



STATE OF IDAHO

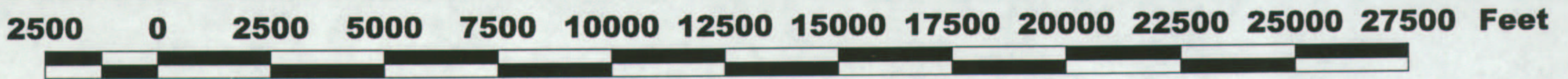
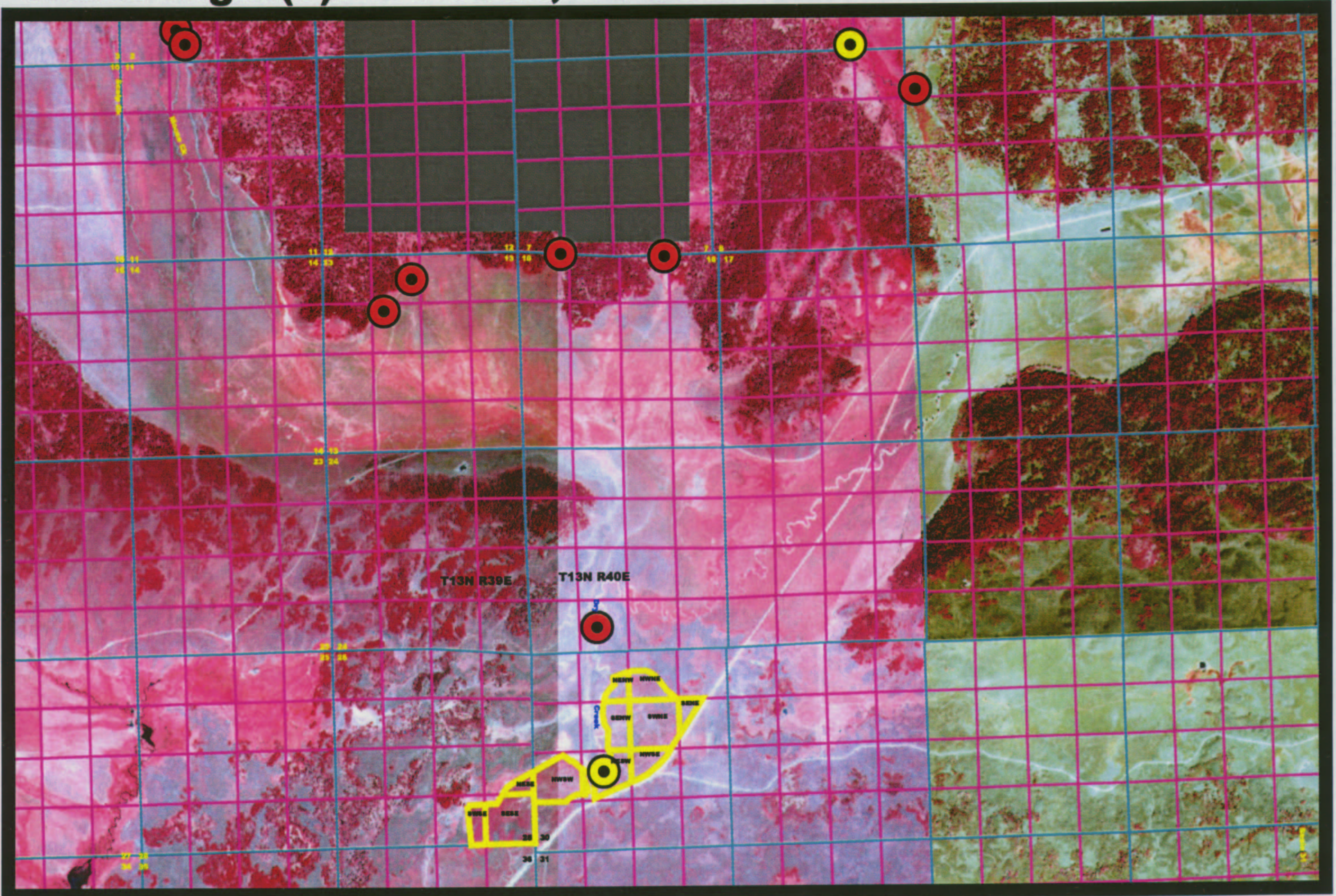
Department of Water Resources

Eastern Region

Claimant: USDA, ARS, Sheep Station

Original
claim sent
to court.
9-13-01

Water Right(s): 31-0080, 31-00326



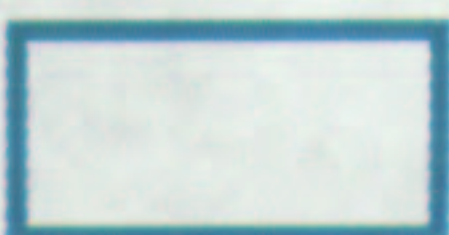
LEGEND



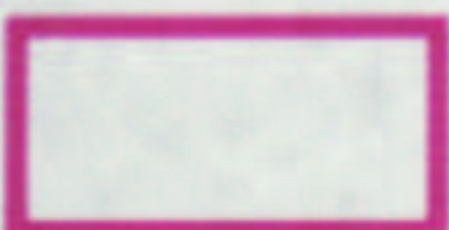
Point of Diversion

SESE

Place of Use



Section Line



Quarter-section line

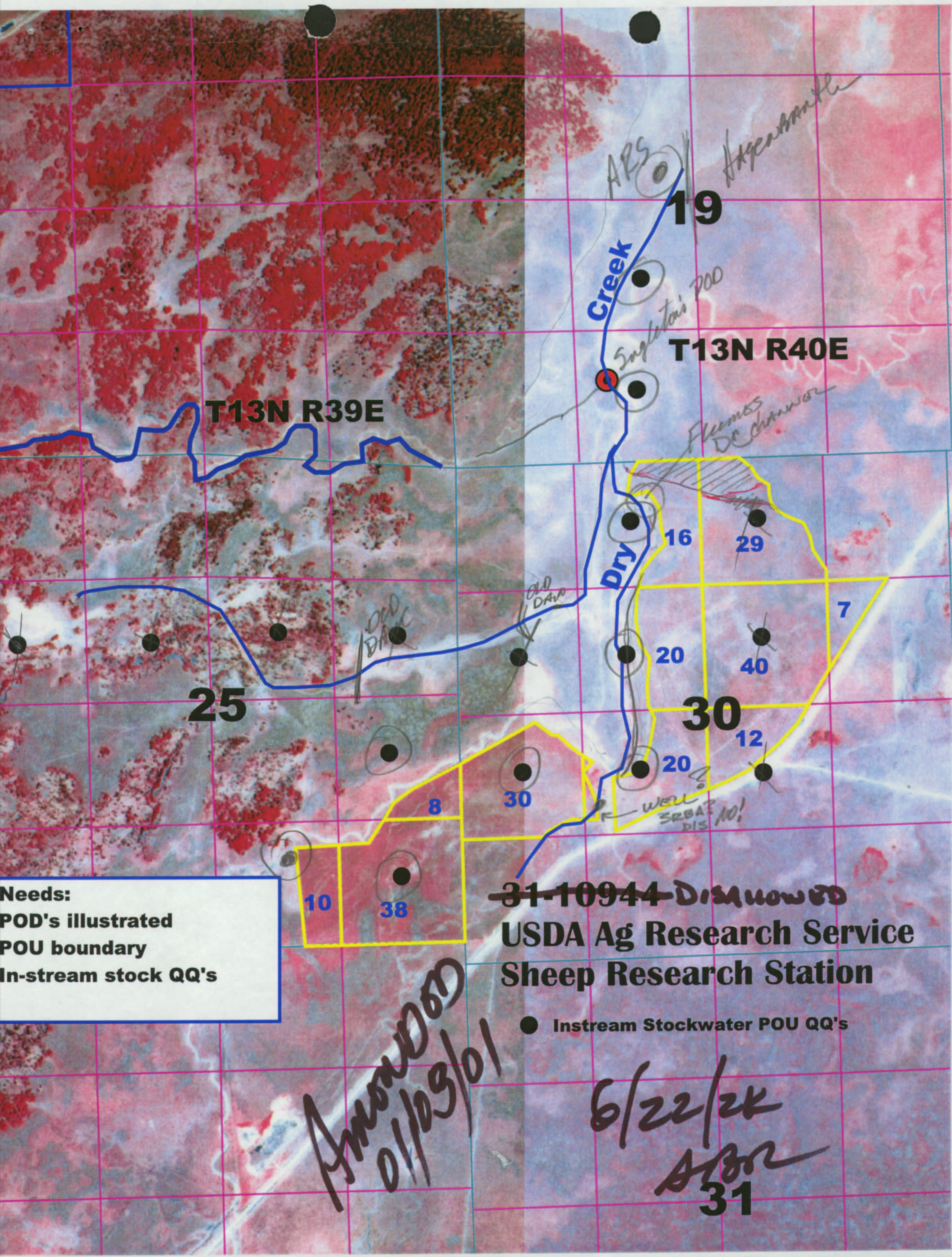
Legal Description: T13N, R39E
Sec. 25 (parts of) E2SE, SWSE
T13N, R40E

