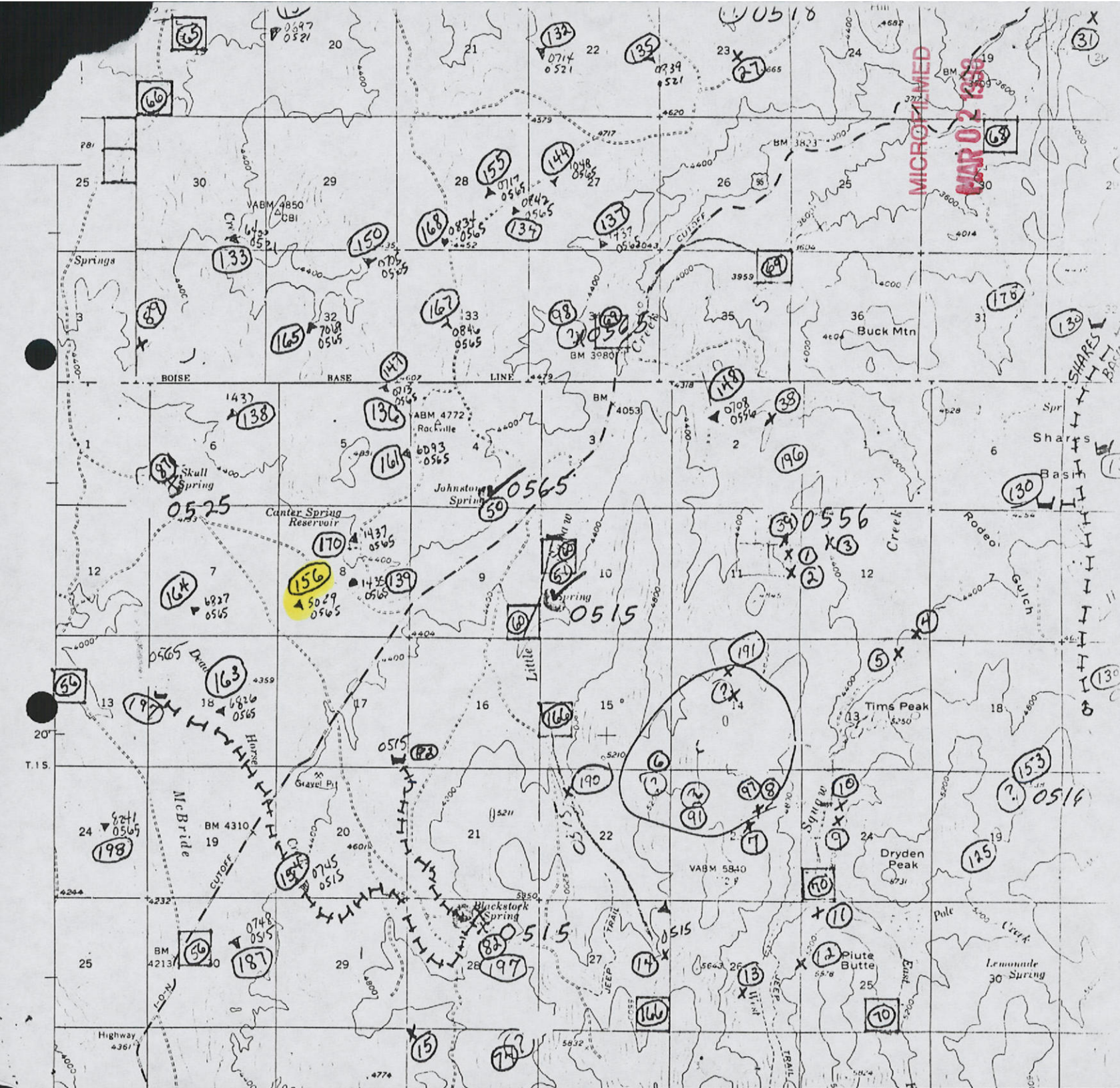




Sands
Basin, ID
Quadrangle

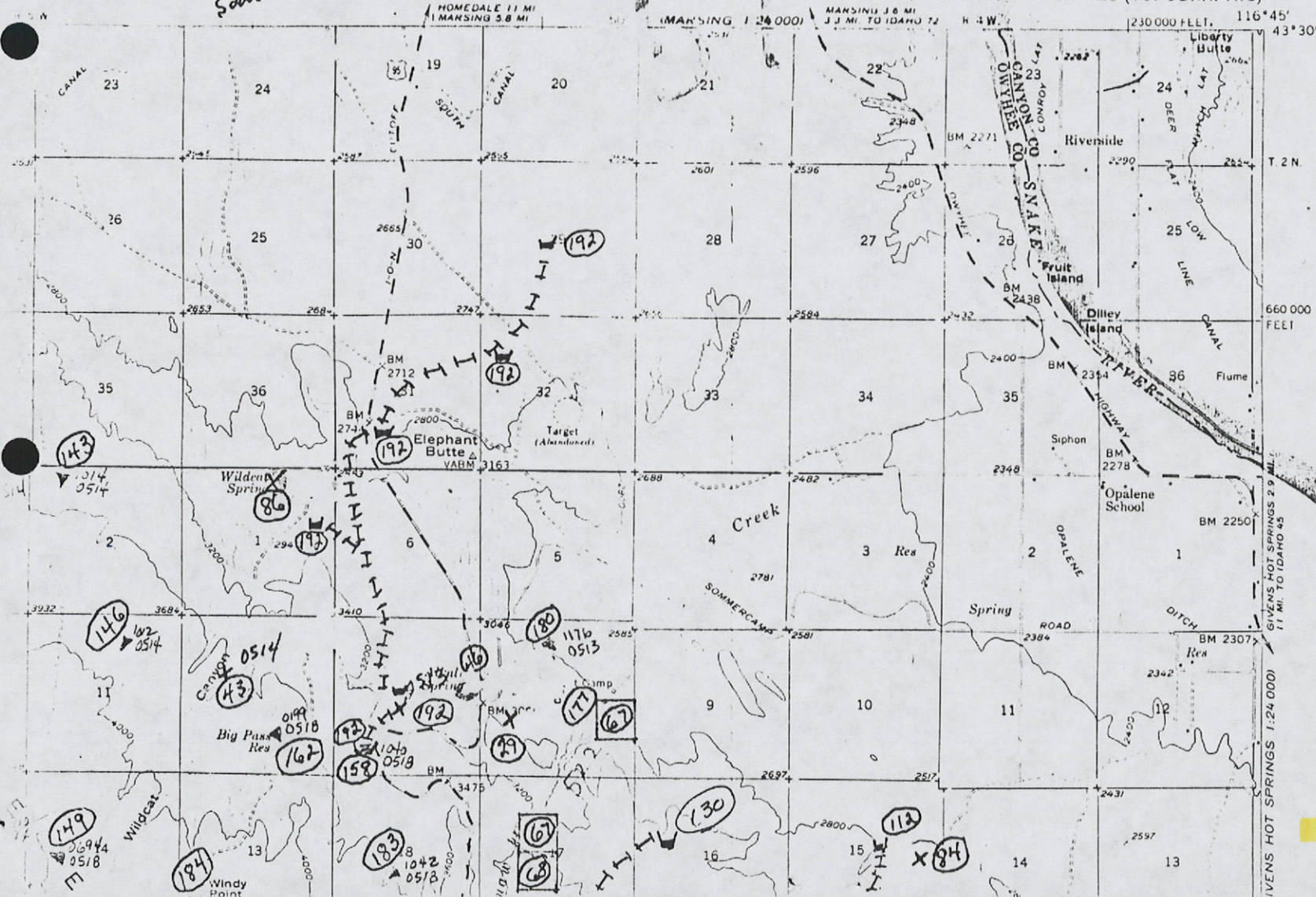
MICROFILMED
MAR 02 1993

(NAD 83) 1:125,000

SANDS BASIN QUADRANGLE
IDAHO
15 MINUTE SERIES (TOPOGRAPHIC)

South Canal

BK 100



- 124. 5701588180
- 125. 5701580389 & 5701588233
- 126. 5701580400 & 5701588151
- 127. 5701580399 & 5701588186
- 128. 5701580398 & 5701588316
- 129. 5701580332 & 5701588160
- 130. 5701580396 & 5701588243
- 132. 5701588107
- 133. 5701588218
- 134. 5701588055
- 135. 5701588054
- 136. 5701588050
- 137. 5701588073
- 138. 5701588072
- 139. 5701588071
- 140. 5701588124
- 141. 5701588123
- 142. 5701588122
- 143. 5701588121
- 144. 5701588119
- 145. 5701588118
- 146. 5701588117
- 147. 5701588111
- 148. 5701588110
- 149. 5701588109
- 150. 5701588108
- 151. 5701588098
- 152. 5701588092
- 153. 5701588090
- 154. 5701588089
- 155. 5701588088
- 156. 5701588175
- 157. 5701588127
- 158. 5701588126

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:
Attorney Name: K. Jack Haugrud
Daria J. Zane
Attorney Address: U. S. Department of Justice
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 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

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. 57-07071
(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)

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.

MICROFILMED
MAR 8 2 1989

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.

(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

I hereby certify that on the 26 day of February, 1993, I ^{personally} mailed the original and ^{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

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

☒ 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.

