

Application No. D-266

Permit No. D.....57-2368

District No.

POOR ORIGINAL

1. Name of Applicant Grazing Service, U. S. Dept. of the Interior
2. Post Office Address Box 728, Pocatello, Bannock County, Idaho
3. Quantity of water claimed 8.23 A.F. 1-24-1942
(Not to exceed 0.1 second foot or 15 acre feet)
4. Source of water supply Rain and snow run-off
(Spring, well, unnamed stream, small lake, snow, or runoff)
5. Location of point of diversion _____ feet distant from the _____ corner of Section _____,
Twp. _____, Rge. _____, B. M., and is in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____, Twp. _____, Rge. _____, B. M.
in the County of Owyhee 73
6. Location of point of use N. 31° 00' E 1580 feet distant from the S $\frac{1}{4}$ corner of Section 12,
Twp. 1N, Rge. 5W, B. M., and in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Sec. 12, Twp. 1N, Rge. 5W
7. Water to be used for Stock watering 1/1 - 12/31
8. Estimated cost of works \$1627.14
9. Kind of works Reservoir
(Reservoir, dam, ditch, flume, pipe, etc.)
10. Size _____
(Headgate, ditch, flume, pipe, etc.)
11. Time required to apply water to proposed use 3 months
12. If reservoir is used, fill in the following in addition to the above questions:
- (a) Height of dam 23 feet: Length at top 146 feet.
- (b) Material from which dam is constructed Earth fill and riprapped
(earth, concrete, timber, rock)
- (c) The outlet of the proposed reservoir is located _____ feet from the _____ corner of _____
Section _____, Twp. _____, Rge. _____, B. M.

REMARKS:

4661 02 700

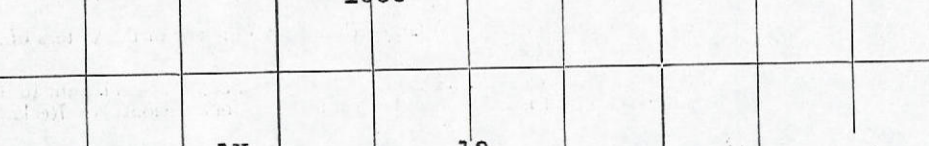
MICROFILMED

Applicant.....Grazing Service

Agent.....George A. Tucker, Regional Engr.
Big Pass Reservoir

N 31° E

Big Pass Reservoir



39

1N

12

5W

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

A57-02368

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. 5702368
BLM NUMBER: 5701588026
BASIS OF CLAIM: LICENSE
BASIN NO.: 57

SOURCE	TRIBUTARY TO
UNNAMED STREAM	JUMP CREEK

DESCRIPTION OF DIVERSION WORKS
180' X 20' EARTHFILL STORAGE DAM

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
STOCKWATER STORAGE	0.000	8.20	0101	1231
WILDLIFE STORAGE	0.000	0.01	0101	1231
TOTAL:	0.000 CFS	8.20 AF		

NON-IRRIGATION USES
S/750 RANGE CATTLE W/VAR AMT
MICROFILMED
OCT 01 1992

TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
01N	05W	12		NW	SE	0	OWYHEE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	IRRIGATED ACRES
01N	05W	12	NW	SE	0	OWYHEE	YES	0.0
01N	05W	12	NW	SE	0	OWYHEE	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

BLM NUMBER: 5701588026

PAGE 2

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

STATUTORY CLAIM 57-4072 PD:6/8/42, LICENSE 57-7341 PD: 2/25/83

REMARKS

PREVIOUSLY FILED WITH THE IDAHO DEPARTMENT OF WATER RESOURCES

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OCT 01 1992

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FEB 13 1997

Department of Water Resources

DISTRICT COURT SRBA FIFTH JUDICIAL DISTRICT COUNTY OF TWIN FALLS, STATE OF IDAHO	
FEB - 7 1997	
BY _____	CLERK
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

) ORDER OF PARTIAL DECREE

) For Water Right 57-02368

On December 26, 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 57-02368 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED February 7, 1997.


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

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Department of Water Resources

1996 AUG -9 PM 3:11

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

DL

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: 57-02368, 57-7341 and 57-11407

ORDER GRANTING MOTION TO
FILE LATE OBJECTION AND
SETTING STATUS CONFERENCE

The court has received and reviewed the United States' *Motion to File Late Objections* to water right 57-02368. A hearing was held August 9, 1996. At hearing the court set a status conference to be held September 16, 1996 at 9:00 am in the SRBA Court Conference Room.

