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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: 1959-05-08
IDWR NUMBER: 5502367 *A55-02367*
BLM NUMBER: 5501588155
BASIS OF CLAIM: LICENSE
BASIN NUMBER: 55

SOURCE	TRIBUTARY TO
-----	-----
PACKER SPRING	BAXTER CREEK

DESCRIPTION OF DIVERSION WORKS

HEADBOX, PIPELINE, TROUGH

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
-----	-----	-----	-----	-----
STOCKWATER	0.020	0.00	0101	1231
WILDLIFE	0.020	0.00	0101	1231
TOTAL:	0.020 CFS	0.00 AF		

NON-IRRIGATION USES

S/ 50 RANGE CATTLE W/ VAR AMOUNTS

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
---	---	---	---	---	---	---	---
04S	06W	35	SE	SW	NE	00	OWYHEE

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
---	---	---	---	---	---	---	---	---
04S	06W	35	SW	NE	00	OWYHEE	YES	0.0
04S	06W	35	SW	NE	00	OWYHEE	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

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JUL 11 1994

BLM NUMBER: 5501588155

PAGE: 2

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

REMARKS

PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH	05/08/1959	STOCKWATER	01-01 12-31	0.01 CFS	
TOTAL DIVERSION:					0.01 CFS	

Water Source: POACHER SPRING

Tributary to: BAXTER CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T04S R06W S35

SESWNE

OWYHEE County

Place of use Legal Description for: STOCKWATER									
		NE		NW		SW		SE	
MENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW	NESE	NWSE
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt
04S	06W	35	:	:	:	:	:	:	:

POU County: OWYHEE

Conditions of Approval:

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A

N13 - 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 = 5501588155

STOCKWATER, 50 RANGE CATTLE, ~~WHEELTYPE, VARIABLE AMOUNT~~

AXA POACHER SPR. Dev.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

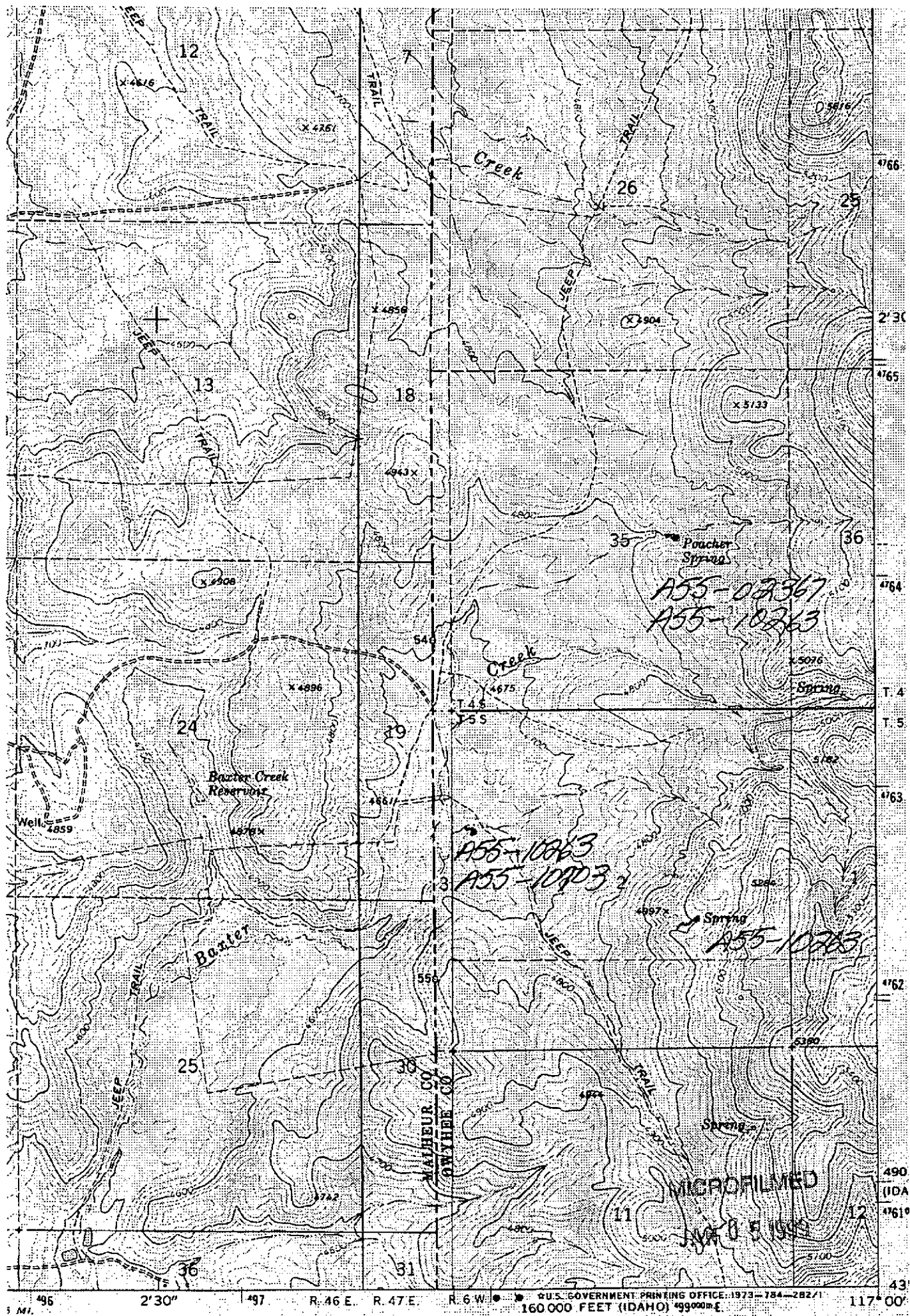
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JAN 0 5 1999

