

OBJ

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

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

Case No. 57-02365A
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

FEB 26 1993

Department of Water Resources
Adjudication Bureau

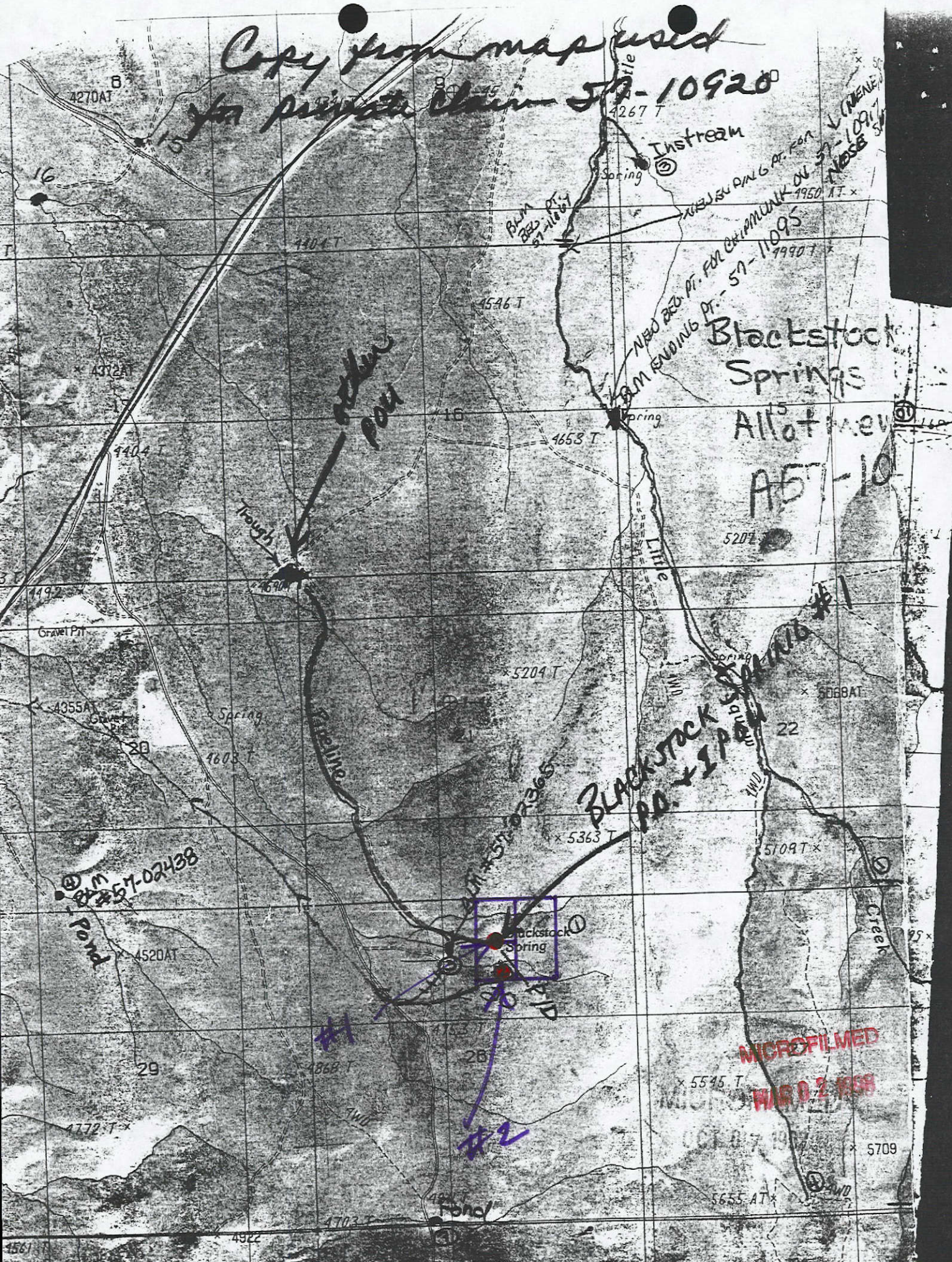
INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. 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 objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

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

(Over)