Sec. 30 (parts of) E2NW, W2NE,
SENE, N2SW, NWSE

Point(s) of Diversion: T13N, R40E
Sec. 5 SWSWSE
Sec. 30 NWNESW



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: Jan. 2001



Needs:
POD's illustrated
POU boundary
In-stream stock QQ's

~~31-10944 Disallowed~~
USDA Ag Research Service
Sheep Research Station

● Instream Stockwater POU QQ's

Amor 10/10/9/01

6/22/24
31

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.
------	------	------

1/4

114

114

LOT

COUNTY

DIVERSION NAME

13th 405 9

SOURCE: Dry Ck

TRIB:

REVIEWED BY:

DATE:

SYSTEM DESCRIPTION:

NO WATER NOTED.

USDA, ARS SHEEP STATION

31-10844

Looking Eastward

Quinn
Jacobs

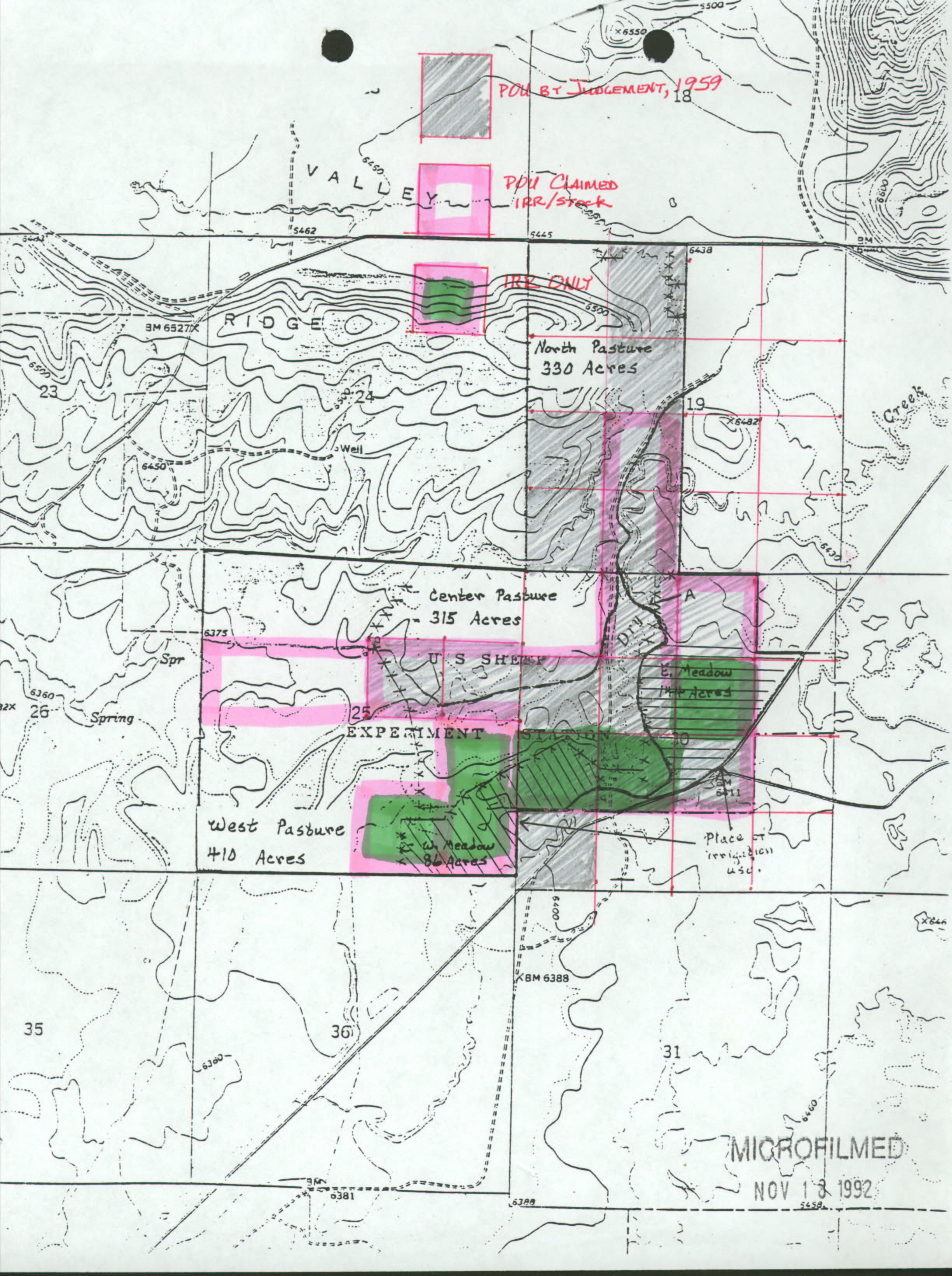
DRY CR. DOW.

6/22/2k
ABR

Cattle & Sheep
(WINDMILLS) ALL DRINK SAME
THIS 4.2 mi OPEN
DIST.

