

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: 1902-06-17
AGENCY NUMBER: 2903780218
BLM NUMBER: 2903780218
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 29 - 12742

SOURCE	TRIBUTARY TO
-----	-----
ROWE CREEK	MARS CREEK

DESCRIPTION OF DIVERSION WORKS

NONE, ROWE CREEK IN-STREAM-USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
-----	-----	-----	-----	-----
STOCKWATER	0.050	0.00	0101	1231
WILDLIFE	0.010	0.00	0101	1231
TOTAL:	0.060 CFS	0.00 AF		

NON-IRRIGATION USES

48 RANGE CATTLE, 700 SHEEP, 17 DEER

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
---	---	---	---	---	---	---	---
09S	36E	17	NE	SW	SW	00	BANNOCK
09S	36E	18	NW	SW	SE	00	BANNOCK

PLACE OF USE							IRRIGATED OWNED	ACRES
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	-----	-----
---	---	---	---	---	---	---	-----	-----
09S	36E	17	SW	SW	00	BANNOCK	YES	0.0

MICROFILMED
APR 14 1964

09S	36E	18	SE	SE	00	BANNOCK	YES	0.0
09S	36E	18	SW	SE	00	BANNOCK	YES	0.0
09S	36E	17	SW	SW	00	BANNOCK	YES	0.0
09S	36E	18	SE	SE	00	BANNOCK	YES	0.0
09S	36E	18	SW	SE	00	BANNOCK	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 - 1902

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. 39576

AMENDED NOTICE of CLAIM for
Water Right number:

29-12742

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:

2903780218

Stg:

StFed:

J

S

SOURCE:

Source

Tributary

ROWE CREEK

MARSH 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:

6/17/1902

Diversion Means: IN-STREAM-USE

REMARKS:

POINT of
DIVERSION:

Twtnship	Range	Section	T1	T2	T3	LOT	B/E	within the	County of
09S	36E	17	NE	SW	SW		B	5	BANNOCK
09S	36E	18	NW	SW	SE		E	5	BANNOCK

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:

19-Nov-97

9:26 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	09S	36E	17	SW	SW	0	5 BANNOCK
04	09S	36E	18	SE	SE	0	5 BANNOCK
04	09S	36E	18	SW	SE	0	5 BANNOCK

RECEIVED

NOV 19 1997

Department of Water Resources

1999 JUL 12 PM 4: 43
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)

NOTICE OF ISSUANCE AND NOTICE
OF SERVICE

Case No. 39576)

Water Rights: See Attached Exhibit A

On July 12, 1999, Special Master Fritz X. Haemmerle issued a *Special Master's Report and Recommendation* for the above subcase(s) pursuant to *SRBA Administrative Order 1 (AO1)*, Section 13a.

Pursuant to *SRBA Administrative Order 1*, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend by the 28th day of the month following the publication of the filing of the *Special Master's Report and Recommendation* in the Docket Sheet (*AO1*, Section 13a).

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the *Special Master's Report and Recommendation* shall constitute a waiver of the right to challenge it before the Presiding Judge.

I certify that a true and correct copy of the SPECIAL MASTER'S RECOMMENDATION was mailed with sufficient first-class postage prepaid to the following:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

U.S. Dept. of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724

Peter Ampe
Deputy Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

DATED: July 12, 1999


Teri Hranac, Deputy Clerk

1999 JUL 12 PM 4:48
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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	)	SPECIAL MASTER'S REPORT
	)	
Case No. 39576	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHTS: See Attached List
_____	)	

I. FINDINGS OF FACT

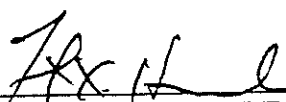
A notice of claim was filed for these water rights pursuant to I.C. § 42-1409 (1990). The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation for the elements of these water rights.

The only objections to these water rights were filed by the State of Idaho which were resolved with a *Stipulation to Resolve Objections* filed July 1, 1999. The State of Idaho, the United States, and IDWR are signatories to the *Stipulation to Resolve Objections*. Both parties agreed that the priority date for these rights shall be June 28, 1934.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that these water rights be decreed with the elements as set forth attached in the *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED: July 12, 1999.



FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

29-12589
29-12591
29-12594
29-12598
29-12617
29-12715
29-12741
29-12742
29-12744
29-12745
29-12746
29-12753
29-12756
29-12760
29-12966
29-12969
29-12972
29-12974
29-12975
29-12976
29-12977
29-12982
29-12983
29-13001
29-13005
29-13006
29-13008
29-13009
29-13011
29-13012
29-13013
29-13014
29-13018

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

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