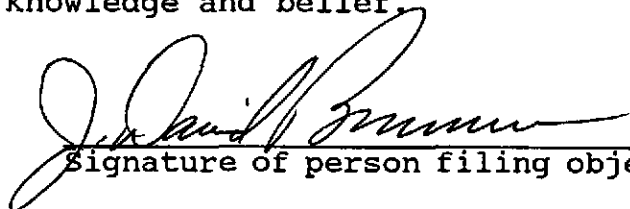
VERIFICATION (Must be Completed)

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:

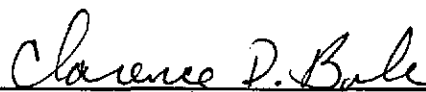
That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


Signature of person filing objection

By: _____

(Attorney signing in
representative capacity)

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


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

ATTACHMENT 1

CLAIM NUMBER: 57-07071

POINT OF DIVERSION:

CHANGE: T01S R05W S08 NESW

TO: T01S R05W S08 SWSW

PLACE OF USE:

CHANGE: T01S R05W S08 NESW

TO: T01S R05W S08 SWSW

MICROFILMED

MAR 02 1998

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

DATE: OCT-13-1992
PAGE: A-1569

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: UNNAMED STREAM		TRIBUTARY: SINKS				
57-07071	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	04/06/1972	STOCKWATER	04-01 11-30	1.3	AFY
			WILDLIFE	01-01 12-31	1.3	AFY
TOTAL QUANTITY:					1.3	AFY
NON-IRRIGATION-USES:						
STOCKWATER, 338 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT						
POINT OF DIVERSION:						
T01S R05W S08 NESW						
PLACE OF USE: STOCKWATER						
T01S R05W S08 NESW						
PLACE OF USE: WILDLIFE						
T01S R05W S08 NESW						
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 = 5701588175						

MICROFILMED

MAR 02 1993



DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

CECIL D. ANDRUS
GOVERNORR. KEITH HIGGINSON
DIRECTOR

December 28, 1992

US Department of Interior
Bureau of Land Management
Attn: Jeff Runkle
3380 Americana Terrace
Boise, ID 83706

Dear Jeff:

Enclosed are several documents which were a result of the Notice of Error procedure for the Bureau of Land Management proposed recommended rights in Basin 57. I will attempt to explain each different grouping along with any action still required.

Group A consists of a copy of the proposed recommended rights for BLM showing the changes requested and our actions taken. These were prepared during the Notice of Error procedure and are the State rights only (Federal right changes are in Group B). No further action needs to be taken on these rights as far as the Department is concerned.

Group B consists of a copy of the proposed recommended Federal rights for BLM again showing the changes or deletions requested and our actions taken. Profile reports of the rights that were changed are also enclosed per your previous request. In this group there were two claims that you requested be deleted which were not one of the "A" suffix claims we created in error. (Note: There were several "A" suffix claims generated for the federal portion on the BLM claims that were each filed as a state and federal right. The federal portions could only be for spring sources and some "A" suffix claims were generated in error on stream sources-these have been deleted as indicated). The two claims not in this category were claims filed as federal rights which you requested be deleted. In order to delete originally claimed rights, the claims need to be documented as filed and then withdrawn. Therefore, please sign the enclosed withdrawal forms for these two claims and return them to our office.

Group C is a statement of acknowledgement and approval along with the listing of instream stockwater rights that we amended by adding quarter-quarters to the points of diversion and places of use. These were the BLM claims filed with the location of the beginning and ending points on the streams shown in the place of use and only one point of diversion listed. Quarter-quarters were added based on Departmental requirements for filing instream stockwatering claims which require that the beginning and ending points be shown in the point of diversion and all the quarter-quarters in between those two points shown as the place of use. Therefore, based on the information claimed by BLM, a quarter-quarter was added to the point of diversion, usually as an ending point, and the quarter-quarters between the two beginning and ending points added to the place of use. This approach was agreed upon at our first meeting at the State

MICROFILMED
MAR 02 1993

office with IDWR personnel, Gary Madenford, Jack Hockberger and yourself. It was also verbally agreed that the BLM would supply some type of documentation at a later date to substantiate the increases since an amended claim is usually required for any increase, however, due to the time constraint for the Basin 57 Director's Report a verbal agreement was made at that time. Therefore, please sign and notarize the enclosed statement and return it to this office.

Group D is a statement of acknowledgement and approval along with the listing of rights that we amended by either increasing or adding items to the claim to match what had been decreed or licensed previously for that right. These claims were originally filed for less than what was licensed, and after pointing a few out to you it was decided and verbally agreed upon to increase the claims in question to what had actually been decreed or licensed. Due to our limited time we could not review all of BLM's decreed or licensed rights to see if an increase was needed, therefore, this list shows only those rights we could locate easily within the time we had left. I'm sure there are still BLM claims in the Basin 57 report that were claimed and recommended for less than what was on the existing right. In normal review of claims the Department is not required to locate and increase claims that are filed for less than what was decreed or licensed and only does so upon request from the claimant on a specific claim number and upon receipt of an amended claim. As with the other increases mentioned above we also need documentation in our files that these increases were agreed upon and the enclosed statement needs to be signed and notarized and returned for our files. Please note that it is to the BLM's advantage to sign and submit both of these approval forms since the claims were increased and would now have to be decreased if no documentation is submitted.

Hopefully this is all of the catch-up items needed and I am sorry for the delay in getting these back to you after the Basin 57 deadline, however, due to family illness, I have been in and out of the office quite a bit these last two months. All of us in the Adjudication Section at Western Region enjoyed working with you and appreciate your cooperative and patient attitude during a very busy and stressful time. If you think of anything else or have any questions, please feel free to contact me.

Sincerely,



JAN SHURTE
Water Rights Supervisor
Adjudication Section
Western Region

JS:j
Enclosures

MICROFILMED
MAR 02 1998

ACKNOWLEDGEMENT AND APPROVAL BY THE BUREAU OF LAND MANAGEMENT TO IDWR
FOR AMENDMENTS MADE ON THOSE BASIN 57 BLM CLAIMS AS LISTED AND
EXPLAINED ON THE ATTACHED SHEET

The attached listing of Snake River Basin Adjudication claim numbers were changed either by adding items or increasing items on these claims to match what had previously been decreed or licensed, with one increase on a beneficial use claim to correct the total amount of water claimed. The attached list explains what was increased or added for each claim per a verbal agreement with the Bureau of Land Management. This verbal agreement, in place of amended claims, was made due to the limited time period remaining during the Notice of Error procedure prior to submittal of the Basin 57 Report to the Court on October 13, 1992. By signing below, the Bureau of Land Management acknowledges the verbal agreement for these changes and approval of the changes made to these claims, as shown on the attached listing.

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

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

Notary Public _____

Residing at _____

My Commission Expires _____

GROUP

D

MICROFILMED

MAR 02 1997

BUREAU OF LAND MANAGEMENT
LISTING OF BASIN 57 AMENDED CLAIMS

NUMBER	REASON
57-01048	INCREASED SEASON OF USE TO DECREED SEASON
57-01093	INCREASED SEASON OF USE TO DECREED SEASON
57-02346	CLAIMED 0.005 CFS INCREASED TO 0.01 CFS PER LICENSE
57-02348	CLAIMED 0.005 CFS INCREASED TO 0.04 PER LICENSE
57-02349	INCREASED SEASON OF USE TO LICENSED SEASON
57-02370	INCREASED SEASON OF USE TO LICENSED SEASON AND ADDED PLACE OF USE AS PER LICENSE
57-02392	INCREASED SEASON OF USE TO LICENSED SEASON
57-02396	INCREASED SEASON OF USE TO LICENSED SEASON
57-02397	INCREASED SEASON OF USE TO LICENSED SEASON
57-02400	INCREASED SEASON OF USE TO LICENSED SEASON
57-02401	INCREASED SEASON OF USE TO LICENSED SEASON
57-02402	INCREASED AMOUNT OF WATER TO 0.10 CFS PER LICENSED AMOUNT
57-02407	INCREASED SEASON OF USE TO LICENSED SEASON
57-02414	INCREASED SEASON OF USE TO LICENSED SEASON
57-02415	INCREASED SEASON OF USE TO LICENSED SEASON
57-02417	INCREASED SEASON OF USE TO LICENSED SEASON
57-02418	INCREASED SEASON OF USE TO LICENSED SEASON
57-02419	INCREASED SEASON OF USE TO LICENSED SEASON
57-02425	INCREASED SEASON OF USE TO LICENSED SEASON
57-02426	INCREASED SEASON OF USE TO LICENSED SEASON
57-02431	INCREASED SEASON OF USE TO LICENSED SEASON
57-02432	INCREASED SEASON OF USE TO LICENSED SEASON
57-02433	INCREASED SEASON OF USE TO LICENSED SEASON
57-02435	INCREASED SEASON OF USE TO LICENSED SEASON AND ADDED PLACE OF USE PER LICENSE
57-02437	INCREASED SEASON OF USE TO LICENSED SEASON
57-02438	INCREASED SEASON OF USE TO LICENSED SEASON
57-02439	INCREASED SEASON OF USE TO LICENSED SEASON
57-02441	INCREASED SEASON OF USE TO LICENSED SEASON
57-02448	INCREASED SEASON OF USE TO LICENSED SEASON
57-02449	INCREASED SEASON OF USE TO LICENSED SEASON
57-02457	INCREASED SEASON OF USE TO LICENSED SEASON
57-02461	INCREASED SEASON OF USE TO LICENSED SEASON
57-02462	INCREASED SEASON OF USE TO LICENSED SEASON
57-02463	INCREASED SEASON OF USE TO LICENSED SEASON
57-02464	INCREASED SEASON OF USE TO LICENSED SEASON
57-02471	INCREASED SEASON OF USE TO LICENSED SEASON
57-02472	INCREASED SEASON OF USE TO LICENSED SEASON
57-02473	INCREASED SEASON OF USE TO LICENSED SEASON
57-02474	INCREASED SEASON OF USE TO LICENSED SEASON
57-02475	INCREASED SEASON OF USE TO LICENSED SEASON
57-02476	INCREASED SEASON OF USE TO LICENSED SEASON
57-02477	INCREASED SEASON OF USE TO LICENSED SEASON
57-02478	INCREASED SEASON OF USE TO LICENSED SEASON
57-02479	INCREASED SEASON OF USE TO LICENSED SEASON
57-02480	INCREASED SEASON OF USE TO LICENSED SEASON
57-02481	INCREASED SEASON OF USE TO LICENSED SEASON
57-02482	INCREASED SEASON OF USE TO LICENSED SEASON

