

95

96

2' 30"

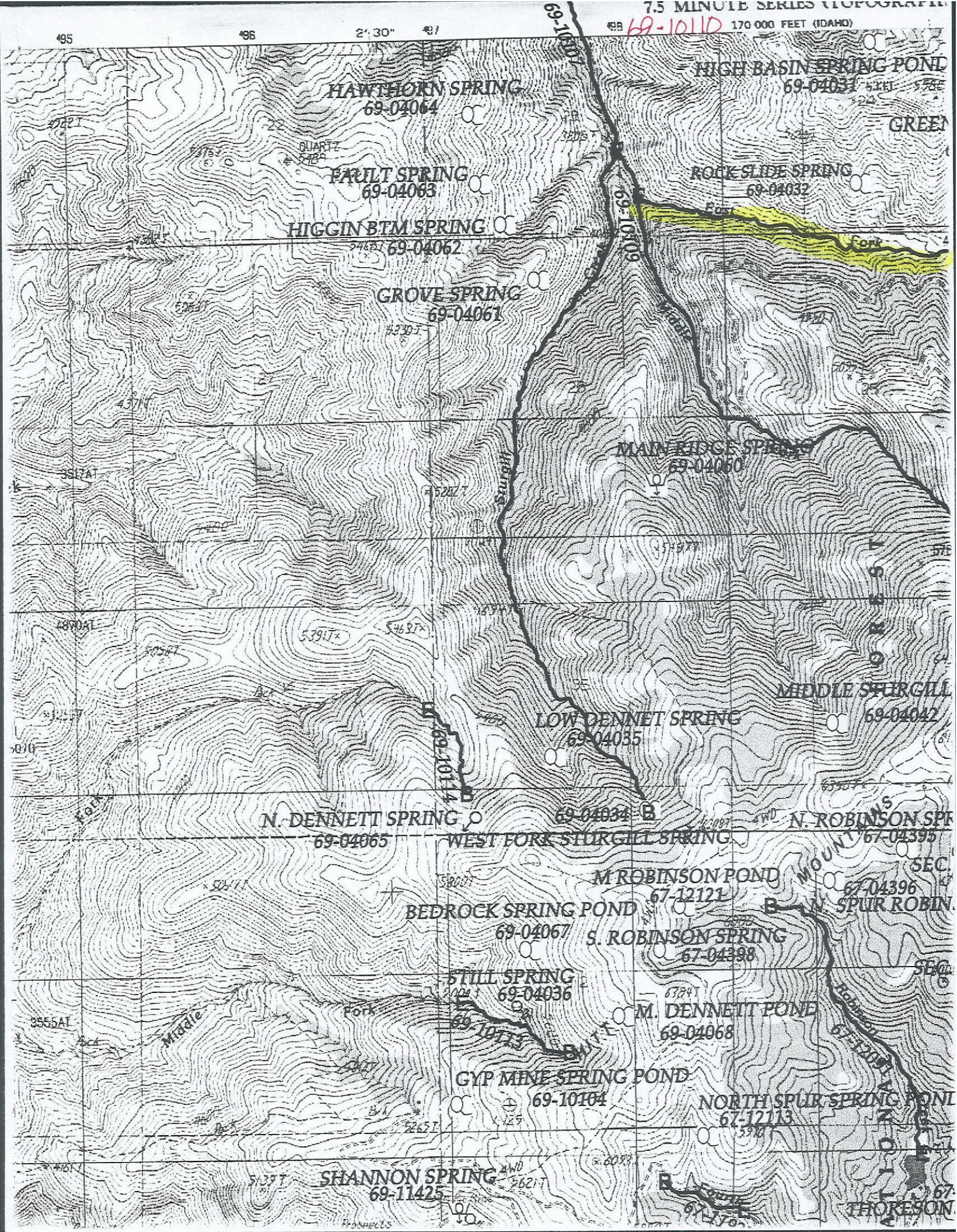
97

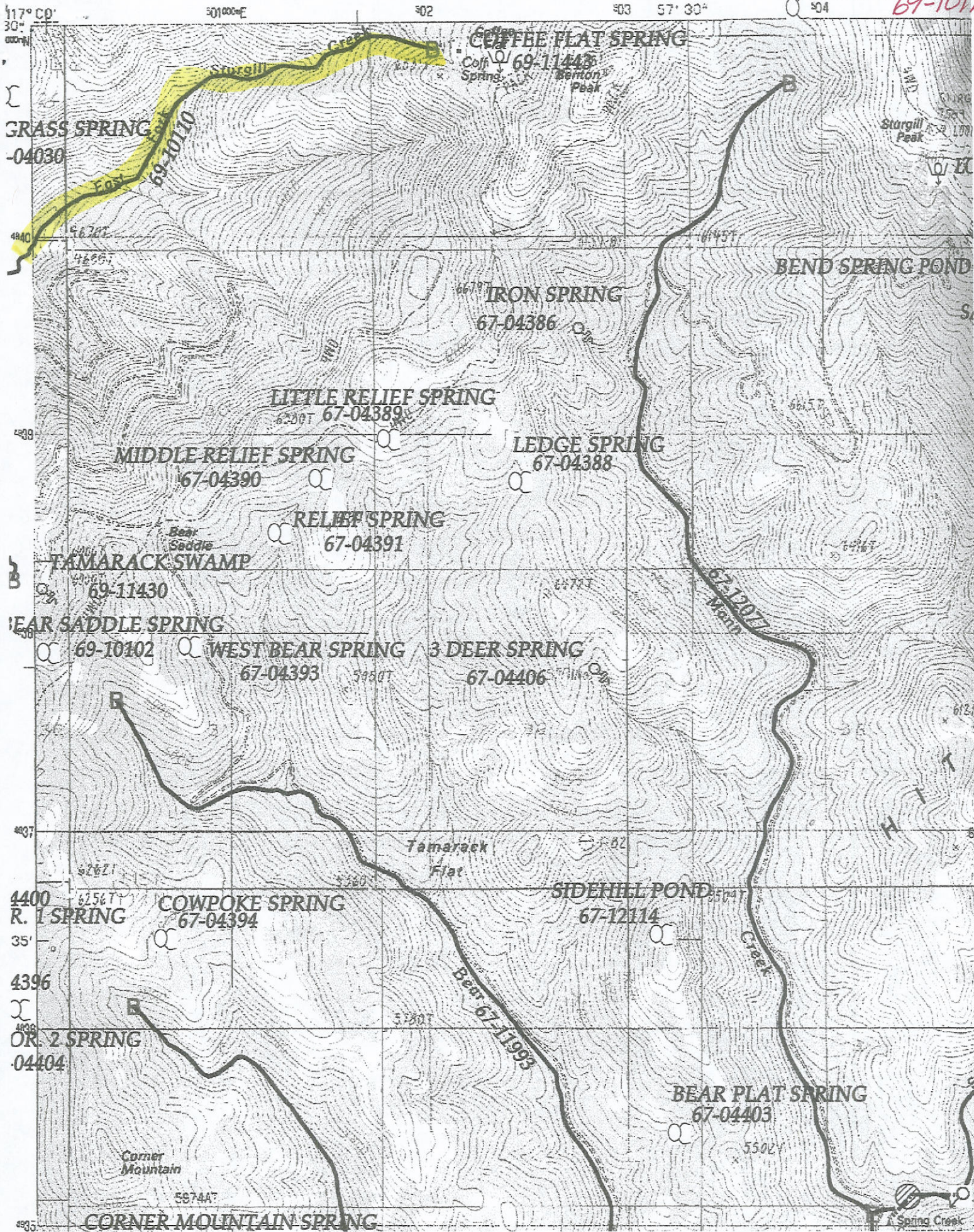
95

7.5 MINUTE SERIES (TOPOGRAPHIC)

170 000 FEET (IDAHO)

69-10110





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

CIVIL CASE NUMBER: 39576
Ident. Number: A69-10110
Date received: _____
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: UNITED STATES OF AMERICA (USDA-Forest Service)
Address: 324 25th Street Phone (801) 625-5360
Ogden, Utah 84401

2. Date of Priority: 06/01/1888

3. Source: EF STURGILL CR Trib. to: MF STURGILL

4. Point of Diversion:

Township	Range	Section	Tract	Lot	County
15 N	5 W	20	SWNW		WASHINGTON

5. Description of diverting works: NO DEVELOPMENT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.	(or)	Elevation/ Well Depth
STOCKWATER	Jun.1	Sep.30	0.02		0.00		

7. Total Quantity Appropriated is: 0.02 C.F.S. / 0.00 A.F.A.

8. Total consumptive use is: de minimus

9. Non-irrigation uses: CATTLE Livestock Numbers: 690

10. Place of Use:

Township	Range	Section	Tract	Lot	County
15 N	6 W	23	SWSE		WASHINGTON

Purpose of use: STOCKWATER Acres Irrigated:

