

No Color
Documents
In File

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 AND FEDERAL LAW

A57-11195

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1926-04-17
IDWR WATER RIGHT NO. 5701580265
BLM NUMBER: 5701580265
BASIS OF CLAIM: FEDERAL RESERVED RIGHT
BASIN NO.: 57

SOURCE	TRIBUTARY TO
SALMON CORRAL SPRING	SALMON CREEK

DESCRIPTION OF DIVERSION WORKS
UNDEVELOPED SPRING

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
STOCKWATER	0.020	0.00	0101	1231
TOTAL:	0.020 CFS	0.00 AF		

NON-IRRIGATION USES
S/584 RANGE CATTLE

TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
02S	04W	03	NW	SE	NE	0	OWYHEE

MICROFILMED
OCT 27 1982

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	IRRIGATED ACRES
02S	04W	03	SE	NE	0	OWYHEE	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

STATE LICENSE (PREVIOUSLY) OBTAINED ON THIS WATER, SEE REMARKS.

REMARKS

A57-1053

MICROFILMED
OCT 07 1992

RECEIVED

JUL - 6 1999

Department of Water Resources
Adjudication Bureau

1999 JUN 28 AM 10:11

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

**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

ORDER OF PARTIAL DECREE

For Water Right 57-11195

On April 12, 1999, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 57-11195 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JUN 28 1999



BARRY WOOD
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication



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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-11195

1999 JUN 28 AM 10:11

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706

SOURCE: SALMON CORRAL SPRING TRIBUTARY: SALMON CREEK

QUANTITY: 0.02 CFS

PRIORITY DATE: 04/17/1926

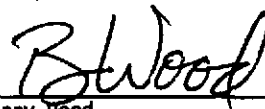
LOCATION INSTREAM FLOW: T02S R04W S03 NESENE Within Owyhee County

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE: Stockwater Within Owyhee County
T02S R04W S03 SENE

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

1999 JUN 28 PM 02:00
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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 57-11195

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 57-11195 was mailed
on June 28, 1999, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

STATE OF IDAHO
Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

STATE OF IDAHO
Represented by:
PETER J. AMPE
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-334-2400

CERTIFICATE OF MAILING

PAGE 1
06/28/99

RECEIVED

MAY 14 1997

Department of Water Resources
Adjudication Bureau

1997 MAY 12 PM 2:33

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

Subcases 57-11195, 57-11201, 57-11210,
57-11220, 57-11229, 57-11246, 57-11260,
57-11284, 57-11286, and 57-11287

ORDER STAYING SUBCASES

The subcases listed above are Public Water Reserve 107 (PWR 107) claims wherein the state based half of the claim has a later priority date. Currently the United States has an appeal before the Idaho State Supreme Court on the validity of PWR 107 claims in the State of Idaho. Pending that appeal the subcases listed herein are stayed.

DATED May 12, 1997.


FRITZ K. HAEMMERLE

Special Master, Reporting Area 2
Snake River Basin Adjudication

CERTIFICATE OF MAILING

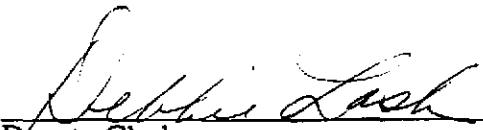
I certify that a true and correct copy of the ORDER STAYING SUBCASES was mailed on May 12, 1997, with sufficient first-class postage to the following:

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

Director of IDWR
P O Box 83720
Boise, Idaho 83720-0098

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

Dennis and Shirley Cox Murdoch
HC 79 Box 2065
Oreana, Idaho 83650


Debbie Lash
Deputy Clerk

RECEIVED

APR - 1 1997

Department of Water Resources
Adjudication Bureau

RECEIVED

APR - 3 1997

OFFICE OF THE
ATTORNEY GENERAL

1997 APR 01 PM 03:02
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

Case No. 39576

) NOTICE SETTING STATUS
) CONFERENCE

) SUBCASE NOS: 57-07056 57-11150
57-11195 57-11284 57-11286

Please be advised that Special Master FRITZ X HAEMMERLE
has set a Status Conference in the above subcase(s)
as follows:

