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# WITHDRAWN

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

CIVIL CASE NUMBER: 39576

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

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR  
BUREAU OF LAND MGMT.  
IDAHO STATE OFFICE  
3380 AMERICANA TERRACE  
BOISE ID 83706  
TELEPHONE: 208-334-1401

PRIORITY DATE: 1942-01-24  
IDWR NUMBER: 6102269  
BLM NUMBER: 6101788016  
BASIS OF CLAIM: LICENSE  
BASIN NUMBER: 61

| SOURCE          | TRIBUTARY TO            |
|-----------------|-------------------------|
| -----<br>SPRING | -----<br>RYEGRASS CREEK |

-----  
DESCRIPTION OF DIVERSION WORKS  
-----  
INSTREAM USE

| PURPOSE OF USE | DIVERSION<br>RATE | DIVERSION<br>VOLUME | PERIOD OF USE<br>FROM | TO   |
|----------------|-------------------|---------------------|-----------------------|------|
| STOCKWATER     | 0.010             | 0.00                | 0101                  | 1231 |
| WILDLIFE       | 0.010             | 0.00                | 0101                  | 1231 |
| TOTAL:         | 0.010 CFS         | 0.00 AF             |                       |      |

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NON-IRRIGATION USES  
-----  
STOCKWATER, 20 RANGE CATTLE; WILDLIFE VAR. AMT.

| POINT OF DIVERSION |     |     |        |        |        |     |        |
|--------------------|-----|-----|--------|--------|--------|-----|--------|
| TWP                | RNG | SEC | TRACT1 | TRACT2 | TRACT3 | LOT | COUNTY |
| 03S                | 09E | 30  |        | SE     | SW     | 00  | ELMORE |

| PLACE OF USE |     |     |        |        |     |        | IRRIGATED |       |
|--------------|-----|-----|--------|--------|-----|--------|-----------|-------|
| TWP          | RNG | SEC | TRACT1 | TRACT2 | LOT | COUNTY | OWNED     | ACRES |
| 03S          | 09E | 30  | SE     | SW     | 00  | ELMORE | YES       | 0.0   |
| 03S          | 09E | 30  | SE     | SW     | 00  | ELMORE | YES       | 0.0   |

TOTAL ACRES IRRIGATED: 0.0

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WARRANT

BLM NUMBER: 6101788016

PAGE: 2

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

-----  
NONE

REMARKS

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PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

AJ0749NP  
No. R61-02269

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

DATE: 09/22/93  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                                                                                       | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | US DEPT OF INTERIOR<br>BUREAU OF LAND MANAGEMENT<br>IDAHO STATE OFFICE<br>3380 AMERICANA TERRACE<br>BOISE ID 83706<br>(208) 334-1401 | 01/24/1942       | STOCKWATER | 01-01 12-31           | 0.01 CFS          |                     |
| TOTAL DIVERSION: |                                                                                                                                      |                  |            |                       | 0.01 CFS          |                     |

Water Source: SPRING

Tributary to: RYEGRASS CREEK

Stage: LICENSE

Point(s) of Diversion:

T03S R09E S30

SWSESW

ELMORE 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 | : Lt Ac | Lt Ac | Lt Ac | Lt Ac | : Lt Ac | Lt Ac | Lt Ac | Lt Ac |
| 03S 09E 30 | :       | :     | :     | :     | :       | :     | :     | :     | :       | :     | :     | :     | :       | :     | :     | :     |

POU County: ELMORE

Non-Irrigation Uses: STOCKWATER, 200 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: BLM RECORD ID = 6101788016  
SOURCE IS ALSO KNOWN AS THORNBUSH SPRING.

Dates: Exam Made Date: Verified Date: 09/22/1993

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

Audit: 09/22/93 MCCARTHY

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A. AJ CLAIM: # A61-02269 PRIORITY DATE: 01-24-1942 STAGE: L

B. WR RECORD: # 61-02269 PRIORITY DATE: 01-24-1942 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE  
N

FIELD  
EXAMINER  
N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y( ) N(X)  
IF YES EXPLAIN.

