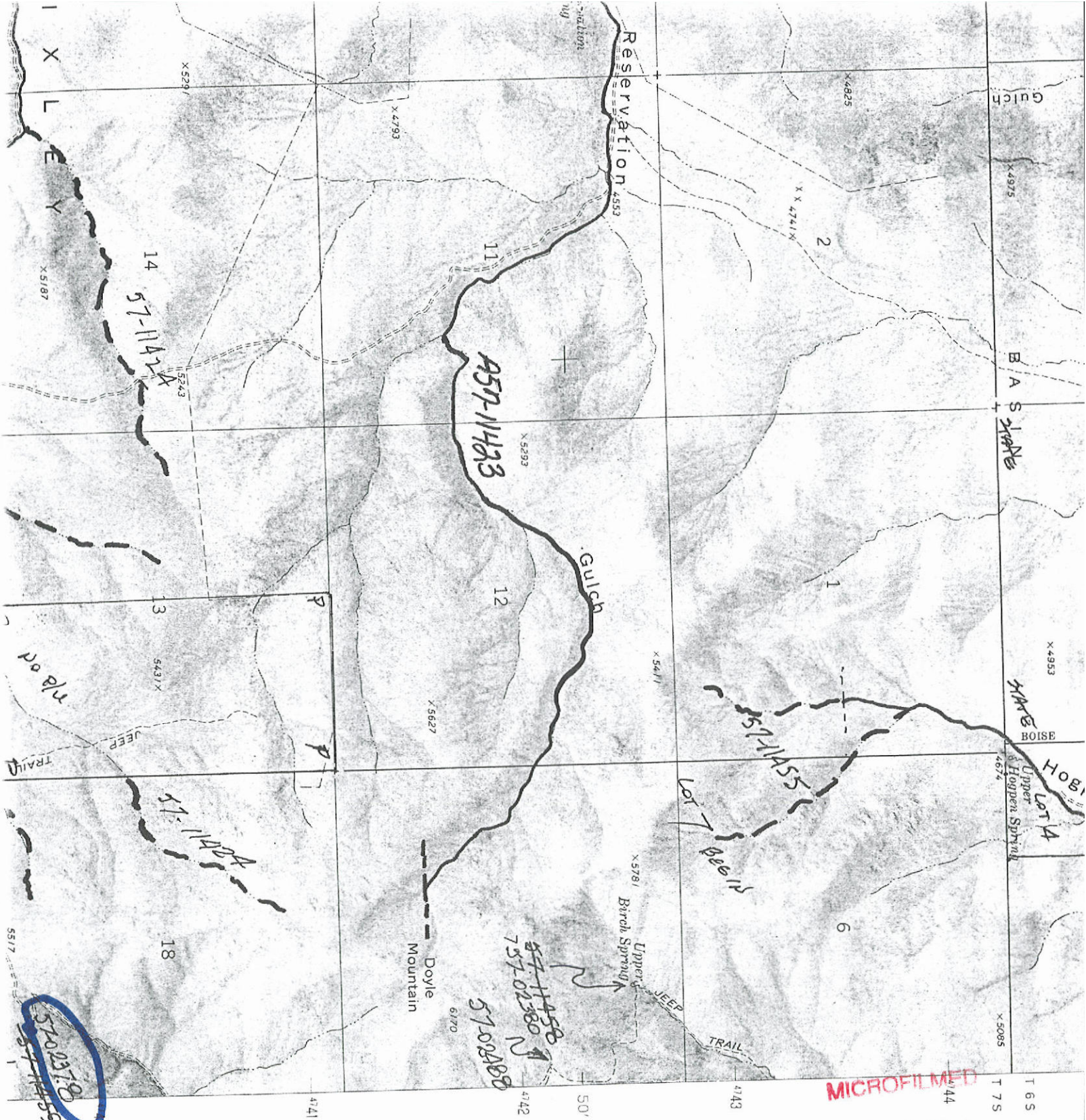
