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

6 In Re SRBA)

MOTION TO APPEAR

7 Case No. 39576)

PRO HAC VICE

8 SUBCASES: 57-02368, 57-07341
57-11407

9
10 COMES NOW, Lynne Krogh, Deputy Attorney General for the State of Idaho,
11 Idaho Department of Water Resources, and respectfully moves the court to admit
12 J. Andrew Helmlinger to appear as counsel *pro hac vice* in the Snake River Basin
13 Adjudication, on behalf of the Idaho Department of Water Resources, and further
14 says in support hereof:

15 1. J. Andrew Helmlinger is an attorney with the Idaho Attorney General's
16 Office, Department of Water Resources. He is a member in good standing of the
17 Washington State Bar and the United States District Court for the Western District
18 of Washington State. He has been admitted to practice in Washington since
19 November, 1995. Mr. Helmlinger passed the July Idaho bar examination and
20 August Multi-State Professional Responsibility Examination. He is expected to give
21 the Idaho Oath of Attorney on September 26, 1996.

22 2. Mr. Helmlinger is generally familiar with the Idaho Rules of
23 Professional Conduct and specifically Rule 8.5, which provides that a lawyer
24 practicing *pro hac vice* in Idaho who is admitted to practice in another jurisdiction
25 is subject to the Rules of Professional Conduct as adopted in the State of Idaho.

26 3. No prejudice would result to any party herein if this motion is granted.
27

28 MOTION TO ADMIT J. ANDREW HELMLINGER
AS COUNSEL *PRO HAC VICE* Page 1

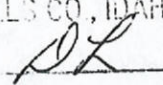
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OCT 01 1998

OCT 08 1996

Department of Water Resources

1996 OCT -7 PM 1:49

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHOFILED IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

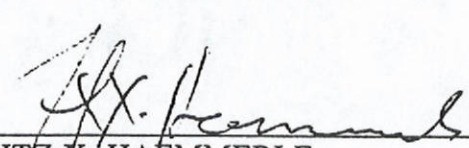
Case No. 39576

Subcase: 57-02368, 57-11407, and
57-07341ORDER GRANTING MOTION TO
APPEAR PRO HAC VICE

On September 12, 1996 the Idaho Department of Water Resources filed a *Motion to Appear Pro Hac Vice* asking Special Master Haemmerle to allow J. Andrew Helmlinger to appear as counsel in the Snake River Basin Adjudication, on behalf of the Idaho Department of Water Resources.

IT IS ORDERED, that the *Motion* is hereby granted.

DATED October 7, 1996.


FRITZ K. HAEMMERLESpecial Master, Reporting Area 2
Snake River Basin Adjudication

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AUG 12 1996

Department of Water Resources

1996 AUG -9 PM 3:11

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

DL

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

In Re SRBA

Case No. 39576

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

ORDER GRANTING MOTION TO
FILE LATE OBJECTION AND
SETTING STATUS CONFERENCE

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

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

DATED August 9, 1996.

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

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

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Department of Water Resources

1996 JUL 17 AM 11:35
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 RESETTING STATUS	
	)	CONFERENCE	
Case No. 39576	)		
_____	)	SUBCASE NOS: 57-02368	57-07341
		57-11407	

The Status Conference for this subcase, that was set for
FRIDAY, JULY 26, 1996 at 09:00 AM, is reset as follows:

FRIDAY, AUGUST 09, 1996 at 09:00 AM

SRBA
DISTRICT COURT
253 3RD AVENUE NORTH
TWIN FALLS, ID

Option: Parties may participate by phone if they contact the
clerk at (208) 736-3011 prior to AUGUST 07, 1996.

IT IS SO ORDERED.

Dated: JULY 17, 1996

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

MICROFILMED

OCT 01 1998

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

RECEIVED

MAY 23 1996

Department of Water Resources

1996 MAY 20 PM 01:32
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: 57-02368	57-07341
		57-11407	

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

FRIDAY, JULY 26, 1996 at 09:00 AM

SRBA
DISTRICT COURT
253 3RD AVENUE NORTH
TWIN FALLS, ID

Option: Parties may participate by phone if they contact the
clerk at (208) 736-3011 prior to JULY 22, 1996.

IT IS SO ORDERED.

Dated: MAY 20, 1996

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

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

MICROFILMED

OCT 01 1998

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho pursuant to the Water Conservation Act of 1917

1. Name of applicant Bureau of Land Management Phone 334-1582
 Post office address 3948 Development Ave. Boise, ID. 83705
 which is a tributary of Jump Creek
 2. Source of water supply Stream Unnamed Drainage 1N Township 1N
 3. Location of point of diversion is NW 12 % of Section 12 County, additional points of diversion if any: Overhee
 Range 5W B.M. Overhee

POOR ORIGINAL

4. Water will be used for the following purposes:
 Amount 2.7 for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
 (acre-feet per annum) Storage for
 Amount 0.4 for Wildlife purposes from 1/1 to 12/31 (both dates inclusive)
 (acre-feet per annum) Stockwater
 Amount 2.7 for Storage purposes from 1/1 to 12/31 (both dates inclusive)
 (acre-feet per annum) Wildlife
 Amount 0.4 for Storage purposes from 1/1 to 12/31 (both dates inclusive)
 (acre-feet per annum)
 5. Total quantity to be appropriated:
 a. 3.1 cubic feet per second and/or b. 3.1 acre-feet per annum.

6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. Earthen dam to retain rain and snow melt run off
 b. Height of storage dam 8 feet, active reservoir capacity 2 acre-feet; total reservoir capacity 3 acre-feet, materials used in storage dam: Earthen dam inclusive.
 Period of year when water will be diverted to storage (Month/Day) to (Month/Day)
 c. Proposed well diameter is inches; proposed depth of well is feet
 7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 year (minimum 1 year - maximum 5 years).

