

04/03/2001

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

RIGHT NUMBER: 43-2404

NAME AND ADDRESS: RAFT RIVER GRAZING ASSN
MALTA, ID 83342

SOURCE: POINT SPRING TRIBUTARY: SINKS

QUANTITY: 0.11 CFS
6.7 AFY

USE OF THIS RIGHT WITH RIGHT NO. 43-2403 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF .11 CFS.

PRIORITY DATE: 03/05/1954

POINT OF DIVERSION: T13S R28E S32 SWSE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
01-01 12-31

QUANTITY
0.11 CFS
6.70 AFY

PLACE OF USE:

STOCKWATER Within CASSIA County
T13S R28E S31 SWNE
T13S R28E S31 NENW
T13S R28E S31 NESE
T13S R28E S32 NWSW

T13S R28E S31
T13S R28E S31
T13S R28E S32

SENE
SENW
NESW

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

PERMITTEE FOR STOCK USE ON U.S. FOREST SERVICE LAND.
STOCKWATER 500 RANGE CATTLE

01/24/2001

IDAHO DEPARTMENT OF WATER RESOURCES
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RAFT RIVER GRAZING ASSN
MALTA, ID 83342

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TRIBUTARY: SINKS

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T13S R28E S31
T13S R28E S31
T13S R28E S31
T13S R28E S32

SWNE
NENW
NESE
NWSW

T13S R28E S31
T13S R28E S31
T13S R28E S32

SENE
SENW
NESW

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EXPLANATORY MATERIAL: BASIS OF CLAIM - License

PERMITTEE FOR STOCK USE ON U.S. FOREST SERVICE LAND.
STOCKWATER 500 RANGE CATTLE

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 43-2404 Priority March 5, 1954 Amount 0.11 cfs

THIS IS TO CERTIFY, that Raft River Grazing Association
of Malta, Idaho has complied with the terms and conditions of Permit
No. 43-2404 issued pursuant to Application for Permit dated March 5, 1954
and has submitted proof to the Department of Water Resources on April 28, 1959
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 0.11 cfs of water from Point Spring
tributary to sinks and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Stockwater	from January 1 to December 31	at <u>0.11</u> cfs and <u>6.7</u> acre feet	
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	
	(both dates inclusive)		

Subject, however, to the condition that no more than 0.11 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
6.7 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Twp.
13S, Rge. 28E in the County of Cassia

Description and location of place of use:

Twp	Range	Sec	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
13S	28E	32									X	X							
		31			X	X	X			X					X				

Total number of acres irrigated _____

This right when combined with Right No. 43-2403 shall not exceed 0.11 cfs.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho

Witness the seal and signature of the Director, affixed at Malta, Idaho, this 24th day of May, 19 82.

Acting for the Director

Norman C. Young

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: A43-02404
Date Received: 6/20/1989
Receipt No: C007642
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAFT RIVER GRAZING ASSN. 208-645-2580
Address: MALTA, ID 83342

2. Date of Priority: MAR 05, 1954

3. Source: POINT SPRINGS Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	28E	32	SW	SE			CASSIA

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.110		

7. Total Quantity Appropriated is:
0.110 C.F.S. (and/or) 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	31	SW	NE		STOCK	
			SE	NE		STOCK	
			NE	NW		STOCK	

A43-02404

Page 1

Date: 07/20/89

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MAR 05 1989

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	28E	31	SE	NW		STOCK	
			NE	SE		STOCK	
		32	NE	SW		STOCK	
			NW	SW		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:
PERMITTEE FOR STOCK USE ON U.S. FOREST SERVICE LAND.

15. Basis of Claim: LICENSE

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____ Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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 _____

COPY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMCIVIL CASE NUMBER: 39576
Ident. Number A43-02404
Date Received 6-20-89 ef
Receipt Number COO 7642

RECEIVED

JUN 20 1989

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Department of Water Resources

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

Please type or print clearly

1. Name of Claimant (s) Raft River Grazing Association Phone (208) 645-2580Mailing Address Malta, Idaho Zip 833422. Date of Priority (Only one (1) per claim) March 5, 19543. Source of water supply (a) Point Springs
which is tributary to (b) Sinks4. a. Location of existing point of diversion is: Township 13S Range 28E Section 32,
1/4 of SW 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.

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MAR 05 1993

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Stockwater purposes from 1/1 to 12/31 amount .11 or 6.7

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .11 (cfs) and/or (b) 6.7 (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	
13S	28E	31			S	S	S			S					S				
13S	28E	32									S	S							

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 _____ 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 (XX)

