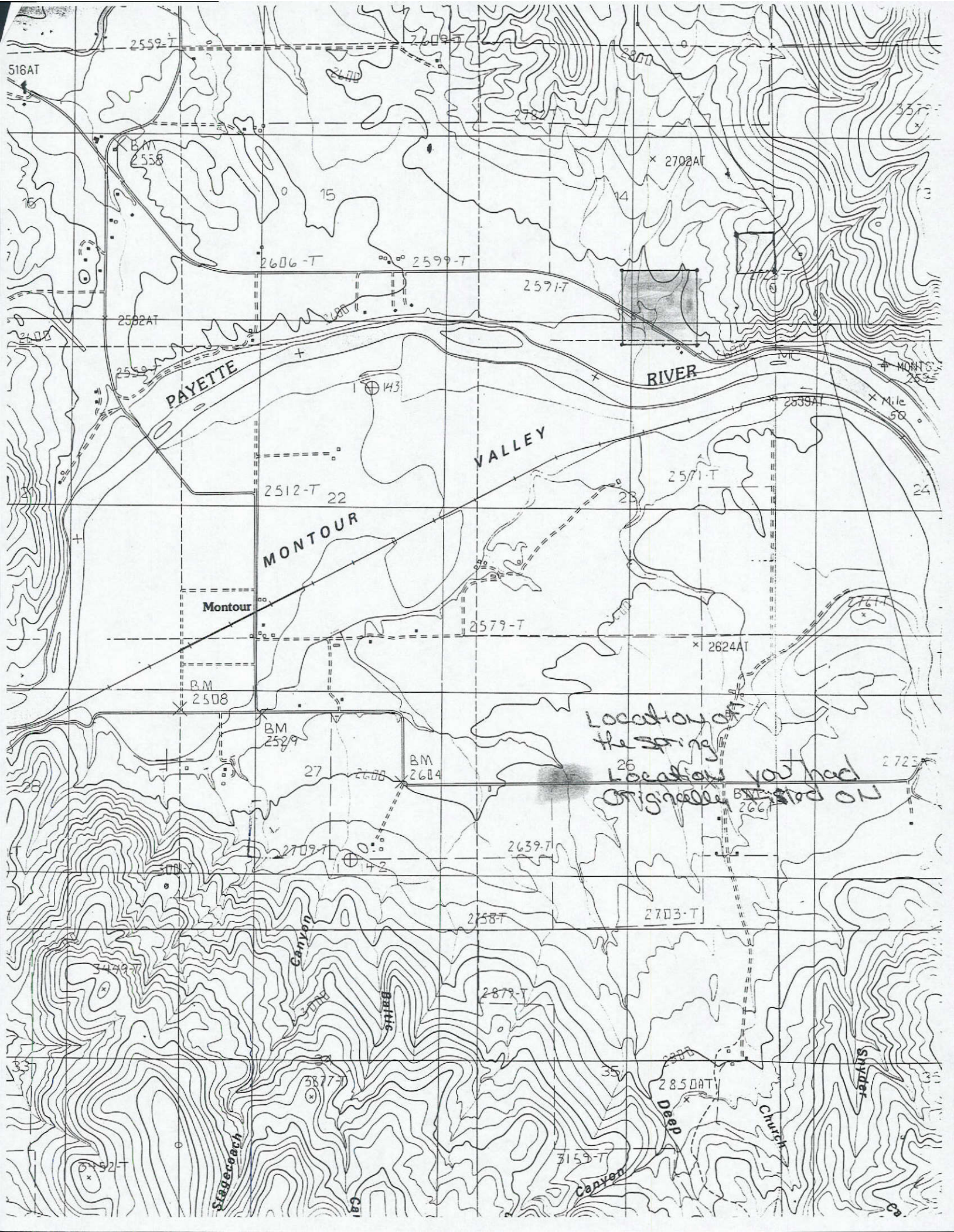




RECEIVED

APR 19 2001

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

CIVIL CASE NUMBER: 39576

Ident. Number 65-22308
Date Received: 11/14/2000
Receipt No:
Received By:

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

AMENDED

1. Name of Claimant(s)

ANNA MARIE NEWELL Phone: (208)584-3523
10770 N HWY 52
HORSESHOE BEND ID USA 83629

2. Date of Priority: 01/01/1930

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	01E	14	SW NE SE	GEM	

5. Description of diverting works:

Pond & pipe, cattle drink right from spring.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
07N	01E	14	NE SE	STOCKWATER	

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

POD & POU is on BLM land, but claimant has used since 1930's.
4/13/01. Amending claim to show actual legal for spring and pou. Claimant still understands that spring is located on BLM property. Original location was on private property and there is only one spring.

