

RECEIVED

APR 03 2008
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

APR - 2 2008

By

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

Clerk

Deputy Clerk

In Re SRBA

Subcases: 25-04311 & 25-07384

Case No. 39576

ORDER GRANTING MOTIONS TO FILE
LATE NOTICES OF CLAIM

On December 31, 2007, the State of Idaho Department of Lands, by and through counsel, Deputy Attorney General, David J. Barber, filed a *Motion to File Late Notice of Claim* for each of the above-captioned water rights. Hearing was held on the *Motions* on March 18, 2008. These *Motions* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to these late Notices of Claim.

THEREFORE, IT IS ORDERED, that the *Motions to File a Late Notice of Claim* for each of the above-captioned water rights are **granted**.

The original Notices of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claims will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of *SRBA Administrative Order 1* 4d(2)(h).

IT IS SO ORDERED.

Dated April 2, 2008.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING
MOTIONS TO FILE LATE NOTICE OF CLAIM was mailed on April 02,
2008, with sufficient first-class postage to the following:

STATE OF IDAHO

Represented by:

NATURAL RESOURCES DIV CHIEF

STATE OF IDAHO

ATTORNEY GENERAL'S OFFICE

PO BOX 44449

BOISE, ID 83711-4449

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

ORDER

Page 1 4/02/08

FILE COPY FOR 00248

Deputy Clerk

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".

ATTACHMENT I

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
RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 25-04311

Date Received:

Receipt No.:

Received By:

1. Name of Claimant(s)

STATE OF IDAHO
DEPT OF LANDS
300 N. 6th ST.
PO BOX 83720
BOISE ID 83720-0050

2. Date of Priority: 06/28/1934

3. Source: GRAYS LAKE OUTLET Trib. to WILLOW CREEK

4. Point of Diversion:

Township	Range	Section	¼ of	¼ of	¼ of	County
02S	41E	14	SE	SW	NE	Bingham (BEG POINT OF INSTREAM FLOW)
02S	41E	14	SW	SW	NW	Bingham (END POINT OF INSTREAM FLOW)

5. Description of diverting works: INSTREAM FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F. S. (or)	A.F.A.
STOCKWATER	05/20	11/10	0.02	13,000 GPD

7. Total Quantity Appropriate is:

0.02 C.F.S. 13,000 GPD

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	¼ of	¼	Lot	Use	Acres
02S	41E	14	SW	NE		STOCKWATER	
02S	41E	14	SE	NW		STOCKWATER	
02S	41E	14	SW	NW		STOCKWATER	

11. Place of use in counties: BINGHAM

12. Do you own the property listed as above place of use? Yes.

13. Other Water Rights Used:

14. Remarks: The claimant has leased the place of use in accordance with State of Idaho Land Lease, Lease No. G-9229.

15. Basis of Claim: Beneficial Use

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Organizations"

I do solemnly swear or affirm that I am PATRICK A. BROWN of State of Idaho, Department of Lands, that I have signed the foregoing

Organization AREA SUPERVISOR - EI of document in the space below as _____ of Title

State of Idaho, Department of Lands and that the statements contained in the Organization

Foregoing document are true and correct.

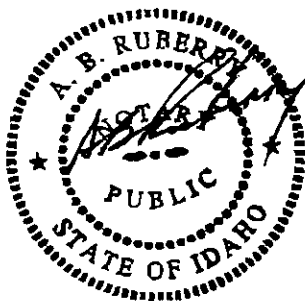
Patrick A. Brown AS-ED
Signature of Authorized Agent

Title
State of Idaho, Department of Lands

12/26/07
Date

State of Idaho)
County of BOONEVILLE) ss.

Subscribed and sworn (or affirmed) before me this 26 day of DECEMBER 2007



Allen B. Ruggery
Notary Public
Residing at BRAND LAKE ID
My commission expires: 9/23/09

966234

156380

The United States of America
To all to whom these presents shall come, Greeting:

IDI-30478 F1

WHEREAS**State of Idaho**

is entitled to a land patent pursuant to Section 206, Act of October 21, 1976, as amended (43 U.S.C. 1716) for the following described land:

Boise Meridian, Idaho

T. 5 S., R. 39 E.,
sec. 27: NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
NW $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 3 S., R. 40 E.,
sec. 6 : lot 14, SE $\frac{1}{4}$ SW $\frac{1}{4}$.
sec. 7 : NW $\frac{1}{4}$ NE $\frac{1}{4}$.

