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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

Case No. 39576

) ORDER SETTING STATUS
) CONFERENCE

) 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

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

CIVIL CASE NUMBER: 39576

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

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

A57-07119

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

PRIORITY DATE: 1974-06-06
IDWR WATER RIGHT NO. 5707119
BLM NUMBER: 5701588193
BASIS OF CLAIM: BENEFICIAL USE
BASIN NO.: 57

SOURCE	TRIBUTARY TO
JERRY'S SPRING	SQUAW CREEK

DESCRIPTION OF DIVERSION WORKS
HEADBOX, 1 MILE PIPELINE, 2 TROUGHS

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
STOCKWATER	0.010	0.10	0501	1130
WILDLIFE	0.010	0.10	0101	1231
TOTAL:	0.010 CFS	0.10 AF		

NON-IRRIGATION USES
S/150 RANGE CATTLE (INCLUDES WILD HORSES/VAR AMT) W/VAR AMT

TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
01N	04W	22		SW	NW	0	OWYHEE

MICROFILMED
OCT 07 1992

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	IRRIGATED ACRES
01N	04W	22	SW	NW	0	OWYHEE		0.0
01N	04W	22	SW	NW	0	OWYHEE		0.0

TOTAL ACRES IRRIGATED: 0.0

BLM NUMBER: 5701588193

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

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 4:20
DISTRICT COURT-5TH
TWIN FALLS CO. 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: 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

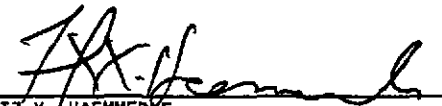
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	05-01 11-30	0.01 CFS
			0.1 AFY
	WILDLIFE	01-01 12-31	0.01 CFS
			0.1 AFY

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 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 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. 57-07119
(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)

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

I. GENERAL INFORMATION

Please fill in the following information:

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

Briefly describe your interest in this water right:

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

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

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

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

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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)

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.

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MAR 02 1993

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

1. List of changes required to correct this claim.

2. Copy of USDI claim from the Directors Report.

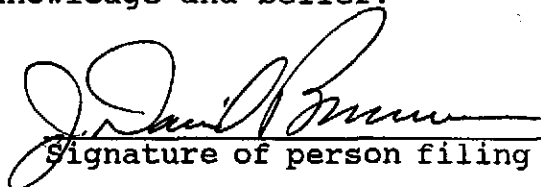
VERIFICATION (Must be Completed)

State of Idaho

County of Ada

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

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



Signature of person filing objection

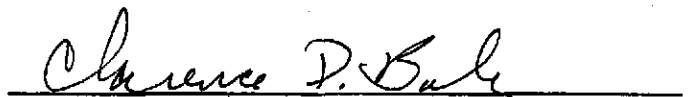
By: _____

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 23 day of February,
199 3.

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MAR 02 1993


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

I hereby certify that on the 26 day of February, 1993, I ~~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:

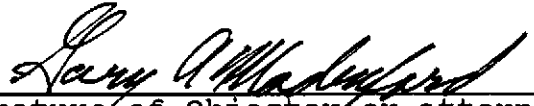
Owner name: US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
Owner's address: 3380 AMERICANA TERRACE
BOISE IDAHO 83706

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

OBJECTION - 6

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MAR 02 1993

ATTACHMENT 1

CLAIM NUMBER: 57-07119

PLACE OF USE:

ADD: T01N R04W S15 NWSE

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MAR 02 1993

AJ5856NP

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

DATE: OCT-13-1992
PAGE: A-819

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: JERRY'S SPRING		TRIBUTARY: SQUAW CREEK				
57-07119	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	06/06/1974	STOCKWATER	05-01 11-30	.01	CFS
			WILDLIFE	01-01 12-31	.1	AFY
					.01	CFS
					.1	AFY
			TOTAL QUANTITY:		.01	CFS
					.1	AFY

NON-IRRIGATION-USES:

STOCKWATER, 150 RANGE CATTLE & HORSES; WILDLIFE, VARIABLE AMOUNT

POINT OF DIVERSION:

T01N R04W S22

SWNW

PLACE OF USE: STOCKWATER

T01N R04W S22

SWNW

PLACE OF USE: WILDLIFE

T01N R04W S22

SWNW

REMARKS: 8LM RECORD ID = 5701588193

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MAR 02 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
57-07119	01N	04W	22		SW	NW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
57-11276 NONE
~~A57-07119~~
~~A57-11276~~

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: JERRY'S SPRING

TRIB: SQUAW CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
57-07119	01N	04W	22		SW	NW		OWYHEE

OTHER WR RECORDS WITH SAME WR POD

NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
~~57-11276~~ NONE
~~A57-07119~~
~~A57-11276~~

SOURCE: JERRY'S SPRING

TRIB:

C. FIELD EXAM REQUIRED?

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

NOTES:

57-11276: Fed. law claim for "Jerry's Spr."

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MAR 02 1993

JUN 30 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 the General Adjudication
of the Rights to the Use of Water
from the Snake River Basin
Water System

Case No. 57-07119 -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

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

MAR 02 1993

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

9. ☒ Place of Use: I respond to the objection concerning:

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection item 9 and all allegations of the objection regarding this item, IDWR responds as follows: The 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 the objection and all allegations of the objection.

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MAR 02 1993

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. A57-07119

2

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MAR 02 1998

(Over)

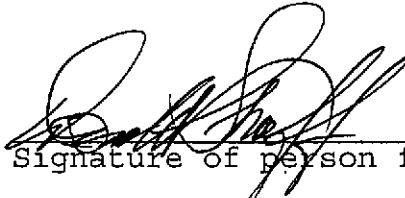
VERIFICATION (Must be Completed)

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.



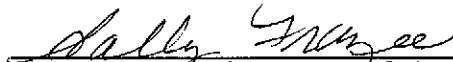
Signature of person filing response

By:



(Attorney signing in
representative capacity)

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



Notary Public for Idaho

Residing at: Boise

My Commission expires: 11-14-1998

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MAR 02 1998

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of July, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

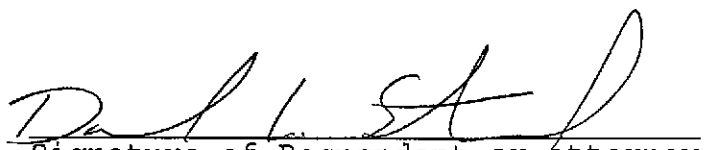
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

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

See No. 3

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

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



Signature of Respondent or attorney
mailing on Respondent's behalf

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MAR 02 1993

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. 57-07119
	)	
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 - 07119.

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. 57-07119, 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.

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MAR 02 1998

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:

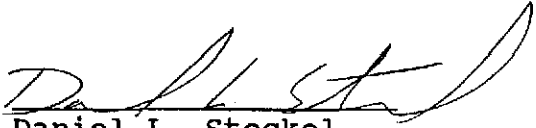
J. David Brunner
District Manager
Boise District
Bureau of Land Management

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 1996

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 - 07119 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: JERRY'S SPRING		TRIBUTARY: SQUAW CREEK				
57-07119	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	06/06/1974	STOCKWATER	05-01 11-30	.01	CFS LICENSE
			WILDLIFE	01-01 12-31	.1	AFY
					.01	CFS
					.1	AFY
				TOTAL QUANTITY:	.01	CFS
				TOTAL VOLUME:	.1	AFY
NON-IRRIGATION USES:						
STOCKWATER, 150 RANGE CATTLE & HORSES; WILDLIFE, VARIABLE AMOUNT						
POINT OF DIVERSION:						
T01N R04W S22 SNNW						
PLACE OF USE: STOCKWATER						
T01N R04W S15 NWSE						
S22 SNNW						
PLACE OF USE: WILDLIFE						
T01N R04W S15 NWSE						
S22 SNNW						
REMARKS: RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO						
IDAHO CODE 42-1416A.						
BLM RECORD ID = 5701588193						

MAR 02 1997

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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. **MICROFILMED**
- 57-07168 Project 5453. P/D change from NESW to NWSW ok per NAPP photo Y54 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

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

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MAR 02 1998

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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
Case No. 39576) CONFERENCE
_____) 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.

