

07/18/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 78-12187

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

SOURCE: SPRING TRIBUTARY: RAPID RIVER

QUANTITY: 0.020 CFS

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION:

T24N R01E S30 SWNWNE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within IDAHO County

T24N R01E S30 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.

The quantity of water under this right shall not exceed 13,000 gallons per day.

* 4/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT.*
THIS WATER RIGHT IS ALSO CLAIMED BASED ON FEDERAL LAW WITH
AN APRIL 17, 1926, DATE OF PRIORITY PURSUANT TO AN EXECUTIVE
ORDER SIGNED THE SAME DATE AND KNOWN AS PUBLIC WATER
RESERVE 107.

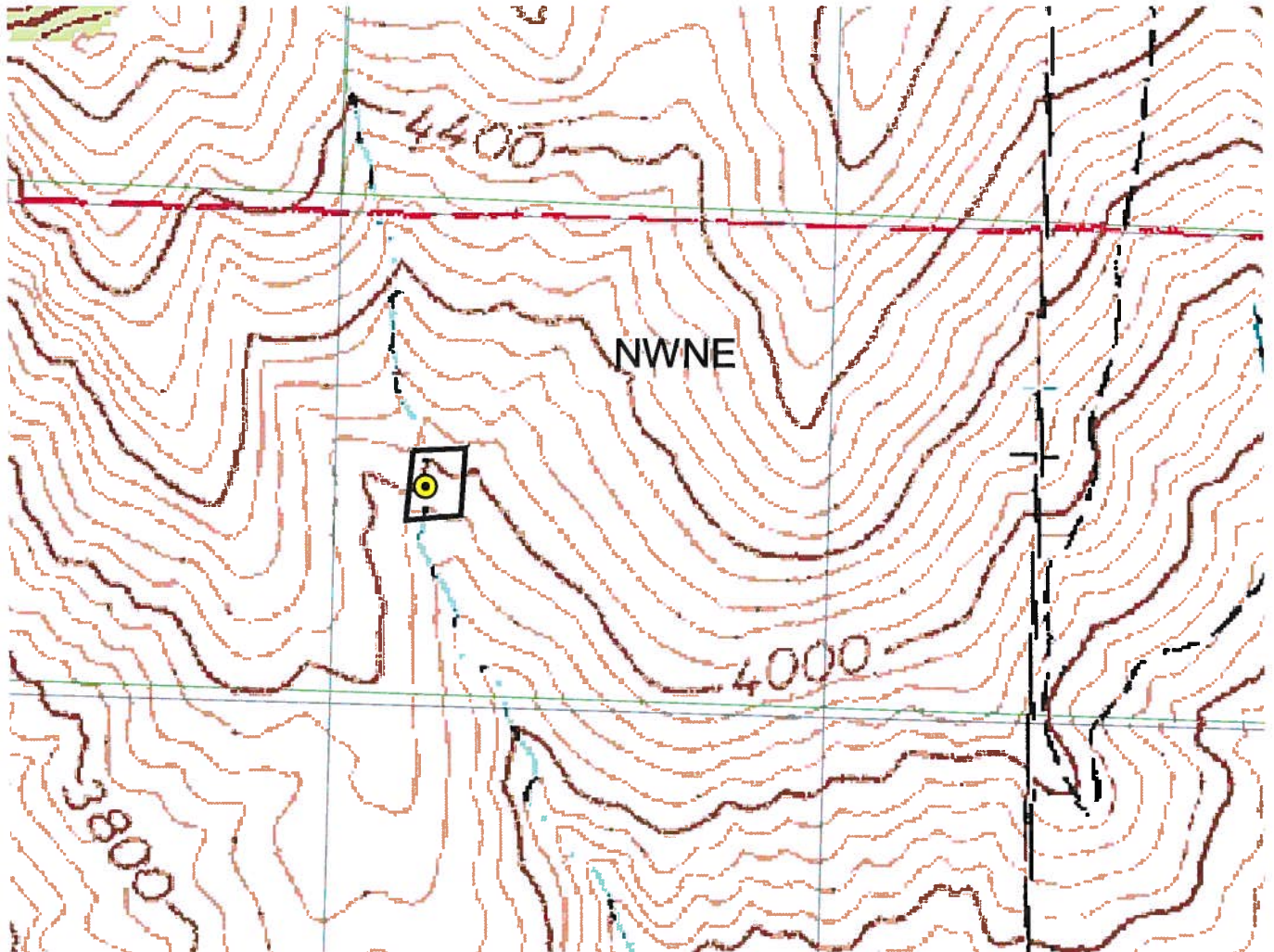
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Source locally known as Circle C Soard Flat Spring.