T. 6 S., R. 40 E.,
sec. 10: NE $\frac{1}{4}$.

T. 2 S., R. 41 E.,
sec. 9: NW $\frac{1}{4}$ SE $\frac{1}{4}$.
sec. 14: SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$
sec. 32: SW $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 3 S., R. 41 E.,
sec. 4: SW $\frac{1}{4}$ SW $\frac{1}{4}$.
sec. 5: S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$.
sec. 8: N $\frac{1}{2}$ N $\frac{1}{2}$.
sec. 9: NW $\frac{1}{4}$ NW $\frac{1}{4}$.

T. 3 S., R. 42 E.,
sec. 20: SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Containing 1,282.12 acres.

Patent No. U-98-0005

ATTACHMENT II

156380

IDI 30478 F1

Page 2

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES unto the State of Idaho, the land described above; **TO HAVE AND TO HOLD** the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the State of Idaho, and to its assigns, forever; and

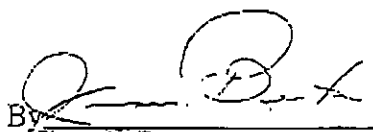
EXCEPTING AND RESERVING TO THE UNITED STATES a right-of-way thereon for ditches and canals constructed by the authority of the United States. Act of August 30, 1890 (43 U.S.C. 945).

SUBJECT TO those rights for power line purposes granted to Idaho Power Company, its successors or assigns, by Right-of-Way No. IDI 4250, pursuant to the Act of March 4, 1911, as amended (43 U.S.C. 961) as to the N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 10, T. 6 S., R. 40 E., B.M.



IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Boise, Idaho, the eighteenth day of December in the year of our Lord one thousand nine hundred and NINETY SEVEN and of the Independence of the United States the two hundred and TWENTY-SECOND.

By 
Jimmie Buxton
Branch Chief, Lands and Minerals
Resource Services Division

Patent Number 11-98-0005

463438
ATTACHMENT II

BINGHAM COUNTY

463438

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHOFEE 0 DEPT DC

98 MAR 30 AM 9:40

RECORDED AT THE REQUEST OF
State of Idaho / Dept of Lands
PO Box 83720
Boise ID 83720-0050

BONNEVILLE COUNTY

BONNEVILLE COUNTY
RECORDER

98 APR 20 AM 9 58

966234

CARIBOU COUNTY

STATE OF IDAHO } ss. 156380
County of Caribou }

I hereby certify that this instrument was filed at the request

of State of Idaho / Dept of Lands
at 10:10 o'clock A in this 6 day of
April, 19 98 in my office and duly

recorded in Microfilm Records

S. J. J. J.

Senise Hawley

Recorder

Deputy

INSTRUMENT NO. 966234
DATE 4-20-98
INST. CODE 892
FICHE NO. 13205-02
FEE PhilSTATE OF IDAHO)
COUNTY OF BONNEVILLE) ssI hereby certify that the within
instrument was recorded.Ronald Longmore,
County Recorder

