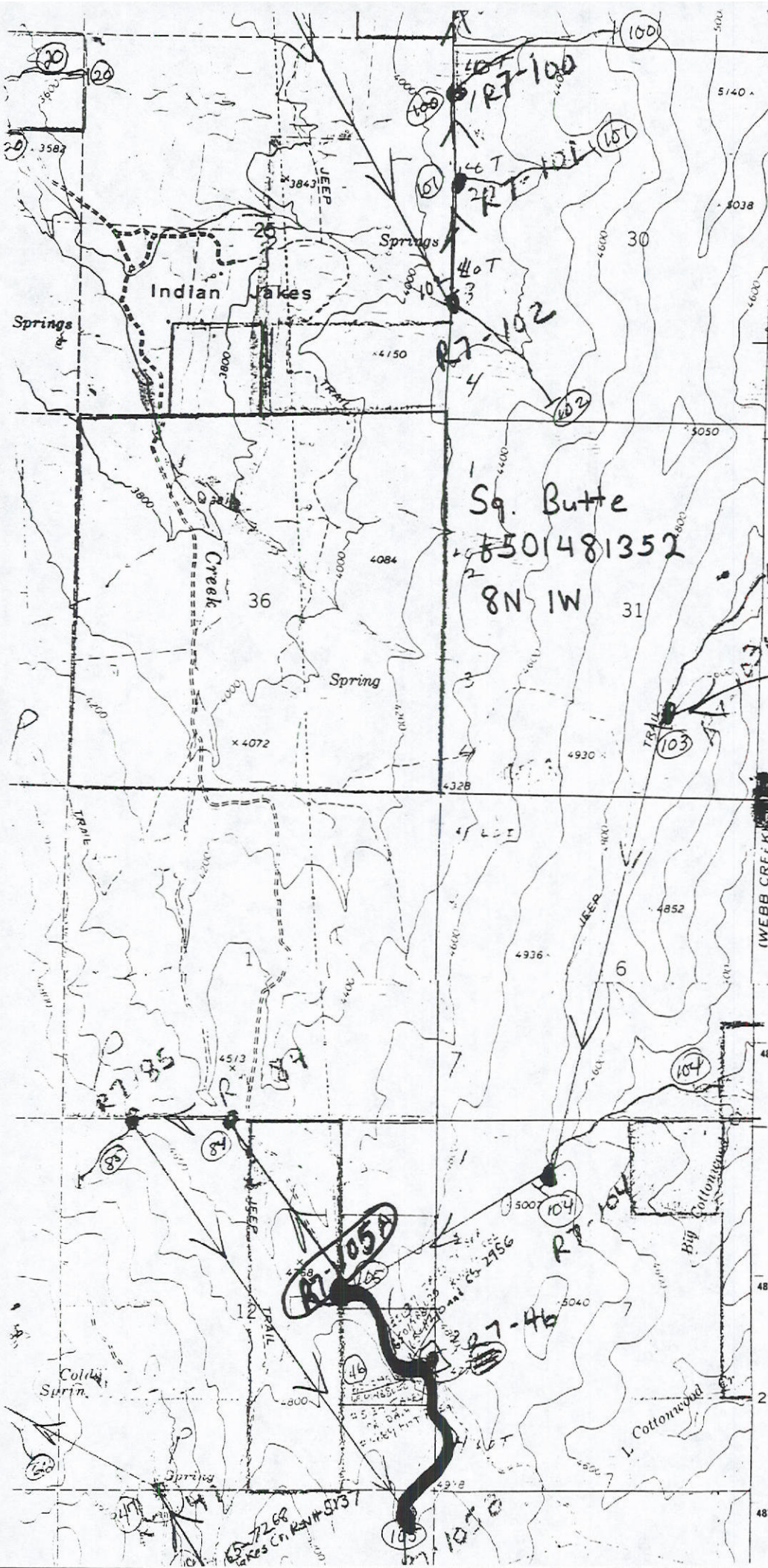




R7-22	6501480332
R7-23	6501480333
R7-24	6501480334
R7-25	6501480335
R7-26	6501480336
R7-27	6501480337
R7-28	6501488019
R7-28	6501488031
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R7-28	6501480338
R7-29	6501480339
R7-30	6501480400
R7-31	6501480401
R7-32	6501480402
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R7-38	6501488018
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R7-41	6501481291
R7-41	6501488005
R7-42	6501488002
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R7-43	6501488000
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R7-44	6501481051
R7-44	6501488003
R7-44	6501488013
R7-44	6501481052
R7-44	6501488011
R7-44	6501488014
R7-44	6501488040
R7-44	6501488042
R7-44	6501488013
R7-44	6501488035