Copy from map used
for private claim 57-10920



x 50
L WENE
10917
5

15
Allotment

A57-10

MICROFILMED

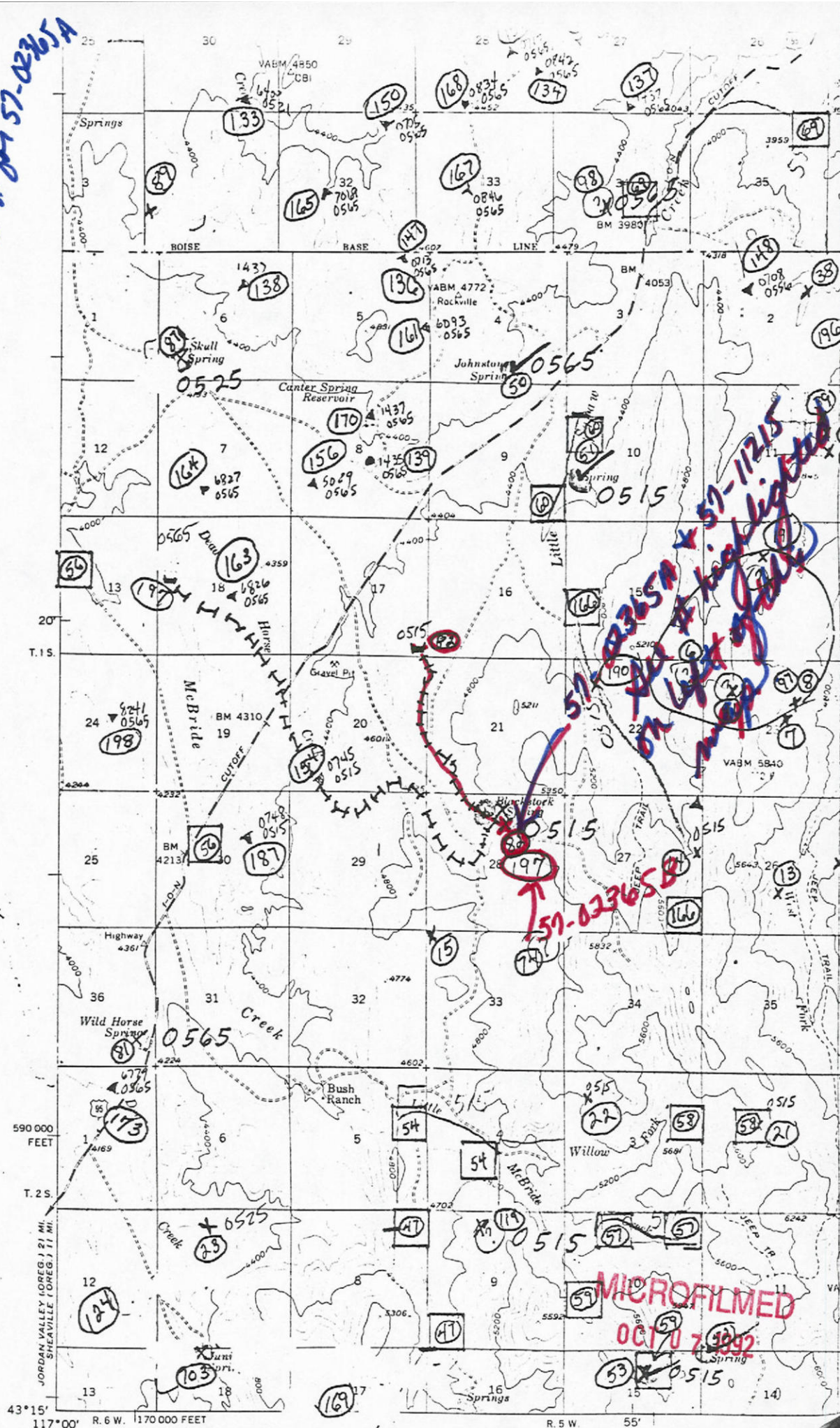
OCT 07 1992

4772 T x

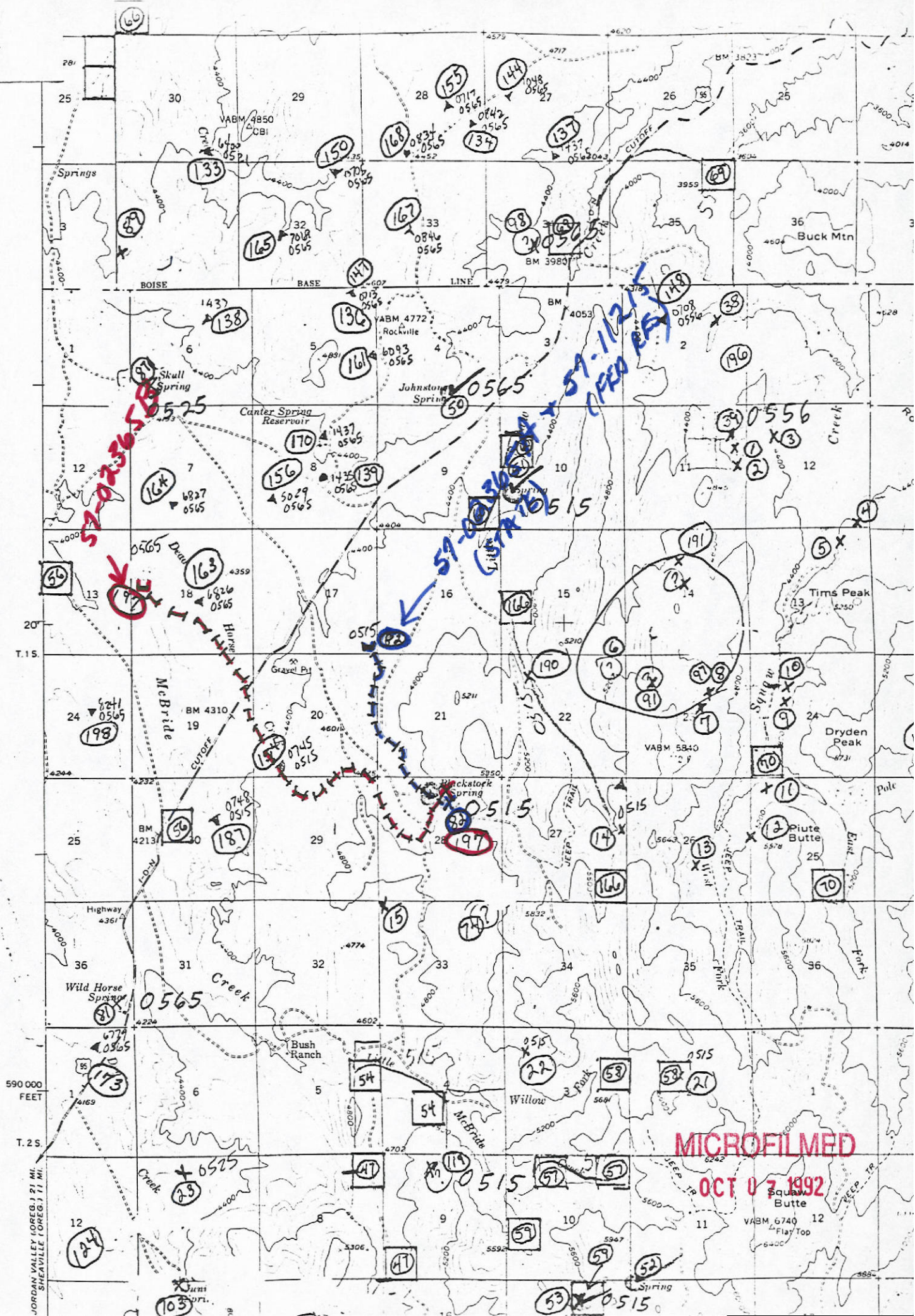
5709

5655 AT*

- | | | |
|------|------------|--------------|
| 105. | 5701580397 | |
| 106. | 5701580364 | & 5701588354 |
| 107. | 5701580363 | & 5701588353 |
| 108. | 5701580361 | & 5701588200 |
| 109. | 5701580360 | & 5701588199 |
| 111. | 5701580355 | & 5701588194 |
| 112. | 5701580354 | & 5701588193 |
| 113. | 5701580353 | & 5701588192 |
| 114. | 5701580352 | & 5701588351 |
| 115. | 5701580351 | & 5701588190 |
| 116. | 5701580350 | & 5701588189 |
| 117. | 5701580348 | & 5701588187 |
| 118. | 5701580345 | & 5701588100 |
| 119. | 5701580368 | & 5701588227 |



5701588354
5701588353
5701588200
5701588199
5701588194
5701588193
5701588192
5701588351
5701588190
5701588189
5701588187
5701588100
5701588227



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

A57-02365A

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1942-01-24
IDWR WATER RIGHT NO. 5702365A
BLM NUMBER: 5701588023
BASIS OF CLAIM: LICENSE
BASIN NO.: 57

SOURCE	TRIBUTARY TO
BLACKSTOCK SPRING #1	MCBRIDE CREEK

DESCRIPTION OF DIVERSION WORKS

7000' PIPELINE, ONE 1600 GAL TROUGH

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
STOCKWATER	0.020	0.00	0101	1231
WILDLIFE	0.010		0101	1231
TOTAL:	0.020 CFS	0.00 AF		

NON-IRRIGATION USES

S/292 RANGE CATTLE W/VAR AMT

MICROFILMED

TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
01S	05W	28	NE	NW	NE	0	OWYHEE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	IRRIGATED ACRES
01S	05W	28	NW	NE	0	OWYHEE		0.0
01S	05W	28	NW	NE	0	OWYHEE		0.0
01S	05W	17	SE	SE	0	OWYHEE		0.0
01S	05W	17	SE	SE	0	OWYHEE		0.0

BLM NUMBER: 5701588023

PAGE 2

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

1479

REMARKS

PREVIOUSLY FILED WITH THE IDAHO DEPARTMENT OF WATER RESOURCES

MICROFILMED

OCT 07 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 the General Adjudication
of the Rights to the Use of Water
from the Snake River Basin
Water System

Case No. 57-02365A -0001

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

RESPONSE TO OBJECTION

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

2. Person who filed objection:

Name: US BUREAU OF LAND MANAGEMENT
Address: IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706-2544

3. If this response is filed by an attorney:

Attorney Name(s): DANIEL L. STECKEL

Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

5. ☒ Points of Diversion: I respond to the objection concerning the legal description of the point(s) of diversion.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection item 5 and all allegations of the objection regarding this item, IDWR responds as follows: The point of diversion was recommended as claimed by the United States. The United States improperly seeks to use the objection process to amend its notice of claim. IDWR believes that a claimant must obtain leave of the court to amend a claim after the director's report is filed, just as a party must obtain leave of the court to file a late claim after the director's report is filed. Once leave of court is granted, IDWR can investigate the amended claim and make an appropriate recommendation to the court. IDWR lacks sufficient information to form a belief as to the truth of the matter asserted and therefore denies the objection and all allegations of the objection.

MICROFILMED
MAR 02 1998

☒ 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. _____

1. List of changes required to correct this claim.

2. Copy of USDI claim from the Directors Report.

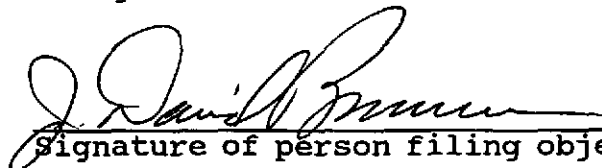
VERIFICATION (Must be Completed)

State of Idaho

County of Ada

J. DAVID BRUNNER, BOISE DISTRICT MANAGER, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

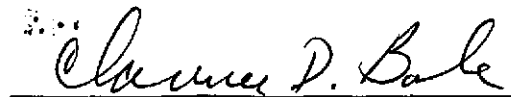
That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


Signature of person filing objection

By: _____

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 23 day of February,
1993.


Notary Public for Ada County
Residing at: Boise, Idaho
My Commission expires: April 26, 1997

MICROFILMED
MAR 02 1998

INSTRUCTIONS FOR MAILING

You must mail the objection, 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, if other than yourself; 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 the 26 day of February, 1993, I ~~mailed~~ ^{filed} the original and ^{8.18.1} copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct 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, and you must fill in the following information:

Owner name: US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
Owner's address: 3380 AMERICANA TERRACE
BOISE IDAHO 83706

3. One copy to:

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

MICROFILMED

MAR 02 1998

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Objector or attorney
mailing on Objector's behalf

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☐ Quantity: I object to:
 - 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 object to the priority date.
5. ☒ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☐ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☐ Place of Use: I object to:
 - 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 object to the annual volume of consumptive use.
11. ☐ Remarks: I object to the "remarks" listed with the water right

MICROFILMED

MAR 02 1988

(Over)

12. ☐ Water Right Recommendation: I object to:
- a. ☐ this water right being recommended at all; or
- b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☐ Other: I object to: _____
- _____
- _____
- _____
- _____

REASONS SUPPORTING EACH BOX CHECKED

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

The United States of America, acting through the Bureau of
Land Management, has a valid water right. This claim as it
appears in the Directors Report contains errors or is
incomplete and requires amendment.

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 Directors report should be changed to recommend
allowance of this claim incorporating the corrections or
additions specified in the attachment.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

MAY 17 1967

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

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

Case No. 57-02365A
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

FEB 26 1953

Department of Water Resources
Adjudication Bureau

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. 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 objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

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

(Over)

By filing an objection form, you are certifying that the objection 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. Person objecting: United States of America
Bureau of Land Management
Name: U.S. Department of the Interior
Address: 3380 Americana Terrace
Boise, Idaho 83706

Briefly describe your interest in this water right:

The United States, through the Bureau of
Land Management, has a valid water right
which requires specific corrections or
additions to the previous filing.

