

RECEIVED
FEB 23 2012
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
FEB 22 2012
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	)	Water Right Claim: 61-02236B
	)	
Case No. 39576	)	ORDER GRANTING MOTION TO FILE
	)	LATE NOTICE OF CLAIM
	)	
	)	

On November 30, 2011, the United States of America acting through the USDI Bureau of Land Management, by and through counsel, David L. Negri, filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on February 21, 2012. This *Motion* complied with all procedural requirements under **SRBA Administrative Order 1**, and no objections were made to this late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for the above-captioned water right is **granted**.

The original Notice 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 claim 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: February 22, 2012.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING
MOTION TO FILE LATE NOTICE OF CLAIM was mailed on February 22,
2012, with sufficient first-class postage to the following:

UNITED STATES OF AMERICA

Represented by:

DAVID L NEGRI

US DEPARTMENT OF JUSTICE

ENVIRONMENT & NATURAL RESOURCE

550 WEST FORT STREET, MSC 033

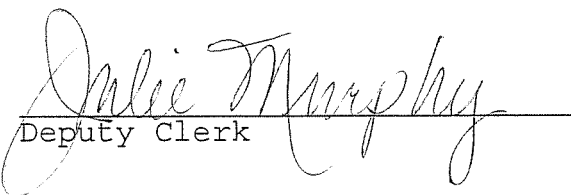
BOISE, ID 83724

Phone: 208-334-1936

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

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".

☐ 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

AMENDED NOTICE of CLAIM for
Water Right number:

6102236B (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:

6101688155

Stg: StFed:

L S

Other Right and date:

SOURCE:

Source Tributary

WARM SPRINGS CREEK

SNAKE RIVER

QUANTITY:

0

CFS

or VOLUME:

4

Acre Feet

☒ FY12

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

PRIORITY DATE:

03/24/1965

Diversion Means:

PUMPHOUSE, PIPELINE, STORAGE TANKS, TROUGHS

REMARKS:

POINT of
DIVERSION:

Twtnship	Range	Section	T1	T2	T3	LOT	B/E	within the	County of
04S	08E	9	SE	SE				39	ELMORE
04S	08E	16	NE	NE				39	ELMORE

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in AcFt
05	0101	1231		4
06	0101	1231	0	4

CONSUMPTIVE
USE:

