

AJ0749NP
No. A43-10573

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

DATE: 07/15/99
PAGE: 1

OWNER CODE: C C BAR CATTLE CO
NAME & ADDRESS: 139 EAST SOUTH TEMPLE #310
SALT LAKE CITY UT 84111
(801) 328-1600
PRIORITY DATE: 05/01/1871
WATER USE: STOCKWATER
DIVERSION RATE: 0.12 CFS
DIVERSION VOLUME: 50.00 AFA
TOTAL DIVERSION: 0.12 CFS 50.00 AFA

Water Source: HUTCHNEY SPRING
Tributary to: SINKS
Point(s) of Diversion: T14S R28E S14 SESE
Stage: BENEFICIAL USE
CASSIA County

Place of use Legal Description for: STOCKWATER																		
NE																		
NW																		
SW																		
SE																		
T	R	S	NENE	NNNE	SWNE	SENE	NENW	NNNW	SWNW	SENW	NESW	NNSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
13S	28E	34	S		S	S			S	S			S	S				
13S	28E	35	S		S	S			S	S			S	S			S	S
14S	28E	1	S		S	S			S	S			S	S			S	S
14S	28E	2	S		S	S			S	S			S	S			S	S
14S	28E	11	S		S	S			S	S			S	S			S	S
14S	28E	12	S		S	S			S	S			S	S			S	S
14S	28E	13	S		S	S			S	S			S	S			S	S
14S	28E	14	S		S	S			S	S			S	S			S	S

POU County: CASSIA

Non-Irrigation Uses: S/500 RANGE

Other Rights: NONE

Remarks: GEN THE LAND NOT OWNED BY APPLICANT IS A COMBINATION OF BLM AND
FOREST SERVICE LAND UPON WHICH APPLICANT HAS A VALID GRAZING
LEASE.
7-14-99: OWNERSHIP CHANGE PIERCE TO C BAR CATTLE CO PER NOTICE
REC'D - VH

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

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

POU and
Trorashs per
map
submitted
DTH
4-30-01

C/E
1-4-01
D#

Movant's Name: C Bar Cattle Company

Attorney: Roger D. Ling
LING, NIELSEN & ROBINSON
615 H. Street, P.O. Box 396
Rupert, Idaho 83350
ISB No. 1018

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 No. 43-10573
Case No. 39576) NOTICE OF APPEARANCE

DESCRIPTIVE SUMMARY

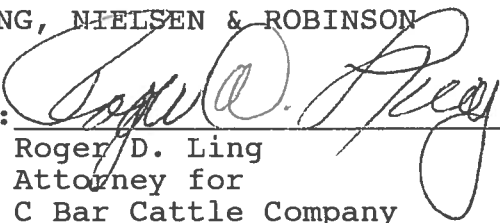
This document is a Notice of Appearance by Roger D. Ling
of the firm of Ling, Nielsen & Robinson on behalf of C Bar Cattle
Company.

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE, that Roger D. Ling of the firm of
Ling, Nielsen & Robinson hereby enters an appearance of the firm as
the attorneys of record in the subcase listed above for C Bar
Cattle Company.

DATED this 28th day of July, 1999.

LING, NIELSEN & ROBINSON

By: 

Roger D. Ling
Attorney for
C Bar Cattle Company

NOTICE OF APPEARANCE

- 1 -

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

o/c

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

VED

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

NOV 18 1998

Department of Water Resources
Southern Region

Water Right No(s): A43-10573

Adjudication Claim No(s): _____

The following REQUIRED information must be submitted with this form:
(See Enclosure)

- A. A copy of the most recent DEED, **TITLE POLICY**, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Jack A. Pierce

4. New Owner/Claimant(s) Malta ID 83342

New Mailing Address C Bar Cattle Company
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

City, State and ZIP Code 139 East South Temple Suite 310

New Telephone Number Salt Lake City UT 84111

5. Date you acquired the property (801) 328-1600

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock June 27-1990 1500 Cattle

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) C BAR CATTLE COMPANY
By: Christopher A. Robinson, President

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

Documents with 43-02097C

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: A43-10573
Date Received: 6/20/1989
Receipt No: C007642
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JACK A. PIERCE 208-645-2580
Address: MALTA, ID 83342

2. Date of Priority: MAY 01, 1871

3. Source: HUTCHEY SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14S	28E	14	SE	SE			CASSIA

5. Description of diverting works:
DEVELOPED SPRING, PIPING, AND STOCK TANKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	05/01	12/01	0.120		50.00

7. Total Quantity Appropriated is:
0.120 C.F.S. (and/or) 50.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/500 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	28E	34	NE	NE		STOCK	
			NW	NE		STOCK	
			SW	NE		STOCK	

A43-10573

Page 1

Date: 08/09/89

MICROFILMED

MAR 05 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres			
13S	28E	34	SE		NE		STOCK				
			NE		NW		STOCK				
			NW		NW		STOCK				
			SW		NW		STOCK				
			SE		NW		STOCK				
			NE		SW		STOCK				
			NW		SW		STOCK				
			SW		SW		STOCK				
			SE		SW		STOCK				
			NE		SE		STOCK				
			NW		SE		STOCK				
			SW		SE		STOCK				
			SE		SE		STOCK				
			NE		NE		STOCK				
			NW		NE		STOCK				
			SW		NE		STOCK				
			SE		NE		STOCK				
			NE		NW		STOCK				
			NW		NW		STOCK				
			SW		NW		STOCK				
			SE		NW		STOCK				
			NE		SW		STOCK				
			NW		SW		STOCK				
			SW		SW		STOCK				
			SE		SW		STOCK				
			NE		SE		STOCK				
			NW		SE		STOCK				
			SW		SE		STOCK				
			SE		SE		STOCK				
			14S	28E	1	NE		NE		STOCK	
						NW		NE		STOCK	
						SW		NE		STOCK	
						SE		NE		STOCK	
						NE		NW		STOCK	
						NW		NW		STOCK	
SW		NW					STOCK				
SE		NW					STOCK				
NE		SW					STOCK				
NW		SW					STOCK				
SW		SW					STOCK				
SE		SW					STOCK				
NE		SE					STOCK				
NW		SE					STOCK				
SW		SE					STOCK				
SE		SE					STOCK				

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14S	28E	2	NE		NE		STOCK	
			NW		NE		STOCK	
			SW		NE		STOCK	
			SE		NE		STOCK	
			NE		NW		STOCK	
			NW		NW		STOCK	
			SW		NW		STOCK	
			SE		NW		STOCK	
			NE		SW		STOCK	
			NW		SW		STOCK	
			SW		SW		STOCK	
			SE		SW		STOCK	
			NE		SE		STOCK	
			NW		SE		STOCK	
			SW		SE		STOCK	
		11	SE		SE		STOCK	
			NE		NE		STOCK	
			NW		NE		STOCK	
			SW		NE		STOCK	
			SE		NE		STOCK	
			NE		NW		STOCK	
			NW		NW		STOCK	
			SW		NW		STOCK	
			SE		NW		STOCK	
			NE		SW		STOCK	
			NW		SW		STOCK	
			SW		SW		STOCK	
			SE		SW		STOCK	
			NE		SE		STOCK	
			NW		SE		STOCK	
			SW		SE		STOCK	
		12	SE		SE		STOCK	
			NE		NE		STOCK	
			NW		NE		STOCK	
			SW		NE		STOCK	
			SE		NE		STOCK	
			NE		NW		STOCK	
			NW		NW		STOCK	
			SW		NW		STOCK	
			SE		NW		STOCK	
			NE		SW		STOCK	
			NW		SW		STOCK	
			SW		SW		STOCK	
			SE		SW		STOCK	
			NE		SE		STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14S	28E	12	NW		SE		STOCK	
			SW		SE		STOCK	
			SE		SE		STOCK	
		13	NE		NE		STOCK	
			NW		NE		STOCK	
			SW		NE		STOCK	
			SE		NE		STOCK	
			NE		NW		STOCK	
			NW		NW		STOCK	
			SW		NW		STOCK	
			SE		NW		STOCK	
			NE		SW		STOCK	
			NW		SW		STOCK	
			SW		SW		STOCK	
			SE		SW		STOCK	
			NE		SE		STOCK	
			NW		SE		STOCK	
			SW		SE		STOCK	
			SE		SE		STOCK	
		14	NE		NE		STOCK	
			NW		NE		STOCK	
			SW		NE		STOCK	
			SE		NE		STOCK	
			NE		NW		STOCK	
			NW		NW		STOCK	
			SW		NW		STOCK	
			SE		NW		STOCK	
			NE		SW		STOCK	
			NW		SW		STOCK	
			SW		SW		STOCK	
			SE		SW		STOCK	
			NE		SE		STOCK	
			NW		SE		STOCK	
			SW		SE		STOCK	
			SE		SE		STOCK	

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
NONE

14. Remarks:
THE LAND NOT OWNED BY APPLICANT IS A COMBINATION OF BLM AND

14. Remarks: Continued

FOREST SERVICE LAND UPON WHICH APPLICANT HAS A VALID GRAZING
LEASE.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the
foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

**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: 443-10573Ident. Number 39576Date Received 6-20-89 cdReceipt Number 0007642

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

RECEIVED
JUN 20 1989

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Jack A. Pierce Phone (208) 645-2580Mailing Address Malta, Idaho Zip 833422. Date of Priority (Only one (1) per claim) May 1, 18713. Source of water supply (a) Hutchey Spring
which is tributary to (b) Sinks4. a. Location of existing point of diversion is: Township 14S Range 28E Section 14,
1/4 of SE 1/4 of SE 1/4, Govt. Lot, B.M., County of CassiaAdditional points of diversion if any: Noneb. If instream flow, beginning point of claimed instream flow is: N/A

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Developed spring piping and stock tanks.**MICROFILMED****MAR 05 1993**

ORIGINAL claim sent to legal for
objection review 3/6/02.

COPY

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Stockwater purposes from 5/1 to 12/1 amount .12 or 50

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .12 (cfs) and/or (b) 50 (acre feet)

8. Total consumptive use claimed is -0- acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Water for 500 head of beef cattle

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
14S	28E	13	- all	✓															
14S	28E	14	- all	✓															
14S	28E	11	- all	✓															
14S	28E	12	- all	✓															
14S	28E	1	- all	✓															
14S	28E	2	- all	✓															
13S	28E	34	- all	✓															
13S	28E	34	- all	✓															

Total number of acres irrigated -0-

11. In which county (ies) are lands listed above as place of use located? Cassia

12. Do you own the property listed above as place of use? Yes X No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks: The land not owned by applicant is a combination of BLM and Forest Service land upon which applicant has a valid grazing lease.

