

No Color
Documents
In File

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: **A57-10923**
Date Received: 2/ 3/1992
Receipt No: W014095
Received By: _____

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

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

OR

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

2. Date of Priority: JUN 1, 1875

3. Source: JUMP CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
----------	-------	---------	-------------------	-----	--------

Beginning Point of Instream Flow

01N	05W	8	NW	NE	OWYHEE
-----	-----	---	----	----	--------

Ending Point of Instream Flow

02N	05W	27	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	0.130		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 600 HEAD RANGE CATTLE

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OCT 08 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	05W	4	NW		NE		STOCK	
			NE		NW		STOCK	
			SE		NW		STOCK	
			NE		SW		STOCK	
		5	NW		SW		STOCK	
			NE		SE		STOCK	
			SW		SE		STOCK	
			SE		SE		STOCK	
		8	NW		NE		STOCK	
			NE		NE		STOCK	
			NW		NE		STOCK	
			SW		NE		STOCK	
02N	05W	27	SE		NW		STOCK	
			NE		SW		STOCK	
			NW		SW		STOCK	
			SW		SW		STOCK	
		33	NE		NE		STOCK	
			SE		NE		STOCK	
			SE		SW		STOCK	
			NE		SE		STOCK	
		34	NW		SE		STOCK	
			SW		SE		STOCK	
			NW		NW		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 ALKALI WILDCAT 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: _____

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OCT 08 1992

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 _____

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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

A57-10923

Date Received

2-3-1992

Receipt Number

W014095

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

Please type or print clearly

1. Name of Claimant (s) Chipmunk Grazing Assoc. Inc. or Phone (208) (Elias Jaca) 466-8801
Mailing Address Ted R. Blackstock Zip 83639
Box 175, Marsing, ID

2. Date of Priority (Only one (1) per claim) 6-1-1875

3. Source of water supply (a) Jump CREEK
which is tributary to (b) SNAKE River

4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township 1N Range 5W Section 8, _____ 1/4 of NW 1/4 of NE 1/4,

Govt. Lot _____ B.M., County of Owyhee

ending point is: Township 2N Range 5W Section 27, _____ 1/4 of NE 1/4 of
NE 1/4, Govt. Lot _____ B.M., County of Owyhee

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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: Instream stockwater.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Instream Stock purposes from 1-1 to 12-31 amount 0.13 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.13 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is N/A acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater, 600 hd. range cattle.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
2N	5W	27	S	S	S					S	S	S	S						
		34						S											
		33	S			S								S	S	S	S		
1N	5W	4					S			S	S	S							
		5													S		S	S	
		8		S															

Total number of acres irrigated _____

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.
_____ or None ()

14. Remarks: Aka. Alkali Wildcat Allotment. - BLM
Grazing Allotment.

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OCT 08 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

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 _____

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 Assoc., Inc. 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

Title and Organization President Date _____

State of Idaho/or _____)

County of Ada) SS.

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

SEAL

Notary Public Kathleen A. Walker

Residing at Boise, Idaho

My Commission Expires 2-14-1993

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

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OCT 08 1992

DEC 01 1997

Department of Water Resources

1997 NOV 26 PM 2:36

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

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

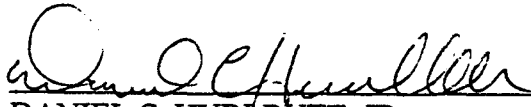
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 57-10923
_____	)	

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 57-10923 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

ORDER OF PARTIAL DECREE

MICROFILMED

97-11-0237

Page 1

OCT 07 1998

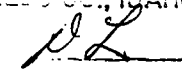
RECEIVED

JUL 31 1997

Department of Water Resources
Adjudication Bureau

1997 JUL 29 PM 2:11

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 57-10923
	)	
Case No. 39576	)	PRELIMINARY SPECIAL
	)	MASTER'S REPORT

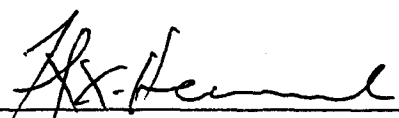
FINDINGS OF FACT AND CONCLUSIONS OF LAW

A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990) by Chipmunk Grazing United States (BLM). 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 57-10923 was filed by Chipmunk Grazing Association (Ted K. Blackstock). Subsequently, a *Standard Form 5* was filed as to how the elements of this water right should be decreed. The *Standard Form 5* was accepted by the court; now therefore,

IT IS THEREFORE RECOMMENDED that subcase 57-10923 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

