

No Color

Documents

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: 1976-03-25  
IDWR NUMBER: 5507095 *A55-07095*  
BLM NUMBER: 5501681262  
BASIS OF CLAIM: LICENSE  
BASIN NUMBER: 55

| SOURCE         | TRIBUTARY TO |
|----------------|--------------|
| -----          | -----        |
| UNNAMED STREAM | DEEP CREEK   |

DESCRIPTION OF DIVERSION WORKS  
-----  
WATERHOLE

| PURPOSE OF USE          | DIVERSION<br>RATE | DIVERSION<br>VOLUME | PERIOD OF USE<br>FROM | TO    |
|-------------------------|-------------------|---------------------|-----------------------|-------|
| -----                   | -----             | -----               | -----                 | ----- |
| STOCKWATER STORAGE      | 0.000             | 1.20                | 0101                  | 1231  |
| WILDLIFE STORAGE        | 0.000             | 1.20                | 0101                  | 1231  |
| WILDLIFE FROM STORAGE   | 0.000             | 1.20                | 0101                  | 1231  |
| STOCKWATER FROM STORAGE | 0.000             | 1.20                | 0101                  | 1231  |
| TOTAL:                  | 0.000 CFS         | 1.20 AF             |                       |       |

NON-IRRIGATION USES  
-----  
STOCKWATER, 3322 RANGE CATTLE; WILDLIFE VAR. AMT.

|     |     |     |        | POINT OF DIVERSION |        |     |        |     |
|-----|-----|-----|--------|--------------------|--------|-----|--------|-----|
| TWP | RNG | SEC | TRACT1 | TRACT2             | TRACT3 | LOT | COUNTY |     |
| --- | --- | --- | ---    | ---                | ---    | --- | ---    | --- |
| 12S | 02W | 30  |        | SE                 | SW     | 00  | OWYHEE |     |

| PLACE OF USE |     |     |        |        |     |        | IRRIGATED |       |
|--------------|-----|-----|--------|--------|-----|--------|-----------|-------|
| TWP          | RNG | SEC | TRACT1 | TRACT2 | LOT | COUNTY | OWNED     | ACRES |
| ---          | --- | --- | ---    | ---    | --- | ---    | ---       | ---   |
| 12S          | 02W | 30  | SE     | SW     | 00  | OWYHEE |           |       |

MICROFILMED

JUL 19 1994

BLM NUMBER: 5501681262

PAGE: 2

|     |     |    |    |    |    |        |     |     |
|-----|-----|----|----|----|----|--------|-----|-----|
| 12S | 02W | 30 | SE | SW | 00 | OWYHEE | YES | 0.0 |
| 12S | 02W | 30 | SE | SW | 00 | OWYHEE | YES | 0.0 |
| 12S | 02W | 30 | SE | SW | 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

-----

AJ0749NP  
No. R55-07095

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

DATE: 11/01/93  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                                                                                       | PRIORITY<br>DATE | WATER USE                                                                                  | USE PERIOD<br>FROM TO                                    | DIVERSION<br>RATE | DIVERSION<br>VOLUME                      |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------|------------------|--------------------------------------------------------------------------------------------|----------------------------------------------------------|-------------------|------------------------------------------|
| C                | US DEPT OF INTERIOR<br>BUREAU OF LAND MANAGEMENT<br>IDAHO STATE OFFICE<br>3380 AMERICANA TERRACE<br>BOISE ID 83706<br>(208) 334-1401 | 03/25/1976       | STOCKWATER STORAGE<br>STOCKWATER FROM STORAGE<br>WILDLIFE STORAGE<br>WILDLIFE FROM STORAGE | 01-01 12-31<br>04-01 09-30<br>01-01 12-31<br>01-01 12-31 |                   | 1.2 AFA<br>1.2 AFA<br>1.2 AFA<br>1.2 AFA |
| TOTAL DIVERSION: |                                                                                                                                      |                  |                                                                                            |                                                          |                   | 1.2 AFA                                  |

Water Source: UNNAMED STREAM

Tributary to: DEEP CREEK

Stage: LICENSE

Point(s) of Diversion:

T12S R02W S30

SWSE

OWYHEE County

Place of use Legal Description for: STOCKWATER STORAGE

| NE  |     |    |         | NW    |       |       |         | SW    |       |       |         | SE    |       |       |         |       |       |       |
|-----|-----|----|---------|-------|-------|-------|---------|-------|-------|-------|---------|-------|-------|-------|---------|-------|-------|-------|
| 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 |
| 12S | 02W | 30 | :       | :     | :     | :     | :       | :     | :     | :     | :       | :     | :     | :     | :       | :     | :     | :     |

