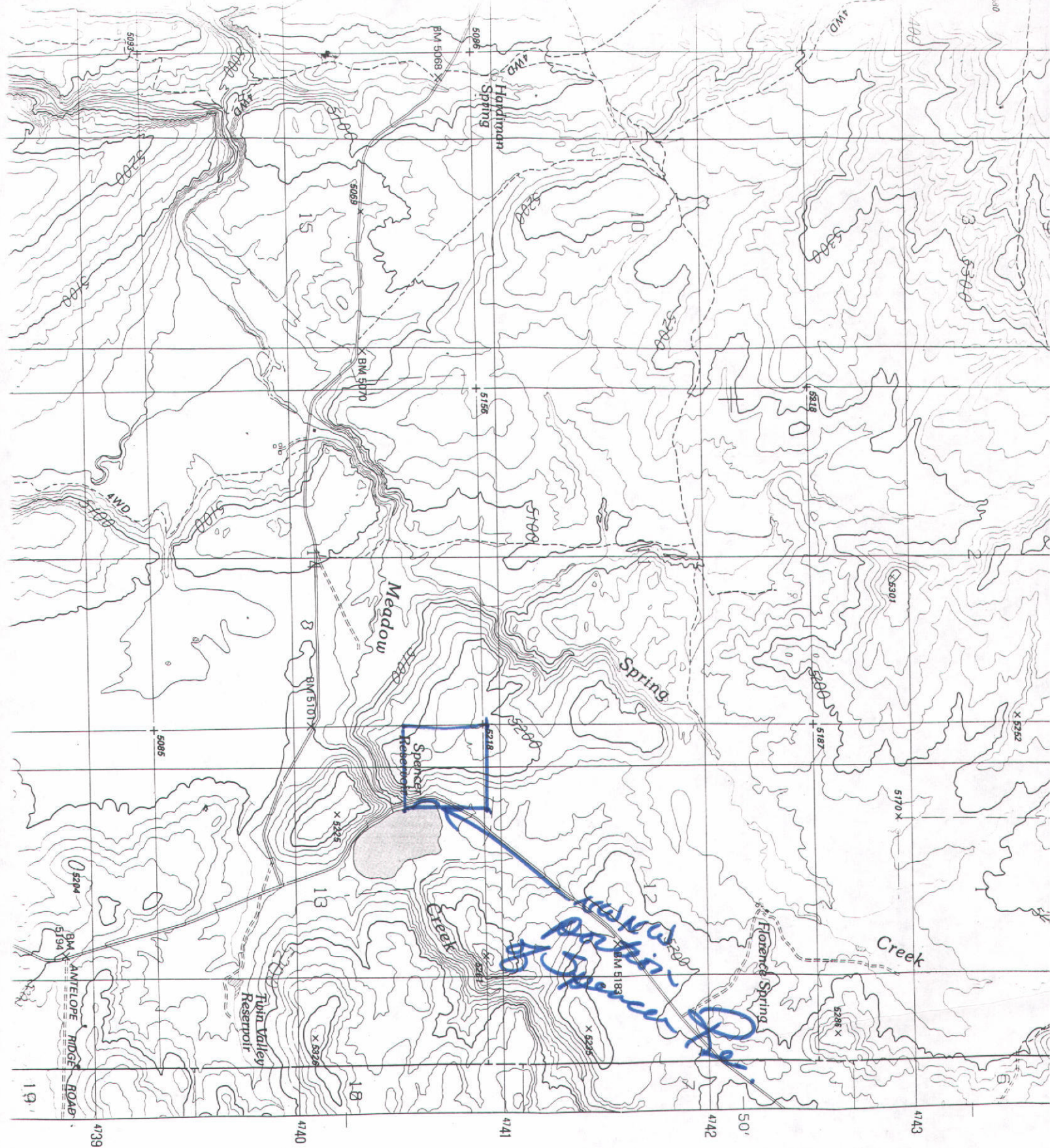




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

RECEIVED

MAY 01 1997

In Re SRBA

Case No. 39576

AMENDED NOTICE of CLAIM
for Water Right number:

A55-02176

Department of Water Resources

United States of America acting through
Bureau of Land Management

NAME and
ADDRESS:

Idaho State Office
1387 South Vinnell Way
Boise, ID 83709 - 1657

BLMIDENT:

5501588001

SOURCE:

Source	Tributary
MEADOW CREEK	ROCK CREEK

QUANTITY:

0

CFS

or VOLUME:

30.8

Acre Fee

PRIORITY DATE:

4/30/42

POINT of
DIVERSION:

Twtnship	Range	Section	T1	T2	T3	LOT	within the	County of
07S	03W	13		NW	NW	0		73 OWYHEE

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in Ac
05	0101 1231	0		30.8
06	0101 1231	0		30.8
17	0101 1231	0		30.8
18	0101 1231	0		30.8

CONSUMPTIVE
USE:

stockwater use

DATE:

30-Apr-97 5:36 PM

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
05	07S	03W	13	NW	NW	0		OWYHEE
06	07S	03W	13	NW	NW	0		OWYHEE
17	07S	03W	13	NW	NW	0		OWYHEE

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: 1942-04-30
IDWR NUMBER: 5502176 *A55-02176*
BLM NUMBER: 5501588001
BASIS OF CLAIM: LICENSE
BASIN NUMBER: 55

SOURCE	TRIBUTARY TO
MEADOW CREEK	ROCK CREEK

DESCRIPTION OF DIVERSION WORKS

EARTHFILL DAM 2700' LONG

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
STOCKWATER STORAGE	0.000	30.80	0101	1231
WILDLIFE STORAGE	0.000	30.80	0101	1231
STOCKWATER FROM STORAGE	0.000	30.80	0101	1231
WILDLIFE FROM STORAGE	0.000	30.80	0101	1231
TOTAL:	0.000 CFS	30.80 AF		

NON-IRRIGATION USES

S/ 147 RANGE CATTLE W/ VAR AMOUNTS

				POINT OF DIVERSION			
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
07S	03W	13		NW	NE	00	OWYHEE

PLACE OF USE							IRRIGATED OWNED ACRES	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY		
07S	03W	13	NW	NE	00	OWYHEE		

MICROFILMED 0

JUL 11 1994

07S	03W	13	NW	NE	00	OWYHEE	YES	0.0
07S	03W	13	NW	NE	00	OWYHEE	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

