

POOR ORIGINAL



12' 30"

R 6W

CLAIM NUMBER 57-10850



Denotes Public Land
Included in this Claim

MICROFILMED

JUL 21 1984

Creek
Reservoir

117° 00' W
43° 15' N
501000m E
502000m N

Source = unnamed Stream.
Note that DRY Creek is here

Mine Basin Creek
Spring

MICROFILMED
OCT 08 1992

Note that

DRY Creek is here

MICROFILMED

OCT 08 1992

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A57-10850**
Date Received: 12/17/1988
Receipt No: C004022
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHIPMUNK GRAZING ASSOCIATION INC. 208-896-4402
Address: BOX 175
MARSING, ID 83639

2. Date of Priority: JUL 1, 1868

3. Source: DRY CREEK Trib. to: SUCCOR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	05W	30		NW	NW		OWYHEE
	06W	✓24		SE	SE		OWYHEE
		✓25		NE	NE		OWYHEE

5. Description of diverting works:
INSTREAM STOCKWATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.140		

7. Total Quantity Appropriated is:
0.140 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/600 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	05W	30	NW	NW		STOCK	
	06W	24	SE	SE		STOCK	

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	06W	25	NE	NE		STOCK	

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

INSTREAM STOCKWATER
P/D AND P/U SAME. SAME GRAZING AREA, SAME CATTLE

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

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.

RECEIVED

JUN 18 1990

CIVIL CASE NUMBER: 39576

CHANGED TO: A57-10850 *JP*
Ident. Number: A55-10061
Date Received: 12/16/1988
Receipt No: C004022
Received By: _____

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHIPMUNK GRAZING ASSOCIATION, INC. 208-896-4402
Address: BOX 175
MARSING, ID 83639

2. Date of Priority: JUL 01, 1868

3. Source: DRY CREEK Trib. to: SUCCOR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	05W	30	NW	NW			OWYHEE
	06W	24	SE	SE			OWYHEE
		25	NE	NE			OWYHEE

5. Description of diverting works:
INSTREAM STOCKWATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.140		

7. Total Quantity Appropriated is:
0.140 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/600 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	05W	30	NW	NW		STOCK	

A55-10061

Page 1

Date: 02/01/89

MICROFILMED
OCT 08 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	06W	24	SE	SE		STOCK	
		25	NE	NE		STOCK	

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
INSTREAM STOCKWATER
P/D AND P/U SAME. SAME GRAZING AREA, SAME CATTLE

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____ and that the statements contained in the
_____ foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

RECEIVED

JUN 18 1990

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

Department of Water Resources
Western Regional OfficeOF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMCIVIL CASE NUMBER: A5710850
39576Ident. Number A55-10061Date Received 12-16-88Receipt Number 0004022
RS

RECEIVED

DEC 16 1988

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Department of Water Resources Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Please type or print clearly

1. Name of Claimant (s) chipmunk Grazing Association Inc Phone (208) 896-4402Mailing Address Box 175 Matsing, Idaho Zip 836392. Date of Priority (Only one (1) per claim) 7/1/18683. Source of water supply (a) Dry creek
which is tributary to (b) Succor creek4. Location of point of diversion is: Township 2 S Range 6 WSection 30, 1/4 of NW 1/4 of NW 1/4, Govt. Lot _____, B.M.,County of Owyhee SE SE Sec 24 T2S R6W PO + P.VAdditional points of diversion if any: NE NE Sec 25 T2S R6W Same.5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.IN stream watering

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)

(Both dates are inclusive) (cfs)
For stockwater purposes from 1/1 to 12/31 amount 1.14

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 14 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) 600 rangeMICROFILMED
Copies: White-State, Yellow-Claimant

OCT 03 1992

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
2S	6W	24																S
2S	6W	25	S															
2S	5W	30						S										

11. In which county (ies) are lands listed above as place of use located? Owyhee

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

14. Remarks: P.D. & P.U. Game some grazing area - some cattle or None ☒

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐
Decree ☐

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ☐ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President Title

of Chipmunk Grazing Association Inc. Organization, that I have signed the foregoing

document in the space below as President Title of Chipmunk Grazing Assoc. Inc. Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Elias Jara, Pres.

