

SEP 30 1992

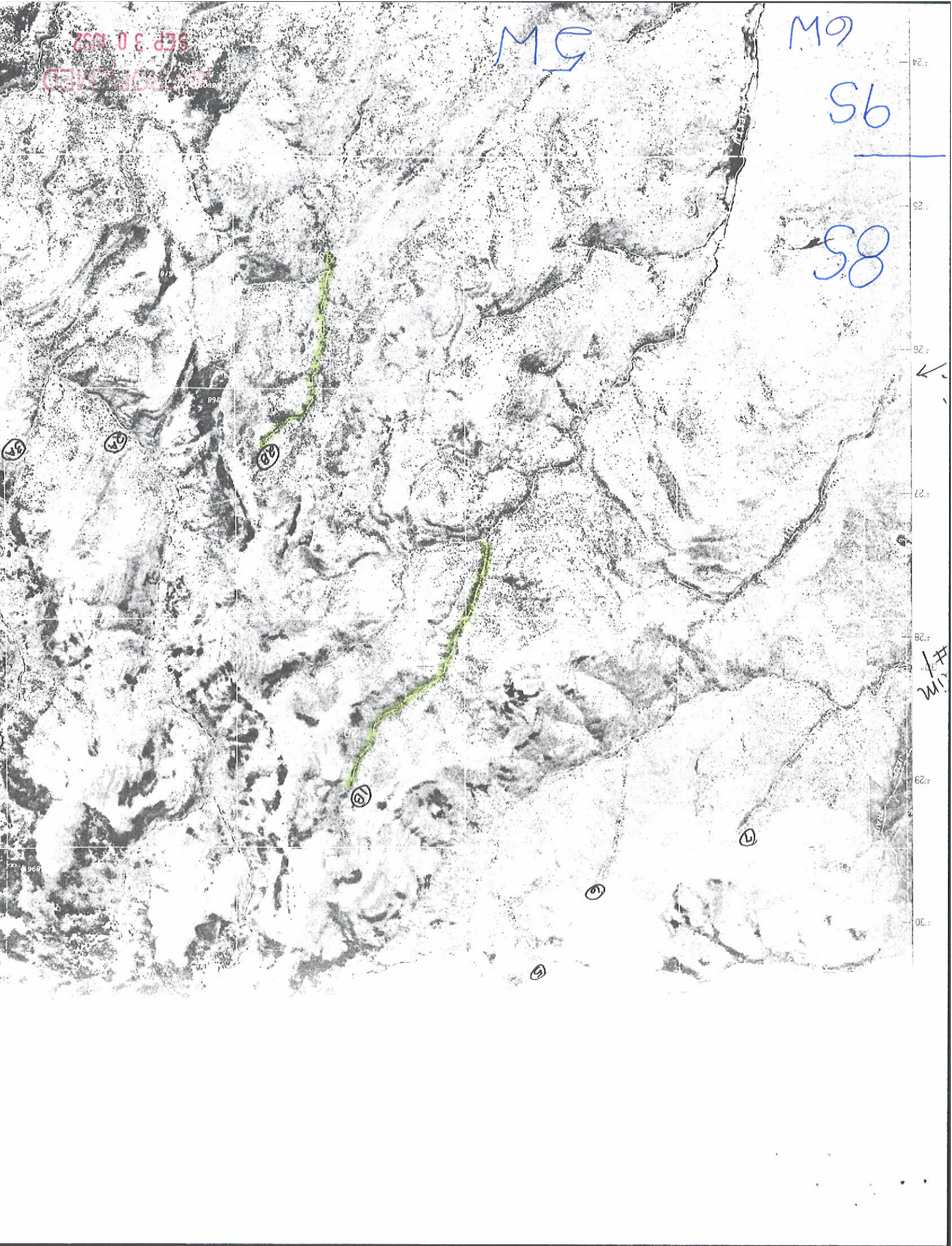
RECEIVED

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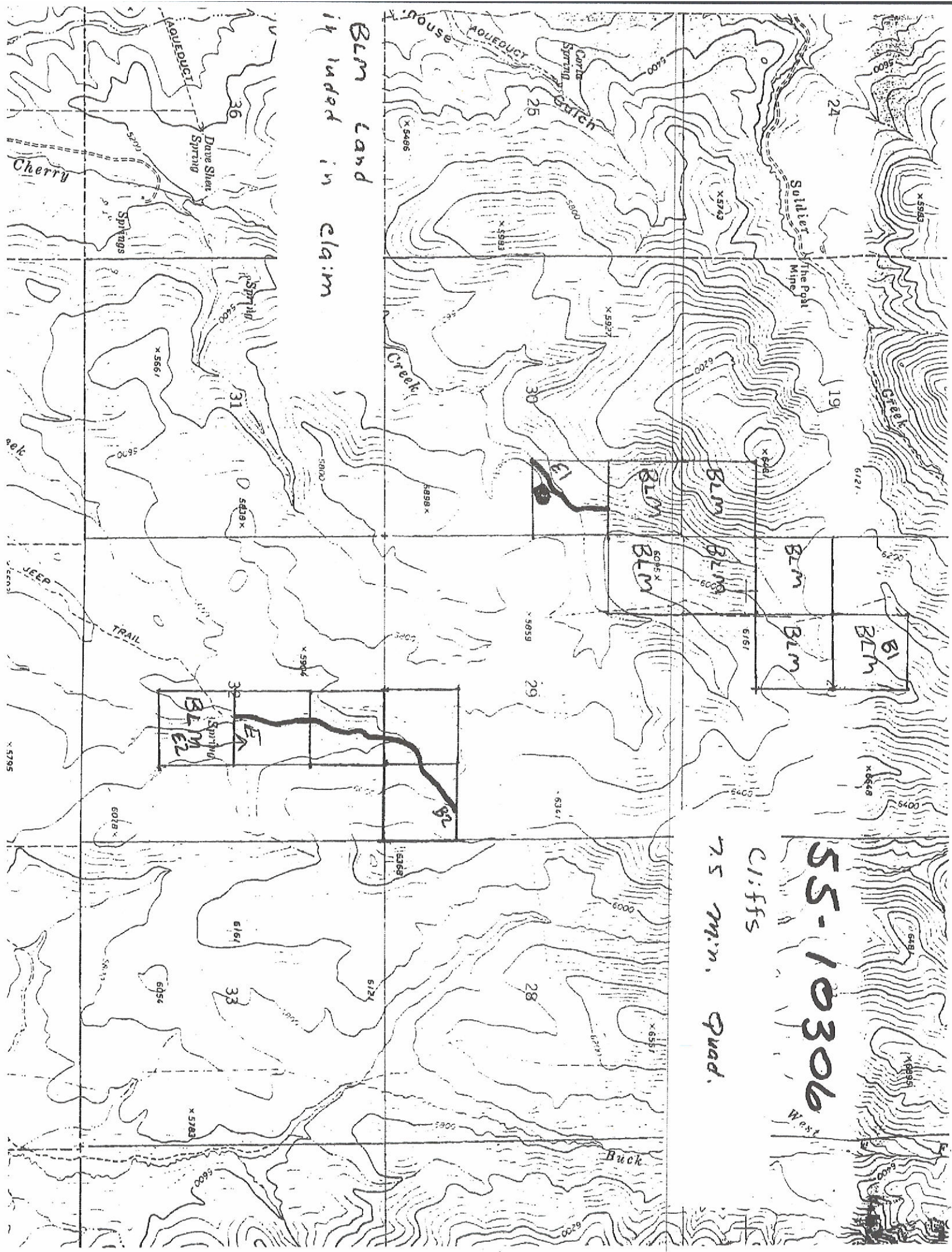


55-10306

Cliffs

7.5 min. Quad.

BLM land
included in claim



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: A55-10306
Date Received: 4/22/1992
Receipt No: W014550
Received By: DE JN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SOUTH MOUNTAIN GRAZING CO-OP 208-583-2405
Address: C/O RAND COLLINS
1803 DANNER LOOP RD
JORDAN VALLEY OR 97910

2. Date of Priority: JUN 1, 1872

3. Source: UNNAMED STREAM Trib. to: CHERRY CREEK
WILSON CREEK CHERRY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
Beginning Point of Instream Flow							
08S	05W	20	SE	NW			OWYHEE
08S	05W	29	SE	SE			OWYHEE
Ending Point of Instream Flow							
08S	05W	30	SE	NE			OWYHEE
08S	05W	32	NW	SE			OWYHEE

5. Description of diverting works:
INSTREAM STOCKWATER AND WILDLIFE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.120		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 500 RANGE CATTLE & MISC. WILDLIFE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08S	05W	19	SE		SE		STOCK	
		20	SE		NW		STOCK	
			NE		SW		STOCK	
			NW		SW		STOCK	
			SW		SW		STOCK	
		29	NW		NW		STOCK	
			SW		SE		STOCK	
			SE		SE		STOCK	
		30	NE		NE		STOCK	
			SE		NE		STOCK	
		32	NW		NE		STOCK	
			SW		NE		STOCK	
			NW		SE		STOCK	

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:
PROPERTY IS MOSTLY PRIVATE, SOME BLM LAND UNDER GRAZING ALLOTMENT
#0591.

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: _____

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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

#4

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 ASS-10306
Date Received 9/22/92
Receipt Number 1W014550 *g*

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) South Mountain Grazing Co-op Phone (208) 583-2405
Mailing Address c/o Rand Collins
1803 Danner Loop Rd., Jordan Valley, OR Zip 97910

2. Date of Priority (Only one (1) per claim) 6-1-1872

3. Source of water supply (a) (B) unnamed stream
which is tributary to (b) Cherry Creek

4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township 8S Range 5W Section 20, _____ 1/4 of SE 1/4 of NW 1/4,

Govt. Lot _____ B.M., County of Owyhee

ending point is: Township 8S Range 5W Section 30, _____ 1/4 of SE 1/4 of
NE 1/4, Govt. Lot _____ B.M., County of Owyhee

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Instream Stockwater & Wildlife.