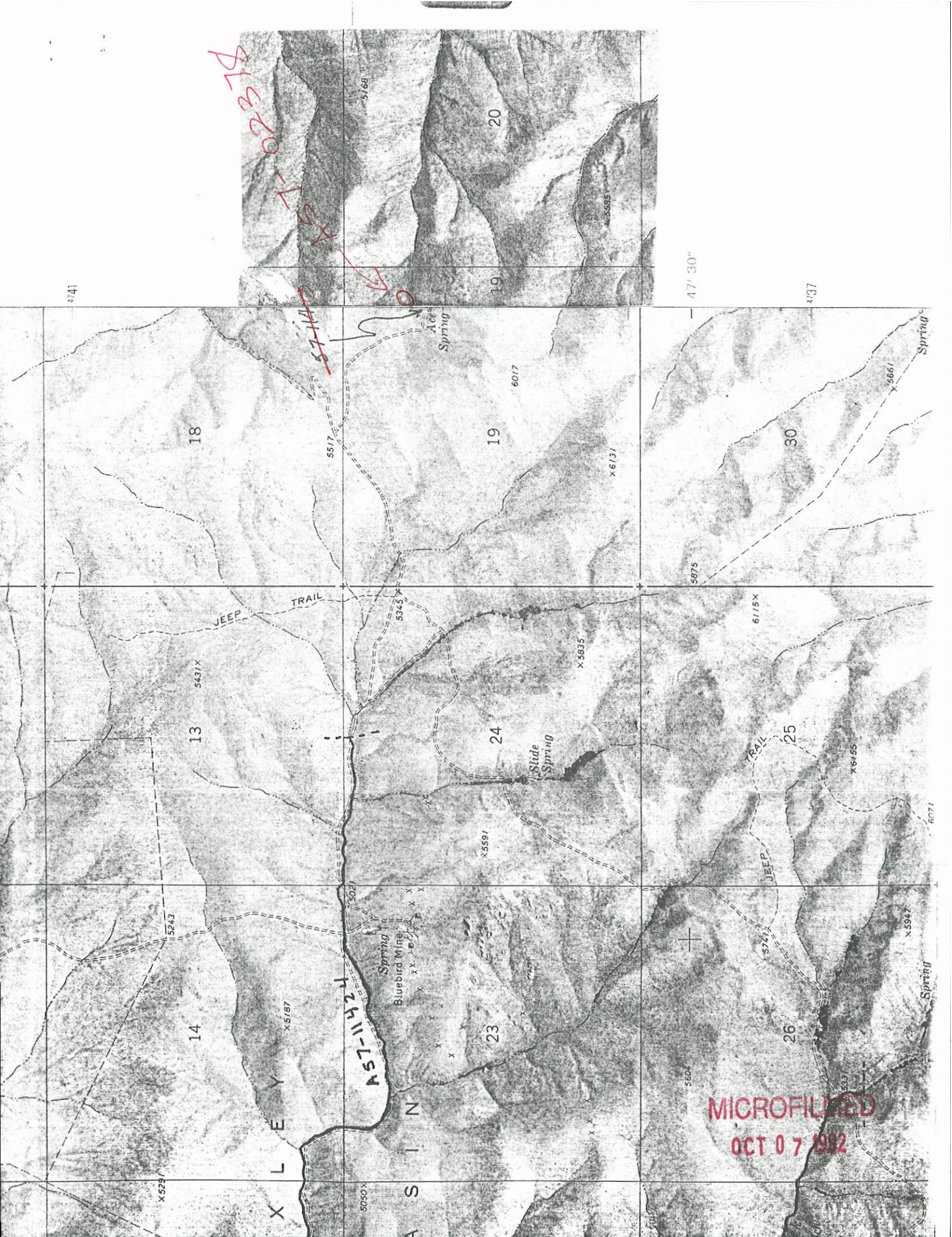


