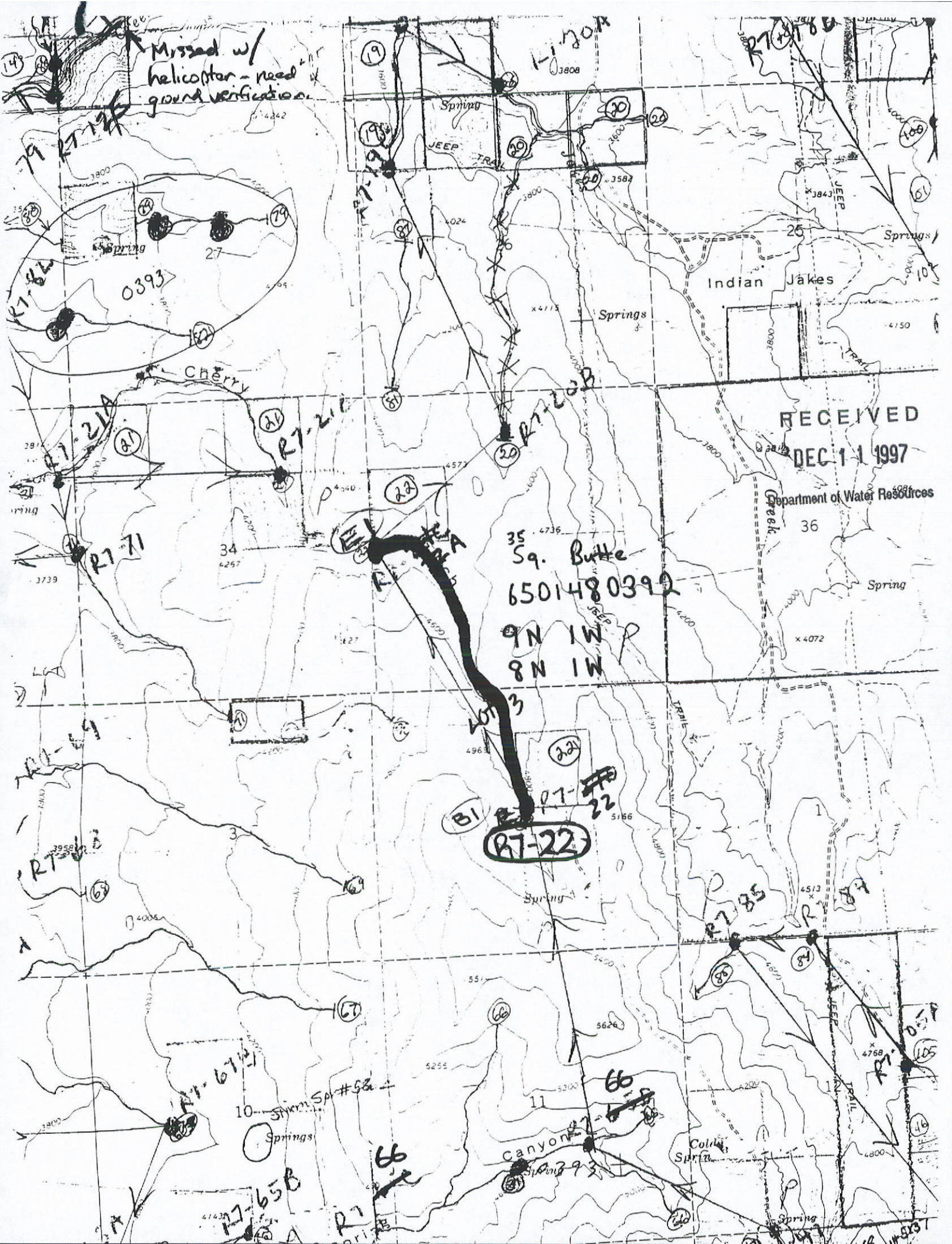


Missed w/
helicopter - need
ground verification



RECEIVED
DEC 11 1997

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

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: 6501480392 *AG 5-19940*
BLM NUMBER: 6501480392
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 65

SOURCE	TRIBUTARY TO
CHERRY GULCH	BIG WILLOW CREEK

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE	
			FROM	TO
STOCKWATER	0.090	0.00	0101	1231
WILDLIFE	0.020	0.00	0101	1231
TOTAL:		0.110 CFS	0.00 AF	

NON-IRRIGATION USES

400 RANGE CATTLE, WILDLIFE

TWP	RNG	SEC	TRACT1	POINT OF DIVERSION			COUNTY
				TRACT2	TRACT3	LOT	
09N	01W	35	SW	SW	NW	00	GEM
08N	01W	02		SW	NE	00	GEM

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	IRRIGATED	
							OWNED	ACRES
09N	01W	35	SW	NW	00	GEM	YES	0.0