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

In Re SRBA)
Case No. 39576)
_____)

PRELIMINARY

SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR
Water Right 57-10923

1997 JUL 29 PM 2:1
DISTRICT COURT - SRB
TWIN FALLS CO., IDAHO
FILED *OK*

NAME & ADDRESS: CHIPMUNK GRAZING ASSOCIATION INC
TED K BLACKSTOCK
PO BOX 175
MARSING ID 83639

SOURCE: JUMP CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.13 CFS

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

PRIORITY DATE: 06/01/1875

POINT OF DIVERSION: T02N R05W S27 NWNE (INSTREAM BEGINNING POINT) Within Owyhee County
NENE (INSTREAM ENDING POINT)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.13 CFS

PLACE OF USE: STOCKWATER Within Owyhee County
T02N R05W S27 NENE 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 W. Haemmerle
FRITZ W. HAEMMERLE
Special Master
Snake River Basin Adjudication

1997 JUL 29 PM 2:11

DISTRICT COURT - SR3A
TWIN FALLS CO., IDAHO

FILED *[Signature]*

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): 57-10923

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

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

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

CHIPMUNK GRAZING ASSN
PO BOX 175
MARSING, ID 83639

[Signature: Debbie Lash]
DEBBIE LASH

CERTIFICATE OF MAILING

MICROFILMED

PAGE 1
07/29/97

OCT 07 1998

1997 JUL 29 PM 2:11

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)
_____)

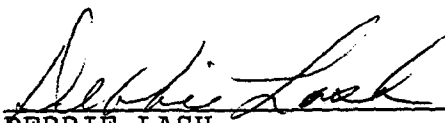
NOTICE OF ISSUANCE OF
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right(s): 57-10923

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

MICROFILMED
OCT 07 1998

NOTICE OF ISSUANCE

PAGE 1
07/29/97

RECEIVED

AUG 27 1997

Department of Water Resources
Adjudication Bureau

1997 AUG 22 AM 10:05

DISTRICT
TWIN FALLS
SRBA
IDAHO

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

In Re SRBA

Subcase 57-10923

Case No. 39576

SPECIAL MASTER'S REPORT

FINDINGS OF FACT AND CONCLUSIONS OF LAW

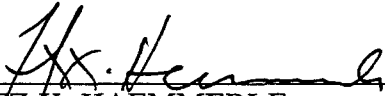
A notice of claim was filed for this water right pursuant to I.C. § 42-1409(1990) by Chipmunk Grazing Association. The Director of the State of Idaho Department of Water Resources examined the water system for areas 1, 2, and 3 and investigated and abstracted the notices of claims for those Reporting 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 57-10923 was filed by Chipmunk Grazing Association (Ted Blackstock). Subsequently, a *Standard Form 5* was filed as to how the elements of this water right should be decreed. The *Standard Form 5* 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 57-10923 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
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 AUG 22 AM 10:05

In Re SRBA)
Case No. 39576)
_____)

SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR
Water Right 57-10923
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *PL*

NAME & ADDRESS: CHIPMUNK GRAZING ASSOCIATION INC
TED K BLACKSTOCK
PO BOX 175
MARSING ID 83639

SOURCE: JUMP CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.13 CFS

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

PRIORITY DATE: 06/01/1875

POINT OF DIVERSION: T02N R05W S27 NWNE (INSTREAM BEGINNING POINT) Within OWYHEE County
NENE (INSTREAM ENDING POINT)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.13 CFS

PLACE OF USE: STOCKWATER Within OWYHEE County
T02N R05W S27 NENE 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

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

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-10923

MICROFILMED
OCT 07 1998

PAGE 1
JUL-15-1997

007 AUG 22 AM 10:05

DISTRICT COURT - SRBA
TWIN FALLS, IDAHO

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

In Re SRBA)
Case No. 39576)
_____)

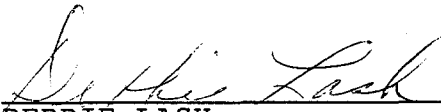
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-10923

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

OCT 07 1998

1997 AUG 22 AM 10:06

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED *AK*

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

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-10923

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

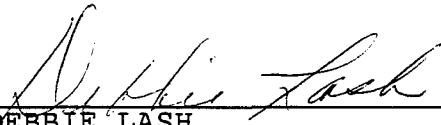
USDI BLM
Represented by:
U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

