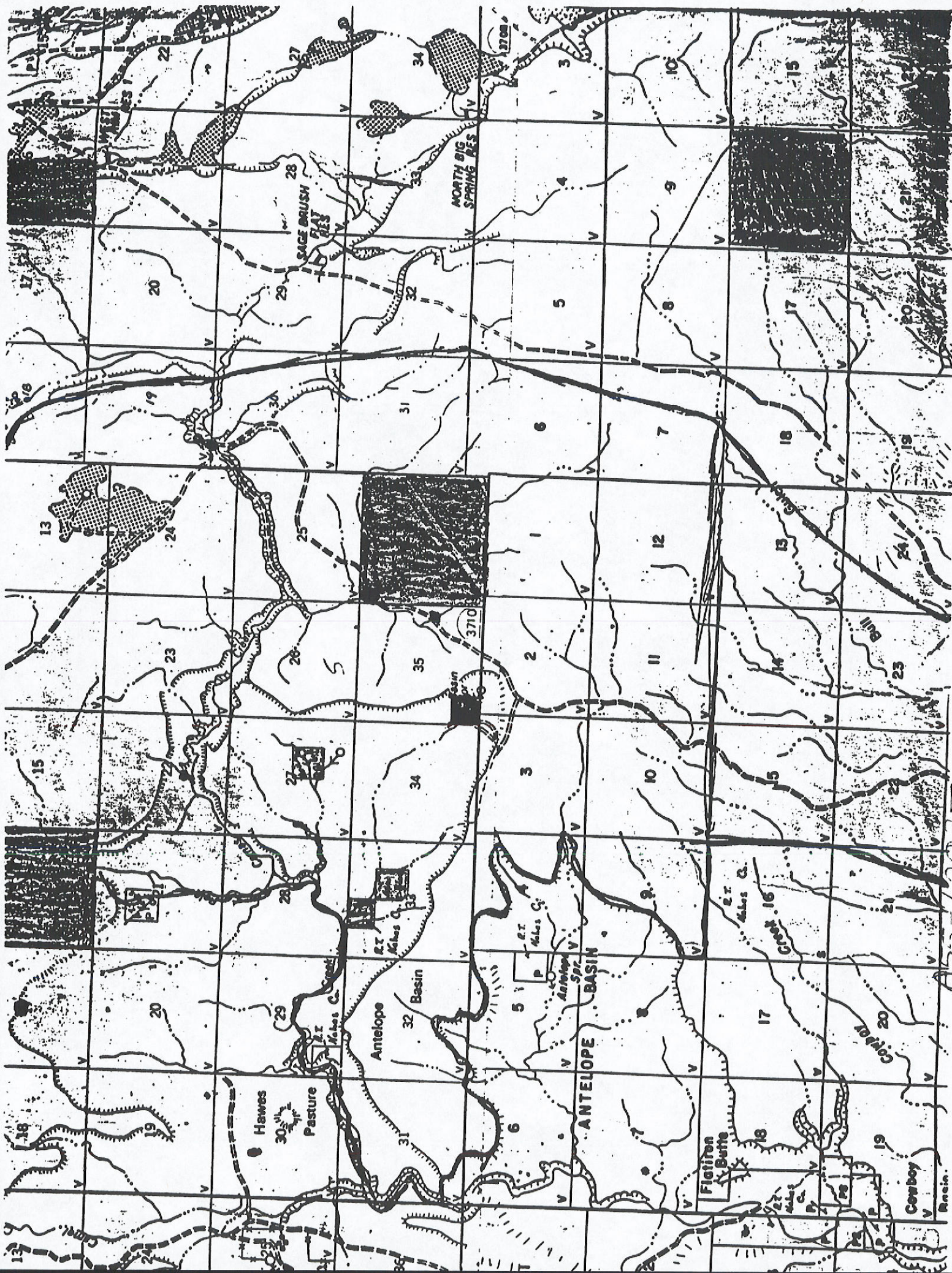




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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: A55-10025
Date Received: 12/08/1988
Receipt No: C0049610
Received By: CA 1-6-89

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOE BLACK AND SONS 208-366-2014
Address: P.O. BOX 67
HAMMETT, ID 83627

2. Date of Priority: MAY 18, 1915

3. Source: SPRINGS Trib. to: CAMAS CREEK
JOHNSON SPRING CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	01W	30	NE	NW	NW		OWYHEE
	02W	22	SE	NE	SW		OWYHEE
		35	NE	NE	SE		OWYHEE
		36	NW	NW	NW		OWYHEE

5. Description of diverting works:
SPRINGS WITH SMALL PONDS OR DUGOUTS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.140		
STOCKWATER STORAGE	01/01	12/31			8.10
STOCKWATER FROM STORAGE	01/01	12/31			8.10

7. Total Quantity Appropriated is:
0.140 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 600 HD. IN GRAZING ALLOTMENT.