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: _____

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): Ann Marie Newell Date: 4-12-01

Date:

State of Idaho)
County of GEM) SS.

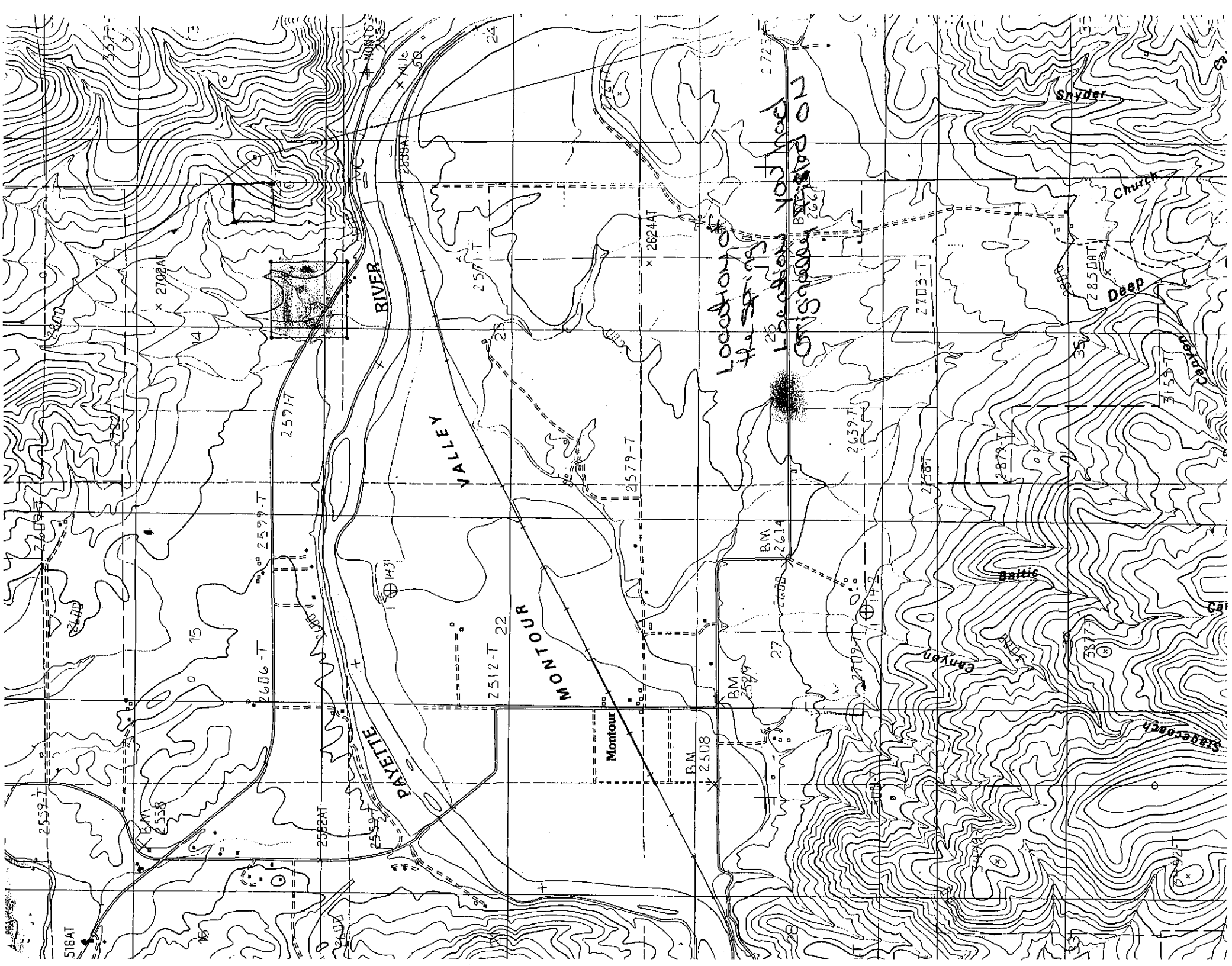
Subscribed and sworn (or affirmed) before me this
of APRIL 2001

