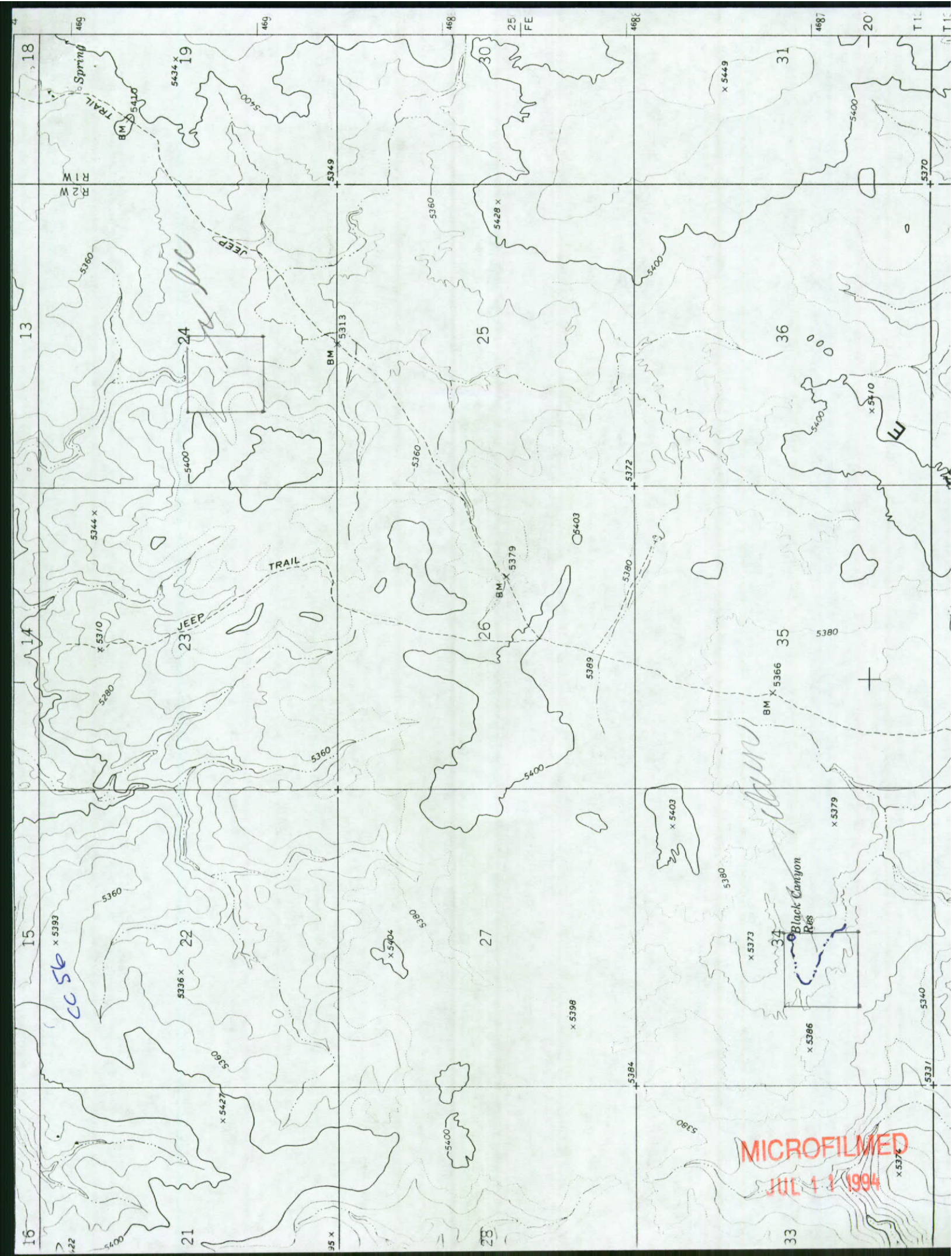




IN THE DISTRICT COURT OF
THE FIFTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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: 1958-09-22
IDWR NUMBER: 5502331 *A55-02331*
BLM NUMBER: 5501680722
BASIS OF CLAIM: LICENSE
BASIN NUMBER: 55

SOURCE	TRIBUTARY TO
POND	DEEP CREEK

DESCRIPTION OF DIVERSION WORKS

WATERHOLE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
STOCKWATER STORAGE	0.000	0.90	0101	1231
STOCKWATER FROM STORAGE	0.000	0.90	0101	1231
WILDLIFE STORAGE	0.000	0.10	0101	1231
WILDLIFE FROM STORAGE	0.000	0.10	0101	1231
TOTAL:	0.000 CFS	1.00 AF		

NON-IRRIGATION USES

STOCKWATER, 3322 RANGE CATTLE; WILDLIFE VAR. AMT.