MICROFILMED

SEP 30 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Stockwater purposes from 1-1 to 12-31 amount 0.12 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.12 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater, 500 range cattle & misc. wildlife.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
8S	5W	20								S	S	S	S						
		19																S	
		30	S			S													
		29					S										S	S	
		32		S	S										S				

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Owyhee

12. Do you own the property listed above as place of use? Yes _____ No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()

14. Remarks: Property is mostly private - some BLM land under Grazing Allotment #0591.

Last Name _____ Ident No. _____

MICROFILMED
Copies: White - State, Yellow - Claimant
SEP 30 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

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 _____

Date Received _____

Receipt Number _____

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant (s) _____ Phone () _____

Mailing Address _____ Zip _____

2. Date of Priority (Only one (1) per claim) _____

3. Source of water supply (a) 2B Wilson Creek
which is tributary to (b) Cherry Creek

4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township 8S Range 5W Section 29, _____ 1/4 of SE 1/4 of SE 1/4,

Govt. Lot _____ B.M., County of Owyhee

ending point is: Township 8S Range 5W Section 32, _____ 1/4 of NW 1/4 of

SE 1/4, Govt. Lot _____ B.M., County of Owyhee

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. _____

MICROFILMED

SEP 30 1992



M9

56

58

M5

82.0

82.5

83.0

83.5

84.0

let

win

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.
Signature of Claimant (s) J. Rand. Collins Date 4-22-92
Date _____

For Organizations: I do solemnly swear or affirm that I am ACTING BUSINESS OFFICER
Title
of SOUTH MTN GRAZING COOP that I have signed the foregoing
Organization
document in the space below as Same of Same
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization Same Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 22 day of April 19 92

SEAL Notary Public Beri Harris
Residing at Boise, Id
My Commission Expires 12-8-94

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____
Address _____
Date _____

Last Name _____ Ident. Number _____

MICROFILMED
Copies White-State, Yellow-Claimant
SEP 30 1992

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 55-10306

1998 JUN 26 AM 8:41
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME & ADDRESS: SOUTH MOUNTAIN GRAZING CO-OP
C/O RAND COLLINS
1803 DANNER LOOP RD
JORDAN VALLEY OR 97910

SOURCE: UNNAMED STREAM TRIBUTARY: CHERRY CREEK
WILSON CREEK CHERRY CREEK

QUANTITY: 0.12 CFS

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

PRIORITY DATE: 06/01/1872

POINT OF DIVERSION: T08S R05W S29 SESE (INSTREAM BEGINNING POINT) Within Owyhee County
S30 NESENE (INSTREAM BEGINNING POINT)
S32 SWSENE (INSTREAM ENDING POINT)
SWNE (INSTREAM ENDING POINT)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS

PLACE OF USE:	STOCKWATER	Within Owyhee County
	T08S R05W S29	SWSE
	S30	SENE
	S32	NWNE

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.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

1998 JUN 26 AM 8:41
DISTRICT COURT-SRBA
TWINFALLS 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)

ORDER OF PARTIAL DECREE

;

Case No. 39576)

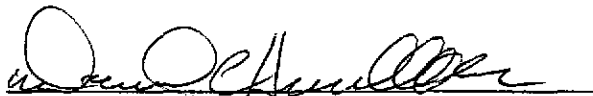
For Water Right 55-10306

On April 30, 1998, 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 55-10306 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JUN 26 1998.



DANIEL C. HURLBUTT, JR.

Presiding Judge

Snake River Basin Adjudication

1998 JUN 26 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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 55-10306

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 55-10306 was mailed
on June 26, 1998, with sufficient first-class postage prepaid
to the following:

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

USDI BLM
Represented by:
U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

SOUTH MOUNTAIN GRAZING CO-OP
C/O RAND COLLINS
PO BOX 185
JORDAN VALLEY, OR 97910
Phone: 208-583-2405

DIANA DELANEY
Chief Deputy Clerk

RECEIVED

MAY 05 1998

Department of Water Resources

1998 APR 30 AM 8:29

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

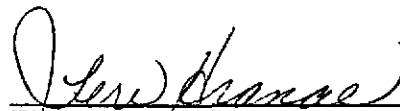
Water Right(s): 55-10306

On April 26, 1998, Special Master FRITZ X HAEMMERLE issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED April 26, 1998.



TERI HRANAC
Deputy Clerk

1998 APR 30 AM 8:29
DISTRICT COURT-SREA
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	)	Subcase 55-10306
	)	
Case No. 39576	)	SPECIAL MASTER'S REPORT
_____	)	

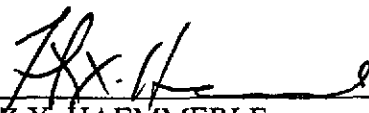
FINDINGS OF FACT AND CONCLUSIONS OF LAW

A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990). The director of the State of Idaho Department of Water Resources examined the water system for areas 1, 2, and 3 and investigated and abstracted the notices of claims for those Reporting Areas. The Director of the Idaho Department of Water Resources then filed a *Director's Report* which asserted how the elements of this water right should be decreed by the court.

An objection to the *Director's Report* for water right 55-10306 was filed. Subsequently, a *Standard Form 5* was filed as to how the elements of this water right should be decreed. The *Standard Form 5* was accepted by the court; now therefore,

IT IS THEREFORE RECOMMENDED that subcase 55-10306 be decreed as recommended in the attached *Special Master's Report and Recommendation for Partial Decree*.

DATED April 26, 1997.