CERTIFICATE OF MAILING

PAGE 1
08/22/97

MICROFILMED
OCT 07 1998

CHIPMUNK GRAZING ASSN
PO BOX 175
MARSING, ID 83639



DEBBIE LASH
Deputy Clerk

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 57-10923

1997 NOV 26 PM 2:36

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME & ADDRESS: CHIPMUNK GRAZING ASSOCIATION INC
TED K BLACKSTOCK
PO BOX 175
MARSING ID 83639

SOURCE: JUMP CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.13 CFS

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

PRIORITY DATE: 06/01/1875

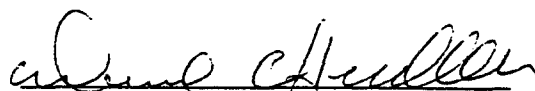
POINT OF DIVERSION: T02N R05W S27 NENE (INSTREAM BEGINNING POINT) Within Owyhee County
NENE (INSTREAM ENDING POINT)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.13 CFS

PLACE OF USE: STOCKWATER Within Owyhee County
T02N R05W S27 NENE 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

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

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-10923

OCT 07 1998

PAGE 1
NOV-20-1997

A57-10923

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

*G. G. Seifert told me
NOT to change 57-0104?
A.D. 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 SUBSTITUTION
OF COUNSEL

TO THE CLERK OF THE ABOVE ENTITLED COURT.

Pursuant to Rule 11 (b)(1) of the Idaho Rules of Civil Procedure, you are hereby notified that the firm of SIMMS & STEIN, P.A., is substituted as the firm of record in place of SCHROEDER & LEZAMIZ LAW OFFICES. This substitution is for the following parties: JOYCE LIVESTOCK and CHIPMUNK GRAZING ASSOCIATION, in the attached subcases.

The firm of Simms & Stein, P.A., will file timely notices

MICROFILMED

NOTICE OF SUBSTITUTION OF COUNSEL -1

OCT 07 1998

of appearance in the applicable subcases.

DATED this 26 day of May, 1994.

SIMMS & STEIN, P.A.

SCHROEDER & LEZAMIZ LAW OFFICES

By: /S/
Margaret J. King

By: /S/
John T. Schroeder

CHIPMUNK GRAZING ASSOCIATION

SUBCASE NUMBERS:

57 10917

57 10921

57 10923

57 10924

57 10944

57 10945

57 01047

57 10660

JOYCE LIVESTOCK:

57 10586

57 10587

57 10598

57 10770

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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 Substitution of Counsel 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 (FAX)
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

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

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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

Case No. 39576

)
)
) NOTICE OF APPEARANCE
)
)

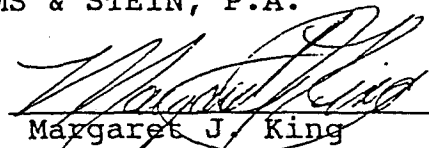
COMES NOW the firm of Simms & Stein, P.A., and hereby
enters an appearance for CHIPMUNK GRAZING ASSOCIATION, subcase
numbers attached.

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

NOTICE OF APPEARANCE -1

MICROFILMED

OCT 07 1998

CHIPMUNK GRAZING ASSOCIATION

SUBCASE NUMBERS:

57 10373	57 11157✓
57 10375	57 11158✓
57 10660	57 11170✓
57 10850	57 11176✓
57 10851	57 11179✓
57 10914	57 11181✓
57 10916	57 11183✓
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✓	

do not change
57-01046 - 11156
- 11157
57-01047 11158
57-11148 11170
- 11149 11176
11179

-11181

-11183

CERTIFICATE OF MAILING

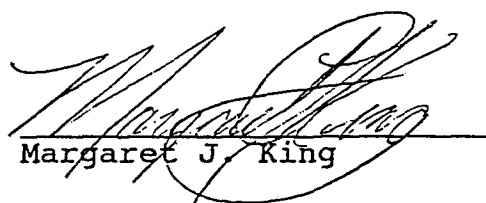
The undersigned certifies that on the 26 day of May, 1994, a true and correct copy of the above and foregoing Notice of Appearance was served on the following persons by depositing true and correct copies thereof in the United States Mail, first class postage prepaid, or personally delivering the same,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

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

Case No. 57-10923 -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: CHIPMUNK GRAZING ASSOC INC
Address: PO BOX 175
MARSING ID 83639