Title and Organization Pres. Chipmunk Grazing Assoc. Date 12/14/88

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

Subscribed and sworn (or affirmed) before me this 16 day of December 19 88

SEAL

Notary Public John K. Noyes

Residing at 15470 Homedale Rd Caldwell, Idaho

My Commission Expires Sept 21, 1994

Last Name Chipmunk Ident No. _____

COPY TO FILE WITH STATE RECORDS DIVISION

OCT 08 1992



RECEIVED
FEB 17 1998
OFFICE OF THE ATTORNEY GENERAL

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 57-10850

RECEIVED
FEB 18 1998
Department of Water Resources
Adjudication Bureau

On November 28, 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 13f, 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 57-10850 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED February 13, 1998.


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

ORDER OF PARTIAL DECREE

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OCT 07 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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-10850

NAME & ADDRESS: CHIPMUNK GRAZING ASSOCIATION INC
BOX 175
MARSING ID 83639

SOURCE: UNNAMED STREAM TRIBUTARY: DRY CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 07/01/1868

POINT OF DIVERSION: T02S R05W S30 NWNW (INSTREAM BEGINNING POINT) Within OWYHEE County
R06W S25 NENE (INSTREAM ENDING POINT)

THERE ARE THREE POINTS OF DIVERSION IN THE NWNW, T02S, R05W,
SECTION 30.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS

PLACE OF USE: STOCKWATER Within OWYHEE County
T02S R05W S30 NWNW
R06W S25 NENE

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.

RULE 54(b) CERTIFICATE

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


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

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-10850

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OCT 07 1998

PAGE 1
DEC-30-1997

1998 FEB 13 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): 57-10850

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 57-10850 was mailed
on February 13, 1998, with sufficient first-class postage prepaid
to the following:

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

STATE OF IDAHO
Represented by:
CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449
Phone: 208-334-2400

CHIPMUNK GRAZING ASSN
Represented by:
MARGARET J. KING
PO BOX 3329
HAILEY, ID 83333
Phone: 208-788-9145

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OCT 07 1998

CERTIFICATE OF MAILING

PAGE 1
02/13/98

USDI BLM

Represented by:

U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

CHIPMUNK GRAZING ASSN
PO BOX 175
MARSING, ID 83639

DIANA DELANEY
Chief 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	)	SUBCASE NO: <u>57-10850</u>
	)	(Insert Water Right Number)
	)	
Case No. 39576	)	STANDARD FORM 5
	)	
	)	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.

INSTRUCTIONS

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

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.

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.

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Elements where there has been no objections 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."

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. Name and address of the claimant:

Chipmunk Grazing Association, Inc.
Box 175
Marsing, Idaho 83639

Required statement:

As recommended in the Director's Report.

2. Source of water:

Unnamed Stream tributary to Dry Creek

Required statement:

As recommended in the Director's Report.

3. Quantity of water used:

Stockwater: 0.02 c.f.s.

Total: 0.02 c.f.s.

The quantity of water under this right for stockwater shall not exceed 13,000 gallons per day.

Required statement:

Quantity in c.f.s. is changed from 0.14 cfs to 0.02 cfs and the "13,000 gpd" statement is added pursuant to the Special Master's Second Amended Recommendation for Basin-Wide Issue #12 dated August 12, 1996.

4. Priority date:

07/01/1868

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Required statement:

As recommended in the Director's Report.

5. Legal description of the point(s) of diversion (if the claim

is for an instream flow, then a legal description of the beginning and ending points of the claimed instream flow):

T02S R05W S30 NWNW (Beginning Point)
T02S R06W S25 NENE (Ending Point)

There are two beginning points of diversion within:
T02S R05W S30 NWNW.

Required statement:

The United States and the claimant stipulate that this is the correct description of the point of diversion. The parties agree to the deletion of the following point of diversion:

T02S R06W S24 SESE (E)

6. **Purpose of use:**

Stockwater

Required statement:

As recommended in the Director's Report. Pursuant to the Special Master's Second Amended Recommendation for Basin-Wide Issue #12 dated August 12, 1996, stock numbers are not described in the purpose of use.

