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

CIVIL CASE NUMBER: 39576

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

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1945-03-06
IDWR NUMBER: 5502235 *A55-02235*
BLM NUMBER: 5501588024
BASIS OF CLAIM: LICENSE
BASIN NUMBER: 55

SOURCE	TRIBUTARY TO
-----	-----
UNNAMED STREAM	OWYHEE RIVER

DESCRIPTION OF DIVERSION WORKS

EARTHFILL DAM

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
-----	-----	-----	-----	-----
STOCKWATER STORAGE	0.000	0.50	0101	1231
STOCKWATER FROM STORAGE	0.000	0.50	0101	1231
WILDLIFE STORAGE	0.000	0.50	0101	1231
WILDLIFE FROM STORAGE	0.000	0.50	0101	1231
TOTAL:	0.000 CFS	0.50 AF		

NON-IRRIGATION USES

S/ 100 RANGE CATTLE W/ VAR AMOUNTS

				POINT OF DIVERSION			
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
-----	-----	-----	-----	-----	-----	-----	-----
15S	02W	11		NE	NE	00	OWYHEE

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
-----	-----	-----	-----	-----	-----	-----	-----	-----
15S	02W	11	NE	NE	00	OWYHEE	YES	0.0

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BLM NUMBER: 5501588024

PAGE: 2

15S	02W	11	NE	NE	00	OWYHEE	YES	0.0
15S	02W	11	NE	NE	00	OWYHEE	YES	0.0
15S	02W	11	NE	NE	00	OWYHEE	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

RECEIVED

In Re SRBA

AMENDED NOTICE of CLAIM MAY 01 1997
for Water Right number:

Case No. 39576

A55-02235

Department of Water Resources

United States of America acting through
Bureau of Land Management

NAME and
ADDRESS:

Idaho State Office
1387 South Vinnell Way
Boise, ID 83709 - 1657

BLMIDENT:

5501588024

SOURCE:

Source	Tributary
UNNAMED STREAM	OWYHEE RIVER

QUANTITY:

0 CFS or VOLUME: 0.5 Acre Fee

The quantity of water under this right for stockwater shall not exceed 13,000 gallons per day

PRIORITY DATE:

3/6/45

POINT of
DIVERSION:

Twntship	Range	Section	T1	T2	T3	LOT	within the	County of
15S	02W	11		NE	NE	0		73 OWYHEE

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	Volume in Ac
05	0101	1231	0
06	0101	1231	0
17	0101	1231	0
18	0101	1231	0

CONSUMPTIVE
USE:

de minimis stockwater use

DATE: 30-Apr-97 5:36 PM

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.

PLACE
of USE:

Water Use	Twnt	Rge	Sec	T1	T2	LOT	within the	County of
05	15S	02W	11	NE	NE	0		OWYHEE
06	15S	02W	11	NE	NE	0		OWYHEE
17	15S	02W	11	NE	NE	0		OWYHEE
18	15S	02W	11	NE	NE	0		OWYHEE

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A. AJ CLAIM: # A55-02235

PRIORITY DATE: 03-06-1945

STAGE: L

B. WR RECORD: # 55-02235

PRIORITY DATE: 03-06-1945

STAGE: L

C. FIELD EXAM REQUIRED?

FIELD EXAMINER
N

DATABASE
N

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

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

NOTES: claim matches license

RECOMMENDED PRIORITY DATE:
03-06-1945

REVIEWED BY RF

DATE 12-13-93

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A55-02235	15S	02W	11		NE	NE		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A55-02193A R55-02193A
A55-10283 R55-10283
A55-11363
A55-12331

WR RECORDS IN SAME 40 ACRE TRACT
55-02193

SOURCE: UNNAMED STREAM

TRIB: OWYHEE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
55-02235	15S	02W	11		NE	NE		OWYHEE

OTHER WR RECORDS WITH SAME WR POD
A PREFIX R PREFIX
A55-02193A R55-10283

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

SOURCE: UNNAMED STREAM

TRIB: *Owyhee River*

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	Y	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	Y	Y	<i>NI</i>

NOTES:

POD claimed as licensed

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tributary name further clarification of tributary

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:					DIVERSION NAME
TWP.	RGE.	SEC.	1/4	1/4	
15S	2W	11	NE	NE	Cuyahue
—	—	—	—	—	—
—	—	—	—	—	—
—	—	—	—	—	—
—	—	—	—	—	—
—	—	—	—	—	—
—	—	—	—	—	—
—	—	—	—	—	—
SOURCE: <u>Unnamed stream</u>					TRIB: <u>Cuyahue River</u>

REVIEWED BY: RF DATE: 12-13-93
SYSTEM DESCRIPTION:

PRESUMPTION FLAG:

NOTES:

A55-12331- claims in stream use
A55-11363- disallowed, recommended as 55-02235, D-permit shows first
evidence of use & ~~sub~~ construction of reservoir.
R55-02193A + R55-10283 partially deleted, use of reservoir recommended as
55-02235

RECOMMENDATIONS:

TOTAL ACRES: _____ DATE: 12-13-93
REVIEWED BY: Rf

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1994

A. AJ CLAIMED USES:

PURPOSES	FROM	MONTH/DAY	TOTAL DIVERSION RATE/VOLUME CLAIMED
A55-02235 STOCKWATER STORAGE	FROM 01-01 TO 12-31		
A55-02235 STOCKWATER FROM STORAGE	FROM 01-01 TO 12-31		
A55-02235 WILDLIFE STORAGE	FROM 01-01 TO 12-31		
A55-02235 WILDLIFE FROM STORAGE	FROM 01-01 TO 12-31		

DIVERSION QUANTITY
 .50 AF/A
 .50 AF/A
~~.50 AF/A~~
~~.50 AF/A~~
 .50 AF/A

Stockwater was only D-permit

B. WR RECORDED USES:

PURPOSES	FROM	MONTH/DAY	TOTAL DIVERSION RATE/VOLUME CLAIMED
55-02235 STOCKWATER STORAGE	FROM 01-01 TO 12-31		

DIVERSION QUANTITY
 .50 AF/A
 .50 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y(X) N()

Y() N()

Explain in notes, below.

NOTES:

non irrigation use includes wildlife variable amount

POOR ORIGINAL

Application No. D. 485

Permit No. D 485 55-2235

District No. _____

1. Name of Applicant U. S. Department of The Interior, Grazing Service,
2. Post Office Address P.O. Box 917, Boise, Idaho
3. Quantity of water claimed 0.5 Ac.Ft. 3-6-1945
(Not to exceed 0.1 second foot or 15 acre feet)
4. Source of water supply Snow run-off
(Spring, well, unnamed stream, small lake, snow, or runoff)
5. Location of point of diversion _____ feet distant from the _____ corner of Section _____
Twp. _____, Rge. _____, B. M., and is in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____, Twp. _____, Rge. _____, B. M.
in the County of Oneida 73
6. Location of point of use S. 32° - 00' N. 990 feet distant from the NE corner of Section 11
Twp. 15 S, Rge. 2 W, B. M., and in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Sec. 11, Twp. 15 S, Rge. 2 W
7. Water to be used for Stock Watering 11-12/31
8. Estimated cost of works Excavated Waterhole
9. Kind of works _____
(Reservoir, dam, ditch, flume, pipe, etc.)
10. Size _____
(Headgate, ditch, flume, pipe, etc.)
11. Time required to apply water to proposed use completed
12. If reservoir is used, fill in the following in addition to the above questions:
- (a) Height of dam _____ feet: Length at top _____ feet.
- (b) Material from which dam is constructed _____
(earth, concrete, timber, rock)
- (c) The outlet of the proposed reservoir is located _____ feet from the _____ corner of _____
Section _____, Twp. _____, Rge. _____, B. M.

REMARKS:

Applicant..... **Grazing Service**

Agent

George E. Tucker, Regional Engineer.

[illegible]

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OVERLAP REVIEW PAGE

CLAIM NUMBER: A55-02235

☐ NO OVERLAP WITH PRIVATE INDIVIDUAL CLAIM

☒ OVERLAPS WITH CLAIM BY PRIVATE INDIVIDUAL

CLAIM NO.: R55-0243A, R55-10283

☐ OVERLAPPING CLAIM DISALLOWED

☒ OVERLAPPING CLAIM PARTIALLY DELETED - use of reservoir recommended as 55-02235

PRIVATE CLAIMANT NOTIFIED/DATE: _____

☐ NO OVERLAP WITH OTHER FEDERAL CLAIM

☒ OVERLAPS WITH CLAIM BY FEDERAL GOVERNMENT

CLAIM NO.: A55-11363

☒ OVERLAPPING CLAIM DISALLOWED

☐ THIS CLAIM DISALLOWED

☐ OVERLAPPING CLAIM ALLOWED/REMARKS: A55-11363 disallowed, recommended
as 55-02235, D-permit shows first evidence of use + construction
of reservoir.