WATERMASTER SAYS THIS AND 31-00080 ARE HIGH WATER RTS
(1924, 1922 priorities) HE ONLY SHUTS THEM OFF BUT DON'T THINK

DITCH with sandy embankment 14' cfs (10.00 + 4.2). Very high



MICROFILMED

NOV 18 1992

02/21/2001

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

RIGHT NUMBER: 31-80

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDA ARS
US SHEEP EXPERIMENT STATION
HC 62 BOX 2010
DUBOIS, ID 83423

SOURCE: DRY CREEK TRIBUTARY: SPRING CREEK

QUANTITY: 4.2 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 31-00326 SHALL
PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 09/02/1922

POINT OF DIVERSION: T13N R40E S5 SWSWSE Within CLARK County
T13N R40E S30 NWNESW Within CLARK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	05-01 10-31	4.20 CFS
STOCKWATER	05-01 10-31	0.11 CFS

PLACE OF USE:

IRRIGATION Within CLARK County					
T13N R39E S25	NESE	7	T13N R39E S25	SWSE	10
T13N R39E S25	SESE	38	T13N R40E S30	NWNE	17
T13N R40E S30	SWNE	39	T13N R40E S30	SENE	7
T13N R40E S30	NENW	8	T13N R40E S30	SENW	20
T13N R40E S30	NESW	20	T13N R40E S30	NWSW	30
T13N R40E S30	NWSE	13			
STOCKWATER Within CLARK County					
T13N R39E S25	SWNE		T13N R39E S25	SENE	
T13N R39E S25	SENW		T13N R39E S25	NESE	
T13N R39E S25	SWSF		T13N R39E S25	SESE	
T13N R40E S19	SENW		T13N R40E S19	NESW	
T13N R40E S19	SESW		T13N R40E S30	NWNE	
T13N R40E S30	SWNE		T13N R40E S30	SENE	
T13N R40E S30	NENW		T13N R40E S30	SWNW	
T13N R40E S30	SENW		T13N R40E S30	NESW	
T13N R40E S30	NWSW		T13N R40E S30	NWSE	

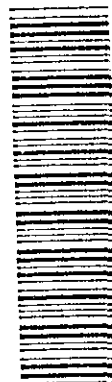
209 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 31-00326 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 209 ACRES IN A SINGLE
IRRIGATION SEASON.

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

Water Right 31-80

A3100080



THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE 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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

STOCKWATER 3000 SHEEP

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 31-80
Date Received: 12/28/00
Receipt No:
Received By: *Boe* X1111

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

UNITED STATES OF AMERICA, USDA ARS Phone: (208)374-5409

USDA ARS
HC 62 BOX 2010
USSES
DUBOIS ID USA 83423

2. Date of Priority: 09/02/1922

3. Source: DRY CREEK Trib. to: SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
13N	40E	5	SW SW SE	CLARK
13N	40E	30	NW NE SW	CLARK

5. Description of diverting works:

POD IN SEC. 5 IS A CONCRETE GATED STRUCTURE OFF MAIN DRY CK CHANNEL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	10/31	4.2	
STOCKWATER	05/01	10/31	0.11	

7. Total Quantity Appropriated is:
4.2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 3000

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres			
13N	39E	25	NE	SE		IRRIGATION	7			
			SE	SE		IRRIGATION	38			
			SW	SE		IRRIGATION	10			
			SE	NE		STOCKWATER				
			SW	NE		STOCKWATER				
			SE	NW		STOCKWATER				
			NE	SE		STOCKWATER				
			SW	SE		STOCKWATER				
			SE	SE		STOCKWATER				
						Section Acres	55			
13N	40E	19	SE	NW		STOCKWATER				
			NE	SW		STOCKWATER				
			SE	SW		STOCKWATER				
13N	40E	30	NW	SW	3	IRRIGATION	30			
			NE	SW		IRRIGATION	20			
			NW	SE		IRRIGATION	13			
			SE	NW		IRRIGATION	20			
			SW	NE		IRRIGATION	39			
			SE	NE		IRRIGATION	7			
			NW	NE		IRRIGATION	17			
			NE	NW		IRRIGATION	8			
			SE	NE		STOCKWATER				
			NE	NW		STOCKWATER				
			SE	NW		STOCKWATER				
			NE	SW		STOCKWATER				
			NW	SW	3	STOCKWATER				
			NW	SE		STOCKWATER				
			NW	NE		STOCKWATER				
			SW	NE		STOCKWATER				
			NE	NW		STOCKWATER				
			SE	NW		STOCKWATER				
			SW	NW		STOCKWATER				
									Section Acres	154
									Total Acres	209

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:

14. Remarks:

STOCKWATER 3000 SHEEP SAME POU AS IRRIGATION. USED IN COMBINATION WITH 31-00326. POU KNOWN AS HENNINGER RANCH.

15. Basis of Claim: Decreed

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: _____

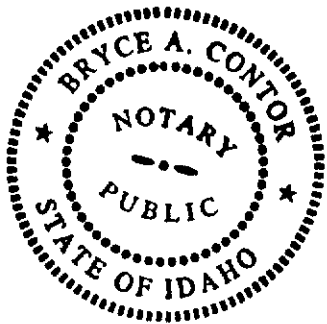
For Organizations:

I do solemnly swear or affirm that I am RESEARCH LEADER of
Title
USDA, that I have signed the foregoing
Organization
document in the space below as RESEARCH LEADER of
Title
USDA and that the statements contained in the
Organization
foregoing document are true and correct. Gregory S. Lewis
Signature of Authorized Agent
RESEARCH LEADER, USDA
Title and Organization
1-3-01
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 3rd day
of Jan 2001 Bryce A. Contor
Notary Public