overlap: A55-10263; diff. priority date, allow both

RB 7-7-97

2-52



ROAD CLASSIFICATION

RECEIVED

In Re SRBA

Case No. 39576

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

A55-02367

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:

5501588155

SOURCE:

Source	Tributary
POACHER SPRING	BAXTER 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:

5/8/59

POINT of
DIVERSION:

Township	Range	Section	T1	T2	T3	LOT	within the	County of
04S	06W	35	SE	SW	NE	0		73 OWYHEE

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in Ac
04	0101	1231	0.02	0
16	0101	1231	0.02	

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	Tw	Rge	Sec	T1	T2	LOT	within the	County of
04	04S	06W	35	SW	NE	0		OWYHEE
16	04S	06W	35	SW	NE			OWYHEE

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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

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: A55-02367
Date Received: 3/25/1993
Receipt No: X111111
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: US DEPT OF INTERIOR 208-334-1401
Address: BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

2. Date of Priority: MAY 8, 1959

3. Source: PACKER SPRING Trib. to: BAXTER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	06W	35	SE	SW	NE		OWYHEE

5. Description of diverting works:
HEADBOX, PIPELINE, TROUGH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		
WILDLIFE	01/01	12/31	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:
S/ 50 RANGE CATTLE W/ VAR AMOUNTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04S	06W	35	SW	NE		STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	06W	35	SW	NE		WILDLF	

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
NONE

14. Remarks:

BLM RECORD ID = 5501588155
PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