17th Day
Cheyl Lee

Notary Public

Residing at Sweet ID

My commission Expires 2-01-03



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 AL5-22308Date Received 11-14-00 SBReceipt Number W027153

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

RECEIVED

NOV 14 2000

WATER RESOURCES
WESTERN REGION

Please type or print clearly

1. Name of Claimant (s) Anna Marie Tunell Phone 208 584-3523Mailing Address 10770 N. HWY 52 Zip 836292. Date of Priority (Only one (1) per claim) 11/1/9303. Source of water supply (a) Spring
which is tributary to (b) Sinks4. Location of point of diversion is: Township 7N Range 1ESection 14, 1/4 of SW 1/4 of SE 1/4, Govt. Lot _____, B.M.,County of Gem

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. pand, pipe

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)

For stockwater purposes from 11 (Both dates are inclusive) to 12/31 amount .02 (cfs)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .02 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) 22 Range Cattle

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
7N	12E	14															S	

11. In which county (ies) are lands listed above as place of use located? Gem

12. Do you own the property listed above as place of use? Yes _____ No X
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: POD+POU is on BLM, but claimant has used since 1930's

15. Basis of Claim (check one) Beneficial Use X 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) Anna Marie Newell Date 11-14-00

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
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 _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this

SEAL

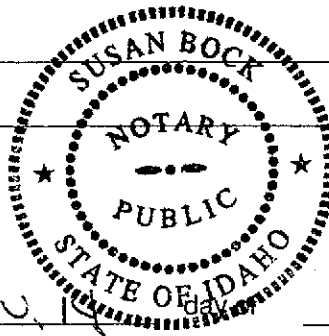
Notary Public Susan Bock

Residing at Boiler

My Commission Expires 10/23/2004

Last Name _____ Ident No. _____

Copies White-State, Yellow-Claimant



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 65-22308
Date Received: 11/14/00
Receipt No: W027153
Received By:

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

1. Name of Claimant(s)

ANNA MARIE NEWELL Phone: (208)584-3523

10770 N HWY 52
HORSESHOE BEND ID USA 83629

2. Date of Priority: 01/01/1930

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
07N	01E	14	SW SE	GEM

5. Description of diverting works:

Pond & pipe.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses: Stockwater, 22 Range Cattle

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	01E	14	SW	SE	STOCKWATER	

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

POD & POU is on BLM land, but claimant has used since 1930's.

15. Basis of Claim: Beneficial Use

RECEIVED

JAN 24 2002

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

A Subcase 65-22308

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax

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

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

Name: Anna Marie Newell

Address: 10770 N Hwy 52; Horseshoe Bend ID 83629

Name:

Address;

Name:

Address;

Name:

Address;

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: See attached _____
5. ☒ **Point(s) of Diversion**
Should be: See attached _____
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: See attached _____

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.

D **REASONS SUPPORTING OBJECTION(S):**

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant does not have a valid water right with the elements claimed.

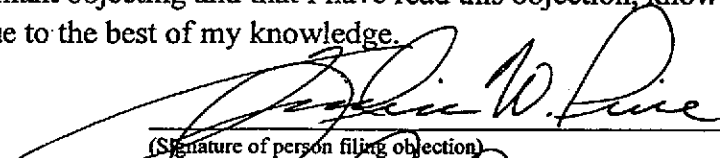
F.

