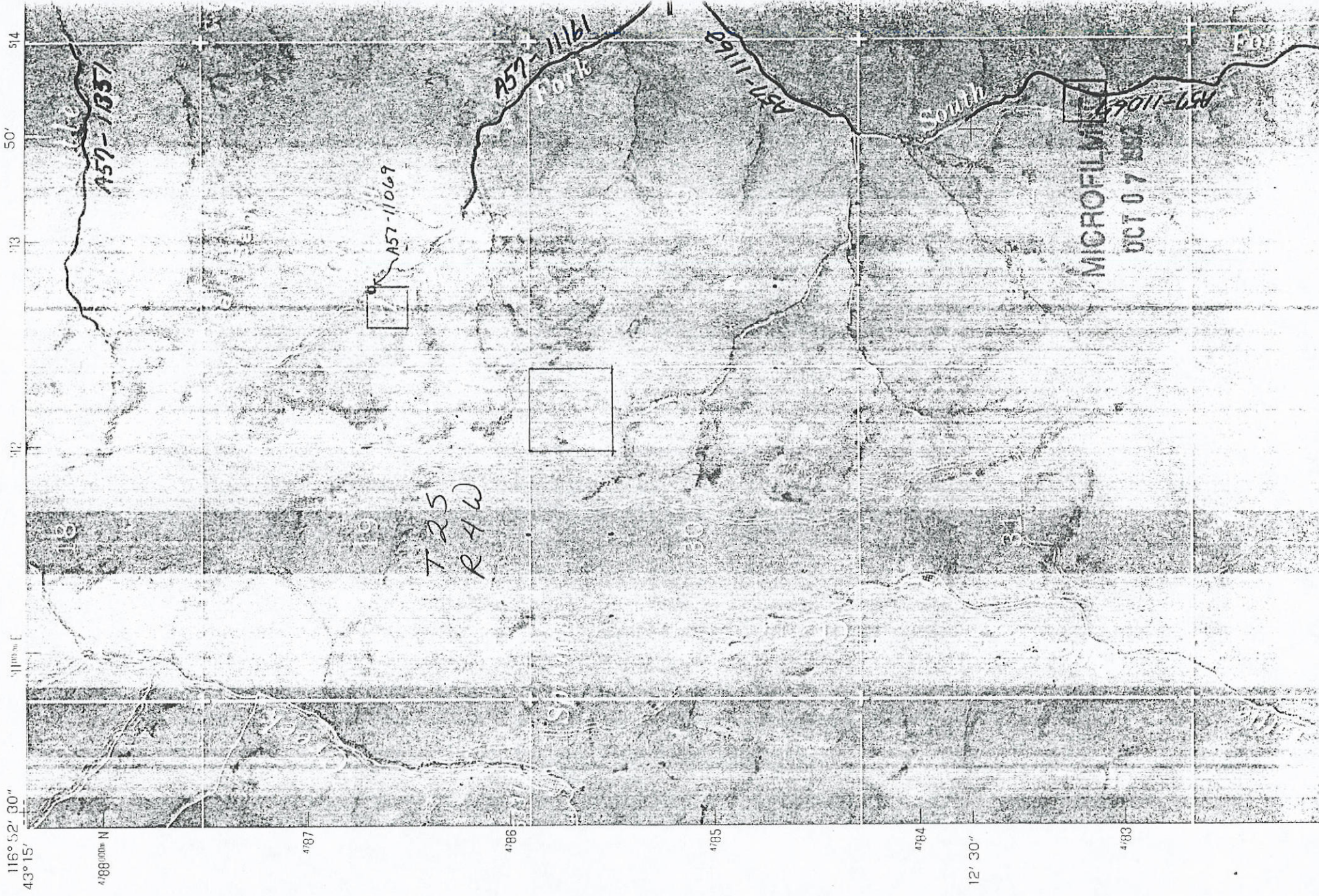


A57-07344

GEOLOGICAL SURVEY



MICROFILM

OCT 07 1957

T2S

T3S

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

A57-07344

PRIORITY DATE: 1983-02-25
IDWR WATER RIGHT NO. 5707344
BLM NUMBER: 5701588248
BASIS OF CLAIM: BENEFICIAL USE
BASIN NO.: 57

SOURCE	TRIBUTARY TO
COAL BANK SPRING	MACKS CREEK, SOUTH FORK

DESCRIPTION OF DIVERSION WORKS
HEADBOX, PIPE & TROUGH

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
STOCKWATER	0.040	0.80	0401	1031
WILDLIFE	0.010	0.80	0101	1231
TOTAL:	0.040 CFS	0.80 AF		