8. Description of proposed uses:
 a. If water is not for irrigation:
 (1) Give the place of use of water: NW 12 % of Section 12 Township 1N
 Range 5W B.M. Overhee feet of head.
 (2) Amount of power to be generated: horsepower under
 (3) List number of each kind of livestock to be watered 120 Cattle
 (4) Name of municipality to be served Overhee, or number of families to be supplied with domestic water Overhee
 (5) If water is to be used for other purposes describe: Overhee

MICROFILMED
 JUL 21 1994

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

A57-07341

PRIORITY DATE: 1942-08-06
IDWR WATER RIGHT NO. 5707341
BLM NUMBER: 5701588245
BASIS OF CLAIM: LICENSE
BASIN NO.: 57

SOURCE	TRIBUTARY TO
UNNAMED STREAM	JUMP CREEK

DESCRIPTION OF DIVERSION WORKS
180' L X 20.0' H EARTHFILL DAM

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
STOCKWATER STORAGE	0.000	2.70	0101	1231
STOCKWATER FROM STORAGE	0.000	2.70	0101	1231
WILDLIFE STORAGE	0.000	0.40	0101	1231
WILDLIFE FROM STORAGE	0.000	0.40	0101	1231
TOTAL:	0.000 CFS	3.10 AF		

NON-IRRIGATION USES
S/120 RANGE CATTLE W/VARIABLE WILDLIFE

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

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OCT 14 1992

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

BLM NUMBER: 5701588245

PAGE 2

01N 05W 12 NW SE 0 UNYHEE

YES 0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

CLAIM 57-4072

REMARKS

PREVIOUSLY FILED WITH THE IDAHO DEPARTMENT OF WATER RESOURCES

MICROFILMED
OCT 01 1992

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FEB 13 1997

Department of Water Resources

1997 FEB 11 PM 3:49

DISTRICT COURT-5
TWIN FALLS CO. IDAH
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 57-07341

On December 26, 1996, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 14a, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 57-07341 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED February 11, 1997.


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

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Department of Water Resources

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1996 OCT 31 AM 11:40
Lodged
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED D.L.

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

In Re SRBA

Subcase: 57-07341

Case No. 39576

PRELIMINARY SPECIAL
MASTER'S REPORT

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 1 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.

An objection to the *Director's Report* for water right 57-07341 was filed on March 1, 1993 by the United States Bureau of Land Management. A response to the objection was filed May 28, 1993 by the State of Idaho Department of Water Resources. BLM objected to element 12, water right recommendation. On September 17, 1996 the claimant submitted a *Standard Form 5* with the court. The *Standard Form 5* was not submitted to the Idaho Department of Water Resources (IDWR) as required. However, IDWR concurred with the description of the water right in the *Standard Form 5*.

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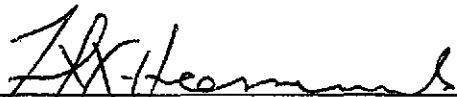
CONCLUSIONS OF LAW

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 recommended for each subcase.

Where a *Standard Form 5* has been signed by the parties and IDWR concurs with the *Standard Form 5*, it may be treated as an *Amended Director's Report*.

Therefore, based on the file and record herein, IT IS RECOMMENDED that water right 57-07341 be decreed with the elements as set forth in the *Standard Form 5* and the attached *Preliminary Special Master's Report and Recommendation*.

DATED November 1, 1996.



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

1996 OCT 32 AM 11:40
SPECIAL MASTER'S RECOMMENDATION FOR
DISTRICT COURT - SRBA
PARTIAL DECREE FOR TWIN FALLS CO., IDAHO
Water Right 57-07341

FILED *PL*

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

RECEIVED

NOV 04 1996

SOURCE: UNNAMED STREAM TRIBUTARY: JUMP CREEK
QUANTITY: 0.4 AFY

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

PRIORITY DATE: 02/25/1983

POINT OF DIVERSION: T01N R05W S12 NWSE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	WILDLIFE STORAGE	01-01 12-31	0.4 AFY
	WILDLIFE FROM STORAGE	01-01 12-31	0.4 AFY

PLACE OF USE: WILDLIFE FROM STORAGE Within Owyhee County
T01N R05W S12 NWSE

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: NOV 1 - 1996

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

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-07341

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OCT 01 1998

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Department of Water Resources

1996 OCT 32 AM 11:40

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

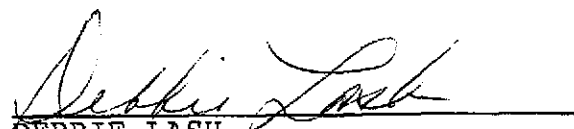
NOTICE OF ISSUANCE OF
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right(s): 57-07341

On November 01, 1996, 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 November 15, 1996.

DATED November 01, 1996.


DEBBIE LASH
Deputy Clerk

MICROFILMED

OCT 01 1998

NOTICE OF ISSUANCE

PAGE 1
11/01/96

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NOV 04 1996

Department of Water Resources

Nov 1
1996 OCT 32 AM 11:40

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED *DL*

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

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-07341

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 November 01, 1996, with sufficient first-class postage prepaid to the following:

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

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

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

Debbie Lash
DEBBIE LASH
Deputy Clerk

CERTIFICATE OF MAILING

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DEC 30 1996

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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

Subcase: 57-07341

Case No. 39576

SPECIAL MASTER'S REPORT

FINDINGS OF FACT

An objection to the *Director's Report* for water right 57-07341 was filed on March 1, 1993 by the United States Bureau of Land Management. A response to the objection was filed May 28, 1993 by the State of Idaho Department of Water Resources. BLM objected to **element 12**, water right recommendation. On September 17, 1996 the claimant submitted a *Standard Form 5* with the court. The *Standard Form 5* was not submitted to the Idaho Department of Water Resources (IDWR) as required. However, IDWR concurred with the description of the water right in the *Standard Form 5*.