MICROFILMED

MAR 05 1993

Last Name Pierce Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

SEE ATTACHMENT "A"

MAR 05 1993

Last Name Pierce Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number None
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____

Date June 1, 1989

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)

County of Ada)

SS.

Subscribed and sworn (or affirmed) before me this 1 day of June 19 89

Notary Public

Sheri L. Chapman

Residing at

3205 E. Hubbard Rd. Meridian ID

My Commission Expires

6/14/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

MAR 05 1993

Last Name Pierce Ident. Number _____

Copies White-State, Yellow-Claimant

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Piero

CLAIM IDENT. NO.

A 43-10573

DATE RECEIVED

6-20-89

CK #

AMOUNT \$

0007642

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ✓ NO *
2. Is a priority date entered? ✓ NO *
Is the priority date acceptable in view of mandatory filing dates? ✓ *
See Adjudication Memos #1 and #4 to determine if a Permit is required. ✓ *
3. (a) Is a source entered? ✓ NO *
(b) Is a tributary to entered? (if required) ✓ NO *
4. Is the legal description of the p.d. sufficient? ✓ NO *
5. Is there a description of the diverting works? ✓ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ✓ NO *
Is the period of use included? ✓ NO *
Is a quantity claimed for each use? ✓ NO *
7. Is a total quantity claimed entered? ✓ NO *
8. If required is a consumptive use entered? ✓ NO *
Is the consumptive use correct? ✓ NO *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ✓ NO *
10. Is (are) the place(s) of use and purpose(s) indicated? ✓ NO See Comment
11. Is (are) the county(ies) entered? ✓ NO *
12. Is the ownership of p.u. checked? ✓ NO *
13. Are other water rights listed or "none" indicated? ✓ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ✓ NO *
15. Is the basis of the claim indicated? ✓ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ✓ NO *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ✓ NO *
18. Has the claim been signed, sealed, and dated by a notary? ✓ NO *
19. Was this claim filed on time, or was an extension granted? ✓ NO *
20. Is the fee enclosed correct? ✓ NO *
21. If this claim is based on an existing water right, has the identification number been entered? ✓ NO *
22. Should this claim be data entered? ✓ NO *

Claim checked by: CTDate: 7-24-89Claim must be returned to claimant: NO (Yes) (No)Claimant must be notified of modifications: NO (Yes) (No)Receipt Prepared by: CTClaim data entered by: CTSent to claimant by: CTDate: 6-20-89Date: 7-24-89Date: 7-24-89Checked by: MICROFILMED Date: MAR 05 1993Comments: Map shows sec. 34 & 35, Item 10 has 2 entries for sec. 34. Modification letter to Sherl Chapman



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 5, 1989

Mr. Sherl Chapman
410 S. Orchard, Suite 144
Boise, ID 83705

RE: Snake River Basin Adjudication
Jack A. Pierce
Cassia County Claim #A43-10573

Dear Sherl:

We are forwarding to you a computer-generated copy of the claim you filed on behalf of your client, Jack A. Pierce, for his property in Cassia County.

We have interpreted the data from your client's claim and have made some minor modifications which we feel more accurately describes his water right. The items that were modified are highlighted. Please review the enclosed form to assure that these modifications are in agreement with Mr. Pierce's water right.

If you agree that the modifications are correct as indicated, you do not have to return this form. If you feel we have misinterpreted this claim, and you make any changes to the Notice of Claim form enclosed, your client must initial the changes made, sign the form before a notary public and return the claim and a copy of this letter to:

Idaho Department of Water Resources
Adjudication Bureau
Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

Please make these corrections before January 5, 1989. Do not hesitate to contact this office.

Yours Truly,

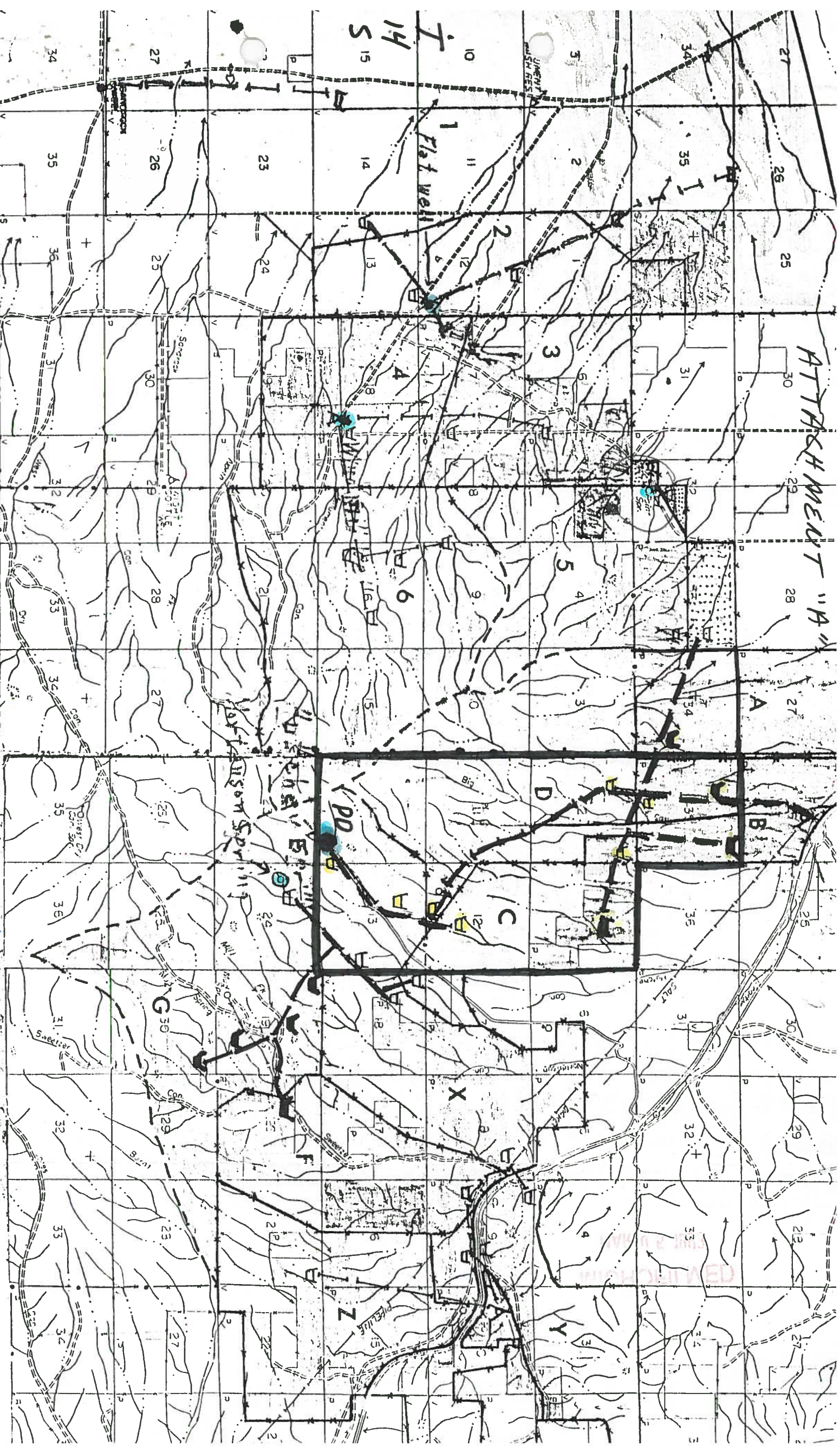
Carter Fritschle
Senior Water Rights Agent

CF:sf:state:tf
Enclosures:
Claim #A43-10573

MICROFILMED

MAR 05 1993

ATTACHMENT "A"



Attachment "D"

D 29 E

10573

R 29 E



State of Idaho

DEPARTMENT OF WATER RESOURCES

(208) 327-7900

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - [REDACTED]

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 25, 1989

Sherl L. Chapman, Consultant
410 S. Orchard, Suite 144
Boise, ID 83705

Re: Snake River Basin Adjudication SRBA Claims
Mr. Jack A. Pierce - Malta, Idaho
Cassia County

Dear Mr. Chapman:

In response to your letter of May 24, 1989 and the reasons given for the late filing of Mr. Pierce Adjudication claims in Cassia County.

This letter is an extension of time for the filing of the above referenced Notice of Claim to a Water Right. The original filing deadline for these claims are June 8, 1989. The extension is granted as requested until August 8, 1989. Please keep this extension of time with your other legal documents. You need take no further action at this time in regards to this water right.

This extension is granted under the authority of §42-1409 (10), Idaho Code.

Signed this 25th day of May, 1989.



David B. Shaw
Adjudication Bureau Chief

DBS;ds

MICROFILMED

MAR 05 1993

AJ5809NP
No. R43-10573

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/03/98
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JACK A PIERCE	05/01/1871	STOCKWATER	05-01 12-01	0.12 CFS	50.00 AFA
TOTAL DIVERSION:					0.12 CFS	50.00 AFA

Water Source: HUTCHEY SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion: T14S R28E S14

SESE

CASSIA 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	:
13S	28E	34	:	S		S		S		S		S		:	S		S		S		S		S		:
13S	28E	35	:	S		S		S		S		S		:	S		S		S		S		S		:
14S	28E	1	:	S		S		S		S		S		:	S		S		S		S		S		:
14S	28E	2	:	S		S		S		S		S		:	S		S		S		S		S		:
14S	28E	11	:	S		S		S		S		S		:	S		S		S		S		S		:
14S	28E	12	:	S		S		S		S		S		:	S		S		S		S		S		:
14S	28E	13	:	S		S		S		S		S		:	S		S		S		S		S		:
14S	28E	14	:	S		S		S		S		S		:	S		S		S		S		S		:

POU County: CASSIA

Other Rights: NONE

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 STOCKWATER, 500 RANGE CATTLE.