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
12S	02W	34		NE	SW	00	OWYHEE

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
12S	02W	34	NE	SW	00	OWYHEE	YES	0.0

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JUL 11 1994

BLM NUMBER: 5501680722

PAGE: 2

12S	02W	34	NE	SW	00	OWYHEE	YES	0.0
12S	02W	34	NE	SW	00	OWYHEE	YES	0.0
12S	02W	34	NE	SW	00	OWYHEE	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

55-2331

REMARKS

DATE: 06/04/97
PAGE: 1

Dates:	Exam Made Date:	Verified Date:	06/04/1997	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:		
		Presumption Flag:	C	

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AJ0749NP
No. R55-02331

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

DATE: 06/04/97
PAGE: 2

Comments: 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: 06/04/97 MSCHULTE

MICROFILMED

JAN U 5 1999

IDAH0 DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/04/97
PAGE: 5

NAME & ADDRESS

WATER USE

USE PERIOD
FROM TO

DIVERSION
VOLUME

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

STOCKWATER STORAGE
STOCKWATER FROM STORAGE

1.00 AFA
1.00 AFA

1.00 AFA

TOTAL DIVERSION:

Water Source: UNNAMED STREAM

Tributary to: DEEP CREEK

Stage: LICENSE

Point(s) of Diversion:

MSN

OWYHEE County

Place of use Legal Description for: STOCKWATER STORAGE

MS

[illegible]

Place of use Legal Description for: STOCKWATER FROM STORAGE

3

[illegible]

POU County: OWYHEE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A55-02331

Conditions of Approval:

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

Remarks: EXP

BLM RECORD ID = 5501680722

SOURCE IS ALSO KNOWN AS BLACK CANYON RESERVOIR.

~~SOURCE IS ALSO KNOWN AS BLACK CANYON RESERVOIR.
3322 RANGE CATTLE WILDLIFE VARIABLE AMOUNT~~

Dates: **Exam Made Date:**

Verified Date:

Objection Filed Date:

Misc:

Field Inspection Flag:

Field Inspection Flag: C
Presumption Flag:

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JAN 05 1999

AJ5809NP
No. R55-02331

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/04/97
PAGE: 6

Comments: 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: 02/16/94 MCCARTHY 09/11/96 NM-SHAFF 10/11/96 AD-SHAFF 06/02/97 WL-JSHUR
06/03/97 AJU5-JSH

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Water Right Number - 55-02331

Prefix Translation: WATER RIGHT

Old (D) Number - D1158

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

*** C - CURRENT OWNER ***
US DEPT OF INTERIOR

1 - BUREAU OF LAND MANAGEMENT
2 - IDAHO STATE OFFICE
3 - 3380 AMERICANA TERRACE
City- BOISE State- ID Zip- 83706
Phone -

+ - - - - Priority Date - - - - + + - - - - Region - - - - + + - - - - Stage - - - - + + - - - - Status - - - - +
09/22/1958 14 WESTERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
UNNAMED STREAM

+ - - - - Point of Diversion - - - - - + + - - - - Diversion Name - - - - - + + - - - - Diversion Rate - - - - - + + - - - - Diversion No. - - - - - +

Twn Rng Sec Tract Lot Rflg County (73) OWYHEE

12S 02W 24 NE SW

+ - - - - Description - - - - - + + - - - - Water Use - - - - - + + - - - - Diversion Rate - - - - - + + - - - - Diversion Volume - - - - - +

Code 05 - STOCKWATER STORAGE Period From 01/01 To 12/31 1.00

+ - - - - Total Div. Rate - - - - + + - - - - Total Div. Volume - - - - + + - - - - Total Div. Capacity - - - - +
1.00

+ - - - - Place of Use - - - - - + + - - - - Description - - - - - + + - - - - County - - - - - +