MICROFILMED

MAR 02 1983

57-02484

ADDED WILDLIFE FOR 0.1 CFS AND PLACE OF USE
FOR WILDLIFE PER DECREE

57-07071

INCREASED SEASON OF USE TO LICENSED SEASON

57-07168

INCREASED SEASON OF USE TO DECREED SEASON

57-07291

INCREASED SEASON OF USE TO LICENSED SEASON

57-07298

INCREASED SEASON OF USE TO LICENSED SEASON

57-07300

INCREASED SEASON OF USE TO LICENSED SEASON

AND INCREASED NUMBER OF RANGE CATTLE PER
LICENSE

57-07356

INCREASED SEASON OF USE TO LICENSED SEASON

57-07373

INCREASED SEASON OF USE TO LICENSED SEASON

57-07375

INCREASED SEASON OF USE TO LICENSED SEASON

57-07376

INCREASED SEASON OF USE TO LICENSED SEASON

57-07377

INCREASED SEASON OF USE TO LICENSED SEASON

57-07378

INCREASED SEASON OF USE TO LICENSED SEASON

57-07386

INCREASED SEASON OF USE TO LICENSED SEASON

57-07387

INCREASED SEASON OF USE TO LICENSED SEASON

57-07402

INCREASED SEASON OF USE AND AMOUNT OF WATER
DUE TO LICENSED SEASON & AMOUNTS

57-11151

INCREASED TOTAL TO 0.09 CFS SINCE STOCK WAS
FOR 0.07 CFS AND WILDLIFE WAS FOR 0.02 CFS

57-11324

INCREASED NUMBER OF HEAD FROM 2 TO 20 PER
WRITTEN NOTICE OF ERROR

MICROFILMED
MAR 02 1998

ACKNOWLEDGEMENT AND APPROVAL BY THE BUREAU OF LAND MANAGEMENT TO IDWR
FOR AMENDMENTS MADE TO THE POINT OF DIVERSION AND/OR PLACE OF USE FOR
BLM'S BASIN 57 INSTREAM STOCK CLAIMS LISTED ON THE ATTACHED SHEET

The attached listing of the Bureau of Land Management's Snake River Basin Adjudication claim numbers were amended by adding the beginning and/or ending points of instream stockwater use to the point of diversion. These points were originally claimed by the Bureau of Land Management under the place of use, with one point, usually the beginning point, in the point of diversion. The claims were also amended by changing and/or adding, to the place of use, the 1/41/4's on the stream between the beginning and ending points. These were amended by IDWR per a verbal agreement with the Bureau of Land Management. This verbal agreement, in place of amended claims, was made due to the limited time period remaining prior to submittal of the Basin 57 Report to the Court on October 13, 1992. By signing below the Bureau of Land Management acknowledges this verbal agreement and approval of these changes.

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

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

Notary Public _____

Residing at _____

My Commission Expires _____

GROUP
C

MICROFILMED
MAR 02 1994

BUREAU OF LAND MANAGEMENT
LISTING OF BASIN 57 AMENDED INSTREAM STOCKWATER CLAIMS

A57-11067	A57-11141	A57-11179	A57-11406	A57-11479
A57-11074	A57-11142	A57-11182	A57-11407	A57-11480
A57-11095	A57-11143	A57-11183	A57-11410	A57-11482
A57-11096	A57-11144	A57-11206	A57-11412	A57-11483
A57-11097	A57-11145	A57-11255	A57-11413	A57-11484
A57-11103	A57-11146	A57-11298	A57-11417	A57-11485
A57-11105	A57-11147	A57-11319	A57-11418	A57-11486
A57-11106	A57-11148	A57-11320	A57-11419	A57-11487
A57-11107	A57-11149	A57-11321	A57-11420	A57-11488
A57-11108	A57-11150	A57-11322	A57-11422	A57-11489
A57-11109	A57-11151	A57-11324	A57-11423	A57-11490
A57-11110	A57-11152	A57-11326	A57-11424	A57-11491
A57-11111	A57-11153	A57-11327	A57-11425	A57-11492
A57-11112	A57-11154	A57-11328	A57-11426	A57-11493
A57-11113	A57-11155	A57-11329	A57-11449	
A57-11114	A57-11156	A57-11330	A57-11450	
A57-11115	A57-11157	A57-11331	A57-11452	
A57-11116	A57-11158	A57-11332	A57-11453	
A57-11117	A57-11159	A57-11333	A57-11454	
A57-11118	A57-11160	A57-11334	A57-11455	
A57-11119	A57-11161	A57-11337	A57-11461	
A57-11120	A57-11162	A57-11338	A57-11462	
A57-11123	A57-11163	A57-11339	A57-11463	
A57-11124	A57-11164	A57-11340	A57-11464	
A57-11125	A57-11165	A57-11341	A57-11465	
A57-11126	A57-11166	A57-11342	A57-11466	
A57-11127	A57-11167	A57-11343	A57-11467	
A57-11128	A57-11168	A57-11344	A57-11468	
A57-11129	A57-11169	A57-11345	A57-11469	
A57-11130	A57-11170	A57-11346	A57-11470	
A57-11131	A57-11171	A57-11347	A57-11471	
A57-11132	A57-11172	A57-11348	A57-11472	
A57-11133	A57-11173	A57-11350	A57-11473	
A57-11134	A57-11174	A57-11351	A57-11474	
A57-11135	A57-11175	A57-11353	A57-11475	
A57-11137	A57-11176	A57-11403	A57-11476	
A57-11139	A57-11177	A57-11404	A57-11477	
A57-11140	A57-11178	A57-11405	A57-11478	

MICROFILMED
MAR 02 1998

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

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	04/06/1972	STOCKWATER WILDLIFE	04-01 11-30 ✓ 01-01 12-31 ✓		1.3 AFA 1.3 AFA
TOTAL DIVERSION:						1.3 AFA

Water Source: UNNAMED STREAM

Tributary to: SINKS

Stage: LICENSE

Point(s) of Diversion:

T01S R05W S08

NESW

OWYHEE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE			
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac
01S	05W	8	:				:					:				:			

Place of use Legal Description for: WILDLIFE

				NE				NW				SW				SE			
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac
01S	05W	8	:				:					:				:			

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 338 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 = 5701588175

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 SHURTE

MICROFILMED
MAR 11 2 00 PM '93

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 57-7071 Priority April 6, 1972 Amount 1.3 acre feet

THIS IS TO CERTIFY, that the Bureau of Land Management
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 57-7071 issued pursuant to Application for Permit dated April 6, 1972,
and has submitted proof to the Department of Water Administration on May 21, 1973,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.3 acre feet, and that the water has in fact been applied to a
beneficial use; a right to the use of water from surface water

tributary of _____, is hereby confirmed in the following amounts:
Amount 1.3 af for Livestock from April 1 to Nov. 30 (both dates inclusive)
Amount 1.3 af for Wildlife from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 1.3 acre feet of water be diverted at
any one time, said waters to be diverted within the _____

NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 8, Twp. 1 S, Rge. 5 W, B.M.

in the county of Owyhee; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1.3 acre feet per year ~~xxx~~

~~xxxxxx~~

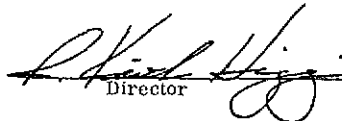
Description and location of place of use: (Project No. 5029, French John Resv. #3)

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1S	5W	8									X								

Total number of acres irrigated _____

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 7 day of
August, 19 73.


Director

MICROFILMED

MAR 2 1973

57 7071

*outside Boyslake
creek adj area.
10/26/79 T.K.N.*

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

09/04/92 02:26:19

MICROFILMED
MAR 02 1993

WATER RIGHT NUMBER - A57-07071

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - 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 - PJ 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- 83708

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- 83708

PHONE - 208-334-1401

+ - - PRIORITY DATE - - +

04/06/1972

+ - - - REGION - - - +

14 WESTERN

+ - - - STAGE - - - +

L - LICENSE

+ - - - STATUS - - - +

+ - - - - SOURCE - - - - -

UNNAMED STREAM

+ - - - - TRIBUTARY - - - - -

SINKS

+ - - - - POINT OF DIVERSION - - - - -

TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

01S 05W 8 NE SW (73) OWYHEE

+ - - - - WATER USE - - - - -

CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

04 - STOCKWATER 04/01 10/31 1.30

16 - WILDLIFE 01/01 12/31 1.30

05 - STOCKWATER STORAGE 04/01 10/31 1.30

06 - STOCKWATER FROM STORAGE 04/01 10/31 1.30

17 - WILDLIFE STORAGE 01/01 12/31 1.30

18 - WILDLIFE FROM STORAGE 01/01 12/31 1.30

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

1.30

0.0

+ - - - - PLACE OF USE - - - - -

TWN	RNG	SEC	TRACT	LOT	ACRES	CODE	DESCRIPTION	COUNTY
01S	05W	8	NE SW			04	STOCKWATER	(73) OWYHEE
01S	05W	8	NE SW			05	STOCKWATER STORAGE	(73) OWYHEE
01S	05W	8	NE SW			06	STOCKWATER FROM STORAGE	(73) OWYHEE
01S	05W	8	NE SW			16	WILDLIFE	(73) OWYHEE
01S	05W	8	NE SW			17	WILDLIFE STORAGE	(73) OWYHEE

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

09/04/92 02:26:19

PAGE 2

WATER RIGHT NUMBER - A57-07071

PREFIX TRANSLATION: ADJUDICATION CLAIM

TWN	RNG	SEC	TRACT	LOT	ACRES	CODE	DESCRIPTION	COUNTY
01S	05W	8	NE SW		18		WILDLIFE FROM STORAGE	(73) OWYHEE

+ - - DIVERSION MEANS - 272'L X 10.5'H EARTHFILL DAM

+ - - NON-IRRIGATION USE - S/333 RANGE CATTLE W/VARIABLE WILDLIFE

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - REMARKS - - - - -
CLM RECORD ID = 8701589175
PREVIOUSLY FILED WITH THE IDAHO DEPARTMENT OF WATER RESOURCES.

+ - - OLD WATER RIGHT NUMBERS - - - - -
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - DECREE PLAINTIFF - - - - + - - - - DECREE DEFENDANT - - - - + - - DECREE DATE - +
06/30/0000

+ - - ADJUT FILES - 06/04/92 ADJUT

+ - - 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	- 0
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 FLAG	-	FDU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
PER EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

DATA ENTRY

ENTERED *9/24/92*
CHECKED *9/25/92*

Verified By
Topo Map/Ortho-PQ
ASCS Map
W/transfer 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
MAR 02 1993

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 points(s) of diversion.
9. ☒ Place of Use: I respond to the objection concerning:

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 5 and 9 and all allegations of the objection regarding these items IDWR responds as follows: The point of diversion and place of use were recommended as claimed by the United States and as licensed by IDWR. 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 1981

DISTRICT COURT-SRBA
 Fifth Judicial District
 County of Twin Falls - State of Idaho
 1998
 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 the General Adjudication)
 of the Rights to the Use of Water)
 from the Snake River Basin)
 Water System)

Case No. 57-07071 -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.)