de minimis stockwater

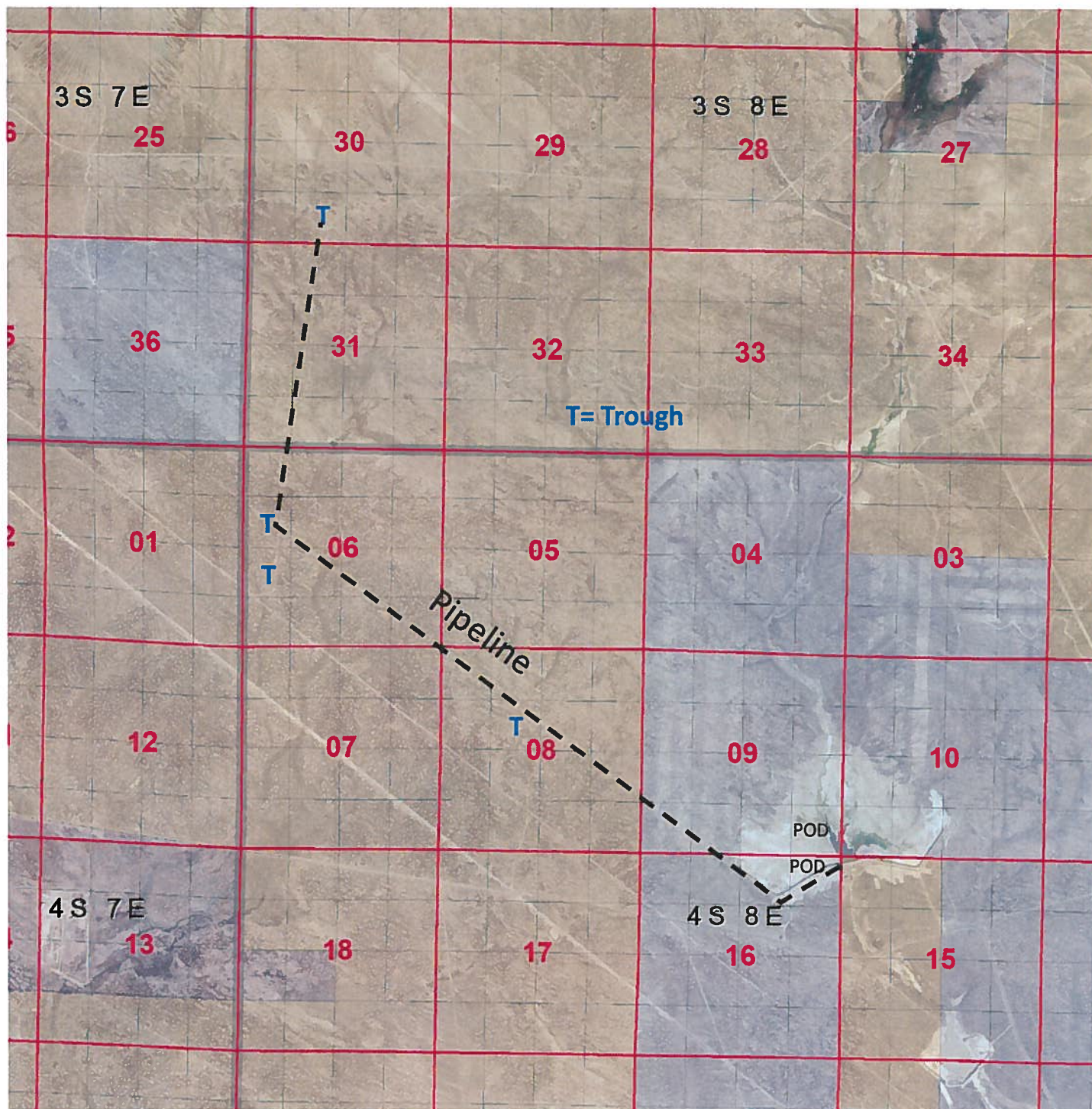
DATE: 28-Nov-11

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	Acres	within the	County of
06	03S	08E	30	SE	SW			39	ELMORE
05	03S	08E	30	SE	SW			39	ELMORE
06	04S	08E	6	NW	SW	6		39	ELMORE
05	04S	08E	6	NW	SW	6		39	ELMORE
06	04S	08E	6	SW	NW	5		39	ELMORE
05	04S	08E	6	SW	NW	5		39	ELMORE
06	04S	08E	8	SW	NW			39	ELMORE
05	04S	08E	8	SW	NW			39	ELMORE



61-02236B

ELMORE COUNTY 039
BOISE DISTRICT SEC 3

MT PLAT

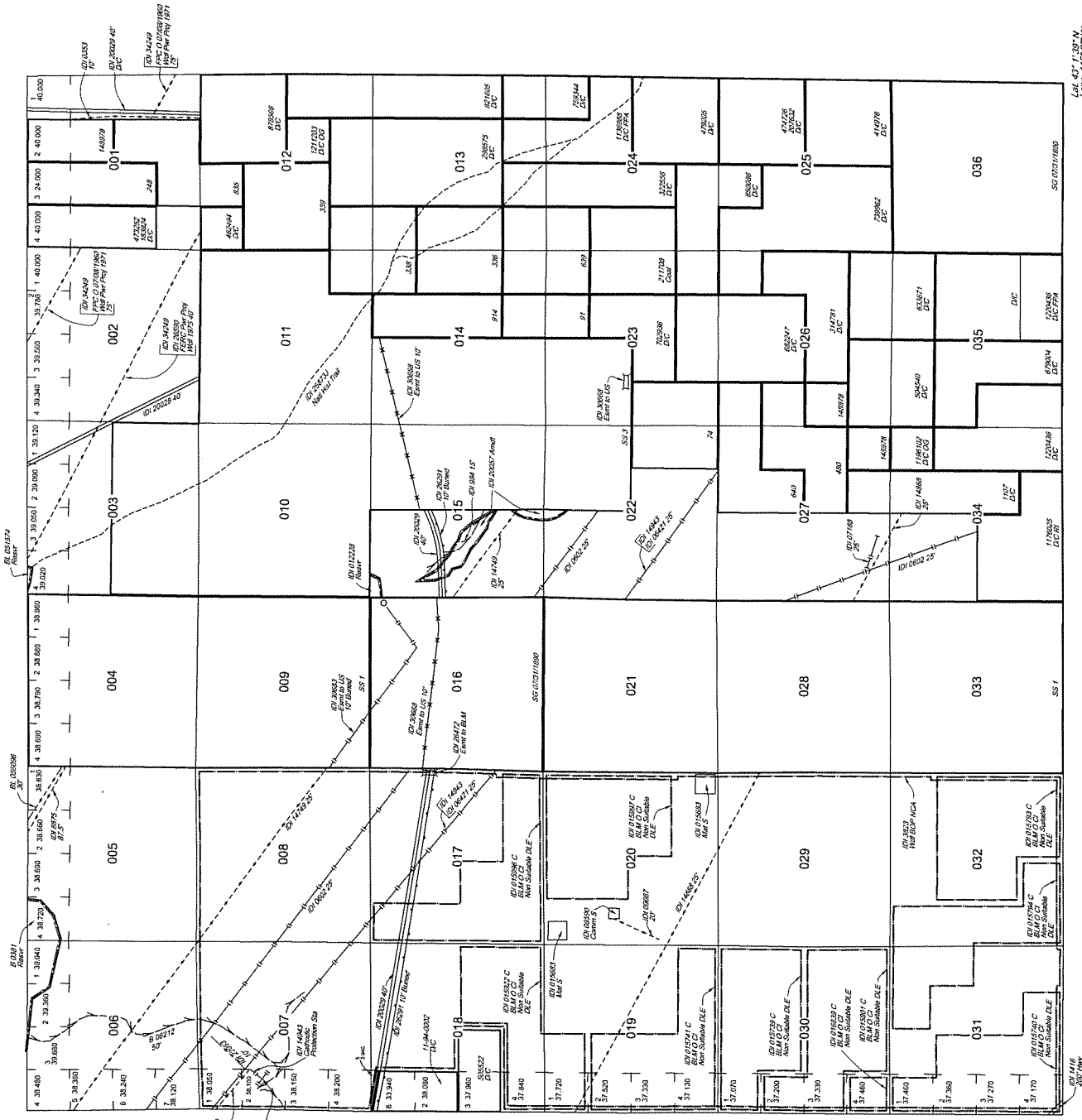
[illegible]