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10S	01W	30	NW		NW		STOCK	
			NW		NW		STOC S	
	02W	22	NE		SW		STOCK	
		35	NE		SE		STOCK	
			NE		SE		STOC S	
		36	NW		NW		STOCK	
			NW		NW		STOC S	

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
NONE

14. Remarks:

LAND IS OWNED BY BLM AND STATE. THIS RIGHT IS IN THE SAME
GRAZING ALLOTMENT.
SOME OF THE SOURCES ARE CATCH PONDS OF RUNOFF AND ARE REPRESENTED
BY A VOLUME AMOUNT.

15. Basis of Claim: BENEFICIAL USE

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: 1

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): Chris Black partner Date: 12/19/88
Date: _____

State of Idaho)
County of Owyhee) SS.

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

of Dec 19 88

David Campbell
Notary Public

Seal

Residing at Burns Id.
My Commission Expires 3/24/91

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

1999 MAR 26 AM 9:26

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 55-10025B

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME AND ADDRESS: JOE BLACK AND SONS
PO BOX 67
HAMMETT, ID 83627

SOURCE: SPRINGS
JOHNSON SPRING

TRIBUTARY: CAMAS CREEK
CAMAS CREEK

QUANTITY: 0.14 CFS
8.10 AFY

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

PRIORITY DATE: 05/19/1971

POINT OF DIVERSION: T10S R01W S30 LOT 01 (NENWNW) Within Owyhee County
R02W S22 SENESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.14 CFS
	Stockwater Storage	01-01 TO 12-31	8.10 AFY
	Stockwater from Storage	01-01 TO 12-31	8.10 AFY

PLACE OF USE:	Stockwater	Within Owyhee County
	T10S R01W S30 LOT 01 (NWNW) R02W S22 NESW	
	Stockwater Storage	Within Owyhee County
	T10S R01W S30 LOT 01 (NWNW)	
	Stockwater from Storage	Same as Other Use

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
Interim Presiding Judge of the
Snake River Basin Adjudication

1999 MAR 26 AM 9:26
DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED

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

Case No. 39576

) ORDER OF PARTIAL DECREE
)
)
) For Water Right 55-10025B
)

On February 8, 1999, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 55-10025B is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED MAR 26 1999.



BARRY WOOD
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

1999 MAR 29 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
)
Case No. 39576)
_____)_____

CERTIFICATE OF MAILING

Water Right(s): 55-10025B

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 55-10025B was mailed
on March 29, 1999, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

JOE BLACK AND SONS
PO BOX 67
HAMMETT, ID 83627
Phone: 208-366-2014

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
03/26/99

RIGHTS FROM: SOURCE: JOHNSON SPRING TRIBUTARY: CAMAS CREEK

RIGHT NUMBER: 55-10025 (B)