MICROFILMED

MAR 02 1998

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)

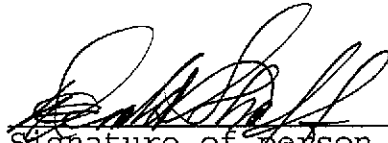
VERIFICATION (Must be Completed)

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.



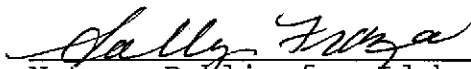
Signature of person filing response

By:



(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 11th 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. A57-07071

2

MICROFILMED

MAR 02 1993

(Over)

CERTIFICATE OF MAILING

I hereby certify that on the 11th 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:

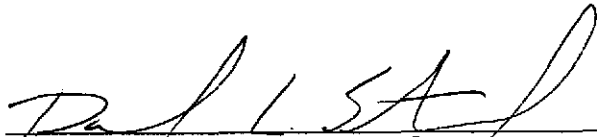
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

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

WORKING COPY

- 57-07056 Question to legal on increasing number of head to 4,964 head. Could be based on if the license was issued for more head than claimed. 1000 head claimed and question licensed. Legal question on increasing recommended right or not. [Check license for number of head of stock].
- 57-07064
57-11258 Ok to change from the SWNE, Sec. 17 to SENW Sec. 17 2S 5W per Piute Butte Prov. Ed. 1989 topo map.
- 57-07071 Change pd to SWSW, Sec. 8, & pu to the SESW and SWSW, Sec. 8 (note pu is on the line between the SESW & SWSW). Source = Unnamed Stream/McBride Creek per NAPP Y 53 NW and topo map Piute Butte Prov. Ed. 1989.
- 57-07074
57-11265 Change to SWSW, Sec. 29 2S 5W per USGS map designation for Texas Basin Spring - named on Captain Butte Prov. Ed. 1990 topo.
- 57-07119 Project 5349. Requests change by addition of a pu in the NWSE, Sec. 15. Per project file completion was done prior to Nov. 19, 1987. Letter to IDWR 9/87 about adding P/U. Job Documentation Report is project file states added P/U was before 7/87. NOTE: 57-11276 covers same spring (Jerry's) and same original pu with no objection filed to change it also. It is a reserved right. Question on adding pu to this reserved right.
- 57-07122
57-11278 (Nothing in the NENW, Sec. 17; objection listed 1/4 1/4 to change to wrong. 57-11278 should have been the NESW. Ok to change P/D and P/U to the NESW, Sec. 17 from the SWSW per Murphy Prov. Ed. 1990 topo map designation of spring.
- 57-07163 Want to change from 200 head range cattle to 4,964. Depends on what was licensed on original license and legal decision. [Check license to see number of head.]
- 57-07166
57-11284 Ok to change P/D, P/U from the SENW to the SWNW, Sec. 26 per Sec. 26 per Soldier Cap Prov. Ed. 1989 topo map designation of spring in SWNW and verification on the NAPP photo Y54 SE that nothing appears in the SENW, Sec. 26.
- 57-11268 Reserved right for same location - objection filed to only change the location of spring to NWSW, Sec. 21 and pu same as spring. Ok for same topo and NAPP above in 57-07166 and 57-11284.
- 57-07168 Project 5453. P/D change from NESW to NWSW ok per NAPP 74 NW where spring is west of road and Rooster Comb Peak topo map. PU change and addition ok also per project file diagram attached and measurement of spring to first trough in the NESW and second trough

MICROFILMED

NOV 02 1988

MICROFILMED

MAR 02 1998

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
57-07071	01S	05W	8		NE	SW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A57-07071 NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: UNNAMED STREAM

TRIB: SINKS

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
57-07071	01S	05W	8		NE	SW		OWYHEE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

~~A57-07071~~ NONE

SOURCE: UNNAMED STREAM

TRIB: SINKS

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

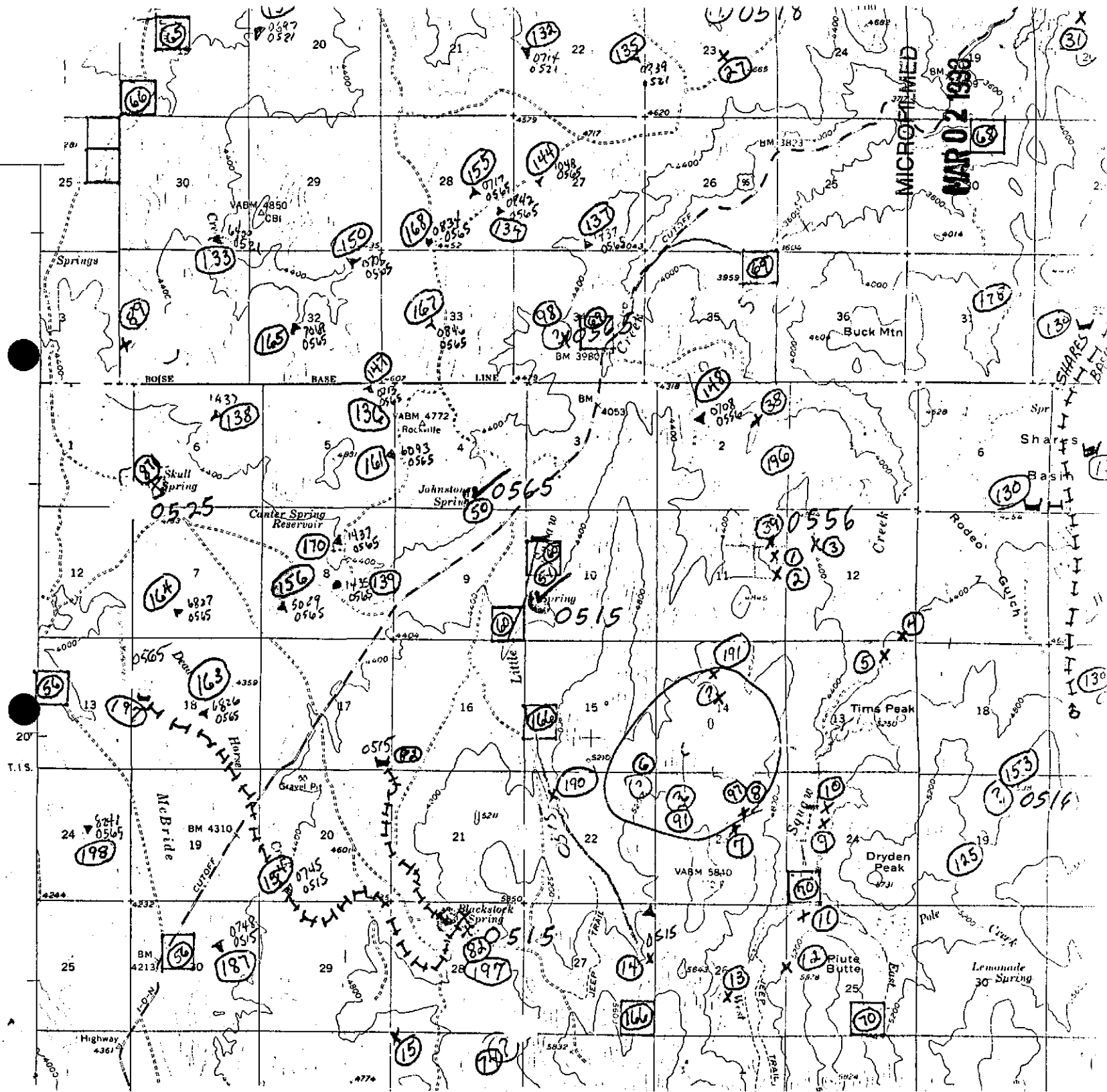
DATABASE
Y
N

FIELD
EXAMINER

NOTES:

No overlap.

No overlap at new location.