T7S

MICROFILMED
MAR 12 1964

2-29-93





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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER
FROM THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

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

A57-02378

PRIORITY DATE: 1942-01-24
IDWR WATER RIGHT NO. 5702378
BLM NUMBER: 5701688036
BASIS OF CLAIM: BENEFICIAL USE
BASIN NO.: 57

SOURCE	TRIBUTARY TO
-----	-----
SPRING	BIRCH CREEK

DESCRIPTION OF DIVERSION WORKS

HEADBOX, 90' PIPELINE, 550 GAL TROUGH

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

NON-IRRIGATION USES

S/1000 RANGE CATTLE W/VAR AMT

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
---	---	---	-----	-----	-----	---	-----
07S	01E	19		NE	NE	0	OWYHEE

MICROFILMED
OCT 07 1992

PLACE OF USE							OWNED	IRRIGATED ACRES
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	-----	-----
---	---	---	-----	-----	---	-----	-----	-----
07S	01E	19	NE	NE	0	OWYHEE		0.0
07S	01E	19	NE	NE	0	OWYHEE		0.0
TOTAL ACRES IRRIGATED:								0.0

BLM NUMBER: 5701688036

PAGE 2

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

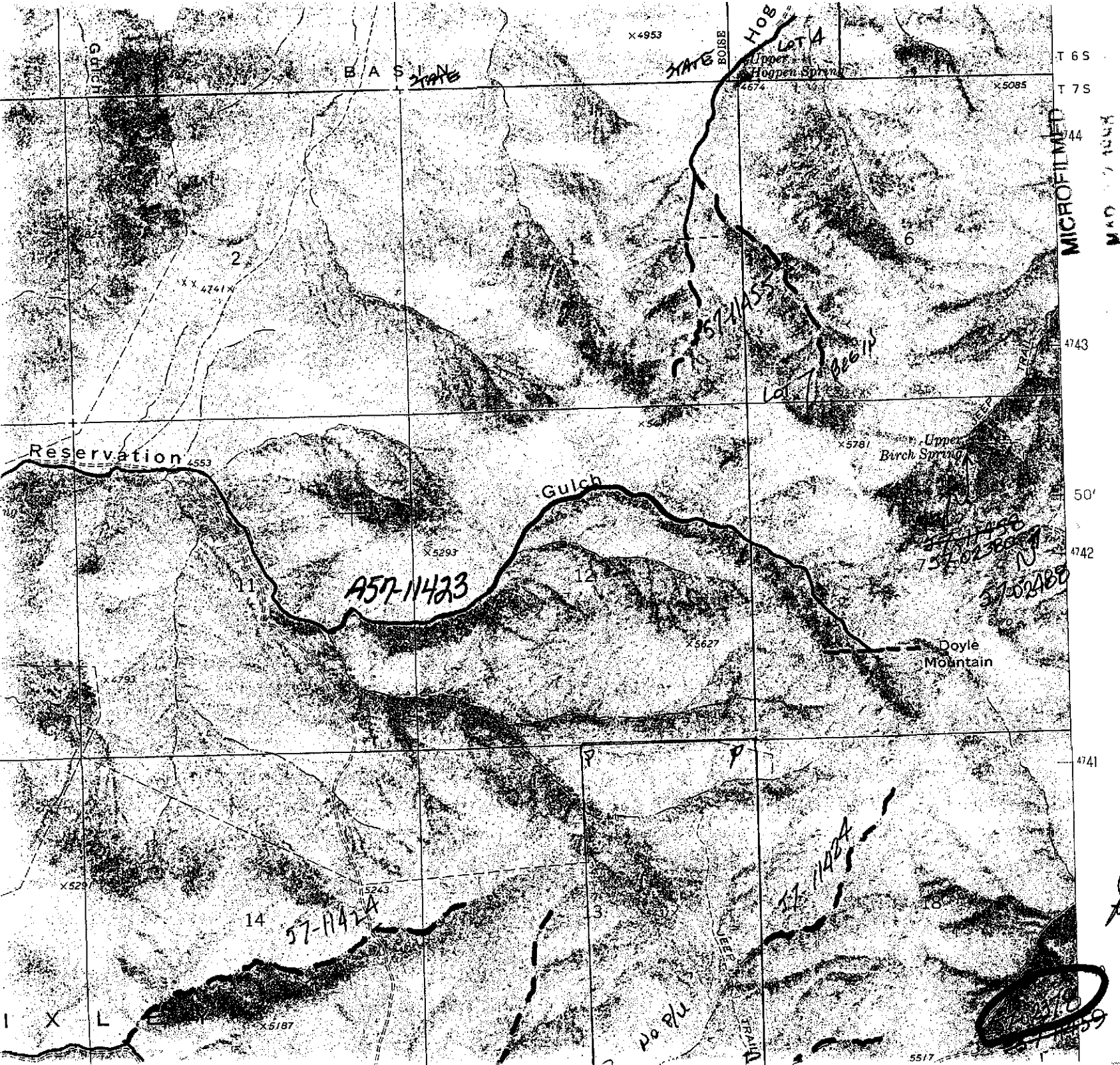
NONE

REMARKS

PREVIOUSLY FILED WITH THE IDAHO DEPARTMENT OF WATER RESOURCES

MICROFILMED

OCT 07 1992



T7S

MICROFILMED

MAP 11 1000

7-29-93

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

Case No. 57-02378
(You must insert the
water right number you
are objecting to)

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.

