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Department of Water Resources
Southern 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 43-10508

(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: Albert Jay Cottle

Address: 1750 S. Cottle Ln.; Box 1232; Malta, ID. 83342

Name: Julene Cottle

Address: 1750 S. Cottle Ln.; Box 1232; Malta, ID. 83342

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 United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant does not have a valid water right with the elements claimed.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

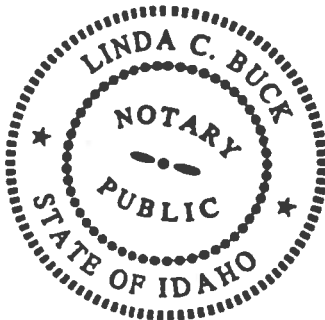
That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Gary A. Madenford
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: February 7, 2002

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 Feb. 4, 2002, 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: Albert Jay Cottle
Address: 1750 S. Cottle Ln.; Box 1232; Malta, ID. 83342

Name: Julene Cottle
Address: 1750 S. Cottle Ln.; Box 1232; Malta, ID. 83342

Name:
Address: ;

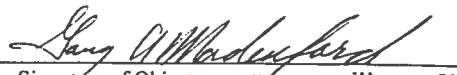
Name:
Address: ;

3. Copies to:

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

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


Signature of Objector or attorney mailing on Objector's behalf

09/19/2001

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

RIGHT NUMBER: 43-10508
NAME AND ADDRESS: JULENE COTTLE
1750 S COTTLE LN
BOX 1232
MALTA ID 83342

ALBERT JAY COTTLE
1750 S COTTLE LN
BOX 1232
MALTA ID 83342

-POD ON BLM
-POU ON BLM

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.085 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 03/01/1963

POINT OF
DIVERSION:

T14S R28E S29 SENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
3/01 12/15

QUANTITY
0.085 CFS

PLACE OF USE: STOCKWATER Within CASSIA County

T14S R27E S24 BLM SWSE
T14S R27E S25 BLM NWSE
T14S R28E S28 SENW
T14S R28E S29 SENE
T14S R28E S29 BLM NESW
T14S R28E S30 SWNW

T14S R27E S25 BLM SENE
T14S R28E S28 NWNW
T14S R28E S29 SWNE
T14S R28E S29 BLM SENW
T14S R28E S30 BLM SWNE
T14S R28E S33 SENW

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

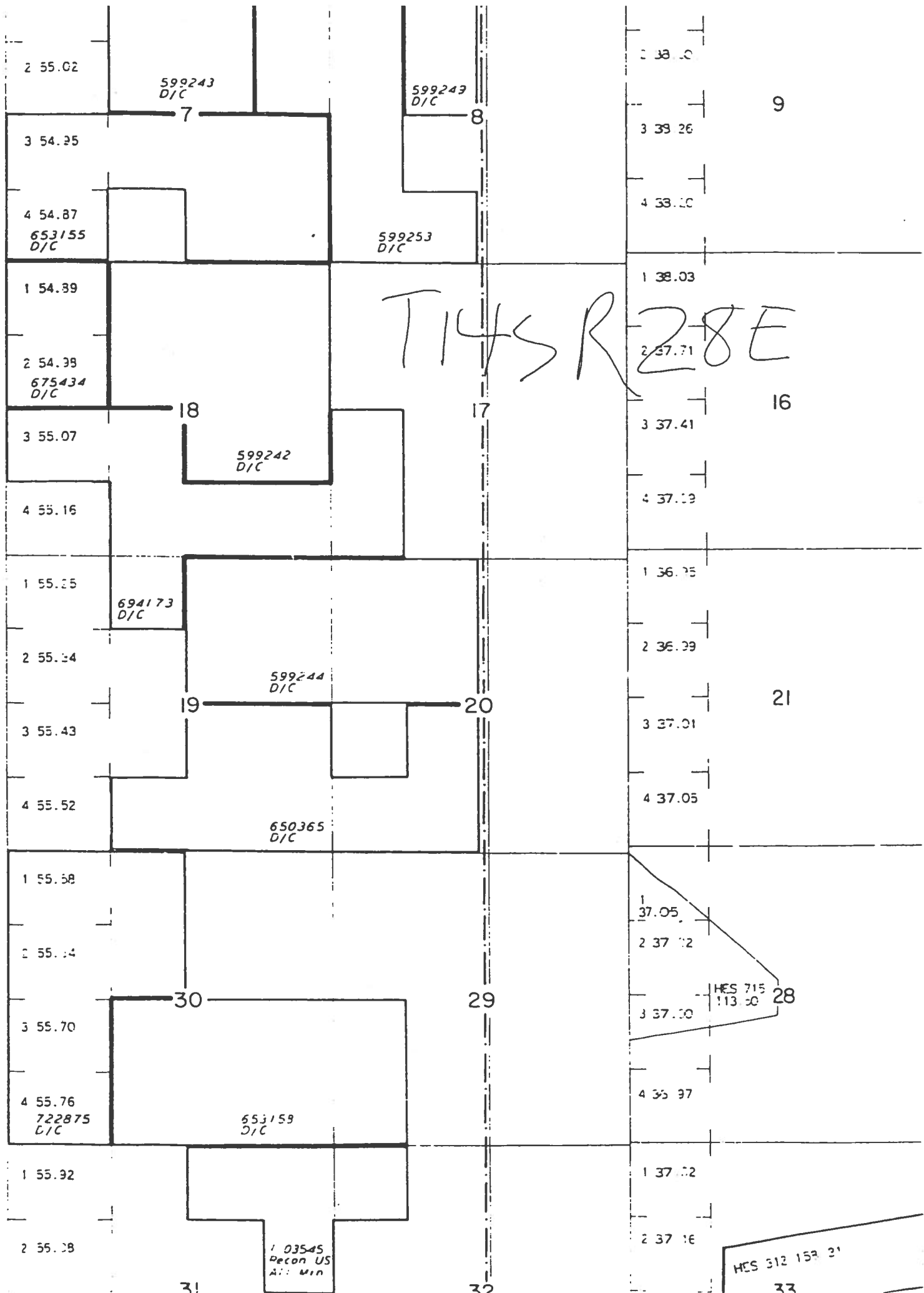
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY
FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF
THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT 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 - Beneficial Use