Sands
Basin, ID
Quad

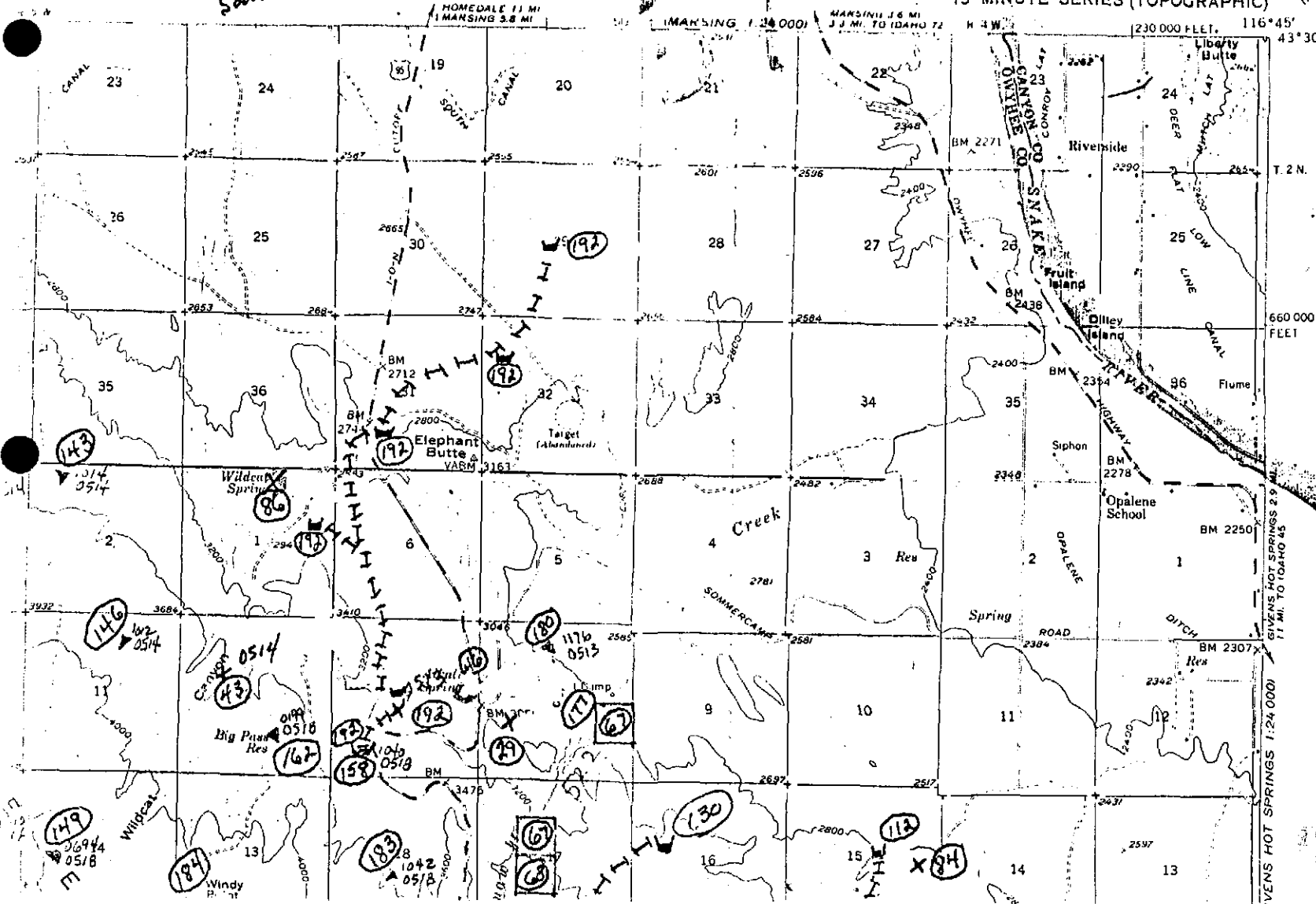
MICROFILMED
MAR 02 1998

SANDS BASIN QUADRANGLE
IDAHO
15 MINUTE SERIES (TOPOGRAPHIC)

INAMPA 1:125,000

South Canal

BK 100



- 124. 5701588180
- 125. 5701580389 & 5701588233
- 126. 5701580400 & 5701588151
- 127. 5701580399 & 5701588186
- 128. 5701580398 & 5701588316
- 129. 5701580332 & 5701588160
- 130. 5701580396 & 5701588243
- 132. 5701588107
- 133. 5701588218
- 134. 5701588055
- 135. 5701588054
- 136. 5701588050
- 137. 5701588073
- 138. 5701588072
- 139. 5701588071
- 140. 5701588124
- 141. 5701588123
- 142. 5701588122
- 143. 5701588121
- 144. 5701588119
- 145. 5701588118
- 146. 5701588117
- 147. 5701588111
- 148. 5701588110
- 149. 5701588109
- 150. 5701588108
- 151. 5701588098
- 152. 5701588092
- 153. 5701588090
- 154. 5701588089
- 155. 5701588088
- 156. 5701588175
- 157. 5701588127
- 158. 5701588126

BASIN 57
OBJECTION FILE
[REDACTED] AGENT NOTES

CLAIM NO.: 57-07071

PARTIES:

☐ Individual vs Individual	☐ BLM vs Individual
☐ Individual vs Department	☒ BLM vs Department
☐ Individual vs BLM	☐ General Provisions

SUMMARY OF OBJECTION:

P/D & P/U legal descriptions

AGENTS RESPONSE:

☐ NO RESPONSE

Recommended as claimed &
as previously licensed.

Per BLM "Sands Basin" quad
submitted with claims, legals
may be in SWSW, Sec. 8, T 15,
R 5W. See attached copy.
Possible correction needed.

Exam made by IDWR 7/30/73 - may
want to request evidence of date
of change of pld & plu.

AGENT:

Ray Walker

DATE:

3-15-93

Movant's Name:
UNITED STATES OF AMERICA

Attorneys' Names and Addresses:

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

PETER C. MONSON
LEIF JOHNSON
Attorneys, Department of Justice
Indian Resources Section
Environment and Natural Resources Division

K. JACK HAUGRUD
DARIA J. ZANE
R. LEE LEININGER
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 No. 57-07071
	)	
Case No. 39576	)	STIPULATION AND ORDER
	)	TO RESOLVE OBJECTION
	)	
	)	
	)	
	)	

DESCRIPTIVE SUMMARY

This is a stipulation and order to resolve the United States' objection to water right number 57 - 07071.

STIPULATION

To resolve the dispute over the above-captioned water right, the Idaho Department of Water Resources (IDWR) and the objector, the United States of America, stipulate and agree that:

MICROFILMED
MAR 02 1993

1. The above-referenced water right is accurately described in Exhibit 1, a revised page of the Director's report containing the recommended water right showing specific changes made to the Director's original recommendation in an underline/overstrike format.

2. All decrees, whether partial or final, should describe the water right as modified and described in Exhibit 1.

3. Upon entry of partial and final decrees for Water Right No. 57-07071, describing the right as shown in Exhibit 1 hereto, including the modification indicated thereon, the objection of the United States shall be deemed withdrawn.

4. Because there are no remaining objections to this water right, a partial decree may be entered for it pursuant to I.C. 42-1412(8).

5. The execution of this stipulation does not affect or limit the United States' existing right to challenge other portions of the directors' report pursuant to a timely filed objection.

6. Both parties agree to bear their own costs and attorneys' fees in connection with this matter.

Respectfully submitted,

UNITED STATES OF AMERICA
on behalf of the BLM

Dated:

By:

Daria J. Zane
R. Lee Leininger
Attorney
General Litigation Section
Environment & Natural Resources Division
U.S. Department of Justice
Washington, D.C. 20044
(202) 272-8351

Dated:

By:

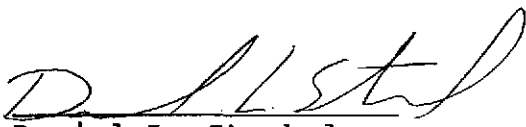
J. David Brunner
District Manager
Boise District
Bureau of Land Management

IDAHO DEPARTMENT OF WATER RESOURCES

Dated:

3/24/94

By:



Daniel L. Steckel
Deputy Attorney General
Department of Water Resources
Statehouse
Boise, Idaho 83720-9000
(208) 327-7900

MICROFILMED

MAR 02 1994

ORDER

This matter having come before the Court upon stipulation of counsel, and good cause having been shown,

IT IS HEREBY ORDERED that the Court shall enter a partial decree for water right 57 - 07071 which includes the modifications to the Director's original recommendation shown on the attached Exhibit 1. The United States' objection shall be deemed withdrawn upon entry of the partial decree. Because no other objections have been raised to this water right, the hearing for entry of this partial decree is scheduled for _____, 199__, at the Snake River Basin Adjudication Courthouse, 253 Third Avenue North, Twin Falls, Idaho.

DATED and signed this ____ day of _____, 1993.

DANIEL C. HURLBUTT JR.
District Judge

MICROFILMED

MAR 02 1993

AJ5856NP

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

DATE: NOV-08-1993

PAGE: A-1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: UNNAMED STREAM		TRIBUTARY: MC BRIDE CREEK SINKS				
57-07071	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	04/06/1972	STOCKWATER WILDLIFE	04-01 11-30 01-01 12-31	1.3 1.3	AFY LICENSE AFY
NON-IRRIGATION USES:					TOTAL VOLUME: 1.3 AFY	
STOCKWATER, 338 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT						
POINT OF DIVERSION:						
T01S R05W S08 SWSW N2SW						
PLACE OF USE: STOCKWATER						
T01S R05W S08 SWSW SESH N2SW						
PLACE OF USE: WILDLIFE						
T01S R05W S08 N2SW						
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 = 5701588175						

MICROFILMED

MAR 02 1993

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE was mailed on DECEMBER 26, 1996, with sufficient first-class postage to the following:

CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720
Phone: 208-334-2400
Rep: STATE OF IDAHO

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

JACK HAUGRUD
US DEPT OF JUSTICE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 202-305-0438
Rep: USDI BLM

MICROFILMED

MAR 02 1998

RECEIVED

DEC 30 1996

Department of Water Resources

1996 DEC 26 AM 10:16
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	)	ORDER SETTING STATUS	
	)	CONFERENCE	
Case No. 39576	)		
		SUBCASE NOS:	57-02365B 57-02493
		57-02494	57-07071 57-07119
		57-07377	

Please be advised that Special Master FRITZ X HAEMMERLE
has set a Status Conference in the above subcase(s)
as follows:

WEDNESDAY, JANUARY 08, 1997 at 01:00 PM

OWYHEE COUNTY COURTHOUSE
HIGHWAY 78
PO BOX 128
MURPHY, ID

Option: Parties may participate by phone if they contact the
clerk at (208) 736-3011 prior to JANUARY 06, 1997.

MICROFILMED

IT IS SO ORDERED.

MAR 02 1998

Dated: DECEMBER 26, 1996

/S/ FRITZ X HAEMMERLE
Special Master
Snake River Basin Adjudication

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

RECEIVED

JAN 08 1997

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
 Attorney, 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.: 57-02365B,
	)	57-02494,
	)	57-07071, 57-07119,
	)	57-07377
	)	
	)	STIPULATION TO RESOLVE
Case No. 39576	)	OBJECTIONS AND MOTION
	)	FOR ENTRY OF RECOMMENDATIONS
	)	FOR PARTIAL DECREE

Descriptive Summary

This is the United States of America's, through the Bureau of Land Management, stipulation to resolve the objections filed to the list of subcase numbers referenced above and motion for entry by the Special Master of recommendations for partial decree of the water rights for these subcases.

MICROFILMED

MAR 02 1998

Stipulation

WHEREAS, the United States is the only party to the above referenced subcases and has discussed the resolution of these matters with the Idaho Department of Water Resources;

WHEREAS, in the interest of judicial efficiency and economy, the United States submits this stipulation as a substitute for and in lieu of Standard Forms Nos. 5 to resolve each objections to the above referenced subcases;

THEREFORE, the United States stipulates and agrees to the following:

1. Entry of water rights, attached as exhibit A, for recommendation for partial decree and for final decree as the elements of the water rights appear on the proposed partial decrees, attached as exhibit A.

Motion

The United States respectfully moves the Special Master for Basin 57 for entry of recommendations for partial decree for the subcases referenced above.

In support of this motion the United States states:

MICROFILMED
MAR 02 1993

1. The subcases referenced above were objected to by the United States.

2. In the interest of judicial economy and efficiency and with the cooperation of the Idaho Department of Water Resources, the United States agreed to the use of Department's proposed partial decrees, attached as Exhibit A, as the basis of the stipulation to resolve objections.