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)

OBJECTION - 1

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:

Name: United States of America
Bureau of Land Management
U.S. Department of the Interior
Idaho State Office
Address: 3380 Americana Terrace
Boise, Idaho 83706

Briefly describe your interest in this water right:

The United States, through the Bureau of Land
Management (BLM), has a valid water right, which
requires specific corrections/additions to the
existing license.

2. Owner of the water right:

Name: United States of America
Bureau of Land Management
U.S. Department of the Interior
Idaho State Office
Address: 3380 Americana Terrace
Boise, Idaho 83706

3. If this objection is filed by an attorney:

Attorney Name: K. Jack Haugrud
Daria J. Zane
Attorney Address: U.S. Department of Justice
550 West Fort Street
P.O. Box 33
Boise, Idaho 83734
Attorney Phone No.: (202) 272-8351

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

MICROFILMED

MAR 02 1998

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 1998

(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 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 specified corrections or additions.

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

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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. Copy of BLM claim from Director's Report.
2. Specific changes to the Director's Report.

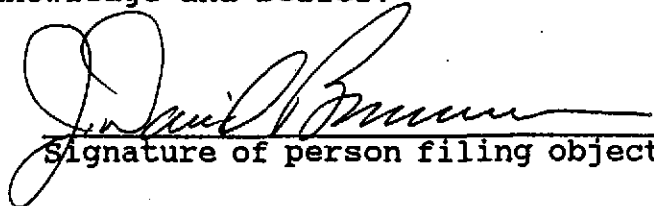
VERIFICATION (Must be Completed)

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.

MICROFILMED
#1972 1998

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

(Over)

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

~~mailed~~^{Served} I hereby certify that, on the 26th day of February, 1993, I ~~mailed~~^{filed} the original and ^a 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: United States of America
Bureau of Land Management
U.S. Department of the Interior
Idaho State Office
Owner's Address: 3380 Americana Terrace
Boise, Idaho 83706

3. One copy to:

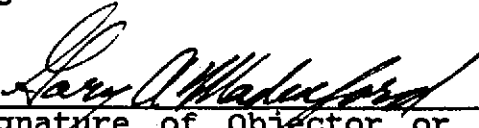
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

MICROFILMED

4. One copy to:

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

MAR 02 1998



Signature of Objector or attorney
mailing on Objector's behalf

Addition of wildlife water to existing BLM licenses/permits

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.

#3c No water was allocated for wildlife consumption.

#7 Wildlife water consumption is a recognized use of water on public land. Permitted livestock numbers shown are incorrect.

#12a Errors/incompleteness of original claim and recommended right requires correction.

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.

#3c, 7 Director's Report should be changed to allocate 0.009 cfs of the total amount diverted to stockwater and to allocate 0.001 cfs from 01/01 to 12/31 for wildlife consumption, with no increase in total diversion rate.

#7 4,964 range cattle are permitted.

#12a The Director's Report should be changed to recommend allowance of this claim incorporating the specified corrections/additions.

MICROFILMED

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

Case No. 57-02378 -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

3. ☒ Quantity: I respond to the objection concerning:
- 3c. ☒ The total quantity of water reserved for each and every purpose, including all present and future uses.
7. ☒ Purposes of Use: I respond to the objection concerning the purpose(s) of use.
12. ☒ Water Right Recommendation: I respond to the objection concerning:
- 12a. ☒ This water right being recommended at all.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 3, 3c, 12, 12a. and the first sentence of the Reasons Supporting Each Box Checked section of Statement of the Objection item 7 and all allegations of the objection regarding these items IDWR responds as follows:

Wildlife use cannot be included as part of an instream stockwater appropriation. Physical diversion is required for an appropriation unless an exception is established by statute.

MICROFILMED
MAR 02 1998

Idaho Code sections 42-113 and 42-114 establish an exception to the diversion requirement for watering of domestic livestock, but no exception is provided for appropriations by the United States for wildlife purposes. IDWR therefore denies this portion of the objection and all allegations of this portion of the objection.