IDI 25873J Natl Hist Trail
Historical information only, does not denote
public access

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE REF: D000455036C4H10000 (2mg)	BY: JCB
LAST UPDATE: 07/11/2010	BY: LFM
CANOE #: 04502035	CANOE #2:
POSTED TO PUBLIC RECORDS: July 13, 2010	BY:
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BLM GDB ACQUIRED: 04/05/2005	
OTHER: N/A	
PROJECTED COORDINATE SYSTEM: UTM ZONE 11N, IAD 1983	
NOTES:	
USE PLATS:	

T. 4 S E
R. 8 E



LONG. 71° 27' W.

DISCLAIMER:

This data is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and townships survey data. Records herein are not intended to represent actual measurements or distances. The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed.

No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed.

The location shown on this document represents the best available information, but may not reflect the effective date. See the historical notes for the date of original withdrawal entry.

This document contains information that is not to be released without written permission from the Bureau of Land Management.

NORTH

SCALE in chains

SCALE in feet

SCALE in meters

U.S. Bureau of Land Management - Idaho State Office
1387 S. Vinland Way, Boise, Idaho 83709
(208) 373-4000

ELMORE COUNTY 039
BOISE DISTRICT SEC 3

MT PLAT

[illegible]

DI 25873J New Hist Trail
Historical information only, does not denote
public access

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

EYE REF: INFO@MUSONLINE.COM

FILE NAME : E:\00000000\BENEFIT\00006.IMG
CONVERTED TIFF: 09/08/2006 BY: ST

LAST UPDATED:	09/03/2008	BY
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QWOC #1:

POSTED TO PUBLIC RECORDS:
BY:

PUBLIC LAND SURVEY SYSTEM (PLSS)