Dates: Exam Made Date: Verified Date: 10/20/1997 Objection Filed Date:

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

P/H 9

Hold

03/26/2004

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

RIGHT NUMBER: 43-10573

NAME AND ADDRESS: C BAR CATTLE CO
C/O CHRISTOPHER F ROBINSON
139 E SOUTH TEMPLE #310
SALT LAKE CITY UT 84111

SOURCE: HUTCHEY SPRING

TRIBUTARY: SINKS

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 10/11/1970

POINT OF DIVERSION:

T14S R28E S14 SESE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

05/01 12/01

0.020 CFS

PLACE OF USE: STOCKWATER Within CASSIA County

T13S R28E S34	SWNW	T13S R28E S34	NWSE
T13S R28E S35	NENE	T13S R28E S35	NENW
T13S R28E S35	SESW	T14S R28E S01	SENW
T14S R28E S02 Lot 1	NENE	T14S R29E S18	NWNE
T14S R29E S18	SENW		

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

THIS WATER RIGHT IS ALSO SUBJECT TO THE TERMS AND CONDITIONS
OF THE SITIPULATION TO RESOLVE SUBCASES ENTERED INTO ON
MARCH 18, 2004 BETWEEN THE UNITED STATES OF AMERICA AND THE
C BAR CATTLE COMPANY FILED IN THE OFFICE OF THE CASSIA
COUNTY RECORDER AND RECORDED ON MARCH 22, 2004 AS
INSTRUMENT NO. 294608; THE PROVISIONS OF SUCH STIPULATION TO
APPLY FULLY TO THIS WATER RIGHT.

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.

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

EXPLANATORY MATERIAL: Beneficial Use

STOCKWATER, 500 RANGE CATTLE.



1301 North Third Street, P.O. Box 63144, Dade County, FL 33163-0144
Phone: (208) 327-7900 FAX: (208) 327-7866

DIVISION OF WATER RESOURCES
COVER SHEET

NASH J. DUFFIN
DIRECTOR

FAX Transmittal Cover Sheet

Number of pages including this one: 2

RECEIVED

MAR 26 2004

Date: 3-26-04

To: VIKIE HANCOCK @ SOUTHERN

Fax No.: _____

From: NICK SPENCER

Fax No.: _____

Phone No.: _____

Subject: C-BAR CATTLE LANGUAGE

Department of Water Resources
Southern Region

11/25/2003

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

RIGHT NUMBER: 43-10573

NAME AND ADDRESS: C BAR CATTLE CO
C/O CHRISTOPHER F ROBINSON
139 E SOUTH TEMPLE #310
SALT LAKE CITY UT 84111

SOURCE: HUTCHNEY SPRING TRIBUTARY: SINKS

QUANTITY: ~~0.120 CFS~~ 0.020 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: ~~05/01/1971~~ 10/11/1970

POINT OF DIVERSION:
T14S R28E S14 SRSR Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	05/01 12/01	0.020 CFS

PLACE OF USE: STOCKWATER Within CASSIA County

T13S R28E S34	SWNW	T13S R28E S34	NWSE
T13S R28E S34	NESE	T13S R28E S25	SESW
T13S R28E S35	NENE	T13S R28E S35	NENW
T13S R28E S35	SESW	T14S R28E S01	SESW
T14S R28E S01	SWNS	T14S R28E S02 Lot 3	NENW
T14S R28E S02 Lot 1	NENE	T14S R28E S12	NWSE
T14S R28E S12	SESW	T14S R28E S14	SESW
T14S R29E S18	NWNE	T14S R28E S13	SESW
T14S R29E S18	SESW		

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

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.

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



THIS WATER RIGHT IS ALSO SUBJECT TO THE TERMS AND CONDITIONS OF THE STIPULATION TO RESOLVE SUBCASES ENTERED INTO ON MARCH 18, 2004 BETWEEN THE UNITED STATES OF AMERICA AND THE C BAR CATTLE COMPANY FILED IN THE OFFICE OF THE CASSIA COUNTY RECORDER AND RECORDED ON MARCH 22, 2004 AS INSTRUMENT NO. 294608; THE PROVISIONS OF SUCH STIPULATION TO APPLY FULLY TO THIS WATER RIGHT.

EXPLANATORY MATERIAL: Beneficial Use
STOCKWATER, 500 RANGE CATTLE.

MEMO TO FILE

Date: November 25, 2003

From: Vikie Hancock

Re: Meeting to resolve Objections to Director's Report 45-10573

On November 24, 2003 I met with Steve Spencer representing the U.S. Forest Service, Fred Price representing the U.S. Bureau of Land Management and Doug Freestone and Attorney Roger Ling representing C Bar Cattle Company. Doug Freestone is the recently retired ranch manager for C Bar Cattle Company.

Objectors to this Director's Report included claimant C Bar Cattle Company, the US Forest Service and The US Bureau of Land Management. All of the objectors objected to the *place of use*, and claimant submitted a list of 19 proposed trough locations on an attachment to his objection dated August 8, 2002. In addition, the USFS and BLM objected to the *priority date* and *point of diversion*. The USFS also objected to the *source* and *quantity*.

Prior to our meeting, the USFS, BLM and C Bar Cattle Company met and came to agreements that satisfied the Federal objections. According to a draft SF5 prepared by the USFS, a quantity of .02 cfs with a priority date of October 11, 1970 was agreed upon. The source remained Hutchey Spring and the point of diversion on USFS land remained the same. Five specific places of use located on public land were deleted, and other places of use added. Pursuant to that meeting, Roger Ling, attorney for the claimant, drafted a Stipulation to Resolve United States Objections. In that document he referred to the priority date as August 11, 1953.

At the meeting November 24, 2003, I verified that all parties agreed on a priority date of October 11, 1970, and a reduction in diversion rate to .02 cfs. The claimant and IDWR agreed that there were nine places of use representing the locations of troughs that were in existence in 1987 with a source of Hutchey Spring. These nine included three from my original recommendation (V1), three locations that represented changes in legal description due to GPSing of the troughs, and three locations that were not included in the Director's Report but appear to be pre-1987 places of use. Other proposed locations were determined to have been added after 1987 and the claimants may file a transfer to add those places of use.

Notes to accompany the 3 maps for Point Pipeline Troughs

All troughs and PODs on public land, and pertaining to these three ARCVIEW maps were GPS'd in 1996 and 1997. The pipeline configurations for these maps were not GPS'd.

Map 1:

T 14S, R 28E, sec 12, NENW. This trough is drawn on the original map of the Point Pipeline Cooperative Agreement (CA) #5079, which was for the development of five troughs. The troughs in SWSW and SWSE of this same section 12 were part of the original Hutchy Spring development, #0328, in 1948, and are not part of CA #5079. All four troughs in section 12 of this map are associated with BLM claim #4302488044 (IDWR #43-02644).

Map 2:

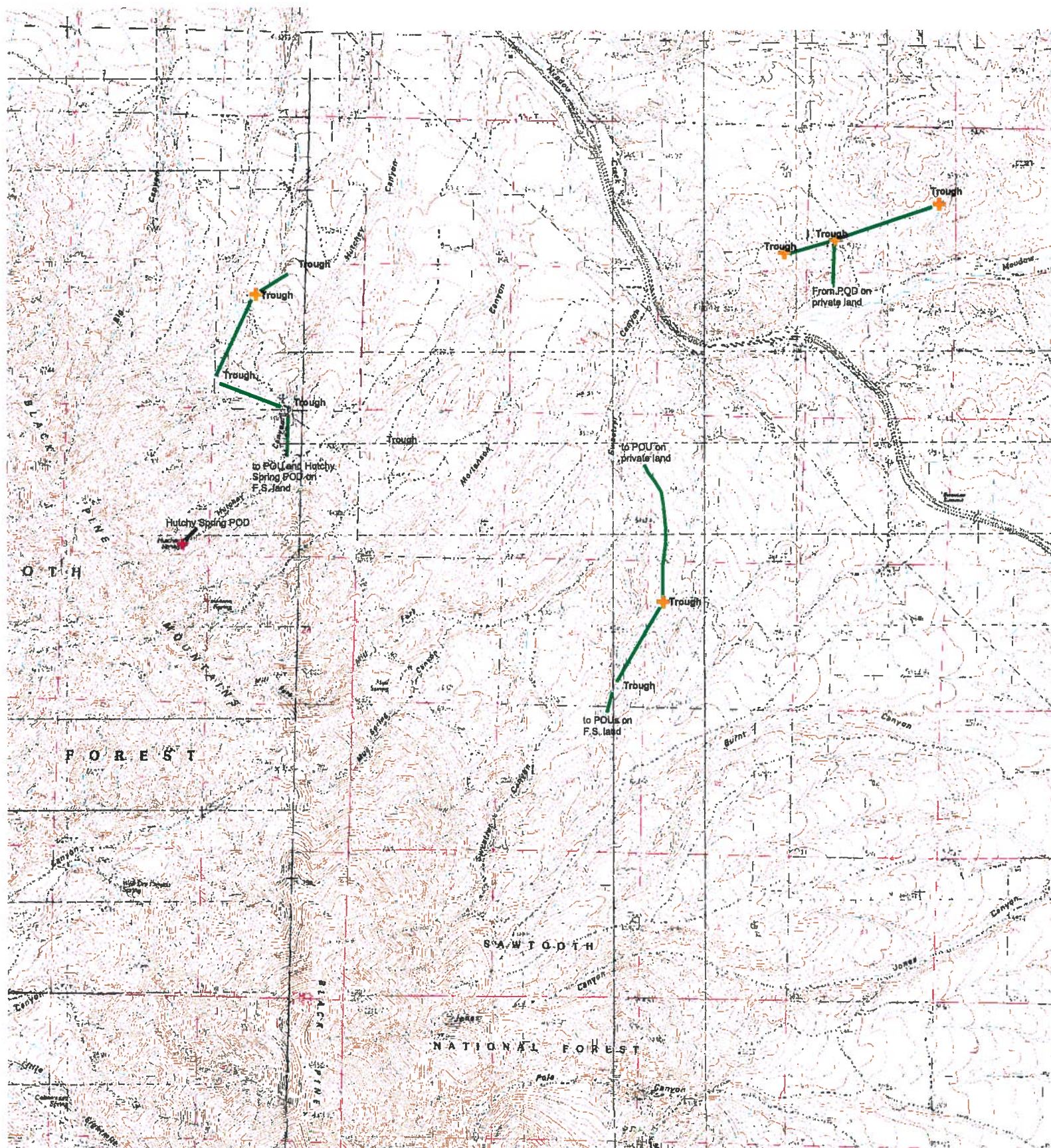
T 14S, R 29E, sec 21, SWNW. This trough is drawn on the original map of the Point Pipeline CA #5079. The project file (Section II) states that the pipeline comes from part of the Mud Springs pipeline on Forest Service land. In 1991, project #5239, Pierce Pipeline/Meadow Creek Extension, tied this trough to a POD on Jack Pierce's private property, thereby connecting it to the Mud Springs pipeline. This extension augmented the water supply from the source on Forest Service land. This trough, as with the four troughs mentioned in the Map 1 notes, is associated with BLM claim #4302488044 (IDWR #43-02644).