IT IS ORDERED that the *Motion to File Late Objection* is **granted** and the *Objection* previously lodged with this court will be deemed filed as of the date of this order. IT IS FURTHER ORDERED that *Responses* to the *Objection* shall be filed on or before September 13, 1996.

DATED August 9, 1996.

RECEIVED

SEP 03 1996

Department of Water Resources
Southern Region

RECEIVED

SEP 04 1996

WATER RESOURCES
WESTERN REGION

ORDER GRANTING MOTION TO FILE
LATE OBJECTION AND SETTING STATUS
CONFERENCES
8/9/96

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

MICROFILMED
SEP 25 1996

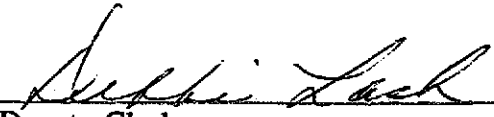
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE OBJECTION AND SETTING STATUS CONFERENCE was mailed on May 7, 1996, with sufficient first-class postage to the following:

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

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

Director of IDWR
P O Box 83720
Boise, Idaho 83720-0098


Deputy Clerk

SEP 25 1996
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REC'D
JUN 6 1996
JUN 6 1996

RECEIVED
JUN 6 1996
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 the General Adjudication of Rights)
to the Use of Water from the Snake River)
Basin Water System)

Water Right No. 57-02368

(The water right number you are objecting to must be inserted here)

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

STANDARD FORM 1

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.)

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the director's report. **Only one party/claimants may object to one water right per objection form.** 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. If you do, the text must be on the front and back of each page exactly as it appears here. The objection must be received by the court on or before the deadline specified in the Notice of Filing the Director's Report that IDWR mailed to you. Follow the Instructions for Mailing this objection (Page 6) or the court will not accept it for filing. This form has been adopted by the court in *SRBA Administrative Order 1* (amended June 21, 1993), Section 4, which may be consulted for further information.

Any party filing 25 or more objections must make an appointment with the Clerk of the SRBA Court.

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 is not filed for any improper purpose, such as to harass, cause unnecessary delay or needlessly increase the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. ***Party/Claimant objecting:***

Name: United States, Department of the Interior,
Bureau of Land Management, Idaho State Office
Address: 3380 Americana Terrace
Boise, Idaho 83706-2500
Phone: Work: (208) 384-3000 Home: _____

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.

If this objection is *filed by an attorney*:

Attorney Name: R. Lee Leininger / P. Fritz Holleman
Attorney Address: U.S., Department of Justice
Environment & Natural Resources Division
General Litigation Section
550 West Fort Street - MSC 033
Boise, Idaho 83724
Attorney Phone No.: (202) 305-0242 / 0494

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

2. ***Owner of the water right. You must identify the owner exactly as it appears in the Director's Report:***

Name: U.S., Dept. of Interior,
Bureau of Land Management, Idaho State Office
Address: 3380 Americana Terrace
Boise, Idaho 83706

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. ☐ *Water Right Recommendation*: I object to:
 - a. ☐ this water right being recommended at all; or
 - b. ☐ this water right not being recommended.

12. ☐ *Description of Reservation*: I object to the legal description of the reservation.
13. ☒ *Other*: I object to: The remarks listed in the Director's Report for this water right
under "non-irrigation uses" and under the "remarks" section are not necessary for the
administration or definition of the right. This issue is also before the Court in
basin-wide issue number 12.

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 Director's 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 Director's 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.

- ☒ 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. Description of changes required to correct this claim.

2. Copy of United States claim from the Director's Report.

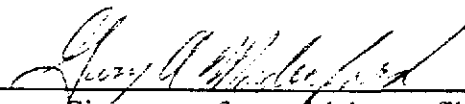
VERIFICATION (Must be Completed)

State of Idaho

County of Ada

United States acting thro BLM, being first duly sworn, upon oath, deposes and says:
(Name of party/claimant filing objection)

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


Signature of party/claimant filing objection

By: R. Lee Cummings 6/3/96
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 4, 1996
(Insert Date)

Jean Earl
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: August 1, 1996

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 all of the parties listed below in the Certificate of Mailing.

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

CERTIFICATE OF MAILING

I certify that on June 4TH, 1996, I mailed the original and copies of this objection, 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, and you must fill in the following information:

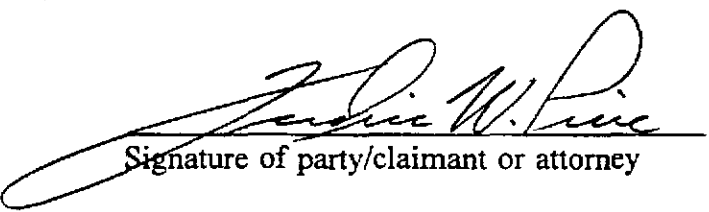
Owner name: U.S., Department of Interior.
Bureau of Land Management, Idaho State Office.
Owner's address: 3380 Ameicana Terrace
Boise, Idaho 83706-2500.