Twn Rng Sec Tract Lot Acres Code 05 STOCKWATER STORAGE (73) OWYHEE

12S 02W 24 NE SW

+ - - - - Diversion Means -

+ - - - - Non-Irrigation Use -

+ - - - - Other Rights for Same Use -

+ - - - - Remarks - - - - - + + - - - - Remarks found. - - - - - +

+ - - - - Old Water Right Numbers - - - - - + + - - - - No Old Water Right Numbers found. - - - - - +

+ - - - - Conditions of Approval - - - - - + + - - - - No Conditions of Approval found. - - - - - +

+ - - - - Decree Plaintiff - - - - + + - - - - Decree Defendant - - - - + + - - - - Decree Date - - - - +

00/00/0000

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JAN 0 5 1999

WATER RIGHT

+ . . . +
-Comments- . . . +
No Comments Found

+ - - Audit Fields - 08/28/87 04/30/88 CONVERT 04/03/89 NAMECHNG 01/26/92 POST-STD 07/15/92 D-NO-CHG

----- Water Rights Dates and Flags Area -----

-	Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-
-	Approved/Denied	-	00/00/0000	Protested Date	-	00/00/0000	Suan Falls	-
-	Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	-
-	Exam to S.O. Date	-	00/00/0000	Verified Date	-	12/31/1984	DLE/Carey Act	-
-	Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	-
-	Licensed Date	-	10/31/1958	Appl Received	-	00/00/0000	Transfer/Amended	-
-	Decree Date	-	00/00/0000	Name Connector	-		POU Ownership Flag	-
-	Presumption Flag	-			-			-

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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
for Water Right number:

MAY - 1 1997

A55-02331

Department of Water Resources

NAME and
ADDRESS:

United States of America acting through
Bureau of Land Management
Idaho State Office
1387 South Vinnell Way
Boise, ID 83709 - 1657

BLMIDENT:

5501680722

SOURCE:

Source	Tributary
POND	DEEP CREEK

QUANTITY:

0.02 CFS or VOLUME: 0 Acre Fee

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

PRIORITY DATE:

9/22/58

POINT of
DIVERSION:

Twntship	Range	Section	T1	T2	T3	LOT	within the	County of
12S	02W	34	NE	NE	SW			73 OWYHEE

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	Volume in Ac
05	0101	1231	0.9
06	0101	1231	0.9
17	0101	1231	0.1
18	0101	1231	0.1

CONSUMPTIVE
USE:

de minimis stockwater use DATE: 30-Apr-97 5:40 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	12S	02W	34	NE	SW			OWYHEE
06	12S	02W	34	NE	SW			OWYHEE
17	12S	02W	34	NE	SW			OWYHEE
18	12S	02W	34	NE	SW			OWYHEE

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A. AJ CLAIM: # A55-02331 ✓ PRIORITY DATE: 09-22-1958 ✓ STAGE: L

B. WR RECORD: # 55-02331 ✓ PRIORITY DATE: 09-22-1958 ✓ STAGE: L

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

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

NOTES:

RECOMMENDED PRIORITY DATE:
09-22-1958

REVIEWED BY EL DATE 10-19-93

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JUL 11 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	CNTY
A55-02331	12S	02W	34		NE		SW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A55-12767 NONE

SOURCE: ~~BOND~~ *Unnamed Stream*

TRIB: DEEP CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	CNTY
55-02331	12S	02W	24		NE		SW		OWYHEE

OTHER WR RECORDS WITH SAME WR POD
A PREFIX R PREFIX

AJ CLAIMS IN SAME 40 ACRE TRACT

55-02268

NONE NONE

SOURCE: UNNAMED STREAM

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	DUE TO SOURCE DISCREPANCY?	Y/N	Y/N	FIELD EXAMINER
		Y	Y	

NOTES:

POD Verified as Black Canyon Reservoir NE, SW Sec 34, on
BLM Topo Dicksheet RIDGE.