15. Basis of Claim: LICENSE

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

WRN	AGENCY KEY	VALIDATION MESSAGE
A5502237	5501588026	OTHER RIGHTS IS A REQUIRED ENTRY
A5502238	5501588027	THIS POU AND PREVIOUS ARE IDENTICAL 14S 02W 36 NEWW
A5502240	5501588029	OTHER RIGHTS IS A REQUIRED ENTRY
A5502244	5501588034	CLAIM CURRENTLY IN AJ MASTER - AGENCY CLAIM REJECTED
A5502246	5501588035	OTHER RIGHTS IS A REQUIRED ENTRY
A5502247	5501588036	OTHER RIGHTS IS A REQUIRED ENTRY
A5502248	5501588037	POD INVALID RANGE 15S 002 32 NESE
A5502258	5501588047	OTHER RIGHTS IS A REQUIRED ENTRY
A5502261	5501588050	POU INVALID TOWNSHIP 14D 02W 33 NNWE
A5502262	5501588051	OTHER RIGHTS IS A REQUIRED ENTRY
A5502276	5501588064	OTHER RIGHTS IS A REQUIRED ENTRY
A5502277	5501588065	OTHER RIGHTS IS A REQUIRED ENTRY
A5502281	5501588069	OTHER RIGHTS IS A REQUIRED ENTRY
A5502298	5501588086	OTHER RIGHTS IS A REQUIRED ENTRY
A5502301	5501588089	OTHER RIGHTS IS A REQUIRED ENTRY
A5502302	5501588090	OTHER RIGHTS IS A REQUIRED ENTRY
A5502313	5501588101	OTHER RIGHTS IS A REQUIRED ENTRY
A5502324	5501588112	OTHER RIGHTS IS A REQUIRED ENTRY
A5502328	5501588116	OTHER RIGHTS IS A REQUIRED ENTRY
A5502356	5501588144	OTHER RIGHTS IS A REQUIRED ENTRY
A5502358	5501588146	OTHER RIGHTS IS A REQUIRED ENTRY
A5502359	5501588147	OTHER RIGHTS IS A REQUIRED ENTRY
A5502360	5501588148	OTHER RIGHTS IS A REQUIRED ENTRY
A5502366	5501588154	OTHER RIGHTS IS A REQUIRED ENTRY
A5502367	5501588155	OTHER RIGHTS IS A REQUIRED ENTRY
A5502368	5501588156	OTHER RIGHTS IS A REQUIRED ENTRY
A5502369	5501588157	OTHER RIGHTS IS A REQUIRED ENTRY
A5502370	5501588158	OTHER RIGHTS IS A REQUIRED ENTRY
A5502373	5501588161	OTHER RIGHTS IS A REQUIRED ENTRY
A5502377	5501588165	NO SOURCE-LOAD RECORD WITH AGENCY-KEY
A5502411	5501588198	OTHER RIGHTS IS A REQUIRED ENTRY
A5502414	5501588201	OTHER RIGHTS IS A REQUIRED ENTRY
A5502415	5501588202	OTHER RIGHTS IS A REQUIRED ENTRY
A5502416	5501588203	OTHER RIGHTS IS A REQUIRED ENTRY
A5502417	5501588204	THIS POU AND PREVIOUS ARE IDENTICAL 12S 04W 3 SESW
A5502418	5501588205	WATER USE IDENTICAL TO PREVIOUS USE 16 101 1231
A5502418	5501588205	THIS POU AND PREVIOUS ARE IDENTICAL 11S 05W 2 NESE
A5502418	5501588205	THIS POU AND PREVIOUS ARE IDENTICAL 11S 05W 2 NESE
A5502419	5501588206	OTHER RIGHTS IS A REQUIRED ENTRY
A5502419	5501588206	THIS POU AND PREVIOUS ARE IDENTICAL 09S 05W 20 NNWE
A5502420	5501588207	OTHER RIGHTS IS A REQUIRED ENTRY
A5502420	5501588207	THIS POU AND PREVIOUS ARE IDENTICAL 11S 04W 32 NESE
A5502422	5501588209	OTHER RIGHTS IS A REQUIRED ENTRY
A5502422	5501588209	THIS POU AND PREVIOUS ARE IDENTICAL 08S 04W 35 NESW
A5502424	5501588211	OTHER RIGHTS IS A REQUIRED ENTRY
A5502424	5501588211	THIS POU AND PREVIOUS ARE IDENTICAL 08S 02W 3 SENW
A5502425	5501588212	OTHER RIGHTS IS A REQUIRED ENTRY
A5502427	5501588214	OTHER RIGHTS IS A REQUIRED ENTRY
A5502427	5501588214	THIS POU AND PREVIOUS ARE IDENTICAL 12S 05W 27 SENW
A5502428	5501588215	OTHER RIGHTS IS A REQUIRED ENTRY
A5502428	5501588215	THIS POU AND PREVIOUS ARE IDENTICAL 12S 03W 18 NWSW
A5502429	5501588216	OTHER RIGHTS IS A REQUIRED ENTRY
A5502429	5501588216	THIS POU AND PREVIOUS ARE IDENTICAL 11S 04W 34 NNWW

Data Entered "None", Removed extra codes. MAY

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SEP 24 1996

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

VERIFIED BY R. M. Flaherty
12-7-93

DIVERSION
VOLUME

1

OWYHEE County

..

..

1

Audit: 11/09/93 MCCARTHY

JUL 11 1994

A. AJ CLAIM: # A55-02367 PRIORITY DATE: 05-08-1959 STAGE: L

B. WR RECORD: # 55-02367 PRIORITY DATE: 05-08-1959 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
NFIELD
EXAMINER
NARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)
IF YES EXPLAIN.

NOTES:

claim matches license

RECOMMENDED PRIORITY DATE:

05-08-1959

REVIEWED BY

RF

DATE

10-20-93

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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	LOT	CNTY
A55-02367	04S	06W	35	SE	SW	NE		OWYHEE

WR RECORDS IN SAME 40 ACRE TRACT

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX
A55-10263
A55-11446
A55-11447

NONE

Roacher
SOURCE: ~~Packer~~ SPRING

TRIB: BAXTER CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
55-02367	04S	06W	35	SW	NE			OWYHEE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX
R PREFIX

NONE

A55-10263
A55-11446
A55-11447

SOURCE: SPRING

TRIB:

C. FIELD EXAM REQUIRED?

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

NOTES:

Ten acre tract verified on Bm topographic map Hooker Creek
quadrangle. source name changed to name on topographic map
Also on D-permit to correct apparent clerical error

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	LOT	COUNTY	DIVERSION NAME
4S	66W	35	SE	SW	NE	Cherokee	
—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—
SOURCE: <u>Bacher spring</u>						TRIB: <u>Baxter Creek</u>	

REVIEWED BY: RFDATE: 10-20-93

SYSTEM DESCRIPTION:

Developed spring piped to water tank

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A. ROOT WATER RIGHT NUMBERS: A55-02367

