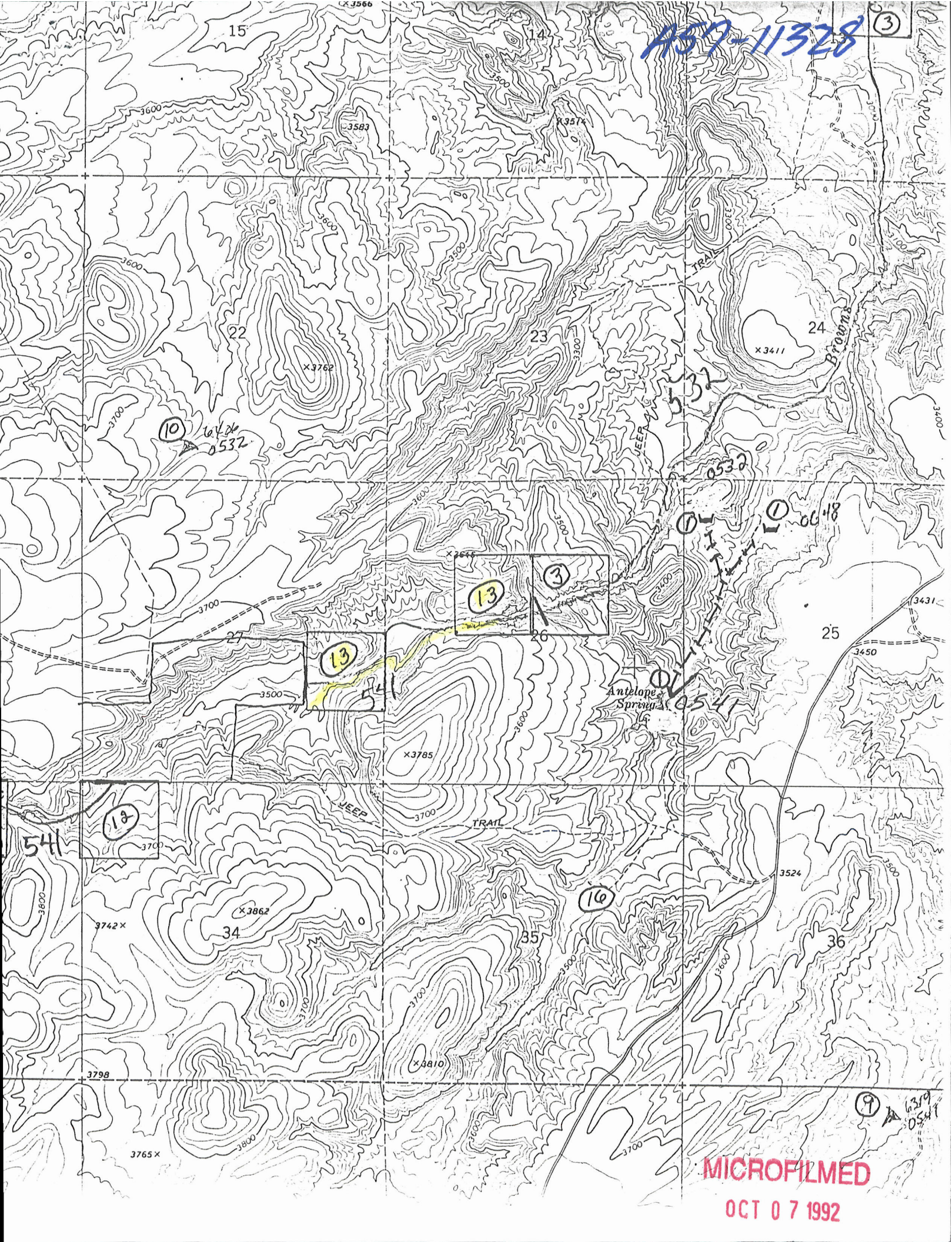




MICROFILMED

OCT 07 1992

POOR ORIGINAL



CLAIM NUMBER 57-10920

V Denotes Public Land Included in this Claim

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: **A57-10920**

Date Received: 2/ 3/1992

Receipt No: W014095

Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: TED K BLACKSTOCK
Address: BOX 175
MARSING ID 83639

OR

Name: CHIPMUNK GRAZING ASSOCIATION INC 208-466-8801
Address: BOX 175
MARSING ID 83639

OR

Name: ALAN JOHNSTONE
Address: BOX 175
MARSING ID 83639

2. Date of Priority: MAY 1, 1971

3. Source: BLACKSTOCK SPRING Trib. to: DEAD HORSE CREEK
SPRING DEAD HORSE CREEK
POND MC BRIDE CREEK
SPRING MC BRIDE CREEK
SPRING LITTLE MC BRIDE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	05W	28	SW	NW	NE		OWYHEE
			SW	SE	SW		OWYHEE
			SW	NE	NE		OWYHEE
02S	05W	15	SW	NW	NE		OWYHEE

5. Description of diverting works:

DEVELOPED SPRINGS & PONDS. SPRINGS, PIPELINES, TROUGHS.

6. Water is used for the following purposes:

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

OCT 07 1998

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 550 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
01S	05W	17	SE	SE		STOCK	
		28	SE	SW		STOCK	
		32	NW	NE		STOCK	
			NE	NW		STOCK	
02S	05W	15	NW	NE		STOCK	

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
NONE

14. Remarks:
AKA BLACKSTOCK SPRINGS ALLOTMENT-BLM GRAZING ALLOTMENT
TWO POINTS OF DIVERSION WITHIN THE S28, T01S, R05W.
NON-DATE STAMPED NOTICE OF APPEARANCE REC'D, SIMMS & STEIN
REPRESENTING ALAN JOHNSTONE. SS 08/09/94.
COURT GRANTED MOTION BY SIMMS & STEIN TO WITHDRAW AS COUNSEL.

15. Basis of Claim: BENEFICIAL USE

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OCT 07 1998

AJ0749NP
No. 57-10920

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

DATE: 04/02/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TED K BLACKSTOCK PO BOX 175 MARSING ID 83639 (208) 466-8801	05/01/1971	STOCKWATER	01-01 12-31	0.12 CFS	
TOTAL DIVERSION:					0.12 CFS	

C CHIPMUNCK GRAZING ASSOCIATION INC
C ALAN JOHNSTONE
PO BOX 175
MARSING ID 83639

Water Source: SPRINGS
POND
SPRING
SPRING

Tributary to: DEAD HORSE CREEK
MC BRIDE CREEK
MC BRIDE CREEK
LITTLE MC BRIDE CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:	T01S R05W S28	SENEENW	SWSESW	OWYHEE County
	S32	SWNE		OWYHEE County
	T02S R05W S15	SWNWNE		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	
01S	05W	28	:					:	S				:				S	:					:
01S	05W	32	:			S		:	S				:					:					:
02S	05W	15	:			S		:					:					:					:

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 550 RANGE CATTLE

Other Rights: NONE

Conditions of Approval:

- L12 - THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
- ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
- USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

Remarks: GEN PROPERTY IS ALSO KNOWN AS BLACKSTOCK SPRINGS GRAZING ALLOTMENT.
SOURCES FOR THIS RIGHT ARE SPRINGS TRIB. TO DEAD HORSE CREEK,
POND TRIB. TO MCBRIDE CREEK, SPRING TRIB. TO MCBRIDE CREEK AND
SPRING TRIB. TO LITTLE MCBRIDE CREEK.

Dates: Exam Made Date: Verified Date: Objection Filed Date: 02/26/1993

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

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OCT 07 1998

Comments: Date: 07/07/1992 User-ID: WALKER Subject: POND
WHEN REQUESTED TO SEND DIMENSIONS OF THE STOCKWATER POND UNDER
THIS CLAIM, I RECEIVED A NOTE SAYING THE POND WAS 0.5 AF.

Date: 07/07/1992 User-ID: WALKER Subject: LATE FEE REQUIRED
A \$50.00 LATE FEE WAS REQUESTED FOR THIS CLAIM ON 4/15/92. I
RECEIVED THE AMENDED CLAIM IN THE MAIL BUT THE LATE FEE WAS NOT
INCLUDED. I CALLED AGAIN ON THIS DATE TO REQUEST THE LATE FEE
AND WAS TOLD IT WOULD BE COMING IN THE MAIL.

Date: 07/14/1992 User-ID: WALKER Subject: LATE FEE
LATE FEE FOR THIS CLAIM IS UNDER RECEIPT W015053.