BLM GOOD ACQUIRED: 04/26/

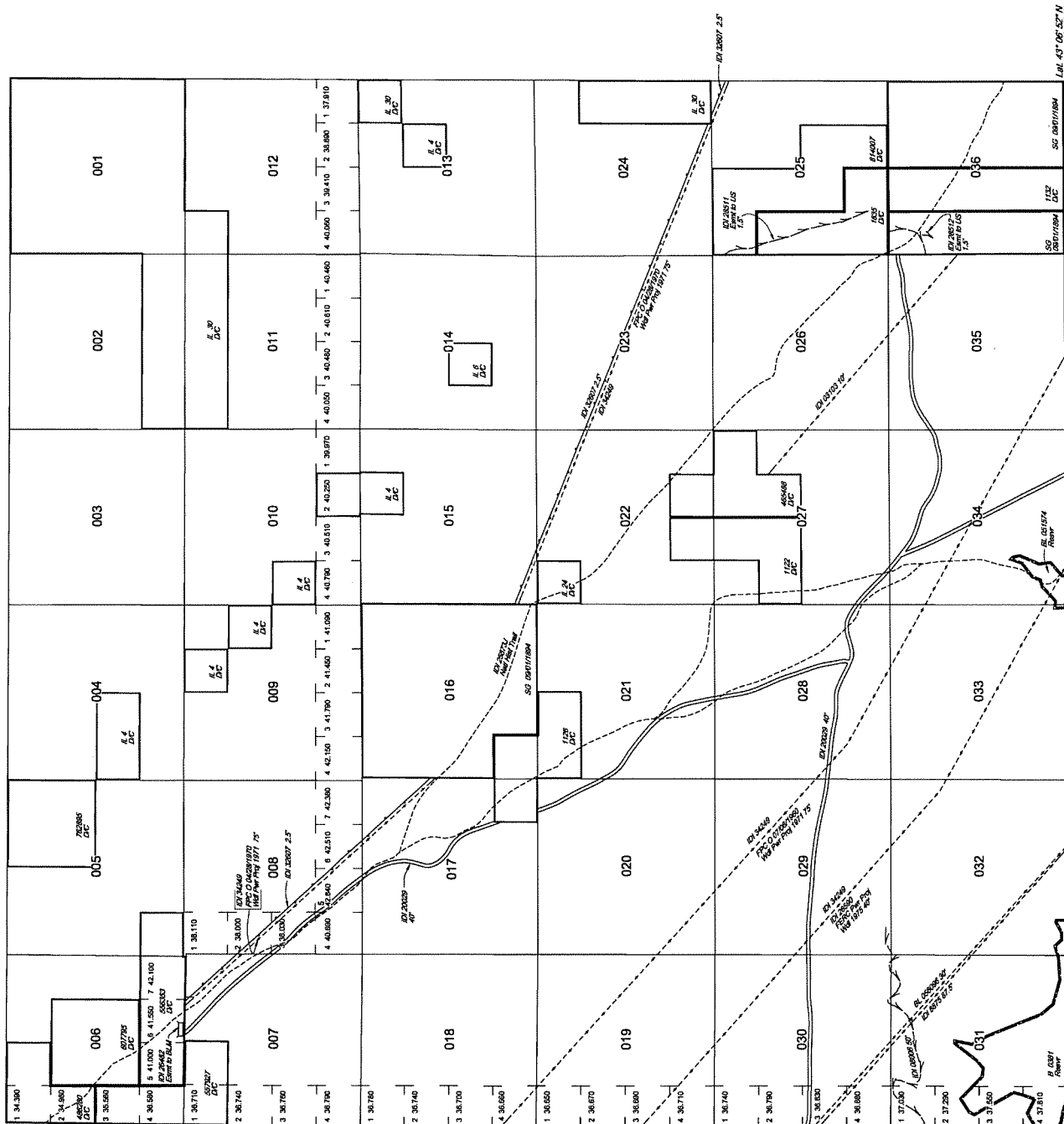
[illegible]

PROJECTED	NOTES:

NOTES

USE PLATS:

Volcan Mar.
T. 3 S
R. 8 E



DISCLAIMER:

This plot is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and township survey data. Records hereon do not reflect title changes which may have been affected by lateral movements of river or other bodies of water. Refer to cadastral surveys

The notation shown on withdrawals represent the last action taken, but may not be the effective date. See the historical index for the date for official information.

No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or of original withdrawn order.



STATE in relation

	0	20	30
69			

Table 1

SCALE in foot

Year	Number of people (millions)
1980	1,800
1990	2,200
2000	2,800
2020	3,800



U.S. Bureau of Land Management - Idaho State Office
1387 S. Vinnell Way Boise, Idaho 83709

(208) 373-4000



State of Idaho
Department of Water Resources

SEP 16 1991

Department of Water Resources
Western Regional Office

WATER RIGHT LICENSE
WATER RIGHT NO. 61-02236B

Priority: March 24, 1965

Maximum Storage Volume:

4.0 AF

This is to certify, that U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
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 March 24, 1965; and
has submitted Proof of Beneficial Use on January 28, 1976. An examination indicates
that the works have a storage capacity of 4.000 af of water from:

BENNETT CREEK
WARM SPRINGS CREEK

tributary to SNAKE RIVER
tributary to SNAKE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER STORAGE	01/01 to 12/31		4.0 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		4.0 AF
	Totals		4.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 9, Township 04S, Range 08E
NENE , Sec. 16, Township 04S, Range 08E
ELMORE County

PLACE OF USE: STOCKWATER STORAGE
TWN RGE SEC

03S 08E	30	SESW
04S 07E	1	SENE
08E	6	LOT 6(NWSW)
	8	SESW

PLACE OF USE: STOCKWATER FROM STORAGE, same as STOCKWATER STORAGE use

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
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.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

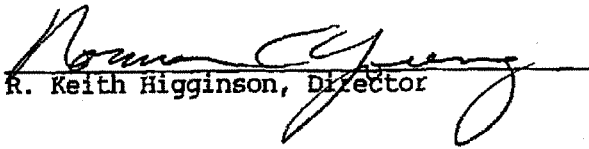
WATER RIGHT NO. 61-02236B

CONDITIONS/REMARKS:

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.

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 4TH day of SEPTEMBER, 1991.

Acting for


R. Keith Higginson, Director