BLM Ident 7806581957

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

78-12187



0 300 600 Feet



Section 30
T24N R1E



● Point of Diversion

□ Place of Use

Map prepared on July 18, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

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 78-12187
Date Received: 1/15/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WY
BOISE ID USA 83709-1657

Phone: (208)373-4000

2. Date of Priority: 06/28/1934

3. Source: SPRING Trib. to: RAPID RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
24N	01E	30	SW NW NE	IDAHO	

5. Description of diverting works:

Undeveloped spring

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	01E	30	NW	NE	STOCKWATER	

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

Source locally known as Circle C Soard Flat Spring.

BLM Ident 7806581957

* 4/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT.*

THIS WATER RIGHT IS ALSO CLAIMED BASED ON FEDERAL LAW WITH AN APRIL 17, 1926, DATE OF PRIORITY PURSUANT TO AN EXECUTIVE ORDER SIGNED THE SAME DATE AND KNOWN AS PUBLIC WATER RESERVE 107.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

The quantity of water under this right shall not exceed 13,000 gallons per day.

15. Basis of Claim: Beneficial Use

☐ PPD? ☐ PD? ☐ Adm? ☐ Prob? ☐ IN THE DISTRICT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

NCAF

NOTICE of CLAIM for Water
Right number:

7812187 (IDWR number)

NAME and
ADDRESS

United States of America acting through
Bureau of Land Management
Idaho State Office
1387 South Vinnell Way
Boise, ID 83709 - 1657

BLMIDENT:

7806581957

Stg: StFed:

J

X

WATER FEDERALLY
RESERVED, SEE
REMARKS

4/17/1926

Other Right and date:

SOURCE:

Source Tributary

SPRING

RAPID RIVER

QUANTITY:

0.02

CFS

or VOLUME:

Acre Feet

The quantity of water under this right for stockwater shall not exceed 13,000 gallons per day.

PRIORITY DATE:

06/28/1934

Diversion Means: UNDEVELOPED SPRING

REMARKS:

Also reserved pursuant to Federal law

Pursuant to executive order dated 04/17/1926 and known as PWR 107. Source locally known as Circle C Soard Flat Spring.

POINT of
DIVERSION:

Twnship	Range	Section	T1	T2	T3	LOT	B/E	within the	County of
24N	01E	30	SW	NW	NE			49	IDAHO

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in AcFt
04	0101	1231	0.02	

CONSUMPTIVE
USE:

de minimis stockwater

DATE: 24-Jan-03

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	Twn	Rge	Sec	T1	T2	LOT	within the	County of
04	24E	01E	30	NW	NE		49	IDAHO