NON-IRRIGATION USES
S/580 RANGE CATTLE W/VAR AMT

POINT OF DIVERSION
TWP RNG SEC TRACT1 TRACT2 TRACT3 LOT COUNTY
02S 04W 30 NE NE 0 Owyhee
MICROFILMED OCT 07 1992

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	IRRIGATED ACRES
02S	04W	30	NE	NE	0	Owyhee		0.0
02S	04W	30	NE	NE	0	Owyhee		0.0

TOTAL ACRES IRRIGATED: 0.0

BLM NUMBER: 5701588248

PAGE 2

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

PREVIOUSLY FILED WITH THE IDAHO DEPARTMENT OF WATER RESOURCES

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OCT 07 1992

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JUL - 9 1997

Department of Water Resources
Adjudication Bureau

1997 JUL -2 AM 9:15

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

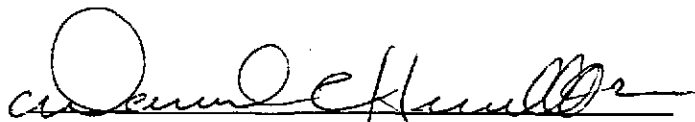
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 57-07344
_____	)	

On May 2, 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 57-07344 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED July 2, 1997.



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

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MAR 09 1998

OFFICE OF THE
ATTORNEY GENERAL

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FEB 2 1997

UNITED STATES OF AMERICA

Department of Water Resources
Adjudication Bureau

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

R. LEE LEININGER
PAUL F. HOLLEMAN
WILLIAM M. FERRY
Attorneys, Department of Justice
General Litigation Section
Environment and Natural Resources Division
P.O. Box 663
Washington, D.C. 20044-0663
(202) 305-0494

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

In Re SRBA	)	Sub-case No. 57-11124 et. al.
	)	
Case No. 39576	)	
	)	STIPULATION FOR WITHDRAWAL

DESCRIPTIVE SUMMARY

This is a stipulation to resolve claims for water rights and objections to claims for water rights. This stipulation is made between Harry Richard Bass, Henry Brandau, ~~Ted K. Blackstock~~, and Chipmunk Grazing Association, collectively referred to as the "Private Claimants," and the United States. RHA PFH

STIPULATION

WHEREAS, the United States recognizes the significant role of the livestock industry in the settlement, history and culture of Owyhee County, Idaho; and,

WHEREAS, the United States and the Private Claimants recognize the importance of the stockwater rights at issue in

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MAR 09 1998

these consolidated sub-cases to the livestock industry in Owyhee County and the United States Bureau of Land Management ("BLM") grazing program; and,

WHEREAS, the United States and the Private Claimants have filed competing claims for the same stockwater rights on the federal public land, and have filed objections to each others' claims for stockwater rights; and,

WHEREAS, the United States and the Private Claimants wish to resolve their dispute regarding ownership of these stockwater rights without further litigation, expense and delay;

THEREFORE, The Private Claimants and the United States of America, by and through their respective counsel, stipulate and agree as follows:

1. Pursuant to I.R.C.P. 41(a)(1)(ii), the United States dismisses with prejudice its objections to the water rights claimed in SRBA subcases 57-10375 and 57-10930D.
2. Pursuant to I.R.C.P. 41(a)(1)(ii), the Private Claimants dismiss with prejudice their claims to the water rights made in the SRBA subcases identified on Appendix A attached to this stipulation.
3. Pursuant to I.R.C.P. 41(a)(1)(ii), the Private Claimants dismiss with prejudice that portion of their claims to the water rights identified on Appendix B which are located on the federal public land. The Private Claimants will execute such further stipulations, such as Standard Form 5's, as the Special

Do we do
rec's on
w/drawn
claims?

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Master or the Court deem necessary to exclude all federal public land from the claimed place of use or point of diversion of these water rights.

4. Pursuant to I.R.C.P. 41(a)(1)(ii), the Private Claimants dismiss with prejudice their objections to the water rights claimed by the United States in the SRBA subcases identified on Appendix C attached to this stipulation.
5. The parties agree that the United States is the owner of the water rights identified on Appendix C. For each of these water rights, the purpose of use is the watering of livestock owned by persons holding BLM-issued grazing permits. With respect to those claims to water rights on Appendix C for which the United States holds a prior license or decree, the purpose of use shall be stockwater and whatever other uses were previously licensed or decreed. The stockwater purpose of use of the water rights on Appendix C shall not be changed so long as a valid BLM-issued grazing permit exists for the land on which a particular water right is located.
6. Nothing in this stipulation shall prevent the BLM from administering the use of a grazing allotment and its associated water rights in accordance with applicable law, including taking such administrative actions as

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MAR 09 1998

changing the boundaries of grazing allotments or modifying or terminating BLM-issued grazing permits.