3. The proposed partial decrees have been reviewed by the United States' Bureau of Land Management. The United States agrees to the recommendation of the water rights as stated in the proposed partial decrees.

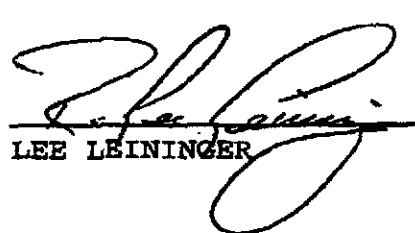
Conclusion

For the forgoing reasons, the United States respectfully requests that the Special Master for Basin 57 enter the water rights as they appear on the attached proposed partial decrees, and with the corrected address of the claimant, for recommendation for partial decree.

CLAIMANT AND OBJECTOR:

**The United States of America,
acting on behalf of the United States
Bureau of Land Management**

Attorney of Record:


R. LEE LEININGER

Dated:

1/7/97

CERTIFICATE OF SERVICE

I certify that on the 7th day of January, 1997, I served a true and correct copy of the Stipulation and Motion for subcase numbers 57-02365B, 57-02494, 57-07071, 57-07119, 57-07377 upon the following individuals:

J. Andrew Helmlinger
Deputy Attorney General
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, Idaho 83702

IDWR's Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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



AJ586NP

IDAHO DEPARTMENT OF WATER RESOURCES

DATE: NOV-21-1996
PAGE: A-1

RIGHTS FROM: SOURCE: BLACKSTOCK SPRING TRIBUTARY: DEAD HORSE CREEK

RIGHT NUMBER: 57-023658

NAME AND ADDRESS:

UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1367 S VINNELL WAY
BOISE ID 83709

SOURCE:

BLACKSTOCK SPRING TRIBUTARY: DEAD HORSE CREEK

QUANTITY:

0.02 CFS

THE QUANTITY FOR NON/UTILIZATION USE IS LIMITED TO THE AMOUNT BENEFICIARILY
USED FOR STOCKWATER, 330 RANGE CATTLE, WINDMILL, VARIOUS RANGERS

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

THIS RIGHT AND OTHER RIGHTS GRANTED TO THE SAME SEIZING
AGENCY SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIARILY
USED BY THE NUMBER OF STOCK WITHIN THE AGREEMENT.

PRIORITY DATE:

01/24/1942

POINT OF DIVERSION:

T01S ROSU 528

Within Owyhee County

SUMMIT
SEWAGE

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
STOCKWATERPERIOD OF USE
04-01 10-31QUANTITY
0.02 CFS

PLACE OF USE:

STOCKWATER
T01S ROSU 518
528

Within Owyhee County

SUMMIT
SEWAGE

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

THE QUANTITY OF WATER DECIDED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
SEE REPORT TO # 379597379
SOURCE ALSO KNOWN AS BLACKSTOCK SPRING NO. 2

EXPLANATORY MATERIAL:

BASIS OF CLAIM - LICENSE

BLM RECORD ID # 3701381919

SOURCE ALSO KNOWN AS BLACKSTOCK SPRING NO. 2
STOCKWATER, 330 RANGE CATTLE

MICROFILMED

MAR 02 1996

1- 7-97 4:51 PM;
11/26/1996 15:55 3275400

IDAR

PAGE 04

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES

DATE: NOV-21-1996
PAGE: A-1

RIGHTS FROM: SOURCE: HALF MOON SPRING TRIBUTARY: BIRCH CREEK

RIGHT NUMBER: 57-02496

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAWO STATE OFFICE
1307 S VINNELL WAY
BOISE ID 83709

SOURCE: HALF MOON SPRING TRIBUTARY: BIRCH CREEK

QUANTITY: 0.01 CFS

THE QUANTITY FOR NOMINATION WAS IS LIMITED TO THE AMOUNT REPRESENTED BY
WATER FUEL HYDROPOWER, 1000 RANGE CATTLE, WINTERIZED PASTURE ANNUALLY

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

THIS RIGHT AND OTHER RIGHTS GRANTED TO THE SAME SEIZING
AGENCY SHALL BE LIMITED TO THE QUANTITY OF WATER REPRESENTED
UNDER BY THE NUMBER OF STOCK WITHIN THE AGREEMENT.

PRIORITY DATE: 04/12/1971

POINT OF DIVERSION: TOWNS ROTE 532 MESSAGE Within CATHLAMET County

PURPOSE AND PERIOD OF USE: STOCKWATER PURPOSE OF USE PERIOD OF USE QUANTITY
03-01 11-30 0.01 CFS

PLACE OF USE: STOCKWATER Within CATHLAMET County
TOWNS ROTE 532 SAGE

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

THE QUANTITY OF WATER DECIDED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
SEE RECORD 29 & 37/00000000

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
BLM RECORD ID = 5701688140
STOCKWATER, 1000 RANGE CATTLE

PROFILMED

MAR 02 1998

AJ5856NP

IRANO DEPARTMENT OF WATER RESOURCES

DATE: NOV-22-1996

PAGE: A-1

RIGHTS FROM: SOURCE: UNNAMED STREAM TRIBUTARY: MC BRIDE CREEK
SINKS

RIGHT NUMBER: 57-07071

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

SOURCE: UNNAMED STREAM TRIBUTARY: MC BRIDE CREEK
SINKS

QUANTITY: 1.3 AFY

THE QUANTITY FOR IRRIGATION USE IS LIMITED TO THE QUANTITY BENEFITABLY
USED FOR STOCKWATER, 138 RANGE CATTLE, WILDLIFE, WILDLIFE HUNTING

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

THIS RIGHT AND OTHER RIGHTS SUBJECT TO THE SAME GRANTING
AGREEMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFITABLY
USED BY THE NUMBER OF STOCK WITHIN THE AGREEMENT.

PRIORITY DATE: 04/06/1972

POINT OF DIVERSION: T01S R05W S08 E04N Within CANYON County
NEEN

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER STORAGE	01-01 12-31	1.3 AFY
	STOCKWATER FROM STORAGE	04-01 11-30	1.3 AFY
	WILDLIFE	01-01 12-31	1.3 AFY
	STOCKWATER	04-01 11-30	1.3 AFY

PLACE OF USE: STOCKWATER STORAGE Within CANYON County
T01S R05W S08 E04N NEEN

Place of use for STOCKWATER FROM STORAGE is same as STOCKWATER STORAGE

Place of use for WILDLIFE is same as STOCKWATER STORAGE

STOCKWATER Within CANYON County
T01S R05W S08 E04N NEEN

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A

AJ5856MP

IDAHO DEPARTMENT OF WATER RESOURCES

DATE: NOV-22-1996

PAGE: A-2

57-07071 (CONT.)

DETERMINATION OF HISTORICAL BENEFICIAL USE.
BEN RECORDED TO # 5701588175

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

BLM RECORD ID - 5701588175

STOCKWATER. 338 RANGE CATTLE. WILDLIFE. VARIABLE NUMBER

MICROFILMED
MAR 02 1998

A-5554MP

IDAHO DEPARTMENT OF WATER RESOURCES

DATE: NOV-21-1996
PAGE: A-1

RIGHTS FROM: SOURCE: JERRY'S SPRING TRIBUTARY: SOLAU CREEK

RIGHT NUMBER: 57-07119

NAME AND ADDRESS:

UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1307 S VINNELL WAY
BOISE ID 83709

SOURCE:

JERRY'S SPRING TRIBUTARY: SOLAU CREEK

QUANTITY:

0.01 CFS
0.1 AFT

THE QUANTITY FOR ADMINISTRATION USE IS LIMITED TO THE AMOUNT BENEFICIARILY
USES FOR STOCKWATER, THE RANGE RATHER A NUMBER, MINIMUM, MAXIMUM AMOUNT

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

PRIORITY DATE:

06/06/1974

POINT OF DIVERSION:

101N ROAD S22

S22N Within Owyhee County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE	QUANTITY
05-01 11-30	0.01 CFS
	0.1 AFT
01-01 12-31	0.01 CFS
	0.1 AFT

WILDLIFE

PLACE OF USE:

STOCKWATER

Within Owyhee County

101N ROAD S15
S22W2SE
S22N

WILDLIFE

Within Owyhee County

101N ROAD S15
S22W2SE
S22N

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

THE QUANTITY OF WATER REQUIRED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
BEN REQUIRED IN # 3781900193

EXPLANATORY MATERIAL:

BASIS OF CLAIM - LICENSE

MICROFILMED
MAR 02 1993

1-7-97 4:51 PM 3275480
11/26/1996 15:55

IDMR

202:11/19
PAGE 88

AJ5854NP

IDAHO DEPARTMENT OF WATER RESOURCES

DATE: NOV-21-1996
PAGE: A-2

57-07119 (CONT.)

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1475, IDAHO CODE.

SLM RECORD ID = 2701580192

STOCKPILING, 150 RANGE CATTLE & HORSES- WILDLIFE, VARIABLE
NUMBER

MICROFILMED

MAR 02 1993

AJS55ANP

IDARO DEPARTMENT OF WATER RESOURCES

DATE: NOV-21-1996

PAGE: A-1

RIGHTS FROM: SOURCE: UNNAMED STREAM TRIBUTARY: WEST SPRING CREEK
SINKS

RIGHT NUMBER: 57-07377

NAME AND ADDRESS:

UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDARO STATE OFFICE
1367 S VINNELL WAY
BOISE ID 83709

SOURCE:

UNNAMED STREAM TRIBUTARY: WEST SPRING CREEK
SINKS

QUANTITY:

3.0 AFY

THE QUANTITY FOR NON/INTERSECTION USE IS KNOWN TO THE COUNTY SUPERVISOR
UNDER PER/ STOCKWATER/ FOR RANGE CATTLE/ WILDLIFE/ WILDLIFE ANNUAL

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

THIS RIGHT AND OTHER RIGHTS KNOWN TO THE SAME GRANTING
AGREEMENT SHALL BE KNOWN TO THE QUANTITY OF WATER BENEFICIARIES
KNOWN AT THE NUMBER OF STOCK WITHIN THE AGREEMENT.