Date: 09/17/1992 User-ID: SHURTE Subject: BLACKSTOCK SPRING DELETED PER BLM FILINGS
BLACKSTOCK SPRING LOCATED IN THE SNNWNE(2 PTS) WERE DELETED FROM
THIS RIGHT DUE TO THE FILING NOS. 57-02365A & 57-02365B FOR BOTH
POINTS OF DIVERSION FOR BLACKSTOCK SPRING ON THIS CLAIM. ALSO,
THE PLACE OF USE IN THE SESE, S. 17 WAS DELETED BECAUSE OF CLAIM
NO 57-02365A. THE PLACE OF USE FOR 57-02365B IS DESIGNATED ON
THE MAP FOR THIS CLAIM, HOWEVER, IT WAS INADVERTENTLY LEFT OFF OF
THE RECOMMENDATION FOR THIS CLAIM, SO NO DELETION WAS NECESSARY.
THE PL OF USE FOR 57-02365B THAT SHOULD HAVE BEEN ON THIS CLAIM
WAS THE SNNW, S. 18. REMARK CORRECTED CONCERNING 2 PDS & SOURCES

Date: 09/18/1992 User-ID: SHURTE Subject: P.D. ADDED BACK IN PER REVIEW WITH BLM OVERLAP
WHEN THIS CLAIM WAS AMENDED ON 7-7-1992 THE P.D. IN THE SENENW
WAS REMOVED BECAUSE THEY THOUGHT IT WAS COVERED UNDER BLM'S
WATER RT NO. 57-02365. HOWEVER, THAT RIGHT COVERS THE SPRINGS IN
THE SENWNE & NENWNE(BLACKSTOCK SPRING NOS. 1 & 2) AND DOES NOT
COVER THE SPRING IN THE SENENW. THEREFORE, I PREVIOUSLY DELETED
THE TWO BLACKSTOCK SPRINGS BECAUSE BLM CLAIMED THEM ON 57-02365A
AND B AND I AM NOW ADDING BACK IN THE SPRING IN THE SENENW THAT
WAS PREVIOUSLY DELETED ON THE AMENDED CLAIM IN ERROR. I AM ALSO
ADDING IN THE POU IN THE NENW AND CHANGING SPRING TRIB. TO DEAD
HORSE CREEK TO SPRINGS TRIB. TO DEADHORSE CREEK.

Date: 08/09/1994 User-ID: SSHERMAN Subject: NOTICE OF APPEARANCE
NON-DATE STAMPED NOA REC'D, SIMMS & STEIN REPRESENTING ALAN
JOHNSTONE.

Date: 01/04/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT

MICROFILMED
OCT 07 1998

AJ0749NP
No. 57-10920

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

DATE: 04/02/96
PAGE: 3

=====

Comments: Date: 01/04/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
OWNER CHANGE.

*CONFORMED NAME/ADDRESS TO AVOID DUPLICATE MAILING LABELS

Date: 04/02/1996 User-ID: SSHERMAN Subject: WITHDRAWAL OF COUNSEL
COURT GRANTED MOTION BY SIMMS & STEIN TO WITHDRAW AS COUNSEL.

Audit: 04/02/96 SSHERMAN

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-10920
Date Received: 2/ 3/1992
Receipt No: W014095
Received By: DE-KW

#50. late fee - #W015053

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

*7/13/92
KW*

1. Name: TED K BLACKSTOCK
Address: BOX 175
MARSING ID 83639

OR

Name: ALAN JOHNSTONE
Address: BOX 175
MARSING ID 83639

OR

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

208-466-8801

2. Date of Priority: MAY 1, 1971

3. Source: BLACKSTOCK SPRING
SPRING
POND
SPRING
SPRING

Trib. to: DEAD HORSE CREEK
DEAD HORSE CREEK
MC BRIDE CREEK
MC BRIDE CREEK
LITTLE MC BRIDE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	05W	28	SW	NW	NE		OWYHEE
			SW	SE	SW		OWYHEE
		32	SW	NE	NE		OWYHEE
02S	05W	15	SW	NW	NE		OWYHEE

5. Description of diverting works:

DEVELOPED SPRINGS & PONDS. SPRINGS, PIPELINES, TROUGHS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)
STOCKWATER	01/01	12/31	0.120	

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*A.F.A.
OCT 08 1992*

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER, 550 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	05W	17	SE	SE		STOCK	
		28	SE	SW		STOCK	
		32	NW	NE		STOCK	
			NE	NW		STOCK	
02S	05W	15	NW	NE		STOCK	

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
NONE

14. Remarks:

AKA BLACKSTOCK SPRINGS ALLOTMENT-BLM GRAZING ALLOTMENT
TWO POINTS OF DIVERSION WITHIN THE SWNWNE, S28, T01S, R05W.

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: _____

MICROFILMED
OCT 08 1992

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 _____

MICROFILMED

RECEIVED
JUN 29 1992

Department of Water Resources

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-10920
Date Received: 2/ 3/1992
Receipt No: W014095
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: TED K BLACKSTOCK
Address: BOX 175
MARSING ID 83639
OR
Name: ALAN JOHNSTONE
Address: BOX 175
MARSING ID 83639
OR
Name: CHIPMUNK GRAZING ASSOCIATION INC 208-466-8801
Address: BOX 175
MARSING ID 83639
2. Date of Priority: MAY 1, 1971
3. Source: BLACKSTOCK SPRING
SPRING
POND
SPRING
SPRING
Trib. to: DEAD HORSE CREEK
DEAD HORSE CREEK
MC BRIDE CREEK
MC BRIDE CREEK
LITTLE MC BRIDE CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	05W	28	SW	NW	NE		OWYHEE
			SW	SE	SW		OWYHEE
			SW	NE	NE		OWYHEE
02S	05W	15	SW	NW	NE		OWYHEE
5. Description of diverting works:
DEVELOPED SPRINGS & PONDS. SPRINGS, PIPELINES, TROUGHS.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.120		

MICROFILMED

7. Total Quantity Appropriated is:

0.120 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER, 550 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	05W	17	SE	SE		STOCK	
		28	SE	SW		STOCK	
		32	NW	NE		STOCK	
			NE	NW		STOCK	
02S	05W	15	NW	NE		STOCK	

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

NONE

14. Remarks:

AKA BLACKSTOCK SPRINGS ALLOTMENT-BLM GRAZING ALLOTMENT
2 POINTS OF DIVERSION WITHIN THE SWNWNE, S28, T01S, R05W.

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: _____

MICROFILMED

OCT 08 1992

For Organizations:

I do solemnly swear or affirm that I am member of
Title

Chippmunk Grng. Assn., that I have signed the foregoing
Organization

document in the space below as member of
Title

Chippmunk Grng. Assn. and that the statements contained in the
Organization

foregoing document are true and correct.

Ted K. Blackstock
Signature of Authorized Agent

Chippmunk Grnging Assn.
Title and Organization

6/25/92
Date

State of Idaho)
County of Owyhee) SS.

Subscribed and sworn (or affirmed) before me this 26th day

of June, 19 92

Helma D. Garrison
Notary Public

Seal

Residing at Emmett, Idaho

My Commission Expires 6-7-97

MICROFILMED

OCT 08 1992

EXECUTED this 26th day of June, 19 92

Partnership or Corporation

Individual(s)

(Name of Borrower)

By: Ted K. Blackstock
By: _____
By: _____
Attest: _____

[Corporate Seal]

ACKNOWLEDGEMENT BY INDIVIDUALS

STATE OF IDAHO)
COUNTY OF OWYHEE) ss:

On this 26th day of JUNE, in the year of 19 92, before me, THELMA D. GARRISON, a Notary Public, personally appeared TED K. BLACKSTOCK and N/A known or identified to me (or proved to me on the oath of _____) to be the person(s) whose name(s) (is) (are) subscribed to the within instrument, and acknowledged to me that (he) (she) (they) executed the same.

(SEAL)

My Commission Expires: 6-7-97

Thelma D. Garrison
Notary Public in and for the State of Idaho
Residing at: Emmett, Idaho

ACKNOWLEDGEMENT FOR A PARTNERSHIP

STATE OF IDAHO)
COUNTY OF _____) ss:

On this _____ day of _____, in the year of 19 _____, before me, _____, a Notary Public, personally appeared _____, known or identified to me (or proved to me on the oath of _____) to be one of the partners in the partnership of _____, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that (he) (she) executed the same in said partnership name.

(SEAL)

My Commission Expires: _____

Notary Public in and for the State of Idaho
Residing at: _____

ACKNOWLEDGEMENT FOR A CORPORATION

STATE OF IDAHO)
COUNTY OF _____) ss:

The foregoing instrument was acknowledged before me this _____ day of _____, 19 _____ by _____ (Names of Corporate Officer), _____ (Title of Corporate Officer) of _____ (Name of Corporation) a _____ (State of Incorporation) corporation, on behalf of the corporation.

