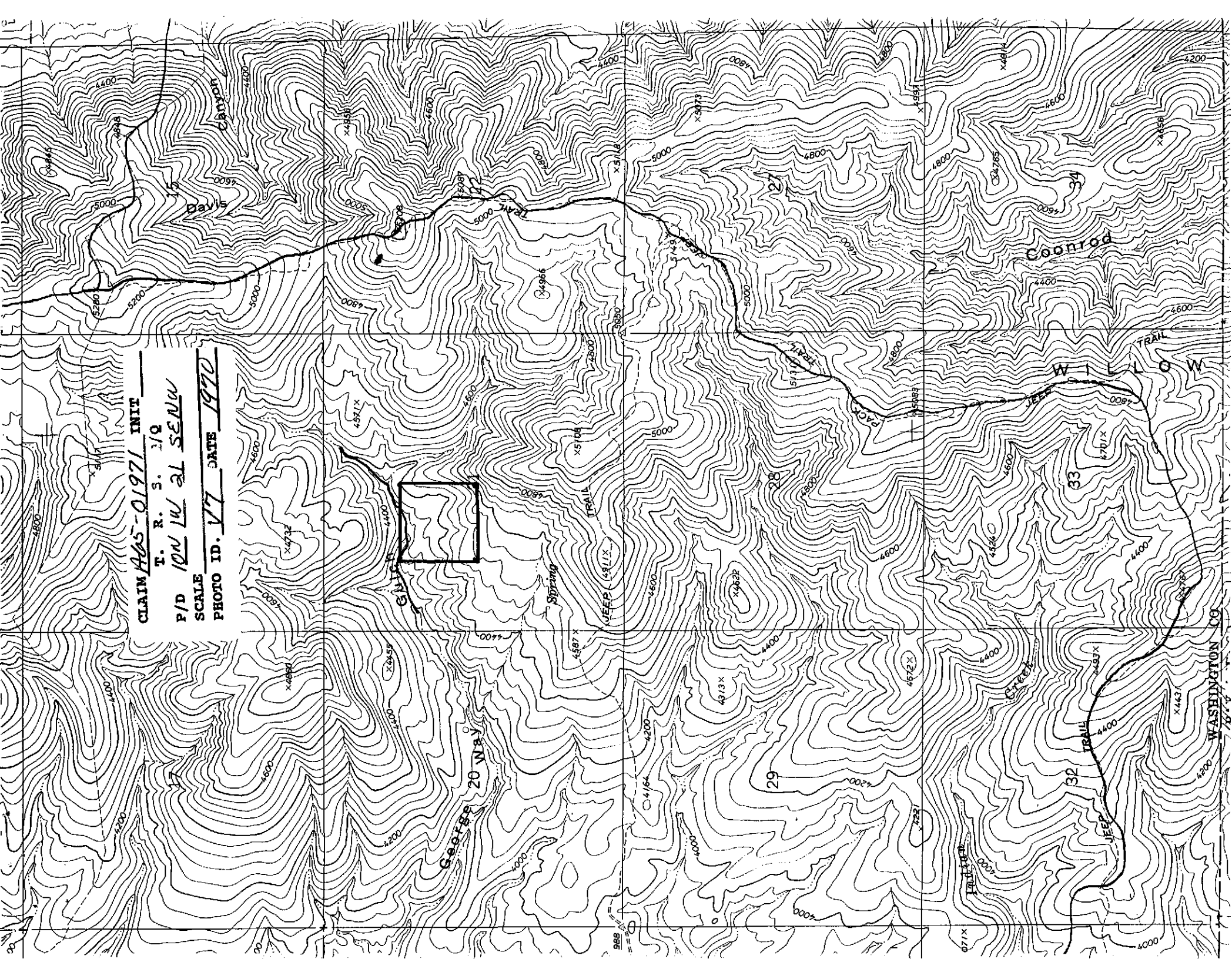
CLAIM AGS-01971 INIT

T. R. S. 21Q

P/D 10N 1W 21 SENW

SCALE

PHOTO ID. V7 DATE 1970



IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM

IDENT. NO.

MAP NO.

TO A

WATER RIGHT

65-1971

1970

Notice is hereby given that

MYRON H. LITTLE

(Name of Claimant)

Department of Administration

Route 3, Box 151, Emmett, Idaho 83617

(Mailing Address)

claims a right to the diversion and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 5/25/18

(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Little Willow Creek
Sub to Paddock Valley Reservoir

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: (Mo., Day) (Both Dates Inclusive)

20. Use stock water 33 Period of Use From 1/1 To 12/31
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)

Use (Domestic, irrigation, stock, etc.) Period of Use From To (Mo., Day) (Both Dates Inclusive) (Mo., Day)

Use (Domestic, irrigation, stock, etc.) Period of Use From To (Mo., Day) (Both Dates Inclusive) (Mo., Day)

(4) Quantity of water claimed: Cubic Feet Per Second, or Acre Feet Per Annum, and/or 18,000 Gals. Per Month day

(5) A) Point of Diversion: Give location of point where water is diverted from its source SE 1/4 NW 1/4, Sec. 21, Twp. 10 N, Rge. 1 W, B.M.; additional points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible diversion box - ponded

(6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10N	1W	21								X									

Total No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: 1500 range cattle total - 800 at different times

(7) Effluent, sewage waste, or return water from this use is discharged into

(8) If you are claiming water as a member of an organization, list name of organization

(9) Remarks

(10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case

☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.:

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

18/17/70
(Date)

Myron H. Little
(Signature of Claimant)

Organization
(Signature of Spouse)

State of Idaho

County of Ada

ss.

Organization
Seal

(Signature of Authorized Agent)

On this 17th day of December, in the year 1970, before me,

a notary public, personally appeared Myron H. Little

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

Notary Public residing at Boise, Idaho

My commission expires 8/12/74

also 4-27-78