7. Pursuant to I.R.C.P. 41(a)(1)(ii), the Private Claimants dismiss with prejudice their objections to the recommendation of the Director of the Idaho Department of Water Resources ("IDWR") with respect to the water rights identified on Appendix D. The Private Claimants recognize that the Director disallowed parts of these claims because the Private Claimants sought water rights on the federal public land that were in conflict with water rights claimed by the United States. The Private Claimants agree not to pursue the claims for stockwater located on the federal public land which were disallowed by the Director in the subcases identified on Appendix D.
8. This stipulation was reached through negotiations for the purpose of resolving legal disputes, including pending litigation. All parties agree that no offers and/or compromises made in the course of the negotiations regarding the SRBA subcases consolidated under case number 57-11124 et. al. shall be construed as admissions against interest or be used in any legal proceeding.
9. All parties agree to bear their own costs and attorney fees in connection with this matter.

2/6/97
APPENDIX A

ACTION REQUIRED:

CLAIMS LISTED BELOW ARE TO BE WITHDRAWN WITH PREJUDICE.

<u>SUBCASE</u>	<u>CLAIMANT</u>	<u>OBJECTOR</u>
57-07512*	BASS/JUNAYO/ORNDORFF/REUCK	BLM
57-07516*	BASS/JUNAYO/ORNDORFF/REUCK	BLM
57-10944	CHIPMUNK GRAZING	BLM AND CHIPMUNK
57-10946	CHIPMUNK GRAZING	BLM

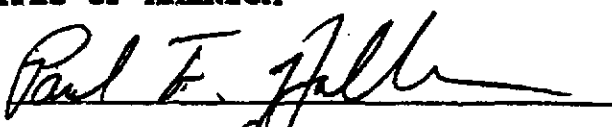
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MAR 09 1998

10. This stipulation was entered into and executed voluntarily by all parties in good faith, and without any fraud, misunderstanding, overreaching, misrepresentation, duress, or undue influence.

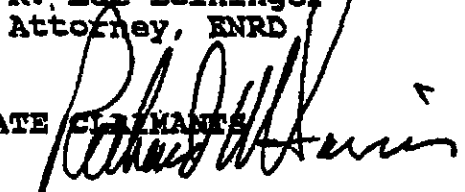
UNITED STATES OF AMERICA

Dated: 2-19-97


by: Paul F. Holleman
R. Lee Leininger
Attorney, ENRD

Dated: 2-19-97 

PRIVATE CLAIMANTS


by: Richard Harris
Attorney for Private Claimants

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MAR 09 1998

2/6/97
APPENDIX C

ACTION REQUIRED:

PRIVATE OBJECTOR WITHDRAWS OBJECTION TO THESE SUBCASES WITH PREJUDICE.

SUBCASE	CLAIMANT	Reserved Rt.	OBJECTOR
57-01045	BLM →	57-11307	BASS
57-01046	BLM		CHIPMUNK GRAZING
57-01047	BLM		CHIPMUNK GRAZING
57-01049	BLM →	57-11192	BASS
57-01050	BLM →	57-11193	BASS & BLM *
57-01051	BLM →	57-11194	BASS
57-01053	BLM →	57-11195	BASS
57-01054	BLM →	57-11196	BASS
57-01057	BLM →	57-11199	BASS
57-01058	BLM →	57-11200	BASS
57-01059	BLM →	57-11201	BASS
57-01060	BLM →	57-11202	BASS
57-01061	BLM →	57-11203	BASS
57-01062	BLM →	57-11251	BASS
57-02372	BLM →	57-11299	BASS
57-02450	BLM →	57-11238	BASS & BLM *
57-02468	BLM →	57-11243	BASS
57-02469	BLM →	57-11244	BASS
57-02484	BLM →	57-11233	BASS AND MALMBERG
57-07089	BLM →	57-11283	BASS AND BLM *
57-07154	BLM →	57-11354	BASS AND BLM *
57-07165	BLM →	57-11293	BASS
57-07166	BLM →		BASS
57-07168	BLM →		BASS AND BLM *
57-07344	BLM →		BASS
57-07354	BLM →		CHIPMUNK GRAZING
57-07357	BLM →		CHIPMUNK GRAZING
57-11138	BLM		CHIPMUNK AND BLM *
57-11148	BLM		CHIPMUNK AND BLM *
57-11149	BLM		CHIPMUNK GRAZING
57-11156	BLM		BASS
57-11157	BLM		BASS AND BLM *
57-11158	BLM		BASS
57-11162	BLM		CHIPMUNK GRAZING
57-11164	BLM		BASS
57-11166	BLM		CHIPMUNK GRAZING
57-11170	BLM		CHIPMUNK AND BLM *
57-11173	BLM		CHIPMUNK GRAZING
57-11176	BLM		CHIPMUNK, CHIPMUNK, AND BLM *
57-11179	BLM		BASS AND BLM *
57-11181	BLM		BASS
57-11183	BLM		
57-11350	BLM		
57-11351	BLM		