THURSDAY, APRIL 17, 1997 at 01:30 PM

OWYHEE COUNTY COURTHOUSE
HIGHWAY 78
PO BOX 128
MURPHY, ID

Dated: APRIL 01, 1997

/s/ DEBBIE LASH

Deputy Clerk
Snake River Basin Adjudication

MAIL4841



CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the NOTICE SETTING STATUS CONFERENCE was mailed on APRIL 01, 1997, with sufficient first-class postage to the following:

CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720
Phone: 208-334-2400
Rep: STATE OF IDAHO

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835
Rep: USDI BLM

RECEIVED

MAR 04 1997

Department of Water Resources

1997 FEB 28 PM 01:01
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	)	ORDER SETTING STATUS	
	)	CONFERENCE	
Case No. 39576	)		
	)	SUBCASE NOS: 57-07056	57-11150
		57-11195	57-11284 57-11286

Please be advised that Special Master FRITZ X HAEMMERLE
has set a Status Conference in the above subcase(s)
as follows:

WEDNESDAY, MARCH 26, 1997 at 01:30 PM

OWYHEE COUNTY COURTHOUSE
HIGHWAY 78
PO BOX 128
MURPHY, ID

IT IS SO ORDERED.

Dated: FEBRUARY 28, 1997

/S/ FRITZ X HAEMMERLE
Special Master
Snake River Basin Adjudication

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE was mailed on FEBRUARY 28, 1997, with sufficient first-class postage to the following:

CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720
Phone: 208-334-2400
Rep: STATE OF IDAHO

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

JACK HAUGRUD
US DEPT OF JUSTICE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 202-305-0438
Rep: USDI BLM

RECEIVED

FEB 03 1997

Department of Water Resources
Adjudication Bureau

RECEIVED

JAN 30 1997

OFFICE OF THE
ATTORNEY GENERAL

1997 JAN 28 AM 09:53
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 SETTING STATUS	
	)	CONFERENCE	
Case No. 39576	)		
		SUBCASE NOS: 57-07056	57-11150
		57-11195	57-11284 57-11286

Please be advised that Special Master FRITZ X HAEMMERLE
has set a Status Conference in the above subcase(s)
as follows:

WEDNESDAY, FEBRUARY 19, 1997 at 01:00 PM

OWYHEE COUNTY COURTHOUSE
HIGHWAY 78
PO BOX 128
MURPHY, ID

Option: Parties may participate by phone if they contact the
clerk at (208) 736-3011 prior to FEBRUARY 14, 1997.

Dated: JANUARY 28, 1997

/S/ DEBBIE LASH

Deputy Clerk

Snake River Basin Adjudication

MAIL3666



CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the NOTICE SETTING STATUS CONFERENCE was mailed on JANUARY 28, 1997, with sufficient first-class postage to the following:

CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720
Phone: 208-334-2400
Rep: STATE OF IDAHO

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

JACK HAUGRUD
US DEPT OF JUSTICE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 202-305-0438
Rep: USDI BLM

RECEIVED
JAN 30 1997
OFFICE OF THE
ATTORNEY GENERAL

DATE	Action	Initial
------	--------	---------

Action

Initial

[illegible]

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

DATE: OCT-11-1996

PAGE: A-30

RIGHTS FROM: SOURCE: SALMON CORRAL SPRING TRIBUTARY: SALMON CREEK

RIGHT NUMBER: 57-11195

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

SOURCE: SALMON CORRAL SPRING TRIBUTARY: SALMON CREEK

QUANTITY: 0.02 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIARILY
USED FOR STOCKWATER, 584 RANGE CATTLE

PRIORITY DATE: 04/17/1926

POINT OF DIVERSION: T02S R04W S03 NESENE Within Owyhee County
~~NWSENE~~

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER STOCKWATER, 584 RANGE C	01-01 12-31	0.02 CFS