IT IS SO ORDERED.

Dated: DECEMBER 26, 1996

MICROFILMED

MAR 02 1998

/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 1993

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:

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.

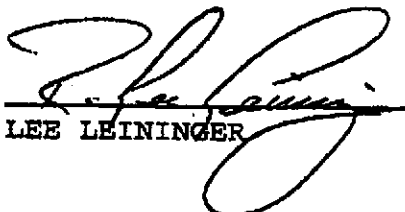
Conclusion

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:

1/7/97CERTIFICATE 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



MICROFILMED

MAR 02 1993

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES

DATE: NOV-21-1996

PAGE: A-1

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

RIGHT NUMBER: 57-023650

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: BLACKSTOCK SPRING TRIBUTARY: DEAD HORSE CREEK

QUANTITY: 0.02 CFS

THE QUANTITY FOR DOMESTICATION USE IS LIMITED TO THE AMOUNT NECESSARILY
USED FOR STOCKWATER, 330 RANGE CATTLE, WINDMILL, VARIABLE RANCHTHE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME SEIZING
AGREEMENT SHALL BE LIMITED TO THE QUANTITY OF WATER NECESSARILY
USED BY THE OWNER OF STOCK WITHIN THE AGREEMENT.

PRIORITY DATE: 01/24/1942

POINT OF DIVERSION: T01S R05W S28 SOURCE Within Owyhee County
SEWER

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 S28
S28 NONE

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.
BLM RECORD ID # 5701581819
SOURCE ALSO KNOWN AS BLACKSTOCK SPRING NO. 2EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
BLM RECORD ID # 5701581819
SOURCE ALSO KNOWN AS BLACKSTOCK SPRING NO. 2
STOCKWATER, 330 RANGE CATTLE

MICROFILMED

MAR 02 1993

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES

DATE: NOV-21-1996

PAGE: A-1

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

RIGHT NUMBER: 57-02494

NAME AND 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 FOR REGISTRATION USE IS LIMITED TO THE AMOUNT BENEFICIAL
WHICH FOR STOCKWATER, 1000 RANGE CATTLE, WITHIN THE VARIABLE MONTHS

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

THIS RIGHT AND OTHER RIGHTS GRANT TO THE SAME GRAZING
ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIAL
USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

PRIORITY DATE: 04/12/1971

POINT OF DIVERSION: TOWNSHIP 12 S32 RESERVE 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
TOWNSHIP 12 S32 RESERVE

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 IN # 9701688140

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
PLN RECORD ID # 9701688140
STOCKWATER, 1000 RANGE CATTLE

NOT FILMED

MAR 02 1993

AJ5856ND

IDaho DEPARTMENT OF WATER RESOURCES

DATE: NOV-22-1996
PAGE: A-1

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

RIGHT NUMBER: 67-07071

NAME AND 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
STWKS

QUANTITY: 1.3 AFY

THE QUANTITY FOR IRRIGATION USE IS LIMITED TO THE EXCESS BENEFITARY
USED FOR STOCKWATER/ 336 RANGE EATYER/ WILDLIFE/ VARIABLE AMOUNT

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

THIS RIGHT AND OTHER RIGHTS GRANTED TO THE SAME GRANTING
AGREEMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFITARY
USED BY THE NUMBER OF STOCK WITHIN THE AGREEMENT/

PRIORITY DATE: 04/06/1972

POINT OF DIVERSION: T015 R05H S08 EUSW Within Owyhee County
NWSW

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 Owyhee County
T015 R05H S08 EUSW

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

Place of use for WILDLIFE is same as STOCKWATER STORAGE

STOCKWATER Within Owyhee County
T015 R05H S08 EUSW

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

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

MICROFILMED

MAR 02 1998

AJ5856NP

IDaho DEPARTMENT OF WATER RESOURCES

DATE: NOV-22-1996

PAGE: A-2

57-07071 (CONT.)