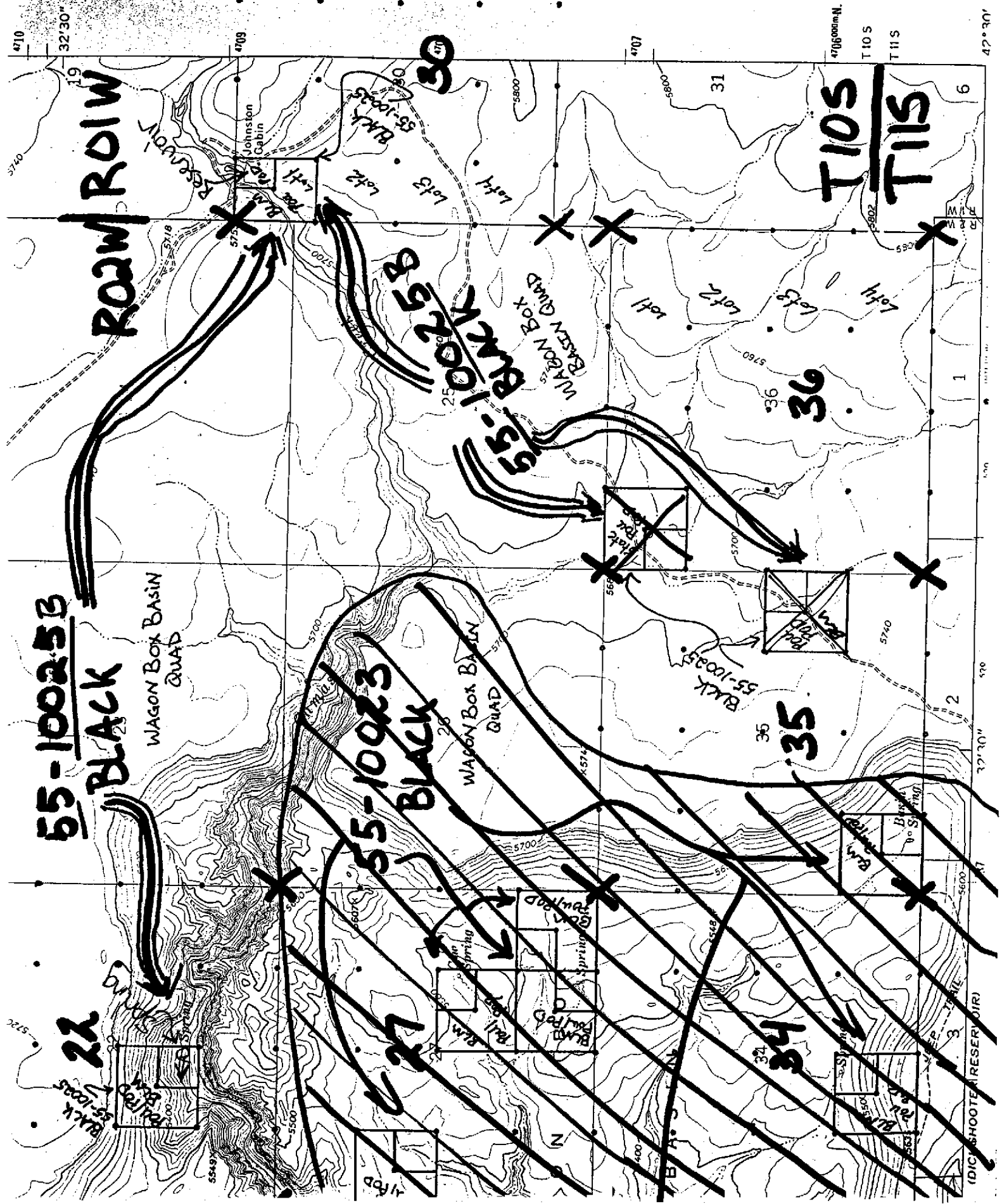
NAME & ADDRESS: JOE BLACK AND SONS
PO BOX 67
HAMMETT ID 83627SOURCE: ~~SPRINGS~~ OK
JOHNSON SPRINGTRIBUTARY: ~~CAMAS CREEK~~ OK
CAMAS CREEKQUANTITY: 0.14 CFS
8.1 AFYTHE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.PRIORITY DATE: ~~05/18/1915~~ ? 5/31/85POINT OF DIVERSION: T10S R01W S30 NENWNW (LD) Within Owyhee County
~~R02W S22 SENESW OK~~
~~S35 NENESW OK~~
~~S36 SWNWNW~~

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.14 CFS
	STOCKWATER STORAGE	01-01 12-31	8.1 AFY
	STOCKWATER FROM STORAGE	01-01 12-31	8.1 AFY

PLACE OF USE: STOCKWATER Within Owyhee County
T10S R01W S30 NWNW (LD)
~~R02W S22 NENSW OK~~
~~S35 NENSW OK~~
~~S36 NWNW~~

Place of use for STOCKWATER FROM STORAGE is same as STOCKWATER

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT: *Storage in 30*THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
ALLOTMENT NO. 0803, BIG SPRINGS
STOCKWATER, 600 RANGE CATTLE



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

Case No. 39576

Subcase 55-10025

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

Two rights are split from and constitute the whole of 55-10025. These split rights were created to represent separate priority dates for the development of each right.