PRIORITY DATE:

05/27/1983

POINT OF DIVERSION:

1073 R024 S26 SUMM Within OUTWEE County
7079 R024 S27 DESE

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER STORAGE	01-01 12-31	2.7 AFY
STOCKWATER FROM STORAGE	01-01 12-31	2.7 AFY
WILDLIFE STORAGE	01-01 12-31	0.3 AFY
WILDLIFE FROM STORAGE	01-01 12-31	0.3 AFY

PLACE OF USE:

STOCKWATER STORAGE Within OUTWEE County
1073 R024 S26 SUMM
7079 R024 S27 DESE

STOCKWATER FROM STORAGE Within OUTWEE County
1073 R024 S26 SUMM
7079 R024 S27 DESE

WILDLIFE STORAGE Within OUTWEE County
1073 R024 S26 SUMM

MICROFILMED
MAR 02 1998

A-5856HP

IDAHO DEPARTMENT OF WATER RESOURCES

DATE: NOV-21-1996

PAGE: A-2

57-07377 (CONT.)

S27

WIDE

WILDLIFE FROM STORAGE

Within Owyhee County

1978 S27N S2ES27N

S27

WIDE

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

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

SEN RECORD IN # 5701588279

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

SEN RECORD ID - 5701588279STOCKWATER, 150 RANGE CATTLE, WILDLIFE, VARIABLE NUMBER

FILMED

JUL 2 1993

MICROFILMED

MAY 12 1994

RECEIVED

JAN 29 1997

Department of Water Resources

1997 JAN 27 PM 3:24

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-02365B
57-02494 57-07071 57-07119
57-07377

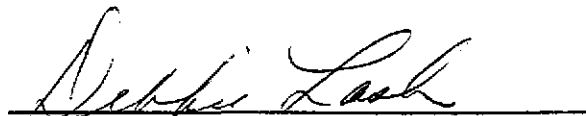
CERTIFICATE OF MAILING

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 January 27, 1997, 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

JACK HAUGRUD
US DEPT OF JUSTICE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724


DEBBIE LASH
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
01/27/97

MICROFILMED

MAR 02 1998

RECEIVED

JAN 29 1997

1997 JAN 27 PM 3:24

Department of Water Resources

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
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right(s): 57-02365B
57-02494 57-07071 57-07119
57-07377

On January 27, 1997, Special Master FRITZ X HAEMMERLE
lodged a PRELIMINARY SPECIAL MASTER'S REPORT and a PRELIMINARY
SPECIAL MASTER'S RECOMMENDATION pursuant to SRBA Administrative
Order 1 section 9 (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 to Alter or Amend with the Special Master, but
must do so before February 10, 1997.

DATED January 27, 1997.


DEBBIE LASH
Deputy Clerk

RECORDED

JAN 27 1997

NOTICE OF ISSUANCE

PAGE 1
01/27/97

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

SPECIAL MASTER'S RECOMMENDATION FOR

PARTIAL DECREE FOR

Water Right 57-023658

1997 JAN 27 PM 3:24

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED AL

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 SWNW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER		04-01 10-31	0.02 CFS

PLACE OF USE: STOCKWATER Within Owyhee County
T01S R05W S18 SWNW
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: 1-27-97

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

MICROFILMED
MAR 02 1997

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-023658

PAGE 1
JAN-21-1997

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

SPECIAL MASTER'S RECOMMENDATION FOR

PARTIAL DECREE FOR

Water Right 57-02494

1997 JAN 27 PM 3:24
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *ph*

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

RECEIVED

JAN 29 1997

SOURCE: HALF MOON SPRING TRIBUTARY: BIRCH CREEK

QUANTITY: 0.01 CFS

Department of Water Resources

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

PRIORITY DATE: 04/12/1971

POINT OF DIVERSION: T07S R01E S32 NESWSE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	03-01 11-30	0.01 CFS

PLACE OF USE: STOCKWATER Within Owyhee County
T07S R01E S32 SWSE

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: 1-27-97

Fritz X. Maemmerle
FRITZ X. MAEMMERLE
Special Master
Snake River Basin Adjudication

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-02494

MICROFILMED
MAR 02 1998

PAGE 1
JAN-21-1997

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

SPECIAL MASTER'S RECOMMENDATION FOR

PARTIAL DECREE FOR
Water Right 57-07071

1997 JAN 27 PM 3:24

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED *[Signature]*

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

RECEIVED

JAN 29 1997

SOURCE: UNNAMED STREAM TRIBUTARY: MC BRIDE CREEK

QUANTITY: 1.3 AFY

Department of Water Resources

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

PRIORITY DATE: 04/06/1972

POINT OF DIVERSION: T01S R05W S08 SWS Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER STORAGE	01-01 12-31	1.3 AFY
	STOCKWATER FROM STORAGE	04-01 11-30	1.3 AFY
	WILDLIFE	01-01 12-31	1.3 AFY

PLACE OF USE: STOCKWATER STORAGE Within Owyhee County
T01S R05W S08 SWS

Place of use for STOCKWATER FROM STORAGE is same as STOCKWATER STORAGE

Place of use for WILDLIFE is same as STOCKWATER STORAGE

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: 1-27-97

[Signature]
FRITZ X. HAENMERLE
Special Master
Snake River Basin Adjudication

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)
_____)

PRELIMINARY

SPECIAL MASTER'S RECOMMENDATION FOR

PARTIAL DECREE FOR

Water Right 57-07119

1997 JAN 27 PM 3:24
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED OK

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

SOURCE: JERRY'S SPRING TRIBUTARY: SQUAW CREEK

QUANTITY: 0.01 CFS
0.1 AFY

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

PRIORITY DATE: 06/06/1974

POINT OF DIVERSION: T01N R04W S22 SNNW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	05-01 11-30	0.01 CFS
			0.1 AFY
	WILDLIFE	01-01 12-31	0.01 CFS
			0.1 AFY

PLACE OF USE:	STOCKWATER	Within Owyhee County
	T01N R04W S15 S22	NWSE SNNW
WILDLIFE	Within Owyhee County	
	T01N R04W S15 S22	NWSE SNNW

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: 1-27-97

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

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-07119

RECORDED
MAR 02 1998
PAGE 1
JAN-21-1997

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

SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR
Water Right 57-07377

1997 JAN 27 PM 3:24
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED AK

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

RECEIVED
JAN 29 1997

SOURCE: UNNAMED STREAM TRIBUTARY: WEST SPRING CREEK

QUANTITY: 3.0 AFY

Department of Water Resources

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

PRIORITY DATE: 05/27/1983

POINT OF DIVERSION: T07S R02W S26 SWNW Within OWYHEE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER STORAGE	01-01 12-31	2.7 AFY
	STOCKWATER FROM STORAGE	01-01 12-31	2.7 AFY
	WILDLIFE STORAGE	01-01 12-31	0.3 AFY
	WILDLIFE FROM STORAGE	01-01 12-31	0.3 AFY

PLACE OF USE:	STOCKWATER STORAGE	Within OWYHEE County
	T07S R02W S26	SWNW
	STOCKWATER FROM STORAGE	Within OWYHEE County
	T07S R02W S26	SWNW
	WILDLIFE STORAGE	Within OWYHEE County
	T07S R02W S26	SWNW
	WILDLIFE FROM STORAGE	Within OWYHEE County
	T07S R02W S26	SWNW

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: 1-27-97

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

MICROFILMED
MAR 02 1993

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-07377

MICROFILMED PAGE 1
JAN-21-1997

RECEIVED

JAN 29 1997

Department of Water Resources

1997 JAN 27 PM 3:22

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

) PRELIMINARY SPECIAL
) MASTER'S REPORT

) Subcases 57-02365B, 57-02494, 57-07071,
) 57-07119 and 57-07377
)

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 notices of claim for Reporting Area 2 (Basin 57), which includes portions of Owyhee County. The Director of the Idaho Department of Water Resources then filed a *Director's Report for Reporting Area 57 (Director's Report)* which asserted how the elements of this water right should be decreed by the court.

These claims involve stock water and/or wildlife claims filed by the United States Bureau of Land Management (BLM). The only objections to these claims were filed by the BLM. Consistent with this court's decision in Basin-Wide 12, BLM and IDWR agreed to all the elements of these water rights. Subsequently, BLM filed a *Stipulation to Resolve Objections and Motion for Entry of Recommendations for Partial Decree (Stipulation to Resolve Objections)* January 7, 1997. The *Stipulation to Resolve Objections* was accepted by the Court. The Court informed both parties that it would treat the *Stipulation to Resolve Objections* as a *Standard Form 5*.

Accordingly the court recommends these water rights consistent with the *Stipulation to Resolve Objections*.

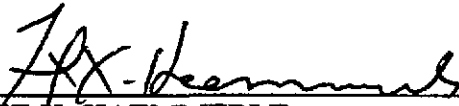
MICROFILMED

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.

Therefore, based on the file and record herein, IT IS RECOMMENDED that subcases 57-02365B, 57-02494, 57-07071, 57-07119, and 57-07377 be decreed as recommended in the *Preliminary Special Master's Report and Recommendation for Partial Decree*.

DATED January 27, 1997.