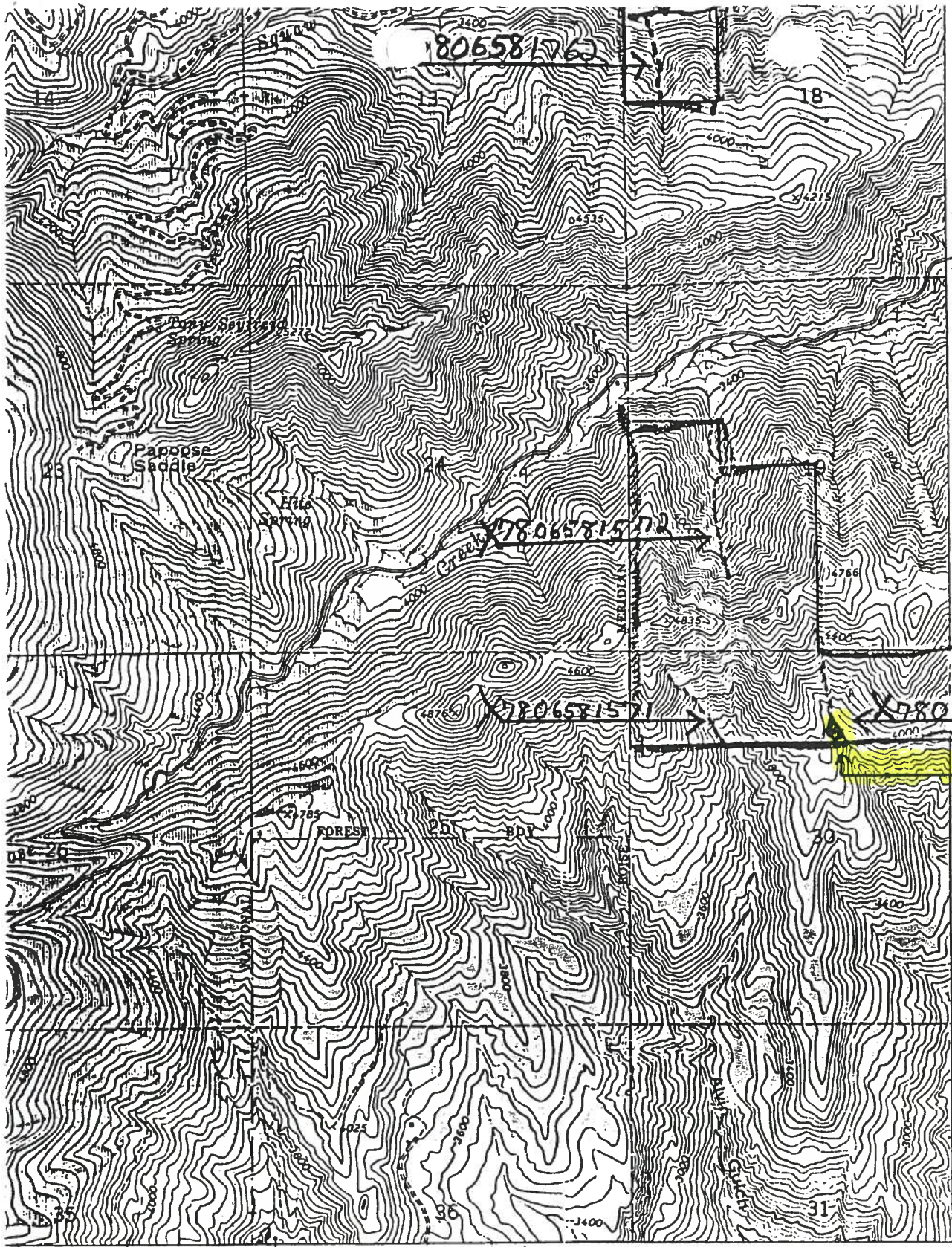
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SEP 24 2003