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VERIFIED BY R. Brown
7-9-97

AJ5809NP
No. R55-02235

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/09/97
PAGE: 3

OWNER CODE NAME & ADDRESS
C UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709
(208) 373-4000

PRIORITY DATE
03/06/1945

WATER USE
STOCKWATER STORAGE
STOCKWATER FROM STORAGE

USE PERIOD FROM TO
01-01 12-31
01-01 12-31

DIVERSION RATE
0.50 AFA
0.50 AFA
0.50 AFA

TOTAL DIVERSION:

Water Source: UNNAMED STREAM Tributary to: ONYHEE RIVER Stage: LICENSE
ONYHEE County

Point(s) of Diversion: T15S R02W S11 NENE

Place of use Legal Description for: STOCKWATER STORAGE
NE SW

	NE	SE	SW	SE
T R S	NENE NUNE SUNE SENE : NENE NUNW SWNW SENW : NENE NWSW SWSW SESW : NENE NWSE SWSE SESE :			
15S 02W 11	S			

Place of use Legal Description for: STOCKWATER FROM STORAGE
NE SW

	NE	SE	SW	SE
T R S	NENE NUNE SUNE SENE : NENE NUNW SWNW SENW : NENE NWSW SWSW SESW : NENE NWSE SWSE SESE :			
15S 02W 11	S			

POU County: ONYHEE

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 BLM RECORD ID = 5501588024
STOCKWATER, 100 RANGE CATTLE

Dates: Exam Made Date: 07/08/1997 Objection Filed Date:
Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 01/04/1994 User-ID: SMITH Subject: COPIED FROM REMARKS

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AJ5809NP
No. R55-02235

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/09/97
PAGE: 4

Comments: Date: 01/04/1994 User-ID: SMITH Subject: COPIED FROM REMARKS
PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

Date: 06/03/1997 User-ID: AJU5-JSH 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.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 01/03/94 SMITH 01/04/94 SMITH 09/11/96 NM-SHAFF 10/11/96 AD-SHAFF
06/02/97 WL-JSHUR 06/03/97 AJU5-JSH 07/08/97 RBRONN

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AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

06/20/97 08:19:37
Page 1

Water Right Number - R55-02235

Prefix Translation: RESEARCH

Old (D) Number - D-485

+ - - - - Last Name - - - - + + - - - - First Name - - - - + + - - - - Address - - - - - +

*** A - ATTORNEY ***

HAUGRUD, JACK OR G GARVER OR D ZANE

1 - US DEPT OF JUSTICE
2 - ENV & NR DIV GEN LIT SEC
3 - PO BOX 663

City- WASHINGTON State- DC Zip- 200440663
Phone - 202-272-4134

*** C - CURRENT OWNER ***
AMERICA ACTING THROUGH

UNITED STATES OF

1 - USDI BUREAU OF LAND MANAGEMENT
2 - IDAHO STATE OFFICE
3 - 1387 S VINNELL WAY
City- BOISE State- ID Zip- 83709
Phone - 208-373-4000

*** K - ALSO KNOWN AS ***
BLM

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
03/06/1945 14 WESTERN L - LICENSE

+ - - Source - - - - + + - - - - Tributary - - - - - +
UNNAMED STREAM OWYHEE RIVER

+ - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name

15S 02W 11 NE NE (73) OWYHEE

+ - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

05 - STOCKWATER STORAGE 01/01 12/31 0.50
06 - STOCKWATER FROM STORAGE 01/01 12/31 0.50

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +
0.50 0.50 0.0

+ - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

15S 02W 11 NE NE 05 STOCKWATER STORAGE (73) OWYHEE
15S 02W 11 NE NE 06 STOCKWATER FROM STORAGE (73) OWYHEE

+ - - Diversion Means - EARTHFILL DAM

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

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overlaps: A55-02193A) settle later
A55-10783 RB 7-7-97

Water right number - R55-02235

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +

EXP BLM RECORD ID = 550158024

STOCKWATER, 100 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNTS

+ - - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers found.

+ - - - - - 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.

+ - - - - - Decree Plaintiff - - - + - - - - Decree Defendant - - - + - - - Decree Date - - +
00/00/0000+ - - Audit Fields - 01/03/94 SMITH 01/04/94 SMITH 09/11/96 NN-SHAFF 10/11/96 AD-SHAFF 06/02/97 WL-JSHUR
06/03/97 AJU5-JSH

+ - - - - - -Comments- - - - - +

Date: 01/04/1994 User Id: SMITH Subject: COPIED FROM REMARKS

PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

Date: 06/03/1997 User Id: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE

USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.

ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 03/25/1993 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| Proof Due Date | - 00/00/0000 | Proof Made Date | - 00/00/0000 | Water District | - |
| Licensed Date | - 00/00/0000 | Receipt Number | - X111111 | Federal/State Indicator | - S |
| | | POU Ownership Flag | - Y | Presumption Flag | - |
| | | Name Connector | - | Notice of Error Flag | - |

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JAN 0 5 1999