[Notary Seal]

Notary Public of and for the State of Idaho
Residing at _____
My Commission Expires _____

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: A57-10920
Date Received: 2/ 3/1992
Receipt No: W014095
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TED K BLACKSTOCK
Address: BOX 175
MARSING ID 83639
OR
Name: ALAN JOHNSTONE
Address: BOX 175
MARSING ID 83639
OR
Name: CHIPMUNK GRAZING ASSOCIATION INC 208-466-8801
Address: BOX 175
MARSING ID 83639
2. Date of Priority: MAY 1, 1971
3. Source: BLACKSTOCK SPRING Trib. to: DEAD HORSE CREEK
SPRING DEAD HORSE CREEK
PONDS DEAD HORSE CREEK
PONDS MC BRIDE CREEK
SPRINGS MC BRIDE CREEK
SPRING LITTLE MC BRIDE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	05W	20	SE	SW	SW		OWYHEE
		28	SW	NW	NE		OWYHEE
			SE	NE	NW		OWYHEE
			SW	SE	SW		OWYHEE
		30		SW	NE		OWYHEE
		32	SW	NE	NE		OWYHEE
02S	05W	9	NW	NE	NW		OWYHEE
		15	SW	NW	NE		OWYHEE

5. Description of diverting works:

DEVELOPED SPRINGS & PONDS FOR STOCKWATER SPRINGS TO PIPELINE

OCT 08 1992

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.120		

7. Total Quantity Appropriated is:

0.120 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER, 550 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	05W	17	SE	SE		STOCK	
		20	SW	SW		STOCK	
		28	NE	NW		STOCK	
			SE	SW		STOCK	
		30	SW	NE		STOCK	
		32	NW	NE		STOCK	
02S	05W		NE	NW		STOCK	
		9	NE	NW		STOCK	
		15	NW	NE		STOCK	

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

NONE

14. Remarks:

AKA BLACKSTOCK SPRINGS ALLOTMENT-BLM GRAZING ALLOTMENT

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: _____

MICROFILMED

OCT 08 1992

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
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 _____

MICROFILMED

10. Place of use is: See attached sheet. Township: _____ Range: _____

Section _____, _____ 1/4 of _____ 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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.
() None or _____

14. Remarks: Aka. Blackstock Springs Allotment
BLM Grazing Allotment.

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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

of Chipmunk Grazing Assoc., Inc. Title _____
Organization _____ that I have signed the foregoing
document in the space below as _____ of _____
Title _____ Organization _____

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

Signature of Authorized Agent Elias Jara Date _____

Title and Organization President

State of Idaho/or _____)

County of Ada)

SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 3RD day of February 1992

SEAL

Notary Public Kathryn A. Walker

Residing at Boise, Id.

My Commission Expires 2-14-1993 MICROFILMED

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

OCT 08 1992

Handwritten: Please inform the dept

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

ADDITIONAL SOURCES AND POINTS OF DIVERSION

2. Spring trib. to Dead Horse Creek
SNNWNE, S28, T1S, R5W, Owyhee County
3. Pond trib. to Dead Horse Creek
SENENW, S28, T1S, R5W, Owyhee County
4. Pond trib. to Dead Horse Creek
SESWSW, S20, T1S, R5W, Owyhee County
5. Pond trib. to McBride Creek
SWNE, S30, T1S, R5W, Owyhee County
6. Spring trib. to McBride Creek
SWNENE, S32, T1S, R5W, Owyhee County
7. Pond trib. to McBride Creek
SWSESW, S28, T1S, R5W, Owyhee County
8. Spring trib. to McBride Creek
NWNENW, S9, T2S, R5W, Owyhee County
9. Spring trib. to Little McBride Creek
SNNWNE, S15, T2S, R5W, Owyhee County

PLACES OF USE

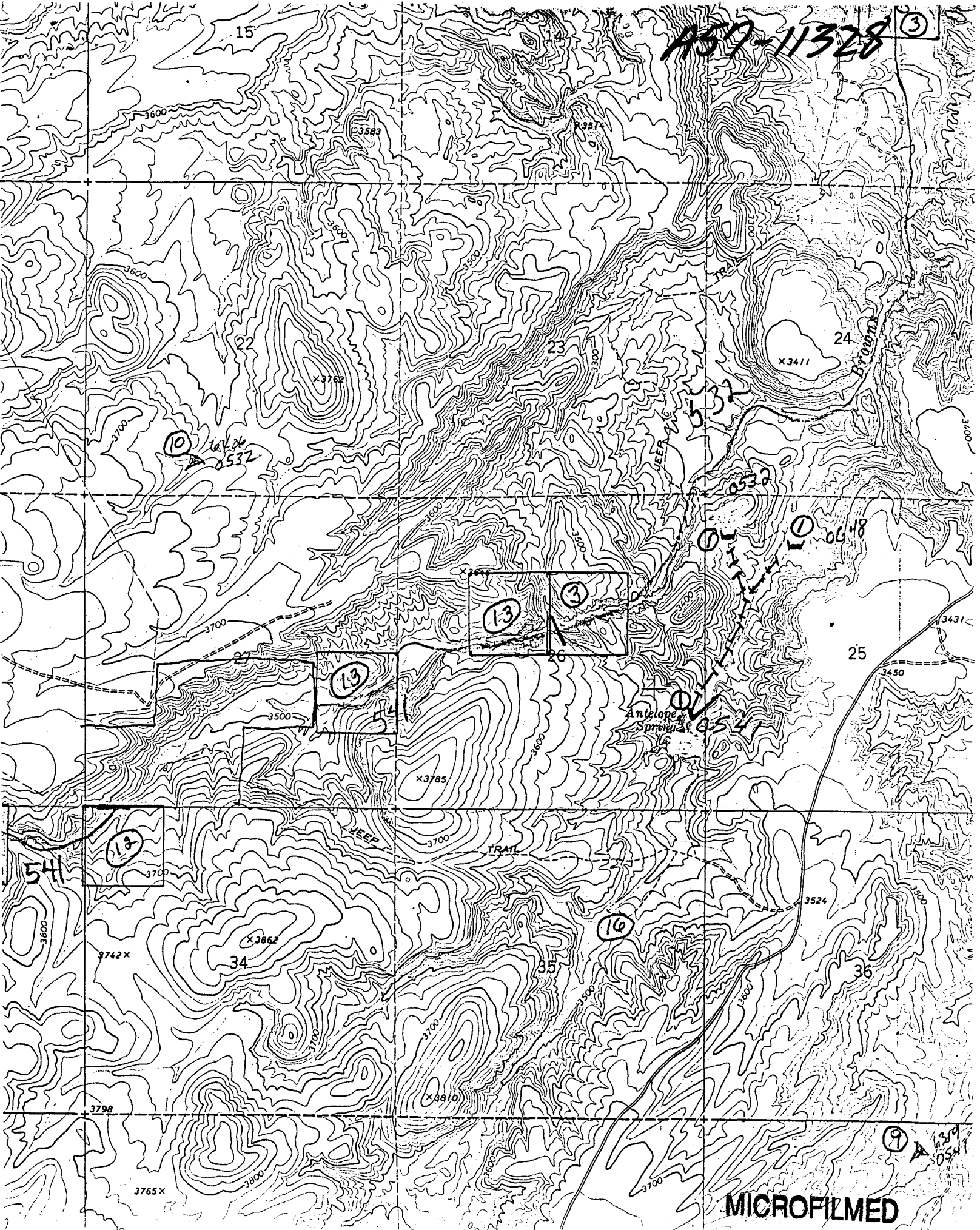
1S	5W	28	NENW
1S	5W	17	SESE
1S	5W	20	SWSW
1S	5W	30	SWNE
1S	5W	32	NWNE, NENW
1S	5W	28	SESW
2S	5W	9	NENW
2S	5W	15	NWNE

MICROFILMED

OCT 08 1992

1992

A59-11328 (3)



MICROFILMED

OCT 07 1992

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

*Modified
A + blank
Records.*

*QA. said to only change
{ 57-10948
10920,
02313 and
10917
ss 8-9-94*

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
)
)

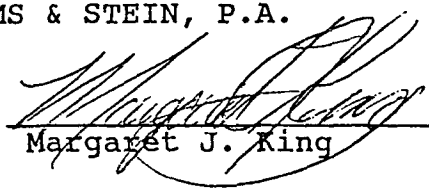
COMES NOW the firm of Simms & Stein, P.A., and hereby
enters an appearance for ALAN JOHNSTONE, subcase numbers attached.

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

NOTICE OF APPEARANCE -1

MICROFILMED
OCT 07 1998

ALLEN JOHNSTONE

SUBCASE NUMBERS:

57 10948

57 11095

57 11103

57 11298

57 11355

57 02313

57 10917

57 10920

MICROFILMED

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


Margaret J. King

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

RECEIVED

AUG 10 1994

WATER RESOURCES
WESTERN REGION

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

In Re SRBA

SUBCASE NOS:

57 10979

57 11147

57 11319

57 10917

57 10920

only change

57-10917

57-10920

J.J. SEIFERT

NOTICE OF APPEARANCE

Case No. 39576

COMES NOW the firm of Simms & Stein, P.A., and hereby
enters an appearance for TED K. BLACKSTOCK in the above subcases.