FRITZ X. HAEMMERLE
Special Master, Snake River Basin Adjudication

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 55-10306

1998 APR 30 AM 8:29

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME & ADDRESS: SOUTH MOUNTAIN GRAZING CO-OP
C/O RAND COLLINS
1803 DANNER LOOP RD
JORDAN VALLEY OR 97910

SOURCE: UNNAMED STREAM TRIBUTARY: CHERRY CREEK
WILSON CREEK CHERRY CREEK

QUANTITY: 0.12 CFS

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

PRIORITY DATE: 06/01/1872

POINT OF DIVERSION: T08S R05W S29 SESE (INSTREAM BEGINNING POINT) Within Owyhee County
S30 NESENE (INSTREAM BEGINNING POINT)
S32 SWSENE (INSTREAM ENDING POINT)
SWNE (INSTREAM ENDING POINT)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS

PLACE OF USE:	STOCKWATER	Within Owyhee County
	T08S R05W S29 SWSE SESE	
	S30 SENE	
	S32 NWNE SWNE	

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

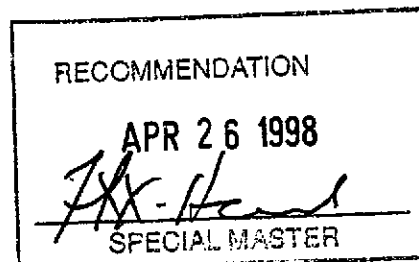
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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.

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 55-10306



PAGE 1
MAR-18-1998

1998 APR 30 AM 8:29

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

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): 55-10306

CERTIFICATE OF MAILING

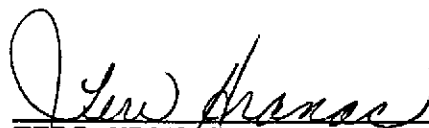
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on April 30, 1998, with sufficient first-class postage prepaid to the following:

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

USDI BLM
Represented by:
U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

SOUTH MOUNTAIN GRAZING CO-OP
C/O RAND COLLINS
PO BOX 185
JORDAN VALLEY, OR 97910
Phone: 208-583-2405

CERTIFICATE OF MAILING


TERI HRANAC

Deputy Clerk

PAGE 1
04/30/98

Re made & modified.

02-26-98
-20

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

Subcase(s)

55-10306

Case 39576

STANDARD FORM 5

This form is used to report the stipulated elements of a water right acquired under state law and/or a 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 the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the element of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

Date:

Arnette Brown 7/18/98

IDWR Concurrence

SOUTH MOUNTAIN GRAZING Co-OP

J. Rand Collins

Claimant

Objector

Paul F. J. [Signature]

Claimant/Attorney

Objector/Attorney

Claimant/Attorney

Objector/Attorney

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
55-10306	SOUTH MOUNTAIN GRAZING CO-OP C/O RAND COLLINS 1803 DANNER LOOP RD JORDAN VALLEY OR 97910	06/01/1872	STOCKWATER	01-01 12-31	0.02 CFS	BENEFICIAL USE

TOTAL DIVERSION RATE: 0.02 CFS
TOTAL DIVERSION VOLUME: 0.00 AFA

SOURCE: UNNAMED STREAM
WILSON CREEK

TRIBUTARY: CHERRY CREEK
CHERRY CREEK

POINT OF DIVERSION:

TOBS ROSW S28 ~~SENE~~ (INSTREAM BEGINNING POINT)
S29 ~~SESE~~ (INSTREAM BEGINNING POINT)
S30 ~~SWSENE~~ (INSTREAM ENDING POINT)
S32 ~~SWNE~~ ~~NWSE~~ (INSTREAM ENDING POINT)

TOBS ROSW S30 NESENE (B)

PLACE OF USE: STOCKWATER

TOBS ROSW S19	~~SESE~~	~~SENE~~	~~NWSE~~	~~NWSE~~	~~SWSE~~
S20	~~SENE~~	~~SENE~~	~~SENE~~	~~SENE~~	~~SENE~~
S29	~~NWSE~~	~~SENE~~	~~SENE~~	~~SENE~~	~~SENE~~
S30	~~SENE~~	~~SENE~~	~~SENE~~	~~SENE~~	~~SENE~~
S32	~~NWNE~~	~~SENE~~	~~SENE~~	~~SENE~~	~~SENE~~

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.

DIVERSION MEANS: INSTREAM STOCKWATER

REMARKS: EXP BLM ALLOTMENT NO. SOUTH MTN 0591
PARCEL NOS. 08S05W293600, 08S05W301200
STOCKWATER, 500 RANGE CATTLE

OTHER RIGHTS:

RA JRC
2-18-98
PH
2-18-98

7.5 min. Quad. pond

BLM land included in claim



**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.

55-10306

(Insert the Case No. from the
Objection you are responding to)

Case No. 39576

STANDARD FORM 2

RESPONSE TO OBJECTION

INSTRUCTIONS

This form must be used to file a response to any objection filed against a water right recommended in a Director's Report. You may respond to objections filed against one water right, using one response form. The water right number listed as the "Case No." on the Objection you are responding to must be inserted above as the "Case No." If you choose to file one form to respond to all objections filed against the same water right, your response should cover every issue raised in the objections.