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Department of Water Resources

6501481401	R7-56
6501481400	R7-57
6501481398	R7-59
6501481397	R7-60
6501481396	R7-61
6501481395	R7-62
6501481394	R7-63
6501481393	R7-64
6501481392	R7-65

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: 6501481352 *465-20158*
BLM NUMBER: 6501481352
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 65

SOURCE	TRIBUTARY TO
-----	-----
UNNAMED STREAM	JAKES CREEK

DESCRIPTION OF DIVERSION WORKS

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

359

				POINT OF DIVERSION			
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
-----	-----	-----	-----	-----	-----	-----	-----
08N	01W	12		SE	NE	00	GEM
08N	01W	13		NE	NE	00	GEM

PLACE OF USE

							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
-----	-----	-----	-----	-----	-----	-----	-----	-----
08N	01W	12	SE	NE	00	GEM	YES	0.0

MICROFILMED

AUG 04 1994

BLM NUMBER: 6501481352

PAGE: 2

08N	01W	12	SE	NE	00	GEM	YES	0.0
08N	01W	12	NE	SE	00	GEM	YES	0.0
08N	01W	07	SW	SW	00	GEM	YES	0.0
08N	01W	12	SE	SE	00	GEM	YES	0.0
08N	01W	13	NE	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)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 65-20158

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

SOURCE: UNNAMED STREAM TRIBUTARY: JAKES 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 S12 SWSENE (Instream Ending Point) Within Gem County
S13 NENENE (Instream Beginning 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 S12 SENE NESE
SESE
S13 NENE
T09N R01E S07 LOT 04 (SWSW)

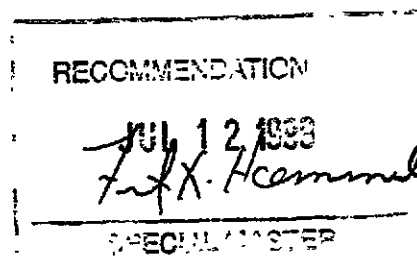
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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



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AUG 15 1998

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 SRBA)
Case No. 39576)
A. Subcase See Attached List 65-20210+
(Insert water right number)
DOMESTIC AND
STOCK WATER RIGHT
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: State of Idaho
Address: 700 W. Jefferson, Room 210
P.O. Box 44449
Boise, Idaho 83711-4449
Phone: Work: (208) 334-2400 Home: N/A

Name and Address of Attorney, if any:

Attorney Name: ALAN G. LANCE
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
PETER J. AMPE
Deputy Attorney General
Attorney Address: Office of the Attorney General
700 W. Jefferson, Room 210
P.O. Box 44449
Boise, ID 83711-4449
Attorney Phone No. (208) 334-2400

COPY

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: United States of America Acting Through
Address: USDI Bureau of Land Management
1387 S. Vinnell Way
Boise, Idaho 83709-1657

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Points of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____

11. **I object because:**

- ☒ This water right should not exist.
☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** This water right is claimed solely pursuant to state law. Claimant's assertions that Congress gave permission to private parties to operate on the public domain and that Congress passed various acts insuring that water sources on the public domain were not monopolized does not provide a basis for a water right under state law. Alternatively, the United States has failed to establish any legal and/or factual basis for any claimed priority date for stockwater purposes with a date prior to the enactment of the Taylor Grazing Act, June 28, 1934.

F. **VERIFICATION (Must be Completed)**

State of Idaho)
) ss.
County of Ada)

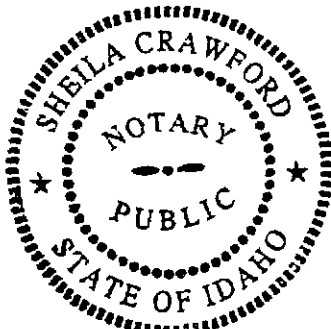
Peter J. Ampe, Deputy Attorney General, being first duly sworn, upon oath, deposes and says:

That the State of Idaho, in both its sovereign and proprietary capacity, is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and that the statements are true to the best of my knowledge and belief.