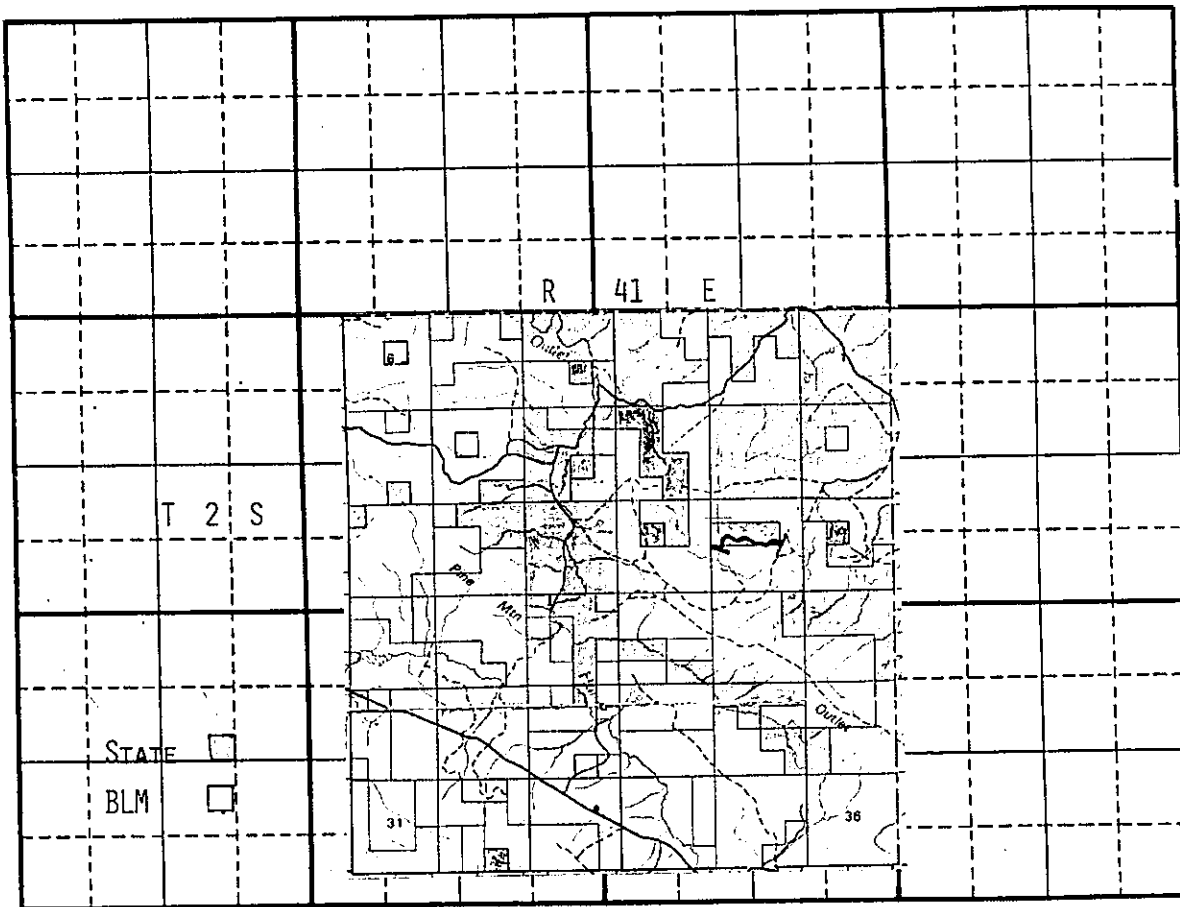
By Ruth Avery Deputy

Request of State of Idaho
Dept. of Lands
PO Box 83720
Boise, ID. 83720-0050U.S. Patent 11-98-005 (Blackfoot Mountain
Land Exchange)

ATTACHMENT II

MICROFILMED

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of BONNARVILLE) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Civil A. Frank
(Claimant)

Sworn to before me this 12 day of FEBRUARY, 19 85.

Walter E. Portman
Notary Public
Residing at IDAHO FALLS, IDAHO
83401

My commission expires JAN 17, 1988

ID-910-BP5-0013

FOR DEPARTMENT USE ONLY

Received by LS 2-10-85 Date 3-4-85 Exception filed by: _____ Date _____
Prelim. check by LS Date MAR 13 1985
\$20.00 fee received by LS Date 4-29-85 #36430
Published in THE IDAHO FALLS TRIBUNE
Dates 3-28 & 4-4-85

ATTACHMENT III

**NOTICE OF CLAIMS
TO WATER RIGHTS**

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

25-4311

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, IDAHO 83706

Source: GRAYS LAKE OUTLET trib. to
WILLOW CREEK.

Priority Date: 06/28/1934
Diversion Pt.: SWNE, SWNW, SENW, Sec.

14, T. 02S, R. 41E.

