

A43-02707

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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER
FROM THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1968-01-10
IDWR NUMBER: 4302707
BLM NUMBER: 4302488107
BASIS OF CLAIM: LICENSE
BASIN NUMBER: 43

SOURCE	TRIBUTARY TO
-----	-----
CHOKECHERRY SPRINGS	SINKS

DESCRIPTION OF DIVERSION WORKS

PIPELINE WELL

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
-----	-----	-----	-----	-----
STOCKWATER	0.020	0.00	0101	1231
WILDLIFE	0.010	0.00	0101	1231
TOTAL:	0.020 CFS	0.00 AF		

NON-IRRIGATION USES

500/CATTLE 10/DEER 5/ANTELOPE

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
---	---	---	---	---	---	---	-----
12S	27E	27		NE	NE	00	CASSIA

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
---	---	---	---	---	---	-----	-----	-----
12S	27E	27	NE	NE	00	CASSIA	YES	0.0
12S	27E	08	SE	SE	00	CASSIA	YES	0.0

12S	27E	20	NE	NE	00	CASSIA	YES	0.0
12S	27E	22	SE	SE	00	CASSIA	YES	0.0
12S	27E	27	SE	NW	00	CASSIA	YES	0.0
12S	27E	28	S2	SW	00	CASSIA	YES	0.0
12S	27E	26	SE	SE	00	CASSIA	YES	0.0
12S	27E	27	NE	NE	00	CASSIA	YES	0.0
12S	27E	08	SE	SE	00	CASSIA	YES	0.0
12S	27E	20	NE	NE	00	CASSIA	YES	0.0
12S	27E	22	SE	SE	00	CASSIA	YES	0.0
12S	27E	27	SE	NW	00	CASSIA	YES	0.0
12S	27E	28	S2	SW	00	CASSIA	YES	0.0
12S	27E	26	SE	SE	00	CASSIA	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

AJ5809NP
No. R43-02707

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/03/98
PAGE: 14

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE ID 837091657 (208) 373-4000	01/10/1968	STOCKWATER	01-01 12-31	0.02 CFS	
TOTAL DIVERSION:					0.02 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T12S R27E S27

NENENE

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 Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac							
12S	27E	27	: S	:	:	:	:	:	:	:	:	:	:	:	:

POU County: CASSIA

Non-Irrigation Uses: 500/CATTLE 10/DEER 5/ANTELOPE

Other Rights: NONE

Remarks: EXP BLM RECORD ID = 4302488107
FLAT WELL

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 09/29/97 AJCTR

2.5.98

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:

43-02707

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:

4302488107

Stg:

StFed:

L

S

SOURCE:

Source	Tributary
GROUNDWATER	

QUANTITY:

0.02

CFS

or VOLUME:

0

Acre Feet

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

PRIORITY DATE:

1/10/1968

Diversion Means: PIPELINE WELL

REMARKS:

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO IDAHO CODE 42-1425. FLAT WELL

POINT of
DIVERSION:

Township	Range	Section	T1	T2	T3	LOT	B/E	within the	County of
12S	27E	27	NE	NE	NE			31	Cassia

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in AcFt
04	0101	1231	0.02	0

CONSUMPTIVE
USE:

de minimis

stockwater use

DATE:

08-Dec-97

2:08 PM

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

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

PLACE
of USE:

Water Use	Twn	Rge	Sec	T1	T2	LOT	within the	County of
04	12S	27E	8	SE	SE	0	31	Cassia
04	12S	27E	20	NE	NE	0	31	Cassia
04	12S	27E	22	SE	SE	0	31	Cassia
04	12S	27E	26	NW	SE	0	31	Cassia
04	12S	27E	28	SE	SW	0	31	Cassia
04	12S	27E	22	NW	SW	0	31	Cassia
04	12S	27E	27	NE	NE	0	31	Cassia