2. Owner of the water right: United States of America
U.S. Department of Interior
Name: Bureau of Land Management
Address: 3380 Americana Terrace
Boise, Idaho 83706

3. If this objection is filed by an attorney:
K. Jack Haugrud
Attorney Name: Daria J. Zane
U. S. Department of Justice
Attorney Address: 500 West Fort Street
P.O. Box 33
Boise, Idaho 83734
Attorney Phone No.: 202-272-4134/8351

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

MICROFILMED

MAR 12 1983

VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

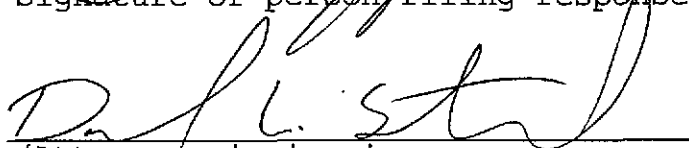
Donald V. Shaff, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Section Manager for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



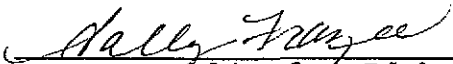
Signature of person filing response

By:



(Attorney signing in representative capacity)

Subscribed and sworn to before me this 29th day of June, 1993.



Notary Public for Idaho

Residing at: Boise

My Commission expires: 11-14-1998

MICROFILMED

MAR 02 1998

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☒ 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:

No. of
Pages

Notice of Claim No. A57-02365A

2

(Over)

CERTIFICATE OF MAILING

I hereby certify that on the 6th day of July, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

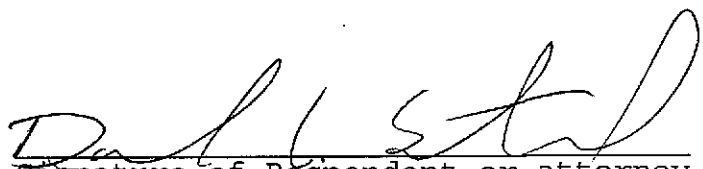
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

See No. 3

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: US DEPT OF JUSTICE
Address: K JACK HAUGRUD & DARIA J ZANE
550 W FORT ST
BOX 33
BOISE ID 83734


Signature of Respondent or attorney
mailing on Respondent's behalf

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MAR 02 1998

ATTACHMENT 1

CLAIM NUMBER: 57-02365A

POINT OF DIVERSION:

CHANGE: T01S R05W S28 NENWNE

TO: T01S R05W S28 SWNWNE

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MAR 12 1998

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: OCT-13-1992
PAGE: A-50

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
-----------------	----------------	------------------	----------------	--------------------------	---------------------	----------------

SOURCE: BLACKSTOCK SPRING TRIBUTARY: DEAD HORSE CREEK

57-02365A	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	01/24/1942	STOCKWATER	01-01 12-31	.02	CFS LICENSE
					TOTAL QUANTITY:	.02 CFS
NON-IRRIGATION-USES: STOCKWATER, 292 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT						
POINT OF DIVERSION: T01S R05W S28 NENWNE						
PLACE OF USE: STOCKWATER T01S R05W S17 SESE S28 NWNE						
REMARKS: 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. BLM RECORD ID = 5701588023 SOURCE ALSO KNOWN AS BLACKSTOCK SPRING NO. 1						
57-02365B	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	01/24/1942	STOCKWATER	04-01 10-31	.02	CFS LICENSE
					TOTAL QUANTITY:	.02 CFS
NON-IRRIGATION-USES: STOCKWATER, 338 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT						
POINT OF DIVERSION: T01S R05W S28 SENWNE						
PLACE OF USE: STOCKWATER T01S R05W S18 SNNW S28 NWNE						
REMARKS: 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. BLM RECORD ID = 5701581819 SOURCE ALSO KNOWN AS BLACKSTOCK SPRING NO. 2						

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MAR 02 1998

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
57-02365A	01S	05W	28	NE	NW	NE		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A57-02365A NONE

WR RECORDS IN SAME 40 ACRE TRACT
57-02365

SOURCE: BLACKSTOCK SPRING

TRIB: DEAD HORSE CREEK

B. WR POINT OF DIVERSION AND SOURCE:

5702365A THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: SPRING

TRIB:

C. FIELD EXAM REQUIRED?

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

NOTES:

No overlaps.

No overlaps at NW location.

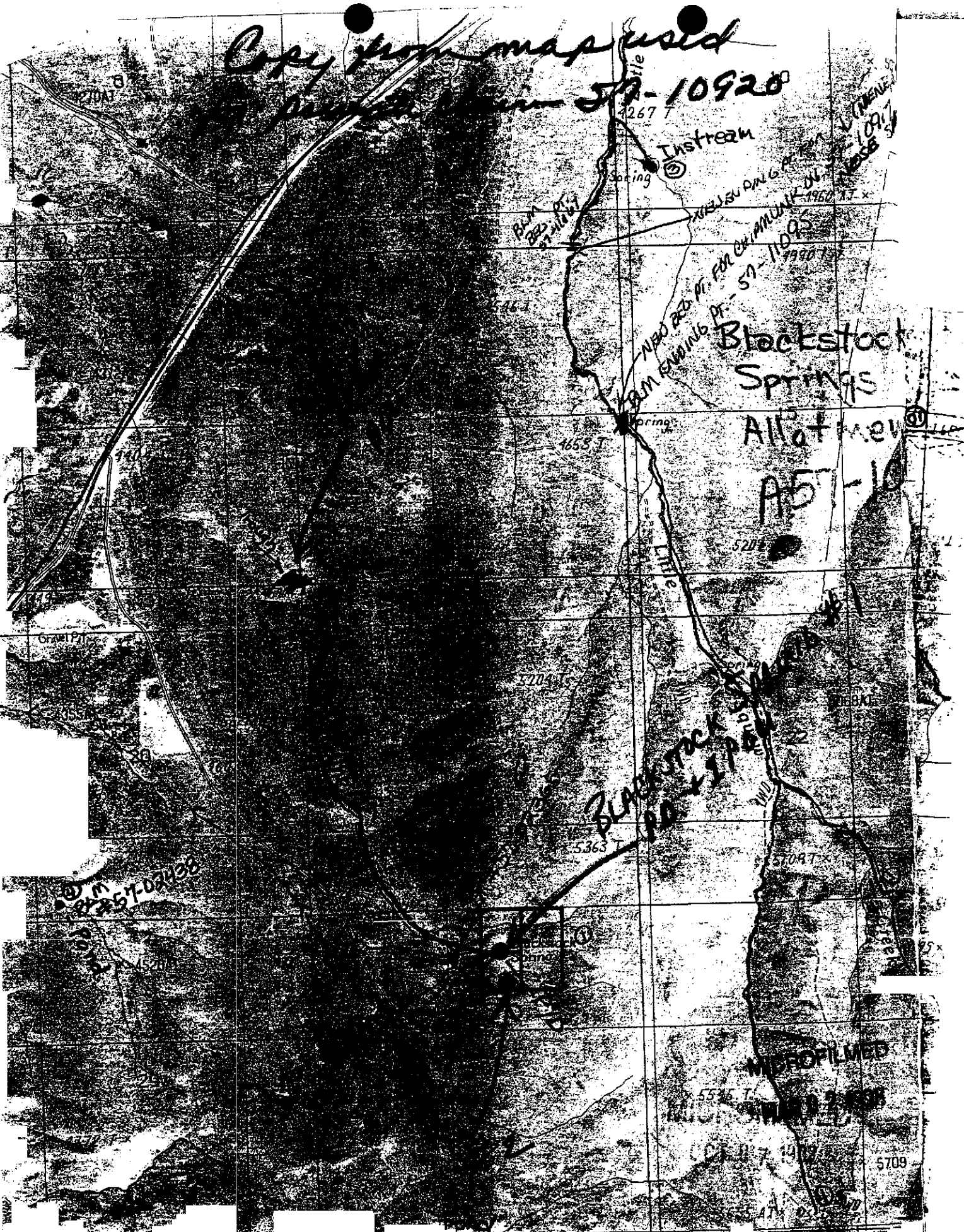
Other recommendations for "Blackstock Jr":

57-11215: Fed. law claim (NWNNE)

57-02365B: sister to this pt., original rec. to
SE NWNNE, also obj. to POD

MAR 02 1998
MICROFILMED

Copy from map used
57-10920



Instream

Blackstock
Springs

Allotment

A57-10

Blackstock
RD 1700

MICROFILMED

5709

BASIN 57
OBJECTION FILE
AGENT NOTES

CLAIM NO.: 57-02365A

PARTIES:

[] Individual vs Individual [] BLM vs Individual
[] Individual vs Department [X] BLM vs Department
[] Individual vs BLM [] General Provisions

SUMMARY OF OBJECTION:

Point of Diversion Change.

AGENTS RESPONSE:

[] NO RESPONSE

Right recommended as claimed, however,
per attached map (from file) it appears
that the 10-acre parcel is the SWNWNE
5.28, so OK to change Claim filed
+ right recommended for the NENWNE.
ON-LINE
BETWEEN
NENWNE +
SWNWNE

NOTE: Map also shows Blackstock Spring
#2 per 57-02365B's objection.

