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In File

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: 1921-01-04
IDWR NUMBER: 5504073 *A55-04073*
BLM NUMBER: 5501688221
BASIS OF CLAIM: STATUTORY
BASIN NUMBER: 55

SOURCE	TRIBUTARY TO
-----	-----
SQUAW SPRING	SINKS

DESCRIPTION OF DIVERSION WORKS

IN-STREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
-----	-----	-----	-----	-----
STOCKWATER	0.010	0.00	0101	1231
WILDLIFE	0.010	0.00	0101	1231
TOTAL:	0.010 CFS	0.00 AF		

NON-IRRIGATION USES

STOCKWATER, 2330 RANGE CATTLE; WILDLIFE VAR. AMT.

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
---	---	---	---	---	---	---	-----
10S	02E	20	SW	SW	SW	00	OWYHEE

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
---	---	---	---	---	---	-----	-----	-----
10S	02E	20	SW	SW	00	OWYHEE	YES	0.0
10S	02E	20	SW	SW	00	OWYHEE	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

MICROFILMED

JUL 11 1994

BLM NUMBER: 5501688221

PAGE: 2

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

STATUTORY CLAIM

REMARKS

PREVIOUSLY FILED WITH THE 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 55-04073

NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709

SOURCE: SQUAW SPRING TRIBUTARY: SINKS
QUANTITY: 0.01 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION: T10S R02E S20 SWSWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.01 CFS

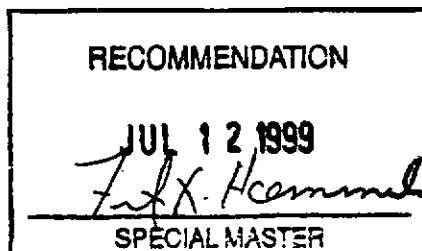
PLACE OF USE: Stockwater Within Owyhee County
 T10S R02E S20 SWSW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

AJ0749NP
No. R55-04073

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

DATE: 11/04/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706 (208) 334-1401	01/04/1921	STOCKWATER WILDLIFE	01-01 12-31 01-01 12-31	0.01 CFS 0.01 CFS	
TOTAL DIVERSION:					0.01 CFS	

Water Source: SQUAW SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10S R02E S20

SWSWSW

OWYHEE County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:
10S	02E	20	:					:					:			S		:					:

Place of use Legal Description for: WILDLIFE

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:
10S	02E	20	:					:					:			W		:					:

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 2330 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

Other Rights: STATUTORY CLAIM

Conditions of Approval:

- L12 - 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 = 5501688221

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: Date: 11/04/1993 User-ID: SMITH Subject: COPIED FROM REMARKS
PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

Audit: 11/04/93 SMITH

MICROFILMED
JUL 11 1994

A. AJ CLAIM: # A55-04073 PRIORITY DATE: 01-04-1921 ✓ STAGE: S

B. WR RECORD: # 55-04073 PRIORITY DATE: 01-04-1921 ✓ STAGE: S

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:
01-04-1921

REVIEWED BY

RME

DATE

10-26-93

=====

MICROFILMED
JUL 11 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A55-04073	10S	02E	20	SW	SW	SW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A55-12855 NONE
A55-13383
A55-13428

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: SQUAW SPRING

TRIB: SINKS

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
55-04073	10S	02E	20		SW	SW		OWYHEE

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A55-12854 NONE
A55-12855
A55-13383
A55-13412
A55-13428

SOURCE: SQUAW SPRING

TRIB: SINKS

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER
N
Y

NOTES:

10-acre tract confirmed on BLM topo.

MICROFILMED
JUL 11 1994

A. ROOT WATER RIGHT NUMBERS: A55-04073

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10S	02E	20	SW	SW		US DEPT OF INTERIOR	A55-04073 /	55-04073 /			
			SW	SW		US DEPT OF INTERIOR	A55-12790 /	- /			
			SW	SW		US DEPT OF INTERIOR	A55-12854 /	- /			
			SW	SW		US DEPT OF INTERIOR	A55-12855 /	- /			
			SW	SW		US DEPT OF INTERIOR	A55-13383 /	- /			
			SW	SW		US DEPT OF INTERIOR	A55-13412 /	- /			
			SW	SW		US DEPT OF INTERIOR	A55-13428 /	- /			
10S	02E	20	SW	SW		US DEPT OF INTERIOR	A55-04073 /	55-04073 /			
			SW	SW		US DEPT OF INTERIOR	A55-12790 /	- /			
			SW	SW		US DEPT OF INTERIOR	A55-12854 /	- /			
			SW	SW		US DEPT OF INTERIOR	A55-12855 /	- /			
			SW	SW		US DEPT OF INTERIOR	A55-13383 /	- /			
			SW	SW		US DEPT OF INTERIOR	A55-13412 /	- /			
			SW	SW		US DEPT OF INTERIOR	A55-13428 /	- /			
TOTAL ACRES							A55-04073				

*diff. sources
Ad. Reserve claim.
see overlap review*

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

POU COUNTY: OWYHEE

PRESUMPTION FLAG:

NOTES:

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

DATE:

10-26-93

MICROFILMED
JUL 11 1994

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A55-04073 STOCKWATER	FROM 01-01 TO 12-31	.010 CFS
A55-04073 WILDLIFE	FROM 01-01 TO 12-31	.010 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.010 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
55-04073 STOCKWATER	FROM 01-01 TO 12-31	.010 CFS
55-04073 WILDLIFE	FROM 01-01 TO 12-31	.010 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.010 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(____)

RECOMMEND TO WR STANDARDS OR OTHER?