RECEIVED

DEC 09 1997

Department of Water Resources

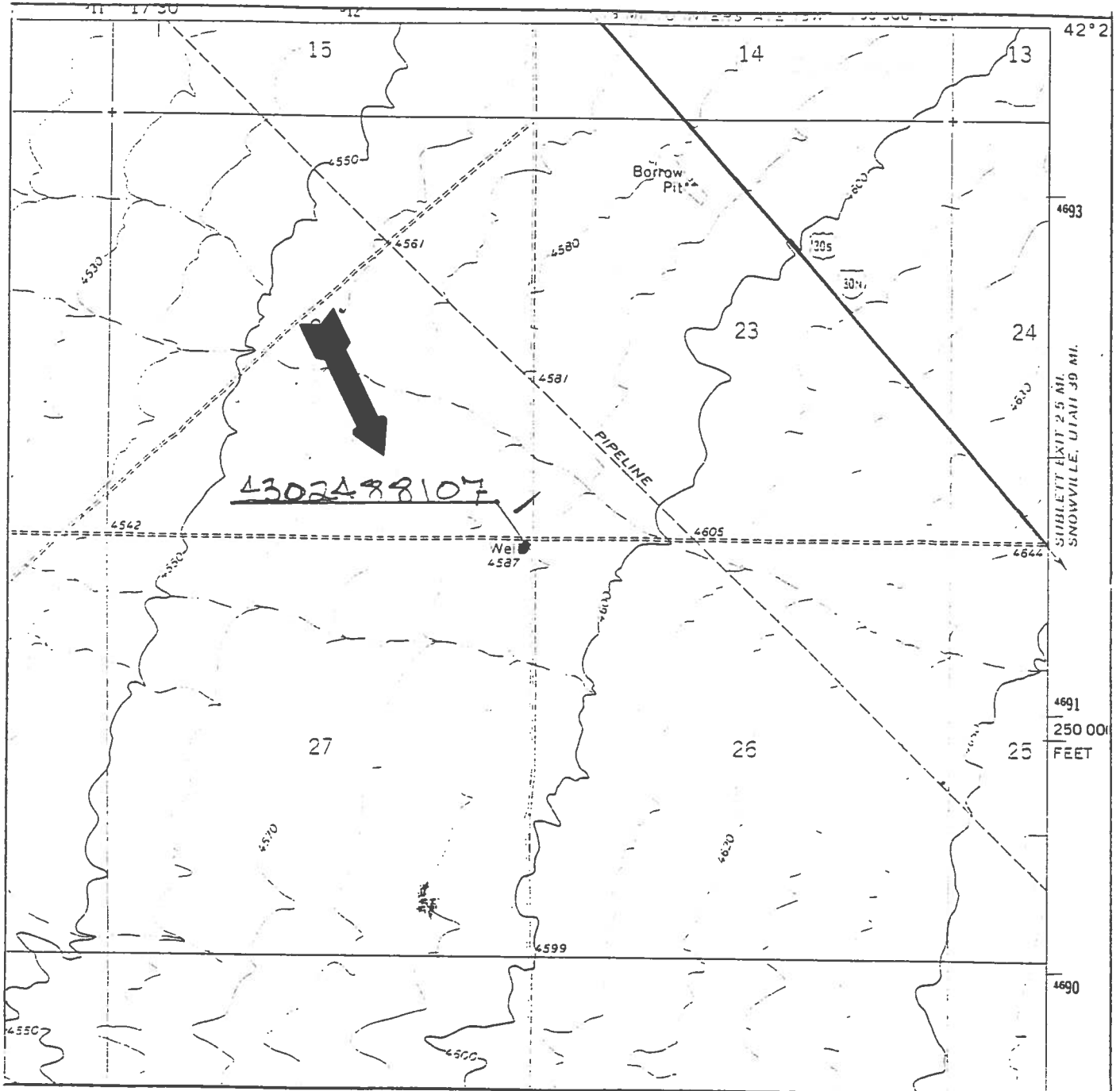
UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

WATER RIGHTS CLAIM MAP

BLM IDENTIFICATION NUMBER

4302488107

TOWNSHIP 12 South RANGE 27 East MERIDIAN: BOISE QUAD MAP NAME Malta



LEGEND

SCALE: 1" = 24,000

POD (ORIGINAL, CORRECT LOCATION)

INSTREAM USE CLAIM

POD (ORIGINAL LOCATION, INCORRECT)