7. **Period of year** when the water is to be used:

01-01 through 12-31

Required statement:

As recommended in the Director's Report.

8. **Legal description of the place of use** or of the reservation:

T02S R05W S30 NWNW
T02S R06W S25 NENE

Required statement:

The United States and the claimant stipulate that this is the correct description of the place of use. This element is as recommended in the Director's Report, except the parties agree to the deletion of the following place of use:

T02S R06W S24 SESE.

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9. **Annual volume of consumptive use:**

De minimis stockwater use.

Required statement:

This element was not reported by IDWR in the director's

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

10. Other necessary matters:

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

These matters are necessary because:

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

Review By IDWR

To speed up the entry of a decree, the parties are encouraged to talk to the Idaho Department of Water Resources (IDWR) about their proposed settlement and have IDWR indicate its concurrence by signing the Standard Form 5.

Where all parties have signed, a Standard Form 5 may be filed with the court without the concurrence of IDWR. However, the parties must certify that they have served IDWR with a copy of Standard Form 5 and that they have made a good faith attempt to resolve the matter with IDWR.

Within 14 days of filing a Standard Form 5 not containing an IDWR concurrence, IDWR shall file a statement of its position with the court.

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

Signatures and Addresses of Parties and their Attorney of Record (attach additional page if necessary): I have read this form, know its contents, and believe that the statements are true to the best of my knowledge.

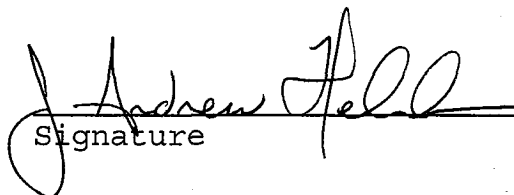
Name: United States of America, acting through the
Department of Interior,
Bureau of Land Management,
Idaho State Office
Address: 1387 South Vinnell Way
City/State/Zip: Boise, Idaho 83709-1657
Attorney of Record: R. Lee Leininger, (202) 305-0242
P. Fritz Holleman, and (202) 305-0494
William M. Ferry (208) 334-1911
Phone: As Above.

Party's Signature	Date	Attorney's Signature	Date
-------------------	------	----------------------	------

Name: Chipmunk Grazing Association, Inc.
Address: Box 175
City/State/Zip: Marsing, Idaho 83639
Attorney of Record: Richard L. Harris
Phone: (208) 459-1588

Party's Signature	Date	Attorney's Signature	Date
-------------------	------	----------------------	------

IDWR Concurrence:

 Mar 24 97
Signature Date

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OCT 07 1998

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. FAX filings will not be accepted by the SRBA Clerk of the Court. You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on _____, 199____, 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 all parties to the subcase (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

Richard L. Harris
P.O. Box 1438
1023 Arthur Street
Caldwell, Idaho 83605-1438

Signature of person or attorney mailing the form

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OCT 07 1998

A57-10850

RECEIVED

AUG 10 1994

WATER RESOURCES
WESTERN REGION

SIMMS & STEIN, P.A.
102 Aspen Lakes Drive
P.O. Box 280
Hailey, ID 83333
(208) 788-9145

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 APPEARANCE
)
)

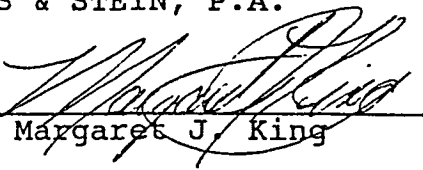
COMES NOW the firm of Simms & Stein, P.A., and hereby
enters an appearance for CHIPMUNK GRAZING ASSOCIATION, subcase
numbers attached.

All further pleadings, notices, and correspondence of any
kind filed hereafter in this matter should be sent to Simms &
Stein, P.A., P.O. Box 280, Hailey, Idaho 83333.

DATED this 26 day of May, 1994.

SIMMS & STEIN, P.A.