Residing at Mid Lake ID
My commission Expires 10/14/2005



T13N R40E

USDA, ARS

SHEEP RESEARCH STATION

31-00080, 31-003

by



Creek

NE NW
8

NW NE
17

SE NE
7

SE NW
20

SW NE
39

NE SW
20

NW SE
13

NW SW
30

NE SE
30

25 30

36 3

32



STATE OF IDAHO

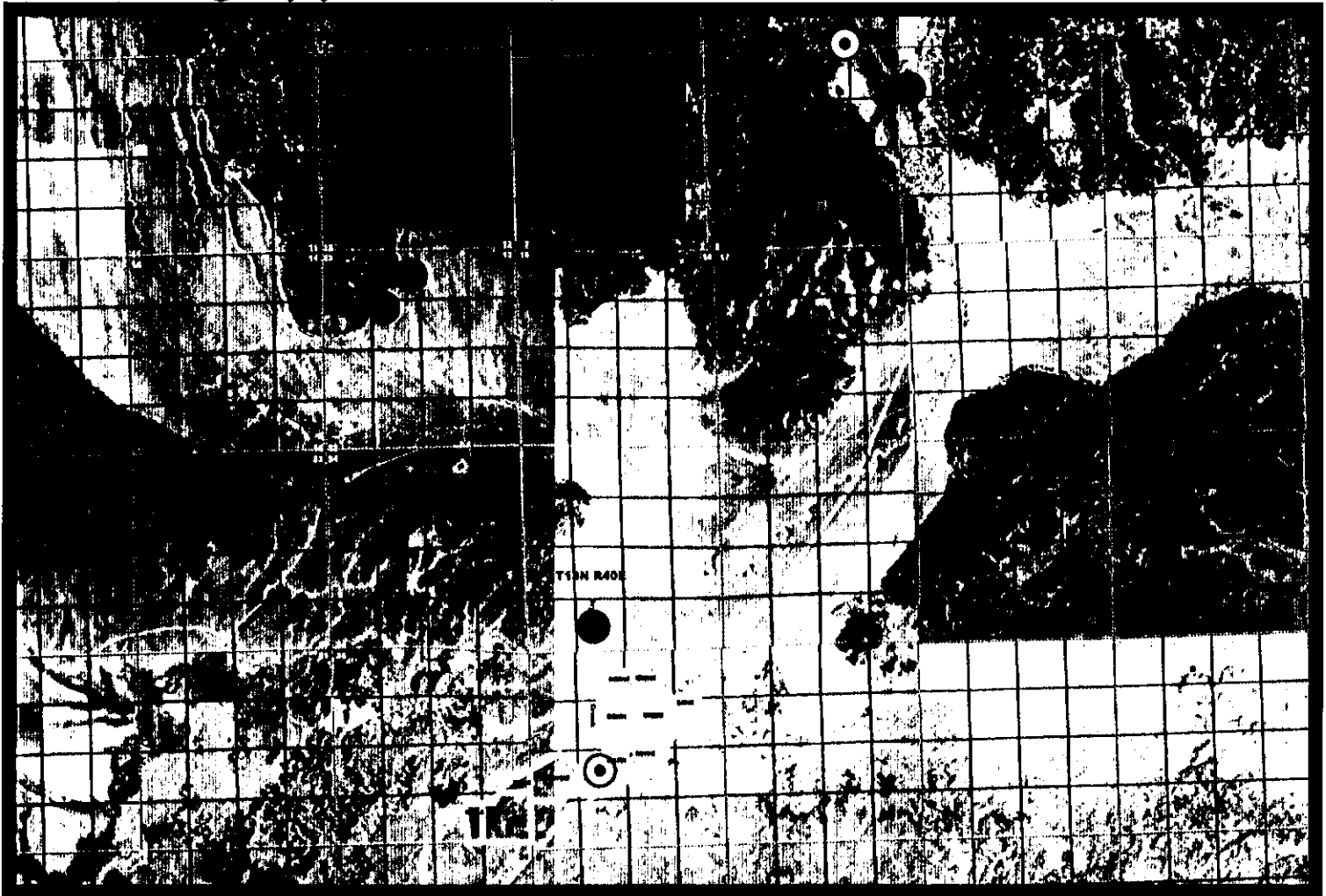
Department of Water Resources

Eastern Region

Claimant: USDA, ARS, Sheep Station

Water Right(s): 31-0080, 31-00326

*Original
claim sent
to court.
9-13-01*



2500 0 2500 5000 7500 10000 12500 15000 17500 20000 22500 25000 27500 Feet

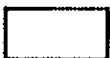
LEGEND



Point of Diversion

SESE

Place of Use



Section Line



Quarter-section line

Legal Description: T13N, R39E

Sec. 25 (parts of) E2SE, SWSE

T13N, R40E

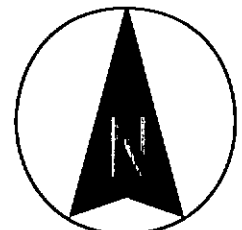
Sec. 30 (parts of) E2NW, W2NE,

SENE, N2SW, NWSE

Point(s) of Diversion: T13N, R40E

Sec. 5 SWSWSE

Sec. 30 NWNESW



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: Jan. 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:30
03/24/93

PAGE: 1
GENERAL INFORMATION

2213
CLAIM NUMBER: 31-10944

DISALLOWED
SEE 31-00080
AND 31-00326

12/5/2K ¹ Recommend USDA WITHDRAW THIS CLAIM

² FILE NOW CLAIM ON 31-00326 ✓

LAST: AMERICA, ACTING THROUGH FIRST: UNITED STATES OF
ADDRESS: USDA, ARS
4C 62 BOX 2010
JESSES

³ FILE NOW CLAIM ON 31-00080 ✓

CITY: DUBOIS STATE: ID ZIP: 83423
PHONE NUMBER: 208-374-5409

OWNER CODE: C

LAST: ARS FIRST:
ADDRESS: CITY: X STATE: ID ZIP: 0
PHONE NUMBER: 208-000-0000

OWNER CODE: K

LAST: MONSON, ESQ. FIRST: PETER
ADDRESS: INDIAN RES SEC LND & NAT RES
US DEPT OF JUSTICE
999 18TH ST STE 945
CITY: DENVER STATE: CO ZIP: 80202
PHONE NUMBER: 303-294-1950

OWNER CODE: A

LAST: US DEPT OF AGRICULTURE FIRST:
ADDRESS: AGRICULTURAL RESEARCH SERVICE
US SHEEP EXP. STATION
4C 62 BOX 2010
CITY: DUBOIS STATE: ID ZIP: 83423
PHONE NUMBER: 208-374-5409

OWNER CODE: K

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE Y FIELD EXAMINER

CLAIM REMARKS: #5 STREAM IS USED FOR LIVESTOCK WATER AND IRRIGATION OF APPROXIMATELY 220 ACRES OF PASTURE (SEE MAP). POINT A ON THE MAPS SHOWS THE LOCATION OF A FLUME THAT CARRIES THE WATER OVER THE STREAM BED CREATED BY EARLY RUN-OFF.

THIS CLAIM NEEDS
SERIOUS HELP!

DD's w/ NOAC

LEGALS wrong

IRR POD's / PM etc.

Priority Date?
See Transcript.

THIS CASE
SEE
31-0

See comments

AND 31-00326

PHONE NUMBER: () -

APPOINTMENT MADE: Y() M()

TIME: _____:_____ A(____) P(____)

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

6/15/2K MET w/ SYMON WELLS AND QUINN JACOBS. DISCUSSED AC PROBS, POLL, STOCKWATER, POD'S ... ETC. ABOUT THIS CLAIM. WILL MEET QUINN AT HERRIGER RANCH 6/22/2K FOR TOUR OF IRRIG SYST. ADVISED THEY ALSO FILE STOCKWATER CLAIM (IN-STRA) FOR QO'S UNDER DRY CR FLOWS.

4/18/2K Contacted Sharon Worlock, Administrator, 4/18/2K. Discussed
Probs with JTS claim, ie; in-stream stock OOs, POD's, Ac/PQ. POC/BANDS
... NEEDS SERIOUS AMENDMENT. SHELL HAVE Quinn Jacobson call to discuss
probs. Tomorrow —

SOS memo 4/19/ck Discussion w/
Quinn Jacobson

5/30/2K RETURNED CALL TO Quinn Jacobson - Spoke to Sharon Waller - Agreed to
visit on 6/15/2K ⁰⁸⁰⁰ TO DISCUSS AMONGS TO TO THIS CLAIM. LOOKS LIKE IT
WILL REQUIRE RE numbering TO CORRELATE TO DISCUSS.

12/05/2K (740am) CALVO SHANNON HELLOR, ADVISED I AM NOW BEGINNING THE REVIEW OF THE CLAIM AND WE'LL NEED TO DO AMENDS NOW. I'LL TALK TO QUINN AND THEY WILL CALL BACK TO DISCUSS AMENDMENT PROPOSALS.

12/20/2K CALLED LOFT MESSAGE FOR SHARON OR QUINN TO CALL - IS A.P.

EX 17
172
E. Side
1st fl.

A. AJ CLAIM: A31-10944 PRIORITY DATE: 09-02-1922 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

NOTES: PRIORITY DATE DETERMINED BY BOTH CIVIL NO. 2083 JUDGMENT (Pg. 2 Pt. III)
AND CIVIL NO. 2083 FINDINGS OF FACT AND CONCLUSIONS OF LAW IS MAY 1, 1924.
CLAIMANT SUBMITTED JUDGMENT AND FINDINGS OF FACT AS DUEDS - WHICH THEY ARE NOT -
BUT RECOMMENDED PRIORITY DATE IS SO STATED IS MAY 1, 1924.