Records printed: 44

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* held for resolution of BLM obj. (11) MAR 09 1996

2/6/97
APPENDIX B

ACTION REQUIRED:

CLAIMS LISTED BELOW WILL BE AMENDED TO REMOVE PUBLIC DOMAIN
FROM THE POD AND POU ELEMENTS.

<u>SUBCASE</u>	<u>CLAIMANT</u>	<u>OBJECTOR</u>
57-10373	CHIPMUNK GRAZING	BLM
57-10850	CHIPMUNK GRAZING	BLM
57-10851	CHIPMUNK GRAZING	BLM
57-10914	BRANDAU/CHIPMUNK/MALMBERG	BLM
57-10916	CHIPMUNK GRAZING	BLM
57-10918	CHIPMUNK GRAZING	BLM
57-10919A	BRANDAU (X2) /CHIPMUNK/MALMBERG	BLM
57-10919B	BRANDAU (X2) /CHIPMUNK/MALMBERG	BLM
57-10921	CHIPMUNK GRAZING	BLM AND CHIPMUNK
57-10924	CHIPMUNK/JACA	BLM AND CHIPMUNK
57-10930A	BASS/JUNAYO/ORNDORFF/REUCK	BLM
57-10930B	BASS/JUNAYO/ORNDORFF/REUCK	BLM
57-10930C	BASS/JUNAYO/ORNDORFF/REUCK	BLM

Records printed: 13

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MAR 09 1996MICROFILMED
MAR 09 1996MICROFILMED
MAR 09 1996

2/6/97
APPENDIX D

ACTION REQUIRED:

CLAIMANT WITHDRAWS OBJECTION TO HIS OWN CLAIM, WHERE THE PURPOSE OF THE OBJECTION WAS TO RECLAIM DISALLOWED PODS OR PODS DESCRIBING PUBLIC DOMAIN.

SUBCASE	CLAIMANT	OBJECTOR
57-10660	CHIPMUNK GRAZING	BLM AND CHIPMUNK
57-10921	CHIPMUNK GRAZING	BLM AND CHIPMUNK *
57-10924	CHIPMUNK GRAZING/JACA	BLM AND CHIPMUNK *
57-10944	CHIPMUNK GRAZING	BLM AND CHIPMUNK +
57-10945	CHIPMUNK GRAZING	CHIPMUNK GRAZING X (22446)
57-10947	CHIPMUNK GRAZING	CHIPMUNK GRAZING X (11179)

Records printed: 6

* also on Appendix B
+ also on Appendix A
x disallowed claim

withdrawn
decreed disallowed

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MAR 09 1996

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Department of Water Resources
Adjudication Bureau

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WATER RESOURCES
WESTERN REGION

DISTRICT COURT-SRBA
5th Judicial District
County of Twin Falls - State of Idaho

MAR 20 1996

By _____ Clerk
Deputy Clerk

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

In Re SRBA)
Case No. 39576)
_____)
ORDER GRANTING MOTION TO
WITHDRAW

On March 18, 1996, Richard A. Simms and Margaret J. King of the firm of Simms & Stein, filed a *Motion for Leave to Withdraw* as counsel for Harry Richard Bass in the above referenced subcases stating that they have been discharged.

IT IS ORDERED that the *Motion for Leave to Withdraw* is granted and Richard A. Simms, Margaret J. King and the firm of Simms & Stein are withdrawn as counsel of record for Harry Richard Bass in the above referenced subcases.

IT IS FURTHER ORDERED that within 20 days from the date of mailing this Order, Harry Richard Bass shall either file a written notice with this court that states his intention to represent himself in the subcases listed on Exhibit A or otherwise specifically advise the court how he intends to proceed.

DATED March 20, 1996.