Use: STOCKWATER (0.02 CFS)

WILDLIFE (0.02 CFS)

CHANNEL LOSSES (0.30 CFS)

In: SWNE, SWNW, SENW, Sec. 14, T. 02S,
R. 41E.

Exceptions to a claim may be filed with the
Director, Dept. of Water Resources, 150 Shoup
Ave., Suite 15, Idaho Falls, Idaho, 83402.
KEN DUNN, Director

(8522)

Pub.: 3-28; 4-4

31

MICROFILMED

RECEIVED

APR 12 1985

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

I, DAVID MARK BROWN

solemnly

swear that I am the PUBLISHER of
The Morning News which is a daily newspaper of general
circulation published each day except Sunday at
Blackfoot, Bingham County, Idaho, said newspaper hav-
ing been so published at Blackfoot, aforesaid for more
than one year past; that said newspaper heretofore com-
plied with all the provisions of Chapter 154 of the Ses-
sions Laws of Idaho of 1933, approved March 11, 1933,
and duly designated, pursuant to law, a particular day of
the week as the day on which legal notices required by
law or by the order of any Court of competent jurisdiction
within the State of Idaho shall be published to-wit: Thursday
of each week; that the notice attached hereto and which
is a part of this affidavit and part of the proof of
publication was published in said issue or said
newspaper 2 consecutive weeks

the first publication having been made on the
28th day of March, 19 85.

and the last publication having been made on the
4th day of April, 19 85;
that said notice was published in the regular and entire
issue of every number of the paper as aforesaid during
the period and time of publication, and that notice was
published in the newspaper and not in a supplement.

David Mark Brown by CMB

Subscribed and sworn to before me this 11th

day of April, 19 85.

Patricia A. Johnson

Notary Public for the State of Idaho.

Residing at Blackfoot, Idaho

My commission expires
Oct. 20, 1984 1988

Claim No.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 11 1968

CLAIM TO A WATER RIGHT

Department of Water Resources

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Bureau of Land Management

(Name of Claimant)

940 Lincoln Road Idaho Falls, ID 83401

(Mailing Address)

{Zip Code}

Telephone No. 529-1020

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows: /48 Stat 1269, 43 US

(1) Date of priority: (When was the water first applied to a beneficial use) June, 28, 1934 315, Taylor Grazing Act

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Grays Lake Outlet tributary to Willow Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>.02 cfs</u>	Use	<u>Livestock</u>	Period of Use From	<u>6/1</u> To <u>10/1</u>
Quantity	<u>.02 cfs</u>	Use	<u>Wildlife</u>	Period of Use From	<u>1/1</u> To <u>12/31</u>
Quantity	<u>.30 cfs</u>	Use	<u>Channel losses</u>	Period of Use From	<u>1/1</u> To <u>12/31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) .34 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source) See item 6A.

1/4	1/4, Sec.
1/4	1/4, Sec.

• Twp.

Rge.

B.M., C

Bingham

Additional points of diversion: Point of diversion is the same as the place of use.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Livestock and wildlife use from open channel; reach is shown on the map on the reverse of this application.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Historical use
by authorized range livestock (by permit). Present use includes the following:
25 sheep from 6/1 to 10/1, wildlife use includes 15 deer and 2
moose.

NOTE: Include here the type and number of stock watered: See #6B above.

