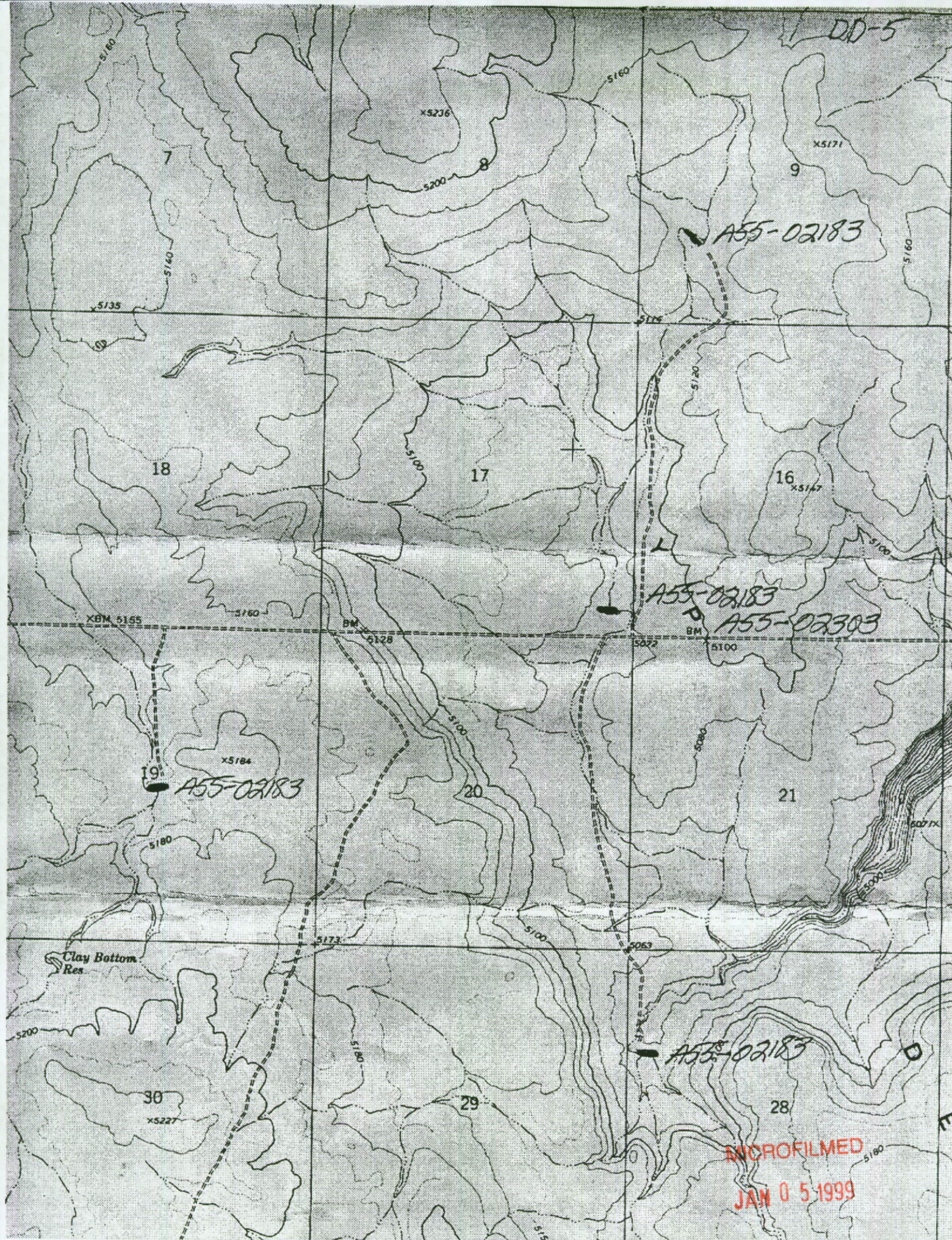




IN THE DISTRICT COURT OF
THE FIFTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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: 1953-05-05
IDWR NUMBER: 5502303 *A55-02303*
BLM NUMBER: 5501588091
BASIS OF CLAIM: LICENSE
BASIN NUMBER: 55