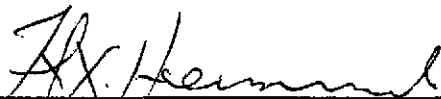
CONCLUSIONS OF LAW

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 recommended for each subcase. A *Preliminary Special Master's Report* was issued on November 1, 1996. No motion to alter or amend was filed and the time for such a motion has now expired.

Where a *Standard Form 5* has been signed by the parties and IDWR concurs with the *Standard Form 5*, it may be treated as an *Amended Director's Report*.

Therefore, based on the file and record herein, IT IS RECOMMENDED that water right 57-07341 be decreed with the elements as set forth in the *Standard Form 5* and the attached *Special Master's Report and Recommendation for Partial Decree for Water Right 57-07341*.

DATED December 17, 1996.


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

MICROFILMED

OCT 01 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)
_____)

1996 DEC 26 PM 1:31
SPECIAL MASTER'S RECOMMENDATION FOR
DISTRICT COURT - SRBA
PARTIAL DECREE FOR TWIN FALLS CO., IDAHO
Water Right 57-07341
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
DEC 30 1996

SOURCE: UNNAMED STREAM

TRIBUTARY: JUMP CREEK

Department of Water Resources

QUANTITY: 0.4 AFY

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

PRIORITY DATE: 02/25/1983

POINT OF DIVERSION: T01N R05W S12

NWSE

Within Owyhee County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
WILDLIFE STORAGE
WILDLIFE FROM STORAGE

PERIOD OF USE
01-01 12-31
01-01 12-31

QUANTITY
0.4 AFY
0.4 AFY

PLACE OF USE:

WILDLIFE FROM STORAGE
T01N R05W S12

Within Owyhee County
NWSE

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: 12-26-96

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

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-07341

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OCT-18-1996

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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)
_____)

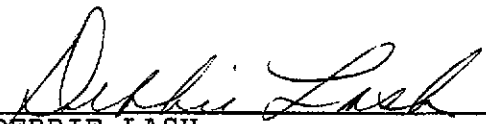
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-07341

On December 26, 1996, Special Master FRITZ X HAEMMERLE issued a SPECIAL MASTER'S REPORT AND RECOMMENDATION for the above subcase pursuant to SRBA Administrative Order 1 (AO1), Section 9.

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

DATED December 26, 1996.


DEBBIE LASH
Deputy Clerk

MICROFILMED

OCT 01 1998

NOTICE OF ISSUANCE

PAGE 1
12/26/96

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Department of Water Resources

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED DL

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

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-07341

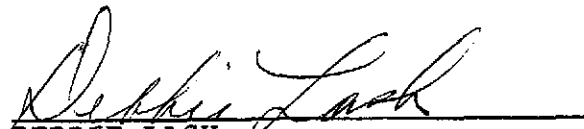
CERTIFICATE OF MAILING

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 December 26, 1996, with sufficient first-class postage prepaid to the following:

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

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

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

6 In Re SRBA) MOTION TO APPEAR
7 Case No. 39576) PRO HAC VICE
8) SUBCASES: 57-02368, 57-07341
57-11407

9
10 COMES NOW, Lynne Krogh, Deputy Attorney General for the State of Idaho,
11 Idaho Department of Water Resources, and respectfully moves the court to admit
12 J. Andrew Helmlinger to appear as counsel *pro hac vice* in the Snake River Basin
13 Adjudication, on behalf of the Idaho Department of Water Resources, and further
14 says in support hereof:

15 1. J. Andrew Helmlinger is an attorney with the Idaho Attorney General's
16 Office, Department of Water Resources. He is a member in good standing of the
17 Washington State Bar and the United States District Court for the Western District
18 of Washington State. He has been admitted to practice in Washington since
19 November, 1995. Mr. Helmlinger passed the July Idaho bar examination and
20 August Multi-State Professional Responsibility Examination. He is expected to give
21 the Idaho Oath of Attorney on September 26, 1996.

22 2. Mr. Helmlinger is generally familiar with the Idaho Rules of
23 Professional Conduct and specifically Rule 8.5, which provides that a lawyer
24 practicing *pro hac vice* in Idaho who is admitted to practice in another jurisdiction
25 is subject to the Rules of Professional Conduct as adopted in the State of Idaho.

26 3. No prejudice would result to any party herein if this motion is granted.
27

1 4. A copy of a certificate of good standing from the Washington State
2 Bar is attached as Exhibit A to this motion. An original copy is presently on file
3 with the Idaho State Bar.

4 WHEREFORE, the State of Idaho Attorney General's Office respectfully
5 moves for the admission of J. Andrew Helmlinger *pro hac vice*. Pursuant to Rule
6 7(e)(2) of SRBA Administrative Order 1, the State of Idaho Attorney General's
7 Office further moves for an order expediting the hearing on this motion should a
8 hearing be necessary.

9 Respectfully submitted this 10th day of September, 1996.

11 ALLEN LANCE
12 Attorney General

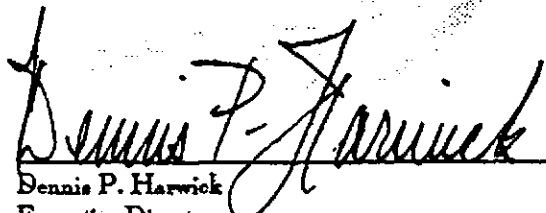
13 
14 LYNNE KROGH
15 Deputy Attorney General
16 Chief, Natural Resources Division

RECEIVED
JUN 20 1996
IDAHO STATE

CERTIFICATE of GOOD STANDING

This certifies that
JOHN ANDREW HELMLINGER
was admitted to the Bar of the State of Washington
on November 13, 1995, and is presently
an active member in good standing
of the Washington State Bar Association.