To respond to objections filed against more than one water right, you must file a separate response form for each water right. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your response by the deadline shown in the notice that IDWR mailed to you. The response must be received by the court on or before the deadline specified. Instructions for mailing this response are found at Page 5, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more responses must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

By filing a response form, you are certifying that the response is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. **Party/Claimant Responding:**

Name: SOUTH MTN GRAZING Co-op % RAND. COLLINS

Address: P.O. Box 185 1803 DANNER LOOP ROAD
JORDAN VALLEY OREGON 97910

Phone: Work: 541-586-2405 Home: SAME FAX: SAME

Briefly describe your interest in this water right:

If this response is filed by an attorney:

Attorney Name: _____

Attorney Address: _____

Attorney Phone No.: _____

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

2. **Party/Claimant who filed objection:**

Name: RLM IDAHO STATE OFFICE

Address: 1387 SOUTH VINNELL WAY
BOISE IDAHO 83709-1657

II. STATEMENT OF THE RESPONSE

Please check each "box" which identifies your response.

1. ☐ Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
2. ☒ Source: I respond to the objection concerning the source of water.
3. Quantity: I respond to the objection concerning:
 - ☐ a. the total quantity of water used in cubic feet per second; or
 - ☐ b. the total quantity of water stored in acre-feet per year; or
 - ☐ c. the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I respond to the objection concerning the priority date.
5. ☐ Points of Diversion: I respond to the objection concerning the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I respond to the objection concerning the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I respond to the objection concerning the purpose(s) of use.
8. ☐ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. Place of Use: I respond to the objection concerning:
 - ☐ a. the legal description of the place of use; or
 - ☐ b. the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.
11. Water Right Recommendation: I respond to the objection concerning:
 - ☐ a. this water right being recommended at all; or
 - ☐ b. this water right not being recommended.

12. ☐ Description of Reservation: I respond to the objection concerning the legal description of the reservation.
13. ☐ Other: I respond to the objection concerning: _____

REASONS SUPPORTING EACH BOX CHECKED

You must state the reason(s), by number, for each box checked. You may use additional pages if necessary.

#2 THE SOURCE FOR THIS RIGHT IS ON
DEEDED LAND AND SHOULD BE IN THE
NAME OF THE LAND OWNER

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

THE WATER RIGHT SHOULD BE LEFT IN THE
NAME OF SOUTH MEN GRAZING Co-op.

Please note that you should attach copies of documents which support your response. Note on each document the "box number" it supports.

- ☐ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

VERIFICATION (Must be Completed)

State of Oregon
County of Malheur

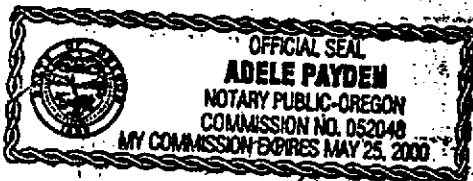
J. RAND. COLLINS, duly sworn, upon oath, deposes and says:
(Name of person filing response)

That I am the party/claimant filing this response (as listed on Page 2, Section 3, "Party/Claimant Obecting"), that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read this response, know its contents and that the statements are true to the best of my knowledge and belief.

J. Rand. Collins
Signature of person filing response

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on: _____



Adele Payden
Notary Public for Oregon
Residing at: Garden Valley
My Commission expires: 9-25-2000

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right you responded to, if other than yourself; to the party who filed the objection to which you are responding, if different from the owner of the water right; to the office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on 12-31, 1997, I mailed the original and copies of this response, 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
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: _____

Address: _____

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney at the following address:

Name: BLM IDAHO STATE OFFICE

Address: 1387 SOUTH VINNELL WAY BOISE IDAHO 83709-1657

4. One copy to:

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

5. One copy to:

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

J. Rand. Collins
Signature of Respondent or attorney
mailing on Respondent's behalf

RECEIVED
DEC 10 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

In Re SRBA

Case No. 39576

A. Subcase 55-10306

(Insert water right number)

DOMESTIC AND
STOCK WATER RIGHT
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

R. Lee Leininger, 202 305-0242

Paul F. Holleman, 202 305-0494 and

William M. Ferry, 202 334-1911

United States Department of Justice

Environment and Natural Resource Division

General Litigation Section

550 West Fort Street, MSC 033

Boise, Idaho 83724

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

Name: South Mnt. Grazing Co-op Address: 1803 Danner Loop Road, Jordan Valley,
Oregon 97910

Name: C/O Rand Collins

Address:

Name: Address:

Name: Address:

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: See attached
5. ☒ **Point(s) of Diversion**
Should be: See attached
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: See attached

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 of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant does not have a valid water right with the elements claimed.

 RIGHTS FROM: SOURCE: UNNAMED STREAM TRIBUTARY: CHERRY CREEK

RIGHT NUMBER: 55-10304

 NAME & ADDRESS: SOUTH MOUNTAIN GRAZING CO-OP
 C/O RAND COLLINS
 1803 DANNER LOOP RD
 JORDAN VALLEY OR 97910

 SOURCE: UNNAMED STREAM TRIBUTARY: CHERRY CREEK
 WILSON CREEK CHERRY CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/01/1872

 POINT OF DIVERSION: T08S R05W S20 (SENW) (INSTREAM BEGINNING POINT) within Owyhee County
 S29 SESE (INSTREAM BEGINNING POINT)
 S30 SENE (INSTREAM ENDING POINT)
 S32 NWSE (INSTREAM ENDING POINT)

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS

PLACE OF USE: STOCKWATER within Owyhee County

T08S R05W S19	SESE				
S20	SENW	NESW	NWSW	SWSW	
S29	NWNW	SWSE	SESE		
S30	NENE	SENE			
S32	NWNE	SWNE	NWSE		

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.

 EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
 BLM ALLOTMENT NO. SOUTH MTN 0591
 PARCEL NOS. 08S05W293600, 08S05W301200
 STOCKWATER, 500 RANGE CATTLE

F.

VERIFICATION (Must be Completed)

State of Idaho)

)ss.

County of Ada)

Gary Madsenford for

Jay Carlson, BLM Area Manager, duly sworn, upon oath, deposes and says:

(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Gary Madsenford
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 12-4-97

Jacqueline L. Ripley
Notary Public for Idaho
Residing at: Boise
My Commission Expires: 4-7-1999

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 Dec 5, 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
PO Box 2707
Twin Falls, ID 83303-2707

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

Name: South Mnt. Grazing Co-op
Jordan Valley, Oregon 97910

Address: 1803 Danner Loop Road,

Name: C/O Rand Collins

Address:

Name:

Address:

Name:

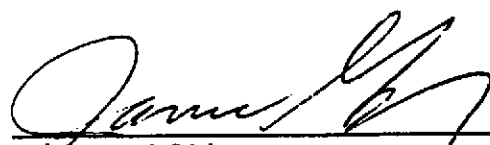
Address:

3. Copies to:

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

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

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



Signature of Objector or attorney
mailing on Objector's behalf

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

02/26/98 13:09:57
Page 1

Water Right Number - R55-10306

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - -

*** C - CURRENT OWNER ***
SOUTH MOUNTAIN GRAZING CO-OP

1 - C/O RAND COLLINS
2 - 1803 DANNER LOOP RD
3 -
City- JORDAN VALLEY
Phone - 208-583-2405

VERIFIED BY *[Signature]*
State- OR Zip- 97910

+ - - Priority Date - - +
06/01/1872

+ - - - Region - - - +
14 WESTERN

+ - - - Stage - - - +
J - BENEFICIAL USE

+ - - - Status - - - +

+ - - - - Source - - - - - +
UNNAMED STREAM
WILSON CREEK

+ - - - - Tributary - - - - - +
CHERRY CREEK
CHERRY CREEK

+ - - - - Point of Diversion - - - - - +						
Twn	Rng	Sec	Tract	Lot	Rflg	County
08S	05W	29	SE SE		B	(73) OWYHEE
		30	NE SE NE		B	(73) OWYHEE
			SW SE NE		E	(73) OWYHEE
		32	SW NE		E	(73) OWYHEE

+ - - - - Water Use - - - - - +					
Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
04 - STOCKWATER		01/01	12/31	0.020	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.120 0.0

+ - - - - Place of Use - - - - - +								
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	05W	29	SW SE			04	STOCKWATER	(73) OWYHEE
08S	05W	29	SE SE			04	STOCKWATER	(73) OWYHEE
08S	05W	30	SE NE			04	STOCKWATER	(73) OWYHEE
08S	05W	32	NW NE			04	STOCKWATER	(73) OWYHEE
08S	05W	32	SW NE			04	STOCKWATER	(73) OWYHEE

Total Acres:

+ - - Diversion Means - INSTREAM STOCKWATER AND WILDLIFE

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +

GEN PROPERTY IS MOSTLY PRIVATE, SOME BLM LAND UNDER GRAZING ALLOTMENT

Water right number - R55-10306

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - -
#0591.

EXP BLM ALLOTMENT NO. SOUTH MTN 0591
PARCEL NOS. 08S05W293600, 08S05W301200
STOCKWATER, 500 RANGE CATTLE

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers Found

+ - - - - 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.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - -
Date: 02/26/1998 User Id: SSHERMAN Subject: DATA ENTRY
POD AND POU MODIFICATIONS MADE PER SF5 DATED 02/18/1998

+ - - Audit Fields - - +
02/26/98 SSHERMAN

+ - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 04/22/1992	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- W014550	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

AJ0749NP
No. R55-10306

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

DATE: 07/09/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SOUTH MOUNTAIN GRAZING CO-OP C/O RAND COLLINS 1803 DANNER LOOP RD JORDAN VALLEY OR 97910 (208) 583-2405	06/01/1872	STOCKWATER	01-01 12-31	0.02 CFS	
TOTAL DIVERSION:					0.02 CFS	
Water Source: UNNAMED STREAM WILSON CREEK		Tributary to: CHERRY CREEK CHERRY CREEK		Stage: BENEFICIAL USE		
Point(s) of Beginning Stream Reach: T08S R05W S20		SENE		OWYHEE County		
		S29		OWYHEE County		
Point(s) of Ending Stream Reach: T08S R05W S30		SENE		OWYHEE County		
		S32		OWYHEE County		

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
08S	05W	19	:																
08S	05W	20	:																
08S	05W	29	:																
08S	05W	30	:	S						S									
08S	05W	32	:			S													

POU County: OWYHEE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A55-10306 A55-10552 A55-10721 A55-10722 R55-10552 R55-10721

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 ALLOTMENT NO. SOUTH MTN 0591
PARCEL NOS. 08S05W293600, 08S05W301200
STOCKWATER, 500 RANGE CATTLE

Dates: Exam Made Date: Verified Date: 07/09/1997 Objection Filed Date:

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

AJ0749NP
No. R55-10306

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

DATE: 07/09/97
PAGE: 2

=====

Comments: Date: 07/20/1995 User-ID: RMCCARTH Subject: CORRECTION
ADDED CONDITION L12

Date: 04/03/1997 User-ID: STK-DSHA Subject: D&S STK-BLM 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.