Assume previous topographic error

103 CO

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:			LOT	COUNTY	DIVERSION NAME
TWP.	RGE.	SEC.			
125	2W	34	1/4	NE	SW
			1/4		
			1/4		
			1/4		
			1/4		
			1/4		
			1/4		
			1/4		
			1/4		
			1/4		

SOURCE: *unnamed stream* TRIB: *TR18:*

REVIEWED BY: *MEC* DATE: *2-16-94*

SYSTEM DESCRIPTION:

Bo1: Black Canyon Reservoir

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JUL 11 1994

A. ROOT WATER RIGHT NUMBERS: A55-02331

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
12S	02W	34	NE	SW		US DEPT OF INTERIOR	A55-02331	/			
			NE	SW		BLACK, JOSEPH E.	A55-10047	/			
			NE	SW		BLACK, JOSEPH E.	R55-10047	/			
			NE	SW		US DEPT OF INTERIOR	A55-12767	/			
12S	02W	34	NE	SW		US DEPT OF INTERIOR	A55-02331	/			
			NE	SW		BLACK, JOSEPH E.	A55-10047	/			
			NE	SW		BLACK, JOSEPH E.	R55-10047	/			
			NE	SW		US DEPT OF INTERIOR	A55-12767	/			
12S	02W	34	NE	SW		US DEPT OF INTERIOR	A55-02331	/			
			NE	SW		BLACK, JOSEPH E.	A55-10047	/			
			NE	SW		BLACK, JOSEPH E.	R55-10047	/			
			NE	SW		US DEPT OF INTERIOR	A55-12767	/			
12S	02W	34	NE	SW		US DEPT OF INTERIOR	A55-02331	/			
			NE	SW		BLACK, JOSEPH E.	A55-10047	/			
			NE	SW		BLACK, JOSEPH E.	R55-10047	/			
			NE	SW		US DEPT OF INTERIOR	A55-12767	/			
TOTAL ACRES							A55-02331				

*deleted (private claim
for same reservoir)*

stream use

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

C. FIELD EXAM REQUIRED? Y FIELD EXAMINER N POU COUNTY: OMYHEE
DUE TO POU DISCREPANCY? (Y/N)

PRESUMPTION FLAG:

NOTES:

Recommend as claimed (see PRO page)

RECOMMENDATIONS:

TOTAL ACRES:

RME

REVIEWED BY:

DATE:

2-16-94

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JUL 11 1994

A. AJ CLAIMED USES:

PURPOSES	STOCKWATER STORAGE	FROM	MONTH/DAY	TO	MONTH/DAY	DIVERSION QUANTITY
A55-02331	STOCKWATER STORAGE	FROM 01-01	TO 12-31			1.00 AF/A
A55-02331	STOCKWATER FROM STORAGE	FROM 01-01	TO 12-31			1.00 AF/A
A55-02331	WHEDECTE STORAGE	FROM 01-01	TO 12-31			1.00 AF/A
A55-02331	WHEDECTE FROM STORAGE	FROM 01-01	TO 12-31			1.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED						1.00 AF/A

B. WR RECORDED USES:

PURPOSES	STOCKWATER STORAGE	FROM	MONTH/DAY	TO	MONTH/DAY	DIVERSION QUANTITY
55-02331	STOCKWATER STORAGE	FROM 01-01	TO 12-31			1.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED						1.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	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:

No wildlife on D-permit.

POOR ORIGINAL

Permit No. D. 115-8-55-5331-10-220 Black Canyon Eos.
District No. _____

1. Name of Applicant U. S. Dept. of Interior, Bureau of Land Management
2. Post Office Address Box 917, Boise, Idaho
3. Quantity of water claimed 1.0 acre feet 9-22-1958
(Not to exceed 0.1 second foot or 15 acre feet)
4. Source of water supply ephemeral stream
(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 NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 24, Twp. 12 S, Rge. 2 W, B.M.
in the County of Coville 73
6. Location of point of use _____ feet distant from the _____ corner of Section _____
Twp. _____, Rge. _____, B.M., and in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Sec. (24), Twp. 12 S, Rge. 2 W
7. Water to be used for Livestock watering 1/1-12/31
8. Estimated cost of works \$00.00
9. Kind of works pit type reservoir with earth dam
(Reservoir, dam, ditch, flume, pipe, etc.)
10. Size _____
(Headgate, ditch, flume, pipe, etc.)
11. Time required to apply water to proposed use Immediately
12. If reservoir is used, fill in the following in addition to the above questions:
 - (a) Height of dam 5 feet; Length at top 80 feet.
 - (b) Material from which dam is constructed earth
(earth, concrete, timber, rock)
 - (c) The outlet of the proposed reservoir is located in feet from the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ corner of
Section 24, Twp. 12 S, Rge. 2 W, B.M.