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
04S	06W	35	SW	NE		US DEPT OF INTERIOR	A55-02367 /	55-02367 /			
			SW	NE		ELORDI, JIM	A55-10263 /	-			
			SW	NE		US DEPT OF INTERIOR	A55-11446 /	-			
			SW	NE		US DEPT OF INTERIOR	A55-11447 /	-			
			SW	NE		US DEPT OF INTERIOR	A55-12387 /	-			
<i>A55-10263 - Partial Disallow</i>											
04S	06W	35	SW	NE		US DEPT OF INTERIOR	A55-02367 /	55-02367 /			
			SW	NE		ELORDI, JIM	A55-10263 /	-			
			SW	NE		US DEPT OF INTERIOR	A55-11446 /	-			
			SW	NE		US DEPT OF INTERIOR	A55-11447 /	-			
			SW	NE		US DEPT OF INTERIOR	A55-12387 /	-			
<i>A55-11446 > Federal Reserve Rights</i>											
04S	06W	35	SW	NE		US DEPT OF INTERIOR	A55-02367 /	55-02367 /			
			SW	NE		ELORDI, JIM	A55-10263 /	-			
			SW	NE		US DEPT OF INTERIOR	A55-11446 /	-			
			SW	NE		US DEPT OF INTERIOR	A55-11447 /	-			
			SW	NE		US DEPT OF INTERIOR	A55-12387 /	-			
<i>A55-12387 - in-stream use</i>											
04S	06W	35	SW	NE		US DEPT OF INTERIOR	A55-02367 /	55-02367 /			
			SW	NE		ELORDI, JIM	A55-10263 /	-			
			SW	NE		US DEPT OF INTERIOR	A55-11446 /	-			
			SW	NE		US DEPT OF INTERIOR	A55-11447 /	-			
			SW	NE		US DEPT OF INTERIOR	A55-12387 /	-			
<i>A55-12387 - in-stream use</i>											
TOTAL ACRES							A55-02367				

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

IF YES SEE ATTACHED SHEET:

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

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PRESUMPTION FLAG:

NOTES:

ASS-10263 - partial disallowal Poacher spring located on BLM Land
ASS-11446, ASS-11447 - Federal Reserve Rights
ASS-12387 - In-stream use

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: 10-20-93

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A. AJ CLAIMED USES:

PURPOSES
A55-02367 STOCKWATER
A55-02367 ~~WILDLIFE~~

MONTH/DAY
FROM 01-01 TO 12-31
~~FROM 01-01 TO 12-31~~

DIVERSION QUANTITY
101 .020 CFS
101 .020 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.020 CFS
101

B. WR RECORDED USES:

PURPOSES
55-02367 STOCKWATER

MONTH/DAY
FROM 01-01 TO 12-31

DIVERSION QUANTITY
.010 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.010 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in notes, below.

NOTES:

more irrigation use includes wildlife, variable amount

Permit No. D 263 55-2367

District No. _____

POOR ORIGINAL

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 .006 sec. foot 5-8-1959
(Not to exceed 0.1 second foot or 15 acre feet)
4. Source of water supply Spring
(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 SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, Twp. 4 S., Rge. 6 W., B.M.
in the County of Owyhee 73
6. Location of point of use _____ feet distant from the _____ corner of Section _____
Twp. _____, Rge. _____, B.M., and in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Sec. 35, Twp. 4 S., Rge. 6 W.
7. Water to be used for Livestock watering 1/1-12/31
8. Estimated cost of works \$370.00
9. Kind of works Developed spring with water piped to a round watering tank.
(Reservoir, dam, ditch, flume, pipe, etc.)
10. Size Watering Tank - 8 ft. diam. 2 ft. depth.
(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 _____ 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 in NE $\frac{1}{4}$ of Sec. 35 _____ feet from the SW corner of
Section 35, Twp. 4 S., Rge. 6 W., B.M.

REMARKS:

This project is known as the Foacher Spring Development. I-1-880

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

Agent Vincent Strobel

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III 11 1994

OVERLAP REVIEW PAGE

CLAIM NUMBER: A55-02367

☐ NO OVERLAP WITH PRIVATE INDIVIDUAL CLAIM

☒ OVERLAPS WITH CLAIM BY PRIVATE INDIVIDUAL

CLAIM NO.: A55-10263

☐ OVERLAPPING CLAIM DISALLOWED

☒ OVERLAPPING CLAIM PARTIALLY DELETED

PRIVATE CLAIMANT NOTIFIED/DATE: _____

☒ NO OVERLAP WITH OTHER FEDERAL CLAIM

☐ OVERLAPS WITH CLAIM BY FEDERAL GOVERNMENT

CLAIM NO.: _____

☐ OVERLAPPING CLAIM DISALLOWED

☐ THIS CLAIM DISALLOWED

☐ OVERLAPPING CLAIM ALLOWED/REMARKS: Peacher spring Disallowed on A55-10263

spring is located on BLM land

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