Date: 07/09/1997 User-ID: MMINICUC Subject: REVIEW
CONDITION L12 REMOVED
LIMITED TO .02 CFS AS PER BASIN WIDE 12 DECISION
WILDLIFE REMOVED

Audit: 07/09/97 MMINICUC

AJ5809NP
No. R55-10306

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/07/97
PAGE: 14

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SOUTH MOUNTAIN GRAZING CO-OP C/O RAND COLLINS 1803 DANNER LOOP RD JORDAN VALLEY OR 97910 (208) 583-2405	06/01/1872	STOCKWATER	01-01 12-31	0.12 CFS	.02
TOTAL DIVERSION:					0.12 CFS	.02

Water Source: UNNAMED STREAM
WILSON CREEK

Tributary to: CHERRY CREEK
CHERRY CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T08S R05W S20
S29
Point(s) of Ending Stream Reach: T08S R05W S30
S32

SENW ✓
SESE ✓
SENE ✓
NWSE ✓

OWYHEE County
OWYHEE County
OWYHEE County
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	:
08S	05W	19	:																	:
08S	05W	20	:																	:
08S	05W	29	:																	:
08S	05W	30	:	S						S				S				S		:
08S	05W	32	:			S		S									S			:

POU County: OWYHEE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A55-10306 A55-10552 A55-12525 R55-10552 R55-12525

Conditions of Approval:

- N12 - 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.
- 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 ALLOTMENT NO. SOUTH MTN 0591
PARCEL NOS. 08S05W293600, 08S05W301200
STOCKWATER, 500 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

07/09/1997
Condition L12 removed
~~WILDLIFE~~
Limited to .02 CFS
Wildlife removed

AJ5809NP
No. R55-10306

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/07/97
PAGE: 15

=====
Comments: Date: 07/20/1995 User-ID: RMCCARTH Subject: CORRECTION
ADDED CONDITION L12

Date: 04/03/1997 User-ID: STK-DSHA Subject: D&S STK-BLM 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: 01/18/94 DUNN1 01/22/94 DUNN1 03/30/95 POST-STD 07/20/95 RMCCARTH
04/03/97 STK-DSHA

AJ5809NP
No. R55-10306

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/13/95
PAGE: 7

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SOUTH MOUNTAIN GRAZING CO-OP C/O RAND COLLINS 1803 DANNER LOOP RD JORDAN VALLEY OR 97910 (208) 583-2405	06/01/1872	STOCKWATER	01-01 12-31	0.12 CFS	02
TOTAL DIVERSION:					0.12 CFS	02

Water Source: UNNAMED STREAM
WILSON CREEK

Tributary to: CHERRY CREEK
CHERRY CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T08S R05W S20 SENW
S29 SESE
Point(s) of Ending Stream Reach: T08S R05W S30 SENE
S32 NWSE

OWYHEE County
OWYHEE County
OWYHEE County
OWYHEE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
08S	05W	19	:																	:
08S	05W	20	:																	:
08S	05W	29	:							S				S	S	S				:
08S	05W	30	:	S														S	S	:
08S	05W	32	:			S	S										S			:

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 500 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

Other Rights: NONE

Conditions of Approval:

- 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 ALLOTMENT NO. SOUTH MTN 0591
PARCEL NOS. 08S05W293600, 08S05W301200

Dates: Exam Made Date: Verified Date:

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

Comments: Date: 07/20/1995 User-ID: RMCCARTH Subject: CORRECTION

07/09/1997
Limited to .02 CFS
Condition L12 removed
P11+N13 added

MICROFILMED
SEP 24 1996

AJ5809NP
No. R55-10306

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/13/95
PAGE: 8

Comments: Date: 07/20/1995 User-ID: RMCCARTH Subject: CORRECTION
ADDED CONDITION L12

Audit: 01/18/94 DUNN1 01/22/94 DUNN1 03/30/95 POST-STD 07/20/95 RMCCARTH

MICROFILMED
SEP 24 1996

JUL-19-1995
0090

1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
55-10306	SOUTH MOUNTAIN GRAZING CO-OP C/O RAND COLLINS 1803 DANNER LOOP RD JORDAN VALLEY OR 97910	06/01/1872	STOCKWATER	01-01 12-31	0.12	CFS BENEFICIAL USE
					TOTAL QUANTITY:	0.12 CFS
NON-IRRIGATION USES:						
STOCKWATER, 500 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT						
~~STOCKWATER, 500 RANGE CATTLE & WILDLIFE~~						
SOURCE: UNNAMED STREAM TRIBUTARY: CHERRY CREEK						
WILSON CREEK CHERRY CREEK						
POINT OF DIVERSION:						
T08S R05W S20 SENW (B)						
S29 SESE (B)						
S30 SENE (E)						
S32 NWSE (E)						
PLACE OF USE: STOCKWATER						
T08S R05W S19 SESE						
S20 SENW NESW NWSW SWSW						
S29 NWNW SWSE SESE						
S30 NENE SENE						
S32 NWNE SWNE NWSE						
REMARKS: BLM ALLOTMENT NO. SOUTH MTN 0591						
PARCEL NOS. 08S05W293600, 08S05W301200						

added Cond. L12
7-20-95 RPF

MICROFILMED
SEP 24 1996

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

09/17/93 03:45:37

PAGE 1

WATER RIGHT NUMBER - A55-10306

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - - - - - LAST NAME - - - - - +	+ - FIRST NAME - - +	+ - - - - - - - - - - - - - - ADDRESS - - - - - +
1	2	3
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2		