DETERMINATION OF HISTORICAL BENEFICIAL USE.
OWN RECORD ID # 5701588175

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

OWN RECORD ID # 5701588175

STOCKWATER, 338 RANGE CATTLE, WILDLIFE, VARIABLE NUMBER

MICROFILMED

MAR 02 1993

AJS056NP

IDAHO DEPARTMENT OF WATER RESOURCES

DATE: NOV-21-1996

PAGE: A-1

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

RIGHT NUMBER: 57-07119

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1357 S VINNELL WAY
BOISE ID 83709

SOURCE: JERRY'S SPRING TRIBUTARY: SQUAW CREEK

QUANTITY: 0.01 CFS
0.1 APY

THE QUANTITY FOR IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIARIES
USE FOR STOCKWATER; ITS RANGE RATHER A NUMBER; WYNNIFE; VARIABLE 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 222 SMM 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 APY
	WILDLIFE	01-01 12-31	0.01 CFS 0.1 APY

PLACE OF USE: STOCKWATER Within Owyhee County
101N ROAD 215 WYNN
222 SMM

WILDLIFE Within Owyhee County
101N ROAD 215 WYNN
222 SMM

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.
BEN NUMBER IS # 9781908193

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

AJ5856NP

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 42-1425, IDAHO CODE.

BLM RECORD ID = 3701508193

STOCKWATER, 150 RANGE CATTLE & HORSES, WILDLIFE, VARIABLE
NUMBER

RECEIVED

MAR 02 1993

AJ5856NP

IDAHO 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
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709

SOURCE: UNNAMED STREAM TRIBUTARY: WEST SPRING CREEK
SINKS

QUANTITY: 3.0 AFY

THE QUANTITY FOR IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIARILY
USED FOR STOCKWATER, 150 RANGE CATTLE, WILDLIFE, VARIANTE ANNUAL

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

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

PRIORITY DATE: 05/27/1983

POINT OF DIVERSION: 1075 R02W S26 SHW Within Owyhee County
7975 R02W S27 NESE

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
1075 R02W S26 SHW
S27 NESE

STOCKWATER FROM STORAGE Within Owyhee County
1075 R02W S26 SHW
S27 NESE

WILDLIFE STORAGE Within Owyhee County
1075 R02W S26 SHW

MICROFILMED

MAR 02 1997

AJ5856NP

IDaho DEPARTMENT OF WATER RESOURCES

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

37-07377 (CONT.)

527

NESE

WILDLIFE FROM STORAGE Within Owyhee County

1078 802V 526

SNW

527

NESE

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.
SLM RECORD ID # 8701588270

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

SLM RECORD ID - 8701588270

STOCKWATER, 150 RANGE CATTLE; WILDLIFE, VARIABLE NUMBER

REPROFILMED

MAR 02 1993

JAN 29 1997

1997 JAN 27 PM 3: 22

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

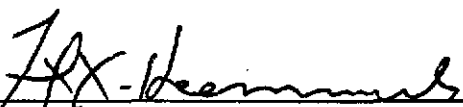
FILED

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

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 *[Signature]*

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

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JAN 29 1997

Department of Water Resources

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: 1-27-97

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

MICROFILMED

MAR 02 1998

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-07377

PAGE 1
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA
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

RECEIVED

JAN 29 1997

Department of Water Resources

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: 1-27-97

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

MICROFILMED

MAR 02 1998

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SPECIAL MASTER'S RECOMMENDATION
Water Right 57-07119

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

1997 JAN 27 PM 3:24

PARTIAL DECREE FOR
Water Right 57-07071

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 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: 1-27-97