RECOMMENDED PRIORITY DATE:

MAY 1, 1924

REVIEWED BY

[Signature]

DATE

11/11/24

6/22/24 - Met Quinn Jacobs @ 0800 at the Henninger Ranch HS. TOURED THE RANCH. VISITED POD on Dry Cr., ALONG DITCH ONTO RANCH POOL. THIS CLAIM NEEDS MAJOR AMENDING; POOL, POD, STOCKWATER, ACTUAL DUEDS? ... WE AGREED I WOULD FURTHER RESEARCH JUDGMENT TO BETTER UNDERSTAND RELATIONSHIP TO DUEDS, AMONG AS I SAW NECESSARY, THEN GET BACK w/ QUINN TO REVIEW & HAVE HIS PEOPLE SIGN - MANY PROBS. w/ THIS CLAIM -

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-10944	13N	40E	19		SE	NW NO		CLARK
A31-10944	13N	40E	19		SE	NW - NO		CLARK
A31-10944	13N	40E	19		SE	SW - DEFINED - DE		CLARK
A31-10944	13N	40E	25		SW	NW - NO		CLARK
A31-10944	13N	40E	30		NW	SW - NO		CLARK

OTHER AJ CLAIMS WITH SAME AJ POD
L PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT

31-00326
31-04095

SOURCE: DRY CREEK

TRIB: CAMAS CREEK

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
Y

FIELD
EXAMINER

NOTES:

ONE OF THE FIVE CLAIMED POINTS OF DIVERSION ARE DEFINED BY JUDGMENT (Pg 2, Pt IV).
MAIN POD IS W/ FOREST @ 13N/40E SEC. 9 SW/1/4 NW (B. GPS).

CP3
WHEN

12/21/21C CAUGO SHARON WELLS, AGAIN, TO REMIND HER (SHE) THEY NEED TO REMOVE THIS CLAIM. SHE ACKNOWLEDGES SHE W/AS TO CALL ME. NOW SHE W/ILL SPEAK W/ QUINN JACOBS AND CALL THEM. 26TH EARLY TO DEVISE A PLAN. EXPRESSED THE NEED TO GET THIS DONE TO MEET THE 1/5/01 DEADLINE.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RSE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
13N	40E	9	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---

SOURCE: Dr. Co TRIB: _____

REVIEWED BY: ABR DATE: 6/22/20

SYSTEM DESCRIPTION:

NO WEIR NOTED,

USDA, ARS Sheet Station

31-10944

Looking Eastward



(Attch 4 Sheet
windings) all down can
this 4.2 mi canal
Ditch

WATERMASTER SAYS THIS AND 31-00000 ARE HIGH WATER R/S
(1924, 1922 priorities), his only shuts them OFF BUT DON'T THINK
DITCH WILL CARRY CUM SINCE 14+00 (10.00 + 4.2). Very high
DITCH (CONVEY LOSS) FROM POD TO POL = SOME 4.2+ miles - LARGEST CANAL SOILS.

PLACE OF USE REVIEW SHEET

CLAIM NUMBER: A31-10944

A. ROOT WATER RIGHT NUMBERS: A31-10944

B. POB LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	NR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
13N	40E	19	NE	SW		AMERICA, ACTING THROUGH, UNITA31-10944	/	-	/	9.3	
			NE	SW		HENNINGER, ELVIN W.		31-30080	/		
			NE	SW		UNITED STATES OF AMERICA		31-30326	/		
13N	40E	19	SE	SW		AMERICA, ACTING THROUGH, UNITA31-10944	/	-	/	7.3	
			SE	SW		HENNINGER, ELVIN W.		31-30080	/		
			SE	SW		UNITED STATES OF AMERICA		31-30326	/		
13N	40E	25	S4	NE		AMERICA, ACTING THROUGH, UNITA31-10944	/	-	/		
13N	40E	25	SE	NE		AMERICA, ACTING THROUGH, UNITA31-10944	/	-	/		
* 13N	40E	25	S4	NW		AMERICA, ACTING THROUGH, UNITA31-10944	/	-	/		
13N	40E	25	SE	NW		AMERICA, ACTING THROUGH, UNITA31-10944	/	-	/		
13N	40E	25	NE	SE		AMERICA, ACTING THROUGH, UNITA31-10944	/	-	/		
13N	40E	25	NE	SE		AMERICA, ACTING THROUGH, UNITA31-10944	/10.0	-	/		
13N	40E	25	S4	SE		AMERICA, ACTING THROUGH, UNITA31-10944	/10.0	-	/		
13N	40E	25	SE	SE		AMERICA, ACTING THROUGH, UNITA31-10944	/	-	/		
13N	40E	25	SE	SE		AMERICA, ACTING THROUGH, UNITA31-10944	/70.0	-	/		
13N	40E	30	N4	NE		AMERICA, ACTING THROUGH, UNITA31-10944	/	-	/		
			N4	NE		HENNINGER, ELVIN W.		31-30080	/		
			N4	NE		UNITED STATES OF AMERICA		31-30326	/		
13N	40E	30	S4	NE		AMERICA, ACTING THROUGH, UNITA31-10944	/	-	/	3.3	
			S4	NE		HENNINGER, ELVIN W.		31-30080	/		
			S4	NE		UNITED STATES OF AMERICA		31-30326	/		
13N	40E	30	S4	NE		AMERICA, ACTING THROUGH, UNITA31-10944	/70.0	-	/	3.3	
			S4	NE		HENNINGER, ELVIN W.		31-30080	/		
			S4	NE		UNITED STATES OF AMERICA		31-30326	/		
13N	40E	30	NE	NW		AMERICA, ACTING THROUGH, UNITA31-10944	/	-	/		
			NE	NW		HENNINGER, ELVIN W.		31-30080	/		
			NE	NW		UNITED STATES OF AMERICA		31-30326	/		
13N	40E	30	S4	NW		AMERICA, ACTING THROUGH, UNITA31-10944	/	-	/		
			S4	NW		HENNINGER, ELVIN W.		31-30080	/		

NO WR FOR THIS
POB - ENHANC... CLAIM?

How DO YOU GET 70AC FROM 40AC TRACT?

70AC IN A 40AC TRACT?

*

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	NR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SW	NW		UNITED STATES OF AMERICA		31-30326	/		
13N	40E	30	SE	NW		AMERICA, ACTING THROUGH, UNITA31-10944	/	-	/	3.0	
			SE	NW		HENNINGER, ELVIN W.		31-30080	/		
			SE	NW		UNITED STATES OF AMERICA		31-30326	/		
13N	40E	30	NE	SW		AMERICA, ACTING THROUGH, UNITA31-10944	/	-	/	17.0	
			NE	SW		HENNINGER, ELVIN W.	A31-10935	/	/		
			NE	SW		HENNINGER, ELVIN W.		31-30080	/		
			NE	SW		UNITED STATES OF AMERICA		31-30326	/		
13N	40E	30	N4	SW		AMERICA, ACTING THROUGH, UNITA31-10944	/	-	/		
			N4	SW		HENNINGER, ELVIN W.		31-30080	/		
			N4	SW		UNITED STATES OF AMERICA		31-30326	/		
13N	40E	30	N4	SW		AMERICA, ACTING THROUGH, UNITA31-10944	150.0	-	/		
			N4	SW		HENNINGER, ELVIN W.		31-30080	/		
			N4	SW		UNITED STATES OF AMERICA		31-30326	/		
13N	40E	30	N4	SE		AMERICA, ACTING THROUGH, UNITA31-10944	/	-	/	4.0	
			N4	SE		HENNINGER, ELVIN W.		31-30080	/		
			N4	SE		UNITED STATES OF AMERICA		31-30326	/		
13N	40E	30	N4	SE		AMERICA, ACTING THROUGH, UNITA31-10944	110.0	-	/	4.0	
			N4	SE		HENNINGER, ELVIN W.		31-30080	/		
			N4	SE		UNITED STATES OF AMERICA		31-30326	/		
TOTAL ACRES							A31-10944	220.00		50.00	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POJ DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

POJ COUNTY: CLARK

10
10
40
40 } BEST CASE
40
10
150AC

50AC IN A 40AC TRACT?
Stock
SUB:
Amended
POD etc.
Poll.