By:


Margaret J. King

MICROFILMED

OCT 07 1998

NOTICE OF APPEARANCE -1

CHIPMUNK GRAZING ASSOCIATION

SUBCASE NUMBERS:

57 10373

57 10375

57 10660

57 10850

57 10851

57 10914

57 10916

57 10917

57 10918

57 10919A

57 10919B

57 10920

57 10921

57 10924

57 10944

57 10946

57 01046✓

57 01047✓

57 10923

57 10945

57 10947

57 11148✓

57 11149✓

57 11156✓

57 11157✓

57 11158✓

57 11170✓

57 11176✓

57 11179✓

57 11181✓

57 11183✓

do not change

57-01046 - 11156
- 11157

57-01047 11158

57-11148 11170

- 11149 11176
11179

- 11181

- 11183

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OCT 07 1998

CERTIFICATE OF MAILING

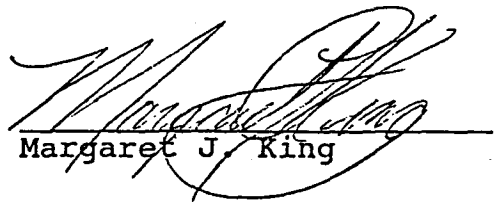
The undersigned certifies that on the 26 day of May, 1994, a true and correct copy of the above and foregoing Notice of Appearance was served on the following persons by depositing true and correct copies thereof in the United States Mail, first class postage prepaid, or personally delivering the same, addressed as follows:

Clerk of the SRBA Court (original)
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

Chief, Natural Resources Division (1)
Office of Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

The United States Department of Justice (1)
Environment and Natural Resources Division
550 West Fort Street, Box 33
Boise, ID 83734

Bruce Malmberg (1)
P.O. Box 175
Marsing, ID 83639


Margaret J. King

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

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

Case No. 57-10850 -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)

MICROFILMED
JUL 21 1994

2. Person who filed objection:

Name: US BUREAU OF LAND MGMT
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

1. |X| Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
2. |X| Source: I respond to the objection concerning the source of water.
3. |X| Quantity: I respond to the objection concerning:
4. |X| Priority Date: I respond to the objection concerning the priority date.
5. |X| Points of Diversion: I respond to the objection concerning the legal description of the points(s) of diversion.
7. |X| Purposes of Use: I respond to the objection concerning the purpose(s) of use.
8. |X| Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. |X| Place of Use: I respond to the objection concerning:

10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.
11. ☒ Remarks: I respond to the objection concerning the "remarks" listed with the water right.
12. ☒ Water Right Recommendation: I respond to the objection concerning:
- 12a. ☒ This water right being recommended at all.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12 and 12a. and all allegations of the objection regarding these items, IDWR responds as follows:

IDWR lacks sufficient information to form a belief as to whether any or all of the lands upon which water is diverted, conveyed, or used pursuant to this right are owned by the United States. The notice of claim attached to the objection was not filed with IDWR and IDWR has not recommended a water right based on this notice of claim. IDWR denies the objection and all allegations of the objection not expressly admitted herein.

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. A57-10850	2

(Over)

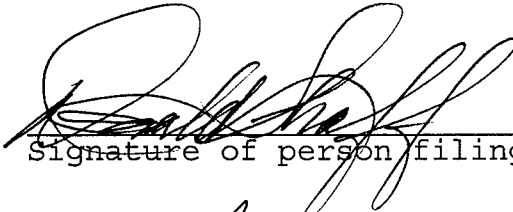
VERIFICATION (Must be Completed)

State of IDAHO

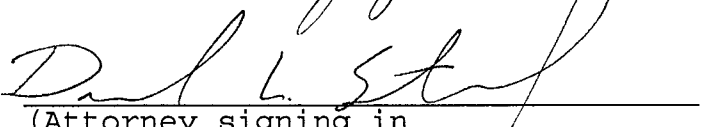
County of ADA

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

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Section Manager for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



Signature of person filing response

By: 
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 9th day of June, 1993.



Notary Public for Idaho

Residing at: _____

My Commission expires: _____

Roxanne McCarthy, Notary Public

Residing at Boise, Idaho

My Commission Expires May 16, 1996.