*** C - CURRENT OWNER ***
SOUTH MOUNTAIN GRAZING CO-OP

1 - C/O RAND COLLINS
2 - 1803 DANNER LOOP RD
3 -
CITY- JORDAN VALLEY
PHONE - 208-583-2405

STATE- OR ZIP- 97910

PRIORITY	DATE	REGION	STAGE	STATUS
06/01/1872	14 WESTERN	J - BENEFICIAL USE		

+ - - - - SOURCE - - - - +	+ - - - - TRIBUTARY - - - - +
UNNAMED STREAM	CHERRY CREEK
WILSON CREEK	CHERRY CREEK

TWN	RNG	SEC	TRACT	LOT	RFLG	POINT OF DIVERSION	COUNTY	DIVERSION NAME
08S	05W	20	SE NW		B	(73)	OWYHEE	
		29	SE SE		B	(73)	OWYHEE	
		30	SE NE		E	(73)	OWYHEE	
		32	NW SE		E	(73)	OWYHEE	

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	WATER USE	DIVERSION RATE	DIVERSION VOLUME
04	STOCKWATER	01/01	12/31		0.120	

+ - TOTAL DIV. RATE - +		+ - TOTAL DIV. VOLUME - +		+ - TOTAL DIV. CAPACITY - +		+ - TOTAL CONSUMPTIVE USE - +		+ - KW USAGE - +	
0.120						0.0			

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE CODE	DESCRIPTION	COUNTY
08S	05W	19	SE SE F			04	STOCKWATER	(73) OWYHEE
08S	05W	20	SE NW			04	STOCKWATER	(73) OWYHEE
08S	05W	20	NE SW			04	STOCKWATER	(73) OWYHEE
08S	05W	20	NW SW			04	STOCKWATER	(73) OWYHEE
08S	05W	20	SW SW			04	STOCKWATER	(73) OWYHEE
08S	05W	29	NW NW			04	STOCKWATER	(73) OWYHEE
08S	05W	29	SW SE P			04	STOCKWATER	(73) OWYHEE
08S	05W	29	SE SE P			04	STOCKWATER	(73) OWYHEE
08S	05W	30	NE NE F			04	STOCKWATER	(73) OWYHEE
08S	05W	30	SE NE 10120701			04	STOCKWATER	(73) OWYHEE
08S	05W	32	NW NE P			04	STOCKWATER	(73) OWYHEE
08S	05W	32	SW NE			04	STOCKWATER	(73) OWYHEE
08S	05W	32	NW SE F			04	STOCKWATER	(73) OWYHEE

+ - - DIVERSION MEANS - INSTREAM STOCKWATER AND WILDLIFE

+ - - NON-IRRIGATION USE - STOCKWATER, 500 RANGE CATTLE & MISC. WILDLIFE

MICROFILMED
SEP 24 1996

WATER RIGHT NUMBER - A55-10306

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - REMARKS - - - - -
PROPERTY IS MOSTLY PRIVATE, SOME BLM LAND UNDER GRAZING ALLOTMENT
#0591.

+ - - - - 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

+ - - AUDIT FIELDS - 04/24/92 HARRIS

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING - 00/00/0000	FIELD INSPECTION MADE - 00/00/0000	CIVIL CASE NUMBER - 39576
OBJECTION FILED DATE - 00/00/0000	FIELD INSPECTION FLAG -	OLD CASE NUMBER -
RESPONSE FILED DATE - 00/00/0000	VERIFIED DATE - 00/00/0000	OLD JUDICIAL DISTRICT -
CLAIM RECEIVED DATE - 04/22/1992	LAST AMENDED DATE - 00/00/0000	TEMPORARY RIGHT - P
PROOF DUE DATE - 00/00/0000	PROOF MADE DATE - 00/00/0000	WATER DISTRICT -
LICENSED DATE - 00/00/0000	RECEIPT NUMBER - W014550	FEDERAL/STATE INDICATOR - S
CLAIMS TAPE ERROR FLG -	POU OWNERSHIP FLAG - Y	PRESUMPTION FLAG -
FEE EXEMPT FLAG -	NAME CONNECTOR -	NOTICE OF ERROR FLAG -

South Mtn 0591

08505W 293600
08505W 301200

42

DATA ENTRY

ENTERED 1-22-94
CHECKED 7-20-94

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
DEC 14 1993

CERTIFIED
DEC 15 1993
WATER EXAMINER

MICROFILMED
SEP 24 1996

Shurte, Jan

From: Shurte, Jan
Sent: Monday, June 14, 1999 9:19 AM
To: Shaff, Don
Cc: Shurte, Jan
Subject: Basin 55 PD/s Issued & Changes needed

I agree with you on the splits - no big deal. There are two claims numbers with the .02 cfs and .12 cfs problem. Those are 55-10306 & 55-10307. Thanks, Jan