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

MICROFILMED
MAR 02 1993

1997 MAR 21 PM 11:26
DISTRICT COURT-5TH
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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-02365B
57-02494 57-07071 57-07119
57-07377

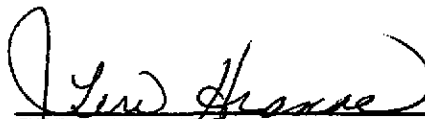
CERTIFICATE OF MAILING

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 March 21, 1997, 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

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


TERI HRANAC
Deputy Clerk

CERTIFICATE OF MAILING

MICROFILMED

MAR 02 1998

PAGE 1
03/21/97

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 MAR 21 PM 4:28
SPECIAL MASTER'S RECOMMENDATION FOR

PARTIAL DECREE FOR DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
Water Right 57-07377

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

SOURCE: UNNAMED STREAM TRIBUTARY: WEST SPRING CREEK

QUANTITY: 3.0 AFY

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

PRIORITY DATE: 05/27/1983

POINT OF DIVERSION: T07S R02W S26 SWNW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER STORAGE	01-01 12-31	2.7 AFY
	STOCKWATER FROM STORAGE	01-01 12-31	2.7 AFY
	WILDLIFE STORAGE	01-01 12-31	0.3 AFY
	WILDLIFE FROM STORAGE	01-01 12-31	0.3 AFY

PLACE OF USE:	STOCKWATER STORAGE	Within Owyhee County
	T07S R02W S26	SWNW
	STOCKWATER FROM STORAGE	Within Owyhee County
	T07S R02W S26	SWNW
	WILDLIFE STORAGE	Within Owyhee County
	T07S R02W S26	SWNW
	WILDLIFE FROM STORAGE	Within Owyhee County
	T07S R02W S26	SWNW

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: MAR 21 1997

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

MICROFILMED
MAR 02 1998

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-07377

PAGE 1
JAN-21-1997

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)
)
)
)
)

SPECIAL MASTER'S RECOMMENDATION FOR

PARTIAL DECREE FOR

Water Right 57-07119

MAR 21 PM 4:00
DISTRICT COURT-57
TWIN FALLS COUNTY
FILED

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

SOURCE: JERRY'S SPRING TRIBUTARY: SQUAW CREEK

QUANTITY: 0.01 CFS
0.1 AFY

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

PRIORITY DATE: 06/06/1974

POINT OF DIVERSION: T01N R04W S22 SWNW Within Owyhee County

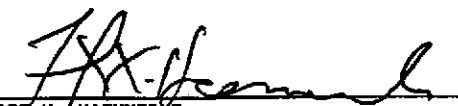
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	05-01 11-30	0.01 CFS
			0.1 AFY
	WILDLIFE	01-01 12-31	0.01 CFS
			0.1 AFY

PLACE OF USE:	STOCKWATER	Within Owyhee County
	T01N R04W S15 S22	NWSE SWNW
	WILDLIFE	Within Owyhee County
	T01N R04W S15 S22	NWSE SWNW

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: MAR 21 1997


FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-07119

MICROFILMED
MAR 02 1993
PAGE 1
JAN-21-1997

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)
)
)
)
)

NOTED 21 PM 4:23
SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR
DISTRICT COURT - SE
TWIN FALLS CO., IDAHO
Water Right 57-07071 FILED

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

SOURCE: UNNAMED STREAM TRIBUTARY: MC BRIDE CREEK
QUANTITY: 1.3 AFY

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

PRIORITY DATE: 04/06/1972

POINT OF DIVERSION: T01S R05W S08 SWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER STORAGE	01-01 12-31	1.3 AFY
	STOCKWATER FROM STORAGE	04-01 11-30	1.3 AFY
	WILDLIFE	01-01 12-31	1.3 AFY

PLACE OF USE: STOCKWATER STORAGE Within Owyhee County
T01S R05W S08 SWSW

Place of use for STOCKWATER FROM STORAGE is same as STOCKWATER STORAGE

Place of use for WILDLIFE is same as STOCKWATER STORAGE

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: MAR 21 1997


FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

MICROFILMED
MAR 02 1993

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)
_____)

SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR
Water Right 57-02494

MAR 21 PM 4:00
DISTRICT COURT -
TWIN FALLS
FILED

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

SOURCE: HALF MOON 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: 04/12/1971

POINT OF DIVERSION: T07S R01E S32 NESWSE Within OWYHEE County

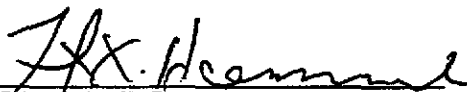
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	03-01 11-30	0.01 CFS

PLACE OF USE: STOCKWATER Within OWYHEE County
T07S R01E S32 SWSE

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: MAR 21 1997


FRITZ X. MAEMMERLE
Special Master
Snake River Basin Adjudication

MICROFILMED
MAR 02 1993

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-02494

PAGE 1
JAN-21-1997

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)
)
)
)
)

SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR
Water Right 57-023658

MAR 21 1997
DISTRICT COURT
TWIN FALLS COUNTY, IDAHO
FILED

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 SWNW Within Owyhee County

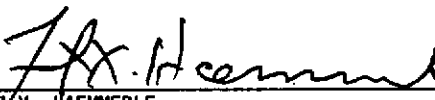
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	04-01 10-31	0.02 CFS

PLACE OF USE: STOCKWATER Within Owyhee County
T01S R05W S18 SWNW
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: MAR 21 1997


FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-023658

MICROFILMED
MAR 22 1997
PAGE 1
JAN-21-1997

1997 MAR 21 PM 4:23
DISTRICT COURT-5TH
TWIN FALLS, 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	)	SPECIAL MASTER'S REPORT
	)	
Case No. 39576	)	Subcases 57-02365B, 57-02494, 57-07071,
	)	57-07119 and 57-07377
	)	

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 notices of claim for Reporting Area 2 (Basin 57), which includes portions of Owyhee County. The Director of the Idaho Department of Water Resources then filed a *Director's Report for Reporting Area 57 (Director's Report)* which asserted how the elements of this water right should be decreed by the court.

These claims involve stock water and/or wildlife claims filed by the United States Bureau of Land Management (BLM). The only objections to these claims were filed by the BLM. Consistent with this court's decision in Basin-Wide 12, BLM and IDWR agreed to all the elements of these water rights. Subsequently, BLM filed a *Stipulation to Resolve Objections and Motion for Entry of Recommendations for Partial Decree (Stipulation to Resolve Objections)* January 7, 1997. The *Stipulation to Resolve Objections* was accepted by the Court. The Court informed both parties that it would treat the *Stipulation to Resolve Objections* as a *Standard Form 5*.

Accordingly the court recommends these water rights consistent with the *Stipulation to Resolve Objections*.

MICROFILMED
MAR 02 1998

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 for Partial Decree* was issued on January 27, 1997 no Motion to Alter or Amend was filed and the time for such a motion has now expired.

Therefore, based on the file and record herein, IT IS RECOMMENDED that subcases 57-02365B, 57-02494, 57-07071, 57-07119, and 57-07377 be decreed as recommended in the *Special Master's Report and Recommendation for Partial Decree*.

DATED March 21, 1997.



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

RECEIVED

MAR 24 1997

Department of Water Resources

MAR 21 PM 4:00
RECEIVED
FEDERAL JUDICIAL

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)
_____)

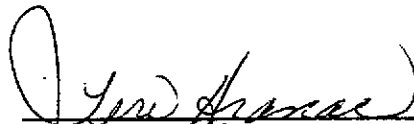
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-02365B
57-02494 57-07071 57-07119
57-07377

On March 21, 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 March 21, 1997.


TERI HRANAC
Deputy Clerk

MICROFILMED

MAR 02 1998

1997 APR 29 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-07071

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 57-07071 was mailed
on April 29, 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

DIANA DELANEY
Chief Deputy Clerk

MICROFILMED

MAR 02 1998

CERTIFICATE OF MAILING

PAGE 1
04/29/97

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

RECEIVED

MAY 01 1997

Department of Water Resources
Adjudication Bureau

RECEIVED

APR 30 1997

OFFICE OF THE
ATTORNEY GENERAL

1997 APR 29 PM 2:34

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 57-07071

On March 21, 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 57-07071 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED April 29, 1997.


DANIEL C. HURLBUTT, JR.

Presiding Judge

Snake River Basin Adjudication

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

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: 203-334-1401

A57-07071

PRIORITY DATE: 1972-04-06
IDWR WATER RIGHT NO. 5707071
BLM NUMBER: 5701588175
BASIS OF CLAIM: BENEFICIAL USE
BASIN NO.: 57

SOURCE

UNNAMED STREAM

TRIBUTARY TO

SINKS

DESCRIPTION OF DIVERSION WORKS

272'L x 10.5'H EARTHFILL DAM

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM TO
STOCKWATER	0.000	1.30	0401 1031
WILDLIFE	0.000	1.30	0101 1231
STOCKWATER STORAGE		1.30	0401 1031
STOCKWATER FROM STORAGE		1.30	0401 1031
WILDLIFE STORAGE	0.000	1.30	0101 1231
WILDLIFE FROM STORAGE		1.30	0101 1231

TOTAL: 0.000 CFS 1.30 AF

NON-IRRIGATION USES

S/338 RANGE CATTLE W/VARIABLE WILDLIFE

TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
01S	05W	08		NE	SW	0	ONEHEE

MICROFILMED

OCT 01 1992

PLACE OF USE								IRRIGATED
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
01S	05W	08	NE	SW	0	OWYHEE	YES	0.0
01S	05W	08	NE	SW	0	OWYHEE	YES	0.0
01S	05W	08	NE	SW	0	OWYHEE	YES	0.0
01S	05W	08	NE	SW	0	OWYHEE	YES	0.0
01S	05W	08	NE	SW	0	OWYHEE	YES	0.0
01S	05W	08	NE	SW	0	OWYHEE	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

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 01 1992

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

A57-07071

PRIORITY DATE: 1972-04-06
IDWR WATER RIGHT NO. 5707071
BLM NUMBER: 5701588175
BASIS OF CLAIM: BENEFICIAL USE
BASIN NO.: 57

SOURCE	TRIBUTARY TO
UNNAMED STREAM	SINKS

DESCRIPTION OF DIVERSION WORKS

272'L X 10.5'H EARTHFILL DAM

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
STOCKWATER	0.000	1.30	0401	1031
WILDLIFE	0.000	1.30	0101	1231
STOCKWATER STORAGE		1.30	0401	1031
STOCKWATER FROM STORAGE		1.30	0401	1031
WILDLIFE STORAGE	0.000	1.30	0101	1231
WILDLIFE FROM STORAGE		1.30	0101	1231
TOTAL:	0.000 CFS	1.30 AF		

NON-IRRIGATION USES

S/338 RANGE CATTLE W/VARIABLE WILDLIFE

TWP	RNG	SEC	TRACT1	POINT OF DIVERSION TRACT2	TRACT3	LOT	COUNTY
01S	05W	08		NE	SW	0	OWYHEE

MICROFILMED
OCT 01 1992

PLACE OF USE								IRRIGATED
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
---	---	---	-----	-----	---	-----	-----	-----
01S	05W	08	NE	SW	0	OWYHEE	YES	0.0
01S	05W	08	NE	SW	0	OWYHEE	YES	0.0
01S	05W	08	NE	SW	0	OWYHEE	YES	0.0
01S	05W	08	NE	SW	0	OWYHEE	YES	0.0
01S	05W	08	NE	SW	0	OWYHEE	YES	0.0
01S	05W	08	NE	SW	0	OWYHEE	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

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 01 1992