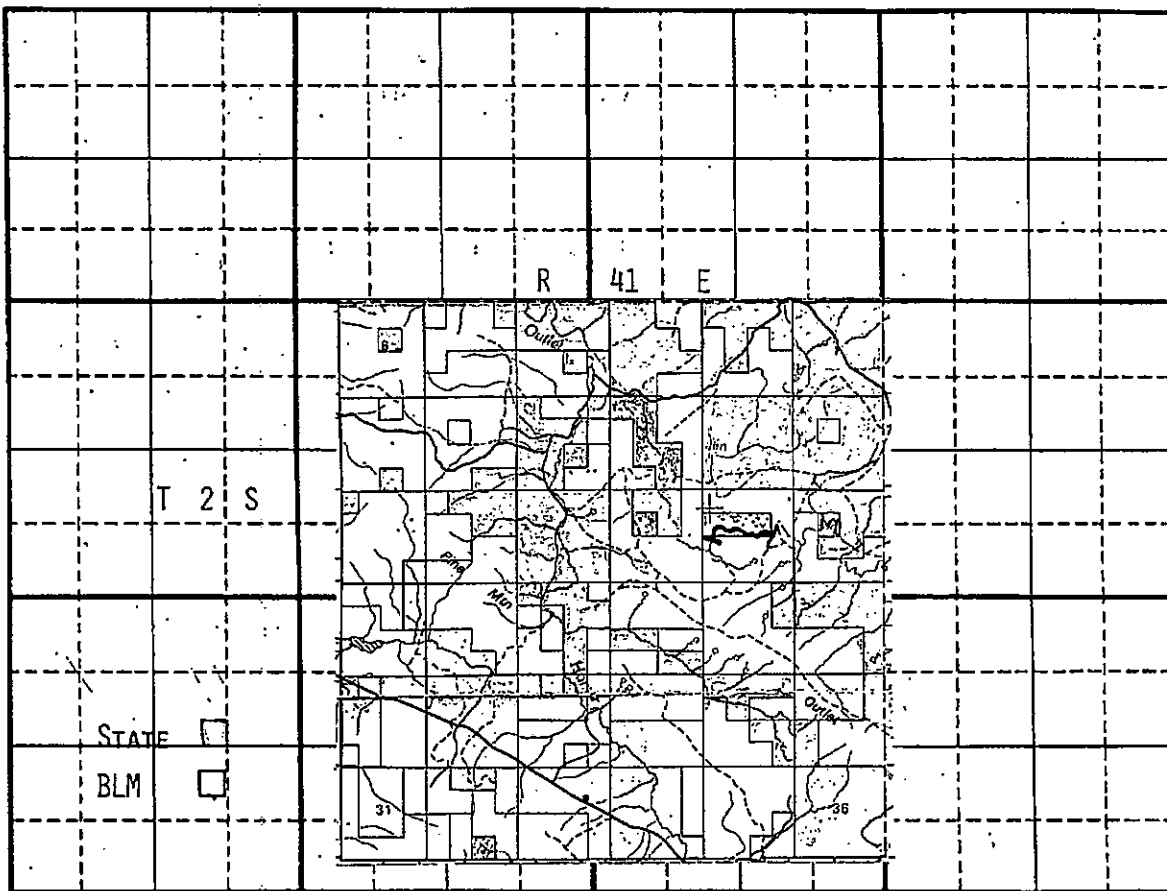
(7) If you are claiming water as a member of an organization, list name of organization: Bureau of Land Management

* computed using the Moritz Formula as recommended by Mr. Ernest Carlson.

MICROFILM

(8) Remarks _____

MICROFILMED



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

County of BONNARVILLE) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 12 day of FEBRUARY, 19 85

Cecil A. [Signature]
(Claimant)

[Signature]
Notary Public
Residing at IDAHO FALLS, IDAHO
82401

My commission expires JAN. 17, 1988

ID-910-BP5-0013

CW 3-11-85

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 3-4-85 Exception filed by: _____ Date _____
Prelim. check by [Signature] Date MAR 13 1985
30⁰⁰ \$26.00 fee received by [Signature] Date 4-29-85 #96430
Published in Mormon [Signature]
Dates 3-28 & 4-8-85

**NOTICE OF CLAIMS
TO WATER RIGHTS**

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

25-4311
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, IDAHO 83706
Source: GRAYS LAKE OUTLET trib. to
WILLOW CREEK.
Priority Date: 06/28/1934
Diversion Pt.: SWNE, SWNW, SENW, Sec.
14, T. 02S, R. 41E.
Use: STOCKWATER (0.02 CFS)
WILDLIFE (0.02 CFS)
CHANNEL LOSSES (0.30 CFS)
In: SWNE, SWNW, SENW, Sec: 14, T. 02S,
R. 41E.

