

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 47-16448 V1

WATER RIGHT NUMBER: 47-16448 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 550 W FORT ST MSC 033 BOISE, ID 83724 (208)387-0835

Priority Date: 05/01/1875

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
WEST FORK THOROUGHbred CREEK	THOROUGHbred CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	5/01 to 11/30	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

WEST FORK THOROUGHbred CREEK	NW1/4SW1/4	Sec. 3, Twp 16S, Rge 19E, B.M.
CASSIA County	(Beginning of Reach)	
WEST FORK THOROUGHbred CREEK	SE1/4SW1/4	Sec. 21, Twp 16S, Rge 19E, B.M.
CASSIA County	(Ending of Reach)	

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	19E	3										X							
16S	19E	4													X			X	
16S	19E	9	X	X	X					X				X		X			
16S	19E	16					X			X	X			X					
16S	19E	21					X		X	X	X	X		X					

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 47-16448 V1

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory FOREST SERVICE RECORD ID = 0414 17040211 13 0075 1849 Cattle

Comments:

1. AJU5-DJO 6/10/1998 AJU5 STOCK ONLY UPDATE

Comment: USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK. CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD. ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

SubCase:

SubCase Number: 47-16448
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned: NICHOLAS B SPENCER
Adjudication Agent:
Basis of Claim:
Date Filed: 6/8/1999 Objection Status: Active
Date Filed: 6/7/1999 Objection Status: Active
Date Filed: 6/7/1999 Objection Status: Active
Date Filed: 6/8/1999 Objection Status: Active
Date Filed: 4/30/1999 Objection Status: Active

AJ5809NP
No. R47-16348

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/04/98
PAGE: 16

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TUGAW RANCH	01/01/1879	STOCKWATER	01-01 12-31	0.02 CFS	
TOTAL DIVERSION:					0.02 CFS	

Water Source: SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion: T12S R19E S29 SWSENE CASSIA County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE																			
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE	
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
12S	19E	29	:																												
			:																												

POU County: CASSIA

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP STOCKWATER, 500 RANGE CATTLE
PARCEL NO. RP12S19E291800

Dates: Exam Made Date: Verified Date: 12/22/1997 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

02-09-98

AJ5809NP
No. R47-16448

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/10/98
PAGE: 14

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH	05/01/1875	STOCKWATER	05-01 11-30	0.02 CFS	
TOTAL DIVERSION:					0.02 CFS	

Water Source: THOROUGHbred CREEK, WEST FORK Tributary to: THOROUGHbred CREEK Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T16S R19E S03 NWSW
Point(s) of Ending Stream Reach: T16S R19E S21 SESW
CASSIA County
CASSIA County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
16S	19E	3	:											S							
16S	19E	4	:															S			
16S	19E	9	:	S		S		S						S				S			
16S	19E	16	:					S				S		S							
16S	19E	21	:					S		S		S		S		S					

POU County: CASSIA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A47-14923 R45-12006 R45-12039 R45-12041 R47-14923 R47-16433 R47-16470

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP FOREST SERVICE RECORD ID = 0414 17040211 13 0075
1849 Cattle

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 06/10/1998 User-ID: AJU5-DJO Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.

D
6-16-98
Dip
6/10/98

AJ5809NP
No. R47-16448

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/10/98
PAGE: 15

Comments: Date: 06/10/1998 User-ID: AJU5-DJO Subject: AJU5 STOCK ONLY UPDATE
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 05/29/98 AJCTR 06/01/98 DSHAFF 06/09/98 AJU5-DJO

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: 47-16448

RECEIVED

MAY 28 1998

Department of Water Resources

FILED UNDER STATE LAW

1. Name of Claimant: UNITED STATES OF AMERICA on behalf of the U.S.D.A. Forest Service

Address: 550 W. Fort Street MSC033

Boise

ID 83724

2. Date of Priority: 05/01/1875

3. Source of water: THOROUGHbred CREEK, WEST FORK

Tributary: GOOSE CREEK

4. Location Meridian BOISE

Description of Diversion Works: None

From: Stream

Location of Point of Diversion

T: 16 S R: 19 E S: 3 NWSW B T: 16 S R: 19 E S: 21 SESW E

Location of Point of Use

T: 16	S	R: 19	E S: 3	NWSW	T: 16	S	R: 19	E S: 4	NESE
T: 16	S	R: 19	E S: 4	SESE	T: 16	S	R: 19	E S: 9	NENE
T: 16	S	R: 19	E S: 9	NESW	T: 16	S	R: 19	E S: 9	NWNE
T: 16	S	R: 19	E S: 9	NWSE	T: 16	S	R: 19	E S: 9	SESW
T: 16	S	R: 19	E S: 9	SWNE	T: 16	S	R: 19	E S: 16	NENW
T: 16	S	R: 19	E S: 16	NESW	T: 16	S	R: 19	E S: 16	SENW
T: 16	S	R: 19	E S: 16	SESW	T: 16	S	R: 19	E S: 21	NENW
T: 16	S	R: 19	E S: 21	NESW	T: 16	S	R: 19	E S: 21	NWSW
T: 16	S	R: 19	E S: 21	SENW	T: 16	S	R: 19	E S: 21	SESW
T: 16	S	R: 19	E S: 21	SWNW					

5. Quantity claimed: Period Quantity For
5/ 01 -- 11/ 30 0.02 CFS Stockwater

6. Total Consumptive Use Claimed for Present and Future Use is:

0.02 CFS

7. Present and future uses to which the water is or will be used:

Stockwater

8. Attach the legal description of the reservation, and maps showing for each consumptive use the existing and proposed place of use and existing points of diversion.