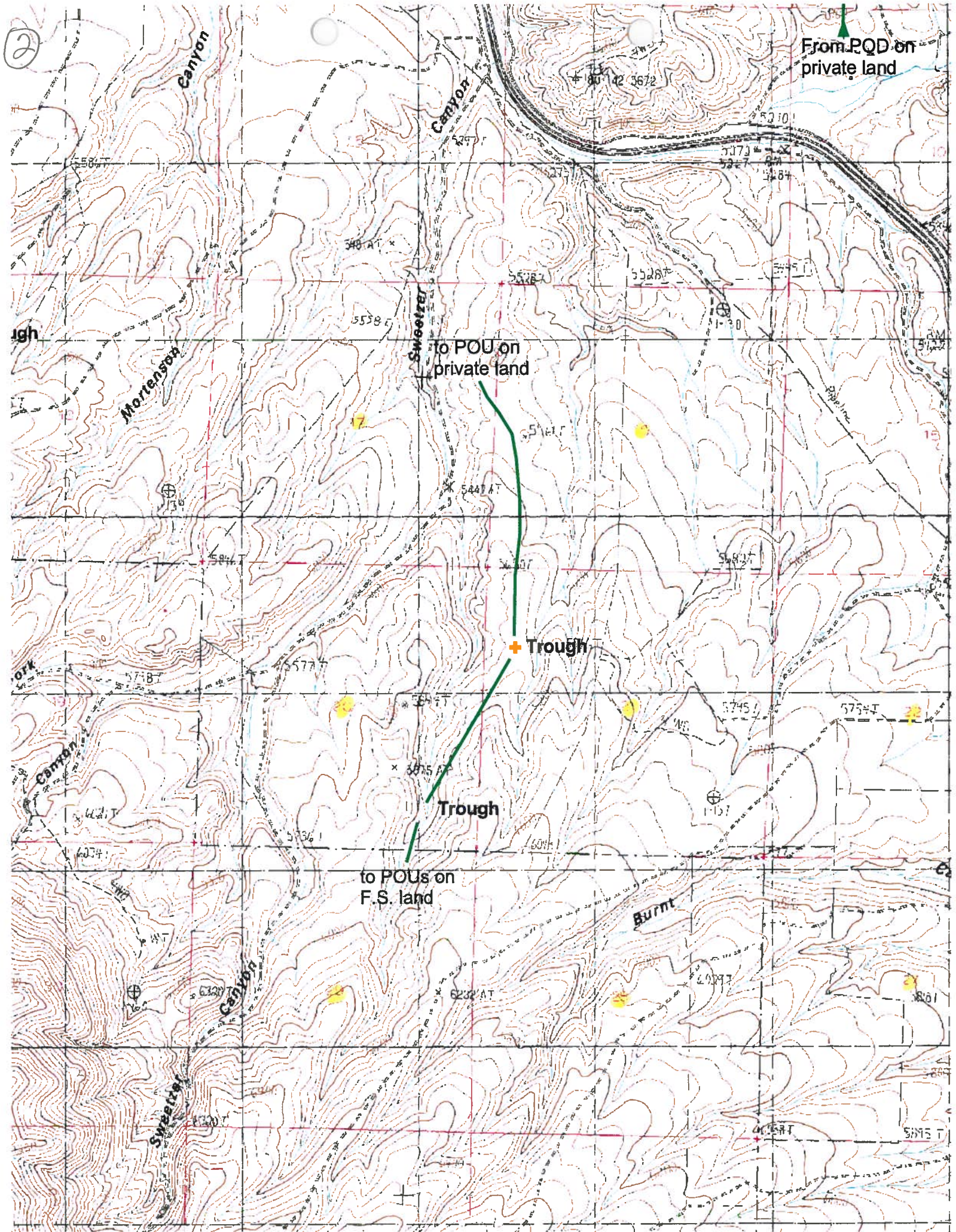
Hutchy Springs = source

Map 3:

T 14S, R 29E, sec 3, SWSW, NESE, and sec 4, SESE. These three troughs are drawn on the original map of the Point Pipeline CA #5079. The project file states that these will be supplied from a spring source and pump on Jack Pierce's private property at the mouth of Meadow Creek Canyon. It does not appear that these troughs were part of any project that predates #5079, nor were they connected to any POD other than the one on private land. According to our search on IDWR's website, there are no claims filed on these three POU's. See section 12. Special conditions in Point Pipeline project file.