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
Margaret J. King

NOTICE OF APPEARANCE -1

MICROFILMED

OCT 07 1998

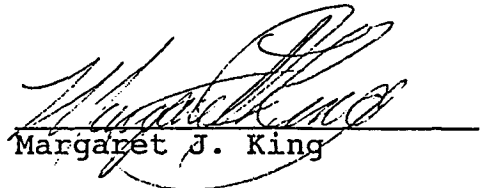
CERTIFICATE OF MAILING

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


Margaret J. King

ADJUDICATION MEMORANDUM

CLAIM NO.: A57-10920

SUBJECT: Chipmunk Grazing Assoc.

EMPLOYEE: Laurie Day

DATE: 11-10-93

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

MICROFILMED

JUL 21 1994

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

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

Case No. 57-10920 -0001

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

RESPONSE TO OBJECTION

Petitioner,)

vs.)

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

Respondents.)
_____)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

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

Briefly describe your interest in this water right:

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

(Over)

2. Person who filed objection:

Name: US BUREAU OF LAND 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. ☒ Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
2. ☒ Source: I respond to the objection concerning the source of water.
3. ☒ Quantity: I respond to the objection concerning:
4. ☒ Priority Date: I respond to the objection concerning the priority date.
5. ☒ Points of Diversion: I respond to the objection concerning the legal description of the points(s) of diversion.
7. ☒ Purposes of Use: I respond to the objection concerning the purpose(s) of use.
8. ☒ 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. ☒ 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 notices of claim attached to the objection were not filed with IDWR and IDWR has not recommended a water right based on these notices of claim. IDWR admits that the claims listed in the objection are recommended in the director's report. 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:

(Over)

MICROFILMED

JUL 21 1994

No. of
Pages

Notice of Claim No. A57-10920

4

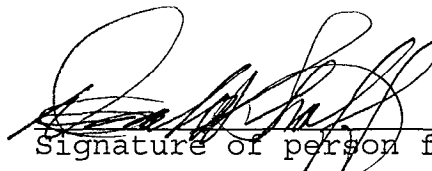
VERIFICATION (Must be Completed)

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 ____ day of _____,
1993.

Jeff Peppersack, Notary Public

Residing at Boise, Idaho

My Commission Expires Nov. 8, 1994



Notary Public for Idaho

Residing at: _____

My Commission expires: _____

(Over)

MICROFILMED

JUL 21 1994

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 ASSOC
Address: TED K BLACKSTOCK
ALAN JOHNSTONE
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

JUN 23 1992

Department of Water Resources

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-10920
Date Received: 2/ 3/1992
Receipt No: W014095
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: TED K BLACKSTOCK
Address: BOX 175
MARSING ID 83639

OR

Name: ALAN JOHNSTONE
Address: BOX 175
MARSING ID 83639

OR

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

208-466-8801

2. Date of Priority: MAY 1, 1971

3. Source: BLACKSTOCK SPRING
SPRING
POND
SPRING
SPRING

Trib. to: DEAD HORSE CREEK
DEAD HORSE CREEK
MC BRIDE CREEK
MC BRIDE CREEK
LITTLE MC BRIDE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	05W	28	SW	NW	NE		OWYHEE
			SW	SE	SW		OWYHEE
		32	SW	NE	NE		OWYHEE
02S	05W	15	SW	NW	NE		OWYHEE

5. Description of diverting works:

DEVELOPED SPRINGS & PONDS. SPRINGS, PIPELINES, TROUGHS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.120		

A57-10920

Page

1

MICROFILMED

JUL 21 1994

Date: 02/13/92

MICROFILMED
OCT 03 1992

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 550 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	05W	17	SE		SE		STOCK	
		28	SE		SW		STOCK	
		32	NW		NE		STOCK	
			NE		NW		STOCK	
02S	05W	15	NW		NE		STOCK	

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
NONE

14. Remarks:
AKA BLACKSTOCK SPRINGS ALLOTMENT-BLM GRAZING ALLOTMENT
2 POINTS OF DIVERSION WITHIN THE SWNWNE, S28, T01S, R05W.

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 member of

Chipmunk Grng. Assn., that I have signed the foregoing
Organization

document in the space below as member of

Chipmunk Grng. Assn. and that the statements contained in the
Organization

foregoing document are true and correct.

Ted K. Blackstock
Signature of Authorized Agent

Chipmunk Grnging Assn.
Title and Organization

6/25/92
Date

State of Idaho)
County of Owyhee) SS.

Subscribed and sworn (or affirmed) before me this 26th day

of June, 19 92

Helma D. Harrison
Notary Public

Seal

Residing at Emmett, Idaho

My Commission Expires 6-7-97

MICROFILMED

JUL 21 1994

~~NOT RECORDED~~
OCT 08 1992

EXECUTED this 26th day of June, 19 92

Partnership or Corporation

Individual(s)

(Name of Borrower)

By: Ted K. Blackstock
By: _____
By: _____
Attest: _____

[Corporate Seal]

ACKNOWLEDGEMENT BY INDIVIDUALS

STATE OF IDAHO)
COUNTY OF OWYHEE) ss:

On this 26th day of JUNE, in the year of 19 92, before me, THELMA D. GARRISON, a Notary Public, personally appeared TED K. BLACKSTOCK and N/A known or identified to me (or proved to me on the oath of _____) to be the person(s) whose name(s) (is) (are) subscribed to the within instrument, and acknowledged to me that (he) (she) (they) executed the same.

(SEAL)

My Commission Expires: 6-7-97

Thelma D. Garrison

Notary Public in and for the State of Idaho
Residing at: Emmett, Idaho

ACKNOWLEDGEMENT FOR A PARTNERSHIP

STATE OF IDAHO)
COUNTY OF _____) ss:

On this _____ day of _____, in the year of 19____, before me, _____, a Notary Public, personally appeared _____, known or identified to me (or proved to me on the oath of _____) to be one of the partners in the partnership of _____, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that (he) (she) executed the same in said partnership name.

(SEAL)

My Commission Expires: _____

Notary Public in and for the State of Idaho
Residing at: _____

ACKNOWLEDGEMENT FOR A CORPORATION

STATE OF IDAHO)
COUNTY OF _____) ss:

The foregoing instrument was acknowledged before me this _____ day of _____, 19____ by _____, (Names of Corporate Officer)

_____ of _____ (Name of Corporation) a

_____ corporation, on behalf of the corporation.
(State of Incorporation)

[Notary Seal]

MICROFILMED
JUL 21 1994

Notary Public of and for the State of Idaho
Residing at _____
My Commission Expires _____

NOTARIZED
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

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. 57-10920
(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

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: 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:
Chipmunk Grazing Assoc
Name: claimant Ted K. Blackstock
Alan Johnstone
Address: P.O. Box 175
Marsing, ID 83639

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

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

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☒ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☒ Source: I object to the source of water.
3. ☒ Quantity: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☒ Priority Date: I object to the priority date.
5. ☒ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☒ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☒ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I object to:
 - a. ☐ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☒ Consumptive Use: I object to the annual volume of consumptive use.
11. ☒ Remarks: I object to the "remarks" listed with the water right.

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.

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

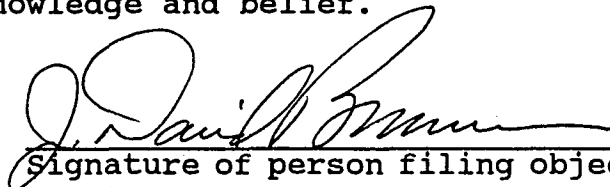
VERIFICATION (Must be Completed)

State of Idaho

County of Ada

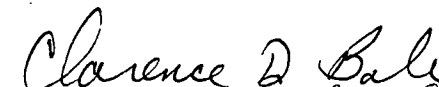
J. DAVID BRUNNER, BOISE DISTRICT MANAGER, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

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

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 26 day of February, 1993, I ~~mailed~~^{sent} the original and ~~copies~~^{filed} 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:

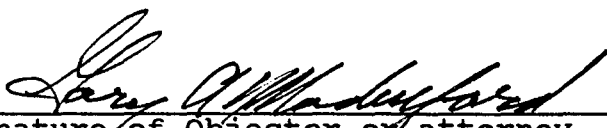
Owner name:	<u>Chipmunk Grazing Assoc</u> <u>Ted K. Blackstock</u>
Owner's address:	<u>Alan Johnstone</u> <u>P.O. Box 175</u> <u>Marsing, ID 83639</u>