PRESUMPTION FLAG:

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A31-10944 IRRIGATION	FROM 05-01 TO 10-01	9.741 CFS
A31-10944 STOCKWATER	FROM 05-15 TO 11-15	.259 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		10.000 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
----------	-----------	--------------------

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	---
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	---
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	---

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y() N()

RECOMMEND TO WR STANDARDS OR OTHER? Y() N() EXPLAIN IN NOTES, BELOW.

NOTES:

DEPT. STD. FOR PRR PERIOD OF USE IS 5/1 TO 10/31. CLAIMS 6/1 TO 10/1 - SD BRIT.

USE
SD 2

STOCKWATER SHOULD FOLLOW THE SAME DEPT STD OF PERIOD OF USE - RECOMMEND 5/1 TO 10/31.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE:
WR ROOT RIGHT TOTAL DIVERSION RATE:

10.000 CFS
CFS

NO! Too much

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***

** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **

** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

B. FLOW MEASUREMENT

MEASUREMENT METHOD WIM DISCREPANCY, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME PJU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME PJU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A31-10944	STOCKWATER	AMERICA, ACTING THROUGH , UNITERFROM	05-15 TO 11-15	.259 CFS	
A31-10936	DOMESTIC	MONSON , PETER	FROM 05-15 TO 11-01	.100 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

ACRES _____ X 0.02 CFS/ACRE = _____ CFS
(TAKEN FROM P/U REVIEW)

1B. CALCULATIONS

DUES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ X CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ X DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
<u>PRRig</u>	<u>5/1 10/31</u>	_____	_____	_____
<u>Stock</u>	<u>5/1 10/31</u>	_____	_____	_____
TOTAL FOR THIS RIGHT <u>As Amended</u>		_____	_____	_____

REVIEWED BY: _____

DATE: _____

4. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP	()	()
FORFEIT/ABANDON	()	()
ADDITIONAL DIV. AMOUNT	()	()

8. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-10944

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE	EXAMINER	CFS
----------	----------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A31-10944	10.000	-	-	-	-
TOTAL CFS		10.000				

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE	FIELD EXAMINER
N	

NOTES:

*This claim correlates to DIVERS RIGHT 31-00326. This claim should be
EITHER RENUMBERED WITHDRAWN OR DISALLOWED - A NEW CLAIM SHOULD
BE FILED FOR 31-00326.*

AUTHENTICATION:

SIGNATURE: _____ DATE: _____
NAME OF FIELD EXAMINER: _____ TITLE: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:24:56
03/24/93
2233

PAGE: 15
PROFILE REPORT

CLAIM NUMBER: ~~451-10944~~ → 31-00080

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA, ACTING THROUGH USDA, ARS MC 62 90X 2010 USSES OUGOIS ID 83423 (208) 374-5409	09/02/1922	IRRIGATION STOCKWATER	06-01 10-01 05-15 11-15	9.74 CFS 0.25 CFS	
TOTAL DIVERSION:					10.00 CFS	

WATER SOURCE: DRY CREEK

TRIBUTARY TO: CAMAS CREEK

STAGE: BENEFICIAL USE

POINT(S) OF DIVERSION:	T13N R40E S17	SENW	SESW	CLARK COUNTY
	S30	NWSW		CLARK COUNTY
POINT(S) OF BEGINNING STREAM REACH:	T13N R40E S17	SENW		CLARK COUNTY
POINT(S) OF ENDING STREAM REACH:	T13N R40E S25	SNNW		CLARK COUNTY

PLACE OF USE LEGAL DESCRIPTION FOR: IRRIGATION

NE				NW				SW				SE				
T	R	S	:	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	SUM
13N	40E	25	:											10		90.0
13N	40E	33	:											10	70	130.0
TOTAL ACRES															220.0	

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	
13N	40E	17	:													
13N	40E	25	:													
13N	40E	33	:													

POU COUNTY: CLARK

NON-IRRIGATION USES: UP TO 7000 SHEEP

OTHER RIGHTS: NONE

REMARKS: #5 STREAM IS USED FOR LIVESTOCK WATER AND IRRIGATION OF APPROXIMATELY 220 ACRES OF PASTURE (SEE MAP). POINT A ON THE MAPS SHOWS THE LOCATION OF A FLUME THAT CARRIES THE WATER OVER THE STREAM BED CREATED BY EARLY RUN-OFF.

DATES: EXAM MADE DATE: VERIFIED DATE:

MISC: WATER DISTRICT NUMBER: FIELD INSPECTION FLAG: PRESUMPTION FLAG:

2002 MAY -1 AM 9: 35

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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	)	
	)	ORDER OF PARTIAL DECREE
Case No. 39576	)	
_____	)	For Water Right 31-00080

On March 21, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 31-00080 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED May 1, 2002



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 31-00080

2002 MAY -1 AM 9:36
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTIN
USDA ARS
US SHEEP EXPERIMENT STATION
HC 62 BOX 2010
DUBOIS, ID 83423

SOURCE: DRY CREEK TRIBUTARY: SPRING CREEK

QUANTITY: 4.20 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 31-00326 SHALL
PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 09/02/1922

POINT OF DIVERSION: T13N R40E S05 SWSWSE Within Clark County
S30 NWNESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-31	4.20 CFS
	Stockwater	05-01 TO 10-31	0.11 CFS

PLACE OF USE:	Irrigation		Within Clark County
	T13N R39E S25	NESE 7.0	SWSE 10.0
		SESE 38.0	
	R40E S30	NWNE 17.0	SWNE 39.0
		SENE 7.0	NENW 8.0
		SENW 20.0	NESW 20.0
	LOT 03 (NWSW)	30.0	NWSE 13.0
	209.0 Acres Total		

Stockwater		Within Clark County
T13N R39E S25	SWNE	SENE
	SENW	NESE
	SWSE	SESE
R40E S19	SENW	NESW
	SESW	
S30	NWNE	SWNE
	SENE	NENW
	SWNW	SENW
	NESW	LOT 03 (NWSW)
	NWSE	

USE OF THIS RIGHT WITH RIGHT NO. 31-00326 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 209 ACRES IN A SINGLE
IRRIGATION SEASON.

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE 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. 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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 MAY 01 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 31-00080

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 31-00080 was mailed
on May 01, 2002, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

UNITED STATES OF AMERICA ACTIN
USDA ARS
US SHEEP EXPERIMENT STATION
HC 62 BOX 2010
DUBOIS, ID 83423
Phone: 208-374-5409

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
05/01/02

2002 MAY -1 AM 9:35

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

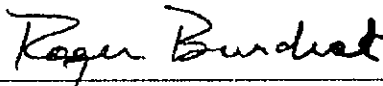
In Re SRBA	)	
	)	ORDER OF PARTIAL DECREE
Case No. 39576	)	
_____	)	For Water Right 31-00082

On March 21, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 31-00082 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED May 1, 2002



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 31-00082

2002 MAY -1 AM 9:36

DISTRICT COURT-SREA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: RALPH L. HILLMAN AND SONS
1223 HOMER AVE
IDAHO FALLS, ID 83401

SOURCE: WEST CAMAS CREEK TRIBUTARY: CAMAS CREEK

POINT OF INJECTION INTO CRAB CREEK. POINTS OF REDIVERSION
FROM CRAB CREEK.

QUANTITY: 1.60 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 13.32 CFS. COMBINED RIGHT NOS.:
31-82, 31-83, 31-84, 31-85, 31-86, 31-11700, 31-11701.