[Signature]
FRITZ X. HAEMMERLE
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 57-02494

1997 JAN 27 PM 3:24

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED *AK*

RECEIVED

JAN 29 1997

Department of Water Resources

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: 1-27-97

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

MICROFILMED

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-02494

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 57-023658

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

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

SOURCE: BLACKSTOCK SPRING TRIBUTARY: DEAD HORSE CREEK
QUANTITY: 0.02 CFS

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

PRIORITY DATE: 01/24/1942

POINT OF DIVERSION: T01S R05W S28 SWNWNE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	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

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-023658

MICROFILMED

MAR 02 1998
PAGE 1
JAN-21-1997

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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)
_____)

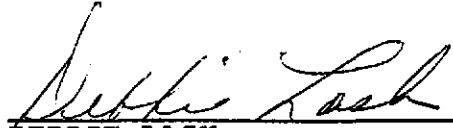
NOTICE OF ISSUANCE OF
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

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

MICROFILMED
MAR 02 1993

NOTICE OF ISSUANCE

PAGE 1
01/27/97

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JAN 29 1997

1997 JAN 27 PM 3:24

Department of Water Resources

DISTRICT COURT - SRBA
TWIN FALLS CO, IDAHO

FILED *PL*
~~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

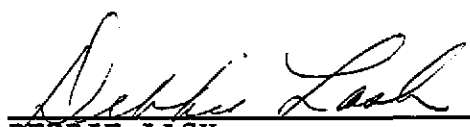
CERTIFICATE OF MAILING

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

MICROFILMED

PAGE 1
MAR 02 1997 / 27/97

RECEIVED

MAR 24 1997

Department of Water Resources

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

In Re SRBA)
Case No. 39576)
_____)

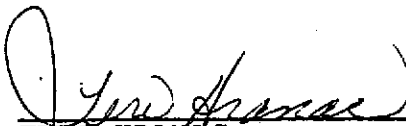
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

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 MAR 21 PM 4:20
DISTRICT COURT - 5TH
TWIN FALLS COUNTY
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

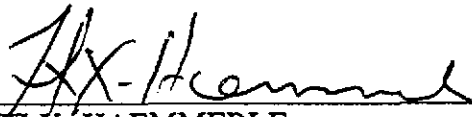
CONCLUSIONS OF LAW

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

FILED
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)
_____)

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

MAR 21 1997
DISTRICT COURT
TWIN FALLS CO. 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 02 1999

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 57-02494

MAR 21 PM 11:00
DISTRICT COURT -
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: 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

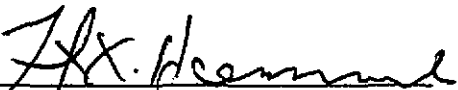
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	03-01 11-30	0.01 CFS

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. HAEMMERLE
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)
)
)
)
)

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

PARTIAL DECREE FOR

Water Right 57-07071

DISTRICT COURT-5TH
TWIN FALLS CO., 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: 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

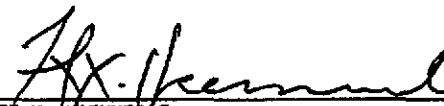
Place of use for STOCKWATER FROM STORAGE is same as STOCKWATER STORAGE

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 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 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

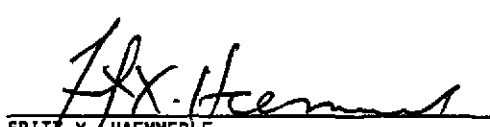
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER STORAGE	01-01 12-31	2.7 AFY
	STOCKWATER FROM STORAGE	01-01 12-31	2.7 AFY
	WILDLIFE STORAGE	01-01 12-31	0.3 AFY
	WILDLIFE FROM STORAGE	01-01 12-31	0.3 AFY

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
Special Master
Snake River Basin Adjudication