INSTREAM USE CLAIM, DROPPED SEGMENT

POD (CORRECTED LOCATION)

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SEP 15 1997

Department of Water Resources

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. 3957

AMENDED NOTICE of CLAIM for
Water Right number:

43-02707

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:

4302488107

Stg: Sifed:

L S

SOURCE:

Source	Tributary
GROUNDWATER	SINKS

QUANTITY:

0.02 CFS or VOLUME: 0 Acre Feet

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

PRIORITY DATE:

1/10/1968

Diversion Means: PIPELINE WELL

REMARKS:

★ →

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO IDAHO CODE 42-1425. FLAT WELL

POINT of
DIVERSION:

Twtnship	Range	Section	T1	T2	T3	LOT	B/E	within the	County of
12S	27E	27	NE	NE	NE	0		31	Cassia

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in AcFt
04	0101 1231	0.02		0

CONSUMPTIVE
USE:

de minimis stockwater use

DATE: 14-Oct-97 7:03 AM

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:

Added
Pou's →

Water Use	Twtn	Range	Sec	T1	T2	LOT	within the County of
04	12S	27E	8	SE	SE	0	31 Cassia
04	12S	27E	20	NE	NE	0	31 Cassia
04	12S	27E	22	SE	SE	0	31 Cassia
04	12S	27E	26	NW	SE	0	31 Cassia
04	12S	27E	28	SE	SW	0	31 Cassia
04	12S	27E	22	NW	SW	0	31 Cassia
04	12S	27E	27	NE	NE	0	31 Cassia

RECEIVED

OCT 14 1997

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:

43-02707

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:

4302488107

Stg:

StFed:

L

S

SOURCE:

Source	Tributary
GROUNDWATER	SINKS

QUANTITY:

0.02

CFS

or VOLUME:

0

Acre Feet

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

PRIORITY DATE:

1/10/1968

Diversion Means: PIPELINE WELL

REMARKS:

FLAT WELL

POINT of
DIVERSION:

Twship	Range	Section	T1	T2	T3	LOT	B/E	within the	County of
12S	27E	27	NE	NE	NE	0		31	Cassia

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in AcFt
04	0101	1231	0.02	0

CONSUMPTIVE
USE:

de minimis stockwater use

DATE: 13-Sep-97 9:22 AM

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	Tw	Rge	Sec	T1	T2	LOT	within the	County of
04	12S	27E	27	NE	NE	0	31	Cassia

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SEP 15 1997

Department of Water Resources

COPY

1999 DEC 22 AM 11: 38

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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) NOTICE OF COMPLETED
Case No. 39576) ADMINISTRATIVE PROCEEDINGS
)
) Water Right 43-02707
)

IDWR has completed the following Administrative Proceeding:

☐ Change of Address
☐ Substitution of Party
☒ I.C. 42-222 Transfer

I.C. 42-422 TRANSFERS

An Administrative Proceeding pursuant to I.C. 42-222 has been completed for water right 43-02707 and all appeal times have run. The following changes have been made to the water right:

☐ Point of Diversion ☒ Place of Use
☐ Period of Use ☐ Nature of Use

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
12/7/1999

43-02707

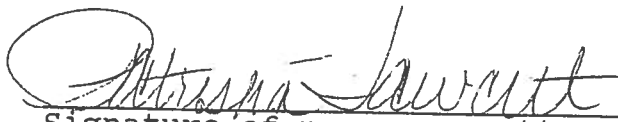
PAGE 1

CERTIFICATE OF MAILING

I certify that on 12/22/1999 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

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:
Each party in the subcase, or attorney of record:

R LEE LEININGER
550 W FORT ST MSC 033
BOISE ID 83724
3. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
4. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

AJ5856NP

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

DATE: DEC-21-1999
PAGE: A-15

RIGHT NUMBER: 43-02707

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

SOURCE: GROUNDWATER

QUANTITY: 0.02 CFS
6.7 AFY

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

PRIORITY DATE: 01/10/1968

POINT OF DIVERSION: T12S R27E S27 NENENE Within CASSIA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
			6.7 AFY

PLACE OF USE:	STOCKWATER	Within CASSIA County
	T12S R27E S09	SWSW
	S17	SESE
	S22	NWSW
	S26	NWSE
	S28	SESW

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.