Place of use Legal Description for: STOCKWATER FROM STORAGE

| NE  |     |    |         | NW    |       |       |         | SW    |       |       |         | SE    |       |       |         |       |       |       |
|-----|-----|----|---------|-------|-------|-------|---------|-------|-------|-------|---------|-------|-------|-------|---------|-------|-------|-------|
| 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 |
| 12S | 02W | 30 | :       | :     | :     | :     | :       | :     | :     | :     | :       | :     | :     | :     | :       | :     | :     | :     |

Place of use Legal Description for: WILDLIFE STORAGE

| NE  |     |    |         | NW    |       |       |         | SW    |       |       |         | SE    |       |       |         |       |       |       |
|-----|-----|----|---------|-------|-------|-------|---------|-------|-------|-------|---------|-------|-------|-------|---------|-------|-------|-------|
| 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 |
| 12S | 02W | 30 | :       | :     | :     | :     | :       | :     | :     | :     | :       | :     | :     | :     | :       | :     | :     | :     |

Place of use Legal Description for: WILDLIFE FROM STORAGE

| NE  |     |    |         | NW    |       |       |         | SW    |       |       |         | SE    |       |       |         |       |       |       |
|-----|-----|----|---------|-------|-------|-------|---------|-------|-------|-------|---------|-------|-------|-------|---------|-------|-------|-------|
| 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 |
| 12S | 02W | 30 | :       | :     | :     | :     | :       | :     | :     | :     | :       | :     | :     | :     | :       | :     | :     | :     |

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 3322 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

Other Rights: NONE

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.

JUL 19 1994  
MICROFILMED

AJ0749NP  
No. R55-07095

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

DATE: 11/01/93  
PAGE: 2

=====

Remarks: BLM RECORD ID = 5501681262

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:  
Presumption Flag:

Audit: 11/01/93 SMITH

MICROFILMED  
JUL 19 1994

A. AJ CLAIM: # A55-07095 PRIORITY DATE: 03-25-1976<sup>✓</sup> STAGE: L<sup>✓</sup>

B. WR RECORD: # 55-07095 PRIORITY DATE: 03-25-1976<sup>✓</sup> STAGE: L<sup>✓</sup>

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: claim matches license

=====

RECOMMENDED PRIORITY DATE:  
03-25-1976

REVIEWED BY RF

DATE 10-25-93

=====

JUL 19 1994  
MICROFILMED

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | RGE. | SEC. | 1/4 | 1/4                 | 1/4                 | LOT | CNTY   |
|-----------|------|------|------|-----|---------------------|---------------------|-----|--------|
| A55-07095 | 12S  | 02W  | 30   |     | <del>SW</del><br>SE | <del>SE</del><br>SW |     | OWYHEE |

OTHER AJ CLAIMS WITH SAME AJ POD  
A PREFIX R PREFIX  
A55-12123 NONE

WR RECORDS IN SAME 40 ACRE TRACT  
NONE

SOURCE: UNNAMED STREAM

TRIB: DEEP CREEK

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT    | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY   |
|----------|------|------|------|-----|-----|-----|-----|--------|
| 55-07095 | 12S  | 02W  | 30   |     | SW  | SE  |     | OWYHEE |

OTHER WR RECORDS WITH SAME WR POD  
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT  
A PREFIX R PREFIX  
NONE NONE

SOURCE: UNNAMED STREAM

TRIB: DEEP CREEK

C. FIELD EXAM REQUIRED?

|                                  | DATABASE | FIELD EXAMINER |
|----------------------------------|----------|----------------|
| DUE TO POD DISCREPANCY? (Y/N)    | Y        | <u>N</u>       |
| DUE TO SOURCE DISCREPANCY? (Y/N) | N        | <u>N</u>       |

NOTES:

POD changed to match license no visible evidence of  
reservoir on BLM topo Dickshoten Ridge quadrangle or topo map CC 56

MICROFILMED  
JUL 19 1994

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP.       | RGE.      | SEC.      | 1/4 | 1/4       | 1/4       | LOT | COUNTY        | DIVERSION NAME |
|------------|-----------|-----------|-----|-----------|-----------|-----|---------------|----------------|
| <u>12S</u> | <u>2W</u> | <u>30</u> | —   | <u>SW</u> | <u>SE</u> | —   | <u>DeWitt</u> | —              |
| —          | —         | —         | —   | —         | —         | —   | —             | —              |
| —          | —         | —         | —   | —         | —         | —   | —             | —              |
| —          | —         | —         | —   | —         | —         | —   | —             | —              |
| —          | —         | —         | —   | —         | —         | —   | —             | —              |
| —          | —         | —         | —   | —         | —         | —   | —             | —              |