MICROFILMED

AUG 05 1994

BLM NUMBER: 6501480392

PAGE: 2

09N	01W	35	SW	NW	00	GEM	YES	0.0
09N	01W	35	NW	SW	00	GEM	YES	0.0
09N	01W	35	NE	SW	00	GEM	YES	0.0
09N	01W	35	SE	SW	00	GEM	YES	0.0
08N	01W	02			03	GEM	YES	0.0
08N	01W	02	SE	NE	00	GEM	YES	0.0
08N	01W	02	SW	NE	00	GEM	YES	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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-19940

NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE: CHERRY GULCH TRIBUTARY: BIG WILLOW CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION: T08N R01W S02 SWSWNE (Instream Beginning Point) Within Gem County
T09N R01W S35 SWSWNW (Instream Ending Point)

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

PLACE OF USE:	Stockwater	Within Gem County
	T08N R01W S02 LOT 03 (NENW)	SWNE
	SENW	
	T09N R01W S35	NWSW
	SWNW	SESW

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

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

RULE 54(b) CERTIFICATE

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

Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

RECOMMENDATION

JUL 12 1999
Jeff X. Hammond
RECOMMENDATION

AJ0749NP
No. R65-19940

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

DATE: 02/24/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE ID 837091657 (208) 373-4000	01/01/1874	STOCKWATER	01-01 12-31	0.02 CFS	
TOTAL DIVERSION:					0.02 CFS	

Water Source: CHERRY GULCH

Tributary to: BIG WILLOW CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T08N R01W S02

SWSWNE

GEM County

Point(s) of Ending Stream Reach: T09N R01W S35

SWSWNW

GEM 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	Lt	Ac	
08N	01W	2	:				S	:	03-S			S	:					:						:
09N	01W	35	:					:			S		:	S	S		S	:						:

POU County: GEM

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP BLM RECORD ID = 6501480392
STOCKWATER, 400 RANGE CATTLE

Dates: Exam Made Date: Verified Date: 02/24/1998 Objection Filed Date:

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

Comments: Date: 01/12/1998 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.

AJ0749NP
No. R65-19940

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

DATE: 02/24/98
PAGE: 2

=====

Comments: Date: 01/12/1998 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 02/24/98 SBOCK

AJ5809NP
No. R65-19940

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/17/98
PAGE: 98

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE ID 837091657 (208) 373-4000	01/01/1874	STOCKWATER	01-01 12-31 TOTAL DIVERSION:	0.02 CFS 0.02 CFS	

Water Source: CHERRY GULCH

Tributary to: BIG WILLOW CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T08N R01W S02
Point(s) of Ending Stream Reach: T09N R01W S35

SWSWNE
SWSWNW

GEM County
GEM 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
08N	01W	2	:			S		03-S		S	S	S	S	S	S				
09N	01W	35	:																

POU County: GEM

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP BLM RECORD ID = 6501480392
400 RANGE CATTLE, WILDLIFE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Comments: Date: 01/12/1998 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 01/10/98 AJCTR 01/12/98 AJU5-JSH

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

In Re SRBA

Case No. 3957

AMENDED NOTICE of CLAIM for
Water Right number

65-19940

(IDWR number)

NAME and
ADDRESS

United States of America acting through
Bureau of Land Management
Idaho State Office
1387 South Vinnell Way
Boise, ID 83709 - 1657

BLMIDENT

6501480392

Stg

StFed.

J

S

SOURCE

Source

Tributary

CHERRY GULCH

BIG WILLOW CREEK

QUANTITY

0.02

CFS

or VOLUME

0

Acre Feet

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

PRIORITY DATE

1/1/1874

Diversion Means:

IN-STREAM USE

REMARKS

POINT of
DIVERSION

Twtnship	Range	Section	T1	T2	T3	LOT	B/E	within the	County of
08N	01W	2	SW	SW	NE		B	45	GEM
09N	01W	35	SW	SW	NW		E	45	GEM

PURPOSE
and
PERIOD
OF USE

Purpose of Use	Period of Use (from - to)	Rate in CFS	or	Volume in AcFt
04	0101	1231	0 02	

CONSUMPTIVE
USE

de minimis

stockwater use

DATE

06-Feb-98

7:11 AM

OTHER PROVISIONS NECESSARY FOR DEFINITION or ADMINISTRATION OF THIS WATER RIGHT

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

PLACE
of USE

Water Use	Twtn	Rge	Sec	T1	T2	LOT	within the	County of
04	08N	01W	2	SW	NE		45	GEM
04	08N	01W	2	NE	NW	03	45	GEM
04	08N	01W	2	SE	NW		45	GEM
04	09N	01W	35	SW	NW		45	GEM
04	09N	01W	35	NE	SW		45	GEM
04	09N	01W	35	NW	SW		45	GEM
04	09N	01W	35	SE	SW		45	GEM

87-22