PRIORITY DATE: 05/01/1898

POINT OF DIVERSION: T13N R38E S22 SWNNW Within Clark County
SWNNW (Injection)
NENESE
NENWSE (Rediversion)
NWSESE (Rediversion)
S23 SWSWNW
SWSSEW
SWSWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-31	1.60 CFS
	Stockwater	05-01 TO 10-31	0.05 CFS

PLACE OF USE:	Irrigation		Within Clark County
	T13N R38E S22	NENE 12.0	NENE 9.0
		SWSE 7.0	SESE 28.0
	S23	SWNE 1.0	SWNW 29.0
		SENE 13.0	NESW 36.0
		NWSW 26.0	SWSW 23.0
		SESW 24.0	NENE 13.0
		NWSE 34.0	SWSE 34.0
		SESE 39.0	
	S25	NENW 39.0	NWNW 38.0
		SWNW 34.0	SENE 40.0
	S26	NENE 24.0	NWNE 22.0
		SWNE 10.0	SENE 16.0
		NENW 21.0	NWNW 32.0
		SWNW 11.0	SENE 36.0
	S27	NENE 15.0	
	666.0 Acres Total		

Stockwater Within Clark County
Same as Irrigation

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 666 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 31-82, 31-83, 31-84, 31-85, 31-86,
31-11700, 31-11701.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

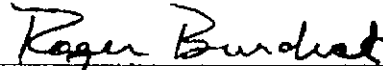
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE 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. 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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 MAY 01 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 31-00082

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 31-00082 was mailed
on May 01, 2002, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

UNITED STATES OF AMERICA
Represented by:
DAVID NEGRI
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

RALPH L HILLMAN AND SONS
1223 HOMER AVE
IDAHO FALLS, ID 83401
Phone: 208-529-0723

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
05/01/02

RECEIVED

SEP 10 2001

Department of Water Resources

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: _31-00080_

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 USDA ARS

Address: 550 West Fort Street
MSC 033
Boise, Idaho 83724

Daytime Phone: (208) 387-0835

Name and Address of Attorney, if any:

David L. Negri
550 West Fort Street
MSC 033
Boise, Idaho 83724**C. CLAIMANT OF WATER RIGHT AS LISTED IN THE DIRECTOR'S REPORT**

Name: United States of America Acting Through

Address: USDA ARS
U.S. Sheep Experiment Station
HC 62 Box 2010
Dubois, ID 83423

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:
5. ☒ **Point(s) of Diversion**
Should be: T13N R40E S5 SESWSE
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☐ **Places 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 above.

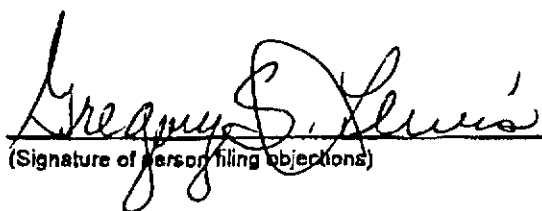
E. **REASONS SUPPORTING OBJECTION(S):**

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Gregory S. Lewis , 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 objections)

(Attorney signing in representative capacity)

Subscribed and sworn before me on:

6 September 2001



Notary Public for: Clark County

Residing at: Dubois 9th 834/23

Commission Expires: 01-31-2006

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 09-07-01, 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
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

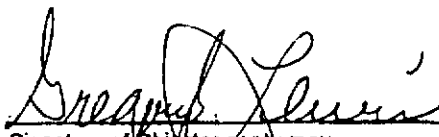
Name: United States of America Acting Through
Address: USDA ARS
U.S. Sheep Experiment Station
HC 62 Box 2010
Dubois, ID 83423

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resource
Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

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



Signature of Objector or attorney
mailing on Objector's behalf

01/25/2001

NOTICE OF ERROR
REPLY

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: March 9, 2001

Water right number: 31-~~XXXX~~ 80

UNITED STATES OF AMERICA ACTING THROUGH
USDA ARS
US SHEEP EXPERIMENT STATION
HC 62 BOX 2010

DUBOIS ID 83423
Telephone Number: (208)374-5409

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

Duplicate Stockwater Within Clark County:

T13N R40E S30 NENW

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

delete one entry indicated above.

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: 02/12/01

SIGNATURE:

Gregory S. Lewis

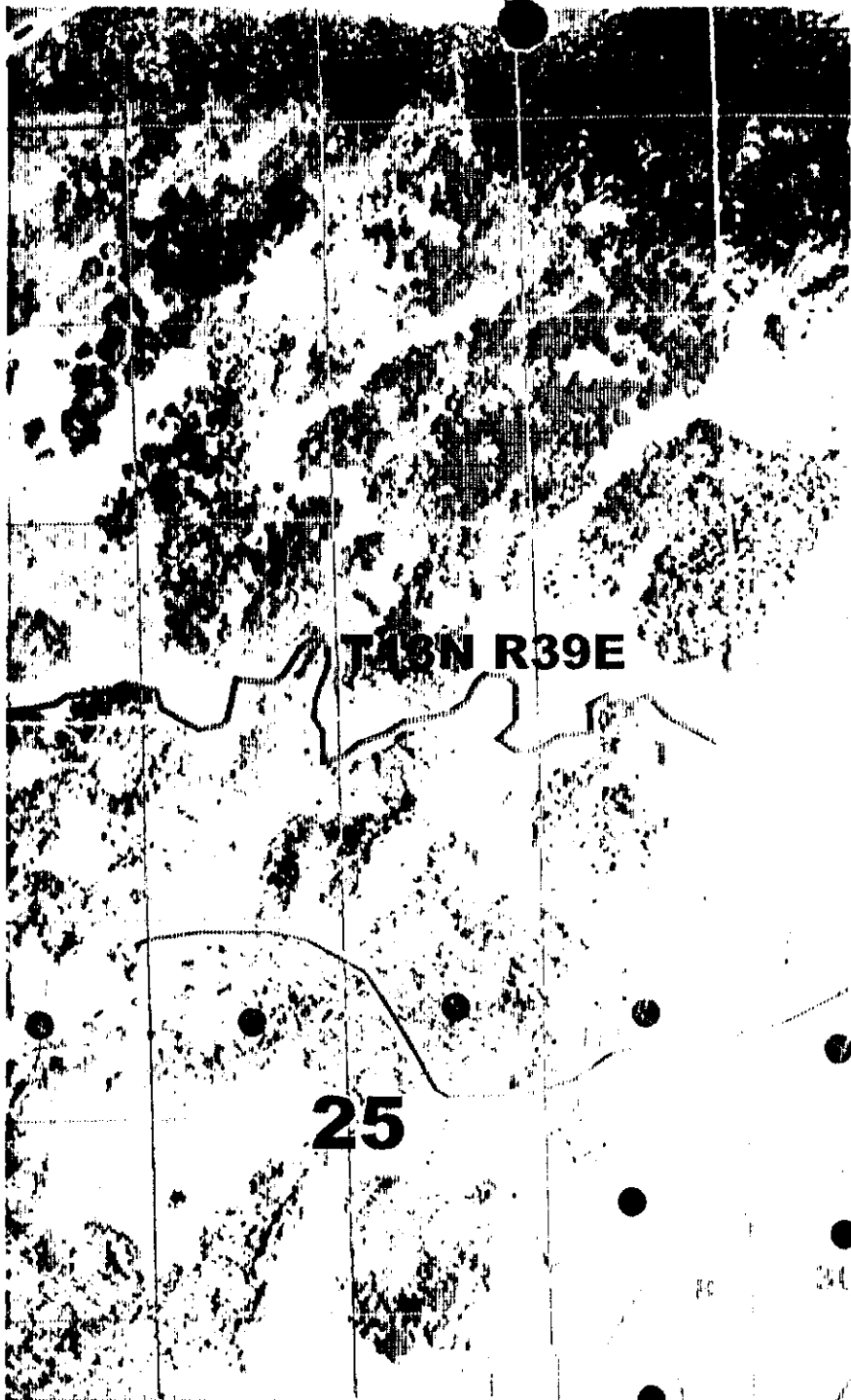
Please print your name: Gregory S. Lewis