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used: NONE

14. Remarks: Quad No. 297-3

ALSO ON QUAD 298-4

APPLICATION DATE: 00/00/

15. Basis of Claim: BENEFICIAL USE/APPLICATION

Reference Information:

National Forest: PAYETTE

Priority Dates: PAYETTE NATIONAL FOREST LIVESTOCK HISTORY

Forest Service Record ID: 04 12 17050201 51 2704 0

IDWR Water State Filing No.: 69-10110

Allotment No.: 200

Notice is hereby given that the United States Department of Justice will represent the Department of Agriculture, Forest Service, in all matters pertaining to the Snake River Basin Adjudication. All notices required by law to be mailed by the Director to the Claimant should be mailed to the individuals at the address below:

Jack Haugrud
Geoffrey Garver
Daria J. Zane
U.S. Department of Justice
Environment and Natural Resources Division
General Litigation Section
P.O. Box 663
Washington, D.C. 20044-0663
202-272-4134

This form is an attachment to a letter forwarding the claims of the U.S. Department of Agriculture, Forest Service. The signature and affirmation on such letter constitutes the signature of the authorized agent representing the United States of America required for each such claim.

A69-10110

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

DISTRICT COURT-SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
JUL 31 2003	
By _____	Clerk
_____	Deputy Clerk

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 69-10110

NAME AND ADDRESS: USDA FOREST SERVICE
550 W FORT ST, MSC 933
BOISE, ID 83724

SOURCE: STURGILL CREEK, EAST FORK TRIBUTARY: STURGILL CREEK, MIDDLE FORK

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 05/01/1880

POINT OF DIVERSION: T15N R05W S20 SWNW (Instream Beginning Point) Within Washington County
R06W S23 SWSE (Instream Ending Point)

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	06-01 TO 09-30	0.02 CFS

PLACE OF USE:	Stockwater		Within Washington County
	T15N R05W S19	SWNE	SENE
		SENW	NESW
	LOT 4	(SWSW)	SESW
	S20	SWNW	
	R06W S23	SWSE	SESE
	S24	SWSW	SESE
	S25	NENE	NWNE
		NENW	

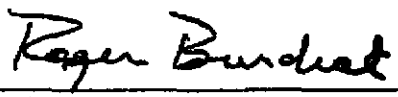
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

AUG - 8 2003

Department of Water Resources

DISTRICT COURT-SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
JUL 31 2003	
By _____	Clerk
_____	Deputy Clerk

**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 Rights 69-10110 and 69-10197

On June 10, 2003, a *Special Master's Report and Recommendation* was filed for the above water rights. 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 rights 69-10110 and 69-10197 are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED July 31, 2003.

Roger Burdick

ROGER S. BURDICK
Presiding Judge
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

DISTRICT COURT SRBA

Fifth Judicial District

County of Twin Falls - State of Idaho

JUL 31 2003

In Re SRBA

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

Case No. 19576

Water Right 69-10197

By

Clerk

Deputy Clerk

NAME AND ADDRESS: USDA FOREST SERVICE
550 W FORT ST, MSC 033
BOISE, ID 83724

SOURCE: BEAR CREEK

TRIBUTARY: WILDHORSE RIVER

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 05/01/1895

POINT OF DIVERSION: T19N R03W S16 NESE (Instream Beginning Point) Within Adams County
S29 NWNE (Instream Ending Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	06-01 TO 11-30	0.02 CFS

PLACE OF USE:	Stockwater	Within Adams County
	T19N R03W S16	NESE
		NWSE
	S17	SESE
	S20	NENE
		SENE
		SWSE
	S21	NWNE
		NWNW
	S29	NWNE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

AJ0749NP
No. R69-10110

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

DATE: 02/16/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 550 W FORT ST MSC 033 BOISE ID 83724	05/01/1880	STOCKWATER	06-01 09-30	0.02 CFS	
TOTAL DIVERSION:					0.02 CFS	

Water Source: STURGILL CREEK, EAST FORK

Tributary to: STURGILL CREEK, MIDDLE FORK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T15N R05W S20

SWNW

WASHINGTON County

Point(s) of Ending Stream Reach: T15N R05W S23

SWSE

WASHINGTON County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE															
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
15N	05W	19	:					S	S	:					S	:		S		S	S	:									
15N	05W	20	:							:			S			:						:									
15N	05W	23	:							:						:						:			S		S				
15N	05W	24	:							:						:					S	S	:				S				
15N	05W	25	:	S		S				:	S					:						:									