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

Subcase Numbers:

57 00243
57 02468
57 01045
57 01049
57 01050
57 01051
57 01053
57 01054
57 01057
57 01058
57 01059
57 01060
57 01061
57 01062
57 02372
57 02450
57 02469
57 02484
57 07089
57 07154
57 07165
57 07166
57 07168
57 07344
57 07354
57 07357
57 11138
57 11162
57 11164
57 11166
57 11173
57 11350
57 11351
~~57 11067~~
57 07512
57 07516
57 10930A
57 10930B
57 10930C
57 10930D

unobjcted to

FEB-25-1997
0026

1

MICROFILMED
MAR 09 1986

RIGHT NUMBER: 57-07344

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: MACKS CREEK, SOUTH FORK
~~COAL BANK SPRING~~ ~~MACKS CREEK, SOUTH FORK~~

QUANTITY: 0.04 CFS
0.8 AFY

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

PRIORITY DATE: 02/25/1983

POINT OF DIVERSION: T02S R04W S30 NENE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	04-01 10-31	0.03 CFS ~~0.104 CFS~~
	WILDLIFE	01-01 12-31	0.8 AFY 0.01 CFS 0.8 AFY

PLACE OF USE: STOCKWATER Within Owyhee County
T02S R04W S30 NENE

PLACE OF USE FOR WILDLIFE IS SAME AS STOCKWATER

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

SOURCE IS ALSO KNOWN AS COAL BANK SPRING.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

N11/N13

Movants:

Richard Simms
Margaret J. King
Simms & Stein, P.A.
102 Aspen Lakes Drive
P.O. Box 3329
Hailey, Idaho 83333
(208) 788-9145
Facsimile: (208) 788-0927

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MAR 21 1996

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Adjudication Bureau

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MAR 21 1996

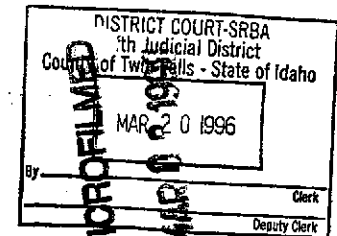
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Adjudication Bureau

See 57-00243
for complete document
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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 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

MOTION FOR LEAVE TO WITHDRAW

In Re SRBA

Case No. 39576

Subcase Nos: See attached Exhibit A

ORDER GRANTING MOTION TO
WITHDRAW

On March 18, 1996, Richard A. Simms and Margaret J. King of the firm of Simms & Stein, filed a *Motion for Leave to Withdraw* as counsel for Harry Richard Bass in the above referenced subcases stating that they have been discharged.

IT IS ORDERED that the *Motion for Leave to Withdraw* is granted and Richard A. Simms, Margaret J. King and the firm of Simms & Stein are withdrawn as counsel of record for Harry Richard Bass in the above referenced subcases.

IT IS FURTHER ORDERED that within 20 days from the date of mailing this Order, Harry Richard Bass shall either file a written notice with this court that states his intention to represent himself in the subcases listed on Exhibit A or otherwise specifically advise the court how he intends to proceed.

DATED March 20, 1996.

Fritz X. Haemmerle

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

Come Now Richard A. Simms, counsel *pro hac vice*, and Margaret J. King, local counsel pursuant to Rule 222 of the Idaho Bar Commission Rules, and hereby move to withdraw as counsel of record for Harry Richard Bass pursuant to Rule 11(b)(3) of the Idaho Rules of Civil Procedure. In support hereof, counsel state that they have been discharged as reflected in the Notice of Discharge, attached hereto as Exhibit A.

WHEREFORE counsel move that the court enter its order pursuant to Rule 11(b)(3) of the Idaho Rules of Civil Procedure permitting withdrawal and directing the client to appoint another attorney to appear or to appear in person by filing a written notice stating how the client will proceed without counsel.

Dated this 18th day of March, 1996.

57-07344

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MAR 26 1997

Department of Water Resources

1997 MAR 24 PM 4: 47

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): 57-07344

CERTIFICATE OF MAILING

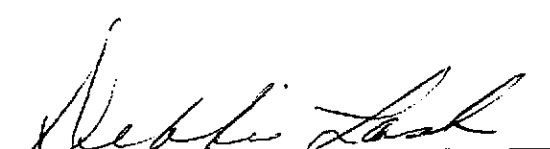
I certify that a true and correct copy of PRELIMINARY SPECIAL MASTER'S REPORT, PRELIMINARY SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF PRELIMINARY SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on March 24, 1997, with sufficient first-class postage prepaid to 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

RICHARD BASS
HC 88 BOX 1050
MURPHY, ID 83650


DEBBIE LASH
Deputy Clerk

CERTIFICATE OF MAILING

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03/24/97
MAR 09 1998

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MAR 26 1997

Department of Water Resources

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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)
_____)

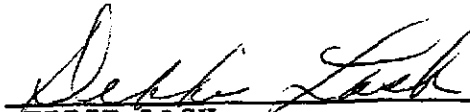
NOTICE OF ISSUANCE OF
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right(s): 57-07344

On March 24, 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 April 07, 1997.

DATED March 24, 1997.