Exceptions to a claim may be filed with the
Director, Dept. of Water Resources, 150 Shoup
Ave., Suite 15, Idaho Falls, Idaho, 83402.
KEN DUNN, Director

(8522)
Pub.: 3-28; 4-4

31

RECEIVED
APR 12 1985

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

I, DAVID MARK BROWN do
solemnly

swear that I am the PUBLISHER of
The Morning News which is a daily newspaper of general
circulation published each day except Sunday at
Blackfoot, Bingham County, Idaho, said newspaper hav-
ing been so published at Blackfoot, aforesaid for more
than one year past; that said newspaper heretofore com-
plied with all the provisions of Chapter 154 of the Ses-
sions Laws of Idaho of 1933, approved March 11, 1933,
and duly designated, pursuant to law, a particular day of
the week as the day on which legal notices required by
law or by the order of any Court of competent jurisdiction
within the State of Idaho shall be published to-wit: Thursday
of each week; that the notice attached hereto and which
is a part of this affidavit and part of the proof of
publication was published in said issue or said
newspaper 2 consecutive weeks

the first publication having been made on the
28th day of March, 19 85,

and the last publication having been made on the
4th day of April, 19 85;
that said notice was published in the regular and entire
issue of every number of the paper as aforesaid during
the period and time of publication, and that notice was
published in the newspaper and not in a supplement.

David Mark Brown by CLB
11th

Subscribed and sworn to before me this

day of April, 19 85.

Patricia A. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1988

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

APRIL 15, 1985

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

RE: Claim No. 25-4311.

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

MICROFILMED

WATER RIGHT NUMBER 25-4311

ACT
ION

OWNER LAST NAME - U.S. DEPT. OF INTERIOR
ADDRESS LINE 1 - BUREAU OF LAND MGMT.
ADDRESS LINE 3 - 3380 AMERICANA TERRACE
SOURCE - GRAYS LAKE OUTLET
STAGE - STATRY CLM

ADDRESS LINE 2 - IDAHO STATE OFFICE
CITY - BOISE
TRIBUTARY OF - WILLOW CREEK

PRIORITY - 06-28-1934
COUNTY - BINGHAM
STATE - ID
ZIP CODE - 83706
TOTAL DIV. RATE - .3400CFS
WATER DIST. - 01

DIVERSION POINT - SUNE 14 02S 41E

DIVERSION POINT - SUNE 14 02S 41E

DIVERSION POINT - SUNE 14 02S 41E

FROM - 06-01 TO - 10-01 USE - STOCKWATER
FROM - 01-01 TO - 12-31 USE - WILDLIFE
USE - STOCKWATER

USE DIV. RATE - .0200CFS
USE DIV. RATE - .0200CFS

PLACE OF USE - TOWN 02S RING 41E SEC 14 TRACT SUNE
TRACT SUNE
TRACT SUNE

REMARKS - 5/25 SHEEP, W/15 DEER, 2 MOOSE
.30 CFS CHANNEL LOSSES - TOTAL .34 CFS WITH S/W
DIVERSION MEANS - S/W USE FROM OPEN CHANNEL

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET
G. F. RAMSEY

INITIAL REVIEW BY: MAR 13 1985

Right Number 25 4311

Applicant BLM

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed.

By Ernest Carlson

Date

April 23, 1985

4-15-85

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

SC

Date

4/30/85

MICROFILMED

RECEIVED
APR 30 1985
WATER DISTRICT 1
Department of Water Resources
[Signature]

IDENT. NO

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

MARCH 20, 1985

The Blackfoot News
P. O. Box 70
Blackfoot, Idaho 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before APRIL 15, 1985.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 3/28 & 4/4/85.

MICROFILMED

25-4311

U.S. DEPT. OF INTERIOR

BUREAU OF LAND MGMT., IDAHO STATE OFFICE, 3380 AMERICANA TERRACE,
BOISE, ID 83706

Source: GRAYS LAKE OUTLET trib. to WILLOW CREEK

Priority Date: 06/28/1934

Diversion Pt: SWNE SWNW SENW Sec 14 T 02S R 41E

Use: STOCKWATER (0.02 CFS)
WILDLIFE (0.02 CFS)
CHANNEL LOSSES (0.30 CFS)
In: SWNE SWNW SENW Sec 14 T 02S R 41E

NOTICE OF CLAIMS
TO WATER RIGHTS

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beneficial use:

25-4311

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, IDAHO 83706

Source: GRAYS LAKE OUTLET trib. to
WILLOW CREEK.