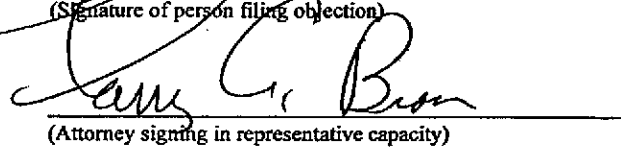
VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

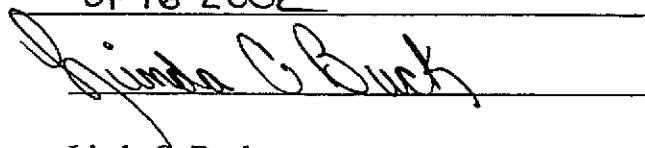
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

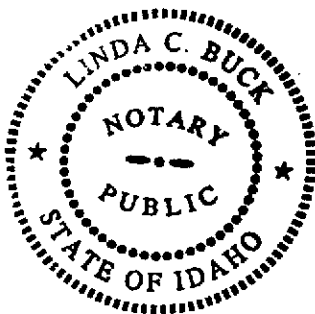
That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 01-16-2002





Linda C. Buck
Notary Public for Idaho
Residing at: Mountain Home
My Commission Expires: 12-21-2005

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.



CERTIFICATE OF MAILING

I certify that on Jan. 18, 2002, 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, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Anna Marie Newell

Address: 10770 N Hwy 52; Horseshoe Bend ID 83629

Name:

Address:;

Name:

Address:;

Name:

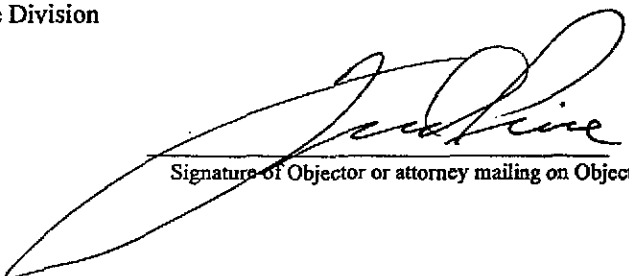
Address:;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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

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


Signature of Objector or attorney mailing on Objector's behalf

08/31/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-22308
NAME AND ADDRESS: ANNA MARIE NEWELL
10770 N HWY 52
HORSESHOE BEND ID 83629

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.020 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1930

POINT OF
DIVERSION:

T07N R01E S14 SWNESE Within GEM County 6m

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within GEM County

T07N R01E S14 NESE 6m

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY
FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF
THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A
POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION
42-1412(6), IDAHO CODE.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

MEMORANDUM

DATE: 4/2/2001

FROM: Lori Graves *LG*

TO: File 65-13971

RE: Newell/Lindsey Rights

Lindsey

On 7/25/2000 Greg and Lori Lindsey filed application 65-13971 for a spring in the SWSWSE S14 for irrigation of 13 acres in the SWSE S14. They then amended the location of the spring to the SWNESE on 8/7/00.

Newell

On 11/14/2000 Anna Marie Newell filed SRBA claim 65-22308 listing a 1/1/1930 priority on a spring in the SWSE S14 for stockwater use in the SWSE S14. Mrs. Newell stated in remarks that the P/U and P/D are owned by BLM. The claim has been recommended for decree as filed. SRBA staff stated that BLM will most likely file an objection on the claim, however, as discussed in the below, the SWSE is actually private land.

On 12/15/2000 Anna Marie Newell filed application 65-22313 for a spring in the SWNESE S14 for domestic use in the SWSE S14. A permit has been issued.

BLM

Water right 65-13312 was licensed to BLM for a spring in the SWSESE S14 for stock and wildlife use in the SESE S14. Licensed remarks state that the spring is locally known as "Newell Spring".

BLM filed SRBA claim 65-13312 listing a 1/1/1874 priority date on a spring in the NESE and SESE S14 for stock and wildlife use in the NESE and SESE S14. According to Bob Mallis with BLM, the claim was withdrawn because of the post 1987 license no. 65-13312. However, BLM is probably going to reinstate the claim to gain a 1934 priority date, which represents the commencement of the Federal Grazing Act.

Mary Clark with BLM confirmed that Anna Marie Newell does have grazing rights on BLM land in the E1/2SE S14. The SWSE is private land, where Newell and Lindsey own property.

Bob and Mary explained that having a BLM grazing permit allowed stock, owned by the permit holder, access to the natural food and water sources located within the boundaries of the grazing permit. It did not give the permit holder permission to develop or divert water from BLM land to private land without a special right-of-way authorized by BLM. According Bob, neither Newell nor Lindseys have right-of-ways to any water sources on BLM land in S14.

Bob stated that the Lindseys have expressed ownership interest in the NESE tract, but that the tract is part of a large BLM land exchange deal currently in the works. Its destiny is dependent upon the elements of the exchange, if the deal is finalized.