DEBBIE LASH
Deputy Clerk

MICROFILMED
MAR 09 1998

NOTICE OF ISSUANCE

PAGE 1
03/24/97

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

In Re SRBA)
Case No. 39576)

PRELIMINARY

SPECIAL MASTER'S RECOMMENDATION FOR

PARTIAL DECREE FOR

Water Right 57-07344

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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

SOURCE: UNNAMED STREAM

TRIBUTARY: MACKS CREEK, SOUTH FORK

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MAR 26 1997

QUANTITY: 0.04 CFS
0.8 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: T02S R04W S30

NENE

Within Owyhee County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
04-01 10-31

QUANTITY
0.03 CFS
0.8 AFY
0.01 CFS
0.8 AFY

WILDLIFE

01-01 12-31

PLACE OF USE:

STOCKWATER
T02S R04W S30

Within Owyhee County
NENE

Place of use for WILDLIFE is same as STOCKWATER

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 24 1997

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

MICROFILMED
MAR 09 1998

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-07344

PAGE 1
FEB-25-1997

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Department of Water Resources

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

) Subcase 57-07344

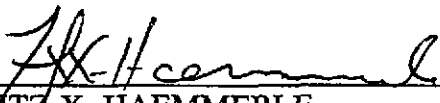
)
Case No. 39576

) PRELIMINARY SPECIAL
MASTER'S REPORT

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

An objection to the *Director's Report* for subcase 57-07344 was filed on February 26, 1993 by Richard Bass. Subsequently, on February 21, 1997, the parties, filed a *Stipulation to Withdraw* was filed pursuant to I.R.C.P. 41, wherein the parties agreed that the water right be decreed as reported. All objections having been withdrawn, IT IS RECOMMENDED that subcase 57-07344 be decreed as recommended in the *Preliminary Special Master's Report and Recommendation for Partial Decree*.

DATED March 24, 1997.


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

MICROFILMED

MAR 19 1998

EST. MAY -3 AM 11:04

DISTRICT COURT OF IDAHO
TWIN FALLS, IDAHO

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

DL

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 57-07344

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 May 02, 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

RICHARD BASS
HC 88 BOX 1050
MURPHY, ID 83650

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

Debbie Lash
DEBBIE LASH

CERTIFICATE OF MAILING

PAGE 1
MICROFILMED
MAR 09 1998

FILED - 5 MAY 04
DISTRICT COURT - SRBA
TWIN FALLS, 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)
_____)

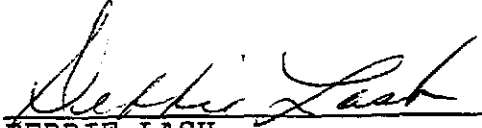
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-07344

On May 02, 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 May 02, 1997.


DEBBIE LASH
Deputy Clerk

MICROFILMED

MAR 09 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 MAY -2 AM 11:04
SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR
Water Right 57-07344

DISTRICT COURT - SRBA
TWIN FALLS, IDAHO
FILED *OK*

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

SOURCE: UNNAMED STREAM TRIBUTARY: MACKS CREEK, SOUTH FORK

QUANTITY: 0.04 CFS
0.8 AFY

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

PRIORITY DATE: 02/25/1983

POINT OF DIVERSION: T02S R04W S30 NENE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	04-01 10-31	0.03 CFS
			0.8 AFY
	WILDLIFE	01-01 12-31	0.01 CFS
			0.8 AFY

PLACE OF USE: STOCKWATER Within Owyhee County
T02S R04W S30 NENE

Place of use for WILDLIFE is same as STOCKWATER

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: MAY - 2 1997

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

MICROFILMED
MAR 09 1998

RECEIVED

MAY 05 1997

Department of Water Resources
Adjudication Bureau

1997 MAY -2 AM 11:04

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED *PL*

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 57-07344

Case No. 39576

) SPECIAL MASTER'S REPORT
)
)
)

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

An objection to the *Director's Report* for subcase 57-07344 was filed. Subsequently, on February 21, 1997, the parties, filed a *Stipulation to Withdraw* pursuant to I.R.C.P. 41, wherein the parties agreed that the water right be decreed as reported.

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

IT IS RECOMMENDED that subcase 57-07344 be decreed as recommended in the *Special Master's Report and Recommendation for Partial Decree*.

DATED May 2, 1997.

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

MICROFILMED
MAR 09 1998

1997 JUL 02 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): 57-07344

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 57-07344 was mailed
on July 02, 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

RICHARD BASS
HC 88 BOX 1050
MURPHY, ID 83650

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

DIANA DELANEY

Chief Deputy Clerk

MICROFILMED
MAR 09 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. 57-07344
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

FEB 25 1993

Department of Water Resources
Adjudication Bureau

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

(Over)

OBJECTION - 1

MICROFILMED

JUL 21 1994

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

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name:

Richard Bass

Address:

HC 88 BOX 1050

Murphy Idaho 83650

Briefly describe your interest in this water right:

This water Right supplies Stockwater
for our permitted Livestock on
our Federal Grazing Allotment
and has historically provided
water for previous owners
and users.