AGENT:

Jan Thurtell

DATE:

3-15-92

MICROFILMED
MAR 02 1992

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: BLACKSTOCK SPRING		TRIBUTARY: DEAD HORSE CREEK				

57-02365A US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

01/24/1942 STOCKWATER 01-01 12-31 .02 CFS LICENSE

TOTAL QUANTITY: .02 CFS

NON-IRRIGATION-USES:
STOCKWATER, 292 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT
POINT OF DIVERSION:
T01S R05W S28 ~~SEWNW~~ → ~~SEWNW~~ NE
PLACE OF USE: STOCKWATER

T01S R05W S17 SESE
S28 NWNE
REMARKS: 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.
BLM RECORD ID = 5701588023
SOURCE ALSO KNOWN AS BLACKSTOCK SPRING NO. 1

57-02365B US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

01/24/1942 STOCKWATER 04-01 10-31 .02 CFS LICENSE

TOTAL QUANTITY: .02 CFS

NON-IRRIGATION-USES:
STOCKWATER, 338 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT
POINT OF DIVERSION:
T01S R05W S28 ~~SEWNW~~ → ~~SEWNW~~ NE
PLACE OF USE: STOCKWATER

T01S R05W S18 SWNW
S28 NWNE
REMARKS: 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.
BLM RECORD ID = 5701581819
SOURCE ALSO KNOWN AS BLACKSTOCK SPRING NO. 2

to be
Changes made per objection filed
+ legal's request. Sent to D.O.
on 4-20-93.

MICROFILMED
APR 27 1993

Movant's Name:

UNITED STATES OF AMERICA

Attorneys' Names and Addresses:

LOIS J. SCHIFFER
Assistant Attorney General
Environment and Natural Resources Division

DARIA J. ZANE
R. LEE LEININGER
WILLIAM M. FERRY
PAUL F. HOLLEMAN
Attorneys, Department of Justice
General Litigation Section
Environment and Natural Resources Division
P.O. Box 663
Washington, D.C. 20044-0663
(202) 272-8351, (202) 272-4692

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 Nos. See Attached List
	)	
Case No. 39576	)	STIPULATION TO RESET HEARING
	)	SCHEDULED BEFORE A SPECIAL
	)	MASTER AND MOTION TO CONTINUE
	)	RELATED BRIEFING AND REQUEST FOR
	)	EXPEDITED CONSIDERATION THEREOF

DESCRIPTIVE SUMMARY

This is a Stipulation by the United States on behalf of the Bureau of Land Management to reset a scheduled hearing on Standard Forms 5 for those subcases listed in Attachment A and motion to continue the deadline for briefing of certain issues related to those subcases.

Stipulation to Reset Hearing
and Motion to Continue Briefing

MICROFILMED
MAR 02 1998

RECEIVED

MAR 01 1996

Department of Water Resources

1996 FEB 28 PM 4: 56

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

) Subcase Nos.: See Attached Exhibit A
)
)
)
)
)

ORDER ON STATUS CONFERENCE

On February 27, 1996 at 9:00 a.m. and on February 28, 1996 at 11:30 a.m., the court held Status Conferences in the aforementioned cases. Lee Leininger and Fritz Holleman appeared by telephone on behalf of the United States. Richard Burleigh was present for the Idaho Department of Water Resources. The purpose of the hearing was to discuss the status of various *Standard Forms 5 (SF5s)* pending before the court. Having discussed the status of those pending *SF5s* with the parties, IT IS HEREBY ORDERED as follows:

1. The United States shall prepare a report due March 7, 1996 at 5:00 p.m. establishing which dual based claims exist in relation to the aforementioned subcases before the court. Once the court has had an opportunity to review that report, the court will order consolidation of those companion cases.
2. Summary Judgment Motions and briefs shall be filed with the court by April 16, 1996 by 5:00 p.m.

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MAR 27 1996

ORIGINAL OF
THESE DOCUMENTS
Filed in:
57-02362

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FEB 26 1996
Department of Water Resources
Adjudication Bureau

57-0236SA

1996 FEB 23 PM 3:11

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

) Subcase Nos.: See Attached Exhibit A
)
)
)

ORDER DENYING STIPULATION TO
RESET HEARING

On February 22, 1996, the United States Bureau of Land Management filed a *Stipulation to Reset Hearing Scheduled Before a Special Master and Motion to Continue Related Briefing and Request for Expedited Consideration Thereof (Stipulation)*. Having reviewed the *Stipulation* the court **denies** the motion. However, the court shall extend the period to file briefing to March 8, 1996 by 5:00 p.m.

Having reviewed the *Stipulation* the court notes that there are other possible issues that require resolution prior to accepting the *Standard Forms 5* currently before the court. Therefore, the United States is ordered to submit by 5:00 p.m. on Monday, February 26, 1996, a comprehensive list of any and all issues that require resolution prior to accepting the *Standard Forms 5*. The court shall hear a Status Conference on February 27, 1996 at 9:00 a.m. to consider the list of issues by the United States and to consider whether or not to extend the hearing and briefing dates in the aforementioned subcases.

IT IS SO ORDERED.

DATED February 23, 1996.

Fritz X. Haemmerle
FRITZ X. HAEMMERLE
Special Master, Reporting Area 2
Snake River Basin Adjudication

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See file 57-02362
for complete
document. *rk*

Movant's Name:

UNITED STATES OF AMERICA

Attorneys' Names and Addresses:

LOIS J. SCHIFFER
Assistant Attorney General
Environment and Natural Resources Division

DARIA J. ZANE
R. LEE LEININGER
PAUL F. HOLLEMAN
WILLIAM M. FERRY
Attorneys, Department of Justice
General Litigation Section
Environment and Natural Resources Division
P.O. Box 663
Washington, D.C. 20044-0663
(202) 305-0242

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 Nos.: See Attached Exhibit A
	)	
Case No. 39576	)	LIST OF ISSUES REGARDING FORM AND
	)	CONTENT OF STOCKWATERING RIGHTS

DESCRIPTIVE SUMMARY

This is the United States' list of issues regarding the form and content of stockwatering rights and decrees.

DISCUSSION

Pursuant to the Special Master of Basin 57's February 23, 1996 Order Denying Stipulation to Reset Hearing, the United States submits the following list on the issues that require resolution regarding the Standard Forms 5 for the above referenced subcases:

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57-02362
for complete
copy of document
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Department of Water Resources

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

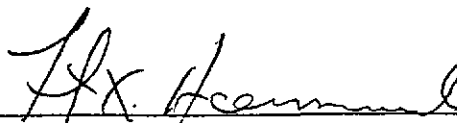
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Subcase Nos.: See Attached Exhibit A
	)	
Case No. 39576	)	ORDER VACATING STATUS
	)	CONFERENCE
_____	)	

On January 26, 1996, this court issued its *Order Appoint Expert Witness Pursuant to I.R.E. 706 and Order Setting Hearing on Standard Forms 5*, which set a hearing for March 11, 1996 at 2:00 p.m. Subsequently, on February 28, 1996, this court issued its *Order on Status Conference*, which set new filing deadlines and hearing dates for the above subcases.

Therefore, IT IS ORDERED that the Status Conference previously set for March 11, 1996 at 2:00 p.m. is *vacated*. All deadlines and dates set forth in the *Order on Status Conference* shall remain in force and effect.

DATED March 7, 1996.



FRITZ X. HAEMMERLE
Special Master, Reporting Area 2
Snake River Basin Adjudication

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Department of Water Resources

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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

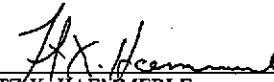
Subcases: See Exhibit A

ORDER VACATING SUMMARY
JUDGMENT HEARING

The summary judgment hearing is currently scheduled for the above referenced subcases on April 23, 1996 at 1:30 p.m. Most of the issues to addressed in that summary judgment are addressed under issues outlined under Basin-Wide Issue 12. Basin-Wide Issue 12 is set to be heard on May 15, 1996. Because a resolution of the issues in Basin-Wide Issue 12 will address the issues set forth in the summary judgment currently scheduled for April 23, 1996, the court hereby vacates that summary judgment hearing.

IT IS SO ORDERED.

DATED April 17, 1996.