*post
1987?*





2

From PQD on private land

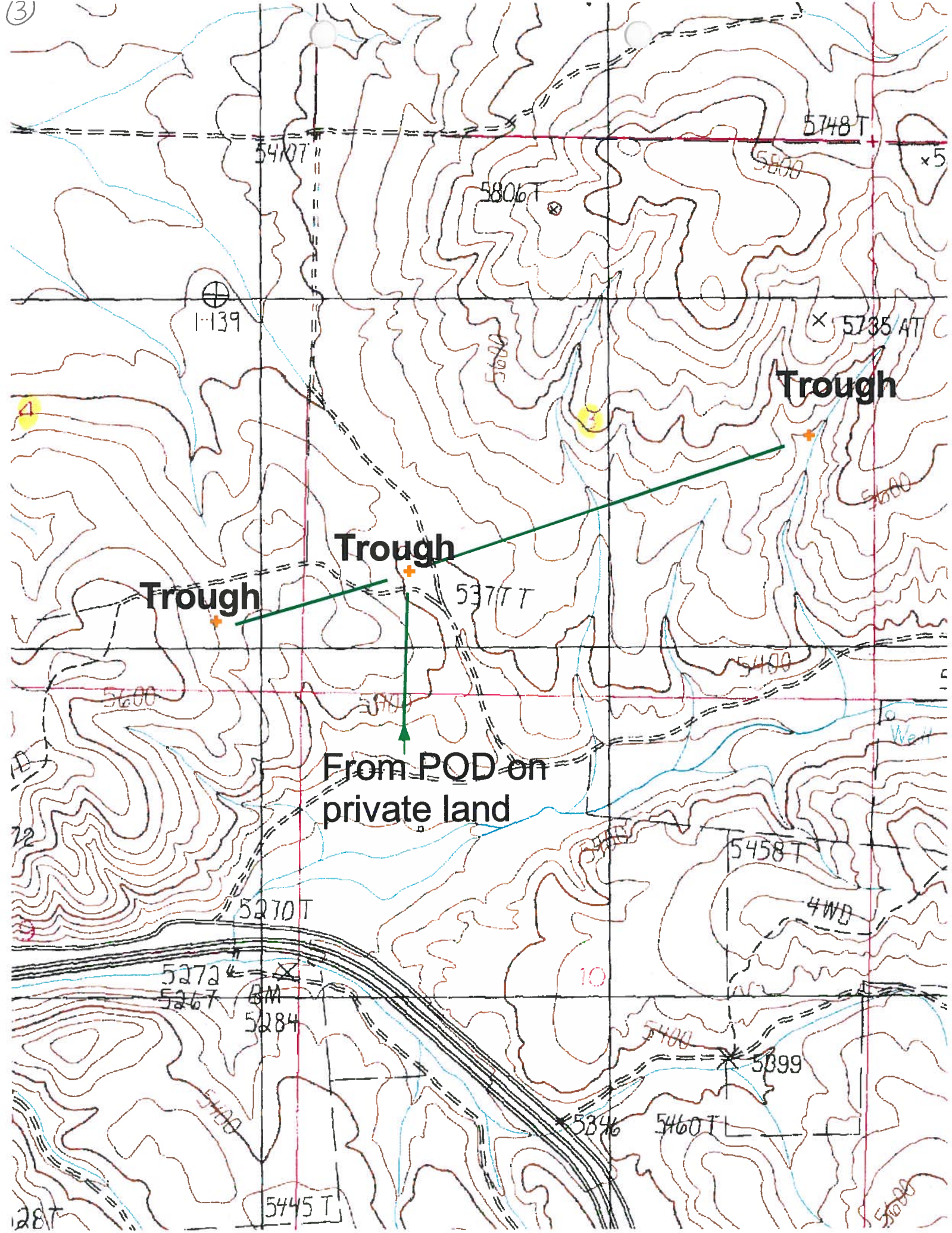
to POU on private land

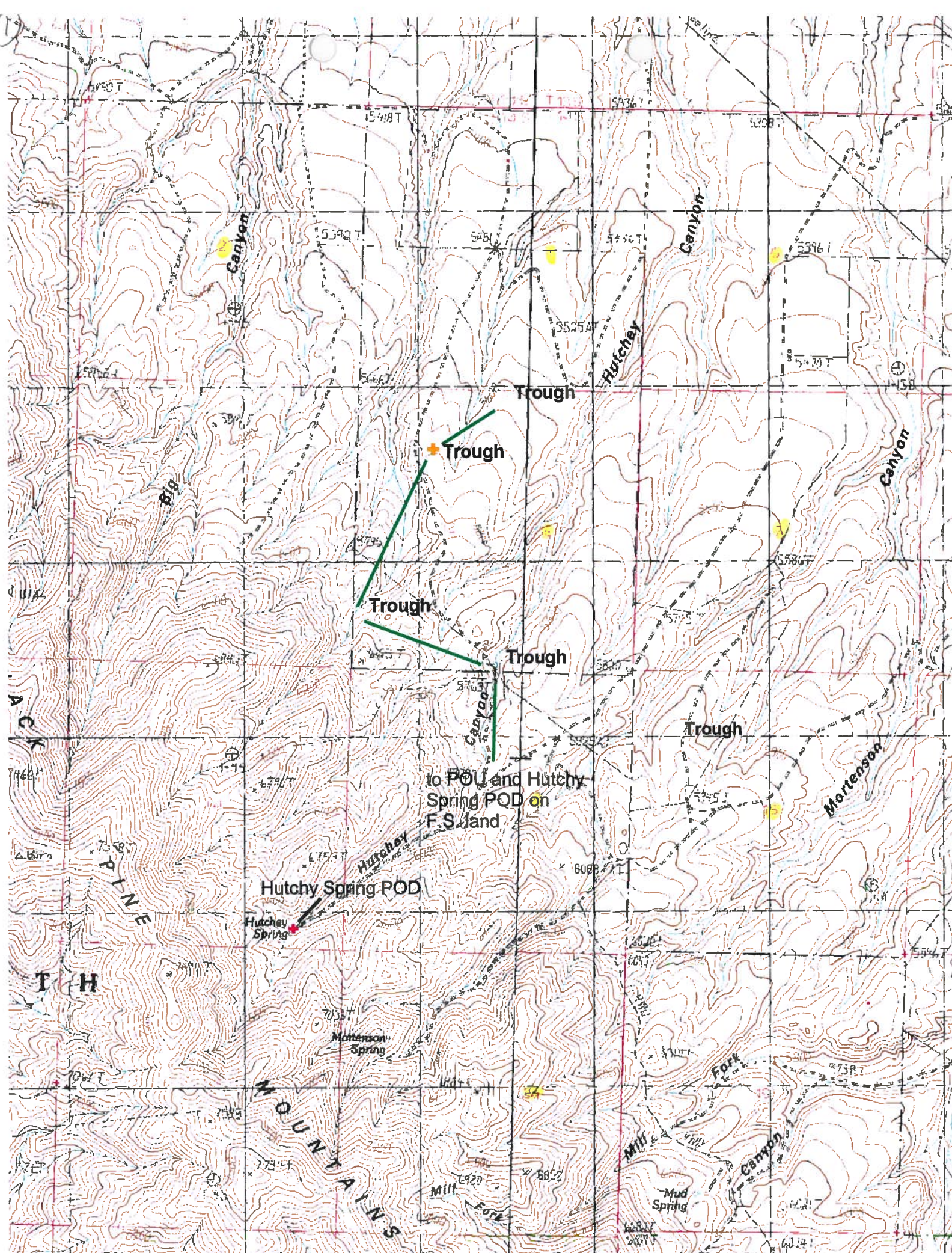
Trough

Trough

to POU on F.S. land

3







Eric Mayes

11/17/2003 02:06 PM

To: Casey O'Brien/IDSO/ID/BLM/DOI@BLM
cc: Fred Price/IDSO/ID/BLM/DOI@BLM, Gary
Madenford/IDSO/ID/BLM/DOI@BLM
Subject: C-Bar Range Improvement Project #5079

Hi Casey,

I put the GIS project you wanted on the Q drive, Q:\IDAHO_SPATIAL_DATA\GIS_Spatial_Transfer**Casey's**. I had a heck of a time trying to get the whole thing together. Some of these files came from other projects and GPS data compiled before I got here. Couldn't figure out how to get the ownership layer moved over, so you will have to add that yourself.

- Open the mgimproveproj.apr File

- You may have to go through the proverbial ArcView "Where is" messages to give your computer the correct path to the files, but they should all be there in the "casey's" folder.

- There are POUs related to project 5079 and others that are not.

- There is one View and 4 Layouts--all of which have the live link to the View turned off under **Graphics/Properties**. Layout 4 is just a configuration guide for Layouts 1-3. Map Units and Distance Units are both in meters. NAD 27.

- Now, about this GIS. This is the project that I made last Spring when Fred first contacted me about range projects involving C-Bar. You should already have a printed copy of the project. The attachment is the document that accompanies the maps in the ArcView project.



Notes on Point Pipeline maps.d

As we discussed the other day, there were apparently two POUs claimed in 43-2097, and investigated by Dennis Thompson, where no troughs were found, hence, the absence of GPS data on these. The field investigations involving these POUs should be with the file I sent Fred, or with the documents I faxed to you. Tell me if you need more information. I think that C-Bar is coming up on the court's docket real soon. Hope this is not too late.

Let me know if this works--**not**, if it doesn't. ;-)

Eric Mayes

Post-it® Fax Note 7671		Date	# of pages
To	Mike Hancock	From	Candice
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

IDAHO DEPARTMENT OF WATER
RECOMMENDED WATER RIGHTS AGREEMENT

Right Number: 43-10573
Name and Address: C BAR CATTLE COMPANY
CHRISTOPHER F ROBINSON
139 E SOUTH TEMPLE #310
SALT LAKE CITY, UT 84111

Source: HUTCHEY SPRING Tributary: SINKS

Quantity: ~~.12 CFS~~ .02 CFS

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

Priority Date: ~~05-01-1871~~ 10/11/1970

Diversion Point: T14S R28E S14

SESE

Within Cassia County

Purpose and
Period of Use:

Purpose of Use
Stockwater

Period of Use
05-01 TO 12-01

Quantity
~~.12 CFS~~
.02 CFS

Place of Use:

Stockwater
T13S R28E S34
S35

NWSE

Within Cassia County

T14S R28E S01
S02 LOT 1
S12 BLM
S13 FS
S14 FS

NENE

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

T14S R29E S08
S18

NENE

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

SESW

Other Provisions Necessary for Definition / 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. SECTION 42-1412(6), IDAHO Code.

Explanatory Material: Basis of Claim - Beneficial Use

STOCKWATER, 500 RANGE CATTLE.

Pipe line from Hutchey to Sec 8 After 1987 to Section 18 By 1987

NOTES
PER MTG
11-24-03
Dak

deleting these
subsidies
Feds

post 87

decree 43-4236
montenon spring
1967

not on
orig claim
from this
source

C BAR CATTLE COMPANY

* * *

PROPOSED SETTLEMENT OF WATER RIGHT NO. 43-10573

The Recommendations of the Director for this water right in Hutchey Spring may be amended in the following respects:

As provided by the Stipulation between the United States and claimant, the following places of use shall be deleted and dismissed:

T14S R28E S02	Lot 3	NENW
S12		SESW <i>BLN</i> NWSE
S13		SENW
S14		SESE

The places of use to be included in the right, and the reasons for said inclusion, are:

T13S R28E S34		<i>OK</i> NWSE (This is the correct location in place of the NESE)
S34		<i>OK</i> SWNW (This is the place of use that existed prior to 1987 and was overlooked)
S35		<i>SESW</i> NENE, <i>SENW</i> , NENW (No change from Recommendation)
T14S R28E S01		<i>OK</i> SENW (This is a corrected description for the SWNE contained in the Recommendation)
S02 Lot 1		<i>OK</i> NENE (No change from Recommendation)
T14S R29E S18		<i>SENW</i> , <i>NWNE</i> (These places of use were in existence prior to 1987)

mortensen spr
pc 43-4236

ONLY The 3 places of use described in Section 8 in the exhibit to claimant's Objection were added after 1987. For that reason, these places of use are being deleted.

The proposed Stipulation between claimant and United States is otherwise controlling.

LING, ROBINSON & WALKER

BRENT T. ROBINSON
JASON D. WALKER

ATTORNEYS AT LAW
615 'H' STREET
P. O. BOX 396

AREA CODE 208
TELEPHONE 436-4717
FAX 436-6804

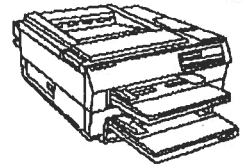
KELLY ARTHUR ANTHON

RUPERT, IDAHO 83350-0396

ROGER D. LING, OF COUNSEL

DATE: August 21, 2003 TIME: 1:36pm MDT
TO: Vickie Hancock FAX: (208) 736-3037
Water Resource Agent
Department of Water Resources
Candice McHugh FAX: (208) 327-5400
Assistant Attorney General
Department of Water Resources
FROM: Roger D. Ling, Esq. FAX: (208) 436-6804
LING, ROBINSON & WALKER By: Judy Barnes
PC: Doug Freestone via first class mail
C Bar Cattle Company

TOTAL NUMBER OF PAGES SENT: 4 (INCLUDING THIS PAGE)



- ☒ ORIGINAL WILL NOT BE SENT BY MAIL
☐ ORIGINAL WILL BE SENT BY FIRST CLASS MAIL

RE: Proposed Settlement of C Bar Cattle Company Water Rights

I have enclosed a summary of the changes that have been worked out between C Bar Cattle Company and the United States, and the places of use and points of diversion as verified by a GPS system. My notes on each of these water rights are self-explanatory, I believe. After you have had a chance to review the changes, please feel free to contact me.

IMPORTANT/CONFIDENTIAL: This message is intended only for the use of the individual or entity to which it is addressed. This message contains information from the law firm of Ling, Robinson & Walker WHICH MAY BE PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. No privilege or confidence is intended to be waived by the facsimile transmission of this message. If the reader of this message is not the intended recipient, or the employee, or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY at our telephone number set forth above by calling collect. We will be happy to arrange for the return of this message by the United States postal service to us at no cost to you.

→ PLEASE NOTE OUR NEW FIRM NAME ←

IF YOU DO NOT RECEIVE ALL PAGES CLEARLY, OR IF THE TRANSMISSION IS NOT SUCCESSFULLY RECEIVED, PLEASE CALL THE SENDER AS SOON AS POSSIBLE AT (208) 436-4717. THANK YOU.

FOR LING, ROBINSON & WALKER OFFICE USE ONLY > CONFIRMATION ON REVERSE SIDE

included on the C Bar proposal-- the Feds list 34 POUs. This is probably not an issue.

43-4239

The SRBA claim for this right was based upon a Statutory claim filed on this source in 1985 by Pierce Inc (Jack Pierce) and Alvin Neddo. Although the place of use list in the SRBA claim included entire sections of land, the places of use and point of diversion in my recommendation were taken directly from the map of trough locations included as part of the Statutory Claim. The SRBA claim was filed in 1989 by Jack Pierce and Alvin Neddo. There are no Federal objections to this claim. The only Objector is C Bar Cattle Company.