2. Owner of the water right:

Name:

USDI - Bureau of Land Management

Address:

3380 Americana Terrace

Boise Idaho 83706

3. If this objection is filed by an attorney:

Attorney Name:

Attorney Address:

Attorney Phone No.:

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.

MICROFILMED

JUL 21 1994

(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.

Box 1

See Attachment 1 Case No. 57-07344

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.

See Attachment 1 Case No. 57-07344

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.

Attachment 1 Case No 57-07344

one page

VERIFICATION (Must be Completed)

State of IO

County of OWYHEE

Bruce Reuck, 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.

Bruce Reuck
signature of person filing objection

By: _____
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 24th day of Feb.,
1993.

Dynia Freund
Notary Public for Idaho
Residing at: Homedale
My Commission expires: 12/15/98

MICROFILMED

JUL 21 1994

(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 24 day of Feb, 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: USDI-BLM

Owner's address: Idaho State Office

3350 Americana Terrace
Boise Id. ~~83706~~ 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

REASONS SUPPORTING EACH BOX CHECKED

(BOX 1) This water right was developed by historic use for stockwater by private individuals on unappropriated open range. Our current Federal grazing permit is based on that historic use and was awarded through an adjudication process in 1935. Our privately owned grazing permit can be bought, sold, traded, inherited and taxed and is totally dependent upon our continued ability to use this water right. Therefore the name on this water right should be ours.

CHANGES TO THE DIRECTORS REPORT

I want the name and address of the owner of the water right changed as follows:

FROM US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

TO Junayo Ranch Limited Partnership
1087 River Street, Suite 230, Boise, ID 83702
Owen Orndorff, 600 E. Braemere, Boise, ID 83702
Harry Richard Bass, HC 88, Box 1050, Murphy, ID 83650
Bruce Reuck, HC 88, Box 1080, Murphy, ID 83650

MICROFILMED
JUL 21 1994

State of Idaho
Department of Water Resources



WATER RIGHT LICENSE

License No. 57-7344 Priority 02/25/1983 Amount 0.04 CFS 0.8 AF

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. 57-7344 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 diversion of 0.04 cfs of water from an unnamed stream tributary to Macks Creek, South Fork, 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
0.03 cfs	0.8 af	Stockwater	01/01 - 12/31
0.01 cfs	0.8 af	Wildlife	01/01 - 12/31

Location of point of diversion: NENE, Sec. 30, Twp 2S, Rge 4W, Owyhee Co.

Location of place of use:

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2S	4W	30	X																

Total number of acres irrigated _____

Also known as Coal Bank Spring.

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 July, 1986.

Acting for the Director

Norm C. Young

MICROFILMED

MICROFILMED

OCT 07 1992

kw

AKA Project No. 5591- Coal Bank Spring

--	--

[illegible]

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

Point(s) of diversion: NENE, S. 30, T. 25, R. 4W, B.M.

Place(s) of Use

[illegible]☐ Other

Date 7-18-86

MICROFILMED

OCT 07 1992

Water Right Number - A57-07344

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
US DEPT OF INTERIOR1 - BUREAU OF LAND MANAGEMENT
2 - IDAHO STATE OFFICE
3 - 3380 AMERICANA TERRACE
City- BOISE State- ID Zip- 83706
Phone -+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
02/25/1983 14 WESTERN Z - SEE REMARKS+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
UNNAMED STREAM MACKS CREEK, SOUTH FORK
COMBINED RIGHT SEE REMARKS+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
02S 04W 30 NE NE (73) OWYHEE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
04 - STOCKWATER 01/01 12/31 0.030 0.80
16 - WILDLIFE 01/01 12/31 0.010 0.80+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.80 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
02S 04W 30 NE NE 04 STOCKWATER (73) OWYHEE

Total Acres:

+ - - Diversion Means - HEADBOX, PIPE & TROUGH

+ - - Non-Irrigation Use - S/60 RANGE

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
ALSO KNOWN AS COAL BANK SPRING.
SEE CLAIM NO. 57-10936.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers FoundMICROFILMED
OCT 16 1992

Water right number - A57-07344

Prefix Translation: ADJUDICATION CLAIM

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

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

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

+ - - Audit Fields - - +
03/27/92 WALKER

+ - - - - 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	- 03/19/1992	Last Amended Date	- 00/00/0000	Temporary Right	- T
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
OCT 06 1992