The parties and IDWR agree and stipulate that the elements of 55-10025A and 55-10025B should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

OBJECTOR:

United States of America on behalf of
Bureau of Land Management

Paul F. Holleman *FWP* date
R. Lee Leininger
Attorneys, ENRD

CLAIMANT:

Chris Black 10/2/98
date

Beverly Brown 10/2/98
IDWR Concurrence date
as to 55-10025A only
Susan Hamlin 10/2/98
Attorney for IDWR date

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: OCT-02-1998
PAGE: A-1

RIGHTS FROM: SOURCE: SPRINGS TRIBUTARY: CAMAS CREEK
JOHNSON SPRINGS CAMAS CREEK

RIGHT NUMBER: 55-10025A

NAME AND ADDRESS: JOE BLACK AND SONS
PO BOX 67
HAMMETT ID 83627

SOURCE: SPRINGS TRIBUTARY: CAMAS CREEK
JOHNSON SPRINGS CAMAS CREEK

QUANTITY: 0.00 CFS
0.11 AFS
8.1 AFY

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

PRIORITY DATE: 05/18/1915

POINT OF DIVERSION: T10S R02W S36 SWNW Within Owyhee County
T10S R02W S30 NWNW
T10S R02W S22 SESEW
T10S R02W S33 NENESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER STORAGE	01-01 12-31	8.1 AFY	
STOCKWATER FROM STORAGE	01-01 12-31	8.1 AFY	
STOCKWATER	01/01 12/31	0.11 AFS	

PLACE OF USE: STOCKWATER STORAGE Within Owyhee County
T10S R02W S36 NWNW

Place of use for STOCKWATER FROM STORAGE is same as STOCKWATER STORAGE

STOCKWATER	Within Owyhee County
T10S R02W S30	NWNW
R02W S22	SESEW
S33	NESE
S36	NWNW

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

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

CB

FWP

RPG

sel

55-10025A (CONT.)

DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
ALLOTMENT NO. 0803, BIG SPRINGS
STOCKWATER, 600 RANGE CATTLE

CB
RFG FWP
ser



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 2, 1998

Special Master Fritz X. Haemmerle
253 Third Ave. North
P.O. Box 2707
Twin Falls, ID 83303-2707

Re: Subcase No.: 55-10025B

Dear Special Master Haemmerle,

The Idaho Department of Water Resources (IDWR) has reviewed the attached Standard Form 5. IDWR concludes that the stipulation agreed to between the parties is not in accordance with Idaho Code §42-103 because a surface water right with a priority date after May 20, 1971 requires a license from IDWR. This right does not fall within the exception to I.C. §42-103 provided by I.C. §42-113. Therefore, IDWR cannot concur with the attached SF5 for water right 55-10025B.

Sincerely,

Roxanne Brown
Sr. Water Resource Agent
Adjudication Bureau
Idaho Dept. of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: OCT-02-1998
PAGE: A-1

RIGHTS FROM: SOURCE: SPRINGS TRIBUTARY: CAMAS CREEK

RIGHT NUMBER: 55-10025B

NAME AND ADDRESS: JOE BLACK AND SONS
PO BOX 67
HAMMETT ID 83627

CB
FWP

SOURCE: SPRINGS TRIBUTARY: CAMAS CREEK
JOHNSON SPRING CAMAS CREEK

QUANTITY: 0.14 CFS
8.1 AFY

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

PRIORITY DATE: 05/31/1985
~~03/18/1973~~

POINT OF DIVERSION: T10S R01W S30 LOT 1 (NENWNW) Within Owyhee County
R02W S22 SENESW
~~T10S R02W S33 NENESE~~
~~T10S R02W S36 SWNNWN~~

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.14 CFS
	STOCKWATER STORAGE	01-01 12-31	8.1 AFY
	STOCKWATER FROM STORAGE	01-01 12-31	8.1 AFY

PLACE OF USE: STOCKWATER Within Owyhee County
T10S R01W S30 Lot 1 (NWNW)
NWNW 0
R02W S22 NESW
S33 NESE
S36 NWNW

STOCKWATER STORAGE Within Owyhee County
T10S R01W S30 Lot 1 (NWNW)

Place of use for STOCKWATER FROM STORAGE is same as STOCKWATER STORAGE

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

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

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: OCT-02-1998
PAGE: A-2

55-10025B (CONT.)

DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
ALLOTMENT NO. 0803, BIG SPRINGS
STOCKWATER, 600 RANGE CATTLE

CB
FWP

CERTIFICATE OF MAILING

I certify that on _____, 1998, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☐ hand-delivered

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ Overnight Mail
☐ Regular Mail
☐ hand-delivered
☐ facsimile

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☐ hand-delivered
☐ facsimile

United States Department of Justice
Adjudication Team
550 W. Fort St., MSC 033
Boise, ID 83724

☐ Overnight Mail
☐ Regular Mail
☐ hand-delivered
☐ facsimile

Joe Black & Sons
P.O. Box 67
Hammett, ID 83627

☐ Overnight Mail
☐ Regular Mail
☐ hand-delivered
☐ facsimile