14. Remarks: Permittee for stock use on U. S. Forest Service land.

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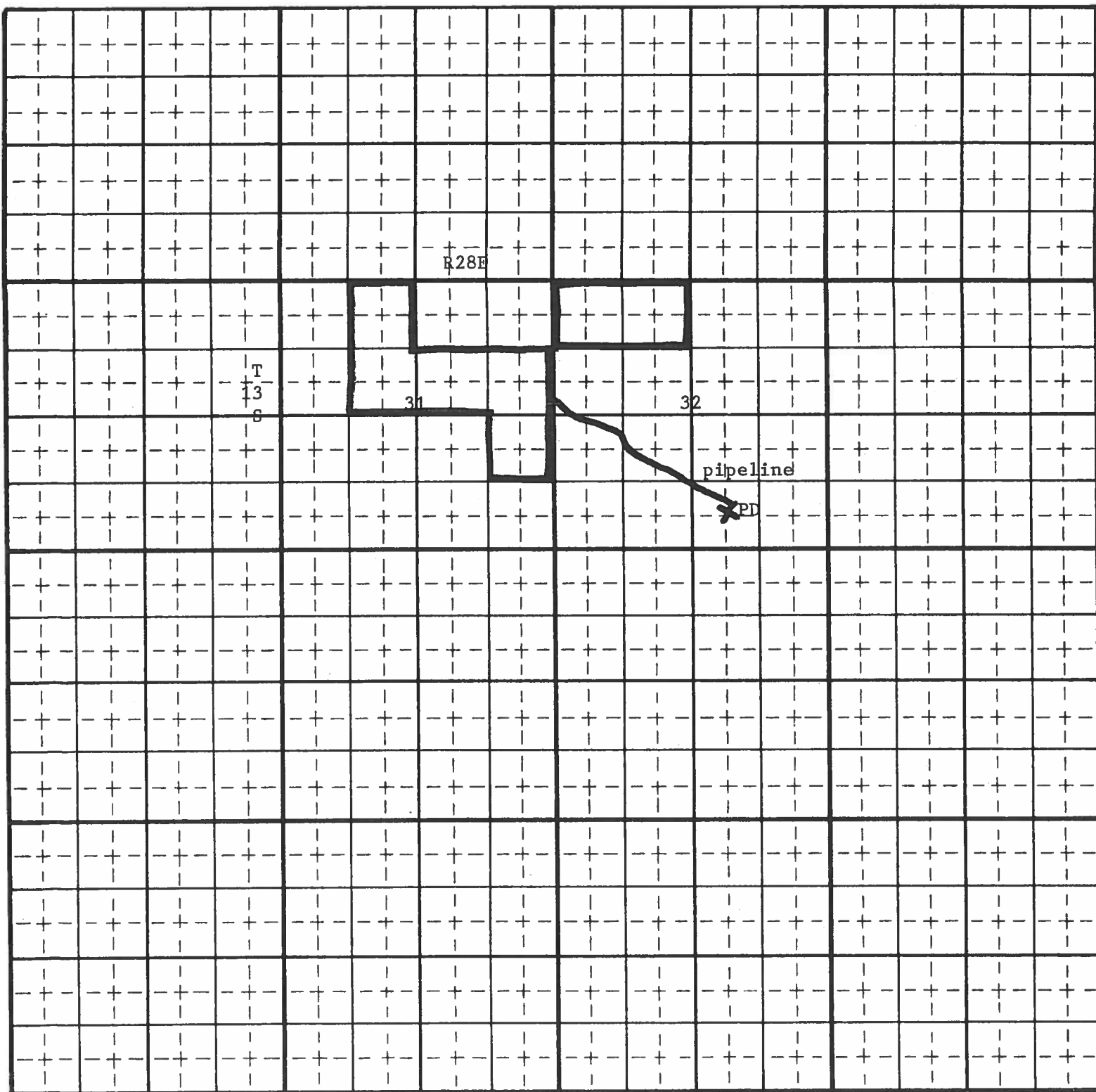
MAR 05 1993

Last Name Raft River Grazing Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



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Last Name Raft River Grazing Ident No. _____

MAR 05 1993
Copies: White-Slate, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 43-2404
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 -0-

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 _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Sergeant Title _____
of Raft River Grazing Association Organization _____, that I have signed the foregoing
document in the space below as _____ of Raft River Grazing Association Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent John A. Peirce
Title and Organization _____, Raft River Grazing Assn. Date June 1, 1989

State of Idaho/or _____)
County of Ada) SS.

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



Notary Public Sherill Chapman
Residing at 3205 E. Hubbard Rd. Mendon, 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 _____

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MAR 05 1993

Last Name Raft River Grazing Ident. Number _____

Copies White-State, Yellow-Claimant

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Pierce

CLAIM IDENT. NO.

A43-02404

DATE RECEIVED

6-20-89

CK #

AMOUNT \$

0007642

YES

NO

Required
Info?

1. Is the name and address complete with zip code? YES NO Info? *
2. Is a priority date entered? YES NO Info? *
- Is the priority date acceptable in view of mandatory filing dates? YES NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. YES NO *
3. (a) Is a source entered? YES NO *
- (b) Is a tributary to entered? (if required) YES NO N/A YES NO *
4. Is the legal description of the p.d. sufficient? YES NO *
5. Is there a description of the diverting works? YES 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. YES NO *
- Is the period of use included? YES NO *
- Is a quantity claimed for each use? YES NO *
7. Is a total quantity claimed entered? YES NO *
8. If required is a consumptive use entered? YES NO N/A YES NO *
- Is the consumptive use correct? YES NO N/A YES 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. YES NO N/A YES NO *
10. Is (are) the place(s) of use and purpose(s) indicated? YES NO *
11. Is (are) the county(ies) entered? YES NO *
12. Is the ownership of p.u. checked? YES NO *
13. Are other water rights listed or "none" indicated? YES 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.) YES NO N/A YES NO *
15. Is the basis of the claim indicated? YES NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) YES NO N/A YES NO *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. YES NO ? YES NO *
18. Has the claim been signed, sealed, and dated by a notary? YES NO *
19. Was this claim filed on time, or was an extension granted? YES NO *
20. Is the fee enclosed correct? YES NO Exempt YES NO *
21. If this claim is based on an existing water right, has the identification number been entered? YES NO N/A YES NO *
22. Should this claim be data entered? YES NO *

Claim checked by: CADate: 7-20-89Claim must be returned to claimant: (Yes) (No)Claimant must be notified of modifications: (Yes) (No)Receipt Prepared by: CAClaim data entered by: CASent to claimant by: CADate: 6-20-89Date: 7-20-89Date: 7-20-89Checked by: CADate: 7-20-89

Comments: _____

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MAR 05 1990