In response to the second sentence of the Reasons Supporting Each Box Checked section of Statement of the Objection item 7 and all allegations of the objection regarding this item IDWR responds as follows: The number of range cattle for this place of use 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 this portion of the objection and all allegations regarding this portion of the objection.

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. A57-02378	2

MICROFILMED
MAR 02 1998

(Over)

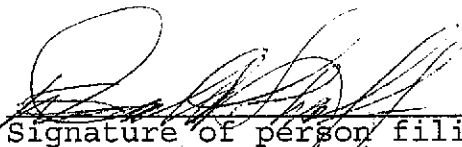
VERIFICATION (Must be Completed)

State of IDAHO

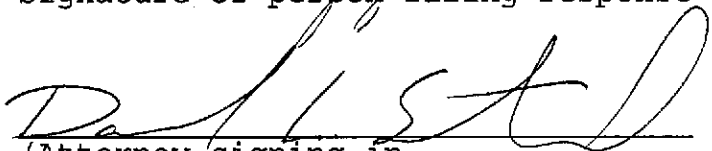
County of ADA

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

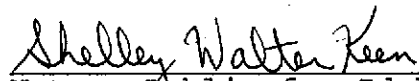
That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Section Manager for IDWR and am authorized by R. Keith Higginson, in his official capacity as director 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 25th day of June, 1993.


Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: July 31, 1997

MICROFILMED

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of June, 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

MICROFILMED

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)
_____)

1997 JUN 23 AM 9:31
SPECIAL MASTER'S RECOMMENDATION FOR
DISTRICT COURT - SRBA
PARTIAL DECREE FOR
TWIN FALLS CO., IDAHO
Water Right 57-02378
FILED DL

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

SOURCE: ACE SPRING TRIBUTARY: BIRCH CREEK
QUANTITY: 0.01 CFS

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

PRIORITY DATE: 01/24/1942

POINT OF DIVERSION: T07S R01E S19 NWSENE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.01 CFS

PLACE OF USE: STOCKWATER Within Owyhee County
T07S R01E S19 SENE

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: 6/23/97

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

MICROFILMED

MAR 02 1998

RECEIVED

JUN 24 1997

Department of Water Resources
Adjudication Bureau

1997 JUN 23 AM 9:30

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA
Case No. 39576

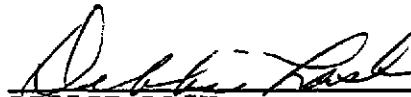
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-02378
57-02457 57-10856 57-11139
57-11304

On June 23, 1997, 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 June 23, 1997.


DEBBIE LASH
Deputy Clerk

1997 JUN 23 AM 9:30

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): 57-02378
57-02457 57-10856 57-11139
57-11304

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 June 23, 1997, with sufficient first-class postage prepaid to the following:

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

U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449

[Signature]
DEBBIE LASH
Deputy Clerk

MICROFILMED

CERTIFICATE OF MAILING

JUN 02 1998 PAGE 1
06/23/97

RECEIVED

JUN 24 1997

Department of Water Resources
Adjudication Bureau

1997 JUN 23 AM 9:31

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED SL

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 57-02378

Case No. 39576

)
) SPECIAL MASTER'S REPORT
)
)

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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

An objection to the *Director's Report* for water right 57-02378 was filed by BLM. Subsequently, a *Standard Form 5* was filed as to how the elements of this water right should be decreed. The *Standard Form 5* was accepted by the court.

A *Preliminary Special Master's Report and Recommendation* for this right was issued. No motion to alter or amend was filed and the time for filing such motions has now expired; therefore,

IT IS THEREFORE RECOMMENDED that subcase 57-02378 be decreed as recommended in the attached *Special Master's Report and Recommendation for Partial Decree*.

DATED 6/23 1997.

Fritz X. Haemmerle MICROFILMED
FRITZ X. HAEMMERLE MAR 02 1998
Special Master, Reporting Area 2
Snake River Basin Adjudication

RECEIVED

SEP 15 1997

Department of Water Resources

1997 SEP 12 AM 10:13

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

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

In Re SRBA

Case No. 39576

) ORDER OF PARTIAL DECREE

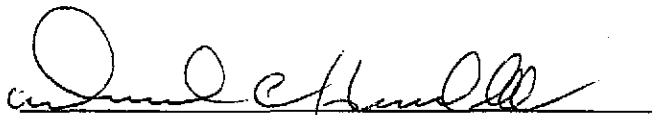
) For Water Right 57-02378

On June 23, 1997, 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 57-02378 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED September 12, 1997.