SOURCE	TRIBUTARY TO
-----	-----
UNNAMED STREAM	PIUTE CREEK

DESCRIPTION OF DIVERSION WORKS

EARTHFILL DAM

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
-----	-----	-----	-----	-----
STOCKWATER STORAGE	0.000	4.00	0101	1231
STOCKWATER FROM STORAGE	0.000	4.00	0101	1231
WILDLIFE STORAGE	0.000	4.00	0101	1231
WILDLIFE FROM STORAGE	0.000	4.00	0101	1231
TOTAL:	0.000 CFS	4.00 AF		

NON-IRRIGATION USES

S/ 1000 RANGE CATTLE W/ VAR AMOUNTS

				POINT OF DIVERSION			
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
-----	-----	-----	-----	-----	-----	-----	-----
14S	03W	17		SE	SE	00	OWYHEE

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
-----	-----	-----	-----	-----	-----	-----	-----	-----
14S	03W	17	SE	SE	00	OWYHEE	YES	0.0

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JUL 11 1994

BLM NUMBER: 5501588091

PAGE: 2

14S	03W	17	SE	SE	00	OWYHEE	YES	0.0
14S	03W	17	SE	SE	00	OWYHEE	YES	0.0
14S	03W	17	SE	SE	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

MICROFILMED
JAN 05 1999

Comments: Date: 01/12/1994 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: 01/12/94 SMITH 01/18/94 FOSTER 09/11/96 NM-SHAFF 10/11/96 AD-SHAFF
06/02/97 WL-JSHUR 06/03/97 AJU5-JSH 07/07/97 RBROWN

OWNER CODE C UNITED STATES OF AMERICA ACTING THROUGH 05/05/1953 STOCKWATER STORAGE 01-01 12-31 DIVERSION RATE 4.00 AFA DIVERSION VOLUME 4.00 AFA

Water Source: UNNAMED STREAM T14S R03W S17 SESE Stage: LICENSE ONYHEE County

Point(s) of Diversion: T14S R03W S17 SESE

Place of use Legal Description for: STOCKWATER STORAGE NE NESE NWSE SWSE

POU County: ONYHEE Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources): A55-02183 A55-02303 F55-02303

Conditions of Approval: C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE. 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 = 5501588091 SOURCE IS ALSO KNOWN AS GARAT RESERVOIR NO. 6. STOCKWATER, 1000 RANGE CATTLE, WHEELIFE, VARIABLE AMOUNTS

Dates: Exam Made Date: Verified Date: Objection Filed Date: Misc: Water District Number: Field Inspection Flag: C Presumption Flag:

MICROFILMED JAN 0 5 1999

overlapped: A55-02183, diff. priority date; allow both

Comments: Date: 01/12/1994 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: 01/12/94 SMITH 01/18/94 FOSTER 09/11/96 NW-SHAFF 10/11/96 AD-SHAFF
06/02/97 WL-JSHUR 06/03/97 AJU5-JSH

Topographic map showing contour lines, grid lines, and handwritten annotations. The map includes sections 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, and 30. Handwritten annotations include "A55-02183" in multiple locations, "A55-02303", and "DD-5" in the top right. A "Clay Bottom Res." is marked in the bottom left. A stamp in the bottom right reads "MICROFILMED JAN 05 1999".

518
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JAN 05 1999

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

RECEIVED

In Re SRBA

Case No. 39576

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

A55-02303

United States of America acting through
Bureau of Land Management

Department of Water Resources

NAME and
ADDRESS:

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

BLMIDENT:

5501588091

SOURCE:

Source	Tributary
UNNAMED STREAM	PIUTE CREEK

QUANTITY:

0 CFS or VOLUME: 4 Acre Fee

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

PRIORITY DATE:

5/5/53

POINT of
DIVERSION:

Twntship	Range	Section	T1	T2	T3	LOT	within the	County of
14S	03W	17		SE	SE	0		73 OWYHEE

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in Ac
05	0101	1231	0	4
06	0101	1231	0	4
17	0101	1231	0	4
18	0101	1231	0	4

CONSUMPTIVE
USE:

de minimis stockwater use DATE: 30-Apr-97 5:37 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	14S	03W	17	SE	SE	0		OWYHEE
06	14S	03W	17	SE	SE	0		OWYHEE
17	14S	03W	17	SE	SE	0		OWYHEE
18	14S	03W	17	SE	SE	0		OWYHEE