3. One copy to:

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

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho ~~83734~~ 83724


Signature of party/claimant or attorney

ATTACHMENT #1 to Objection:

Water Right No.: 57-02368

1. CHANGE Total Quantity:

FROM: 8.2 AFY

TO: 2.7 AFY

2. CHANGE Non-irrigation Uses:

FROM: Stockwater, 750 Range Cattle

TO: Stockwater

3. CHANGE Remarks:

FROM: 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 = 5701588026

Source is also known as Big Pass Reservoir.

TO: Source is locally known as Big Pass Reservoir.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: OCT-13-1992
PAGE: A-1491

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: UNNAMED STREAM		TRIBUTARY: JUMP CREEK				
57-02368	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	01/24/1942	STOCKWATER STORAGE STOCKWATER FROM STORAGE	01-01 12-31 01-01 12-31	2.7 2.7	AFY AFY LICENSE
TOTAL QUANTITY:					8.2	AFY
NON-IRRIGATION-USES:						
STOCKWATER, 750 RANGE CATTLE.						
POINT OF DIVERSION:						
T01N R05W S12 NWSE						
PLACE OF USE: STOCKWATER STORAGE						
T01N R05W S12 NWSE						
PLACE OF USE: STOCKWATER FROM STORAGE						
T01N R05W S12 NWSE						
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 = 5701588026 SOURCE IS ALSO KNOWN AS BIG PASS RESERVOIR.						

ATTACHMENT #2 to Objection

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MAY 28 1996

Department of Water Resources

Movant's Name:

UNITED STATES OF AMERICA

Attorneys' Names and Addresses:

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

R. LEE LEININGER
DARIA J. ZANE
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	)	Sub-case No.: 57-02368
	)	
Case No. 39576	)	UNITED STATES' MOTION FOR LATE
	)	OBJECTION
	)	

Descriptive Summary

This is the United States' motion for late objection to water right number 57-02368.

Motion

A. Standard of Review

Although Administrative Order No. 1 does not explicitly set forth the test to be applied for admitting late objections, the Court has applied the test set forth in A.O. #1 for admitting late claims to requests for late objections. Motions for late objections are reviewed under the same criteria set forth in I.R.C.P. 55(c) and 60(b). These rules provide that a proponent

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of a Motion for Late Objection must show both good cause and a meritorious position. Schraufnagel v. Quinowski, 113 Idaho 753, 755, 747 P.2d 775 (Idaho App. 1987); Reeves v. Wisenor, 102 Idaho 271, 629 P.2d 667 (1981).

B. Good cause is shown by the United States.

The United States has good cause for the late filing of this objection. The United States recently became aware of the need to file for late objection to this water right in the course of resolving its objection to subcase number 57-07341. During discussions with IDWR regarding subcase 57-0741, in which the United States has a pending objection, it became apparent that modifications to water right recommendation 57-02368 were necessary. Attorney for IDWR, Charles Huntsinger, has agreed to the proposed changes to water right 57-02368.

The need to modify the Director's recommendation was not realized prior to the United States' and the Department's attempts to resolve the dispute in 57-07341. Further, the granting of this late objection will enable the United States and the Department to completely resolve the matter with the submission of Standard Forms No. 5 for 57-02368 and the companion sub-case 57-07341.

C. The United States' position is meritorious.

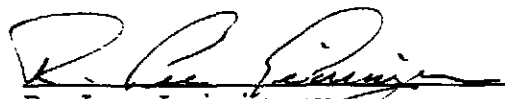
Water rights 57-02368 and 57-07341 are based on two licenses to the same stockwatering reservoir. IDWR did not recommend water right 57-07341 because it appeared to be duplicative of water right 57-02368. Following discussions with the Department, it was agreed that the water rights were not

duplicative, providing certain elements of both claims were modified. The Standard Forms No. 5 the United States intends to file for these two subcases will resolve the dispute consistent with the stipulated priority and beneficial use at the reservoir site.

Conclusion

WHEREFORE, the United States has shown good cause and a meritorious position for the filing of a late objection to water right no. 57-02368, the United States respectfully asks that its motion for late objection be granted.