NOTES:

*D-Permit # 0129*

RECOMMENDED PRIORITY DATE:  
01-24-1942

REVIEWED BY

*RMF*

DATE

*9-22-93*

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Completion of Works and Beneficial Use of Water appropriated in accordance herewith, to be made on or before April 24, 1942.  
Work to begin on or before March 10, 1942.  
temporarily interrupted by circumstances over which the permit holder has no control.  
and to continue diligently and uninterruptedly to completion, unless  
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho,  
and hereby approve the same, subject to the following limitations and conditions:

Application No. D. 129  
Permit No. D. 129 6/- 2269

POOR ORIGINAL

District No. 1, G-99, Mt. Home, Ida., 52, Thornbush Spring

1. Name of Applicant. GRAZING SERVICE, US. DEPARTMENT OF THE INTERIOR
2. Post Office Address. BOX 728, Pocatello, Idaho
3. Quantity of water claimed. 00261 c.f.s. 1-24-1942  
(Not to exceed 0.1 second foot or 15 acre feet)
4. Source of water supply. spring  
(Spring, well, unnamed stream, small lake, snow, or runoff)
5. Location of point of diversion. feet distant from the corner of Section  
Twp. , Rge. , B.M., and is in the ¼ of the ¼ of Section. , Twp. , Rge. , B.M.  
in the County of
6. Location of point of use. N 75°00' E 1400' feet distant from the SW corner of Section 30  
Twp. 3 S., Rge. 9 E., B.M., and in the SE ¼ of the SW ¼, Sec. 30, Twp. 3 S., Rge. 9 E.  
39 Elmore County
7. Water to be used for. watering livestock 1/1-12/31
8. Estimated cost of works. 412.50
9. Kind of works. spring, concrete troughs, 525 gallons  
(Reservoir, dam, ditch, flume, pipe, etc.)
10. Size  
(Headgate, ditch, flume, pipe, etc.)
11. Time required to apply water to proposed use.
12. If reservoir is used, fill in the following in addition to the above questions: completed  
(a) Height of dam. feet: Length at top. feet.  
(b) Material from which dam is constructed. (earth, concrete, timber, rock)  
(c) The outlet of the proposed reservoir is located. feet from the corner of.  
Section. , Twp. , Rge. , B.M.

REMARKS:

Applicant GRAZING SERVICE, US. DEPT. OF INTERIOR Agent GEO. E. TUCKER, IMPROVEMENT SUPERVISOR  
N 75°00' E 1400', Twp. 3 S., Rge. 9 E.

|  |  |  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|--|--|
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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT                                                              | TWP. | RGE. | SEC. | 1/4                                      | 1/4 | 1/4 | LOT | CNTY   |
|--------------------------------------------------------------------|------|------|------|------------------------------------------|-----|-----|-----|--------|
| A61-02269                                                          | 03S  | 09E  | 30   |                                          | SE  | SW  |     | ELMORE |
| OTHER AJ CLAIMS WITH SAME AJ POD<br>A PREFIX R PREFIX<br>NONE NONE |      |      |      | WR RECORDS IN SAME 40 ACRE TRACT<br>NONE |     |     |     |        |

SOURCE: SPRING

TRIB: RYEGRASS CREEK

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT                                     | TWP. | RGE. | SEC. | 1/4                                                               | 1/4 | 1/4 | LOT | CNTY   |
|-------------------------------------------|------|------|------|-------------------------------------------------------------------|-----|-----|-----|--------|
| 61-02269                                  | 03S  | 09E  | 30   |                                                                   | SE  | SW  |     | ELMORE |
| OTHER WR RECORDS WITH SAME WR POD<br>NONE |      |      |      | AJ CLAIMS IN SAME 40 ACRE TRACT<br>A PREFIX R PREFIX<br>NONE NONE |     |     |     |        |

SOURCE: SPRING

TRIB:

C. FIELD EXAM REQUIRED?

|                                  | DATABASE | FIELD EXAMINER |
|----------------------------------|----------|----------------|
| DUE TO POD DISCREPANCY? (Y/N)    | Y        | <u>N</u>       |
| DUE TO SOURCE DISCREPANCY? (Y/N) | Y        | <u>N</u>       |

NOTES:

*SWSESW confirmed on BLM map*

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | COUNTY | DIVERSION NAME |
|------|------|------|-----|-----|-----|-----|--------|----------------|
| ---  | ---  | ---  | SW  | SE  | SW  | --- | ---    | ---            |
| ---  | ---  | ---  | --- | --- | --- | --- | ---    | ---            |
| ---  | ---  | ---  | --- | --- | --- | --- | ---    | ---            |
| ---  | ---  | ---  | --- | --- | --- | --- | ---    | ---            |
| ---  | ---  | ---  | --- | --- | --- | --- | ---    | ---            |
| ---  | ---  | ---  | --- | --- | --- | --- | ---    | ---            |

SOURCE: \_\_\_\_\_

TRIB: \_\_\_\_\_

REVIEWED BY: RMF

DATE: 9-22-93

SYSTEM DESCRIPTION:

AKA Thornbush Sp.

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A. ROOT WATER RIGHT NUMBERS: A61-02269

B. POU LISTING

| TWP         | RNG | SEC | 1/4 | 1/4 | LOT | NAME                | AJ<br>#/ACRES | WR<br>#/ACRES | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-------------|-----|-----|-----|-----|-----|---------------------|---------------|---------------|-----------------|----------------|------------------|
| 03S         | 09E | 30  | SE  | SW  |     | US DEPT OF INTERIOR | A61-02269 /   | 61-02269 /    |                 |                |                  |
|             |     |     | SE  | SW  |     | US DEPT OF INTERIOR | A61-11599 /   | - /           |                 |                |                  |
|             |     |     | SE  | SW  |     | US DEPT OF INTERIOR | A61-11616 /   | - /           |                 |                |                  |
| TOTAL ACRES |     |     |     |     |     |                     | A61-02269     |               |                 |                |                  |

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y( ) N( )  
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE  
Y

FIELD  
EXAMINER  
AL

POU COUNTY: ELMORE

PRESUMPTION FLAG:

NOTES:

A61-11599 & A61-11616 for instream use.

RECOMMENDATIONS:

TOTAL ACRES: 0

REVIEWED BY: RTF

DATE: 9-27-93

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A. AJ CLAIMED USES:

|                                     | PURPOSES   | MONTH/DAY           | DIVERSION QUANTITY |
|-------------------------------------|------------|---------------------|--------------------|
| A61-02269                           | STOCKWATER | FROM 01-01 TO 12-31 | .010 CFS           |
| A61-02269                           | WILDLIFE   | FROM 01-01 TO 12-31 | .010 CFS           |
| TOTAL DIVERSION RATE/VOLUME CLAIMED |            |                     | .010 CFS           |

B. WR RECORDED USES:

|                                     | PURPOSES   | MONTH/DAY           | DIVERSION QUANTITY |
|-------------------------------------|------------|---------------------|--------------------|
| 61-02269                            | STOCKWATER | FROM 01-01 TO 12-31 | .010 CFS           |
| TOTAL DIVERSION RATE/VOLUME CLAIMED |            |                     | .010 CFS           |

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

|                                          | DATABASE | FIELD EXAMINER |
|------------------------------------------|----------|----------------|
| DUE TO WATER-USE DISCREPANCY? (Y/N)      | Y        | <u>  ✓  </u>   |
| DUE TO DIVERSION RATE DISCREPANCY? (Y/N) | Y        | <u>  ✓  </u>   |
| DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N) | Y        | <u>  ✓  </u>   |

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(   ✓   ) N(      )

RECOMMEND TO WR STANDARDS OR OTHER?

Y(      ) N(      ) Explain in notes, below.

NOTES:

*D-permit for stockwater only.*

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