PLACE OF USE: STOCKWATER Within Owyhee County
T02S R04W S03 SENE

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

BLM RECORD ID = 5701580265

EXPLANATORY MATERIAL: BASIS OF CLAIM - RESERVED

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

Case No. 57-11195
(You must insert the
water right number you
are objecting to)

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

OBJECTION

RECEIVED
FEB 25 1963
Department of Water Resources
Twin Falls, Idaho

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

(Over)

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting: United States of America
Bureau of Land Management
Name: U.S. Department of the Interior
Address: 3380 Americana Terrace
Boise, Idaho 83706

Briefly describe your interest in this water right:

The United States, through the Bureau of
Land Management, has a valid water right
which requires specific corrections or
additions to the previous filing.

2. Owner of the water right: United States of America
U.S. Department of Interior
Name: Bureau of Land Management
Address: 3380 Americana Terrace
Boise, Idaho 83706

3. If this objection is filed by an attorney:
K. Jack Haugrud
Attorney Name: Daria J. Zane
U. S. Department of Justice
Attorney Address: 500 West Fort Street
P.O. Box 33
Boise, Idaho 83734
Attorney Phone No.: 202-272-4134/8351

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☐ Quantity: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☒ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☒ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☐ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☐ Place of Use: I object to:
 - a. ☐ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☐ Remarks: I object to the "remarks" listed with the water right.

(Over)

12. ☐ Water Right Recommendation: I object to:
- a. ☐ this water right being recommended at all; or
- b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☐ Other: I object to: _____
- _____
- _____
- _____
- _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

The United States of America, acting through the Bureau of Land Management, has a valid water right. This claim as it appears in the Directors Report contains errors or is incomplete and requires amendment.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

The Directors report should be changed to recommend allowance of this claim incorporating the corrections or additions specified in the attachment.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary. _____

1. List of changes required to correct this claim.

2. Copy of USDI claim from the Directors Report.

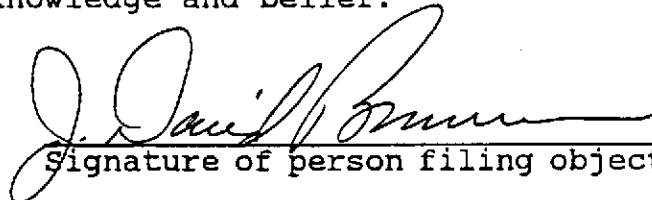
VERIFICATION (Must be Completed)

State of Idaho

County of Ada

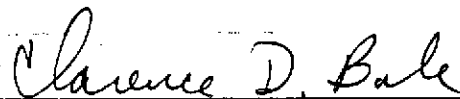
J. DAVID BRUNNER, BOISE DISTRICT MANAGER, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


Signature of person filing objection

By: _____
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 23 day of Feb.,
199 3.


Notary Public for Ada County
Residing at: Boise, Idaho
My Commission expires: April 26, 1997

(Over)

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted by the Clerk of the Court.** You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 26 day of February, 1993, I ^{serve}mailed the original and ^{file}copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Owner name: US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
Owner's address: 3380 AMERICANA TERRACE
BOISE IDAHO 83706

3. One copy to:

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

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Objector or attorney
mailing on Objector's behalf

ATTACHMENT 1

CLAIM NUMBER: 57-11195

POINT OF DIVERSION:

CHANGE: T02S R04W S03 NWSENE

TO: T02W R04W S03 NESENE

PURPOSE OF USE:

NON-IRRIGATION USES:

ADD: WILDLIFE, VARIABLE AMOUNTS

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
ABSTRACTED CLAIMS TO WATER RIGHTS BASED UPON FEDERAL LAW

DATE: OCT-13-1992
PAGE: A-100

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
-----------------	----------------	------------------	----------------	--------------------------	---------------------	----------------