ALAN G. LANCE
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
PETER J. AMPE
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on: August 4, 1998
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: May 9, 2002

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on August 4, 1998, I mailed the original and copies of this objection, including all attachments, to the following persons:

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 at the following address:

United States of America Acting Through
USDI Bureau of Land Management
1387 S. Vinnell Way
Boise, Idaho 83709-1657

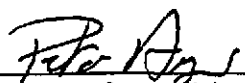
3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

(not applicable)

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of party claimant or attorney

65-19685	65-19807	65-19905	65-19996
65-19689	65-19809	65-19906	65-19997
65-19702	65-19828	65-19907	65-19999
65-19703	65-19831	65-19907	65-20000
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65-19706	65-19836	65-19920	65-20004
65-19708	65-19837	65-19922	65-20005
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65-20370	65-20434	65-20515	65-22185
65-20371	65-20435	65-20518	

AJ0749NP
No. R65-20158

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

DATE: 02/27/98
PAGE: 1

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

Water Source: UNNAMED STREAM

Tributary to: JAKES CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T08N R01W S13
Point(s) of Ending Stream Reach: T08N R01W S12

NENENE
SWSENE

GEM County
GEM County

Place of use Legal Description for: STOCKWATER

```

      NE              NW              SW              SE
      NENE  NENE  SENE  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  :
      ---  ---  ---  :  ---  ---  ---  ---  ---  ---  :  ---  ---  ---  ---  ---  ---  ---  :  ---  ---  ---  ---  ---  ---  :
08N 01W 12 :          :          :          :          :          :          :          :          :          :
08N 01W 13 :  S      :          :          :          :          :          :          :          :
09N 01E 7  :          :          :          :          :          :          :          :
                                     04-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 = 6501481352
STOCKWATER, 359 RANGE CATTLE

Dates: Exam Made Date: Verified Date: 02/27/1998 Objection Filed Date:

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

Comments: Date: 01/13/1998 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.