AJ0749NP
No. R55-02176

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

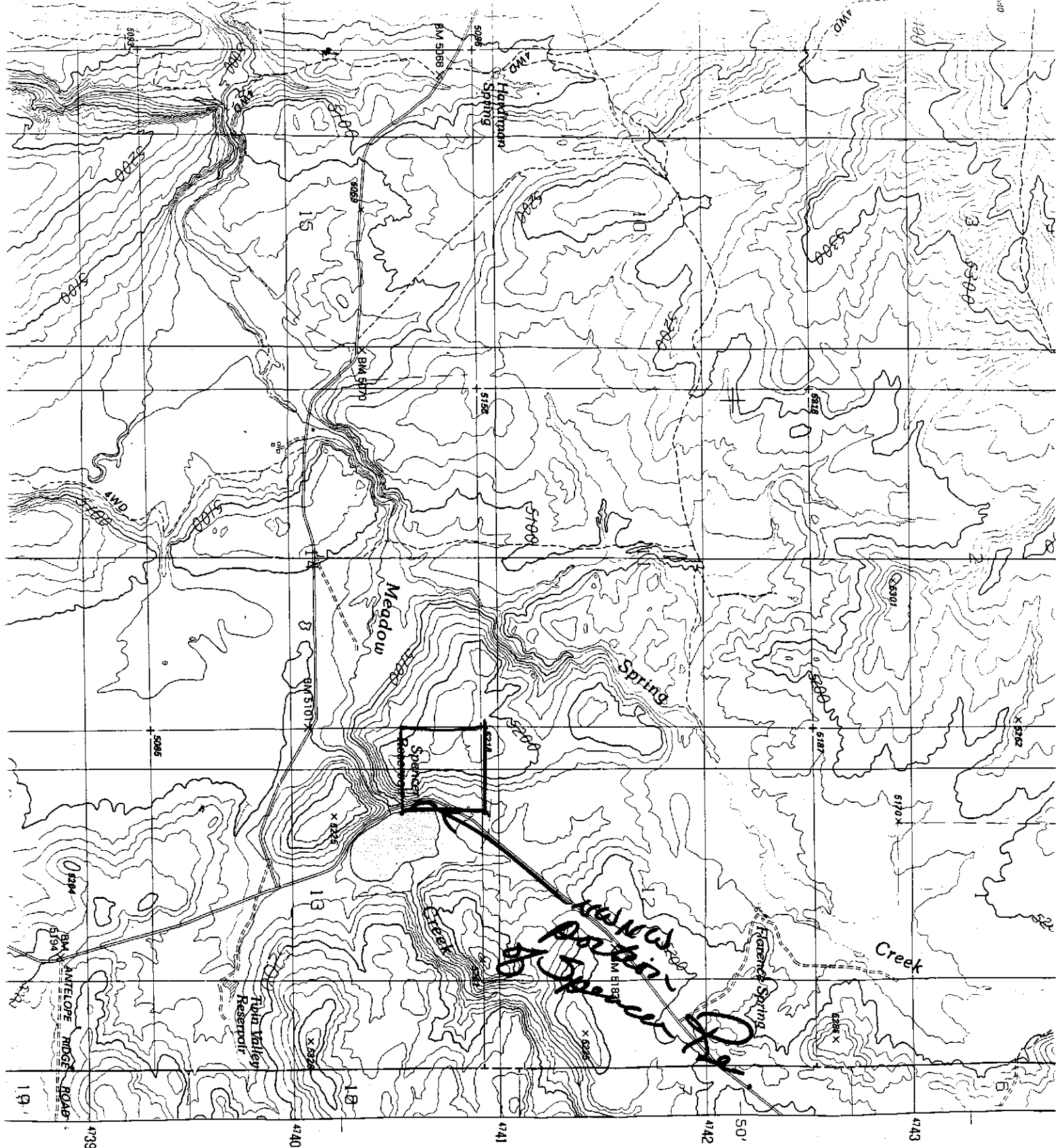
DATE: 02/13/98
PAGE: 2

Comments:

Date: 02/13/1998 User-ID: JSHURTE Subject: PD & POU RECOMMENDATION
THIS CLAIM WAS ORIGINALLY LICENSED WITH A PD AND POU IN THE SWNW,
S13. THE CLAIM FILED IN 1997 SHOWS THE NWNW, S13 FOR BOTH. IN
LOOKING AT THE OWNERSHIP MAP FOR FEDERAL LANDS, IT APPEARS THAT
THIS IS NOT ON BLM LAND IN EITHER 1/4/1/4. SINCE THE COURT SEEMS
TO GO WITH WHAT WAS CLAIMED AND SPENCER RESERVOIR IS LOCATED
WITHIN THE NWNW ALSO, PLUS BLM COULD BE CLAIMING WHERE THE STOCK
DRINK FROM THE RESERVOIR RATHER THAN WHERE THE DAM IS LOCATED THE
RECOMMENDATION WILL COINCIDE WITH THEIR CLAIM. WE WILL BE
RECOMMENDING BOTH THIS CLAIM AND RIGHT NO 55-02172 WHICH WAS
ISSUED TO THE PRIVATE PARTY WHO BUILT THE RESERVOIR SINCE BOTH
HAVE DIFFERENT PRIORITY DATES. 55-02172 HAS A 9-27-1950 PRIORITY
DATE.

Date: 02/13/1998 User-ID: JSHURTE Subject: DELETION OF WILDLIFE USE
THE WILDLIFE PORTION OF THIS RIGHT IS NOT BEING RECOMMENDED SINCE
IT WAS NOT LICENSED ORIGINALLY.