MICROFILMED

MAR 02 1998

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-07377

PAGE 1
JAN-21-1997

MAR 21 PM 4:23

DISTRICT COURT-5TH
TWIN FALLS CO. IDAHO

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

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

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

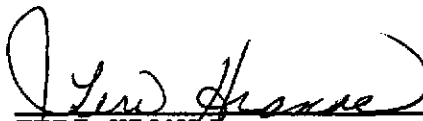
CERTIFICATE OF MAILING

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 1997
PAGE 1
03/21/97

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): 57-07119

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 57-07119 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

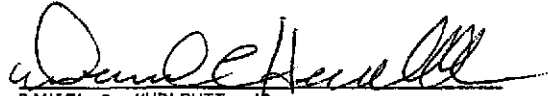
PAGE 1
04/29/97

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

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED: APR 29 1997



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

MICROFILMED

MAR 02 1998

MICROFILMED

MAR 02 1998

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

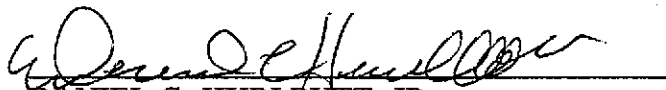
For Water Right 57-07119

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 57-07119 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

MAIL5371



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	06/06/1974	STOCKWATER WILDLIFE	05-01 11-30 01-01 12-31	0.01 CFS 0.01 CFS	0.1 AFA 0.1 AFA
TOTAL DIVERSION:					0.01 CFS	0.1 AFA

Water Source: JERRY'S SPRING

Tributary to: SQUAW CREEK

Stage: LICENSE

Point(s) of Diversion:

T01N R04W S22

SWNW

OWYHEE County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE													
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
01N	04W	22	:					:					:					:						:	

Place of use Legal Description for: WILDLIFE

NE				NW				SW				SE													
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
01N	04W	22	:					:					:					:						:	

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 150 RANGE CATTLE & HORSES; WILDLIFE, VARIABLE AMOUNT

Other Rights: NONE

Remarks: BLM RECORD ID = 5701588193

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

MICROFILMED
OCT 07 1992

CLAIM NO. A57-07119

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). _____
Claim totally disallowed _____ or partially deleted? _____
☐ Private claimant notification letter sent - Date _____
☐ No overlapping Federal Claim
☒ Overlapping Federal Claim
Claim No(s). A57-11276
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 OR TRIBUTARY
☐ Source changed to reflect IDWR records - see remarks
☐ Source or trib changed, explain: _____
4. ☒ No Change - POINT OF DIVERSION - Claim matches existing license or decree
☐ Point of diversion changed, explain _____
☐ Point of diversion as claimed was changed from existing right -
Map attached _____.
How was this verified? _____
5. N/A
6. ☒ No Change - WATER USES
☐ Water uses changed, explain: _____

☐ Water uses to reflect IDWR records as shown below:
Use _____ From _____ To _____ Amount _____ cfs _____ af
Use _____ From _____ To _____ Amount _____ cfs _____ af
7. ☒ No Change - TOTAL RATE AND VOLUME
☐ Total rate and volume changed to reflect IDWR records as shown:
_____ cfs _____ afa
☐ Total rate and volume changed, explain _____

MICROFILMED
OCT 07 1992

8. N/A

9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
☒ Changed to reflect data entry standards
☒ Incomplete on claim - Per IDWR records:
Domestic - No. of homes _____ Stockwater - No. of head _____
Other: _____

10. ☒ No Change - PLACE OF USE
☒ Place of use changed, explain _____
☐ Place of Use as claimed was changed from existing right -
Map attached _____.
How was this verified? _____

Remarks:

Review Completed by:

Ron Howerton
signature

Date:

9/24/92

11/11/92
11/11/92

Water Right Number - 57-07119

Prefix Translation:

WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
US DEPT OF INTERIOR

1 - BUREAU OF LAND MANAGEMENT
2 - IDAHO STATE OFFICE
3 - 3380 AMERICANA TERRACE
City- BOISE State- ID Zip- 83706
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
06/06/1974 14 WESTERN L - LICENSE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
JERRY'S SPRING

