

03/18/2004

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

RIGHT NUMBER: 45-12904

NAME AND ADDRESS: JOSEPH E TUGAW
3277 WOODRIDGE DR
TWIN FALLS ID 83301

SOURCE: CHICKEN SPRINGS
JARVIS SPRING
SPRINGS

TRIBUTARY: SINKS
TRIBUTARY: SINKS
TRIBUTARY: SINKS

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 06/11/1905

POINT OF DIVERSION:

T13S R20E S13 NENWSW Within CASSIA County
T13S R20E S15 SESWSW Within CASSIA County
T14S R19E S24 SWNWNE Within CASSIA County
T14S R19E S25 NWSWNE Within CASSIA County
T14S R19E S35 NESENE Within CASSIA County
T14S R19E S36 NENENW Within CASSIA County
T14S R19E S36 SENWNW Within CASSIA County
T14S R20E S18 NWSWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	4/01 11/01	0.020 CFS

PLACE OF USE: STOCKWATER Within CASSIA County

T13S R20E S13	NWSW	T13S R20E S15	SWSW
T14S R19E S24	NWNE	T14S R19E S25	SWNE
T14S R19E S35	SENE	T14S R19E S36	NENW
T14S R19E S36	NWNW	T14S R20E S18	SWSW

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

EXPLANATORY MATERIAL: Beneficial Use

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: **A45-12904**
Date Received: 7/28/1999
Receipt No: 5022417
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOSEPH E TUGAW
Address: 3277 WOODRIDGE DR
TWIN FALLS ID 83301
208-734-7511

2. Date of Priority: JUN 1, 1872

3. Source: SPRING
SPRING
SPRING
SPRING
CHICKEN SPRINGS
JARVIS SPRING
SPRING
SPRING
Trib. to: SINKS
SINKS
SINKS
SINKS
SINKS
SINKS
SINKS
SINKS

*ALL on USFS
Priority date
6-11-1905*

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	20E	13	NE	NW	SW		CASSIA
		15	SE	SW	SW		CASSIA
14S	19E	24	SW	NW	NE		CASSIA
		25	NW	SW	NE		CASSIA
		35	NE	SE	NE	JARVIS	CASSIA
		36	NE	NE	NW	Chickena	CASSIA
			SE	NW	NW		CASSIA
	20E	18	NW	SW	SW		CASSIA

5. Description of diverting works:
TROUGH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	04/01	11/01	0.020		

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
780 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	20E	13	NW		SW		STOCK	
		15	SW		SW		STOCK	
14S	19E	24	NW		NE		STOCK	
		25	SW		NE		STOCK	
		35	SE		NE		STOCK	
		36	NE		NW		STOCK	
			NW		NW		STOCK	
	20E	18	SW		SW		STOCK	

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

14. Remarks:

SPRINGS ARE LOCATED ON USFS LAND WITH DEVELOPED SYSTEMS
(TROUGHES), TRIBUTARY TO THE COTTONWOOD DRAINAGE, AND LEASED UNDER
A GRAZING PERMIT BY CLAIMANT.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Joseph Pagan Date: 8-2-99
Date: _____

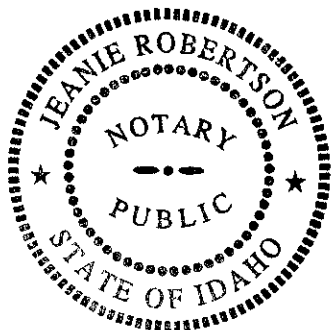
State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 2nd day

of August 19 99

Jeanie Robertson
Notary Public

Seal



Residing at Twin Falls, Id.
My Commission Expires 9-23-2000

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

S022417

Date:

Time:

8/ 2/1999

08:48:24

Received

From:

TUGAW RANCH

Type of Payment

Program A cct

Amount

JUDICATION FEE

41503

337

1155

250.00

Total

\$

250.00

CHECK

08621

Water Right Numbers

A45-12896

A45-12897

A45-12898

A45-12899

A45-12900

A45-12901

A45-12902

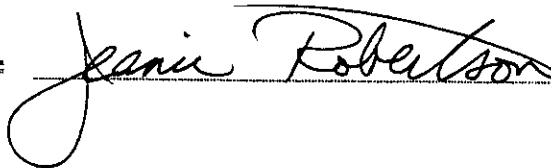
A45-12903

A45-12904

A45-12905

Region: SOUTHERN

Signature:



NOTE TO FILE

From: Vikie Hancock

11/4/02

Regarding: Joe Tugaw stockwater claims

In reviewing these rights for recommendation it was determined that some of the springs were identified and claimed in the wrong creek drainage. This required some splitting of claims, some shuffling of PODs and POU's between claims and, in the case of springs located in the Rock Creek drainage, a renumbering of claims to basin 47. The following summary will hopefully help explain the eventual grouping of the various springs.

45-12896: Recommended after deleting four springs which were tributary to Rock Creek (see **47-16846**).

45-12897: Spring in SWSW Section 15 was tributary to Rock Creek and recommended as **47-16847**. Springs tributary to Dry creek recommended as **45-13501** and springs tributary to Cottonwood Creek recommended as **45-13502**.

45-12898: Split into **45-13499** for springs tributary to Dry Creek and **45-13500** for springs tributary to Cottonwood Creek.

45-12899: Recommended after deleting "Lost Hat Spring"* which is tributary to Rock Creek (Lost Hat Spring included in 47-16844).
*there are two Lost Hat Springs in Section 34, T13S, R19E.

45-12900: Recommended after deleting "East Line Spring" which is trib to Rock Creek. (East Line Spring included in 47-16845).

45-12901: Recommended as **47-16844** (Rock Creek Drainage)

45-12902: Recommended as **47-16845** (Rock Creek Drainage)

45-12903: Recommended as claimed

45-12904: Recommended as claimed

45-12905: Recommended as **47-16848** (Rock Creek Drainage)