Dated this 13th day of June, 1996.


Dennis P. Harwick
Executive Director

Washington State Bar Association
500 Westin Building, 2001 Sixth Avenue
Seattle, WA 98121-2599
(206) 727-8200

MICROFILMED

OCT 01 1998

Exhibit A

INSTRUCTIONS FOR MAILING

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

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

CERTIFICATE OF MAILING

I certify that on September 12th, 1996, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

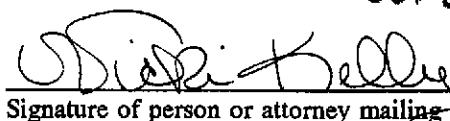
2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

K. Jack Haugrud
U.S. Department of Justice
550 W. Fort Street, Box 33
Boise, ID 83724-0663

MICROFILMED

OCT 01 1998



Signature of person or attorney mailing the form

TRANSMISSION VERIFICATION REPORT

TIME : 09/12/1996 09:49
NAME : IDWR
FAX : 3275400
TEL : 3277906

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

09/12 09:47
LEE
00:01:51
05
OK
STANDARD
ECM

MICROFILMED

OCT 0 1 1998

TRANSMISSION VERIFICATION REPORT

TIME : 09/12/1996 08:59
NAME : IDWR
FAX : 3275400
TEL : 3277906

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

09/12 08:57
SRBA COURT
00:02:50
05
OK
STANDARD

MICROFILMED

OCT 01 1998

RECEIVED
SEP 23 1996

Department of Water Resources
Adjudication Bureau

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

In Re SRBA	)	STANDARD FORM 5
	)	AMENDED MAY 14, 1996
	)	
Case No. 39576	)	SUBCASE NO: <u>57-07341</u>
	)	(ONE NUMBER ONLY)
	)	
	)	STIPULATED ELEMENTS
	)	OF A WATER RIGHT

THIS FORM MAY ONLY BE USED IF ALL PARTIES HAVE STIPULATED TO ALL ELEMENTS OF A WATER RIGHT AND MAY BE SUBMITTED AT ANY TIME FOLLOWING THE CLOSE OF THE STATUTORY RESPONSE PERIOD.

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

Instructions For Use

A copy of this water right as recommended in the director's report shall be submitted with this form. A statement shall accompany **each** element of a water right.

Elements where there has been no objection should be listed exactly as they appear in the director's report. The statement as to these uncontested elements shall state "as recommended in the director's report."

MICROFILMED
OCT 01 1998

Contested elements that are the result of an objection filed with the court shall be accompanied by a statement fully describing all facts, documents, expert opinions and law which support each element of the water right (attach additional pages if necessary).

ELEMENTS

1. The name and address of the claimant is:

United States by and through the
U.S. Department of Interior,
Bureau of Land Management,
Idaho State Office
3380 Americana Terrace
Boise, Idaho 83706-2500

Required statement:

This description accurately describes the claimant of this water right.

2. The source of water is:

Source: Unnamed Stream
Tributary: Jump Creek

Source is locally known as Big Pass Reservoir.

Required statement:

The United States and IDWR stipulate that this is the correct description of this element.

3. The quantity of water used is:

Wildlife Storage:
0.40 Acre-Feet per Year (AFY)

Wildlife From Storage:
0.40 AFY

Total Quantity:
0.40 AFY

Required statement:

The United States and IDWR stipulate that this is the correct description of this element. The license has been changed to eliminate the stockwater purposes, as they have been claimed under 57-02368. The quantity described under this right is in addition to the quantity claimed under 57-02368.

4. The priority date is:

02/25/1983

RECORDED

OCT 11 1988

Required statement:

The United States and IDWR stipulate that this is the correct description of this element.

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

T01N R05W S12 NWSE

Required statement:

The United States and IDWR stipulate that this is the correct description of this element.

6. The purpose of use is:

Wildlife Storage,
Wildlife From Storage

Required statement:

The United States and IDWR stipulate that this is the correct description of this element.

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

Wildlife Storage:
01-01 through 12-31

Wildlife from Storage:
01-01 through 12-31

Required statement:

The parties and IDWR stipulate that this is the correct description of this element.

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

Wildlife Storage:
T01N R05W S12 NWSE

Wildlife from Storage:
T01N R05W S12 NWSE

Required statement:

The parties and IDWR stipulate that this is the correct description of this element.

9. The annual volume of consumptive use is:

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Required statement:

Pursuant to Idaho Code 42-1401A(2) 1996, this water right need not contain a determination of the annual volume of consumptive use for non-irrigation uses.

10. Other necessary matters:

These matters are necessary because:

Pursuant to decision in basin-wide issue #12, the combined-use remark is not necessary to define this right.

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

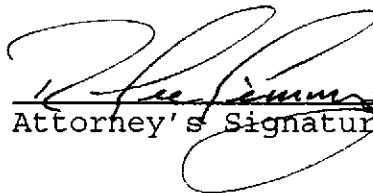
If IDWR has not concurred by signing below, signing parties certify that they have served a copy of this document on the Idaho Department of Water Resources and have made a good faith attempt to obtain IDWR's concurrence, but have failed.