3. One copy to:

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

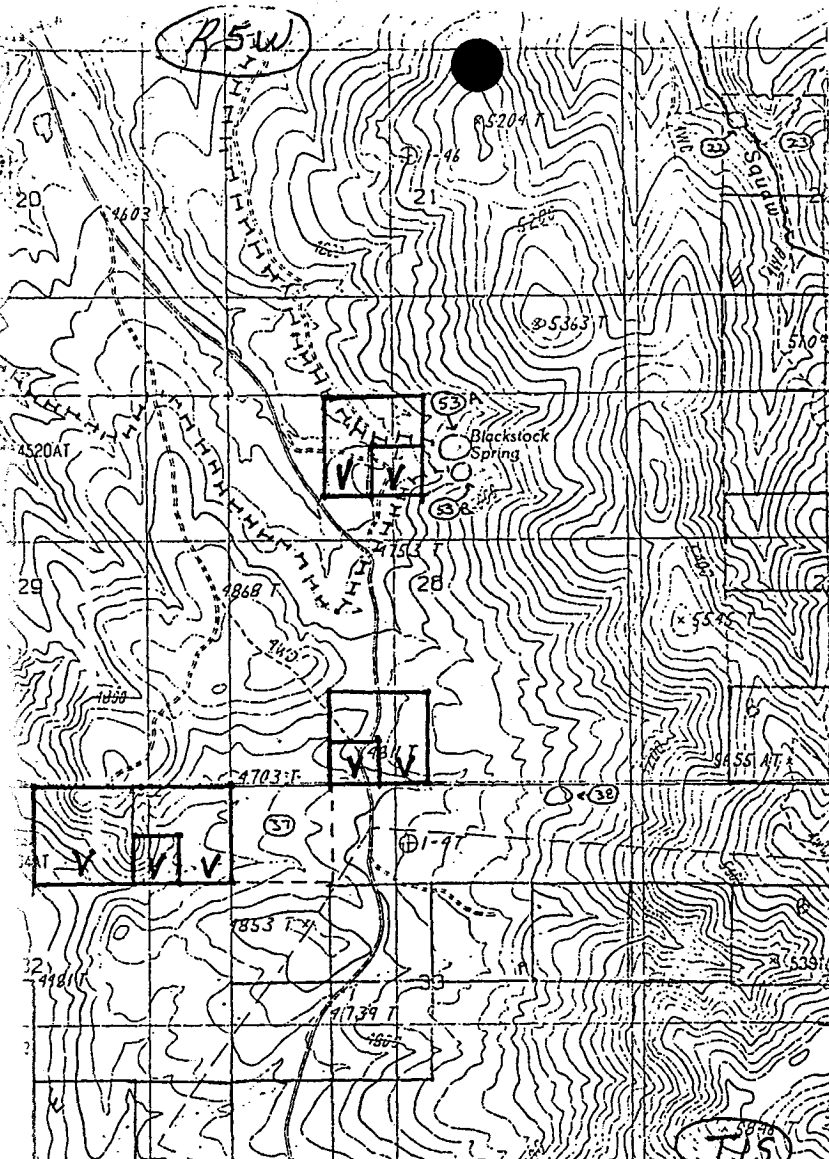
4. One copy to:

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



MICROFILMED

111 21 1994

CLAIM NUMBER 57-10920

V Denotes Public Land
Included in this Claim

CLAIM NUMBER: 57-10920

CONFLICTING CLAIMS FOUND IN THE DIRECTORS REPORT

57-02365A
57-02365B
57-11215
57-10979
57-10979A
57-11070
57-11070A

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: 5701582359
BLM NUMBER: 5701582359
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 57

SOURCE

UNNAMED STREAM

TRIBUTARY TO

DEAD HORSE CREEK

DESCRIPTION OF DIVERSION WORKS

EARTHEN DAM

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
WILDLIFE STORAGE	0.000	0.40	0101	1231
STOCKWATER STORAGE	0.000	5.00	0101	1231
STOCKWATER FROM STORAGE	0.000	5.00	0101	1231
WILDLIFE FROM STORAGE	0.000	0.40	0101	1231

TOTAL: 0.000 CFS 5.40 AF

NON-IRRIGATION USES

S/ 343 RANGE CATTLE W/ VAR AMOUNTS

				POINT OF DIVERSION			
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
01S	05W	28				03	OWYHEE

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	IRRIGATED OWNED	ACRES
01S	05W	28			03	OWYHEE		0.0

MICROFILMED

JUL 21 1994

BLM NUMBER: 5701582359

PAGE:

01S 05W 28

03 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

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: 5701582361
BLM NUMBER: 5701582361
BASIS OF CLAIM: BENEFICAL USE
BASIN NUMBER: 57

SOURCE	TRIBUTARY TO
-----	-----
UNNAMED STREAM	DEAD HORSE CREEK

DESCRIPTION OF DIVERSION WORKS

EARTHEN DAM

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
-----	-----	-----	-----	-----
WILDLIFE STORAGE	0.000	0.40	0101	1231
STOCKWATER STORAGE	0.000	5.00	0101	1231
STOCKWATER FROM STORAGE	0.000	5.00	0101	1231
WILDLIFE FROM STORAGE	0.000	0.40	0101	1231
TOTAL:	0.000 CFS	5.40 AF		

NON-IRRIGATION USES

S/ 343 RANGE CATTLE W/ VAR AMOUNTS

				POINT OF DIVERSION			
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
---	---	---	---	---	---	---	---
01S	05W	28		SE	SW	00	OWYHEE

PLACE OF USE

							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
---	---	---	---	---	---	---	---	---
01S	05W	28	SE	SW	00	OWYHEE		0.0

MICROFILMED

JUL 21 1994

BLM NUMBER: 5701582361

PAGE: 1

01S 05W 28 SE SW 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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHIPMUNK GRAZING ASSOCIATION INC PO BOX 175 MARSING ID 83639 (208) 466-8801	05/01/1971	STOCKWATER	01-01 12-31	0.12 CFS	
					TOTAL DIVERSION:	0.12 CFS
C	TED K BLACKSTOCK					
C	ALAN JOHNSTONE PO BOX 175 MARSING ID 83639					

Water Source: SPRINGS
POND
SPRING
SPRING

Tributary to: DEAD HORSE CREEK
MC BRIDE CREEK
MC BRIDE CREEK
LITTLE MC BRIDE CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T01S R05W S28 SENENW SWSW
S32 SWNE
T02S R05W S15 SWNE
OWYHEE County
OWYHEE County
OWYHEE County

Place of use Legal Description for: STOCKWATER

NE												NW												SW												SE																											
NENE				NWNE				SWNE				SENE				NENW				NWNW				SWNW				SESW				NESW				NWSW				SWSW				SESW				NESE				NWSE				SWSE				SESE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac																
01S	05W	28	:																																																												
01S	05W	32	:																																																												
02S	05W	15	:																																																												

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 550 RANGE CATTLE

Other Rights: NONE

Conditions of Approval:

- L12 - THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
- ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
- USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

Remarks: PROPERTY IS ALSO KNOWN AS BLACKSTOCK SPRINGS GRAZING ALLOTMENT.
SOURCES FOR THIS RIGHT ARE SPRINGS TRIB. TO DEAD HORSE CREEK,
POND TRIB. TO MCBRIDE CREEK, SPRING TRIB. TO MCBRIDE CREEK AND
SPRING TRIB. TO LITTLE MCBRIDE CREEK.

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

MICROFILMED
JUL 21 1994

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHIPMUNK GRAZING ASSOCIATION INC PO BOX 175 MARSING ID 83639 (208) 466-8801	05/01/1971	STOCKWATER	01-01 12-31	0.12 CFS	
				TOTAL DIVERSION:	0.12 CFS	
C	TED K BLACKSTOCK					
C	ALAN JOHNSTONE PO BOX 175 MARSING ID 83639					

Water Source: SPRINGS
POND
SPRING
SPRING

Tributary to: DEAD HORSE CREEK
MC BRIDE CREEK
MC BRIDE CREEK
LITTLE MC BRIDE CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T01S R05W S28 SENENW SWSW Owyhee County
S32 SWNE Owyhee County
T02S R05W S15 SWNWE Owyhee County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE			
T	R	S		T	R	S		T	R	S		T	R	S	
01S	05W	28	:				:				:				:
01S	05W	32	:	S			:			S	:				:
02S	05W	15	:	S			:				:				:

POU County: Owyhee

Non-Irrigation Uses: STOCKWATER, 550 RANGE CATTLE

Other Rights: NONE

Remarks: PROPERTY IS ALSO KNOWN AS BLACKSTOCK SPRINGS GRAZING ALLOTMENT.
SOURCES FOR THIS RIGHT ARE SPRINGS TRIB. TO DEAD HORSE CREEK,
POND TRIB. TO MCBRIDE CREEK, SPRING, TRIB. TO MCBRIDE CREEK AND
SPRING TRIB. TO LITTLE MCBRIDE CREEK.

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 07/07/1992 User-ID: WALKER Subject: LATE FEE REQUIRED
A \$50.00 LATE FEE WAS REQUESTED FOR THIS CLAIM ON 4/15/92. I
RECEIVED THE AMENDED CLAIM IN THE MAIL BUT THE LATE FEE WAS NOT
INCLUDED. I CALLED AGAIN ON THIS DATE TO REQUEST THE LATE FEE
AND WAS TOLD IT WOULD BE COMING IN THE MAIL.