IDWR Regional Office, 900 N Skyline, Idaho Falls, ID 83402, 2085257161

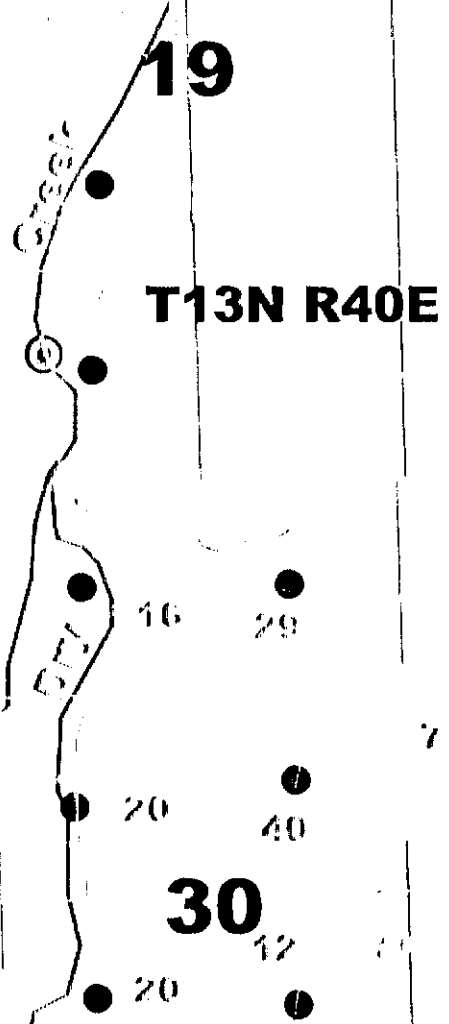
Also Deleted SENW (duplicate entry) Sec. 30

Done
2/21/01

[Signature]



Needs:
POD's illustrated
POU boundary
In-stream stock QQ's



~~31-10944~~ Disallowed
USDA Ag Research Service
Sheep Research Station

● Instream Stockwater POU QQ's

*Amended
01/09/01*

*6/22/2k
A. J. R.
31*

POL BY JUDGEMENT, 1959

VALLEY

PDU CLAIMED
IRR/STEEL

IRR ONLY

North Pasture
330 Acres

Center Pasture
315 Acres

U S SHEEP

EXPERIMENT

West Pasture
410 Acres

Place of
irrigation
use.

MICROFILMED

NOV 13 1992

MEMORANDUM

19 April 2000

To: the file of 31-10944

From: A. Ruberry

Quin Jacobson, USDA Sheep Research Station, Dubois returned my call today to discuss the many problems associated with the above referenced claim. The claim has many problems to include the following:

1. Priority Date predates the 1930 decree, but here is a court Judgement and Conclusion of Law (June 1958) submitted as evidence. Claimed Priority date don't match the Judgement. However, the Judgement does not reference a Water Right Number. Thus the 31-10944 number.
2. The map submitted with the claim, receipted in May 1990, does not correlate with the acreages claimed per quarter-quarter. Some quarter-quarters claim 70 acres and 50 ac.
3. In-stream stock water was claimed in quarter-quarters where no stream flows. The legal description of the Point of Ending does not relate as R40E. It should read R39E. Place of Use of in-stream stock water also claims R40E and should read R39E (those parts in Section 25). Areas in Section 30 are OK.
4. There are no Illustrated Points of Diversion for the surface water diversion relating to Irrigation purposes.
5. The court Judgement discusses 10.0 cfs as being allocated form Dry Creek with no mention of an additive amount for stockwater. The 1930 Decree, however, is very specific that stockwater is a part of nearly every decreed Irrigation right. (NOT DESIGNATED AS ADDITIVE)
6. Season of Use is discussed in the Judgement as "from May 1 ... to on or about September 30 of each year..." And, goes on to recognize and discuss that Irrigation requirements vary from year to year and the uses associated therewith. No mention of stockwater use is made. As claimed, the Period of Use is June 1 to October 1.... This is OK if that's what the claimant wants, but Department Standard Period of Use for this area is May 1 to October 31. Decreed Period of use for surface water is May 1 to September 1.... No distinction is made between stock water and Irrigation uses.

31-10944 is Disallowed.

New Claim 31-00080 is

There is no record of Possession
The water Right.

Remember to
31-00080

Claimed Priority
is 09/02/1930-11/11/30
31-00080 But
is for 4.2 cfs
only!

see #1 notes.

NO IT
DOESN'T
USE 5/1 TO
10/31
Dept. Std.

- 7. The diversion rate per acre is, as claimed, (9.741 cfs/ 220 acres = 0.044277 cfs/ac; about 2.25 times to high, no accompanying FSA document or recognition by Judgement for additional requirement of water to irrigate).**
- 8. I don't understand how they get such precise numbers for the claim as irrigation to 9.741 cfs and stockwater to 0.259 cfs. According to Department tables 1000 head of sheep only require 0.04 cfs (accordingly, this as a back calculation, 0.259 cfs should do about 15,945.946 sheep). Probably not an outrageous herd size for sheep.**

WR0749NP
No. 31-00080

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/05/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ELVIN W. HENNINGER	09/02/1922	IRRIGATION	05/01 09/01	4.200 CFS	
C	DOLLY M. HENNINGER		STOCKWATER	00/00 00/00		
			DOMESTIC	00/00 00/00		
TOTAL DIVERSION:					4.200 CFS	

Water Source: DRY CREEK

Tributary to: SPRING CREEK

Stage: DECREED

Point(s) of Diversion: T13N R40E S09 SWNW CLARK County

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE				
T R S	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: SUM
13N 40E 19	:				:				:				:				:
13N 40E 30	:		I	I	:	I		I	:	I	I		:		I		:

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: CLARK

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
31-00326

Other Water Rights Listing Overlapping Place(s) of use:
31-00326

Dates:	App. Received:	Priority Date:	09/02/1922
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 31 Field Exam Fee:

Audit: 07/23/85 05/22/88 CONVERT



United States
Department of
Agriculture

Agricultural
Research
Service

Pacific West Area

U.S. Sheep Experiment Station
Dubois, ID 83423

June 22, 1993

RECEIVED

JUN 23 1993

State of Idaho
Department of Water Resources
900 N. Skyline Drive
Idaho Falls, ID 83401-1718

Department of Water Resources
Eastern District Office

*Burton Cookman
Stockton / WSR*

Dear Sir:

Reference your letter of February 9, 1993 regarding "Evidence of Priority" for Claims A31-10944 and A31-10951.

Attached are copies of our Deeds for these two claims that we are providing as proof of the priority.

If any additional information is needed please don't hesitate to ask.

Sincerely,

Sharon M. Weller

SHARON M. WELLER
Administrative Officer

Enclosure

cc: Randy Bramer, OGC, Boise, ID

① Query D/S with SWNSW Sec. 30 13/40

② Enstream claim for Dry Cr in Sec. 25 along stream
to E10QQ's.

③ Amend 10944 (maybe 80 d B1 Ducks)