Bound separately

9. Remarks:

State Basin: 47

National Forest: Sawtooth

Forest Service Record ID: 04 14 17040211 13 0075

10. Describe any other water rights used at the same place and for the same purposes as described above: None

11. Counties within the reservation: Not available

Notice is hereby given that the United States Department of Justice will represent the Department of Agriculture, Forest Service, in all matters pertaining to the Snake River Basin Adjudication. All notices required by law to be mailed by the Director to the claimant should be mailed to the individuals at the address below:

Bruce Bernard
U.S. Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, Box 33
Boise, ID 83724

This form is an attachment to a letter forwarding the claims of the U.S. Department of Agriculture, Forest Service. The signature and affirmation on such letter constitutes the signature of the authorized agent representing the United States of America required for each such claim.

RECEIVED

MAY 28 1998

Department of Water Resources

JAN-16-1997
0342

1

RIGHT NUMBER:

 *remembered 47-16448*

NAME AND ADDRESS:

UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
324 25TH STREET
OGDEN UT 84401-2394

SOURCE:

WF THOROBRED CREEK

TRIBUTARY: GOOSE CREEK

QUANTITY:

0.04 CFS

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

PRIORITY DATE:

05/01/1875

POINT OF DIVERSION:

T16S R19E S03

NWSW

(B)

Within CASSIA County

~~SESW~~

S21

SESW

(E)

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
05-01 11-30

QUANTITY
0.04 CFS

PLACE OF USE:

STOCKWATER

Within CASSIA County

T16S R19E S03

NWSW

S04

NESE

S09

NENE

SESE

NWNE

SWNE

NESW

S16

SESW

NWSE

NESW

SESW

S21

NENW

SENW

SENW

NESW

NENW

SWNW

SESW

OTHER MATTERS 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.

EXPLANATORY MATERIAL:

BASIS OF CLAIM - BENEFICIAL USE
FOREST SERVICE RECORD ID = 041417040211130075 00
1849 Cattle



WATER RIGHT NUMBER - A45-12006

PREFIX TRANSLATION: ADJUDICATION CLAIM

TWN	RNG	SEC	TRACT	LOT	ACRES	CODE	DESCRIPTION	COUNTY	
16S	19E	3-21 4 9	NW ~~SE SW~~ NE SE SE SE NE NE NW NE SW NE NE SW SE SW NW SE			04	STOCKWATER	(31) CASSIA	
			DIVERSION MEANS - NONE						
			NON-IRRIGATION USE - 1849						
			OTHER RIGHTS FOR SAME USE -						
			REMARKS						
			FOREST SERVICE RECORD ID = 041417040211130075 00						
			OLD WATER RIGHT NUMBERS						
			NO OLD WATER RIGHT NUMBERS FOUND.						
			CONDITIONS OF APPROVAL						
			NO CONDITIONS OF APPROVAL FOUND.						
			DEGREE PLAINTIFF	DEGREE DEFENDANT					DEGREE DATE
			AUDIT FIELDS - 04/23/94 AJCTR						00/00/0000
			COMMENTS						
			NO COMMENTS FOUND						
			ADJUDICATION RIGHTS DATES AND FLAGS AREA						

COURT REPORT FILING - 00/00/0000
OBJECTION FILED DATE - 00/00/0000
RESPONSE FILED DATE - 00/00/0000
CLAIM RECEIVED DATE - 03/25/1993
PROOF DUE DATE - 00/00/0000
LICENSED DATE - 00/00/0000
CLAIMS TAPE ERROR FLG -
FEE EXEMPT FLAG -

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FIELD INSPECTION MADE      - 00/00/0000
FIELD INSPECTION FLAG      -
VERIFIED DATE              - 00/00/0000
LAST AMENDED DATE          - 00/00/0000
PROOF MADE DATE            - 00/00/0000
RECEIPT NUMBER             - X111111
POU OWNERSHIP FLAG         - Y
NAME CONNECTOR             -

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CIVIL CASE NUMBER	-	39576
OLD CASE NUMBER	-	
OLD JUDICIAL DISTRICT	-	
TEMPORARY RIGHT	-	P
WATER DISTRICT	-	
FEDERAL/STATE INDICATOR	-	S
PRESUMPTION FLAG	-	
NOTICE OF ERROR FLAG	-	

3 Mahogany Butte

DATA ENTRY
ENTERED _____
CHECKED _____

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
FEB 24 1995

CERTIFIED
FEB 7 1995
WATER EXAMINER