Audit: 02/13/98 JSHURTE



ADJUDICATION MEMORANDUM

CLAIM NO: A55-02176
EMPLOYEE: Jan Thunte

SUBJECT: Not recommended
DATE: in de minimus RAG
6-20-97

This claim was submitted as a
de minimus claim during the
Reporting Area 6 Report. It is
not de minimus, therefore, it will
be recommended with the other
non de-minimus rights.

VERIFIED BY

AJ0749NP
No. R55-02176IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)DATE: 10/20/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706 (208) 334-1401	04/30/1942	STOCKWATER STORAGE STOCKWATER FROM STORAGE WILDLIFE STORAGE WILDLIFE FROM STORAGE	01-01 12-31 01-01 12-31 01-01 12-31 01-01 12-31		30.8 AFA 30.8 AFA 30.8 AFA 30.8 AFA
TOTAL DIVERSION:						30.8 AFA

Water Source: MEADOW CREEK Tributary to: ROCK CREEK Stage: LICENSE
Point(s) of Diversion: T07S R03W S13 SWNW OWYHEE County

Place of use Legal Description for: STOCKWATER STORAGE

NE		SE		SW		SE	
NENE	NWNE	SWNE	SENE	NENE	NWNE	SWNE	SENE
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
07S	03W	13	:	:	:	:	:

Place of use Legal Description for: STOCKWATER FROM STORAGE

NE		SE		SW		SE	
NENE	NWNE	SWNE	SENE	NENE	NWNE	SWNE	SENE
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
07S	03W	13	:	:	:	:	:

Place of use Legal Description for: WILDLIFE STORAGE

NE		SE		SW		SE	
NENE	NWNE	SWNE	SENE	NENE	NWNE	SWNE	SENE
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
07S	03W	13	:	:	:	:	:

Place of use location for WILDLIFE FROM STORAGE is the same location as described for: WILDLIFE STORAGE

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 147 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNTS

Other Rights: NONE

Conditions of Approval:

- L12 - THIS RIGHT AND 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.

Remarks: BLM RECORD ID = 5501588001

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AJ0749NP
No. R55-02176

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

DATE: 10/20/93
PAGE: 2

=====

Dates:	Exam Made Date:	Verified Date:
Misc:	Water District Number:	Field Inspection Flag:
		Presumption Flag:
Comments:	Date: 10/18/1993	User-ID: SMITH
	Subject: COPIED FROM REMARKS	
	PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES	
Audit:	10/20/93 SMITH	

=====

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A. AJ CLAIM: # A55-02176 / PRIORITY DATE: 04-30-1942 / STAGE: L

B. WR RECORD: # 55-02176 / PRIORITY DATE: 04-30-1942 / STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE N
FIELD EXAMINERARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

NOTES:

RECOMMENDED PRIORITY DATE:

04-30-1942

REVIEWED BY

gvl

DATE

10-12-93

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JUL 11 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.
A55-02176	07S	03W	13

1/4 1/4 1/4
SW NW NE
WR RECORDS IN SAME 40 ACRE TRACT
NONE

CNTY
OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX
A55-11057
A55-11468
R PREFIX
NONE

SOURCE: MEADOW CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.
55-02176	07S	03W	13

TRIB: ROCK CREEK

CNTY
OWYHEE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A55-02172 R55-10102
A55-10102
A55-10246

SOURCE: MEADOW CREEK

TRIB: ROCK CREEK

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	Y	
		N	

NOTES:

Ben Map confirms as licensed.