MICROFILMED
OCT 08 1992

=====

Date: 07/07/1992 User-ID: WALKER Subject: POND
WHEN REQUESTED TO SEND DIMENSIONS OF THE STOCKWATER POND UNDER
THIS CLAIM, I RECEIVED A NOTE SAYING THE POND WAS 0.5 AF.

Date: 07/14/1992 User-ID: WALKER Subject: LATE FEE
LATE FEE FOR THIS CLAIM IS UNDER RECEIPT W015053.

Date: 09/17/1992 User-ID: SHURTE Subject: BLACKSTOCK SPRING DELETED PER BLM FILINGS
BLACKSTOCK SPRING LOCATED IN THE SWNWNE(2 PTS) WERE DELETED FROM
THIS RIGHT DUE TO THE FILING NOS. 57-02365A & 57-02365B FOR BOTH
POINTS OF DIVERSION FOR BLACKSTOCK SPRING ON THIS CLAIM. ALSO,
THE PLACE OF USE IN THE SESE, S. 17 WAS DELETED BECAUSE OF CLAIM
NO 57-02365A. THE PLACE OF USE FOR 57-02365B IS DESIGNATED ON
THE MAP FOR THIS CLAIM, HOWEVER, IT WAS INADVERTENTLY LEFT OFF OF
THE RECOMMENDATION FOR THIS CLAIM, SO NO DELETION WAS NECESSARY.
THE PL OF USE FOR 57-02365B THAT SHOULD HAVE BEEN ON THIS CLAIM
WAS THE SWNW, S. 18. REMARK CORRECTED CONCERNING 2 PDS & SOURCES

Date: 09/18/1992 User-ID: SHURTE Subject: P.D. ADDED BACK IN PER REVIEW WITH BLM OVERLAP
WHEN THIS CLAIM WAS AMENDED ON 7-7-1992 THE P.D. IN THE SENENW
WAS REMOVED BECAUSE THEY THOUGHT IT WAS COVERED UNDER BLM'S
WATER RT NO. 57-02365. HOWEVER, THAT RIGHT COVERS THE SPRINGS IN
THE SENWNE & NENWNE(BLACKSTOCK SPRING NOS. 1 & 2) AND DOES NOT
COVER THE SPRING IN THE SENENW. THEREFORE, I PREVIOUSLY DELETED
THE TWO BLACKSTOCK SPRINGS BECAUSE BLM CLAIMED THEM ON 57-02365A
AND B AND I AM NOW ADDING BACK IN THE SPRING IN THE SENENW THAT
WAS PREVIOUSLY DELETED ON THE AMENDED CLAIM IN ERROR. I AM ALSO
ADDING IN THE POU IN THE NENW AND CHANGING SPRING TRIB. TO DEAD
HORSE CREEK TO SPRINGS TRIB. TO DEADHORSE CREEK.

Audit: 09/18/92 SHURTE

MICROFILMED
OCT 08 1992



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Date: September 28, 1992

RE: Notice of Claim No(s). A57-10917, A57-10914, A57-10919B
A57-10944, A57-10945, A57-10947
A57-10373, A57-10660, A57-10941,
A57-10916, A57-10920, A57-10921
A57-10923, A57-10924

[Chipmunk Grazing Assoc.
Box 175
Marsing, ID 83639
[

Dear Claimant(s):

On June 30, 1992, the Bureau of Land Management (BLM) submitted notices of claim to water rights located on BLM lands within the Department's administrative Basin 57 boundary located in Owyhee County. Your Notice of Claim(s) referenced above was filed for water uses on BLM lands for which BLM has filed a claim(s), on all or part of this right(s). Any rights you may have filed on BLM lands for which no claim was filed by BLM will remain in your name.

Based on information currently available to the Department, the water right(s) for these uses is held by the BLM. Therefore, your claim(s) is being partially or completely disallowed and the uses recommended under the BLM claim(s).

The report for Basin 57 is due to be filed with the court on October 1, 1992, therefore, if you have any questions concerning these recommendations, you may contact us for copies of these rights. In the Notice of Director's Report, you will receive information about filing an objection if you disagree with any water right or item within the Director's Report.

Sincerely,

for 
Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
~~XXXXXXXXXX~~

MICROFILMED
OCT 03 1992

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHIPMUNK GRAZING ASSOCIATION INC PO BOX 175 MARSING ID 83639 (208) 466-8801	05/01/1971	STOCKWATER	01-01 12-31	0.12 CFS	
				TOTAL DIVERSION:	0.12 CFS	
C	TED K BLACKSTOCK					
C	ALAN JOHNSTONE PO BOX 175 MARSING ID 83639					

Water Source: BLACKSTOCK SPRING
SPRING
POND
SPRING
SPRING

Tributary to: DEAD HORSE CREEK
DEAD HORSE CREEK
MC BRIDE CREEK
MC BRIDE CREEK
LITTLE MC BRIDE CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:	T01S R05W S28	SNNWNE	SWSSEW	OWYHEE County
	S32	SNNENE		OWYHEE County
	T02S R05W S15	SNNWNE		OWYHEE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE																	
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SNNW	SENN					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac
01S	05W	17	:									:							:					:									
01S	05W	28	:									:							:					:									
01S	05W	32	:			S						:	S						:					:									
02S	05W	15	:			S						:							:					:									

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 550 RANGE CATTLE

Other Rights: NONE

Conditions of Approval:

- B01 - THIS RIGHT IS RECOMMENDED CONDITIONALLY PENDING THE FILING OF
- CLAIMS BY THE BUREAU OF LAND MANAGEMENT OF THE U.S. DEPARTMENT
 - OF INTERIOR. IN THE EVENT THE CLAIM IS INCLUDED IN THE
 - DIRECTOR'S REPORT IN THE NAME OF THE UNITED STATES, THE ABOVE
 - NAMED CLAIMANT WILL BE NOTIFIED PRIOR TO THE DIRECTOR'S REPORT.

Remarks: PROPERTY IS ALSO KNOWN AS BLACKSTOCK SPRINGS GRAZING ALLOTMENT.
TWO POINTS OF DIVERSION WITHIN THE SNNWNE, S28, T01S, R05W.
SOURCES FOR THIS RIGHT ARE BLACKSTOCK SPRING TRIB. TO DEAD HORSE
CREEK, SPRING TRIB. TO DEAD HORSE CREEK, POND TRIB. TO MCBRIDE
CREEK, SPRING TRIB. TO MCBRIDE CREEK AND SPRING TRIB. TO LITTLE
MCBRIDE CREEK.

MICROFILMED
OCT 08 1992

=====

Dates: Exam Made Date: Verified Date: 07/17/1992

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 07/07/1992 User-ID: WALKER Subject: LATE FEE REQUIRED
A \$50.00 LATE FEE WAS REQUESTED FOR THIS CLAIM ON 4/15/92. I
RECEIVED THE AMENDED CLAIM IN THE MAIL BUT THE LATE FEE WAS NOT
INCLUDED. I CALLED AGAIN ON THIS DATE TO REQUEST THE LATE FEE
AND WAS TOLD IT WOULD BE COMING IN THE MAIL.

Date: 07/07/1992 User-ID: WALKER Subject: POND
WHEN REQUESTED TO SEND DIMENSIONS OF THE STOCKWATER POND UNDER
THIS CLAIM, I RECEIVED A NOTE SAYING THE POND WAS 0.5 AF.

Date: 07/14/1992 User-ID: WALKER Subject: LATE FEE
LATE FEE FOR THIS CLAIM IS UNDER RECEIPT W015053.

Audit: 07/17/92 WALKER

MICROFILMED
OCT 08 1992

CLAIMANT'S NAME:

Blackstock, Johnstone,
Chipmunk Grazing Assn.

DATE:

7-7-92

EMPLOYEE:

Ray Walker

RE:

Late fee requested in corres. of 4/15/92

Contacted Inez Jaca for Chipmunk Grazing Assn., to request late fee for this claim again.

I gave her the claim information and requested that they submit the late fee. She stated that they would get it in the mail in a couple of days - she had to contact her husband who ~~was~~ is president of Chipmunk and he would have to contact the secretary to get a check.

I told Mrs. Jaca the report will go out on the 15th and the late fee was reg'd prior to that date.

MICROFILMED
OCT 08 1992

1997 NOV 26 PM 2:36

DISTRICT COURT-5
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**

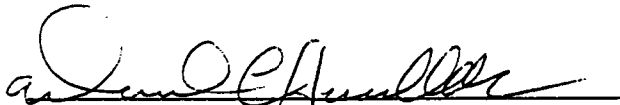
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 57-10920
_____	)	

On August 22, 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 57-10920 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED November 26, 1997.