SOURCE: SALMON CORRAL SPRING TRIBUTARY: SALMON CREEK

57-11195 US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

04/17/1926 STOCKWATER 01-01 12-31 .02 CFS RESERVED

NON-IRRIGATION-USES:
STOCKWATER, 584 RANGE CATTLE
POINT OF DIVERSION:
T02S R04W S03
PLACE OF USE: STOCKWATER

TOTAL QUANTITY: .02 CFS

T02S R04W S03 SENE
REMARKS: BLM RECORD ID = 5701580265

Prefix Translation: RESEARCH

Water Right Number - R57-11195

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - - + + - - - - Address - - - - - +

*** A - ATTORNEY ***

HAUGRUD, JACK OR G GARVER OR D ZANE

1 - US DEPT OF JUSTICE
2 - ENV & NR DIV GEN LIT SEC
3 - PO BOX 663
City- WASHINGTON
Phone - 202-272-4134

State- DC Zip- 200440663

*** C - CURRENT OWNER ***

US DEPT OF INTERIOR

1 - BUREAU OF LAND MANAGEMENT
2 - IDAHO STATE OFFICE
3 - 3380 AMERICANA TERRACE
City- BOISE
Phone - 208-334-1401

State- ID Zip- 83706

*** K - ALSO KNOWN AS ***

BLM

1 - BUREAU OF LAND MANAGEMENT
2 - IDAHO STATE OFFICE
3 - 3380 AMERICANA TERRACE
City- BOISE
Phone - 208-334-1401

State- ID Zip- 83706

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/17/1926 14 WESTERN F - RESERVED.+ - - Source - - - - - + + - - - - Tributary - - - - - +
SALMON CORRAL SPRING SALMON CREEK+ - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rfig County Stream Index (Blank if no Index Code)

02S 04W 3 NW SE NE (73) OWYHEE

+ - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

04 - STOCKWATER 01/01 12/31 0.020

+ - Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - + - Total Consumptive Use - + - KW Usage - +
0.020 0.0+ - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

02S 04W 3 SE NE 04 STOCKWATER (73) OWYHEE

+ - - Diversion Means - UNDEVELOPED SPRING

+ - - Non-Traditional Use - STOCKWATER, 584 RANGE CATTLE

+ - - Other Rights for Same Use - STATE LICENSE [PREVIOUSLY] OBTAINED ON THIS WATER, SEE REMAR

MICROFILMED
JUL 1992

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

AJ5808NP
(OD-26)

Prefix Translation: RESEARCH

Water right number - R57-11195

+ - - - - BLM RECORD ID = 5701580265 - - - - - Remarks - - - - - +
+ - - - - No Old Water Right Numbers found. - - - - - +
+ - - - - No Conditions of Approval - - - - - +
+ - - - - No Conditions of Approval found. - - - - - +
+ - - - - Decree Plaintiff - - - - - Decree Defendant - - - - - +
+ - - - - Decree Date - - - - - Decree Date - - - - - +
+ - - - - 00/00/0000 - - - - - 00/00/0000 - - - - - +

+ - - - - Audit Fields - 09/16/92 SMITH

+ - - - - Subject: COPIED FROM REMARKS - - - - - Comments - - - - - +
Date: 09/16/1992 User Id: SMITH
A57-1053

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +
Court Report Filing - 00/00/0000 Field Inspection Made - 00/00/0000 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - Old Judicial District -
Claim Received Date - 06/30/1992 Last Amended Date - 00/00/0000 Temporary Right - P
Proof Due Date - 00/00/0000 Proof Made Date - 00/00/0000 Water District -
Licensed Date - 00/00/0000 Receipt Number - X11111 Federal/State Indicator - F
Claims Tape Error Flg - POU Ownership Flag - Y Presumption Flag -
Fee Exempt Flag - Name Connector - Notice of Error Flag -