Signatures and Addresses of Parties and their Attorney of Record
(attach additional page if necessary):

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

Name: United States of America, acting through the
Department of Interior,
Bureau of Land Management,
Idaho State Office
Address: 3380 Americana Terrace
City/State/Zip: Boise, Idaho 83706-2500
Attorney of Record: R. Lee Leininger
Phone: (202) 305-0242

Party's Signature Date

 9-13-96

Attorney's Signature Date

IDWR Concurrence:

Signature Date

MICROFILMED

OCT 01 1998

INSTRUCTIONS FOR MAILING

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

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

CERTIFICATE OF MAILING

I certify that on 9/16, 1996, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

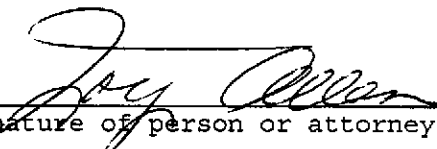
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copy to:

Idaho Department of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to (insert names and addresses):

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



Signature of person or attorney mailing the form

RECEIVED

OCT 08 1996

Department of Water Resources

1996 OCT -7 PM 1:49

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED AK

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

In Re SRBA

Case No. 39576

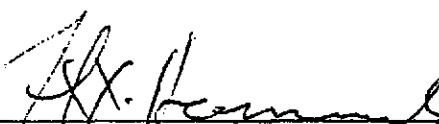
) Subcase: 57-02368, 57-11407, and
) ~~57-07341~~

) ORDER GRANTING MOTION TO
) APPEAR PRO HAC VICE
)

On September 12, 1996 the Idaho Department of Water Resources filed a *Motion to Appear Pro Hac Vice* asking Special Master Haemmerle to allow J. Andrew Helmlinger to appear as counsel in the Snake River Basin Adjudication, on behalf of the Idaho Department of Water Resources.

IT IS ORDERED, that the *Motion* is hereby granted.

DATED October 7, 1996.


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

MICROFILMED

OCT 01 1998

ORDER GRANTING MOTION
TO APPEAR PRO HAC VICE
10/7/96

CERTIFICATE OF MAILING

I certify that a true and correct copy of the *Order Granting Motion to Appear Pro Hac Vice* was mailed on October 7, 1996, with sufficient first-class postage to the following:

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

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

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



Deputy Clerk

RECEIVED

AUG 12 1996

Department of Water Resources

1996 AUG -9 PM 3:11

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

DL

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

In Re SRBA

Case No. 39576

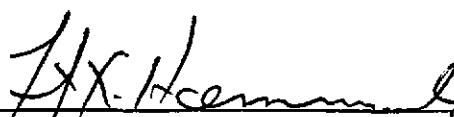
Subcase: 57-02368, ~~57-7341~~ and 57-11407

ORDER GRANTING MOTION TO
FILE LATE OBJECTION AND
SETTING STATUS CONFERENCE

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

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

DATED August 9, 1996.


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

MICROFILMED

OCT 01 1998

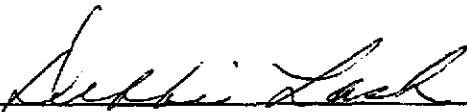
CERTIFICATE OF MAILING

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

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

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

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


Deputy Clerk

RECEIVED

JUL 18 1996

Department of Water Resources

1996 JUL 17 AM 11:35
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 RESETTING STATUS	
	)	CONFERENCE	
Case No. 39576	)		
		SUBCASE NOS: 57-02368	57-07341
		57-11407	

The Status Conference for this subcase, that was set for
FRIDAY, JULY 26, 1996 at 09:00 AM, is reset as follows:

FRIDAY, AUGUST 09, 1996 at 09:00 AM

SRBA
DISTRICT COURT
253 3RD AVENUE NORTH
TWIN FALLS, ID

Option: Parties may participate by phone if they contact the
clerk at (208) 736-3011 prior to AUGUST 07, 1996.

IT IS SO ORDERED.

Dated: JULY 17, 1996

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

MICROFILMED

OCT 01 1996

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

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER RESETTING STATUS CONFERENCE was mailed on JULY 17, 1996, with sufficient first-class postage to the following:

MOT FOR LATE OBJECTION

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

K. JACK HAUGRUD
U.S. DEPARTMENT OF JUSTICE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724-0663
Phone: 202-272-4134
Rep: USDI BLM

RECEIVED

MAY 23 1996

Department of Water Resources

1996 MAY 20 PM 01:32
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: 57-02368	57-07341
		57-11407	

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

FRIDAY, JULY 26, 1996 at 09:00 AM

SRBA
DISTRICT COURT
253 3RD AVENUE NORTH
TWIN FALLS, ID

Option: Parties may participate by phone if they contact the
clerk at (208) 736-3011 prior to JULY 22, 1996.

IT IS SO ORDERED.

Dated: MAY 20, 1996

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

MICROFILMED

OCT 01 1998

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

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE was mailed on MAY 20, 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

K. JACK HAUGRUD
U.S. DEPARTMENT OF JUSTICE
550 WEST FORT STREET, BOX 33
BOISE, ID 83724-0663
Phone: 202-272-4134
Rep: USDI BLM

RECEIVED

APR 16 1996

Department of Water Resources
Adjudication Bureau

1996 APR 15 AM 11:28
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 NO: 57-07341

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

FRIDAY, MAY 17, 1996 at 02:00 PM

SRBA
DISTRICT COURT
253 3RD AVENUE NORTH
TWIN FALLS, ID

Option: Parties may participate by phone if they contact the
clerk at (208) 736-3011 prior to MAY 15, 1996.

IT IS SO ORDERED.

Dated: APRIL 15, 1996

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

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

MICROFILMED

OCT 01 1998

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE was mailed on APRIL 15, 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

K. JACK HAUGRUD
U.S. DEPARTMENT OF JUSTICE
550 WEST FORT STREET, BOX 33
BOISE, ID 83724-0663
Phone: 202-272-4134
Rep: USDI BLM

RECEIVED

MAR 13 1996

Department of Water Resources

1996 MAR 11 PM 01:17
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 NO: 57-07341

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

MONDAY, MAY 06, 1996 at 02:00 PM

SRBA
DISTRICT COURT
253 3RD AVENUE NORTH
TWIN FALLS, ID

Option: Parties may participate by phone if they contact the
clerk at (208) 736-3011 prior to MAY 02, 1996.

IT IS SO ORDERED.