3. If this response is filed by an attorney:

Attorney Name(s): DANIEL L. STECKEL

Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

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

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 9, 12 and 12b., and all allegations of the objection regarding these items IDWR responds as follows: Portions of this water right were claimed by both the United States and the objector thus creating a dispute over the ownership of these portions between the owner of the place of use (the United States) and the holder of a federal grazing permit to these lands (the objector). Generally, in landlord/tenant type disputes over the ownership of a water right based on appropriation, the water right is presumed to be owned by the owner of the place of use unless a mutual intent to the contrary is clearly shown. As to the contested portions of this water right, the objector did not submit evidence to IDWR sufficient to overcome the presumption. IDWR therefore 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. A57-10923	3

(Over)

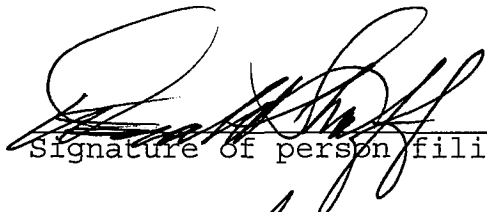
VERIFICATION (Must be Completed)

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.



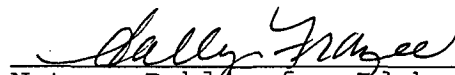
Signature of person filing response

By:



(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 17th day of December,
1993.



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

CERTIFICATE OF MAILING

I hereby certify that on the 20th day of December, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

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

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

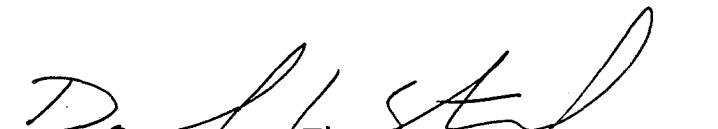
See No. 3

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

Name: JOHN T SCHROEDER
Address: 447 W MYRTLE
PO BOX 267
BOISE ID 83701

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 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

CIVIL CASE NUMBER: 39576
Ident. Number A57-10923
Date Received 2-3-1992
Receipt Number W014095

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Chipmunk Grazing Assoc. Inc. or Ted K. Blackstock Phone (208) 495-2570
Mailing Address Box 175, Marsing, ID Zip 83639

2. Date of Priority (Only one (1) per claim) 6-1-1875

3. Source of water supply (a) Jump CREEK
which is tributary to (b) SNAKE River

4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township 1N Range 5W Section 8, _____ 1/4 of NW 1/4 of NE 1/4,
Govt. Lot _____ B.M., County of Owyhee
ending point is: Township 2N Range 5W Section 27, _____ 1/4 of NE 1/4 of
NE 1/4, Govt. Lot _____ B.M., County of Owyhee

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. Instream stockwater.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Instream Stock purposes from 1-1 to 12-31 amount 0.13 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.13 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is N/A acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater, 600 hd. range cattle.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
2N	5W	27	S	S	S					S	S	S	S						
		34						S											
		33	S			S								S	S	S	S		
1N	5W	4					S			S	S	S							
		5													S		S	S	
		8		S															

Total number of acres irrigated _____

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.
_____ or None ()

14. Remarks: Aka. Alkali Wildcat Allotment. - BLM
Grazing Allotment.

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JUL 21 1994

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

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 _____

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

Title and Organization President Date _____

State of Idaho/or _____)
County of Ada) SS.

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

SEAL

Notary Public Kathleen A. Walker

Residing at Boise, Idaho

My Commission Expires 2-14-1993

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED
MICROFILMED OCT 8 1994
JUL 21 1994

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

ADJUDICATION MEMORANDUM

CLAIM NO.: A57-10923

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

JOHN T. SCHROEDER, ESQ.
SCHROEDER & LEZAMIZ LAW OFFICES
447 WEST MYRTLE
P.O. BOX 267
BOISE, IDAHO 83701
TELEPHONE: 384-1627

Attorney for Chipmunk Grazing Assn, Inc.

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OCT 01 1993

Department of Water Resources
Adjudication Bureau

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

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

Case No. 39576

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

NOTICE OF APPEARANCE FOR
CHIPMUNK GRAZING ASSN, INC.

Petitioner,)

Sub Case: 57-10917

vs.)

57-10921

57-10923

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

57-10924

57-10944

57-10945

57-10947

57-10660

Respondents.)