Respectfully submitted this 24th day of May, 1996.


R. Lee Leininger
Attorney
General Litigation Sec.
U.S. Dept. of Justice

CERTIFICATE OF SERVICE

I certify that on the 24th day of May, 1996, I served a true and correct copy of the foregoing United States' Motion for Late Objection via first-class U.S. mail upon the following individuals:

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

Charles Huntsinger/ Matt Howard
Deputy Attorneys General
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, Idaho 83702



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SEP 25 1996

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706 (208) 334-1401	01/24/1942	STOCKWATER STORAGE STOCKWATER FROM STORAGE	01-01 12-31 01-01 12-31		2.7 AFA 2.7 AFA
TOTAL DIVERSION:						8.2 AFA

Water Source: UNNAMED STREAM

Tributary to: JUMP CREEK

Stage: LICENSE

Point(s) of Diversion:

T01N R05W S12

NWSE

OWYHEE County

Place of use Legal Description for: STOCKWATER STORAGE

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	Lt	Ac	Lt	Ac	:
01N	05W	12	:					:					:					:						:	

Place of use Legal Description for: STOCKWATER FROM STORAGE

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	Lt	Ac	Lt	Ac	:
01N	05W	12	:					:					:					:						:	

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 750 RANGE CATTLE.

Other Rights: STATUTORY CLAIM 57-4072 PD:6/8/42, LICENSE 57-7341 PD: 2/25

Conditions of Approval:

- L12 - THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
- ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
- USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

Remarks: BLM RECORD ID = 5701588026
SOURCE IS ALSO KNOWN AS BIG PASS RESERVOIR.

Dates: Exam Made Date: Verified Date:

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

Comments: Date: 09/24/1992 User-ID: SMITH Subject: COPIED FROM REMARKS
PREVIOUSLY FILED WITH THE IDAHO DEPARTMENT OF WATER RESOURCES.

Date: 10/09/1992 User-ID: WSHAFF Subject: RECOMMENDATION
AMOUNTS REDUCED TO THOSE FOUND WITH EXAM OF 57-07341 PERMIT.

MICROFILMED
JUL 20 1994

AJ0749NP
No. R57-02368

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

DATE: 10/09/92
PAGE: 2

=====

Comments: Date: 10/09/1992 User-ID: WSHAFF Subject: RECOMMENDATION
WILDLIFE REC. ON 57-04072.

Audit: 10/09/92 WSHAFF

MICROFILMED
JUL 24 1994

WATER RIGHT NUMBER - A57-02368

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (O) NUMBER - D266

+ - - - - LAST NAME - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** A - ATTORNEY ***

HAUGRUD, JACK OR G GARVER OR D ZANE

1 - US DEPT OF JUSTICE

2 - ENV & NR DIV GEN LIT SEC

3 - PO BOX 663

CITY- WASHINGTON

STATE- DC ZIP- 200440663

PHONE - 202-272-4134

*** C - CURRENT OWNER ***

US DEPT OF INTERIOR

1 - BUREAU OF LAND MANAGEMENT

2 - IDAHO STATE OFFICE

3 - 3380 AMERICANA TERRACE

CITY- BOISE

STATE- ID ZIP- 83706

PHONE - 208-334-1401

*** K - ALSO KNOWN AS ***

BLM

1 - BUREAU OF LAND MANAGEMENT

2 - IDAHO STATE OFFICE

3 - 3380 AMERICANA TERRACE

CITY- BOISE

STATE- ID ZIP- 83706

PHONE - 208-334-1401

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
01/24/1942 14 WESTERN L - LICENSE

+ - - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
UNNAMED STREAM JUMP CREEK

POINT OF DIVERSION							STREAM INDEX (BLANK IF NO INDEX CODE)
TWN	RNG	SEC	TRACT	LOT	RFLG	COUNTY	
01N	05W	12	NW SE			(73) DWYHEE	

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
05	STOCKWATER STORAGE	01/01	12/31		2.7 AF
17	WILDLIFE STORAGE	01/01	12/31		0.01
06 stockwtr from storage		1/01	12/31		2.7 AF
+ - TOTAL DIV. RATE - +		+ - TOTAL DIV. VOLUME - +		+ - TOTAL DIV. CAPACITY - +	
		8.20		0.0	
		2.7 AF			

TWN	RNG	SEC	TRACT	LOT	ACRES	CODE	DESCRIPTION	COUNTY
01N	05W	12	NW SE			05	STOCKWATER STORAGE	(73) DWYHEE
01N	05W	12	NW SE			17	WILDLIFE STORAGE	(73) DWYHEE