Dated: MARCH 11, 1996

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

MICROFILMED

OCT 01 1998

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

Page 1
3/08/96

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE was mailed on MARCH 11, 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

K. JACK HAUGRUD
U.S. DEPARTMENT OF JUSTICE
550 WEST FORT STREET, BOX 33
BOISE, ID 83724-0663
Phone: 202-272-4134
Rep: USDI BLM

RECEIVED
FEB 08 1996
Department of Water Resources
Adjudication Bureau

RECEIVED
FEB 08 1996
OFFICE OF THE
ATTORNEY GENERAL

1996 FEB 07 PM 01:37
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 NO: 57-07341

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

THURSDAY, MARCH 07, 1996 at 09:00 AM

SRBA
DISTRICT COURT
253 3RD AVENUE NORTH
TWIN FALLS, ID

Option: Parties may participate by phone if they contact the
clerk at (208) 736-3011 prior to MARCH 05, 1996.

IT IS SO ORDERED.

Dated: FEBRUARY 07, 1996

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

MICROFILMED

OCT 01 1998

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

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE was mailed on FEBRUARY 07, 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

K. JACK HAUGRUD
U.S. DEPARTMENT OF JUSTICE
550 WEST FORT STREET, BOX 33
BOISE, ID 83724-0663
Phone: 202-272-4134
Rep: USDI BLM

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

1993 MAY 28 PM 3:10
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

Case No. 57-07341 -0001

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

RESPONSE TO OBJECTION

Petitioner,

vs.

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

Respondents.

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

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

Briefly describe your interest in this water right:

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

(Over)

2. Person who filed objection:

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

3. If this response is filed by an attorney:

Attorney Name(s): DANIEL L. STECKEL
Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449
Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

12. ☒ Water Right Recommendation: I respond to the objection concerning:
- 12b. ☒ This water right not being recommended.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 12 and 12b. and all allegations of the objection regarding these items IDWR responds as follows: This is a claim for water that is stored in a small reservoir. Measurements show the current capacity of this reservoir to be no more than 3.1 acre feet. The director's report recommends two prior rights for a total of 3.1 acre feet (water right Nos. 57-02368 and 57-04072). The reservoir does not have the capacity to hold the additional claimed water. IDWR denies the objection and all allegations of the objection.

CHANGES TO THE DIRECTOR'S REPORT

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

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

No. of
Pages

Notice of Claim No. A57-07341

2

(Over)

MICROFILMED
OCT 01 1998

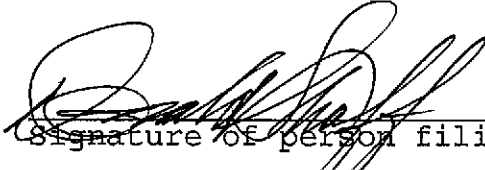
VERIFICATION (Must be Completed)

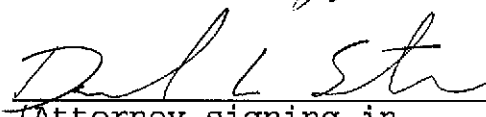
State of IDAHO

County of ADA

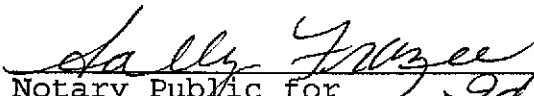
Donald V. Shaff, being first duly sworn, upon oath, deposes and says:

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 27th day of May,
1993.


Notary Public for Idaho
Residing at: Boise
My Commission expires: 11-14-1998

CERTIFICATE OF MAILING

I hereby certify that on the 28th day of May, 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:

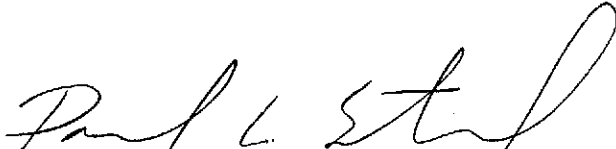
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

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

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-07341	01N	05W	12		NW	SE		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX
57-02368 NONE

57-04072

~~A57-02368~~

~~A57-04072~~

WR RECORDS IN SAME 40 ACRE TRACT

57-02368

57-04072

SOURCE: UNNAMED STREAM

TRIB: JUMP CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
57-07341	01N	05W	12		NW	SE		OWYHEE

OTHER WR RECORDS WITH SAME WR POD

57-02368

57-04072

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

57-02368

57-04072

NONE

SOURCE: UNNAMED STREAM

TRIB: JUMP CREEK

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER

NOTES:

Recommended as 57-02368 and 57-04072

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OCT 01 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. 57-07341
(You must insert the
water right number you
are objecting to)

OBJECTION RECEIVED
MAR 0 1 1993
Department of Water Resources
Adjudication Bureau

MICROFILMED
OCT 0 1 1998

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 IDWR has recommended be disallowed.

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.

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.

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(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 as reflected in the attached claim.

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 with specified corrections, if any.

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

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

1. Copy of disallowed USDI claim.

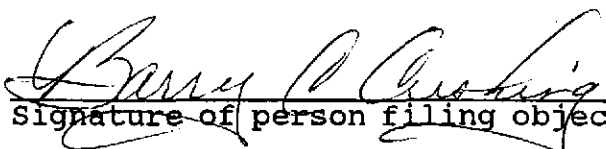
VERIFICATION (Must be Completed)

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 26 day of February,
1993.