CERTIFICATE OF MAILING

I hereby certify that on the 11th day of June, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

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

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

Name: CHIPMUNK GRAZING ASSOCIATION
Address: PO BOX 175
MARSING ID 83639

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

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. 57-10850
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

FEB 26 1993

Department of Water Resources
Adjudication Bureau

INSTRUCTIONS

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

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

(Over)

OBJECTION - 1

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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: 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, is the owner of the land
upon which this water right is claimed,
and claimant does not have a valid water
right.

2. Owner of the water right:

Name: claimant Chipmunk Grazing Assoc
Address: P.O. Box 175
Marsing, ID 83639

3. If this objection is filed by an attorney:

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

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

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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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.

The United States of America, acting through the Bureau of Land Management, objects to this water right recommendation because the claimant is a private individual claiming a water right on public domain lands. The BLM, on behalf of the United States, has managed and controlled this property for the beneficial use of the American public. The claimant has no property interest in the claimed water right or any other water right appurtenant to federally owned lands. The United States objects to all aspects of the right because of these facts, including the recommended name and address, source, quantity, priority date, points of diversion, purpose of use, period of use, place of use, and consumptive use. BLM also objects to the recommendation in its entirety because claimant has not been the exclusive beneficial user of this water given that other members of the public have had access to this land and water source.

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 disallowance of this claim.

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. Map of claim on public land

2. Conflicting USDI claims

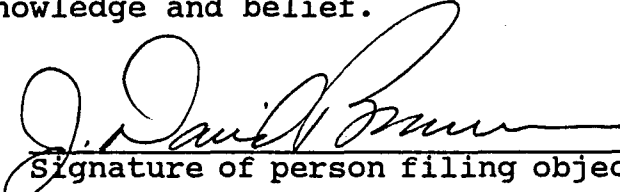
VERIFICATION (Must be Completed)

State of Idaho

County of Ada

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

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

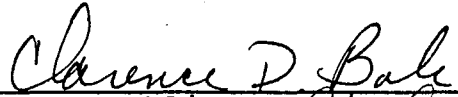


Signature of person filing objection

By: _____

(Attorney signing in
representative capacity)

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



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

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~~^{filed} the original and ~~copies~~^{files} 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:

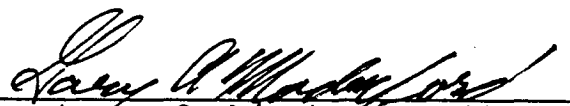
Owner name: Chipmunk Grazing Assoc
Owner's address: P.O. Box 175
Marsing, ID 83639

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

POOR ORIGINAL

R 6W

CLAIM NUMBER 57-10850



Denotes Public Land
Included in this Claim.

MICROFILMED

JUL 21 1984

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: 1874-01-01
AGENCY NUMBER: 5701582306
BLM NUMBER: 5701582306
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 57

SOURCE	TRIBUTARY TO
-----	-----
UNNAMED STREAM	DRY CREEK

DESCRIPTION OF DIVERSION WORKS

INSTREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
-----	-----	-----	-----	-----
WILDLIFE	0.020	0.00	0101	1231
STOCKWATER	0.070	0.00	0101	1231
TOTAL:	0.090 CFS	0.00 AF		

NON-IRRIGATION USES

S/ 300 RANGE CATTLE W/ VAR AMOUNTS

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
02S	05W	19				04	OWYHEE
02S	05W	19		SE	SW	00	OWYHEE
02S	06W	24		SE	SE	00	OWYHEE
02S	06W	13		NE	SW	00	OWYHEE
02S	06W	11		SE	SE	00	OWYHEE

PLACE OF USE							IRRIGATED
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED ACRES
02S	05W	19			04	OWYHEE	0.0