Priority Date: 06/28/1934

Diversion Pt.: SWNE, SWNW, SENW, Sec.
14, T. 02S, R. 41E.

Use: STOCKWATER (0.02 CFS)
WILDLIFE (0.02 CFS)

CHANNEL LOSSES (0.30 CFS)

In: SWNE, SWNW, SENW, Sec. 14, T. 02S,
R. 41E.

Exceptions to a claim may be filed with the
Director, Dept. of Water Resources, 150 Shoup
Ave., Suite 15, Idaho Falls, Idaho, 83402.
KEN DUNN, Director

(8522)
Pub.: 3-28; 4-4

MICROFILMED

ATTACHMENT I

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
 RIGHTS TO THE USE OF WATER FROM
 THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 25-07384
 Date Received:
 Receipt No.:
 Received By:

1. Name of Claimant(s)

STATE OF IDAHO
 DEPT OF LANDS
 300 N. 6th ST.
 PO BOX 83720
 BOISE ID 83720-0050

2. Date of Priority: 08/26/1983

3. Source: SPRING Trib. to SINKS

4. Point of Diversion:

Township	Range	Section	¼ of	¼ of	County	Type
03S	41E	5	SW	SE	Bingham	

5. Description of diverting works:

SPRING

6. Water is used for the following purposes:

Purpose	From	To	C.F. S. (or)	A.F.A.
STOCKWATER	05/20	11/10	0.02	0.30
WILDLIFE	01/01	12/31	0.01	0.30

7. Total Quantity Appropriate is:

0.03 C.F.S. 0.30 A.F.A

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	¼ of	¼	Lot	Use	Acres
03S	41E	5	SW	SE		STOCKWATER WILDLIFE	

11. Place of use in counties: BINGHAM

12. Do you own the property listed as above place of use? Yes.

13. Other Water Rights Used:

14. Remarks: The claimant has leased the place of use in accordance with State of Idaho Land Lease, Lease No. G-8643.

15. Basis of Claim: License.

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Organizations"

I do solemnly swear or affirm that I am PATRICK A. BROWN of
State of Idaho, Department of Lands, that I have signed the foregoing

Organization
document in the space below as AREA SUPERVISOR - E.I. of
Title

State of Idaho, Department of Lands and that the statements contained in the
Organization

Foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

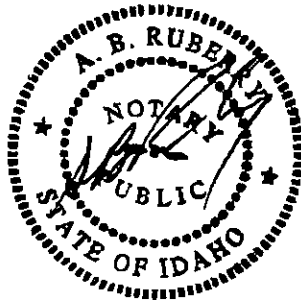
Title

State of Idaho, Department of Lands

12/26/07
Date

State of Idaho)
County of BONNERVILLE) ss.

Subscribed and sworn (or affirmed) before me this 26 day of DECEMBER 2007



A. B. RUBERY
Notary Public
Residing at PO BOX 1415 ID
My commission expires: 9/23/09

966234

156380

The United States of America
To all to whom these presents shall come, Greeting:

IDI-30478 F1

WHEREAS

State of Idaho

is entitled to a land patent pursuant to Section 206, Act of October 21, 1976, as amended (43 U.S.C. 1716) for the following described land:

Boise Meridian, Idaho

T. 5 S., R. 39 E.,

sec. 27: NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
NW $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 3 S., R. 40 E.,

sec. 6 : lot 14, SE $\frac{1}{4}$ SW $\frac{1}{4}$.

sec. 7 : NW $\frac{1}{4}$ NE $\frac{1}{4}$.

T. 6 S., R. 40 E.,

sec. 10: NE $\frac{1}{4}$.

T. 2 S., R. 41 E.,

sec. 9: NW $\frac{1}{4}$ SE $\frac{1}{4}$.

sec. 14: SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$

sec. 32: SW $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 3 S., R. 41 E.,

sec. 4: SW $\frac{1}{4}$ SW $\frac{1}{4}$.

sec. 5: S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$.

sec. 8: N $\frac{1}{2}$ N $\frac{1}{2}$.

sec. 9: NW $\frac{1}{4}$ NW $\frac{1}{4}$.