STOCKWATER 165 COW & CALF PAIRS
THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 43-2696, 43-10508, 43-11130.

1644

BLM HAS THE LICENSE FOR THIS WELL.



23

24

26

25

35

T14S
R27E

36

SG 7/3/1930

Lat. 42°09' 2" N

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

CURRENT TO	CURREN
COT 9	

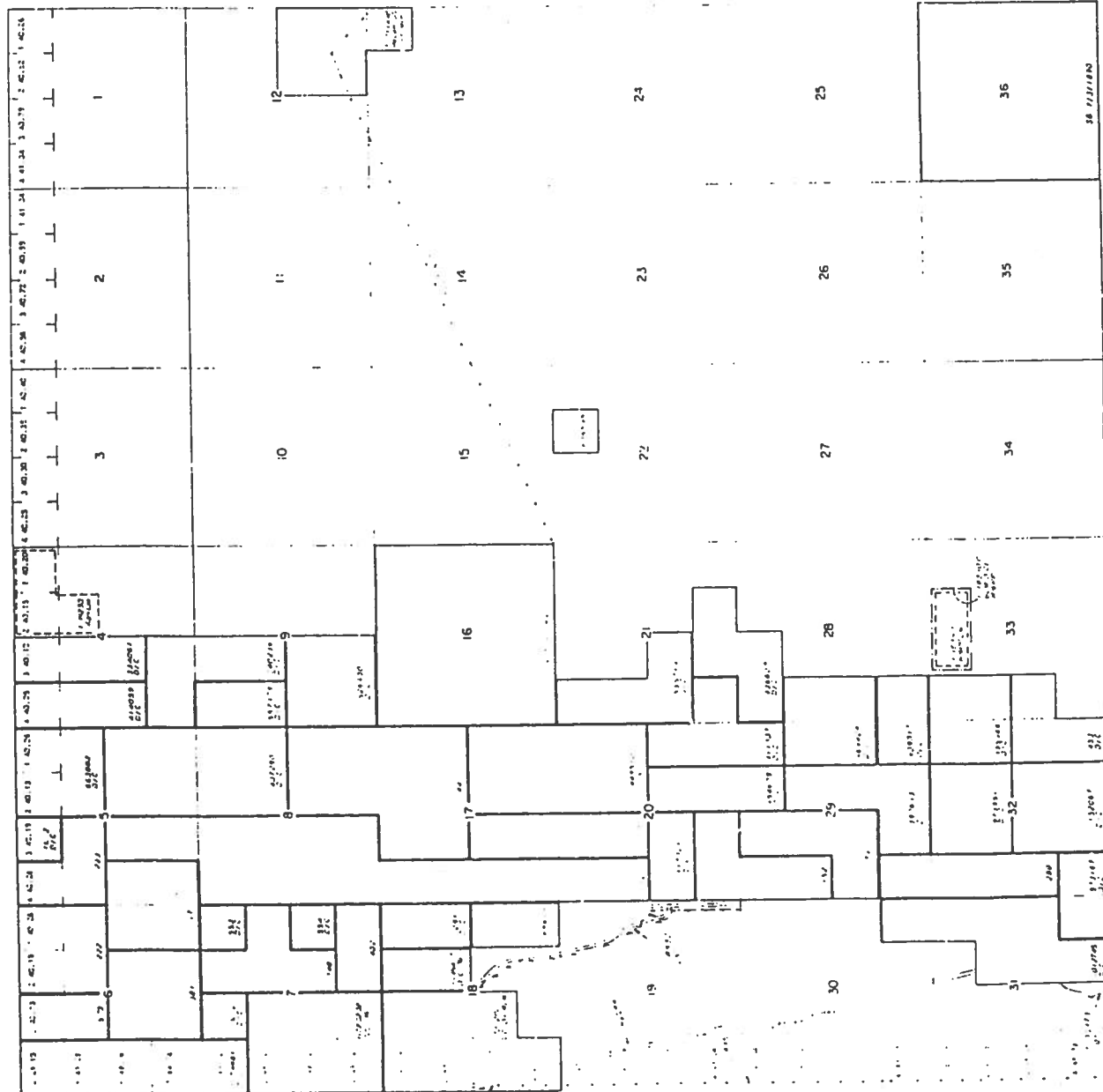
USE PLATS.