MICROFILMED
OCT 07 1992

CLAIM NO. A57-01053

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET
FOR PREVIOUSLY RECORDED BLM RIGHTS

1. ☐ No Overlap with Claim by Private Individual OWNERSHIP
☒ Overlaps with Claim by Private Individual
Claim No. A57-10933
That Recommendation Corrected? yes ☒ no ☐
2. ☒ No Change - DATE OF PRIORITY - Claim matches existing license or decree
☐ Change - Claim does not match existing license or decree
Priority date, per IDWR records, is _____
3. ☒ No Change - SOURCE
☐ Source, per IDWR records, is _____
4. ☒ No Change - POINT OF DIVERSION - Claim matches existing license or decree
☐ Point of diversion has changed
Twp _____, Rge _____, Sec _____, _____ 1/4, _____ 1/4, _____ 1/4
How was this verified? _____
5. N/A
6. ☒ No Change - WATER USES
☐ Uses, per IDWR records:
- | | | | | | |
|-----------|------------|----------|--------------|-----------|----------|
| Use _____ | From _____ | To _____ | Amount _____ | cfs _____ | af _____ |
| Use _____ | From _____ | To _____ | Amount _____ | cfs _____ | af _____ |
7. ☒ No Change - TOTAL RATE AND VOLUME
☐ Total rate and volume, per IDWR records: _____ cfs _____ afa
8. N/A
9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
☐ Incomplete on claim - Per IDWR records:
- Domestic - No. of homes _____ Stockwater - No. of head _____
- Other: _____

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OCT 07 1992

0. ☒ No Change - PLACE OF USE:

☐ Place of Use has changed:

| Use | Twp. | Rge. | Sec. | 1/4, | 1/4, |
|-------|-------|-------|-------|-------|-------|
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |

How was this verified? _____

Remarks: (Comments pertinent to review)

Project #0692

D-Permit 1466

Overlapping Fed. Claim: A57-11195

Review Completed by:

R. McElrath

signature

Date:

9-8-92

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO
FOR FARMSTEAD, DOMESTIC, OR STOCK WATERING PURPOSES
BY THE UNITED STATES DEPARTMENT OF THE INTERIOR

Application No. D 1466

Permit No. D 1466 57-2445

District No. Salmon Corral Spring
I-1-R-250

1. Name of Applicant U. S. Department of the Interior, Bureau of Land Management

2. Post Office Address 230 Collins Road, Boise, Idaho

3. Quantity of water claimed Approx. 200 gal. per hour (full production of spring). 2-1-1962 -00743 cfs
(Not to exceed 0.1 second foot or 15 acre feet)

4. Source of water supply spring
(Spring, well, unnamed stream, small lake, snow, or runoff)

5. Location of point of diversion 3180 feet distant from the N $\frac{1}{4}$ corner of Section 2
Twp. 2S, Rge. 4W, B.M., and is in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 3, Twp. 2S, Rge. 4W, B.M.
in the County of Owyhee 73

6. Location of point of use 3180 feet distant from the N $\frac{1}{4}$ corner of Section 2
Twp. 2S, Rge. 4W, B.M., and is in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Sec. 3, Twp. 2S, Rge. 4W

7. Water to be used for Livestock water 1/1-12/31

8. Estimated cost of works \$200.00

9. Kind of works The water from a spring collected and piped to a metal watering trough nearby.
(Reservoir, dam, ditch, flume, pipe, etc.)

10. Size 600 gal. watering trough, 2" line pipe.
(Headgate, ditch, flume, pipe, etc.)

11. Time required to apply water to proposed use During the time of the year that the Federal range, in this area, is open to grazing.

12. If reservoir is used, fill in the following in addition to the above questions:

(a) Height of dam _____ feet: Length at top _____ feet.