T. 3 S., R. 42 E.,

sec. 20: SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Containing 1,282.12 acres.

Patent No. 11-98-0005

ATTACHMENT II

156380

IDI 30478 F1

Page 2

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES unto the State of Idaho, the land described above; **TO HAVE AND TO HOLD** the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the State of Idaho, and to its assigns, forever; and

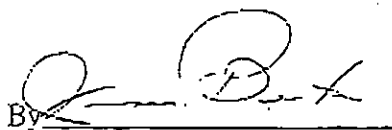
EXCEPTING AND RESERVING TO THE UNITED STATES a right-of-way thereon for ditches and canals constructed by the authority of the United States. Act of August 30, 1890 (43 U.S.C. 945).

SUBJECT TO those rights for power line purposes granted to Idaho Power Company, its successors or assigns, by Right-of-Way No. IDI 4250, pursuant to the Act of March 4, 1911, as amended (43 U.S.C. 961) as to the N½NE¼, SE¼NE¼ of section 10, T. 6 S., R. 40 E., B.M.



IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat.476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Boise, Idaho, the eighteenth day of December in the year of our Lord one thousand nine hundred and NINETY SEVEN and of the Independence of the United States the two hundred and TWENTY-SECOND.

By 
Jimmie Buxton
Branch Chief, Lands and Minerals
Resource Services Division

Patent Number 11-98-0005**463438**
ATTACHMENT II

BINGHAM COUNTY

463438

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHOFEE 0 DEP DC

98 MAR 30 AM 9:40

RECORDED AT THE REQUEST OF
State of Idaho / Dept of Lands
PO Box 83720
Boise ID 83720-0050

BONNEVILLE COUNTY

BONNEVILLE COUNTY
RECORDER

98 APR 20 AM 9 58

966234

CARIBOU COUNTY

STATE OF IDAHO } ss. 156380
County of Caribou }I hereby certify that this instrument was filed at the request
of State of Idaho Dept. of Lands
at 10:10 o'clock A in this 6 day of
April, 19 98 in my office and duly

recorded in Microfilm Records

By Senise Harsley

Recorder

Deputy

INSTRUMENT NO. 966234
DATE 4-20-98
INST. CODE 892
FICHE NO. 13205-02
FEE NilSTATE OF IDAHO)
COUNTY OF BONNEVILLE) ssI hereby certify that the within
instrument was recorded.Ronald Longmore,
County RecorderBy Ruth Avery DeputyRequest of State of Idaho
Dept. of Lands
PO Box 83720
Boise, ID 83720-0050U.S. Patent 11-98-005 (Blackfoot Mountain
Land Exchange)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 25-7384

Priority: August 26, 1983 Amount: .03 CFS .3 AFA

This is to certify, that U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706

has complied with the terms and conditions
of the permit issued pursuant to Application for Permit dated August 26, 1983, and
has submitted proof to the Department of Water Resources on July 11, 1984, that
water has been applied to a beneficial use; an examination by the Department indicates
that the works have a diversion capacity of .03 cfs of water from;

SPRING tributary to SINKS

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Stockwater	05/20 to 11/10	.02 cfs	.3 afa
Wildlife	01/01 to 12/31	.01 cfs	.3 afa
	Totals	.03 CFS	.3 AFA

LOCATION OF POINT OF DIVERSION(S): SWSE , Sec. 5, Township 3S, Range 41E
Bingham County

PLACE OF USE: Stockwater

TWN RGE SEC

3S 41E 5 SWSE

PLACE OF USE: Wildlife, same as Stockwater use

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.

FILED
AUG 20 1987

State of Idaho
Department of Water Resources

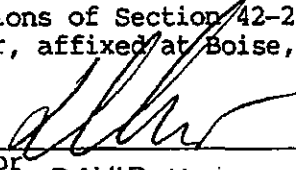
PAGE 2

WATER RIGHT LICENSE

WATER RIGHT NO. 25-7384

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 14 day
of August, 1987.

for Director


DAVID B. SHAW

MICROFILMED

AUG 20 1987