SOURCE: UNNAMED STREAM

TRIB: DEEP CREEK

REVIEWED BY: rf

DATE: 10-25-93

SYSTEM DESCRIPTION:

MICROFILMED  
JUL 19 1994

A. ROOT WATER RIGHT NUMBERS: A55-07095

B. POU LISTING

| TWP         | RNG | SEC | 1/4 | 1/4 | LOT | NAME                | AJ<br>#/ACRES | WR<br>#/ACRES | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-------------|-----|-----|-----|-----|-----|---------------------|---------------|---------------|-----------------|----------------|------------------|
| 12S         | 02W | 30  | SE  | SW  |     | US DEPT OF INTERIOR | A55-07095 /   | -             | /               |                |                  |
|             |     |     | SE  | SW  |     | US DEPT OF INTERIOR | A55-10650 /   | -             | /               |                |                  |
|             |     |     | SE  | SW  |     | US DEPT OF INTERIOR | A55-12123 /   | -             | /               |                |                  |
| 12S         | 02W | 30  | SE  | SW  |     | US DEPT OF INTERIOR | A55-07095 /   | -             | /               |                |                  |
|             |     |     | SE  | SW  |     | US DEPT OF INTERIOR | A55-10650 /   | -             | /               |                |                  |
|             |     |     | SE  | SW  |     | US DEPT OF INTERIOR | A55-12123 /   | -             | /               |                |                  |
| 12S         | 02W | 30  | SE  | SW  |     | US DEPT OF INTERIOR | A55-07095 /   | -             | /               |                |                  |
|             |     |     | SE  | SW  |     | US DEPT OF INTERIOR | A55-10650 /   | -             | /               |                |                  |
|             |     |     | SE  | SW  |     | US DEPT OF INTERIOR | A55-12123 /   | -             | /               |                |                  |
| 12S         | 02W | 30  | SE  | SW  |     | US DEPT OF INTERIOR | A55-07095 /   | -             | /               |                |                  |
|             |     |     | SE  | SW  |     | US DEPT OF INTERIOR | A55-10650 /   | -             | /               |                |                  |
|             |     |     | SE  | SW  |     | US DEPT OF INTERIOR | A55-12123 /   | -             | /               |                |                  |
| TOTAL ACRES |     |     |     |     |     |                     | A55-07095     |               |                 |                |                  |

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE  
Y

FIELD  
EXAMINER  
N

POU COUNTY: OWYHEE

PRESUMPTION FLAG:

NOTES:

A55-10650, A55-12123 claim in-stream use

RECOMMENDATIONS:

TOTAL ACRES: —

REVIEWED BY: RF

DATE: 10-25-93

MICROFILMED  
JUL 19 1994

A. AJ CLAIMED USES:

| PURPOSES                            | MONTH/DAY                                                | DIVERSION QUANTITY |
|-------------------------------------|----------------------------------------------------------|--------------------|
| A55-07095 STOCKWATER STORAGE        | FROM 01-01 TO 12-31                                      | 1.20 AF/A          |
| A55-07095 WILDLIFE STORAGE          | FROM <del>01-01</del> TO <del>12-31</del> 04-01 to 09-30 | 1.20 AF/A          |
| A55-07095 WILDLIFE FROM STORAGE     | FROM 01-01 TO 12-31                                      | 1.20 AF/A          |
| A55-07095 STOCKWATER FROM STORAGE   | FROM 01-01 TO 12-31                                      | 1.20 AF/A          |
| TOTAL DIVERSION RATE/VOLUME CLAIMED |                                                          | 1.20 AF/A          |

B. WR RECORDED USES:

| PURPOSES                            | MONTH/DAY           | DIVERSION QUANTITY |
|-------------------------------------|---------------------|--------------------|
| 55-07095 STOCKWATER STORAGE         | FROM 01-01 TO 12-31 | 1.20 AF/A          |
| 55-07095 STOCKWATER FROM STORAGE    | FROM 04-01 TO 09-30 | 1.20 AF/A          |
| 55-07095 WILDLIFE STORAGE           | FROM 01-01 TO 12-31 | 1.20 AF/A          |
| 55-07095 WILDLIFE FROM STORAGE      | FROM 01-01 TO 12-31 | 1.20 AF/A          |
| TOTAL DIVERSION RATE/VOLUME CLAIMED |                     | 1.20 AF/A          |

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y( ) N(X)

RECOMMEND TO WR STANDARDS OR OTHER?

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

NOTES:

*non-irrigation use includes wildlife variable amount  
period of use changed to match license*

JUL 19 1994  
MICROFILMED