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY
TRANSFER NO. 5542 BY NOVEMBER 9, 2000.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
BLM RECORD ID = 4302488107
SOURCE IS ALSO KNOWN AS FLAT WELL.
500/CATTLE

Southern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5542
WATER RIGHT NO. 43-02707

RECEIVED

NOV 15 1999

Department of Water Resources
Southern Region

This is to certify that: US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
15 E 200 S
BURLEY ID 83318

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	6.7 AF

SOURCE

GROUNDWATER

Priority: 01/10/1968

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 27, Township 12S, Range 27E
CASSIA County

PLACE OF USE: STOCKWATER

TWN RGE SEC

12S 27E	9	SWSW
	17	SESE
	22	NWSW
	26	NWSE
	28	SESW

CONDITIONS OF APPROVAL AND REMARKS

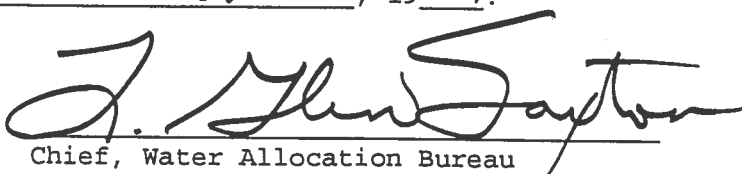
1. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

TRANSFER NO. 5542
WATER RIGHT NO. 43-02707

CONDITIONS OF APPROVAL AND REMARKS

4. The quantity of water decreed for this water right is not a determination of historical beneficial use, and shall not exceed 13,000 gallons per day.
5. The place of use is also identified as BLM Record ID 4302488107.

Dated this 9th day of November, 1999.


Chief, Water Allocation Bureau

MEMORANDUM

TO: File 43-02707

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5542

DATE: November 9, 1999

Transfer 5542 changes the place of use under Right 43-02707. The right has been recommended in the SRBA and this transfer is to reflect changes in the system with additional troughs.

Diversion volume was based on the number of cattle claimed under this right in the SRBA to reflect historical use and avoid expansion through this approval. Recommended conditions include SRBA conditions regarding the quantity of water (non-determination of historical use & 13,000gpd limit), stockwater overlap & beneficial use, and standard transfer conditions.

ge 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5542

APPLICATION FOR TRANSFER OF WATER RIGHT

RECEIVED

AUG 09 1999

PART 1

Department of Water Resources
Boise, Idaho

me of applicant U.S. Bureau of Land Management Phone (208) 677-6626
st Office address 15 East 200 South, Burley, ID. 83318

PURPOSE OF TRANSFER

- ☒ ^{Refine} Change point of diversion ☐ Add diversion point(s) ☒ Change place of use (adding 5 POU's and deleting the 1 POU on Licence)
☐ Change nature of use ☐ Change period of use ☐ Other

Describe the reason for the proposed changes To more accurately describe POU and to more equally distribute livestock use.

DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/acre-ft)	Nature of Use	Period of Use
<u>43-02707</u>	<u>January 10, 1968</u>	<u>0.020198</u>	<u>stockwater</u>	<u>01/01</u> to <u>12/31</u>
				to
				to
				to

Total amount of water being transferred 0.020198 cubic feet per second and/or _____ acre-feet per annum.

Source of water Groundwater (Flat Well) tributary to _____

Point(s) of Diversion: No Change

pt	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	<u>NE</u>	<u>NE</u>	<u>NE</u>	<u>27</u>	<u>12S</u>	<u>27E</u>	<u>Cassia</u>	<u>Flat Well</u>

Lands irrigated or place of use:

wp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>S</u>	<u>27E</u>	<u>9</u>											<u>S</u>						
<u>S</u>	<u>27E</u>	<u>17</u>																<u>S</u>	
<u>S</u>	<u>27E</u>	<u>22</u>										<u>S</u>							
<u>S</u>	<u>27E</u>	<u>26</u>													<u>S</u>				
<u>S</u>	<u>27E</u>	<u>28</u>											<u>S</u>						