POU County: WASHINGTON

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP FOREST SERVICE RECORD ID = 0412 17050201 51 2704
STOCKWATER, 690 RANGE CATTLE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 12/02/1998 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 02/16/99 CWALKER

AJ5809NP
No. R69-10110

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/02/98
PAGE: 83

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 550 W FORT ST MSC 033 BOISE ID 83724	05/01/1880	STOCKWATER	06-01 09-30	0.02 CFS	
TOTAL DIVERSION:					0.02 CFS	

Water Source: STURGILL CREEK, EAST FORK ✓ Tributary to: STURGILL CREEK, MIDDLE FORK Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T15N R05W S20 SWNW ✓
Point(s) of Ending Stream Reach: T15N R05W S23 SWSE WASHINGTON County
WASHINGTON County

Place of use Legal Description for: STOCKWATER

		NE				NW				SW				SE			
T	R S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
15N	05W 19	:			S	S	:		S	:	S		S	:			
15N	05W 20	:					S	:		:				:			
15N	05W 23	:						:		:				:	S	S	:
15N	05W 24	:						:		:	S	S	:			S	:
15N	05W 25	:	S	S			S	:		:			:				

POU County: WASHINGTON

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
R69-10144

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP → FOREST SERVICE RECORD ID = 0412 17050201 51 2704
690 Cattle

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 12/02/1998 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.

AJ5809NP
No. R69-10110

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/02/98
PAGE: 84

=====

Comments: Date: 12/02/1998 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 11/18/98 AJCTR 12/02/98 AJU5-JSH

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

CIVIL CASE NUMBER: 39576
Ident. Number: 69-10110

RECEIVED

OCT 01 1998

Department of Water Resources

FILED UNDER STATE LAW

1. Name of Claimant: UNITED STATES OF AMERICA on behalf of the U.S.D.A. Forest Service

Address: 550 W. Fort Street MSC033

Boise ID 83724

2. Date of Priority: 05/01/1880

3. Source of water: STURGILL CREEK, EAST FORK

Tributary: STURGILL CREEK, MIDDLE
FORK

4. Location Meridian BOISE

Description of Diversion Works: None

From: Stream

Location of Point of Diversion

T: 15 N R: 05 W S: 20 SWNW B T: 15 N R: 05 W S: 23 SWSE E

Location of Point of Use

T: 15	N R: 05	W S: 19	NESW	Ac:	T: 15	N R: 05	W S: 19	SENE	Ac:
T: 15	N R: 05	W S: 19	SENW	Ac:	T: 15	N R: 05	W S: 19	SESW	Ac:
T: 15	N R: 05	W S: 19	SWNE	Ac:	T: 15	N R: 05	W S: 19	SWSW	Ac:
T: 15	N R: 05	W S: 20	SWNW	Ac:	T: 15	N R: 05	W S: 23	SESE	Ac:
T: 15	N R: 05	W S: 23	SWSE	Ac:	T: 15	N R: 05	W S: 24	SESE	Ac:
T: 15	N R: 05	W S: 24	SESW	Ac:	T: 15	N R: 05	W S: 24	SWSW	Ac:
T: 15	N R: 05	W S: 25	NENE	Ac:	T: 15	N R: 05	W S: 25	NENW	Ac:
T: 15	N R: 05	W S: 25	NWNE	Ac:					

5. Quantity claimed: Period Quantity For
6/ 01 - 9/ 30 0.02 CFS Stockwater

6. Total Consumptive Use Claimed for Present and Future Use is:

0.02 CFS

7. Present and future uses to which the water is or will be used:

Stockwater

8. Attach the legal description of the reservation, and maps showing for each consumptive use the existing and proposed place of use and existing points of diversion.

Bound separately

9. Remarks:

State Basin: 69

National Forest: Payette

Forest Service Record ID: 04 12 17050201 51 2704

10. Describe any other water rights used at the same place and for the same purposes as described above: None

11. Counties within the reservation: Not available

Notice is hereby given that the United States Department of Justice will represent the Department of Agriculture, Forest Service, in all matters pertaining to the Snake River Basin Adjudication. All notices required by law to be mailed by the Director to the claimant should be mailed to the individuals at the address

Bruce Bernard
U.S. Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, Box 33
Boise, ID 83724

This form is an attachment to a letter forwarding the claims of the U.S. Department of Agriculture, Forest Service. The signature and affirmation on such letter constitutes the signature of the authorized agent representing the United States of America required for each such claim.

RECEIVED

OCT 01 1998

Department of Water Resources