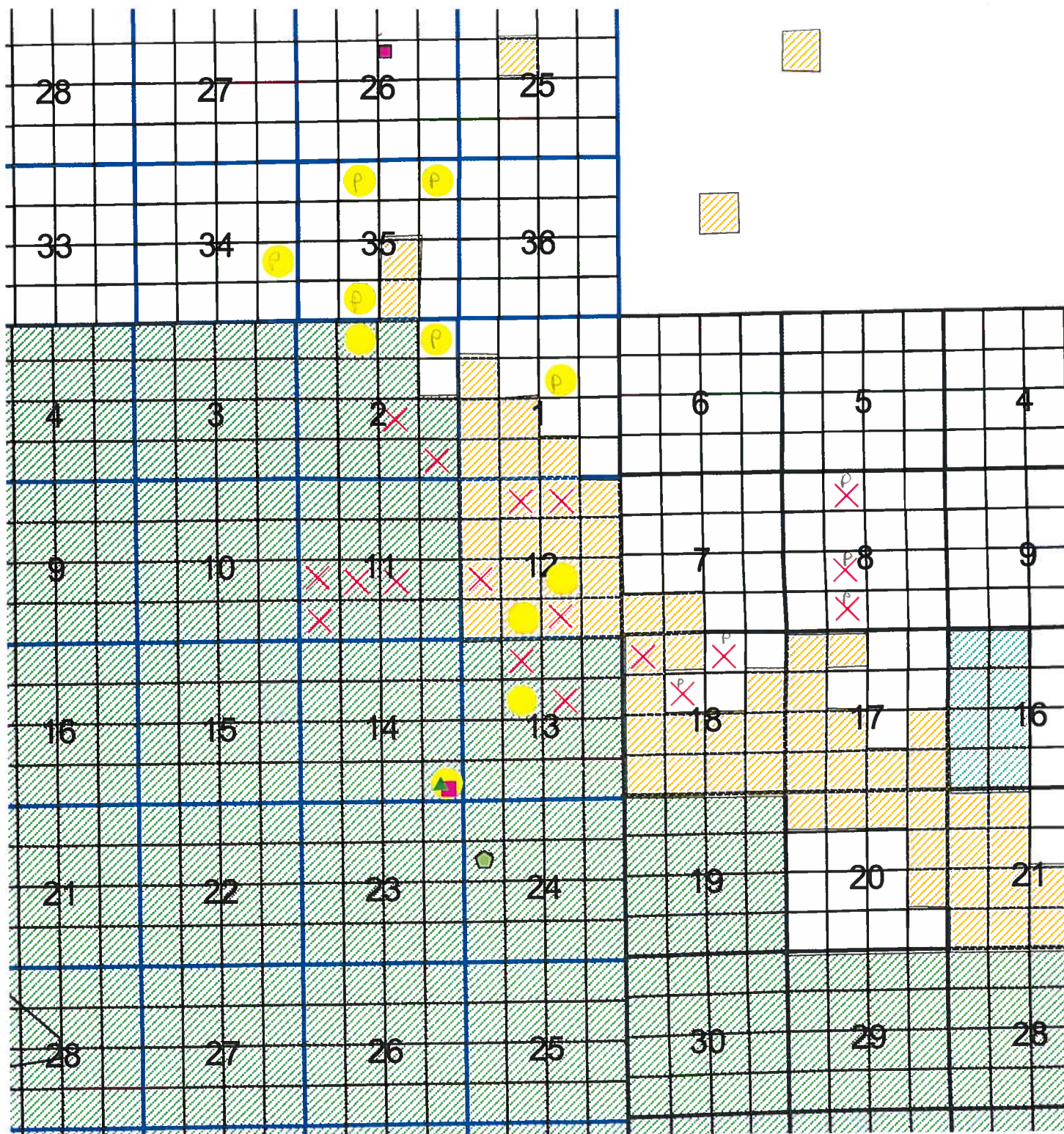
- I agree to the substitutions of legal descriptions based upon better GPS technology in sections 26, 27, 34 & 35.
- I feel that there should be some substantiating evidence to support the addition of troughs in ~~Section 33, T13S, R28E~~ and Section 01, T14S, R28E that were clearly not included in a claim filed by Pierce & Neddo as late as 1985.
- In an error I made during the change of ownership from Pierce to C Bar Cattle Co, Alvin Neddo was left off the claim. I noted this after the director's report went out and mentioned it to Roxanne, however it appears that the recommendation is still only in the name of C Bar Cattle Company. I saw Mr. Neddo at the initial hearing and thought he was aware of the omission, however I'm not sure how the Dept needs to proceed to change the recommendation at this point.

43-10573

This claim was filed by Jack Pierce in 1989 and is based on beneficial use from Hutchey Spring. Again, the claim listed entire sections as the place of use, but my recommended POUs were the specific locations of troughs on the submitted map.

- The SF5 prepared by the Feds advances the priority date from 1871 to 10/11/1970 and reduces the diversion rate from .12 to .02. The Stipulation states that the parties agree to a priority date of 8/11/1953. I have no problem with either priority date C Bar agrees to.
- I also agree with The Fed's and C Bar's proposed changes in the place of use with the following exception: SWNW & NWNE S18, T14S. R29E were both included in SRBA decreed right 43-4236, source Mortenson Spring. Section 18 was not listed within claim 43-10573 filed by Pierce and the map submitted does not show pipelines connecting the two springs, nor from Hutchey Spring into section 18. I would like some substantiating evidence to include these troughs from this source prior to 1987.

*Mort/Hutchey
com 18?
Section
18*



● POU RECOMMENDED

✕ POU PER CBAR OBJECTION

■ POD RECOMMENDED

▲ POD PER CBAR OBJ

▨ BLM

▨ USFS

▨ STATE LANDS

P Proposed 7-3-03 By Steve Spence

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 43-2644

WATER RIGHT NUMBER: 43-2644

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WY BOISE, ID 83709-1657 (208)373-4000

Priority Date: 08/10/1953

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
HUTCHEY SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.010 CFS	
	<u>Total Diversion:</u>	0.010 CFS	

Location of Point(s) of Diversion

HUTCHEY SPRING	SW1/4SE1/4SE1/4	Sec. 14, Twp 14S, Rge 28E, B.M.
CASSIA County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	28E	12		X				X								X			
14S	29E	18							X										
14S	29E	21							X										

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 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.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

BLM

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 43-2644

4. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory BLM RECORD ID = 4302488044 CATTLE/525 SHEEP/1070

Comments:

1. RBROWN 6/8/1999 REVISION
Comment: CHANGED POU PER ACCOMPLISHED TRANSFER
2. AJU10-DS 2/28/2000 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Licensed Date:
Decreed Date: 12/6/1999
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Formal Action Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

SubCase:

SubCase Number: 43-2644
Class: 2
SF5 Filed Date: 6/10/1999
Special Master Recorn Signed Date: 7/12/1999
Attorney Assigned: NICHOLAS B SPENCER
Adjudication Agent:
Basis of Claim:
Date Filed: 7/2/1998 Objection Status: Decreed

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 43-10699A

WATER RIGHT NUMBER: 43-10699A -F

Owner Type

Current Owner

Name and Address

UNITED STATES OF AMERICA ACTING THROUGH
 USDA FOREST SERVICE
 550 W FORT ST MSC 033
 BOISE, ID 83724
 (208)387-0835

USFS HAS 6
 claims on springs
 with various
 priority dates

Priority Date: 10/10/1970

Basis: Decreed

Status: Active

Source

HUTCHEY SPRING

Tributary

SINKS

Beneficial Use

STOCKWATER

From To

1/01 to 12/31

Diversion Rate

0.020 CFS

Annual VolumeTotal Diversion:

0.020 CFS

Location of Point(s) of Diversion

HUTCHEY SPRING

SE1/4SE1/4

Sec. 14, Twp 14S, Rge 28E, B.M.

CASSIA County

Place of Use

STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S 28E 2								X					X			X	
14S 28E 10	X																
14S 28E 11	X		X			X		X									

Conditions of Approval:

1. C18 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.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

USFS

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 43-10699A

Remarks:

1. Explanatory FOREST SERVICE RECORD ID = 0414 17040210 09 0001

Comments:

Dates and Other Information:

Licensed Date:
Decreed Date: 6/26/2000
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Formal Action Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

RECEIVED

APR -5 2002

Department of Water Resources

Claimant's Name: C Bar Cattle Company

Attorney Name & Address: Timothy J. Schneider
LING & ROBINSON
615 H Street, P. O. Box 396
Rupert, Idaho 83350-0396
Telephone (208) 436-4717
Facsimile (208) 436-6804
ISB No. 6070

RECEIVED

APR 09 2002

Department of Water Resources
Southern Region

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

A. Subcase No. 43-10573

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: C Bar Cattle Company
Christopher F. Robinson
Address: 139 E. South Temple #310
Salt Lake City, Utah 84111

Daytime Phone: (208) 645-2247

Name & Address of Attorney, if any:

Attorney Name: Timothy J. Schneider
Ling & Robinson
Address: P. O. Box 396
Rupert, Idaho 83350
Phone Number: (208) 436-4717

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO WHICH
YOU ARE RESPONDING

Name: United States of America
Acting through the Department of Interior
Bureau of Land Management, Idaho State Office
Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

D. I am responding to the objections to the following elements.
(Please check the appropriate box(es).)

1. ☐ Name and Address
2. ☐ Source
3. ☐ Quantity
4. ☒ Priority Date
5. ☒ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☒ Place of Use
11. Recommendation:
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. VERIFICATION (Must be Completed)

State of Idaho)
County of Minidoka) ss.

Timothy J. Schneider, duly sworn, upon oath, deposes and says:
(Name of person filing response)

That I am the party/claimant filing this response as defined by I.C. §42-1401A(1) and (6), or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and that the statements are true to the best of my knowledge and belief.

(Signature of person filing response)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 4, 2002

JUDY BARNES
NOTARY PUBLIC
STATE OF IDAHO

Judy Barnes
Notary Public for State of Idaho
Residing at: Rupert, Idaho
My Commission expires: 02/12/2005

INSTRUCTION FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all parties listed below in the Certificate of Mailing.

F.