DANIEL C. HURLBUTT, JR.

Presiding Judge

Snake River Basin Adjudication

ED

98

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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER
FROM THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

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

A57-02378

PRIORITY DATE: 1942-01-24
IDWR WATER RIGHT NO. 5702378
BLM NUMBER: 5701688036
BASIS OF CLAIM: BENEFICIAL USE
BASIN NO.: 57

SOURCE	TRIBUTARY TO
-----	-----
SPRING	BIRCH CREEK

DESCRIPTION OF DIVERSION WORKS

HEADBOX, 90' PIPELINE, 550 GAL TROUGH

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

NON-IRRIGATION USES

S/1000 RANGE CATTLE W/VAR AMT

POINT OF DIVERSION							COUNTY
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	
07S	01E	19		NE	NE	0	OWYHEE

MICROFILMED
OCT 07 1992

PLACE OF USE							OWNED	IRRIGATED ACRES
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY		
07S	01E	19	NE	NE	0	OWYHEE		0.0
07S	01E	19	NE	NE	0	OWYHEE		0.0

TOTAL ACRES IRRIGATED: 0.0

BLM NUMBER: 5701688036

PAGE 2

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

PREVIOUSLY FILED WITH THE IDAHO DEPARTMENT OF WATER RESOURCES

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OCT 07 1992

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

DATE: 09/23/92
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	01-01 12-31	0.01 CFS	
TOTAL DIVERSION:					0.01 CFS	

Water Source: ACE SPRING

Tributary to: BIRCH CREEK

Stage: LICENSE

Point(s) of Diversion:

T07S R01E S19

NWSENE

OWYHEE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE			
				NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
07S	01E	19	:					S	:										

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 1000 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT.

Other Rights: NONE

Conditions of Approval:

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

Remarks: BLM RECORD ID = 5701688036

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 09/23/1992 User-ID: SHAFF Subject: COPIED FROM REMARKS
BLM RECORD ID = 5701688036
PREVIOUSLY FILED WITH THE IDAHO DEPARTMENT OF WATER RESOURCES.

Audit: 09/23/92 SHAFF

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CLAIM NO. A57-02378

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). _____
☐ Private claimant notification letter sent - Date _____
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
Source, per IDWR records, is _____
License & claim - Not succinct. Source = ACE SPRING
4. ☐ No Change - POINT OF DIVERSION - Claim matches existing license or decree
☒ Point of diversion has changed - Map attached.
Twp _____, Rge _____, Sec SE 1/4, _____ 1/4, _____ 1/4
How was this verified? USGS topo - map attached
5. N/A
6. ☐ No Change - WATER USES
☒ Uses, per IDWR records: *delete wildlife*
Use stock only From _____ To _____ Amount 0.01 cfs _____ af
Use _____ From _____ To _____ Amount _____ cfs _____ af
7. ☒ No Change - TOTAL RATE AND VOLUME
☐ Total rate and volume, per IDWR records: _____ cfs _____ afa
8. N/A
9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
☐ Incomplete on claim - Per IDWR records:
Domestic - No. of homes _____ Stockwater - No. of head _____
Other: _____

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10. ☒ No Change - PLACE OF USE
☒ Place of Use has changed as shown - Map attached

Use	Twp.	Rge.	Sec.	1/4,	1/4,
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

How was this verified? _____

Remarks: (Comments pertinent to review)

No overlap

Map AA57/58

Review Completed by:

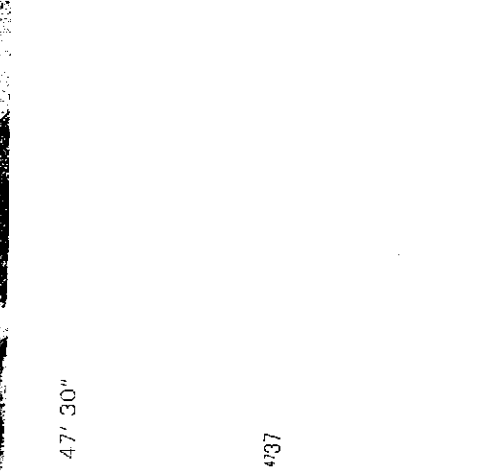
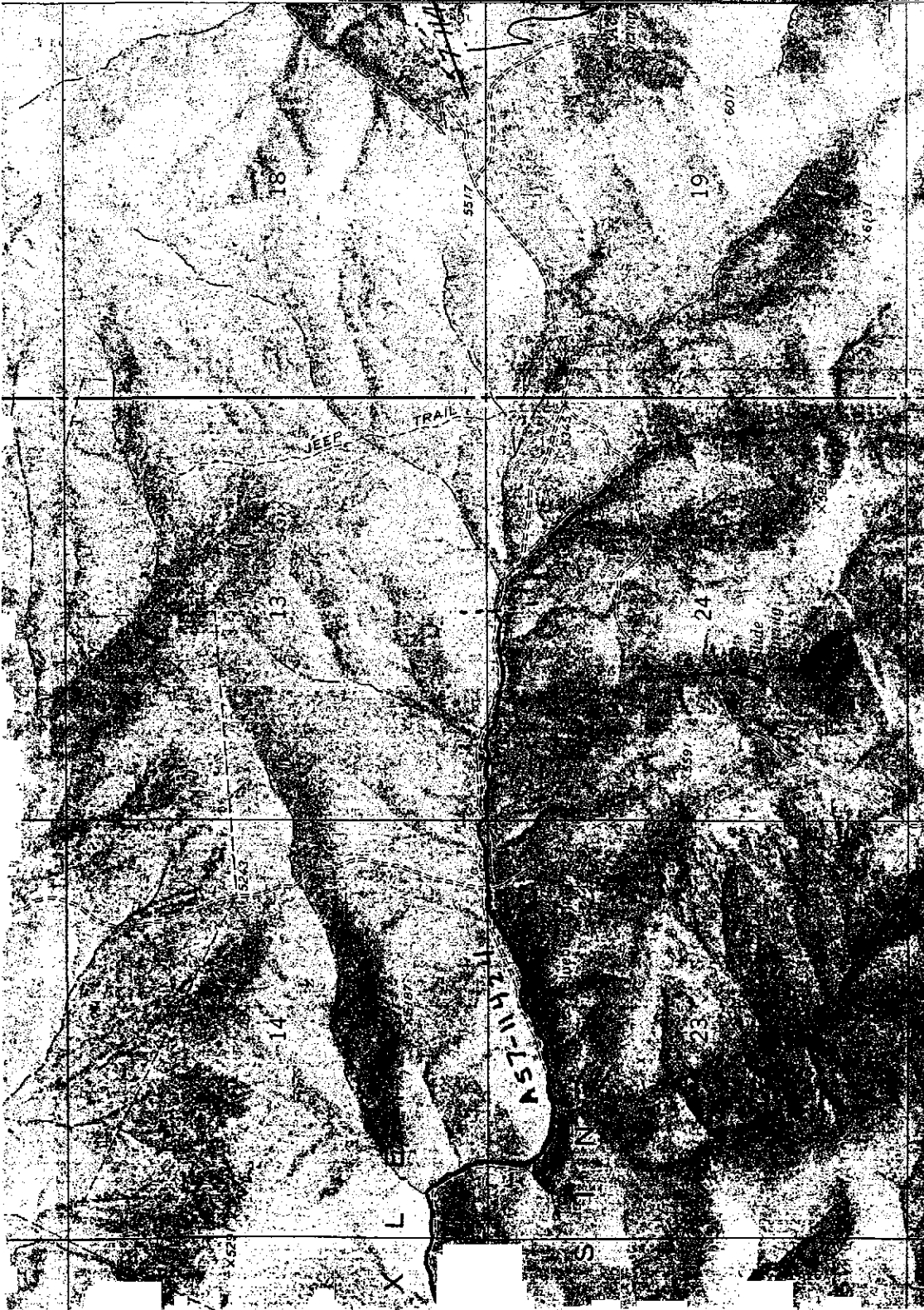
Debra Doughty Thorne
signature

Date:

9-18-92

DAF

9-23-92



SD-0604-2 Township: 07S Range: 01E Section: 19			Tract: NENE Lot: 7						
S	L	STATE	O	S	Max # Records				
E	O	Name	W	T	Priority				
L	Tract T	Water Right No.	N	AC	G	Date	Use	Code	Desc
---	---	---	---	---	---	---	---	---	---
---	NENE	A57-11459	US DEPT OF INTERIOR	C	J	01/01/1875	04	STOCK	
---			BLM	K			16	WILDLF	
---	NENE	A57-02378	HAUGRUD, JACK OR G GAR	A			04	STOCK	
---			US DEPT OF INTERIOR	C	L	01/24/1942	04	STOCK	
---			BLM	K			16	WILDLF	
---	NENE	R57-11459A	HAUGRUD, JACK OR G GAR	A					
---			BLM	K	F	04/17/1926	04	STOCK	
---			US DEPT OF INTERIOR	C			16	WILDLF	
---	NENE	A57-02378	HAUGRUD, JACK OR G GAR	A			04	STOCK	
---			US DEPT OF INTERIOR	C	L	01/24/1942	04	STOCK	
---			BLM	K			16	WILDLF	
---	NENE	A57-11459A	HAUGRUD, JACK OR G GAR	A					
---			BLM	K	F	04/17/1926	04	STOCK	
---			HAUGRUD, JACK OR G GAR	A			16	WILDLF	
---			US DEPT OF INTERIOR	C			04	STOCK	

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

Overlap Review
9-18-92
HHT

No overlap w/A57-02378

claim review of A57-11459 found correct POD is
in NWSENE, not in NENE.

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Application No. D-28-1
Permit No. D-57-2378
District No.

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 .00245 Sec. Ft. 1-24-1942
(Not to exceed 0.1 second foot or 15 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.....
Twp....., Rge....., B. M., and is in the 1/4 of the 1/4 of Section....., Twp....., Rge....., B. M.
in the County of Blaine 73
6. Location of point of use S. 17 05 W 1168 feet distant from the NE corner of Section 19
Twp 7S, Rge 1E, B. M., and in the NE 1/4 of the NE 1/4, Sec 19, Twp 7S, Rge 1E
7. Water to be used for Stock watering 1/1 - 12/31
8. Estimated cost of works \$369.17
9. Kind of works Spring
(Reservoir, dam, ditch, flume, pipe, etc.)
10. Size
(Headgate, ditch, flume, pipe, etc.)
11. Time required to apply water to proposed use 1 month
12. If reservoir is used, fill in the following in addition to the above questions:
- (a) Height of dam feet: Length at top feet.
- (b) Material from which dam is constructed.....
(earth, concrete, timber, rock)
- (c) The outlet of the proposed reservoir is located feet from the corner of
Section....., Twp....., Rge....., B. M.

REMARKS:

Applicant.....Grazing Service

Agent

Ace Spring

George E. Tucker, Regional Engr.

[illegible]

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OCT 07 1992

FOR FURNISHING DOMESTIC OR OTHER PURPOSES, JAN. 24, 1942

and I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Work to begin on or before March 10, 1942 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

Completion of Works and Beneficial Use of Water appropriated in accordance herewith, to be made on or before Apr. 24, 1942

Witness my hand this 24 day of Jan, 19 42

E. V. BERG

Commissioner of Reclamation.

IN TESTIMONY WHEREOF, We, Chase A. Clark Governor of the State of Idaho,

and Geo. H. Curtis Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 24 day

of Jan, 19 42

Countersigned:

STATE OF IDAHO

By GEO. H. CURTIS
Secretary of State.

By CHASE A. CLARK
Governor.

No. D. <u>231</u>	PERMIT
Date of first receipt at office of Commissioner of Reclamation <u>JAN 24 1942</u>	Returned to applicant for correction
Corrected application received	
Fees \$	
STATE OF IDAHO LICENSE AND CERTIFICATE OF WATER RIGHT	
Water License No. D. <u>231</u>	
TO	
Source of Supply	
Amount	Sec. Feet
Place of Use	
Purpose	
Date of Priority	
Recorded	
In Book	of Licenses, Page

LICENSE AND CERTIFICATE OF WATER RIGHT

Water License No. D. 231 Priority Jan 24, 1942 Amount .00245 c.f.s.

This is to certify that GRAZING SERVICE of Box 723, Pocatello, Idaho made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of a right to the use of the waters of Apr. 24, 1942

under Use Permit No. D. 231 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and

entered of record in Volume D. 231 of Licenses, at page D231, on the 24 day of Jan, 19 42

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS THE SEAL and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 24 day of Jan, 19 42

E. V. BERG

Commissioner of Reclamation.

MICROFILMED
OCT 07 1992