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A55-11057: MEADOW CREEK

POINT OF DIVERSION REVIEW SHEET CONTINUED

CLAIM NUMBER: A55-02176

[illegible]

REVIEWED BY: 21 DATE: 10-8-93

REVIEWED BY: _____
=====

DATE:

10-8-93

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JUL 11 1994

A. ROOT WATER RIGHT NUMBERS: A55-02176

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	03W	13	NW	NE		US DEPT OF INTERIOR	A55-02176 /	- /			
			NW	NE		COX, SHIRLEY	A55-10101 /	- /			
			NW	NE		COX, SHIRLEY	R55-10101 /	- /			
			NW	NE		US DEPT OF INTERIOR	A55-11057 /	- /			
			NW	NE		US DEPT OF INTERIOR	A55-11468 /	- /			
07S	03W	13	NW	NE		US DEPT OF INTERIOR	A55-02176 /	- /			
			NW	NE		COX, SHIRLEY	A55-10101 /	- /			
			NW	NE		COX, SHIRLEY	R55-10101 /	- /			
			NW	NE		US DEPT OF INTERIOR	A55-11057 /	- /			
			NW	NE		US DEPT OF INTERIOR	A55-11468 /	- /			
07S	03W	13	NW	NE		US DEPT OF INTERIOR	A55-02176 /	- /			
			NW	NE		COX, SHIRLEY	A55-10101 /	- /			
			NW	NE		COX, SHIRLEY	R55-10101 /	- /			
			NW	NE		US DEPT OF INTERIOR	A55-11057 /	- /			
			NW	NE		US DEPT OF INTERIOR	A55-11468 /	- /			
TOTAL ACRES							A55-02176				

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED? FIELD EXAMINER
DUE TO POU DISCREPANCY? (Y/N) DATABASE Y POU COUNTY: OMYHEE

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JUL 11 1994

PRESUMPTION FLAG:

NOTES:

A55-10101: appears to be diff. source

RECOMMENDATIONS:

TOTAL ACRES:

9A

REVIEWED BY:

DATE: 10-8-93

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JUL 11 1994

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY		DIVERSION QUANTITY
	FROM	TO	
A55-02176 STOCKWATER STORAGE	01-01	12-31	30.80 AF/A ✓
A55-02176 WILDLIFE STORAGE	01-01	12-31	30.80 AF/A
A55-02176 STOCKWATER FROM STORAGE	01-01	12-31	30.80 AF/A
A55-02176 WILDLIFE FROM STORAGE	01-01	12-31	30.80 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED			30.80 AF/A

B. WR RECORDED USES:

PURPOSES	MONTH/DAY		DIVERSION QUANTITY
	FROM	TO	
55-02176 STOCKWATER STORAGE	01-01	12-31	30.80 AF/A ✓
55-02176 STOCKWATER FROM STORAGE	01-01	12-31	30.80 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED			30.80 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()

Y() N()

Explain in notes, below.

NOTES:

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JUL 11 1994

OVERLAP REVIEW PAGE

CLAIM NUMBER:

A55-02176

☒ NO OVERLAP WITH PRIVATE INDIVIDUAL CLAIM

☐ OVERLAPS WITH CLAIM BY PRIVATE INDIVIDUAL

CLAIM NO.: _____

☐ OVERLAPPING CLAIM DISALLOWED

☐ OVERLAPPING CLAIM PARTIALLY DELETED

PRIVATE CLAIMANT NOTIFIED/DATE: _____

☐ NO OVERLAP WITH OTHER FEDERAL CLAIM

☒ OVERLAPS WITH CLAIM BY FEDERAL GOVERNMENT

CLAIM NO.: A55-11468

☒ OVERLAPPING CLAIM DISALLOWED *license represents first use*

☐ THIS CLAIM DISALLOWED

☐ OVERLAPPING CLAIM ALLOWED/REMARKS: _____

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NOTE: There is an earlier license filed by a private individual dating back to the date of the building of the Dam (1931 dam completed) prior to date of license 55-02172 is 9-27-1930. Dam will be recommended per this standard. J

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

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WATER RIGHT PROFILE REPORT

PAGE: 1

USE PERIOD	DIVERSION RATE	DIVERSION VOLUME
FROM TO		
00/00 00/00		30.80
00/00 00/00		30.80
DIVERSION:		30.80

Stage: LICENSE

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:      NESE  NWSE  SESE
:      Lt AC Lt AC Lt AC
:      - - - - -
:

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WATER STORAGE