

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

NEW

AMENDED NOTICE of CLAIM for  
Water Right number:

29-13018

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:

2903780327

Stg:

StFed:

J

S

SOURCE:

Source

Tributary

CLIFTON CREEK

RATTLESNAKE 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: INSTREAM USE

REMARKS:

NEW CLAIM

POINT of  
DIVERSION:

| Twtnship | Range | Section | T1 | T2 | T3 | LOT | B/E | within the | County of |
|----------|-------|---------|----|----|----|-----|-----|------------|-----------|
| 09S      | 34E   | 10      | NW | SE | NW |     | B   | 5          | BANNOCK   |
| 09S      | 34E   | 10      | NW | SE | NW |     | 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.

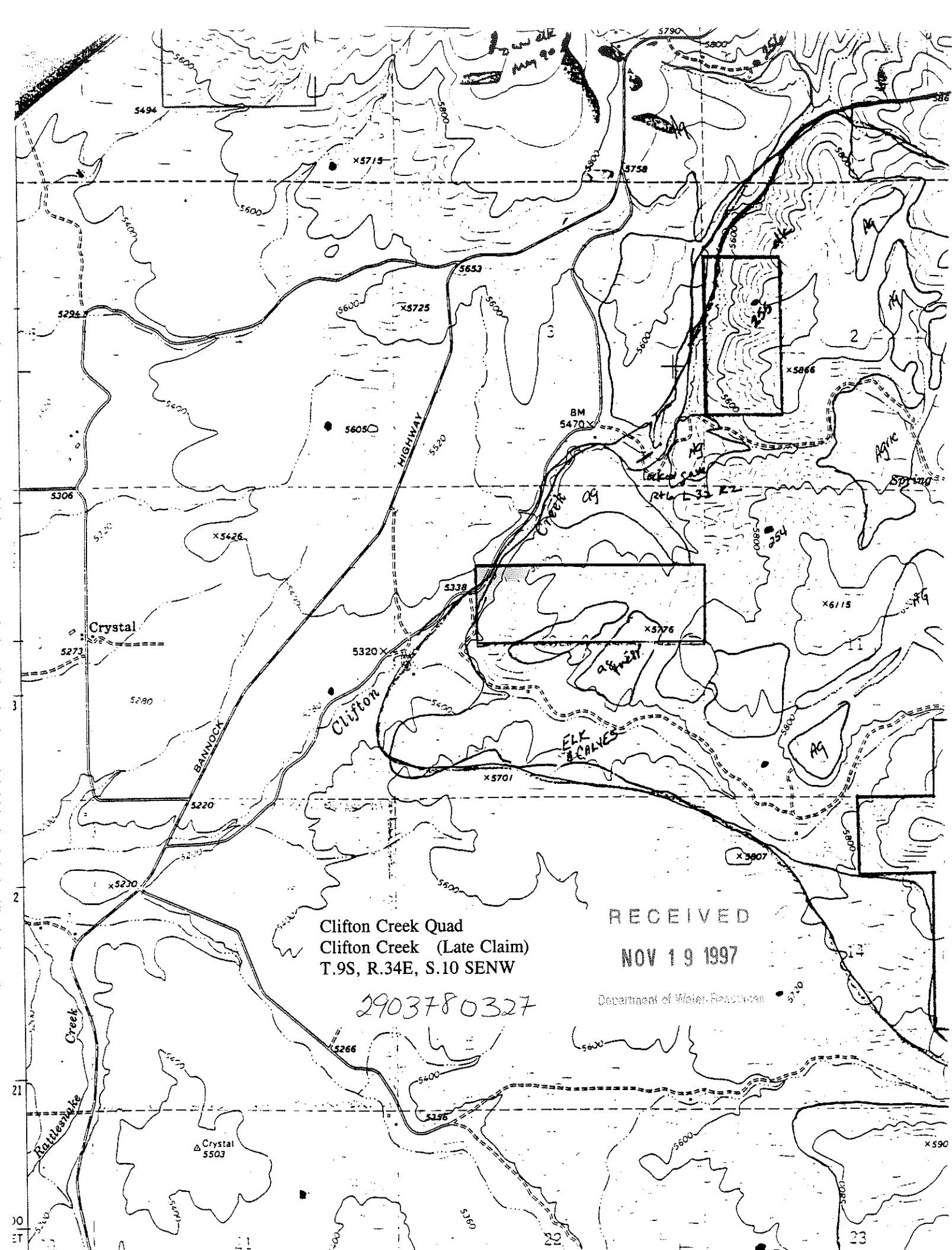
PLACE  
of USE:

| Water Use | Twtn | Rge | Sec | T1 | T2 | LOT | within the County of |
|-----------|------|-----|-----|----|----|-----|----------------------|
| 04        | 09S  | 34E | 10  | SE | NW |     |                      |

RECEIVED

NOV 19 1997

Department of Water Resources



NOT FILING  
29-13018

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            | ) | NOTICE OF ISSUANCE AND NOTICE        |
|                       | ) | OF SERVICE                           |
| <u>Case No. 39576</u> | ) | 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 28<sup>th</sup> 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.

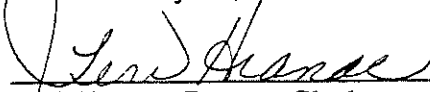
I certify that a true and correct copy of the SPECIAL MASTER'S RECOMMENDATION was mailed with sufficient first-class postage prepaid to the following:

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

1997 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.

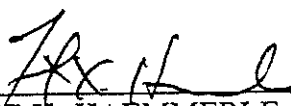
  
\_\_\_\_\_  
FRITZ X. HAEMMERLE  
Special Master  
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

29-12589  
29-12591  
29-12594  
29-12598  
29-12617  
29-12715  
29-12741  
29-12742  
29-12744  
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