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JAN 05 1999

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 01/18/94
PAGE: 1

NAME & ADDRESS

PRIORITY
DATE

WATER USE

USE PERIOD FROM TO

DIVERSION
 VOLUME

C US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
(208) 334-1401

STOCKWATER STORAGE	01-01 12-31
STOCKWATER FROM STORAGE	01-01 12-31

4.00 AFA

4.00 AFA

4.00 AFA

Water Source: UNNAMED STREAM

Tributary to: PIUTE CREEK

Stage: LICENSE

Point(s) of Diversion:

T14S R03W S17

ESSE

Place of use Legal Description for: STOCKWATER STORAGE

211

[illegible]

Place of use Legal Description for: STOCKWATER FROM STORAGE

El

[illegible]

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 1000 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNTS

Other Rights: NONE

Conditions of Approval:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO IDAHO CODE 42-1416A.
- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO IDAHO CODE 42-1416A.
- THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

Remarks: BLM RECORD ID = 5501588091

SOURCE IS ALSO KNOWN AS GARAT RESERVOIR NO. 6.

Dates: **Exam Made Date:**

Verified Date:

Misc: Water District Number:

Field Inspection Flag: C
Presumption Flag:

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JUL 11 1994

DATE: 01/18/94
PAGE: 2

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

AJ0749NP
No. R55-02303

Comments: Date: 01/12/1994 User-ID: SMITH Subject: COPIED FROM REMARKS
PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

Audit: 01/18/94 FOSTER

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A. AJ CLAIM: # A55-02303 PRIORITY DATE: 05-05-1953 STAGE: L

B. WR RECORD: # 55-02303 PRIORITY DATE: 05-05-1953 STAGE: L

C. FIELD EXAM REQUIRED? DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER N

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

IF YES EXPLAIN. NOTES: claimed as licensed

RECOMMENDED PRIORITY DATE: 05-05-1953

REVIEWED BY Rf DATE 12-7-93

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A55-02303	14S	03W	17		SE	SE		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX

A55-02183 R PREFIX

A55-11045

A55-11303

WR RECORDS IN SAME 40 ACRE TRACT

55-02183

SOURCE: UNNAMED STREAM

TRIB: PIUTE CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
55-02303	14S	03W	20 17		SE	NE SE		OWYHEE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: UNNAMED STREAM

TRIB: Piute Creek

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	Y	
		Y	

NOTES:

recommend POD as claimed, change in POD classification of
POD
change in tributary name further classification of tributary
A55-11045 - claims in stream use

C03 C05 presumption flag C

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:				DIVERSION NAME	
TWP.	RGE.	SEC.	1/4	1/4	COUNTY
14S	3W	17	SE	SE	Dayton
—	—	—	—	—	—
—	—	—	—	—	—
—	—	—	—	—	—
—	—	—	—	—	—
—	—	—	—	—	—
—	—	—	—	—	—
—	—	—	—	—	—
SOURCE: unnamed stream				TRIB: Pinta Creek	

REVIEWED BY: RF DATE: 12-7-93
 SYSTEM DESCRIPTION:

A. ROOT WATER RIGHT NUMBERS: A55-02303

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
14S	03W	17	SE	SE		US DEPT OF INTERIOR	A55-02303 /	- /			
			SE	SE		PETAN COMPANY OF NEVADA INC.	A55-02183 /	55-02183 /			
			SE	SE		PETAN COMPANY OF NEVADA INC.	R55-02183 /	- /			
			SE	SE		US DEPT OF INTERIOR	A55-11303 /	- /			
<i>R55-02183 - partially deleted</i>											
14S	03W	17	SE	SE		US DEPT OF INTERIOR	A55-02303 /	- /			
			SE	SE		PETAN COMPANY OF NEVADA INC.	A55-02183 /	55-02183 /			
			SE	SE		PETAN COMPANY OF NEVADA INC.	R55-02183 /	- /			
			SE	SE		US DEPT OF INTERIOR	A55-11303 /	- /			
<i>A55-11303 - disallowed</i>											
14S	03W	17	SE	SE		US DEPT OF INTERIOR	A55-02303 /	- /			
			SE	SE		PETAN COMPANY OF NEVADA INC.	A55-02183 /	55-02183 /			
			SE	SE		PETAN COMPANY OF NEVADA INC.	R55-02183 /	- /			
			SE	SE		US DEPT OF INTERIOR	A55-11303 /	- /			
14S	03W	17	SE	SE		US DEPT OF INTERIOR	A55-02303 /	- /			
			SE	SE		PETAN COMPANY OF NEVADA INC.	A55-02183 /	55-02183 /			
			SE	SE		PETAN COMPANY OF NEVADA INC.	R55-02183 /	- /			
			SE	SE		US DEPT OF INTERIOR	A55-11303 /	- /			
TOTAL ACRES A55-02303											