REMARKS:

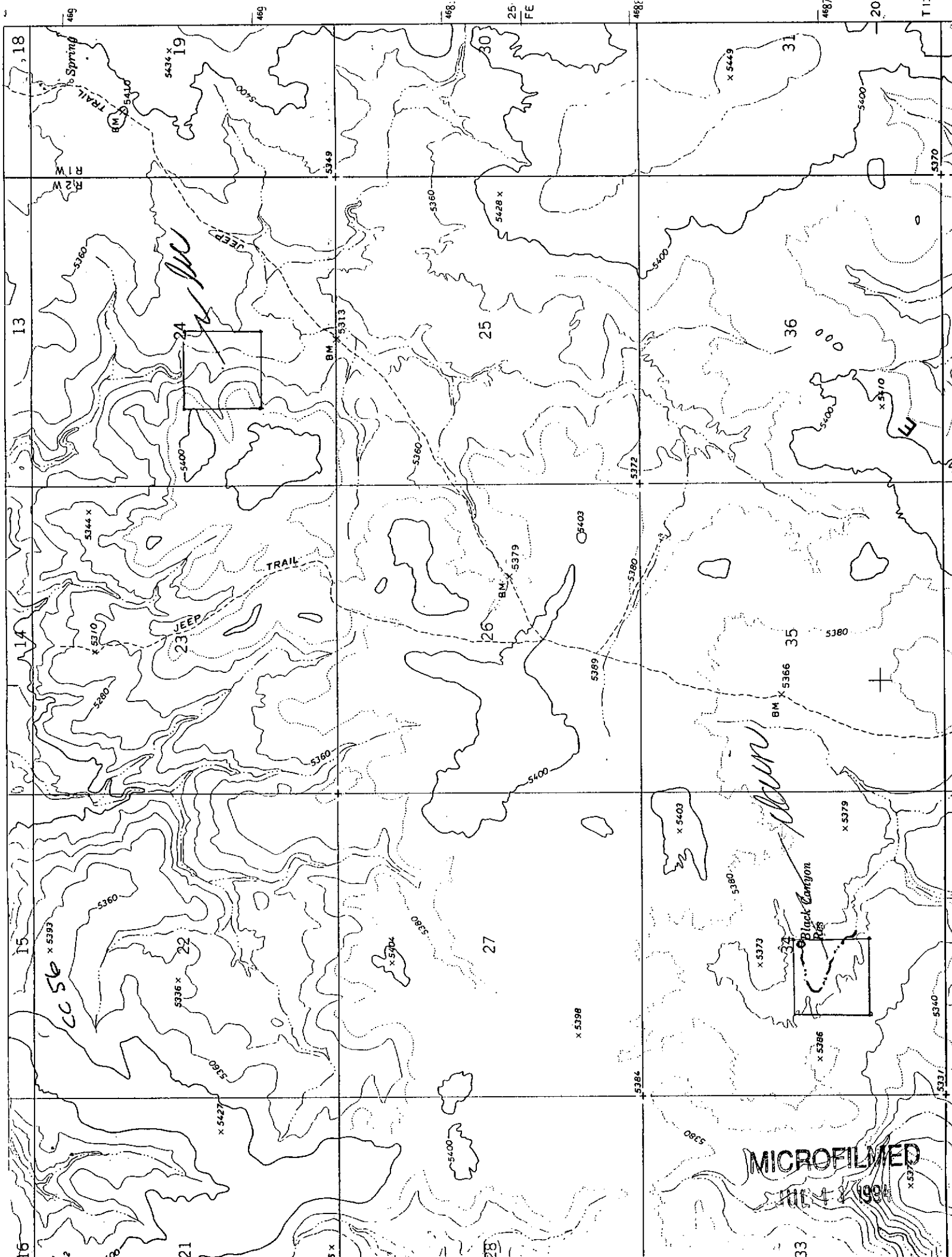
U. S. Dept. of Interior
Applicant Bureau of Land Management

Agent Elinor V. Price

		22		23			24		
						X			

MICROFILM

JUL 11 1994



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JUL 4 1994