WATER RESOURCES
WESTERN REGION

RECEIVED

FEB 11 2003



ID Basin
#78

1 MILE
0 500 1000 FEET
1 KILOMETRE

ID Basin
#78



QUADRANGLE LOCATION

ROAD CLASSIFICATION

Light-duty _____ Unimproved dirt -----

T24N R1E

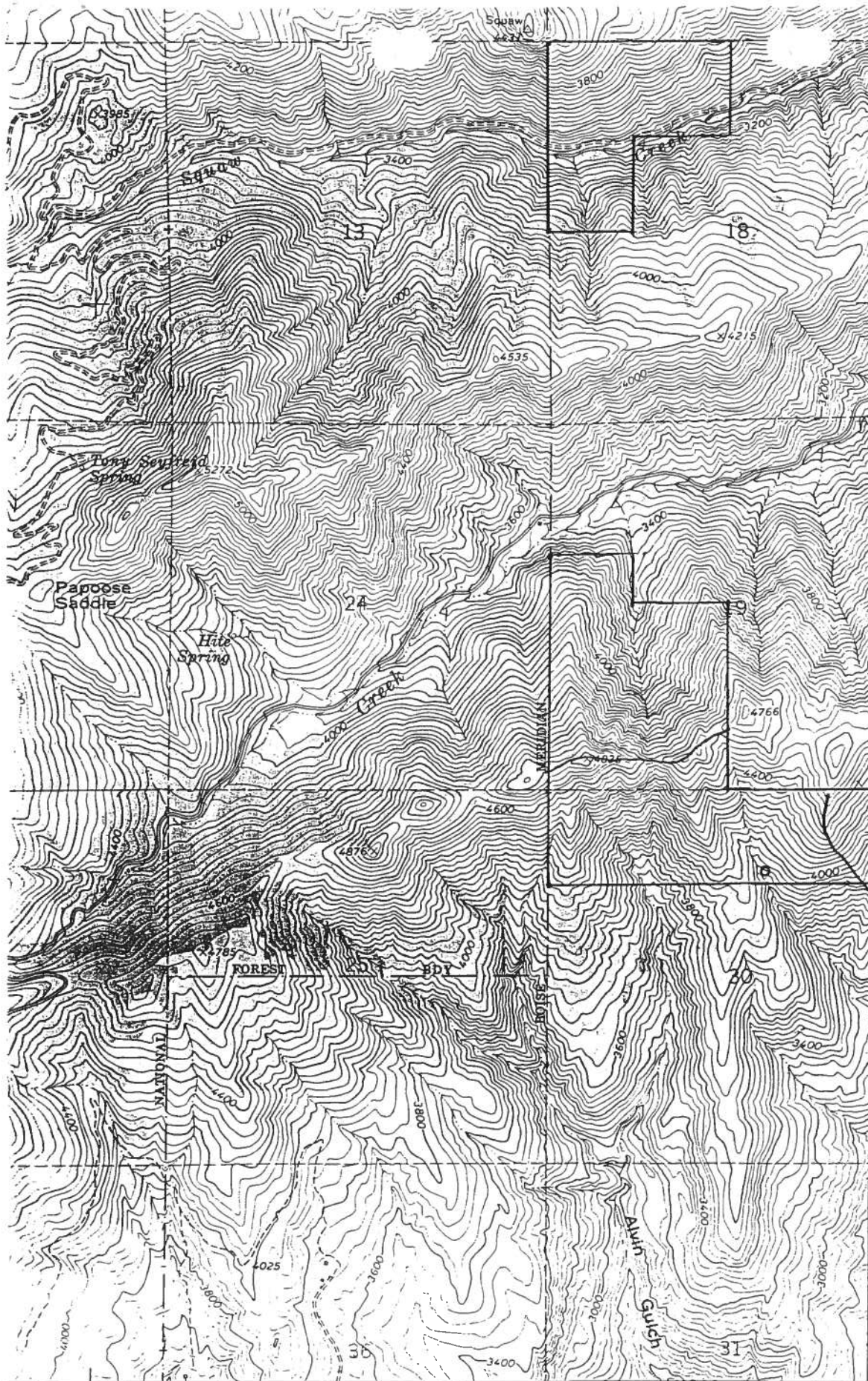
KESSLER CREEK, IDAHO

N4522.5=W11622.577.5

(POLLOCK)
277 IV SE

78

41



Kessler Creek
T24N R1E

5025000 m. N.

45° 22' 30"

116° 22' 30"

INTERIOR-GEOLOGICAL SURVEY, RESTON, VIRGINIA - 1976
R.1.W. R.1.E. 548000m.E.