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

MICROFILMED

OCT 07 1998

ORDER OF PARTIAL DECREE

97-11-0236

Page 1

RECEIVED

AUG 27 1997

Department of Water Resources
Adjudication Bureau

1997 AUG 22 AM 10:05

DISTRICT COURT - SRBA
TWIN FALLS, IDAHO

FILED *DK*

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 57-10920
	)	
Case No. 39576	)	SPECIAL MASTER'S REPORT
_____	)	

FINDINGS OF FACT AND CONCLUSIONS OF LAW

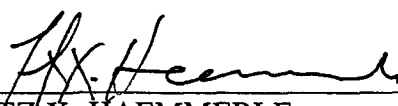
A notice of claim was filed for this water right pursuant to I.C. § 42-1409(1990) by Chipmunk Grazing Association. The Director of the State of Idaho Department of Water Resources examined the water system for areas 1, 2, and 3 and investigated and abstracted the notices of claims for those Reporting 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 water right 57-10920 was filed by United States (BLM). Subsequently, a *Standard Form 5* and/or *Stipulation* was filed as to how the elements of this water right should be decreed. The *Standard Form 5* and/or *Stipulation* was accepted by the court.

A *Preliminary Special Master's Report and Recommendation* was issued July 29, 1997. No motion to alter or amend was filed and the time for such motion has now expired.

IT IS THEREFORE RECOMMENDED that subcase 57-10920 be decreed as recommended in the attached *Special Master's Recommendation for Partial Decree*.

DATED August 22, 1997.


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

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 SRBA)
Case No. 39576)
_____)

SPECIAL MASTER'S RECOMMENDATION FOR

PARTIAL DECREE FOR

Water Right 57-10920

1997 AUG 22 AM 10:05

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED *DL*

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

SOURCE: SPRINGS TRIBUTARY: DEAD HORSE CREEK
POND MC BRIDE CREEK
SPRING MC BRIDE CREEK
SPRING LITTLE MC BRIDE CREEK

QUANTITY: 0.12 CFS

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

PRIORITY DATE: 05/01/1971

POINT OF DIVERSION: T01S R05W S28 SENENW Within Owyhee County
S32 SWSEW
T02S R05W S15 SWNENE
SWNWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.12 CFS

PLACE OF USE:	STOCKWATER	Within Owyhee County
	T01S R05W S28	NENW SESW
	S32	NWNE NENW
	T02S R05W S15	NWNE

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

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

DATED: 8/22/97

Friz X. Hammerle
FRIZ X. HAMMERLE
Special Master
Snake River Basin Adjudication

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-10920

MICROFILMED

OCT 07 1998

PAGE 1
JUL-15-1997

1997 AUG 22 AM 10:05

DISTRICT COURT - SRBA
TWIN FALLS CO, IDAHO

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

In Re SRBA)
Case No. 39576)
_____)

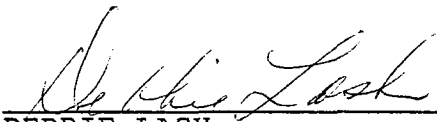
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-10920

On August 22, 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 August 22, 1997.


DEBBIE LASH
Deputy Clerk

MICROFILMED

NOTICE OF ISSUANCE

OCT 07 1998

PAGE 1
08/22/97

1997 AUG 22 AM 10:05

DISTRICT COURT - CRBA
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)
)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-10920

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 August 22, 1997, 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

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

CERTIFICATE OF MAILING

MICROFILMED

OCT 07 1998

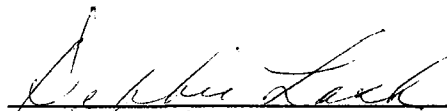
PAGE 1
08/22/97

CHIPMUNK GRAZING ASSN
BLACKSTOCK, TED K.
PO BOX 175
MARSING, ID 83639

TED K BLACKSTOCK
HC 79 BOX 119
MELBA, ID 83641

CHIPMUNK GRAZING ASSN
PO BOX 175
MARSING, ID 83639

ALAN JOHNSTONE
ROUTE 1 BOX 1251
HOMEDALE, ID 83628


DEBBIE LASH
Deputy Clerk

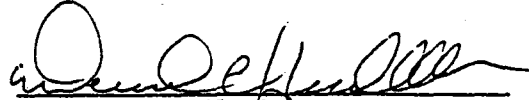
MICROFILMED
OCT 07 1998

CERTIFICATE OF MAILING

PAGE 2
08/22/97

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

MICROFILMED

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 57-10920

1997 NOV 26 PM 2: 36

DISTRICT COURT-S. D. N. D.
TWIN FALLS COUNTY
FILED _____

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

SOURCE:	SPRINGS	TRIBUTARY: DEAD HORSE CREEK
	POND	MC BRIDE CREEK
	SPRING	MC BRIDE CREEK
	SPRING	LITTLE MC BRIDE CREEK

QUANTITY: 0.12 CFS

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

PRIORITY DATE: 05/01/1971

POINT OF DIVERSION:	T01S R05W S28	SENENW	Within OWYHEE County
		SWSESW	
	S32	SWNE	
	T02S R05W S15	SWNNE	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.12 CFS

PLACE OF USE:	STOCKWATER	Within OWYHEE County
	T01S R05W S28	NENW SESW
	S32	NWNE NENW
	T02S R05W S15	NWNE

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

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


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

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-10920

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OCT 07 1998

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JUL 31 1997

Department of Water Resources
Adjudication Bureau

1997 JUL 29 PM 2:12

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 57-10920
	)	
Case No. 39576	)	PRELIMINARY SPECIAL
	)	MASTER'S REPORT
_____	)	

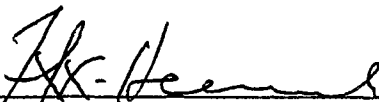
FINDINGS OF FACT AND CONCLUSIONS OF LAW

A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990) by Chipmunk Grazing Association. The director of the State of Idaho Department of Water Resources examined the water system for areas 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 water right 57-10920 was filed by United States (BLM). Subsequently, a *Standard Form 5* and/or *Stipulation* was filed as to how the elements of this water right should be decreed. The *Standard Form 5* and/or *Stipulation* was accepted by the court; now therefore,

IT IS THEREFORE RECOMMENDED that subcase 57-10920 be decreed as recommended in the attached *Preliminary Special Master's Report and Recommendation for Partial Decree*.

DATED July 29, 1997.



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

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

1997 JUL 29 PM 2:12

In Re SRBA)
)
Case No. 39576)
)
)
)
)
)

PRELIMINARY

SPECIAL MASTER'S RECOMMENDATION FOR JUDICIAL - SRBA
PARTIAL DECREE FOR
TWIN FALLS CO., IDAHO
Water Right 57-10920

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

SOURCE: SPRINGS TRIBUTARY: DEAD HORSE CREEK
POND MC BRIDE CREEK
SPRING MC BRIDE CREEK
SPRING LITTLE MC BRIDE CREEK

QUANTITY: 0.12 CFS

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

PRIORITY DATE: 05/01/1971

POINT OF DIVERSION: T01S R05W S28 SENENW Within Owyhee County
S32 SWSEW
T02S R05W S15 SWNENE
SWNWE

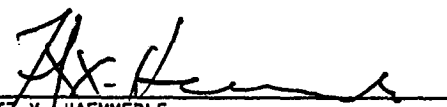
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.12 CFS

PLACE OF USE: STOCKWATER Within Owyhee County
T01S R05W S28 NENW SESW
S32 NWNE NENW
T02S R05W S15 NWNE

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

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

DATED: 7/29/97


FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

MICROFILMED
OCT 07 1998

1997 JUL 29 PM 2:12

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED *DL*

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

In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 57-10920

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 July 29, 1997, with sufficient first-class postage prepaid to the following:

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

CHIPMUNK GRAZING ASSN
BLACKSTOCK, TED K.
PO BOX 175
MARSING, ID 83639

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

TED K BLACKSTOCK
HC 79 BOX 119
MELBA, ID 83641

CERTIFICATE OF MAILING

MICROFILMED

OCT 07 1998

PAGE 1
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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)
_____)

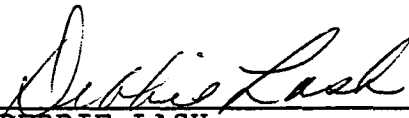
NOTICE OF ISSUANCE OF
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right(s): 57-10920

On July 29, 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 August 12, 1997.

DATED July 29, 1997.


DEBBIE LASH
Deputy Clerk

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OCT 07 1998

RECEIVED

JUL 29 1997

Department of Water Resources

UNITED STATES OF AMERICA

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

PAUL F. HOLLEMAN
R. LEE LEININGER
Attorneys, Department of Justice
General Litigation Section
Environment and Natural Resources Division
P.O. Box 663
Washington, D.C. 20044-0663
(202) 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	)	
	)	STIPULATION
	)	
Case No. 39576	)	57-10917A, 57-10917B,
	)	57-10920, 57-10979,
	)	57-11147, 57-11319
	)	
	)	

DESCRIPTIVE SUMMARY

This is a stipulation to resolve claims for water rights and objections to claims for water rights. This stipulation is made between Ted Blackstock, Alan Johnstone, and Chipmunk Grazing Association, collectively referred to as the "Private Claimants", and the United States.