TOWNSHIP 14 SOUTH RANGE 27 EAST OF THE BOISE MERIDIAN, IDAHO

CASSIA COUNTY
SUNLEY DISTRICT SEC. 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT



CASSIA COUNTY
JUDICIAL DISTRICT NO. 1

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

1. Opening Order No. 167 (Act of Cong 1/23/1935)
completed 1/15/1968. All of surface water by USFS

112730 Since Act 8/29/1970
Since 1.12

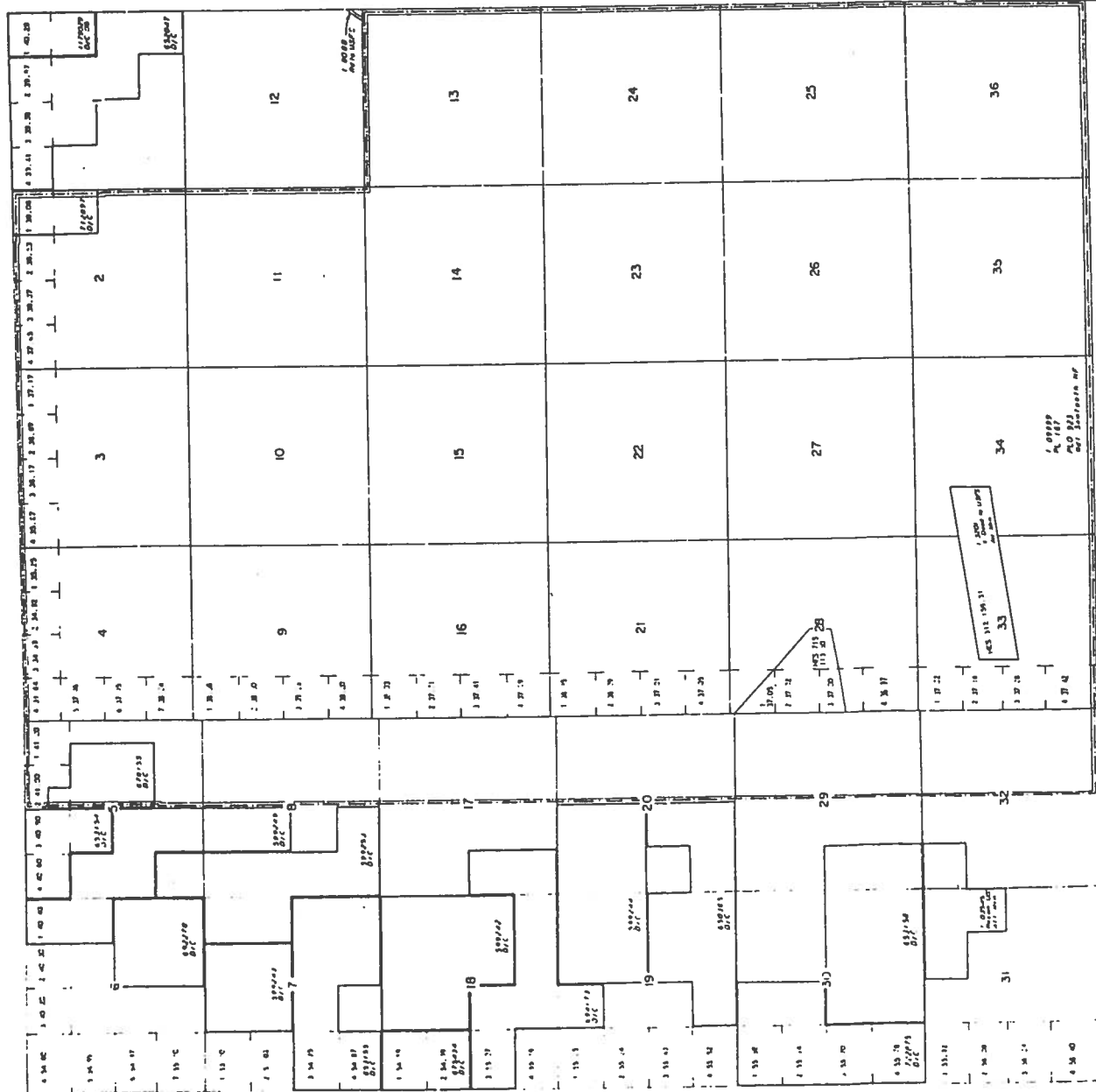
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

Current 10 TO	Current 10 TO
APR 28 1975	

USE PLATE

Days After	
T.	145
R.	20E

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITH-



SCALE IN CHINA

A vertical scale with numerical markings from 0 to 20. The markings are: 0, 10, 20. A horizontal line is drawn across the scale at the 10 mark.