FRITZ X. HAEMMERLE
Special Master, Reporting Area 2
Snake River Basin Adjudication

ORDER VACATING SUMMARY
JUDGMENT HEARING
4/17/96

Page 1

EXHIBIT A

Subcase Nos:

57-02362 57-11335
57-02365A 57-11337
57-02379 57-11360
57-02380 57-11367
57-02382 57-11375
57-02407 57-11376
57-02419 57-11377
57-02423 57-11379
57-02429 57-11380
57-07056 57-11382
57-07298 57-11385
57-07335 57-11398
57-07417 57-11399
57-07431 57-11422
57-07442 57-11424
57-10960 57-11449
57-10960A 57-11450
57-10977 57-11452
57-10977A 57-11453
57-10980 57-11454
57-10980A 57-11463
57-10981 57-11464
57-10981A 57-11465
57-10984 57-11469
57-10984A 57-11471
57-10985 57-11473
57-10985A 57-11475
57-10994 57-11476
57-10994A 57-11477
57-11013A 57-11480
57-11048 57-11482
57-11049A 57-11483
57-11078A 57-11484
57-11085 57-11486
57-11085A 57-11487
57-11108 57-11488
57-11150 57-11489
57-11154 57-11490
57-11155 57-11494
57-11171
57-11195
57-11201
57-11246
57-11284
57-11286
57-11287
57-11304
57-11317A
57-11331
57-11333

(Subcase list: 57SF59BLM)
Page 4 4/17/96

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See file 57-02362
for complete document
K

ELEMENTS OF STOCKWATER RIGHTS (2nd)

In Re SRBA
Twin Falls County Civil Case No. 39576
Sub-Case No.: See Attached Exhibit A

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources
Karl J. Dreher, Director
David B. Shaw, Adjudication Bureau Chief

March 18, 1996

Subcase Nos:

57-02362 57-11335
57-02365A 57-11337
57-02379 57-11360
57-02380 57-11367
57-02382 57-11375
57-02407 57-11376
57-02419 57-11377
57-02423 57-11379
57-02429 57-11380
57-07056 57-11382
57-07298 57-11385
57-07335 57-11398
57-07417 57-11399
57-07431 57-11422
57-07442 57-11424
57-10960 57-11449
57-10960A 57-11450
57-10977 57-11452
57-10977A 57-11453
57-10980 57-11454
57-10980A 57-11463
57-10981 57-11464
57-10981A 57-11465
57-10984 57-11469
57-10984A 57-11471
57-10985 57-11473
57-10985A 57-11475
57-10994 57-11476
57-10994A 57-11477
57-11013A 57-11480
57-11048 57-11482
57-11049A 57-11483
57-11078A 57-11484
57-11085 57-11486
57-11085A 57-11487
57-11108 57-11488
57-11150 57-11489
57-11154 57-11490
57-11155 57-11494
57-11171
57-11195
57-11201
57-11246
57-11284
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57-11304
57-11317A
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57-11333

Exhibit A

See file 57-02362 for
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Department of Water Resources

MAR 29 1996
FIVE O'CLOCK
P.M.

Exhibit A

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 Nos.: See Attached Exhibit A
Case No. 39576)
ORDER APPOINTING EXPERT
PURSUANT TO I.R.E. 706

On February 26, 1996, the United States, pursuant to an order of this court, submitted a list of issues regarding form and content of stockwatering rights. A prior order issued pursuant to I.R.E. 706 addressed some of the issues outlined by the United States. That prior order is hereby expanded to address the following issues:

1. Is a remark on combined usage necessary for definition or administration of a *de minimis* water right, and if so, where should the remarks appear in the decree?
2. Should the quantity used in cfs for a *de minimis* water right be based on a 24-hour rate, a 2-hour rate or set constant based on a 13,000 gallons per minute flow rate?

To the extent possible, the Idaho Department of Water Resources shall submit a factual report on these issues. To the extent the report addresses pure legal issues, the court shall on its own motion strike those portions of the report. The report is due by March 18, 1996 at 5:00 p.m. IDWR shall make this report available to the United States.

IT IS SO ORDERED.

DATED February 29, 1996.

Fritz X. Haemmerle
FRITZ X. HAEMMERLE
Special Master, Reporting Area 2
Snake River Basin Adjudication

ORDER APPOINTING EXPERT
PURSUANT TO I.R.E. 706
2/29/96

MAR 02 1996

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Subcase Nos:

57-02362	57-11335
57-02365A	57-11337
57-02379	57-11360
57-02380	57-11367
57-02382	57-11375
57-02407	57-11376
57-02419	57-11377
57-02423	57-11379
57-02429	57-11380
57-07056	57-11382
57-07298	57-11385
57-07335	57-11398
57-07417	57-11399
57-07431	57-11422
57-07442	57-11424
57-10960	57-11449
57-10960A	57-11450
57-10977	57-11452
57-10977A	57-11453
57-10980	57-11454
57-10980A	57-11463
57-10981	57-11464
57-10981A	57-11465
57-10984	57-11469
57-10984A	57-11471
57-10985	57-11473
57-10985A	57-11475
57-10994	57-11476
57-10994A	57-11477
57-11013A	57-11480
57-11048	57-11482
57-11049A	57-11483
57-11078A	57-11484
57-11085	57-11486
57-11085A	57-11487
57-11108	57-11488
57-11150	57-11489
57-11154	57-11490
57-11155	57-11494
57-11171	
57-11195	
57-11201	
57-11246	
57-11284	
57-11286	
57-11287	
57-11304	
57-11317A	
57-11331	
57-11333	

See File 57-02362 for
complete document - VK

ALAN G. LANCE
Attorney General
State of Idaho

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

A. LYNNE KROGH
RICHARD B. BURLEIGH
Deputy Attorneys General
Idaho Department of Water Resources
P.O. Box 44449
Boise, ID 83711-4449
Telephone: (208) 327-7920
Fax: (208) 327-7866

** a copy of front
page put in each
sub-case file.
original document
in BW 12.*

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16

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	)	Sub-case No.: See Attached Exhibit A
	)	
Case No. 39576	)	IDWR'S REPORT RE: ELEMENTS OF
	)	SMALL STOCKWATER RIGHTS
_____	)	

DESCRIPTIVE SUMMARY

This document is IDWR's report regarding the elements of small stockwater rights submitted pursuant to Idaho Code §42-1412(4) at the request of the Special Master.

Exhibit A

Subcase Nos:

57-02362	57-11335
57-02365A	57-11337
57-02379	57-11360
57-02380	57-11367
57-02382	57-11375
57-02407	57-11376
57-02419	57-11377
57-02423	57-11379
57-02429	57-11380
57-07056	57-11382
57-07298	57-11385
57-07335	57-11398
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57-07431	57-11422
57-07442	57-11424
57-10960	57-11449
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57-10984	57-11469
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57-11048	57-11482
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57-11085	57-11486
57-11085A	57-11487
57-11108	57-11488
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57-11333	

(Order Setting SF5 Hearing)
Page 3 1/25/96

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SEP 30 1996

Department of Water Resources

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

In Re SRBA	)	PRELIMINARY SPECIAL
	)	MASTER'S REPORT
Case No. 39576	)	
	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW FOR
	)	
	)	WATER RIGHT 57-02365A

FINDINGS OF FACT

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 (IDWR) examined the water system for Reporting Area 2 and investigated and abstracted the notice of claim for Reporting Area 2 (Basin 57), which includes portions of Owyhee County, State of Idaho. The *Director's Report for Reporting Area 2 (Director's Report)* contained a recommendation or abstract for the elements of this water right.

An objection to the *Director's Report* for water right 57-02365A was filed on February 26, 1993, by the United States Bureau of Land Management. A response was filed on June 30, 1993, by the State of Idaho Department of Water Resources. Subcase 57-02365A involves a stock water and/or wildlife claim filed by the United States Bureau of Land Management (BLM). A *Standard Form 5 - Stipulated Elements of a Water Right* was filed on January 22, 1996. The only signatory to the *Standard Form 5* is the claimant/objector, the United States Bureau of Land Management. The Idaho Department of Water Resources did not concur in the *Standard Form 5* and filed its *IDWR Report Re: Review of Standard Form 5*.

Because of the failure of IDWR to sign the *Standard Form 5* the United States filed a *Motion to Designate Basin Wide Issue 12* (BWI). The purpose of BWI 12 was to resolve all disputes the United States had with IDWR involving stock water rights. Subsequently, Special Master Haemmerle entered his opinion on BWI 12. The Special Master incorporates that decision by reference.

CONCLUSIONS OF LAW

Under *SRBA Administrative Order 1*, a Special Master is required to make a recommendation to the Presiding Judge as to whether and how a water right should be decreed.

Consistent with the recommendation of the *Second Amended Special Master's Recommendation Re: Basin Wide Issue 12* (Aug. 12, 1996) and with these findings and as a matter of law the Special Master recommends water right 57-02365A as listed on the attached *Preliminary Special Master's Recommendation* for Partial Decree.

DATED September 26, 1996.


FRITZ X. HAEMMERLE
Special Master, Reporting Area 2
Snake River Basin Adjudication

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MAR 02 1998

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)
)
)
)
)
)

PRELIMINARY

1996 SEP 26 PM 11:31
SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR
DISTRICT COURT-553A
TWIN FALLS CO, IDAHO
Water Right 57-02365A
FILED *DF*

NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

SOURCE: BLACKSTOCK SPRING TRIBUTARY: DEAD HORSE CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 01/24/1942

POINT OF DIVERSION: T01S R05W S28 SWNWNE Within Owyhee County

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
T01S R05W S17 SESE
S28 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.

DATED: *SEP* 26 1996

Fritz X. Haemmerle
FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

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DISTRICT COURT-S. I.
TWIN FALLS CO. IDAHO
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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)
)
Case No. 39576)
)
_____)

NOTICE OF ISSUANCE OF
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right(s): 57-02365A

On September 26, 1996, Special Master FRITZ X HAEMMERLE issued a PRELIMINARY SPECIAL MASTER'S REPORT and a PRELIMINARY SPECIAL MASTER'S RECOMMENDATION pursuant to SRBA Administrative Order 1 sections 11 (e) and (f).