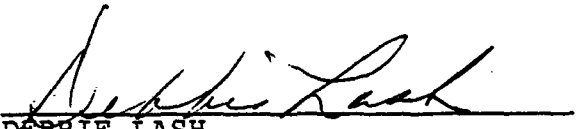
STIPULATION

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

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

CHIPMUNK GRAZING ASSN
PO BOX 175
MARSING, ID 83639

ALAN JOHNSTONE
ROUTE 1 BOX 1251
HOMEDALE, ID 83628


DEBBIE LASH
Deputy Clerk

WHEREAS, the United States and Private Claimants recognize the importance of the stockwater rights at issue in these subcases to the livestock industry in Owyhee County and the United States Bureau of Land Management ("BLM") grazing program; and,

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

THEREFORE, Private Claimants and the United States of America stipulate and agree as follows:

1. The parties agree that the United States is the owner of the water rights in subcases 57-10979, 57-11147 and 57-11319. The parties also agree that the United States is the owner of the water rights described in the revised Idaho Department of Water Resources (IDWR) Director's Report for subcases 57-10917B and 57-10920. For each of these water rights, the purpose of use is the watering of livestock owned by persons holding BLM-issued grazing permits. The stockwater purpose of use

of these water rights 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.

2. Pursuant to I.R.C.P. 41(a)(1)(ii), Private Claimants dismiss with prejudice their objections to the water rights claimed by the United States in SRBA subcases 57-10979, 57-11147 and 57-11319.
3. The parties agree that the Private Claimants are the owner of the water right described in the revised Idaho Department of Water Resources (IDWR) Director's Report for subcase 57-10917A.
4. 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 changing the boundaries of grazing allotments or modifying or terminating BLM-issued grazing permits.
5. Pursuant to I.R.C.P. 41(a)(1)(ii), 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 described in SRBA subcases 57-10917 and 57-10923. Private Claimants recognize that the Director disallowed parts of these claims because Private Claimants or their predecessors in interest sought water rights on the federal public land that were in conflict with water rights claimed by the United States. Private Claimants agree not to pursue any of the claims for stockwater located on the federal public land which were disallowed by the Director.

6. 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 any of the subcases mentioned in this document shall be construed as admissions against interest or be used in any legal proceeding.
7. All parties agree to bear their own costs and attorney fees in connection with this matter.
8. 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:

7/25/97

by:

Paul F. Holleman
Paul F. Holleman
R. Lee Leininger
Attorneys, ENRD

Ted Blackstock

Dated:

7/17/97

by:

Ted B. Blackstock

Chipmunk Grazing Association

Dated:

7/17/97

by:

Elias Jara, Pres.

Alan Johnstone

Dated:

7/18/97

by:

Alan Johnstone

CERTIFICATE OF MAILING

I certify that on July 25th, 1997, I served the foregoing Stipulation (57-10917A, et seq.) upon the following individuals, via United States mail, postage prepaid:

1. Original to:

Clerk of the District Court (also by fax)
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

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

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

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

Ted K. Blackstock
HC 79, Box 119
Melba, ID 83641

Elias Jaca
Chipmunk Grazing Assoc.
P.O. Box 175
Marsing, ID 83639

Alan Johnstone
Route 1, Box 1251
Homedale, ID 83628


Paula Clinedinst

CERTIFICATE OF SERVICE - Stipulation,
57-10917A, 57-10917B, 57-10920,
57-10979, 57-11147, and 57-11319

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OCT 07 1998

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MAR 21 1996
Department of Water Resources
Adjudication Bureau

1996 MAR 19 PM 4:38
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 Nos: 57-10979, 57-11147,
	)	57-11319, 57-10917 and 57-10920
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 Ted K. Blackstock in the above 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 Ted K. Blackstock in the above subcases.

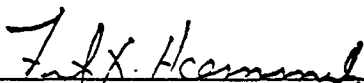
IT IS FURTHER ORDERED that within 20 days from the date of mailing this Order, Ted Blackstock shall either file a written notice with this court that states his intention to represent himself in these subcases or otherwise specifically advise the court how he intends to proceed.

DATED March 19, 1996.

RECEIVED

APR 29 1996

WATER RESOURCES
WESTERN REGION


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

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OCT 07 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 15, 1992

RE: Notice of Claim to a Water Right No. A57-10920

Ted K. Blackstock &/or
Alan Johnstone &/or
Chipmunk Grazing Association, Inc.
P.O. Box 175
Marsing, ID 83639

Gentlemen:

Please note that the deadline for filing claims in Owyhee County was March 1, 1989, and that Claim A57-10920 was received on February 3, 1992. We had thought that there would be no late fee when we received the claim, but we have been advised otherwise. Enclosed, for your convenience, is a copy of this claim. When a claim is filed after the claims filing date for that county, a late fee is charged. The late fee is either a \$50. flat fee or 15% of the original filing fee, whichever is greater, per claim filed in addition to the filing fee already submitted. The late fees are mandated by Idaho Code, Section 42-1409(b). In order to file the claim as a part of the adjudication the late fee must be submitted to our office within 30 days. **The late fee due for this claim is \$50.00.** If this late fee is not received within the 30-day time period, this claim will be rejected and your original filing fee will be refunded.

We are providing the opportunity for you to file a Request for an Extension of Time to avoid this late charge. Enclosed is a Request for Extension of Time form which will need to be completed and returned to our office **with the above late fee**, within the 30 day time period. Please send this form and late fee to my attention. If this extension request is granted, the late fee paid will be refunded to you.

Sincerely,

Kay Walker
KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

5-7-92
Ted Blackstock Jr. called
the office this morning -
wants to get this matter
settled. May be in on
or before June 1 -
until June 1 before taking
action - kw

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OCT 10 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 14, 1992

RE: Notice of Claims to Water Right Nos. A55-10240, A55-10241,
A57-10914, A57-10916, A57-10917, A57-10918, A57-10919,
A57-10920, A57-10921, A57-10923 and A57-10924

Chipmunk Grazing Association Inc.
Box 175
Marsing, ID 83639

Gentlemen:

Enclosed you will find computer generated copies of the claims you submitted, as referenced above, on your instream stockwater filings. Please check these over for any errors.

I have also enclosed an "Amended" Claim form for the developed springs and ponds within Blackstock Springs Grazing Allotment (No. A57-10920). While working on this claim, I researched our adjudication claims for any filings made by BLM on these developments and I should have checked our original water right records instead. I found that BLM has four licensed rights on developed sources that we included on your claim. You can see these on the enclosed map, I have highlighted them in blue. I have removed the BLM developments on the "Amended" Claim form and now need to have you sign this form in the presence of a notary and return it to me. I also need to know the dimensions of the pond shown on the map which is highlighted in yellow. Please submit the pond dimensions with the amended claim form. I am sorry if this causes you any inconvenience.

If you have any questions in regard to the enclosed claims, please do not hesitate to contact our office.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

Claim w/ BLM
developments
removed - Please
sign in front of
a notary and
return. Also,
please include
dimensions of pond.

Claim
MICROFILMED
OCT 10 1992
Amended

RECEIVED
MAR 21 1996
Department of Water Resources
Adjudication Bureau

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1996 MAR 19 PM 4:38
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

) Subcase Nos: 57-10979, 57-11147,
) 57-11319, 57-10917 and 57-10920

) ORDER GRANTING MOTION TO
) WITHDRAW

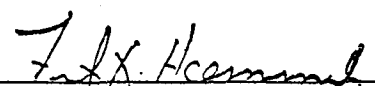
) Modified 57-10917 + 57-10920
- do 4-2-96

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 Ted K. Blackstock in the above 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 Ted K. Blackstock in the above subcases.

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

DATED March 19, 1996.


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

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A57-10920
Date Received 2-3-1992
Receipt Number W014095NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
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 Assoc. Inc. ~~89~~ 495-2570
or Ted K. Blackstock or Alan Johnstone Phone (208) 466-8801 JacaMailing Address Box 175, Marsing, ID Zip 836392. Date of Priority (Only one per claim) ~~6-1-1975~~ May 1, 1971 Month/Day/Year3. Source of water supply (Check one) () Groundwater or Other (X) (a) Blackstock Spring
which is tributary to (b) Dead Horse Creek
See additional sources on attached. Name or kind of source4. Location of point of diversion is: Township 1S Range 5W
Section 28 SW 1/4 of NW 1/4 of NE 1/4, Govt. Lot , BM.,
County of OwyheeAdditional points of diversion if any: See attached5. 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. Developed springs & ponds for stockwater
Spring to pipeline to troughs.

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

For Stockwater purposes from 1-1 Month/Day to 12-31 Month/Day amount 0.12 (cfs)
(Both dates are inclusive)
For purposes from to amount 7. Total quantity claimed 0.12 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership, stockwater: give
and Number of livestock) Stockwater, 550 hd. range cattle

MICROFILMED

OCT 08 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.