+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

01N 04W 22 SW NW (73) OWYHEE

| Code | Description | Period From | Period To | Water Use | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|-----------|-----------|----------------|------------------|
| 04 - STOCKWATER | | 05/01 | 11/30 | | 0.010 | 0.10 |
| 16 - WILDLIFE | | 01/01 | 12/31 | | 0.010 | 0.10 |

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - +
0.010 0.10

| Twn | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|-----|-----|-----|-------|-----|-------|------|-------------|-------------|
| 01N | 04W | 15 | NW SE | | | 04 | STOCKWATER | (73) OWYHEE |
| 01N | 04W | 22 | SW NW | | | 04 | STOCKWATER | (73) OWYHEE |

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - - - - - Remarks - - - - - +
PROJ. #5349.

+ - - - - - - - - - - - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - - - - - - - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

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

MICROFILMED
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Water right number - 57-07119

Prefix Translation: WATER RIGHT

+ - - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - 01/22/88 05/01/88 CONVERT 04/03/89 NAMECHNG 01/26/92 POST-STD

+ - - - - - Water Rights Dates and Flags Area - - - - - +

| | | |
|-------------------------------|------------------------------|---------------------|
| Proof Due Date - 00/00/0000 | Field Exam Made - 00/00/0000 | Field Exam Fee - |
| Approved/Denied - 00/00/0000 | Protested Date - 00/00/0000 | Swan Falls - |
| Proof Made Date - 00/00/0000 | Hearing Date - 00/00/0000 | Temporary Right - P |
| Exam to S.O. Date- 00/00/0000 | Verified Date - 01/21/1985 | DLE/Carey Act - |
| Order Show Cause - 00/00/0000 | Receipt Number - | Water District - |
| Licensed Date - 06/12/1979 | Appl Received - 00/00/0000 | Transfer/Amended - |
| Decree Date - 00/00/0000 | Presumption Flag - | |

MICROFILMED
OCT 07 1992

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

CIVIL CASE NUMBER: 39576

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

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

A57-07119

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

PRIORITY DATE: 1974-06-06
IDWR WATER RIGHT NO. 5707119
BLM NUMBER: 5701588193
BASIS OF CLAIM: BENEFICIAL USE
BASIN NO.: 57

| SOURCE | TRIBUTARY TO |
|----------------|--------------|
| JERRY'S SPRING | SQUAW CREEK |

DESCRIPTION OF DIVERSION WORKS
HEADBOX, 1 MILE PIPELINE, 2 TROUGHS

| PURPOSE OF USE | DIVERSION RATE | DIVERSION VOLUME | PERIOD OF USE FROM | TO |
|----------------|----------------|------------------|--------------------|------|
| STOCKWATER | 0.010 | 0.10 | 0501 | 1130 |
| WILDLIFE | 0.010 | 0.10 | 0101 | 1231 |
| TOTAL: | 0.010 CFS | 0.10 AF | | |

NON-IRRIGATION USES
S/150 RANGE CATTLE (INCLUDES WILD HORSES/VAR AMT) W/VAR AMT

| TWP | RNG | SEC | TRACT1 | TRACT2 | TRACT3 | LOT | COUNTY |
|-----|-----|-----|--------|--------|--------|-----|--------|
| 01N | 04W | 22 | | SW | NW | 0 | OWYHEE |

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PLACE OF USE

| TWP | RNG | SEC | TRACT1 | TRACT2 | LOT | COUNTY | OWNED | IRRIGATED ACRES |
|-----|-----|-----|--------|--------|-----|--------|-------|-----------------|
| 01N | 04W | 22 | SW | NW | 0 | OWYHEE | | 0.0 |
| 01N | 04W | 22 | SW | NW | 0 | OWYHEE | | 0.0 |

TOTAL ACRES IRRIGATED: 0.0

BLM NUMBER: 5701588193

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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