02S	05W	19	SE	SW	00	OWYHEE	0.0
02S	06W	24	SE	SE	00	OWYHEE	0.0
02S	06W	13	NE	SW	00	OWYHEE	0.0
02S	06W	13	NW	SW	00	OWYHEE	0.0
02S	06W	13	SW	NW	00	OWYHEE	0.0
02S	06W	13	NW	NW	00	OWYHEE	0.0
02S	06W	14	NE	NE	00	OWYHEE	0.0
02S	06W	11	SE	SE	00	OWYHEE	0.0
02S	05W	19			04	OWYHEE	0.0
02S	05W	19	SE	SW	00	OWYHEE	0.0
02S	06W	24	SE	SE	00	OWYHEE	0.0
02S	06W	13	NE	SW	00	OWYHEE	0.0
02S	06W	13	NW	SW	00	OWYHEE	0.0
02S	06W	13	SW	NW	00	OWYHEE	0.0
02S	06W	13	NW	NW	00	OWYHEE	0.0
02S	06W	14	NE	NE	00	OWYHEE	0.0
02S	06W	11	SE	SE	00	OWYHEE	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

FIRST DATE OF BENEFICIAL USE - 1874

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JUL 21 1994

ADJUDICATION MEMORANDUM

CLAIM NO.: A5710850

SUBJECT: Chipmunk Grazing Assoc.

EMPLOYEE: Lennie Day

DATE: 11-10-93

Map for this claim is filed in
drawer #19 of the wooden map
cabinet.

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JUL 21 1994

AJ0729NP
No. R57-10850

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/13/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHIPMUNK GRAZING ASSOCIATION INC BOX 175 MARSING ID 83639 (208) 896-4402	07/01/1868	STOCKWATER	01-01 12-31	0.14 CFS	
TOTAL DIVERSION:					0.14 CFS	

Water Source: UNNAMED STREAM

Tributary to: DRY CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T02S R05W S30
Point(s) of Ending Stream Reach: T02S R06W S24

NWNW
SESE

OWYHEE County
OWYHEE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE							
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
02S	05W	30	:					:			S		:					:					:
02S	06W	24	:					:					:					:			S		:
02S	06W	25	:	S				:					:					:					:

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 600 HEAD RANGE CATTLE.

Other Rights: NONE

Dates:	Exam Made Date:	Verified Date:
Misc:	Water District Number:	Field Inspection Flag:
		Presumption Flag:
Audit:	11/07/91 TUTHILL	11/14/91 TUTHILL 02/24/92 HARRIS

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OCT 08 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET

(use in place of the CVR for small Domestic/Stock exams)

1. ☒ No Change NAME
☐ NEW OWNER: _____
☐ No Change ADDRESS _____
☐ NEW ADDRESS: _____
2. ☒ No Change - DATE OF PRIORITY: Completed - No Field Verification Needed.
☐ Incomplete - Claim shows no priority date, claimant should be asked during the exam when was water first used.
Priority date, per claimant, is _____
(if the priority date, based on your exam, seems questionable, explain in remarks.)
3. ☐ No Change - SOURCE
☒ Source is different than that claimed:
Source found: Should be unnamed stream trib to Dry Creek.
4. ☐ No Change - POINT OF DIVERSION See attached map.
☒ Point of diversion is different than the claim
New P/D: Twp. _____, Rge. _____, Sec. _____ 1/4 _____ 1/4 _____ 1/4
Just use beginning & end point (beginning Sec. 30, end Sec 24)
5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete desc., complete items missing, IF KNOWN.
☐ Additional comments in remarks.
HP of pump _____ Pump Ser. # _____ Pumping water level _____
Well depth _____ Motor Ser. # _____ Static water level _____
Casing size _____ Method of irr. _____
6. ☒ No Change - WATER USES
☐ Different uses, (list uses found).
Use _____ From _____ To _____ Amount _____ cfs _____ af
Use _____ From _____ To _____ Amount _____ cfs _____ af
7. ☒ No Change - TOTAL VOLUME
☐ Incomplete on claim, the total is, -- -- _____ cfs _____ af
☐ Change found, the new total is, -- -- -- _____ cfs _____ af
8. N/A
9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
☐ Incomplete on claim - Exam found:
Domestic - No. of homes _____ Stockwater - No. of head _____
Other: _____

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OCT 08 1992

10. ☒ No Change - PLACE OF USE: (If changed, list below.)
Use Twp. Rge. Sec. 1/4, 1/4,

Remarks: (Comments pertinent to field examination)

ATTACHMENTS:

Attached to Attachments are
This Form. in Permit File.