TO: State of Idaho, Office of Attorney General; U.S. Department
of Justice:

YOU WILL PLEASE TAKE NOTICE THAT John T. Schroeder, Esq., of
the law firm of Schroeder & Lezamiz Law Offices, Boise, Idaho,
enters an appearance for Chipmunk Grazing Assn, Inc., with regard
to the Motion to File Late Objection to the Director's Report and
any further proceedings on said Objection should the Motion be

NOTICE OF APPEARANCE FOR CHIPMUNK GRAZING
WITH REGARD TO MOTION TO FILE LATE OBJECTION - Page 1

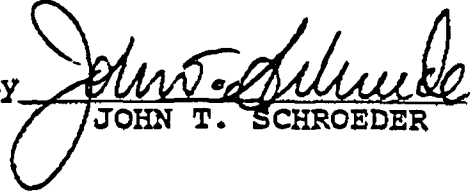
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JUL 21 1994

allowed. All further pleadings and correspondence should be delivered to said Attorney at the above address.

Dated this 20th day of September, 1993.

SCHROEDER & LEZAMIZ LAW
OFFICES

By 
JOHN T. SCHROEDER

CERTIFICATE OF DELIVERY

I HEREBY CERTIFY That a true and correct copy of the foregoing Notice of Appearance was hand delivered to the following persons and individuals:

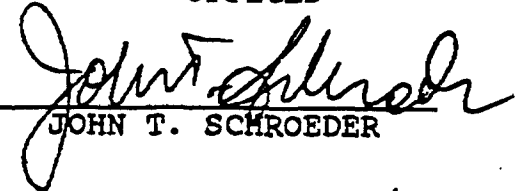
Chief, Natural Resources Division
Office of Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

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

Mr. Alan Johnstone
Route 1, Box 1251
Homedale, Idaho 83638

Dated this 20th day of September, 1993.

SCHROEDER & LEZAMIZ LAW
OFFICES

By 
JOHN T. SCHROEDER

NOTICE OF APPEARANCE FOR CHIPMUNK GRAZING
WITH REGARD TO MOTION TO FILE LATE OBJECTION - Page 2

MICROFILMED

JUL 21 1994

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	TED K BLACKSTOCK BOX 175 MARSING ID 83639	06/01/1875	STOCKWATER	01-01 12-31	0.13 CFS	
TOTAL DIVERSION:					0.13 CFS	

C CHIPMUNK GRAZING ASSOCIATION INC
BOX 175
MARSING ID 83639
(208) 466-8801

Water Source: JUMP CREEK

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T02N R05W S27

NWNE

OWYHEE County

Point(s) of Ending Stream Reach: T02N R05W S27

NENE

OWYHEE County

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	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
02N 05W 27	: S	: S	:	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 600 HEAD 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: AKA ALKALI WILDCAT ALLOTMENT - BLM GRAZING ALLOTMENT

Dates: Exam Made Date: 09/25/1992 Verified Date:

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

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JUL 21 1994

AJ0749NP
No. R57-10923

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

DATE: 09/25/92
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) 466-8801	06/01/1875	STOCKWATER	01-01 12-31	0.13 CFS	
				TOTAL DIVERSION:	0.13 CFS	
C	TED K BLACKSTOCK BOX 175 MARSING ID 83639					

Water Source: JUMP CREEK

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T02N R05W S27

NWNE

OWYHEE County

Point(s) of Ending Stream Reach: T02N R05W S27

NENE

OWYHEE County

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE			
T R S	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac
02N 05W 27	:	S		S	:				:				:			

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 600 HEAD RANGE CATTLE

Other Rights: NONE

Remarks: AKA ALKALI WILDCAT ALLOTMENT - BLM GRAZING ALLOTMENT

Dates: Exam Made Date: 09/25/1992 Verified Date: 09/25/1992

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

Comments: Date: 09/25/1992 User-ID: HOWERTON Subject: BLM RIGHTS
57-11319 COVERS ALL ORIGINALLY CLAIMED EXCEPT IN SECTION 8, NENE
& NWNE T2N, R5W.

Audit: 09/25/92 HOWERTON

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OCT 6 8



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

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
~~Enclosures~~

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OCT 08 1992

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

DATE: 07/17/92
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) 466-8801	06/01/1875	STOCKWATER	01-01 12-31	0.13 CFS	
					TOTAL DIVERSION:	0.13 CFS
C	TED K BLACKSTOCK BOX 175 MARSING ID 83639					

Water Source: JUMP CREEK

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: ~~T01N R05W S08~~

NWNE

OWYHEE County

Point(s) of Ending Stream Reach: T02N R05W S27

NENE ✓ ok

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	
01N	05W	4	:			(S)		:	(S)			(S)	:	(S)	(S)			:					:
01N	05W	5	:					:					:					:	(S)		(S)	(S)	:
01N	05W	8	:			(S)		:					:					:					:
02N	05W	27	:		S		(S)	:				(S)	:	(S)	(S)	(S)		:					:
02N	05W	33	:	(S)			(S)	:					:				(S)	:	(S)	(S)	(S)		:
02N	05W	34	:					:			(S)		:					:					:

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 600 HEAD RANGE CATTLE

Other Rights: NONE

Conditions of Approval:

- delete* (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: AKA ALKALI WILDCAT ALLOTMENT - BLM GRAZING ALLOTMENT

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

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

Audit: 07/17/92 WERNER

OCT 08 1992
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CLAIM NO. A57-10923

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: _____

4. ☒ No Change - POINT OF DIVERSION
☐ Point of diversion is different than the claim
New P/D: Twp. _____, Rge. _____, Sec. _____, _____ 1/4 _____ 1/4 _____ 1/4

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

Remarks: (Comments pertinent to field examination)

A map is available for reviewing
POD & POU. Will probably be found
in a map drawer. See Kay Walker

ATTACHMENTS:

Attached to
This Form.

Attachments are
in Permit File.

PHOTOS (optional) ☐
MAP ☐
SYSTEM DIAGRAM ☐

☐
☐
☐

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

In-office

DATE EXAM CONDUCTED: 7-8-92

FIELD EXAMINER:

Linda Werner

Signature

Linda Werner

June 28, 1993

JUL 02 1993

Chipmunk Grazing Association Inc.

I contend that this objection is timely filed. To the extent this objection is considered to be untimely filed, I hereby move for an Order authorizing the filing of this objection as being timely filed or move for an Order extending the time to file an objection. I also request additional time to file an affidavit supporting such motion.

Chipmunk Grazing Association by
Ted S. Blackstock BOD2

RECEIVED

JUN 11 1997

Department of Water Resources

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OCT 07 1998

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OCT 07 1998

RECEIVED
July 2, 1993

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

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

Case No. 57-10923
(You must insert the
water right number you
are objecting to)

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

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.

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

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

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name:

Chipmunk Grazing Inc.

Address:

Box 175
Marsing ID 83639

Briefly describe your interest in this water right:

This water right supplies stockwater for
our permitted livestock on our Federal
Grazing Allotment and has historically
provided water for previous owners and
users.

2. Owner of the water right:

Name:

USDI - Bureau of Land Management

Address:

3380 Americana Terrace

Boise, ID 83706

3. If this objection is filed by an attorney:

Attorney Name:

Attorney Address:

Attorney Phone No.:

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

II. STATEMENT OF THE OBJECTION

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

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☐ Quantity: I object to:
- UCI 071998 a. ☐ the total quantity of water used in cubic feet per second; or
- b. ☐ the total quantity of water stored in acre-feet per year; or
- c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☐ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I object to:
- a. ☐ the legal description of the place of use; or
- b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☐ Remarks: I object to the "remarks" listed with the water right.

(Over)

12. ☒ Water Right Recommendation: I object to:
- a. ☐ this water right being recommended at all; or
- b. ☒ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☐ Other: I object to: _____
- _____
- _____
- _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

Boxes 9 and 12 b. These water rights
did not include all water claimed.
Exhibit A describes water not in
recommendation

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.

Include the missing water claims

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

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☒ 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. _____

Claims not recommended - 1 page

VERIFICATION (Must be Completed)

State of _____

County of _____

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_____, 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 ____ day of _____,
199____.

Notary Public for _____
Residing at: _____
My Commission expires: _____

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 29 day of June, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

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

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

Owner name:

Chipmunk Grazing Association

Owner's address:

Box 175
Marsing Idaho 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

Chipmunk Grazing by
Ted S Blacketch

Signature of Objector or attorney
mailing on Objector's behalf

WATER RIGHT NUMBER 57-10923

CLAIMS NOT RECOMMENDED

NON-IRRIGATION USES:

Stockwater, 600 range cattle

Source: Jump Creek

Tributary: Snake River

Place of use: Stockwater

T01N R05W S04

NWNE

NENW

SENW

NESW

NWSW

SESE

S05

NESE

SWSE

S08

NWNE

SENW

NESW

T02N R05W S27

SWNE

SWSW

SESW

S33

NENE

SENE

SWSE

NESE

NWSE

S34

NWNW

not US

all 11/3/5

check 10439 -

*10439 - cl - 1 - 1/5 - 14 - SE NW
NW SW
05 SE SW
08 NW SW*

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