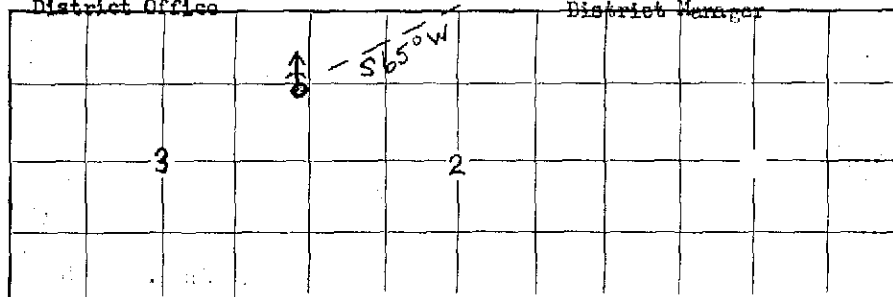
(b) Material from which dam is constructed _____
(earth, concrete, timber, rock)

(c) The outlet of the proposed reservoir is located _____ feet from the _____ corner of
Section _____, Twp. _____, Rge. _____, B.M.

REMARKS:

Applicant Bureau of Land Management
District Office

Agent Thomas H. Nellie
acting
Donald I. Bailey
District Manager



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APR 13 1999

Department of Water Resources

1999 APR 12 PM 2:08

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

) Subcase 57-11195

Case No. 39576

) SPECIAL MASTER'S REPORT
)
)
)

FINDINGS OF FACT AND CONCLUSIONS OF LAW

A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990). This right is based on Public Water Reserve 107. For rights having a federal basis, the director of the State of Idaho Department of Water Resources abstracts the claim. The abstract does not have any *prima facie* weight. Therefore, the burden rests with the United States to establish the factual and legal basis of the claim.

A hearing was held on the claim. Originally, the court DENIED the claim, without prejudice, because the United States failed to establish the proper quantity for the claim. *See, Order Denying Motion for Default Judgment (PWR 107)* (Nov. 16, 1998), incorporated herein by reference. Thereafter, the United States argued, and the court agreed, that the quantity for rights based on PWR 107 should be 13,000 gallons per day (0.02 cfs) consistent with other *de minimis* stock water rights decreed within the SRBA. The United States having established the factual and legal basis for these claims and there being no dual state basis for this right; now therefore,

IT IS THEREFORE RECOMMENDED that subcase 57-11195 be decreed as recommended in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED April 12, 1999.


FRITZ X. HAEMMERLE
Special Master, Snake River Basin Adjudication

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 57-11195

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APR 13 1999

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED *[Signature]*

Department of Water Resources

NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706

SOURCE: SALMON CORRAL SPRING TRIBUTARY: SALMON CREEK

QUANTITY: 0.02 CFS

PRIORITY DATE: 04/17/1926

LOCATION INSTREAM FLOW: T02S R04W S03 NESENE Within Owyhee County

| | | | |
|----------------|----------------|----------------|----------|
| PURPOSE AND | | | |
| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
| | Stockwater | 01-01 TO 12-31 | 0.02 CFS |

PLACE OF USE: Stockwater Within Owyhee County
T02S R04W S03 SENE

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

RECOMMENDATION

APR 12 1999

[Signature]
SPECIAL MASTER

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Department of Water Resources 1999 APR 12 PM 2:08

DISTRICT COURT-SRBA
TWIN FALLS CO. ID
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)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-11195

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on April 12, 1999, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

STATE OF IDAHO
Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

STATE OF IDAHO
Represented by:
PETER J. AMPE
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-334-2400

CERTIFICATE OF MAILING

PAGE 1
04/12/99

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835


DEBBIE LASH
Deputy Clerk

APR 13 1999

Department of Water Resources

1999 APR 12 PM 2: 08

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
DISTRICT OF THE

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

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 57-11195

On April 12, 1999, Special Master FRITZ X HAEMMERLE issued a SPECIAL MASTER'S 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 on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED April 12, 1999.

Debbie Lash
DEBBIE LASH
Deputy Clerk