PHOTOS (optional) ☐
MAP ☒
SYSTEM DIAGRAM ☐

☐
☐
☐

☐ Changes found during exam or additional information in the permit file, see permit file.

DATE EXAM CONDUCTED: 10/17/1991 (Map review w/ Ted Blackstock)

FIELD EXAMINER:

David R. Tuttle Jr

Signature

David R. Tuttle Jr

117° 00' 501000E 502

43° 15' 488000N

13 18

4669

4456

4662

4583

5024

5069

5122

5072

5060

5108

4787

4786

4785

4784

4783

24

25

30

36

31

Mine Basin

Creek

Spring

Dry

Source = Unnamed Stream.

Note that DRY Creek is here

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OCT 08 1992

Spring

Note that
22 5000
DRY Creek is here!

OCT 08 1992

Spring

NOTE:

SEE FILE NO. A59-10840

FOR CORRESPONDENCE, CHECKLISTS,
ETC. RELATIVE TO

IDWR INTERACTION WITH

CHIPMUNK GRAZING ASSN.

DRT 11/14/91

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OCT 08 1992

Chipmunk Grazing Assn
Adj Claim Review Meeting

10/17/1991

<u>Name</u>	<u>Tel No</u>	<u>Claim Nos</u>
Bruce Malmberg	896-4431	A57-10371
Richard Bronckau	- 495-2529	" "
Ted Blackstock	896-4512	A57-10374
		A57-10375
		A57-10660
		A57-10850 - ok
		A57-10851
		A57-10373
		A57-10372
		A57-2075
		A57-2056
Elias Jaca	495-2570	A55-10124
	or 466-8801	A55-10060
		A57-01034
		A55-07398

The above-referenced individuals and I met on 10/17/1991 at the
Owyhee Co Extension Office in Marsing, reviewed the claims as numbered,
and came to agreements on pd/pov etc as reflected in the claim verification
report for each water right. This info was based on my field exam w/
Ted Blackstock, aerial photos (orthophotographs), USGS quads and company
records.
David R. Tuttle

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OCT 08 1992

1/30/1988

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Chipmunk Grazing Assn. CLAIM IDENT. NO. A55-10061

DATE RECEIVED 12-16-88 CK # 0004022 AMOUNT \$

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☐	☒	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒	☐	
Is the consumptive use correct?	☒	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	☒	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒	☐	
22. Should this claim be receipted and data entered?	☒	☐	

Claim checked by: CA Date: 2-1-89

Claim must be returned to claimant: (Yes) (No)

Claimant must be notified of modifications: (Yes) (No)

Receipt Prepared by: Don E. Shaff Date: 12-16-88

Claim data entered by: CA Date: 2-1-89 Checked by: Date:

Sent to claimant by: Date:

Comments: Instream Stockwater

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OCT 08 1992

1998 FEB 12 10 10 AM
DISTRICT COURT
TWIN FALLS, IDAHO
CLERK

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

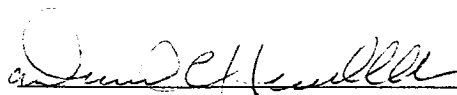
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 57-10850
_____	)	

On November 28, 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 13f, 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 57-10850 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED February 13, 1998.



DANIEL C. HURLBUTT, JR.

Presiding Judge

Snake River Basin Adjudication

1998 FEB 13 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) : 57-10850

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 57-10850 was mailed
on February 13, 1998, with sufficient first-class postage prepaid
to the following:

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

STATE OF IDAHO
Represented by:
CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449
Phone: 208-334-2400

CHIPMUNK GRAZING ASSN
Represented by:
MARGARET J. KING
PO BOX 3329
HAILEY, ID 83333
Phone: 208-788-9145

CERTIFICATE OF MAILING

PAGE 1
02/13/98

USDI BLM

Represented by:

U.S. DEPT. OF JUSTICE

ENVIRONMENT & NATL' RESOURCES

550 WEST FORT STREET, MSC O33

BOISE, ID 83724

Phone: 208-387-0835

CHIPMUNK GRAZING ASSN

PO BOX 175

MARSING, ID 83639

DIANA DELANEY

Chief Deputy Clerk