Conclusion

Obviously, the exact location of the spring in question has been difficult to pin-point on the previous filings described above. BLM does not own any property in the W1/2 SE. All parties involved agree that the spring is located on BLM land, which places the spring somewhere in the E1/2 SE.

Because BLM has not granted either party a right-of-way to divert water from the spring to private property for irrigation or domestic/stockwater uses, Lindseys' application no. 65-13971 should be voided and Newell's permit no. 65-22313 should be cancelled. Newell's SRBA claim should also be flagged for disallowal just in case BLM does not file an objection.

06/20/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-22308

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WY
BOISE ID 83709-1657

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 01/01/1930

POINT OF DIVERSION:

T07N R01E S14 SWNESE Within GEM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.020 CFS

PLACE OF USE: STOCKWATER Within GEM County

T07N R01E S14 NESE

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL:

04/26/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 65-22308

Owner Type Name and Address
Current Owner ANNA MARIE NEWELL
 10770 N HWY 52
 HORSESHOE BEND, ID 83629
 (208)584-3523

Priority Date: 01/01/1930
Basis: Beneficial Use
Status: Active

Source Tributary to
SPRING SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01	12/31	0.02 CFS		
Total Diversion			0.02 CFS		

Location of Point(s) of Diversion:

SPRING SWNESE Sec. 14 Township 07N Range 01E GEM County

Place(s) of use:

Place of Use Legal Description: STOCKWATER GEM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	01E	14		NESE										

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
sbock	11/17/2000	stockwater	Claimant came into office to file claim. She is aware that the pod and pou is on BLM land and that they will most likely file an objection. Claimant states that cattle have drank from the spring since at least 1930 when her father owned the property. I
sbock	3/1/2001	Instream use	This right is recommended for instream use from the spring only.
sbock	4/26/2001	pod & pou	POD AND POU CHANGED PER AMENDED CLAIM. WHEN CLAIMANT ORIGINALLY FILED, SHE FILED THE POD IN THE WRONG LOCATION- NO SPRING. THIS AMENDED CLAIM SHOWS THE POD FROM THE SPRING ON BLM PROPERTY.

Dates:

Licensed Date:
Claim Received Date: 11/14/2000

Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Review Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	11/17/2000 9:00:03 AM	sbock			In Process
POD	11/17/2000 9:10:23 AM	sbock			In Process
POU	11/17/2000 9:11:20 AM	sbock			In Process
Priority Date	11/17/2000 9:04:13 AM	sbock			In Process
Quantity	11/17/2000 9:12:58 AM	sbock			In Process
Season	11/17/2000 9:12:31 AM	sbock			In Process
Source	11/17/2000 9:10:47 AM	sbock			In Process
Summary	11/17/2000 9:20:24 AM		11/17/2000 9:20:24 AM	sbock	Complete
Use	11/17/2000 9:11:41 AM	sbock			In Process

Other Information:

Receipt Number(s):
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

11/17/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-22308

NAME AND ADDRESS: ANNA MARIE NEWELL
10770 N HWY 52
HORSESHOE BEND, ID 83629

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 01/01/1930

POINT OF DIVERSION: T07N R01E S14 SWSE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01-01 12-31	0.02 CFS

PLACE OF USE:

STOCKWATER Within GEM County
T07N R01E S14 SWSE

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 65-22308

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ANNA MARIE NEWELL 10770 N HWY 52 HORSESHOE BEND, ID 83629 (208)584-3523

Priority Date: 01/01/1930
Basis: Beneficial Use
Status: Valid

<u>Source</u>	<u>Tributary to</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01	12/31	0.02 CFS		
Total Diversion			0.02 CFS		

Point(s) of Diversion:						
Township	Range	Section	1/4 of	1/4 of	1/4	Lot
07N	01E	14	SW	SE		County
						GEM

Place(s) of use:

Place of Use Legal Description: STOCKWATER GEM County

[illegible]

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>
sbock	11/17/00	stockwater

Comment
Claimant came into office to file claim. She is aware that the pod and pou is on BLM land and that they will most likely file an objection. Claimant states that cattle have drank from the spring since at least 1930 when her father owned the property. I