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

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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 ^{two} 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

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

PRIORITY DATE: 1942-08-06
IDWR WATER RIGHT NO. 5707341
BLM NUMBER: 5701588245
BASIS OF CLAIM: LICENSE
BASIN NO.: 57

SOURCE	TRIBUTARY TO
-----	-----
UNNAMED STREAM	JUMP CREEK

DESCRIPTION OF DIVERSION WORKS

180' L X 20.0' H EARTHFILL DAM

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
-----	-----	-----	-----	-----
STOCKWATER STORAGE	0.000	2.70	0101	1231
STOCKWATER FROM STORAGE	0.000	2.70	0101	1231
WILDLIFE STORAGE	0.000	0.40	0101	1231
WILDLIFE FROM STORAGE	0.000	0.40	0101	1231
TOTAL:		0.000 CFS	3.10 AF	

NON-IRRIGATION USES

S/120 RANGE CATTLE W/VARIABLE WILDLIFE

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OCT 07 1998

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
---	---	---	-----	-----	-----	---	-----
01N	05W	12		NW	SE	00	OWYHEE

PLACE OF USE							OWNED	IRRIGATED ACRES
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	-----	-----
---	---	---	-----	-----	---	-----	-----	-----
01N	05W	12	NW	SE	00	OWYHEE	YES	0.0
01N	05W	12	NW	SE	00	OWYHEE	YES	0.0
01N	05W	12	NW	SE	00	OWYHEE	YES	0.0

BLM NUMBER: 5701588245

PAGE 2

01N 05W 12 NW SE 00 OWYHEE YES 0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

CLAIM 57-4072

REMARKS

PREVIOUSLY FILED WITH THE IDAHO DEPARTMENT OF WATER RESOURCES

MICROFILMED

OCT 01 1998

Water Right Number - R57-07341

Prefix Translation: RESEARCH

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 - PO BOX 663
City- WASHINGTON State- DC Zip- 200440663
Phone - 202-272-4134

*** C - CURRENT OWNER ***

US DEPT OF INTERIOR

1 - BUREAU OF LAND MANAGEMENT
2 - IDAHO STATE OFFICE
3 - 3380 AMERICANA TERRACE
City- BOISE State- ID Zip- 83706
Phone - 208-334-1401

*** K - ALSO KNOWN AS ***

BLM

1 - BUREAU OF LAND MANAGEMENT
2 - IDAHO STATE OFFICE
3 - 3380 AMERICANA TERRACE
City- BOISE State- ID Zip- 83706
Phone - 208-334-1401+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
08/06/1942 14 WESTERN I - DISALLOWED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
UNNAMED STREAM JUMP CREEK+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
01N 05W 12 NW SE (73) Owyhee+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
05 - STOCKWATER STORAGE 01/01 12/31 2.70
06 - STOCKWATER FROM STORAGE 01/01 12/31 2.70
17 - WILDLIFE STORAGE 01/01 12/31 0.40
18 - WILDLIFE FROM STORAGE 01/01 12/31 0.40+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.10 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
01N 05W 12 NW SE 05 STOCKWATER STORAGE (73) Owyhee
01N 05W 12 NW SE 06 STOCKWATER FROM STORAGE (73) Owyhee
01N 05W 12 NW SE 17 WILDLIFE STORAGE (73) Owyhee
01N 05W 12 NW SE 18 WILDLIFE FROM STORAGE (73) OwyheeMICROFILMED
JUL 21 1994

Water right number - R57-07341

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
----	-----	-----	-------	-----	-------	------	-------------	--------

Total Acres:

+ - - Diversion Means - 180'L X 20.0'H EARTHFILL DAM

+ - - Non-Irrigation Use - STOCKWATER, 120 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

+ - - Other Rights for Same Use - CLAIM 57-4072

Remarks
RECOMMENDED AS RIGHT NO. 57-02368 AND 57-04072. BLM RECORD ID = 5701588245

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

Comments
Date: 09/24/1992 User Id: SMITH Subject: COPIED FROM REMARKS PREVIOUSLY FILED WITH THE IDAHO DEPARTMENT OF WATER RESOURCES. Date: 10/09/1992 User Id: WSHAFF Subject: DISALLOW THIS CLAIM IS FOR THE SAME RESERVOIR COVERED BY CLAIMS 57-02368 AND 57-04072 EACH OF WHICH WAS NECESSARY TO COVER THE STOCKWATER WITH THE FORMER AND THE WILDLIFE USE WITH THE LATTER BECAUSE THE LICENSE DID NOT HAVE THAT USE.

Audit Fields
10/09/92 WSHAFF

Adjudication Rights Dates and Flags Area
--

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 06/30/1992	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X111111	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
JUL 21 1994

THIS IS TO CERTIFY, that U.S. Dept. of Interior, Bureau of Land Mgmt.

of Boise, Idaho, has complied with the terms and conditions of Permit No. 57-7341 issued pursuant to Application for Permit dated 02/25/1983, and has submitted proof to the Department of Water Resources on 02/21/1984, that he has applied water to a beneficial use; and examination by the Department indicates that the works have a capacity for the storage of 3.1 af of water from an unnamed stream tributary to Jump Creek, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

RATE OF DIVERSION	VOLUME	BENEFICIAL USE	PERIOD OF USE
n/a	2.7 af	Storage for Stockwater	01/01 - 12/31
n/a	2.7 af	Stockwater from Storage	01/01 - 12/31
n/a	0.4 af	Storage for Wildlife	01/01 - 12/31
n/a	0.4 af	Wildlife from Storage	01/01 - 12/31

Location of point of diversion: NWSE, Sec. 12, Twp 1N, Rge 5W, Owyhee Co.

Location of place of use:

TWP.	RGE.	SEC.	NEX				NWSE				SWSE				SESE				TOTALS
			NEX	NWSE	SWSE	SESE	NEX	NWSE	SWSE	SESE	NEX	NWSE	SWSE	SESE	NEX	NWSE	SWSE	SESE	
1N	5W	12													X				

Total number of acres irrigated _____

Also known as Big Pass Reservoir.

Subject to all prior water rights.

NOTE: Modifications to or variance from the use of water as shown on this license must be made in accordance with Section 42-222, Idaho Code, or the applicable Idaho law. This right may be forfeited by five years of non use.