AJ0749NP
No. R65-20158

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

DATE: 02/27/98
PAGE: 2

=====

Comments: Date: 01/13/1998 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
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: 02/27/98 SBOCK

AJ5809NP
No. R65-20158

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/18/98
PAGE: 147

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: UNNAMED STREAM

Tributary to: JAKES CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T08N R01W S13
Point(s) of Ending Stream Reach: T08N R01W S12

NENENE
SWSENE

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	12	:				S									S			S
08N	01W	13	:																
09N	01E	7	:												04-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 = 6501481352
STOCKWATER, 359 RANGE CATTLE; ~~WILDLIFE VAR. AMT.~~

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

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

Comments: Date: 01/13/1998 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.

AJ5809NP
No. R65-20158

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/18/98
PAGE: 148

=====

Comments: Date: 01/13/1998 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
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.

65-20158

(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

6501481352

Stg

StFed

J

S

SOURCE

Source	Tributary
UNNAMED STREAM	JAKES 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	12	SW	SE	NE		E	45	GEM
08N	01W	13	NE	NE	NE		B	45	GEM

PURPOSE
and
PERIOD
OF USE

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

CONSUMPTIVE
USE.

de minimis

stockwater use

DATE

06-Feb-98

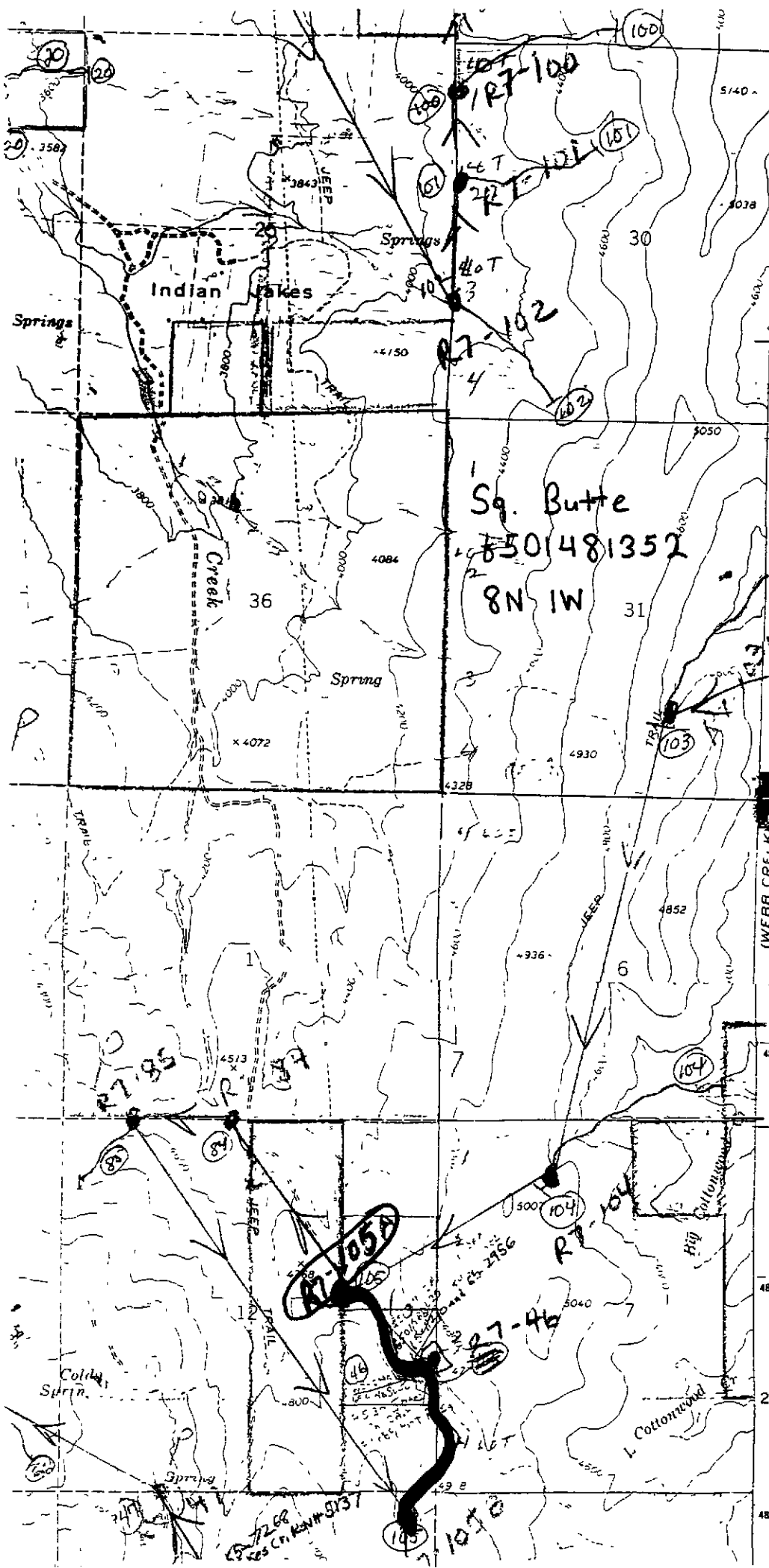
7 11 AM

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	12	SE	NE		45	GEM
04	08N	01W	12	NE	SE		45	GEM
04	08N	01W	12	SE	SE		45	GEM
04	08N	01W	13	NE	NE		45	GEM
04	09N	01E	7	SW	SW	04	45	GEM



R7-22	650148030
R7-23	650148031
R7-24	650148032
R7-25	650148033
R7-26	650148034
R7-27	650148035
R7-28	650148036
R7-29	650148037
R7-30	650148038
R7-31	650148039
R7-32	650148040
R7-33	650148041
R7-34	650148042
R7-35	650148043
R7-36	650148044
R7-37	650148045
R7-38	650148046
R7-39	650148047
R7-40	650148048
R7-41	650148049
R7-42	650148050
R7-43	650148051
R7-44	650148052
R7-45	650148053
R7-46	650148054
R7-47	650148055
R7-48	650148056
R7-49	650148057
R7-50	650148058
R7-51	650148059
R7-52	650148060
R7-53	650148061
R7-54	650148062
R7-55	650148063
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