+ - - DIVERSION MEANS - 180' X 20' EARTHFILL STORAGE DAM

+ - - NON-IRRIGATION USE - (S) 750 RANGE CATTLE ~~6/24/81~~

+ - - OTHER RIGHTS FOR SAME USE - STATUTORY CLAIM 57-4072 PD: 6/8/42, LICENSE 57-7341 PD: 2/25/83

WATER RIGHT NUMBER - A57-02366

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - REMARKS - - - - +

BLM RECORD ID = 5701588026

~~PREVIOUSLY FILED WITH THE IDAHO DEPARTMENT OF WATER RESOURCES.~~

Source also known as Big Pass Reservoir.

+ - - - - OLD WATER RIGHT NUMBERS - - - - +

NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL - - - - +

L12

NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - - +

+ - - - - DECREE DEFENDANT - - - - +

+ - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 08/04/92 AJCTR

+ - - - - 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	- 06/30/1992	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	- X111111	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

DATA ENTRY

ENTERED

CHECKED

9-24-92 [Signature]
9/25/92 [Signature]

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

VERIFIED

SEP 22 1992

CERTIFIED

SEP 22 1992

WATER EXAMINER

MICROFILMED

JUL 20 1994

*Reduced to amounts found
with exam of 57-07341 &
statutory claim filed as 57-04072.
Will life recommended on
57-04072.*

[Signature]
10-09-92

Permit No. D 57-2368
District No.

POOR ORIGINAL

1. Name of Applicant Grazing Service, U. S. Dept. of the Interior
2. Post Office Address Box 728, Pocatello, Bannock County, Idaho
3. Quantity of water claimed 8.23 A.F. 1-24-1942
(Not to exceed 0.1 second foot or 15 acre feet)
4. Source of water supply Rain and snow run-off
(Spring, well, unnamed stream, small lake, snow, or runoff)
5. Location of point of diversion _____ feet distant from the _____ corner of Section _____
Twp. _____, Rge. _____, B. M., and is in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____, Twp. _____, Rge. _____, B. M.
in the County of Oneida 73
6. Location of point of use N. 31° 00' E 1580 feet distant from the S $\frac{1}{2}$ corner of Section 12
Twp. 1N, Rge. 5W, B. M., and in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Sec. 12, Twp. 1N, Rge. 5W
7. Water to be used for Stock watering 1/1 - 12/31
8. Estimated cost of works \$1627.14
9. Kind of works Reservoir
(Reservoir, dam, ditch, flume, pipe, etc.)
10. Size _____
(Headgate, ditch, flume, pipe, etc.)
11. Time required to apply water to proposed use 3 months
12. If reservoir is used, fill in the following in addition to the above questions:
- (a) Height of dam 23 feet: Length at top 146 feet.
- (b) Material from which dam is constructed Earth fill and riprapped
(earth, concrete, timber, rock)
- (c) The outlet of the proposed reservoir is located _____ feet from the _____ corner of _____
Section _____, Twp. _____, Rge. _____, B. M.

REMARKS:

4661 0 2 706
MICROFILMED
JUL 20 1994

Applicant Grazing Service

Agent George J. Tucker, Regional Engr.
Biz Pass Reservoir

No. 39		N 31° E		1580'					
		1N		12					

5W

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

DATE: 10/08/92
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 (208) 334-1401	01/24/1942	STOCKWATER STORAGE STOCKWATER FROM STORAGE	01-01 12-31 01-01 12-31		8.2 AFA 8.2 AFA ----- 8.2 AFA
TOTAL DIVERSION:						8.2 AFA

Water Source: UNNAMED STREAM

Tributary to: JUMP CREEK

Stage: LICENSE

Point(s) of Diversion:

T01N R05W S12

NWSE

OWYHEE County

Place of use Legal Description for: STOCKWATER STORAGE

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	:
01N	05W	12	:					:					:					:					:

Place of use Legal Description for: STOCKWATER FROM STORAGE

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	:
01N	05W	12	:					:					:					:					:

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 750 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

Other Rights: STATUTORY CLAIM 57-4072 PD:6/8/42, LICENSE 57-7341 PD: 2/25

Conditions of Approval:

- L12 - THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
- ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
- USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

Remarks: BLM RECORD ID = 5701588026

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 09/24/1992 User-ID: SMITH Subject: COPIED FROM REMARKS
PREVIOUSLY FILED WITH THE IDAHO DEPARTMENT OF WATER RESOURCES.

Audit: 10/08/92 WALKER

MICROFILMED
JUL 20 1994