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.

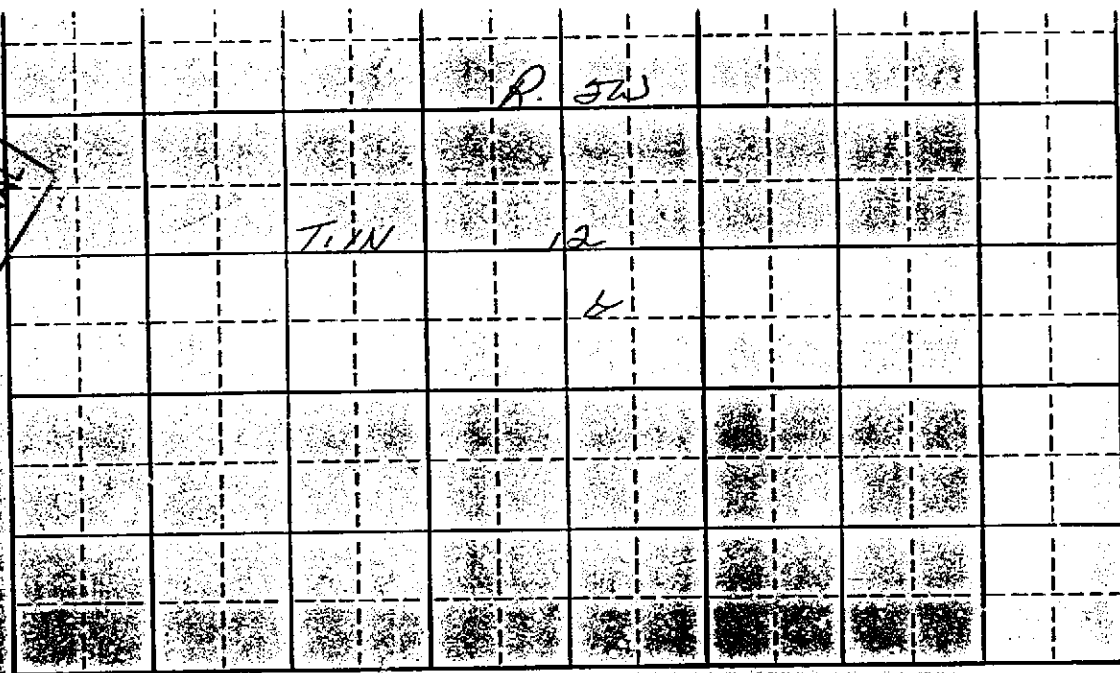
Witness the seal and signature of the Director, affixed at Boise, Idaho this 25th day of June, 1986.

POOR ORIGINAL

JUN 27 1984

UNRECORDED

POOR ORIGINAL



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NW 1/4 Sec. 12, T. 1 N. R. 5 W. S. 1/2

Place(s) of Use ☒

TWP.	RGE.	SEC.	NEX				NW%				SW%				SEX				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
1N	5W	12																	

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Recommended Amendments:

- ☐ Change P.D. as reflected above
- ☐ Change P.U. as reflected above
- ☐ Add P.D. as reflected above
- ☐ Add P.U. as reflected above

☒ None
☐ Other

Examiner's Signature Jan Spittle Date 1/9/86
 Checked by 6HS Date 2/24/88
 Approved by Roy Walker Date 7-18-86

Project No. 0199.

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

Name of applicant Bureau of Land Management Phone 334-1582

Post office address 3948 Development Ave., Boise, ID. 83705

Source of water supply Stream which is a tributary of Jump Creek

Location of point of diversion is NW % of SE % of Section 12 Township 1N

County, additional points of diversion if any: _____

Range 5N B.M. _____

Corrhee _____

4. Water will be used for the following purposes:
 - Amount 2.7 for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
 - Amount 0.6 for Wildlife purposes from 1/1 to 12/31 (both dates inclusive)
 - Amount 2.7 for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
 - Amount 0.6 for Wildlife purposes from 1/1 to 12/31 (both dates inclusive)
5. Total quantity to be appropriated: _____ cubic feet per second and/or _____ acre-feet per annum.

6. Proposed diverting works: _____

a. Description of ditches, flumes, pumps, headgates, etc. Earthen dam to retain rain and snow

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; materials used in storage dam _____ cubic feet

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet

7. Time required for the completion of the works and application of the water to the proposed beneficial use is _____ year (minimum 1 year - maximum 5 years)

8. Description of proposed use: _____

a. If water is not for irrigation: _____

(1) Give the place of use of water: _____

Range 5N B.M. _____

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered: 120 Cattle

(4) Name of municipality to be served _____ or number of families to be supplied with domestic water _____

(5) If _____ is to be used for other purposes describe: _____

FOR ORIGINAL

RECEIVED

JUL 21 1994

WATER RIGHT NUMBER - A57-07341

PREFIX TRANSLATION: ADJUDICATION CLAIM

MICROFILMED
JUL 21 1994

+ - - NON-IRRIGATION USE - S/120 RANGE CATTLE W/VARIABLE WILDLIFE

+ - - OTHER RIGHTS FOR SAME USE - CLAIM 57-4072

+ - - - - - REMARKS - - - - -

OLM RECORD ID = 5701588245

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

Recommended as Right No. 57-02368 and 57-04072.

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

+ - - AUDIT FIELDS - 08/04/92 AJCTR 08/05/92 SHAFF

+ - - - - - COMMENTS - - - - -

NO COMMENTS FOUND

+ - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 06/30/1992	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- X111111	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	PDU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

DATA ENTRY

ENTERED 9.24.92 Dns
CHECKED 9/25/92

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

VERIFIED
SEP 22 1992

CERTIFIED
SEP 22 1992
WATER EXAMINER

[Signature]
10-09-92