CERTIFICATE OF MAILING

I hereby certify that on April 4, 2002, I mailed the original and copies of this response, including all attachments, to the following persons:

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 claimant of the water right at the following address:
Name: C Bar Cattle Company
Christopher F. Robinson
Address: 139 E. South Temple #310
Salt Lake City, UT 84111
3. One copy to the party who filed the objection at the following address:
Name: Larry A. Brown
U. S. Department of Justice
Environment and Natural Resource Division
General Litigation Section
Address: 550 West Fort Street, MSC 033
Boise, ID 83724
4. Copies to:

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 033
Boise, Idaho 83724



Your signature or signature of attorney mailing on
your behalf

RECEIVED

APR - 5 2002

Department of Water Resources

Claimant's Name: C Bar Cattle Company

Attorney Name & Address: Timothy J. Schneider
LING & ROBINSON
615 H Street, P. O. Box 396
Rupert, Idaho 83350-0396
Telephone (208) 436-4717
Facsimile (208) 436-6804
ISB No. 6070

RECEIVED

APR 09 2002

Department of Water Resources
Southern Region

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

A. Subcase No. 43-10573

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: C Bar Cattle Company
Christopher F. Robinson
Address: 139 E. South Temple #310
Salt Lake City, Utah 84111
Daytime Phone: (208) 645-2247

Name & Address of Attorney, if any:

Attorney Name: Timothy J. Schneider
Ling & Robinson
Address: P. O. Box 396
Rupert, Idaho 83350
Phone Number: (208) 436-4717

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO WHICH
YOU ARE RESPONDING

Name: United States of America
Acting through the USDA Forest Service
Address: 550 West Fort Street, MSC 033
Boise, Idaho 83724

D. I am responding to the objections to the following elements.
(Please check the appropriate box(es).)

1. ☐ Name and Address
2. ☒ Source
3. ☒ Quantity
4. ☒ Priority Date
5. ☒ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☒ Place of Use

11. Recommendation:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. VERIFICATION (Must be Completed)

State of Idaho)
County of Minidoka) ss.

Timothy J. Schneider, duly sworn, upon oath, deposes and says:
(Name of person filing response)

That I am the party/claimant filing this response as defined by I.C. §42-1401A(1) and (6), or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and that the statements are true to the best of my knowledge and belief.

(Signature of person filing response)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 4, 2002

JUDY BARNES
NOTARY PUBLIC
STATE OF IDAHO

Judy Barnes
Notary Public for State of Idaho
Residing at: Rupert, Idaho
My Commission expires: 02/12/2005

INSTRUCTION FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all parties listed below in the Certificate of Mailing.

F.

CERTIFICATE OF MAILING

I hereby certify that on April 4, 2002, I mailed the original and copies of this response, including all attachments, to the following persons:

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 claimant of the water right at the following address:

Name: C Bar Cattle Company
Christopher F. Robinson
Address: 139 E. South Temple #310
Salt Lake City, UT 84111

3. One copy to the party who filed the objection at the following address:

Name: David L. Negri
Address: 550 West Fort Street, MSC 033
Boise, ID 83724

4. Copies to:

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 033
Boise, Idaho 83724



Your signature or signature of attorney mailing on
your behalf

RECEIVED

FEB 19 2002

Department of Water Resources
Southern Region

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

A. Subcase 43-10573

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street. MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: C Bar Cattle Company; Christopher F. Robinson

Address: 139 E. South Temple #310; Salt Lake City, UT. 84111

Name: Roger D. Ling, Attorney

Address: 615 H. Street; Rupert, ID. 83350

Name:

Address: ;

Name:

Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☒ **Priority Date**

Should be: See attached

5. ☒ **Point(s) of Diversion**

Should be: See attached

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: See attached

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant does not have a valid water right with the elements claimed.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

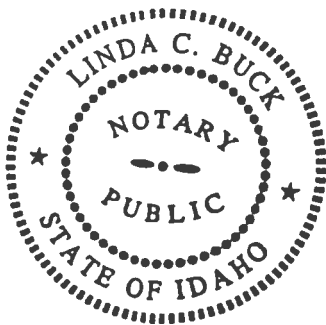
That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Gary A. Madenford
(Signature of person filing objection)

Larry C. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: February 7, 2002

Linda C. Buck



Linda C. Buck
Notary Public for Idaho
Residing at: Mountain Home
My Commission Expires: 12-21-2005

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on Feb. 8, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

2. One copy to the claimant of the water right at the following address:

Name: C Bar Cattle Company; Christopher F. Robinson
Address: 139 E. South Temple #310; Salt Lake City, UT. 84111

Name: Roger D. Ling, Attorney
Address: 615 H. Street; Rupert, ID. 83350

Name:
Address: ;

Name:
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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

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



Signature of Objector or attorney mailing on Objector's behalf

09/19/2001

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

RIGHT NUMBER: 43-10573

NAME AND ADDRESS: C BAR CATTLE COMPANY
CHRISTOPHER F ROBINSON
139 E SOUTH TEMPLE #310
SALT LAKE CITY UT 84111

-POU(S) ON BLM

SOURCE: HUTCHEY SPRING

TRIBUTARY: SINKS

QUANTITY: 0.120 CFS

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

PRIORITY DATE: 05/01/1871

POINT OF
DIVERSION:

T14S R28E S14 SESE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
05/01 12/01

QUANTITY
0.120 CFS

PLACE OF USE: STOCKWATER Within CASSIA County

T13S R28E S34 NESE
T13S R28E S35 NENW
T14S R28E S01 SWNE
T14S R28E S12 6.1m NWSE
T14S R28E S14 SESE
T14S R28E S02 Lot 3 NENW

T13S R28E S35 NENE
T13S R28E S35 SENW
T14S R28E S12 6.1m SESW
T14S R28E S13 SENW
T14S R28E S02 Lot 1 NENE

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. SECTION
42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
STOCKWATER, 500 RANGE CATTLE.

-THERE ARE NO DEVELOPED WATERING POINTS WITHIN POU(S) DESCRIBING
BLM

-PERHAPS BLM POU(S) ARE TYPOGRAPHICAL ERRORS

09/19/2001

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

RIGHT NUMBER: 43-10573

NAME AND ADDRESS: C BAR CATTLE COMPANY
CHRISTOPHER F ROBINSON
139 E SOUTH TEMPLE #310
SALT LAKE CITY UT 84111

-POU(S) ON BLM

SOURCE: HUTCHEY SPRING

TRIBUTARY: SINKS

QUANTITY: 0.120 CFS

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

PRIORITY DATE: 05/01/1871

POINT OF
DIVERSION:

T14S R28E S14 SESE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
05/01 12/01

QUANTITY
0.120 CFS

PLACE OF USE: STOCKWATER Within CASSIA County

T13S R28E S34 NESE
T13S R28E S35 NENW
T14S R28E S01 SWNE
T14S R28E S12 Bym NWSE
T14S R28E S14 SESE
T14S R28E S02 Lot 3 NENW

T13S R28E S35 NENE
T13S R28E S35 SENW
T14S R28E S12 Bym SESW
T14S R28E S13 SENW
T14S R28E S02 Lot 1 NENE

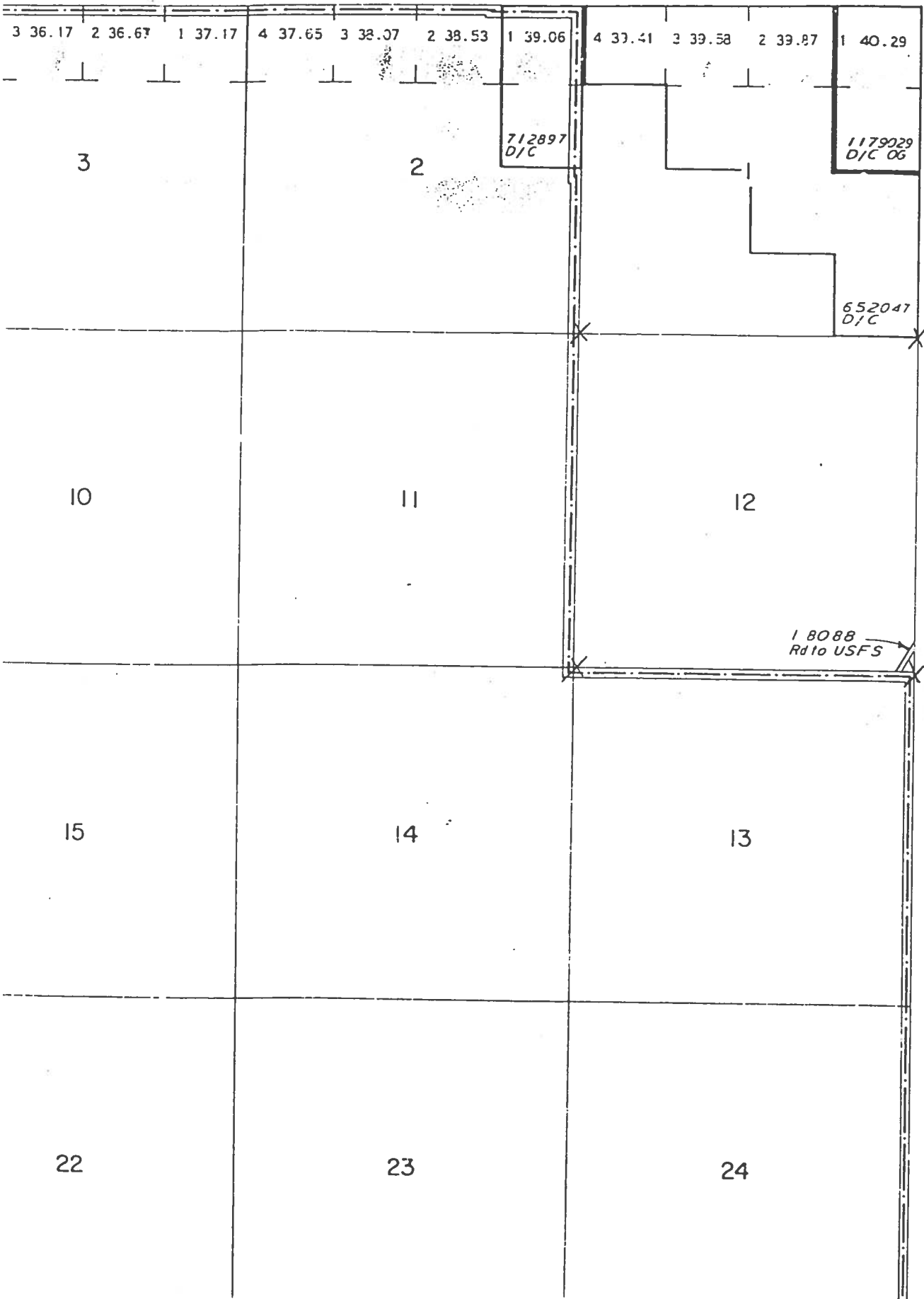
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. SECTION
42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
STOCKWATER, 500 RANGE CATTLE.