These documents are served only on parties to the subcase. They are not served on the Presiding Judge. Parties to this subcase may file a Motion for Reconsideration or a Motion to Correct Clerical Errors with the Special Master, but must do so before October 10, 1996.

DATED September 26, 1996.

Debbie Lash
DEBBIE LASH
Deputy Clerk

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MAR 2 1998

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SEP 30 1996
Department of Water Resources

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DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED *[Signature]*

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): 57-02365A

CERTIFICATE OF MAILING

I certify that a true and correct copy of PRELIMINARY SPECIAL MASTER'S REPORT, PRELIMINARY SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF PRELIMINARY SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on September 26, 1996, with sufficient first-class postage prepaid to the following:

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

CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720

K. JACK HAUGRUD
U.S. DEPARTMENT OF JUSTICE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724-0663

[Signature: Debbie Lash]
DEBBIE LASH
Deputy Clerk

MICROFILMED
MAR 02 1998

CERTIFICATE OF MAILING

PAGE 1
09/26/96

ALAN G. LANCE
Attorney General
State of Idaho

COPY

RICHARD B. BURLEIGH
Deputy Attorney General
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098
Telephone: (208) 327-7900
FAX: (208) 327-7866

FEB 16 AM 11:33
DISTRICT COURT-5th
TWIN FALLS, IDAHO
FILED

Attorney for IDWR

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 No. 57-02365A
	)	
	)	IDWR REPORT RE: REVIEW
Case No. 39576	)	OF STANDARD FORM 5
	)	
	)	

DESCRIPTIVE SUMMARY

IDWR submits this report to inform the Court and the parties that IDWR has reviewed the Standard Form 5 submitted by the parties in this subcase and that the Director has chosen not to sign the Standard Form 5.

DISCUSSION

The Director did not sign the Standard Form 5 for the reasons set forth below:

1. The description of the elements of the water right in the Standard Form 5 are not correct as stated below:

- [] Name and Address
- [] Source
- [] Quantity
- [] Priority Date

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MAR 02 1988

[] Point of Diversion

[X] Purpose of Use

Although no objection was filed to the description of the purpose of use of this water right in the director's report, the Standard Form 5 seeks to change the description of the purpose of use in two ways.

First, the Standard Form 5 seeks to change the purpose of use from "STOCKWATER" to "STOCKWATER" and "WILDLIFE". Claim No. A57-02365A is a claim based on Idaho Code §42-501. I.C. §42-501 provides for livestock use only; wildlife use cannot be included as a purpose of use for an appropriation under Idaho Code §42-501.

Second, the Standard Form 5 omits the further description of non-irrigation use. IDWR included in its recommendation a further description of non-irrigation uses that states: "STOCKWATER, 292 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT". This language was included pursuant to Idaho Code §42-1411(2)(f), which provides for IDWR to determine the purpose(s) of use of a water right to the extent the director deems appropriate to define and administer the water right, and 42-1411(2)(j), which further provides for IDWR to include such other matters as the director deems appropriate to define and administer the water right. IDWR recognizes that wildlife preservation is an appropriate use of public lands, and to the extent the United States has a right to water for stockwatering purposes, wildlife might also drink from the source. This language recognizes wildlife use as incidental to stockwater use but does not recognize wildlife as a purpose of use of the water right independent from stockwater use.

Further description of stockwater uses by the type and number of head is also provided. This description of non-irrigation uses defines the water right with sufficient specificity to prevent future expansions in use that would enlarge the water right and cause injury to other water rights. This is particularly true for stockwater rights because a reasonable rate of flow (cfs) for such rights is capable of producing an annual diversion volume that is significantly in excess of the volume of water required for drinking by the stock for which the water was appropriated.

The omission of the further description of non-irrigation uses from Standard Form 5s for water rights acquired under state law by the United States for stockwater purposes is currently the subject of further proceedings in Reporting Area 1, Basin 34, Subcase No. 34-04179.

☐ Period of Use

☐ Place of Use

☐ Consumptive Use

☒ Other Matters Necessary to Define or Administer the Right

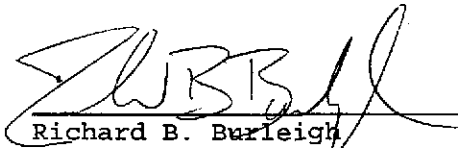
The Standard Form 5 omits the following statement, "THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT." This statement is necessary to limit the use of this water right in combination with other rights claimed and recommended for the same use. In the case of BLM stockwater rights, combined use occurs where the BLM claims a separate right to each of a number of water sources, each for use by the full number of cattle on the allotment. Each right is

quantified based on the total use for the allotment, to allow the grazing permittee to take the full amount of water needed from any combination of the sources within the allotment. Since each right is quantified based on the total use within the allotment, the combined use must also be limited to that same total, thereby avoiding the misconception that the rights are additive.

2. The Standard Form 5 was not signed by the Director for other reasons as stated below:

☐ Federal Reserved Water Right

☐ Other


Richard B. Burleigh
Deputy Attorney General
Idaho Department of Water Resources

MICROFILMED

MAR 02 1988

CERTIFICATE OF MAILING

I certify that on February 15, 1996, 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
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

U.S. Department of Justice
Environment and Natural Resources Division
550 West Fort St., MSC 033
Boise. ID 83724



Signature of person or attorney
mailing the form

MICROFILMED

MAR 02 1996

IN Re SRBA
Case No. 39576

PROPOSED ELEMENTS OF A WATER RIGHT

MAR 02 1998

1. The name and address of the claimant is:

U. S. Department of Interior
Bureau of Land Management
Idaho State Office
3380 Americana Terrace
Boise, ID 83706

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

2. The source of water is: Blackstock Spring

The source is also known Blackstock Spring No. 1

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

3. The quantity of water used in cubic feet per second or the quantity of water stored in acre-feet per year is:

.02 CFS

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

4. The priority date is: 01/24/42

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

5. The legal description of point(s) of diversion is; if the claim is for an instream flow, then a legal description of the beginning and ending points of the claimed instream flow:

T01S R05W S28 SWNWNE

Required Statement: The element as recommended originally was incorrect. The change reflects an accurate description of the element. IDWR had previously reviewed this change and recommended it.

6. The purpose of use is: Stockwater, Wildlife

Required Statement: The provisions "292 range cattle" and "variable amount" are not necessary to define the right.

RECORDED
INDEXED

7. The period of year when the water is to be used is:

01/01 - 12/31

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

8. The legal description of the place of use or of the reservation is:

Stockwater
T01S R05W S17 SESE
S28 NWNE

All POU's are located in Owyhee County.

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

9. The annual volume of consumptive use is: De Minimis

Required Statement: This accurately describes this element of the water right.

10. Other matters necessary to define this water right:

These matters are necessary because: The remark originally included in the Director's Report is not necessary to define the right.

These matters do not fall within the 9 elements listed above because:

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MAR 02 1998

Signature and Address of Parties and their Attorney of Record
(attach additional page if necessary)

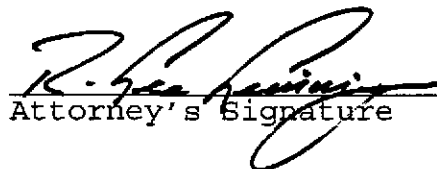
I have read this form and know its contents and that the
statements are true to the best of my knowledge and belief.

Name of Objector:

Name: United States through
Dept. of Justice for BLM
Address: 601 Pennsylvania Ave., NW
City/State: Washington, DC 20004
Attorney of Record: R. Lee Leininger\Daria Zane\William Ferry

Signature

Date

 12/18/95
Attorney's Signature Date

Name of Claimant:

Name: United States through
Dept. of Justice for BLM
Address: 601 Pennsylvania Ave., NW
City/State: Washington, DC 20004
Attorney of Record: R. Lee Leininger\Daria Zane\William Ferry

 12/18/95
Attorney's Signature Date

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MAR 02 1998

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

 DATE: OCT-13-1992
 PAGE: A-50

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: BLACKSTOCK SPRING		TRIBUTARY: DEAD HORSE CREEK				
57-02365A	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	01/24/1942	STOCKWATER	01-01 12-31	.02	CFS LICENSE
TOTAL QUANTITY:					.02	CFS
NON-IRRIGATION-USES: STOCKWATER, 292 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT POINT OF DIVERSION: T01S R05W S28 NENWNE PLACE OF USE: STOCKWATER T01S R05W S17 SESE S28 NENE REMARKS: 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. BLM RECORD ID = 5701588023 SOURCE ALSO KNOWN AS BLACKSTOCK SPRING NO. 1						
57-02365B	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	01/24/1942	STOCKWATER	04-01 10-31	.02	CFS LICENSE
TOTAL QUANTITY:					.02	CFS
NON-IRRIGATION-USES: STOCKWATER, 338 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT POINT OF DIVERSION: T01S R05W S28 SENWNE PLACE OF USE: STOCKWATER T01S R05W S18 SWNW S28 NENE REMARKS: 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. BLM RECORD ID = 5701581019 SOURCE ALSO KNOWN AS BLACKSTOCK SPRING NO. 2						

INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on January 18, 1996, 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
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

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

U.S. Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Robert J. Smith

Signature of person or attorney
mailing the form

1993 OCT 23 PM 2:36
DISTRICT COURT-SRBA
TWIN FALLS CO, IDAHO
FILED

RECEIVED
OCT 24 1993
OFFICE OF THE
ATTORNEY GENERAL

**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	)	SPECIAL MASTER'S REPORT
	)	
Case No. 39576	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW FOR
	)	
	)	WATER RIGHT 57-02365A
	)	

FINDINGS OF FACT

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 (IDWR) examined the water system for Reporting Area 2 and investigated and abstracted the notice of claim for Reporting Area 2 (Basin 57), which includes portions of Owyhee County, State of Idaho. The *Director's Report for Reporting Area 2 (Director's Report)* contained a recommendation or abstract for the elements of this water right.