(POLLOCK)
2774 IV SE

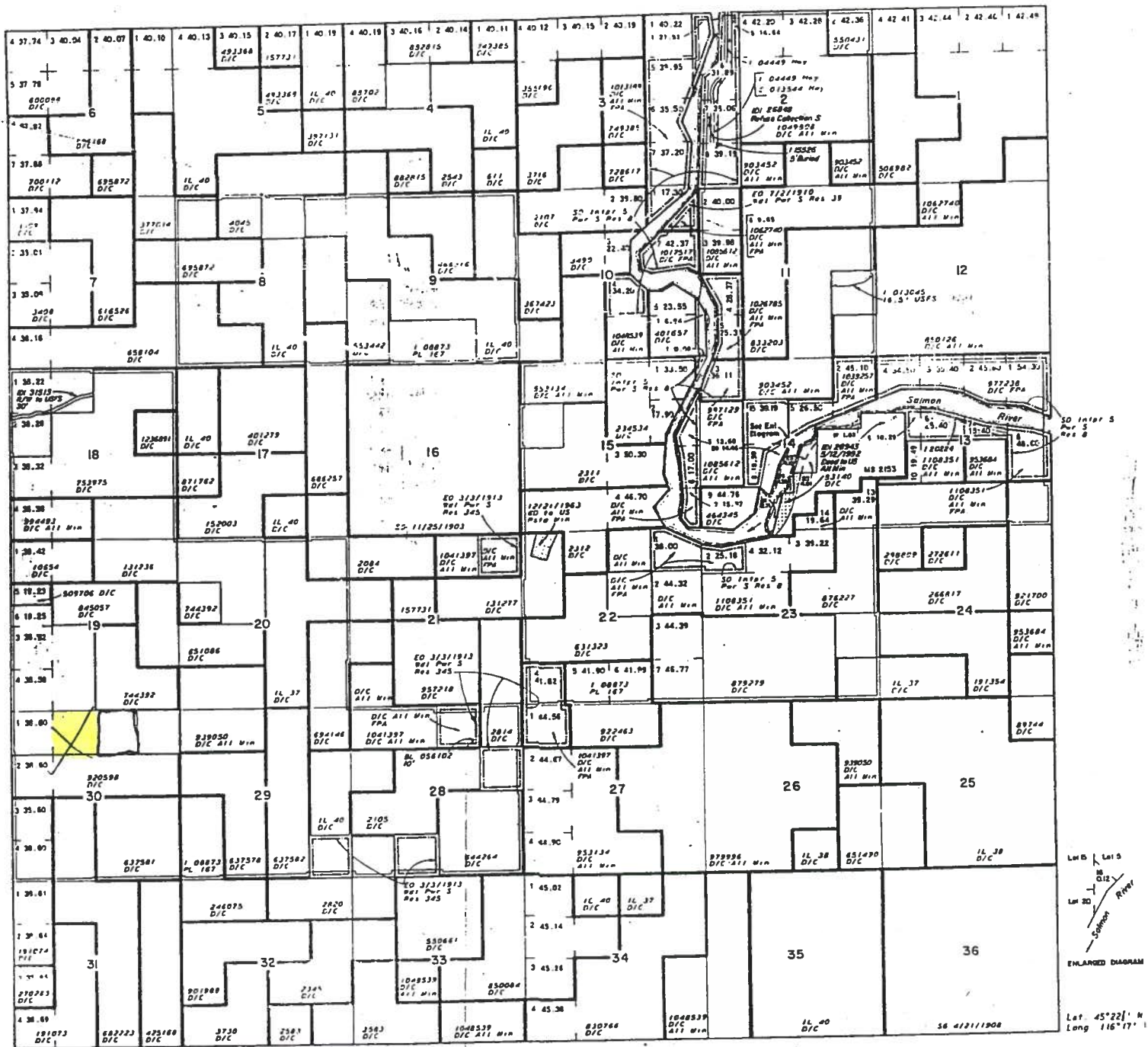
1 MILE
F.ET

ROAD CLASSIFICATION

Light-duty ————— Unimproved dirt =====

TOWNSHIP 24 NORTH RANGE 1 EAST OF THE BOISE MERIDIAN, IDAHO

IDAHO COUNTY 049
COEUR D'ALENE DISTRICT
COTTONWOOD



SCALE in Chains

ENLARGED DIAGRAM
Lat. 45°22' N
Long 116°17' W

WATER RIGHT CLAIM VERIFICATION

STATE OF IDAHO)
) ss:
COUNTY OF ADA)

CLAIMANT VERIFICATION:

Water Right Number: 78-12187

(a.) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I do ___ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear or affirm that I am Gary A. Madenford WaterRights Team Leader
Title
of United States of America, acting through U.S.D.I., BLM, that I have signed the foregoing
documents in the space below as Water Right Team Leader of United States of
Title
America, acting through U.S.D.I., BLM and that the statements contained in the foregoing
documents are true and correct.

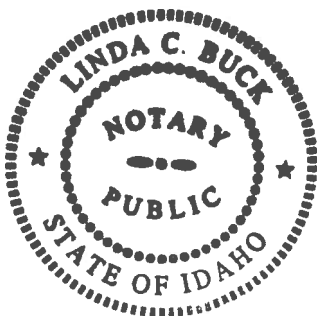
Signature of Authorized Agent *Gary A Madenford*
for the United States of America, acting through U.S.D.I., BLM

NOTARY:

Subscribed and sworn to before me on this 24th day of January, 2003.

Linda C Buck
Linda C. Buck

Seal



Notary Public in and for: State of Idaho
Residing at: Mountain Home, Idaho
My Commission Expires: December 21, 2005

Claims Data complete
9.2.03

Receipt for Items Received

February 11, 2003

The following items were received by me on February 11, 2003, from the BLM.

- BLM Claims 7812187 through 7812189 (Three total Claims in Basin 78.)
- A GS Map identifying exact location of claim
- An MTP identifying ownership around the claim (Blow up.
- Water Rights Claim Verification Form signed and notarized
- A summary of Claims providing additional information.

RECEIVED

SEP 24 2003

WATER RESOURCES
WESTERN REGION

S. Sherman
Signed

2-11-03
Date

RECEIVED

FEB 11 2003

Department of Water Resources

Basin 78

Summary Report For Transmittal of Claims New Claims.

<u>NO</u>	<u>BLM Ident.</u>	<u>IDWR NO</u>	<u>ClaimType</u>	<u>F.O.</u>	<u>Comments</u>
1	7806581957	78-12187	NCAF	COT	New Claim to a Spring discovered during a 06/22/2000 field investigation.
2	7806581959	78-12188	NCAF	COT	New claim to a Stream discovered during field investigation on 09/14/1999. Source locally known as Captain John Creek.
3	7806581960	78-12189	NCAF	COT	Previously Claimed in the SRBA(78-10775, 7801481259), Withdrawn and resubmitted under 7806581960 and this IDWR No.

Key: COT.....Cotton wood Field Office
NCAF.....New Claim After the Fact

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SEP 24 2003
WATER RESOURCES
WESTERN REGION

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FEB 11 2003