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N (X)

C. FIELD EXAM REQUIRED? POU COUNTY: OMYHEE

FIELD EXAMINER

DATABASE Y

DUE TO POU DISCREPANCY? (Y/N)

PRESUMPTION FLAG:

NOTES:

*R55-02183 - partially deleted that portion of right recommended
as 55-02303
A55-11303 - disallowed, recommended as 55-02303, D-permit
shows first evidence of use and construction of reservoir*

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: *AK*

DATE: *12-7-93*

A. AJ CLAIMED USES:

PURPOSES	FROM	MONTH/DAY	DIVERSION QUANTITY
A55-02303 STOCKWATER STORAGE	FROM 01-01 TO 12-31	4.00 AF/A	<i>Stockwater use only</i> ~~4.00 AF/A~~ ~~4.00 AF/A~~ 4.00 AF/A
A55-02303 STOCKWATER FROM STORAGE	FROM 01-01 TO 12-31	4.00 AF/A	
A55-02303 WILDLIFE STORAGE	~~FROM 01-01 TO 12-31~~	~~4.00 AF/A~~	
A55-02303 WILDLIFE FROM STORAGE	FROM 01-01 TO 12-31	4.00 AF/A	

TOTAL DIVERSION RATE/VOLUME CLAIMED 4.00 AF/A

B. WR RECORDED USES:

PURPOSES	FROM	MONTH/DAY	DIVERSION QUANTITY
55-02303 STOCKWATER	FROM 01-01 TO 12-31	4.00 AF/A	

TOTAL DIVERSION RATE/VOLUME CLAIMED 4.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☐) N(☐) Explain in notes, below.

NOTES:

non irrigation use includes wildlife, variable amount

P. O. _____

APPLICATION FOR PERMITTO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO
FOR FARMSTEAD, DOMESTIC, OR STOCK WATERING PURPOSESApplication No. D. 890Permit No. D. 890 55-2303

District No. _____

1. Name of Applicant United States Department of the Interior, Bureau of Land Management
2. Post Office Address Swan Island, Portland 18, Oregon
3. Quantity of water claimed 4-acre feet 5-5-1953
(Not to exceed 0.1 second foot or 16 acre feet)
4. Source of water supply 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 Guyhoo 73
6. Location of point of use S 66° E 5280 feet distant from the NW corner of Section 20,
Twp. 14 S, Rge. 3 W, B.M., and in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Sec. 20, Twp. 14 S, Rge. 3 W.
7. Water to be used for Watering Livestock 1/1 - 12/31
8. Estimated cost of works \$272.59
9. Kind of works Reservoir
(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 Bureau of Land ManagementAgent Chas. P. Peck

Regional Chief, Division of Range Management

Garat Reservoir #6 (N. Rangey Water Res.)									
District #1									
1-6-1953									

T 14 S.

R 3 W.

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OVERLAP REVIEW PAGE

CLAIM NUMBER: A55-02303

☐ NO OVERLAP WITH PRIVATE INDIVIDUAL CLAIM

☒ OVERLAPS WITH CLAIM BY PRIVATE INDIVIDUAL

CLAIM NO.: R55-02183

☐ OVERLAPPING CLAIM DISALLOWED

☒ OVERLAPPING CLAIM PARTIALLY DELETED

water use of reservoir recommended as 55-02303

PRIVATE CLAIMANT NOTIFIED/DATE: _____

☐ NO OVERLAP WITH OTHER FEDERAL CLAIM

☒ OVERLAPS WITH CLAIM BY FEDERAL GOVERNMENT

CLAIM NO.: A55-11303

☒ OVERLAPPING CLAIM DISALLOWED

☐ THIS CLAIM DISALLOWED

☐ OVERLAPPING CLAIM ALLOWED/REMARKS: A55-11303 - disallowed, recommended as

55-02303, D-permit shows first evidence of use + construction of

reservoir

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JUL 11 1994