An objection to the *Director's Report* for water right 57-02365A was filed on February 26, 1993, by the United States Bureau of Land Management. A response was filed on June 30, 1993, by the State of Idaho Department of Water Resources. Subcase 57-02365A involves a stock water and/or wildlife claim filed by the United States Bureau of Land Management (BLM). A *Standard Form 5 - Stipulated Elements of a Water Right* was filed on January 22, 1996. The only signatory to the *Standard Form 5* is the claimant/objector, the United States Bureau of Land Management. The Idaho Department of Water Resources did not concur in the *Standard Form 5* and filed its *IDWR Report Re: Review of Standard Form 5*.

MAIL2279



Because of the failure of IDWR to sign the *Standard Form 5* the United States filed a *Motion to Designate Basin Wide Issue 12* (BWI). The purpose of BWI 12 was to resolve all disputes the United States had with IDWR involving stock water rights. Subsequently, Special Master Haemmerle entered his opinion on BWI 12. The Special Master incorporates that decision by reference.

CONCLUSIONS OF LAW

Under *SRBA Administrative Order 1*, a Special Master is required to make a recommendation to the Presiding Judge as to whether and how a water right should be decreed.

A *Preliminary Special Master's Report and Recommendation; Findings of Fact and Conclusion of Law*, was issued for subcase 57-02365A on September 26, 1996. No Motion to Reconsider or Motions to Correct Clerical Errors were filed, and the time for such motions has now expired.

Consistent with the recommendation of the *Second Amended Special Master's Recommendation Re: Basin Wide Issue 12* (Aug. 12, 1996) and with these findings and as a matter of law the Special Master recommends water right 57-02365A as listed on the attached *Special Master's Recommendation* for Partial Decree.

DATED October 23, 1996.



FRITZ X. HAEMMERLE
Special Master, Reporting Area 2
Snake River Basin Adjudication

1996 OCT 23 PM 2:36

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED 10/23/96

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 REPORT
AND RECOMMENDATION

Water Right(s): 57-02365A

On October 23, 1996, Special Master FRITZ X HAEMMERLE issued a SPECIAL MASTER'S REPORT AND RECOMMENDATION for the above subcase pursuant to SRBA Administrative Order 1 (AO1), Section 9.

Pursuant to SRBA Administrative Order 1, Section 14b, any party to the adjudication may file a Notice of Challenge to a SPECIAL MASTER'S REPORT AND RECOMMENDATION within 21 days following the date of publication of the filing of the Special Master's report in the Docket Sheet except parties to the subcase who failed to file a Motion to Alter or Amend before the Special Master (AO1, Section 9f). The Notice of Challenge shall appear on the Docket Sheet and shall be served on parties to the subcase(s) covered by the challenged report and the SRBA Court Reporter.

DATED October 23, 1996.


DEBBIE LASH
Deputy Clerk

1996 OCT 23 PM 2:36

DISTRICT COURT-SRBA
TWINFALLS CO., IDAHO
FILED 192

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): 57-02365A

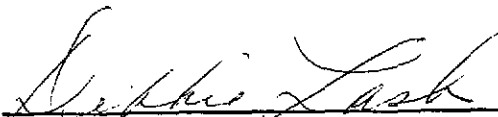
CERTIFICATE OF MAILING

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 October 23, 1996, with sufficient first-class postage prepaid to the following:

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

CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720

K. JACK HAUGRUD
U.S. DEPARTMENT OF JUSTICE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724-0663


DEBBIE LASH
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
10/23/96

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 57-02365A

DISTRICT COURT SRE
FIFTH JUDICIAL DISTRICT
COUNTY OF TWIN FALLS

DEC 12 1996

DEPUTY CLERK

NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709

SOURCE: BLACKSTOCK SPRING TRIBUTARY: DEAD HORSE CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 01/24/1942

POINT OF DIVERSION: T01S R05W S28 SWNWNE Within OWYHEE County

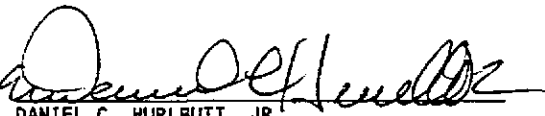
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE STOCKWATER	PERIOD OF USE 01-01 12-31	QUANTITY 0.02 CFS
-------------------------------	------------------------------	------------------------------	----------------------

PLACE OF USE: STOCKWATER Within OWYHEE County
T01S R05W S17 SESE
S28 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.

DATED: Dec 12 1994


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

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.

DATED: Dec 12 1996

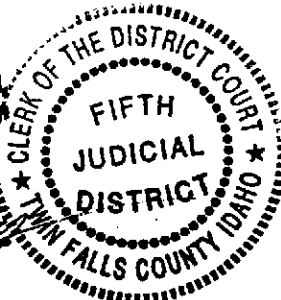

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

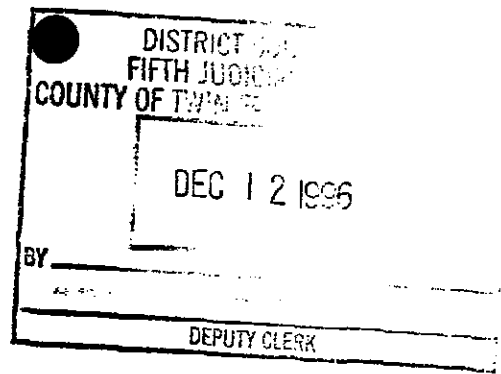
PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-02365A

ss.
I hereby certify the foregoing to be a full
true and correct copy of the original as
file in the above entitled action.

ROBERT S. FORT
CLERK OF THE DISTRICT COURT

By 
DEPUTY CLERK





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

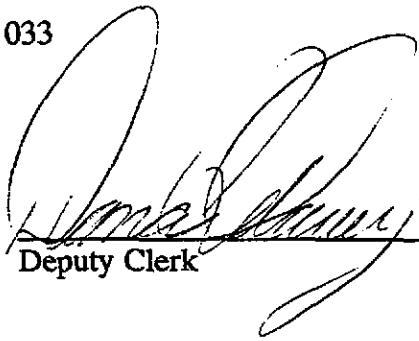
CERTIFICATE OF MAILING

For Water Right 57-02365A

I certify that a true and correct copy of the *Order of Partial Decree for Water Right 57-2365A and Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 57-02365A* was mailed on December 12, 1996 with sufficient first-class postage prepaid to the following:

Director of IDWR
P.O. Box 83720
Boise, ID 83720-0098

U.S. Department of Justice
Environment &
Natural Resources Div
550 West Fort Street, MSC 033
Boise, ID 83724


Deputy Clerk

RECEIVED

DEC 17 1996

Department of Water Resources

DISTRICT OF FIFTH JUDICIAL COUNTY OF TWIN FALLS
DEC 12 1996
BY _____
DEPT. 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

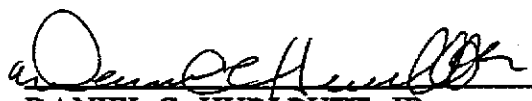
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 57-02365A
_____	)	

On October 23, 1996, 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 14a, 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 57-02365A be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED December 12, 1996.



DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

CLAIM NO. 57-02365A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET
FOR PREVIOUSLY RECORDED BLM RIGHTS

1. ☒ No Overlap with Claim by Private Individual - OWNERSHIP
☒ Overlaps with Claim by Private Individual
Claim No(s). 57-10920 - See remarks on back
☒ Private claimant notification letter sent - Date _____
☒ Overlapping Federal Claim
Claim No(s). 57-11215
2. ☒ No Change - DATE OF PRIORITY - Claim matches existing license or decree
☐ Change - Claim does not match existing license or decree
Priority date, per IDWR records, is _____
3. ☐ No Change - SOURCE - Blackstock Spring with Dead Horse Creek
Source, per IDWR records, is with remark AKA Blackstock
was changed per map. Spring No. 1. CHANGED BY ADDITION
OF 1 SPRING TO TOTAL 2 - NO
4. ☒ No Change - POINT OF DIVERSION - Claim matches existing license or decree 10-acre tract added.
☐ Point of diversion has changed - Map attached. INCREASE IN CFS.
Twp _____, Rge _____, Sec _____, _____ 1/4, _____ 1/4, _____ 1/4
How was this verified? _____
5. N/A
6. ☐ No Change - WATER USES Delute Wildlife - not licensed
Uses, per IDWR records:
- | Use | From | To | Amount | cfs | af |
|-----|------|----|--------|-----|----|
| Use | From | To | Amount | cfs | af |
7. ☒ No Change - TOTAL RATE AND VOLUME 1/2 of orig, orig cfs = .02 cfs &
Total rate and volume, per IDWR records: _____ cfs _____ afa for riparian right
8. N/A
9. ☒ No Change - NON-IRRIGATION USES: Completed on claim Not on orig.
Incomplete on claim - Per IDWR records: license
- Domestic - No. of homes _____ Stockwater - No. of head _____
- Other: _____

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OCT 07 1992

10.

No Change - PLACE OF USE

Place of Use has changed as shown - Map attached

Use	Twp.	Rge.	Sec.	1/4	1/4
STOCKWATER	15	5W	28	NW	NE
"	15	5W	17	SE	SE

- same as received
added per pipeline
installer

How was this verified?

Map with private claimant
who filed for this st. on BLM ground also
shows same pl. of use marked on map. Copy of
map attached.

Remarks: (Comments pertinent to review)

Also BLM map

attached.

Deleted Blackstock Spring source &
P.D. & POU in SEBE, J. 17 & remarks
concerning 2 P.D.'s in SWNWKE (these are
both covered by this claim & 57-02365B.) and
took Blackstock Spring & this out of
multiple source remark.

Federal claim 57-11215 overlaps this split
only - see copy of BLM map showing BLM FO #'s
for this claim & 57-11215 as overlapping & not

Review Completed by:

Jan Thurtell
signature

Date:

9-17-92

overlapping for the B portion - it was listed
by itself?

One of the maps used
57-10920

the stream
600
57-10920

Blackstock
Springs

All of me

ABT-1

MICROFILM

net 27 19

FOR FARMS OF 50 ACRES

Application No. D-168

Permit No. D 163 57-2365

District No. 1-C-145 Given Hot Spring, 19, Blackstock Spring

1. Name of Applicant.....**GRAZING SERVICE, U.S. DEPARTMENT OF THE INTERIOR**.....

2. Post Office Address Box 728, Pocatello, Idaho

3. Quantity of water claimed. 0.3568 c.f.s. 1-24-1942
(Not to exceed 0.1 second foot or 5 acre feet)

4. Source of water supply Spring
(Spring, well, unnamed stream, small lake, snow, or runoff)

5. Location of point of diversion.....feet distant from the.....corner of Section.....

Two _____ Rge _____ B. M. and is in the _____ 1/4 of the _____ 1/4 of Section _____, Twp. _____, Rge _____, B. M.

in the County of _____

6. Location of point of use.....S 70°00' E 3312'.....feet distant from the.....NW.....corner of Section.....23.....

Twp. 1, Rge. 5 W, B. M., and in the NW¹/₄ of the NE¹/₄, Sec. 28, Twp. 1 S, Rge. 5 W

Water to be used for watering livestock 1/1 - 12/31

8. Estimated cost of works 350.36

9. Kind of works.....excavated waterhole, spring

10. Size

11. Time required to apply water to proposed use:

12. If reservoir is used, fill in the following in addition to the above questions: **completed**

(a) Height of dam _____ feet: Length at top _____ feet.

(b) Material from which dam is constructed.....

(c) The outlet of the proposed reservoir is located _____ feet from the _____ corner of _____.

Section....., Twp....., Rge....., B. M.

REMARKS:

NO # OF HEAD
DESIGNATED ON THIS
COPY OF ORIG. D PERMIT
NO. 163-NOW 57-02365A + B

Applicant: ~~GRAZING SERVICE, U.S. DEPT. OF INTERIOR~~ agent: ~~GEO. E. TUCKER, IMPROVEMENT SUPERVISOR~~

S 70°00' E 3312', Twp. 1 S., Rge. 5 W.

[illegible]

MICROFILMED

OCT 07 1992

WR0749NP
No. 57-02365

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 09/12/92
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	01/24/1942	STOCKWATER	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: SPRING

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01S R05W S28 NW NE

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	
01S	05W	28	:			S		:					:					:					:

Pou County: OMYHEE

Dates:	App. Received:	Priority Date:	01/24/1942
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	08/31/1981	

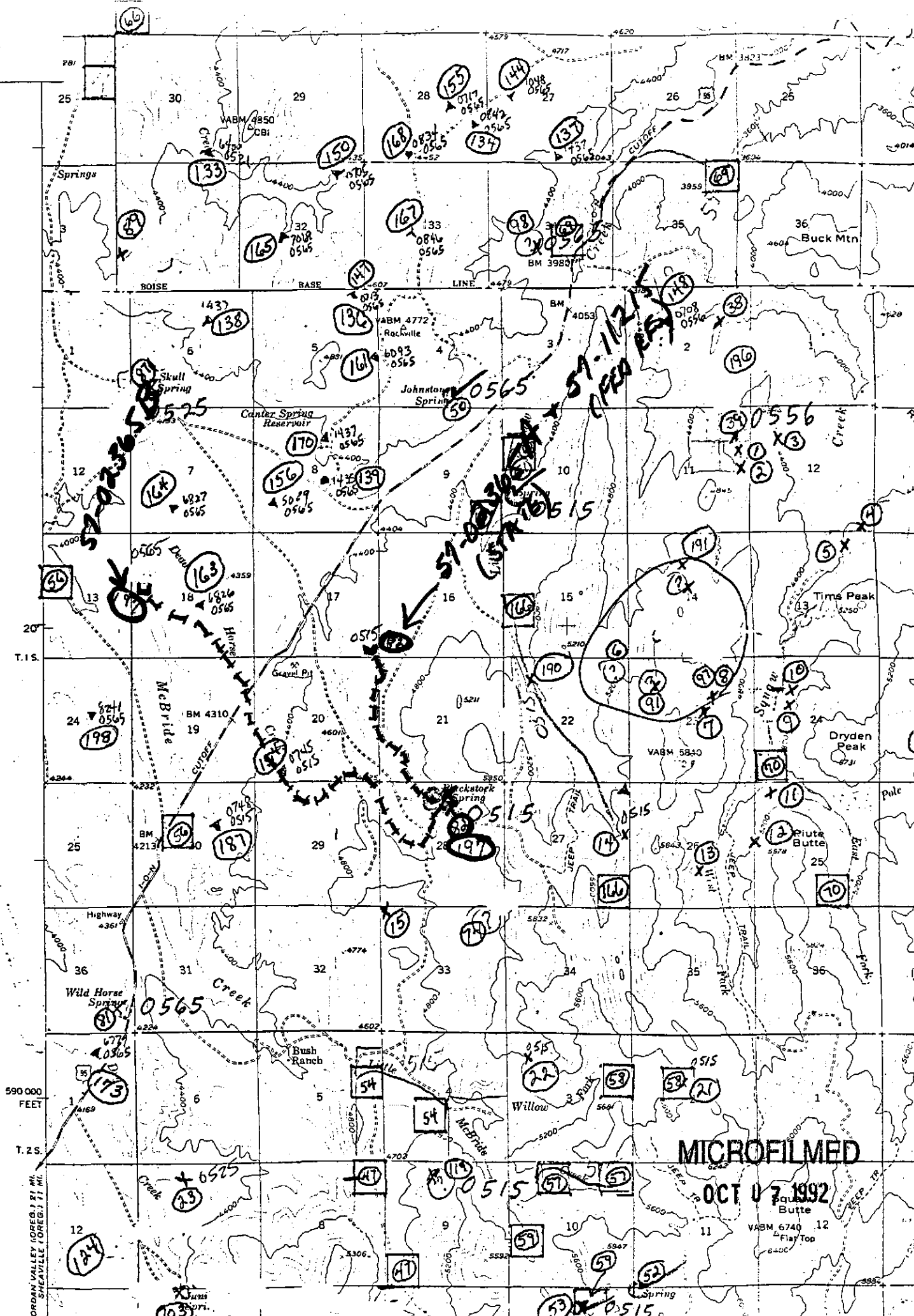
Misc: Water District Number: Field Exam Fee:

Audit: 00/00/00

MICROFILMED
OCT 07 1992

5701588330
5701588329
5701588328
5701588326
5701588324
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5701588023
5701588022
5701588020
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5701586294
5701588033
5701588032
5701588042
5701588101
5701588343
5701588096
5701588094
5701588093
5701588085
5701588344
5701588113
5701588346
5701588156
5701588025

5701588354
5701588353
5701588200
5701588199
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5701588187
5701588100
5701588227



MICROFILMED
OCT 07 1992

590 000
FEET
T. S. S.