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - R57-07344

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 -
2 -
3 -
City- X State- ID Zip- 0
Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
02/25/1983 14 WESTERN L - LICENSE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
UNNAMED STREAM / MACKS CREEK, SOUTH FORK

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
02S 04W 30 NE NE (73) OWYHEE

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
04 - STOCKWATER		04/01	10/31	0.030	0.80
16 - WILDLIFE		01/01	12/31	0.010	0.80

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.80 0.0

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
02S	04W	30	NE NE			04	STOCKWATER	(73) OWYHEE

Total Acres:

+ - - Diversion Means - HEADBOX, PIPE & TROUGH

+ - - Non-Irrigation Use - STOCKWATER, 60 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

MICROFILMED
OCT 07 1992

CA 9-23-92

Prefix Translation: RESEARCH

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
OCT 07 1955

CLAIM NO. A57-02344

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET
FOR PREVIOUSLY RECORDED BLM RIGHTS

- ☐ No Overlap with Claim by Private Individual - OWNERSHIP
☒ Overlaps with Claim by Private Individual
Claim No(s). 57-10936 * Letter sent by Jan Shurte
☐ Private claimant notification letter sent - Date _____
- ☒ 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 _____.
- ☐ No Change - SOURCE
☒ Source, per IDWR records, is Unnamed stream.
- ☒ No Change - POINT OF DIVERSION - Claim matches existing license or decree
☐ Point of diversion has changed - Map attached.
Twp _____, Rge _____, Sec _____, _____ 1/4, _____ 1/4, _____ 1/4
How was this verified? _____

N/A

- ☐ No Change - WATER USES
☒ Uses, per IDWR records:
- | | | | | |
|------------------------|-----------------|-----------------|------------------------|---------------|
| Use <u>stock water</u> | From <u>1-1</u> | To <u>12-31</u> | Amount <u>0.03</u> cfs | <u>0.8</u> af |
| Use <u>wildlife</u> | From <u>1-1</u> | To <u>12-31</u> | Amount <u>0.01</u> cfs | <u>0.8</u> af |

- ☒ No Change - TOTAL RATE AND VOLUME
☐ Total rate and volume, per IDWR records: _____ cfs _____ afa

N/A

- ☐ No Change - NON-IRRIGATION USES: Completed on claim
☒ Incomplete on claim - Per IDWR records:

Domestic - No. of homes _____ Stockwater - No. of head 60

Other: wildlife, variable

MICROFILMED

OCT 07 1992

* claimed shorter season for stockwater - recommended as claimed.

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

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

How was this verified? _____

Remarks:(Comments pertinent to review)

Overlaps with federal reserve claim A57-11354

Standard remark B01 "Coal Bank Spring"

Review Completed by:

Patricia F. Fitch
signature

Date:

9-23-92

GEOLOGICAL SURVEY

A37-07344

116° 52' 30"
43° 15'

1100m E

12

13

50'

14

4788000m N

4787

4786

4785

4784

12' 30"

4783

T25
R4W

A57-11357

A57-11069

A57-11168

A57-11168

MICROFILMED

OCT 07 1992

T2S

3S

UD-AAA
AJ5801NP
SELECTION FILE: FRITSCHL-POU-02S-04W-30

ADJUDICATION
NUMERIC INDEX

DATE: 03/23/94
TIME: 07:57:48
PAGE: 1

WATER RIGHT NUMBER	STG STS	PRIORITY DATE	O C	CLAIMANT NAMES	SOURCES OF WATER	TRIBUTARIES TO
A57-07344	J/	02/25/1983	C	US DEPT OF INTERIOR	COAL BANK SPRING	MACKS CREEK, SOUTH FORK
A57-10936	L/	02/25/1983	C	HARRY RICHARD BASS C BRUCE REUCK C JUNAYO RANCH LIMITED PARTNERSHIP C OWEN ORNDORFF	UNNAMED STREAM LITTLE COTTONWOOD SPRING	MACKS CREEK, SOUTH FORK SUCCOR CREEK
A57-11354	F/	04/17/1926	C	US DEPT OF INTERIOR	COAL BANK SPRING	SOUTH FORK MACK CREEK
R57-10936	/I	02/25/1983	C	HARRY RICHARD BASS C BRUCE REUCK C OWEN ORNDORFF C JUNAYO RANCH LIMITED PARTNERSHIP	UNNAMED STREAM SPRING	MACKS CREEK, SOUTH FORK SUCCOR CREEK
R57-11354	F/	04/17/1926	C	US DEPT OF INTERIOR	COAL BANK SPRING	SOUTH FORK MACK CREEK

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OCT 07 1992