-THERE ARE NO DEVELOPED WATERING POINTS WITHIN POU(S) DESCRIBING
BLM

-PERHAPS BLM POU(S) ARE TYPOGRAPHICAL ERRORS



TIHS R28E

TOWNSHIP 14 SOUTH RANGE 28 EAST OF THE BOISE MERIDIAN, IDAHO

CASSIA COUNTY
SUBLETT DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT



INDEX TO SEGREGATED TRACTS			
TRACT NO.	T.	R.	SEC.
1	14	28	3
2	14	28	3
3	14	28	3
4	14	28	3
5	14	28	3
6	14	28	3
7	14	28	3
8	14	28	3
9	14	28	3
10	14	28	3
11	14	28	3
12	14	28	3
13	14	28	3
14	14	28	3
15	14	28	3
16	14	28	3
17	14	28	3
18	14	28	3
19	14	28	3
20	14	28	3
21	14	28	3
22	14	28	3
23	14	28	3
24	14	28	3
25	14	28	3
26	14	28	3
27	14	28	3
28	14	28	3
29	14	28	3
30	14	28	3
31	14	28	3
32	14	28	3
33	14	28	3
34	14	28	3
35	14	28	3
36	14	28	3

1.00000 Del. Pl. 8/1 (let of Cont. 1/23/1955)
Completed 1/15/1962. All of surface owned by USFS

112750 Subst. Act. 8/23/1978
Secs. 1, 12

FOR ORDERS EFFECTIVE DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

COMMIT TO	COMMIT TO
APR 9 1955	
USE PLATS	

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST
ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE
THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITH.



RECEIVED

FEB 19 2002

Department of Water Resources
Southern Region

RECEIVED

FEB - 8 2002

Department of Water Resources

VH

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

A. Subcase: _43-10573 _
STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America, Acting through the USDA Forest Service
Address: 550 West Fort Street
MSC 033
Boise, Idaho 83724
Daytime Phone: (208) 331-5943

Name and Address of Attorney, if any:

David L. Negri
550 West Fort Street
MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN THE DIRECTOR'S REPORT

Name: C Bar Cattle Company
Address: Christopher F Robinson
139 E South Temple #310
Salt Lake City, UT 84111

D. I object to the following elements as recommended in the Director's Report.
(Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be:

2. ☒ **Source**

Should be: See E below.

3. ☒ **Quantity**

Should be: See E below.

4. ☒ **Priority Date**

Should be:

5. ☒ **Point(s) of Diversion**

Should be: See E below.

6. ☐ **Instream Flow Description**

Should be:

7. ☐ **Purpose(s) of Use**

Should be:

8. ☐ **Period of Year**

Should be:

9. ☒ **Places of Use**

Should be: See E below.

11. I object because:

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

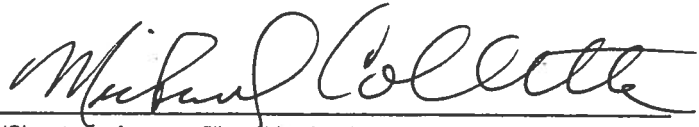
The source, Hutchey Spring, is on National Forest System land. Places of use in Sections 2, 13 and 14 are on National Forest System land. They are already decreed to the United States.

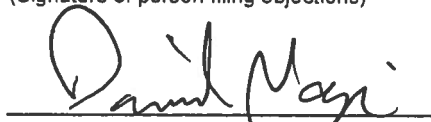
F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Michael Collette , duly sworn, upon oath, deposes and says:
(Name of person filing objection)

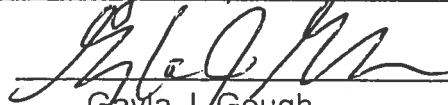
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objections)


(Attorney signing in representative capacity)

Subscribed and sworn before me on:

February 7, 2007


Gayla J. Gough



Notary Public for: Idaho
Residing at: Kuna, Idaho
Commission Expires: 11/17/2004

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on Feb 7, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: C Bar Cattle Company
Address: Christopher F Robinson
139 E South Temple #310
Salt Lake City, UT 84111

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resource
Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

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



Signature of Objector or attorney
mailing on Objector's behalf

RECEIVED

FEB 19 2002

Department of Water Resources
Southern Region

RECEIVED

FEB 11 2002

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 SRBA)

Case No. 39576)

A. Subcase No. 43-10573

STANDARD FORM 1

OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: C Bar Cattle Company
Christopher F. Robinson
Address: 139 E South Temple #310
Salt Lake City, Utah 84111

Daytime Phone (208) 645-2247

Name & Address of Attorney, if any:
ROGER D. LING
LING & ROBINSON
615 H Street, P. O. Box 396
Rupert, Idaho 83350

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: C Bar Cattle Company
Christopher F. Robinson
Address: 139 E South Temple #310
Salt Lake City, Utah 84111

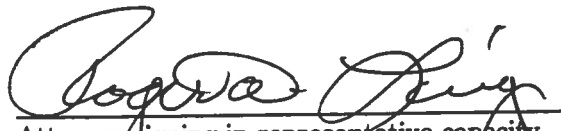
VERIFICATION (Must be Completed)

State of Idaho)
)
County of Minidoka)

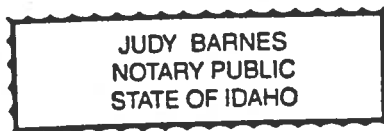
Roger D. Ling, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Signature of person filing objection


Attorney signing in representative capacity

Subscribed and sworn to before me on: February 8, 2002




Notary Public for the State of Idaho
Residing at: Rupert, Idaho
My Commission Expires: 02/12/2005

EXHIBIT "A"

SUBCASE NO. 43-10573

T.14 S., R.28 E., SESE within Cassia County ?
T.14 S., R.28 E., Section 13, NENW within Cassia County ✓
T.14 S., R.28 E., Section 13, SWNE within Cassia County ✓
T.14 S., R.28 E., Section 18, NWNW within Cassia County
T.14 S., R.28 E., Section 18, SENW within Cassia County
T.14 S., R.28 E., Section 18, NWME within Cassia County
T.14 S., R.28 E., Section 8, NESW within Cassia County
T.14 S., R.28 E., Section 8, NENW within Cassia County
T.14 S., R.28 E., Section 8, SESW within Cassia County
T.14 S., R.28 E., Section 12, SWSE within Cassia County ✓
T.14 S., R.28 E., Section 2, NWSE within Cassia County ✓
T.14 S., R.28 E., Section 2, SESE within Cassia County ✓
T.14 S., R.28 E., Section 11, NWSE within Cassia County ✓
T.14 S., R.28 E., Section 11, NESW within Cassia County ✓
T.14 S., R.28 E., Section 11, NWSW within Cassia County ✓
T.14 S., R.28 E., Section 11, SWSW within Cassia County ✓
T.14 S., R.28 E., Section 12, NWSW within Cassia County ✓
T.14 S., R.28 E., Section 12, NWNE within Cassia County ✓
T.14 S., R.28 E., Section 12, NENW within Cassia County ✓

Not on
only
claim ?
29E

05/01/2001

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

RIGHT NUMBER: 43-10573

NAME AND ADDRESS: C BAR CATTLE COMPANY
139 EAST SOUTH TEMPLE #310
SALT LAKE CITY, UT 84111

SOURCE: HUTCHEY SPRING TRIBUTARY: SINKS

QUANTITY: 0.12 CFS

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

PRIORITY DATE: 05/01/1871

POINT OF DIVERSION: T14S R28E S14 SESE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	05-01 12-01	0.12 CFS

PLACE OF USE:

<u>STOCKWATER Within CASSIA County</u>			
T13S R28E S34	NESE	T13S R28E S35	NENE
T13S R28E S35	NENW	T13S R28E S35	SESW
T14S R28E S1	SWNE	T14S R28E S2	NENE
T14S R28E S2	NENW	T14S R28E S12	SESW
T14S R28E S12	NWSE	T14S R28E S13	SENW
T14S R28E S14	SESE		

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. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

STOCKWATER, 500 RANGE CATTLE

INSTRUCTION FOR MAILING

You must mail the objection to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on February 8, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons:

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 claimant of the water right at the following address:

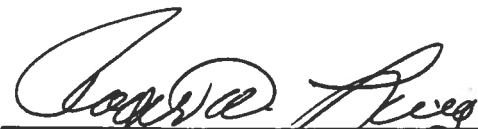
Name: C Bar Cattle Company
Christopher F. Robinson
Address: 139 E South Temple #310
Salt Lake City, Utah 84111

3. Copies to:

IDWR Document Depository
P. O. Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 033
Boise, Idaho 83734



Signature of Objector or attorney
mailing on Objector's behalf

RECEIVED

FEB 19 2002

Department of Water Resources
Southern Region

RECEIVED

FEB 11 2002

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 SRBA)

Case No. 39576)

A. Subcase No. 43-10573

STANDARD FORM 1

OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: C Bar Cattle Company
Christopher F. Robinson
Address: 139 E South Temple #310
Salt Lake City, Utah 84111

Daytime Phone (208) 645-2247

Name & Address of Attorney, if any:
ROGER D. LING
LING & ROBINSON
615 H Street, P. O. Box 396
Rupert, Idaho 83350

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: C Bar Cattle Company
Christopher F. Robinson
Address: 139 E South Temple #310
Salt Lake City, Utah 84111

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es).)

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: Places of use listed on Exhibit "A" attached hereto.
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): The Director's Recommendation of this right has incorrectly listed places of use.

VERIFICATION (Must be Completed)

State of Idaho)

County of Minidoka)

Roger D. Ling, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Signature of person filing objection

Roger D. Ling
Attorney signing in representative capacity

Subscribed and sworn to before me on: February 8, 2002

JUDY BARNES
NOTARY PUBLIC
STATE OF IDAHO

Judy Barnes
Notary Public for the State of Idaho
Residing at: Rupert, Idaho
My Commission Expires: 02/12/2005

INSTRUCTION FOR MAILING

You must mail the objection to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on February 8, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons:

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 claimant of the water right at the following address:

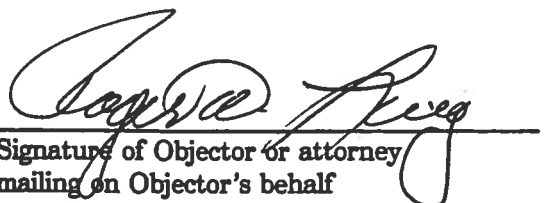
Name: C Bar Cattle Company
Christopher F. Robinson
Address: 139 E South Temple #310
Salt Lake City, Utah 84111

3. Copies to:

IDWR Document Depository
P. O. Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 033
Boise, Idaho 83734


Signature of Objector or attorney
mailing on Objector's behalf