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WITHDRAWN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: 1953-05-05
IDWR NUMBER: 6102301
BLM NUMBER: 6101788048
BASIS OF CLAIM: LICENSE
BASIN NUMBER: 61

SOURCE

TRIBUTARY TO

SPRING

BENNETT CREEK

DESCRIPTION OF DIVERSION WORKS

INSTREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
STOCKWATER	0.010	0.00	0101	1231
WILDLIFE	0.010	0.00	0101	1231
TOTAL:	0.010 CFS	0.00 AF		

NON-IRRIGATION USES

STOCKWATER, 400 RANGE CATTLE; WILDLIFE VAR. AMT.

				POINT OF DIVERSION			
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
02S	08E	26	SW	NE	SW	00	ELMORE

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	MICROFILMED	IRRIGATED OWNED	ACRES
02S	08E	26	NE	SW	00	ELMORE	JUL-22-1994-	YES	0.0
02S	08E	26	NE	SW	00	ELMORE		YES	0.0

TOTAL ACRES IRRIGATED: 0.0

BLM REPORT

BLM NUMBER: 6101788048

PAGE: 2

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

AJ0749NP
No. R61-02301

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

DATE: 09/17/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706 (208) 334-1401	05/05/1953	STOCKWATER	01-01 12-31	0.01 CFS	
TOTAL DIVERSION:					0.01 CFS	

Water Source: SPRING

Tributary to: BENNETT CREEK

Stage: LICENSE

Point(s) of Diversion:

T02S R08E S26

SWNESW

ELMORE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE							
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
02S	08E	26	:					:					:					:					:

POU County: ELMORE

Non-Irrigation Uses: STOCKWATER, 400 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 = 6101788048

Dates: Exam Made Date:

Verified Date: 09/17/1993

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 09/17/93 MCCARTHY

MICROFILMED
JUL 22 1994

A. AJ CLAIM: # A61-02301 PRIORITY DATE: 05-05-1953 STAGE: L

B. WR RECORD: # 61-02301 PRIORITY DATE: 05-05-1953 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(☒)
IF YES EXPLAIN.

NOTES: D-permit #833

RECOMMENDED PRIORITY DATE:
05-05-1953

REVIEWED BY

RMP

DATE

9-17-93

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Permit No. D-833

District No. _____

- REMARKS:

~~Applicant~~ Bureau of Land Management

Agent Wesley F. Leary
Regional Chief, Division of Range Management

[illegible]

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JUL 22 1994

R. 8 E.

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A61-02301	02S	08E	26	SW	NE	SW		ELMORE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A61-11530 NONE
A61-11531
A61-11532

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: SPRING

TRIB: BENNETT CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
61-02301	02S	08E	26		SW	SW		ELMORE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

A61-11547 NONE

SOURCE: SPRING

TRIB:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO POD DISCREPANCY? (Y/N)	Y	
DUE TO SOURCE DISCREPANCY? (Y/N)	Y	

NOTES:

(1) POD confirmed on 1986 topo; this does not appear to be a change but is a correction using current maps

(2) A61-11530 & A61-11532: see overlap review

(3) A61-11531 is based on Fed. law

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
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SOURCE: spring TRIB: Bennett Cr

REVIEWED BY: RMF DATE: 9-17-93

SYSTEM DESCRIPTION:

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A. ROOT WATER RIGHT NUMBERS: A61-02301

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02S	08E	26	NE	SW		US DEPT OF INTERIOR	A61-02301 /	- /			
			NE	SW		US DEPT OF INTERIOR	A61-11530 /	- /			
			NE	SW		US DEPT OF INTERIOR	A61-11531 /	- /			
			NE	SW		US DEPT OF INTERIOR	A61-11532 /	- /			
			NE	SW		US DEPT OF INTERIOR	A61-11547 /	- /			
TOTAL ACRES							A61-02301				

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
N

POU COUNTY: ELMORE

PRESUMPTION FLAG:

NOTES:

A61-11547 for instream use.

RECOMMENDATIONS:

TOTAL ACRES: 0

REVIEWED BY: RNF

DATE: 9-17-93

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A61-02301 STOCKWATER	FROM 01-01 TO 12-31	.010 CFS
A61-02301 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
61-02301 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>N</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	<u>Y</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	<u>Y</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(Y) N(Y)

RECOMMEND TO WR STANDARDS OR OTHER?

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

NOTES:

D-permit for stockwater only

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JUL 22 1994

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 0.010 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.010 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in notes. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) N FIELD DATABASE EXAMINER N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD n/a, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A61-02301	STOCKWATER	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.010 CFS	
A61-02301	WILDLIFE	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.010 CFS	
A61-11530	STOCKWATER	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.070 CFS	
A61-11530	WILDLIFE	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.020 CFS	
A61-11531	STOCKWATER	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.070 CFS	
A61-11531	WILDLIFE	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.020 CFS	
A61-11532	STOCKWATER	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.070 CFS	
A61-11532	WILDLIFE	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.020 CFS	
A61-11547	STOCKWATER	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.090 CFS	
A61-11547	WILDLIFE	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.020 CFS	

Fed. Reserve

instream

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
<u>stock</u>	<u>1-1</u> <u>12-31</u>	<u>0.01</u>		
TOTAL FOR THIS RIGHT				

REVIEWED BY: RIF DATE: 9-17-93

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JUL 22 1994

OVERLAP REVIEW PAGE

CLAIM NUMBER: A61-02301

☒ NO OVERLAP WITH PRIVATE INDIVIDUAL CLAIM

☐ OVERLAPS WITH CLAIM BY PRIVATE INDIVIDUAL

CLAIM NO.: _____

☐ OVERLAPPING CLAIM DISALLOWED

☐ OVERLAPPING CLAIM PARTIALLY DELETED

PRIVATE CLAIMANT NOTIFIED/DATE: _____

☐ NO OVERLAP WITH OTHER FEDERAL CLAIM

☒ OVERLAPS WITH CLAIM BY FEDERAL GOVERNMENT

CLAIM NO.: A61-11530, A61-11532 (duplicates)

☒ OVERLAPPING CLAIM DISALLOWED *D-permit represents first use*

☐ THIS CLAIM DISALLOWED

☐ OVERLAPPING CLAIM ALLOWED/REMARKS: _____

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JUL 22 1994