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

NOTES:

MICROFILMED
JUL 11 1994

OVERLAP REVIEW PAGE

CLAIM NUMBER: A55-04073

☒ NO OVERLAP WITH PRIVATE INDIVIDUAL CLAIM

☐ OVERLAPS WITH CLAIM BY PRIVATE INDIVIDUAL

CLAIM NO.: _____

☐ 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.: A55-13412, A55-13428

☒ OVERLAPPING CLAIM DISALLOWED *stat. claim represents first use*

☐ THIS CLAIM DISALLOWED

☐ OVERLAPPING CLAIM ALLOWED/REMARKS: _____

MICROFILMED
JUL 11 1994

DEC - 4 1997

Department of Water Resources
Adjudication Bureau

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

DOMESTIC AND STOCK WATER RIGHT OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: State of Idaho
Address: 700 W. Jefferson, Room 210
P.O. Box 4449
Boise, Idaho 83711-4449
Phone: Work: (208) 334-2400 Home: N/A

Name and Address of Attorney, if any:

Attorney Name: ALAN G. LANCE
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
PETER J. AMPE
Deputy Attorney General
Attorney Address: Office of the Attorney General
700 W. Jefferson, Room 210
P.O. Box 4449
Boise, ID 83711-4449
Attorney Phone No. (208) 334-2400

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: United States of America Acting Through
Address: USDI Bureau of Land Management
1387 S. Vinnell Way
Boise, Idaho 83709-1657

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: The priority date for the claimed right should be no earlier than June 28, 1934.
5. ☐ Points of Diversion
Should be: _____
6. ☐ Instream Flow Description
Should be: _____
7. ☐ Purpose(s) of Use
Should be: _____
8. ☐ Period of Year
Should be: _____
9. ☐ Place 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): The United States has failed to establish any legal and/or factual basis for any claimed priority date for stockwater purposes with a date prior to the enactment of the Taylor Grazing Act, June 28, 1934.

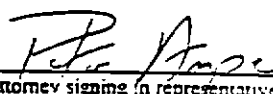
F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

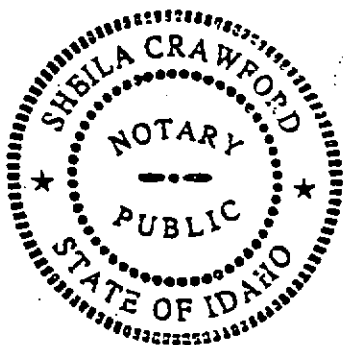
Peter J. Ampe, Deputy Attorney General, being first duly sworn, upon oath, deposes and says:

That the State of Idaho, in both its sovereign and proprietary capacity, is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and that the statements are true to the best of my knowledge and belief.

ALAN G. LANCE
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
PETER J. AMPE
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on: December 1, 1997
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: May 9, 2002

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 December 2, 1997, 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
P.O. Box 2707
Twin Falls, Idaho 83303-2707

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

Name: United States of America Acting Through
USDI Bureau of Land Management
1387 S. Vinnell Way
Boise, Idaho 83709-1657

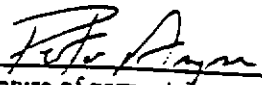
3. Copies to:

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

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

(not applicable)

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



Signature of party claimant or attorney

55-04072

55-04073

55-10356

55-10358

55-10360

55-10362

55-10364

55-10366

55-10370

55-10372

55-10374

55-10376

55-10378

55-10382

55-10384

55-10386

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55-10404

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55-10625

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55-10642

55-10644

55-10647

55-10648

AJ5809NP
No. R55-04073

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

VERIFIED BY *R. Brown*
6-25-97
DATE: 06/24/97
PAGE: 26

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
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	01/04/1921	STOCKWATER	01-01 12-31	0.01 CFS	
TOTAL DIVERSION:					0.01 CFS	

Water Source: SQUAW SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10S R02E S20

SWSWSW

OWYHEE County

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T R S	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac
10S 02E 20	:	:	:	:	:	:	:	:	:	:	S	:	:	:	:	:

POU County: OWYHEE

Other Rights: STATUTORY CLAIM

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 = 5501688221
STOCKWATER, 2330 RANGE CATTLE

Dates: Exam Made Date: Verified Date: 06/23/1997 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

AJ5809NP
No. R55-04073

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/23/97
PAGE: 6

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH	01/04/1921	STOCKWATER	01-01 12-31	0.01 CFS	
TOTAL DIVERSION:					0.01 CFS	

Water Source: SQUAW SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10S R02E S20

SWSWSW

OWYHEE County

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T R S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
10S 02E 20	:		:		:		:		:		:		:		:	

POU County: OWYHEE

Other Rights: STATUTORY CLAIM

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

A55-04073 A55-13383 A55-13412 F55-04073 F55-13412 R55-13383

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 = 5501688221

STOCKWATER, 2330 RANGE CATTLE, WILDLIFE, VARIABLE AMOUNT

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

RB 6-23-97

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

A55-04073

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:

5501688221

SOURCE:

Source	Tributary
SQUAW SPRING	SINKS

QUANTITY:

0.01

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:

1/4/21

POINT of
DIVERSION:

Township	Range	Section	T1	T2	T3	LOT	within the	County of
10S	02E	20	SW	SW	SW	0		73 OWYHEE

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in Ac
04	0101	1231	0.01	0
16	0101	1231	0.01	0

CONSUMPTIVE
USE:

de minimis stockwater use

DATE:

30-Apr-97 5:42 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	10S	02E	20	SW	SW	0		OWYHEE
16	10S	02E	20	SW	SW	0		OWYHEE