

A43-10912

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: 1873-01-01  
AGENCY NUMBER: 4302480049  
BLM NUMBER: 4302480049  
BASIS OF CLAIM: BENEFICIAL USE  
BASIN NUMBER: 43

| SOURCE       | TRIBUTARY TO |
|--------------|--------------|
| -----        | -----        |
| CIRCLE CREEK | RAFT RIVER   |

DESCRIPTION OF DIVERSION WORKS

-----

IN-STREAM USE

| PURPOSE OF USE | DIVERSION<br>RATE | DIVERSION<br>VOLUME | PERIOD OF USE<br>FROM | TO    |
|----------------|-------------------|---------------------|-----------------------|-------|
| -----          | -----             | -----               | -----                 | ----- |
| STOCKWATER     | 0.100             | 0.00                | 0101                  | 1231  |
| WILDLIFE       | 0.100             | 0.00                | 0101                  | 1231  |
| TOTAL:         | 0.100 CFS         | 0.00 AF             |                       |       |

NON-IRRIGATION USES

-----

CATTLE/120 MULE DEER/25 ANTELOPE/10

|       |       |       |        | POINT OF DIVERSION |        |       |        |  |
|-------|-------|-------|--------|--------------------|--------|-------|--------|--|
| TWP   | RNG   | SEC   | TRACT1 | TRACT2             | TRACT3 | LOT   | COUNTY |  |
| ----- | ----- | ----- | -----  | -----              | -----  | ----- | -----  |  |
| 15S   | 24E   | 32    |        | NE                 | NE     | 00    | CASSIA |  |
| 15S   | 24E   | 33    |        | NW                 | NW     | 00    | CASSIA |  |

| PLACE OF USE |       |       |        |        |       |        | IRRIGATED |       |
|--------------|-------|-------|--------|--------|-------|--------|-----------|-------|
| TWP          | RNG   | SEC   | TRACT1 | TRACT2 | LOT   | COUNTY | OWNED     | ACRES |
| -----        | ----- | ----- | -----  | -----  | ----- | -----  | -----     | ----- |
| 15S          | 24E   | 32    | NE     | NE     | 00    | CASSIA | YES       | 0.0   |

|     |     |    |    |    |    |        |     |     |
|-----|-----|----|----|----|----|--------|-----|-----|
| 15S | 24E | 33 | NW | NW | 00 | CASSIA | YES | 0.0 |
| 15S | 24E | 32 | NE | NE | 00 | CASSIA | YES | 0.0 |
| 15S | 24E | 33 | NW | NW | 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

-----  
FIRST DATE OF BENEFICIAL USE - 1873

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 )  
                  ) PARTIAL DECREE PURSUANT TO  
Case No. 39576 ) I.R.C.P. 54(b) FOR  
\_\_\_\_\_) Water Right 43-10912

NAME AND ADDRESS: USDI BLM  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE, ID 83709-1657

SOURCE: CIRCLE CREEK                      TRIBUTARY: RAFT RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION: T15S R24E S33      SWNNW      (Instream Beginning Point) Within Cassia County  
                                            SENWNW      (Instream Ending Point)

| PURPOSE AND    | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------|----------------|----------------|----------|
| PERIOD OF USE: | Stockwater     | 01-01 TO 12-31 | 0.02 CFS |

PLACE OF USE: Stockwater                      Within Cassia County  
                  T15S R24E S33              NWNW

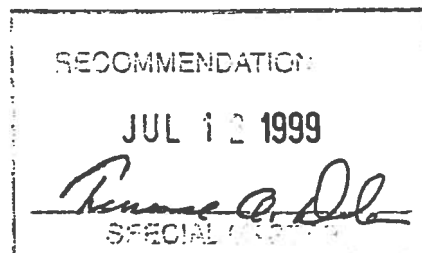
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

\_\_\_\_\_  
Barry Wood  
Administrative District Judge  
Presiding Judge of the  
Snake River Basin Adjudication



AJ5809NP  
No. R43-10912

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/14/97  
PAGE: 6

| OWNER<br>CODE    | NAME & ADDRESS                                                                                                                                                | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | UNITED STATES OF AMERICA ACTING THROUGH<br>USDI BUREAU OF LAND MANAGEMENT<br>IDAHO STATE OFFICE<br>1387 S VINNELL WAY<br>BOISE ID 837091657<br>(208) 373-4000 | 01/01/1873       | STOCKWATER | 01-01 12-31           | 0.02 CFS          |                     |
| TOTAL DIVERSION: |                                                                                                                                                               |                  |            |                       | 0.02 CFS          |                     |

Water Source: CIRCLE CREEK

Tributary to: RAFT RIVER

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T15S R24E S33

SENWNW

E

CASSIA County

Point(s) of Ending Stream Reach: T15S R24E S33

SWNWNW

B

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 |
| 15S  | 24E  | 33   | :       |       |       |       |       | :       |       |       |       | :       |       |       |       |
|      |      |      | :       |       | S     |       |       | :       |       |       |       | :       |       |       |       |

POU County: CASSIA

Non-Irrigation Uses: CATTLE/120 ~~MULE DEER/25~~ ~~ANTELOPE/10~~

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
A43-10912

Remarks: EXP BLM RECORD ID = 4302480049

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

*[Handwritten signature]*  
9.2.98

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. 3957

AMENDED NOTICE of CLAIM for  
Water Right number:

43-10812

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:

4302480049

Stg:

SIFed:

J

S

SOURCE:

|              |            |
|--------------|------------|
| Source       | Tributary  |
| CIRCLE CREEK | RAFT RIVER |

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:

1/1/1873

Diversion Means: INSTREAM USE

REMARKS:

POINT of  
DIVERSION:

| Twtnship | Range | Section | T1 | T2 | T3 | LOT | B/E | within the | County of |
|----------|-------|---------|----|----|----|-----|-----|------------|-----------|
| 15S      | 24E   | 33      | SE | NW | NW | 0   | E   | 31         | Cassia    |
| 15S      | 24E   | 33      | SW | NW | NW | 0   | B   | 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-Oct-97 7:33 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 | Twtn | Age | Sec | T1 | T2 | LOT | within the County of |
|-----------|------|-----|-----|----|----|-----|----------------------|
| 04        | 15S  | 24E | 33  | NW | NW | 0   | 31 Cassia            |

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:

43-10912

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:

4302480049

Stg:

StFed:

J

S

SOURCE:

|              |            |
|--------------|------------|
| Source       | Tributary  |
| CIRCLE CREEK | RAFT RIVER |

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:

1/1/1873

Diversion Means: INSTREAM USE

REMARKS:

POINT of  
DIVERSION:

| Twntship | Range | Section | T1 | T2 | T3 | LOT | B/E | within the | County of |
|----------|-------|---------|----|----|----|-----|-----|------------|-----------|
| 15S      | 24E   | 33      | SE | NW | NW | 0   | B   | 31         | Cassia    |
| 15S      | 24E   | 33      | SW | NW | NW | 0   | E   | 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 | Twnt | Rge | Sec | T1 | T2 | LOT | within the | County of |
|-----------|------|-----|-----|----|----|-----|------------|-----------|
| 04        | 15S  | 24E | 33  | NW | NW | 0   | 31         | Cassia    |

RECEIVED

SEP 15 1997

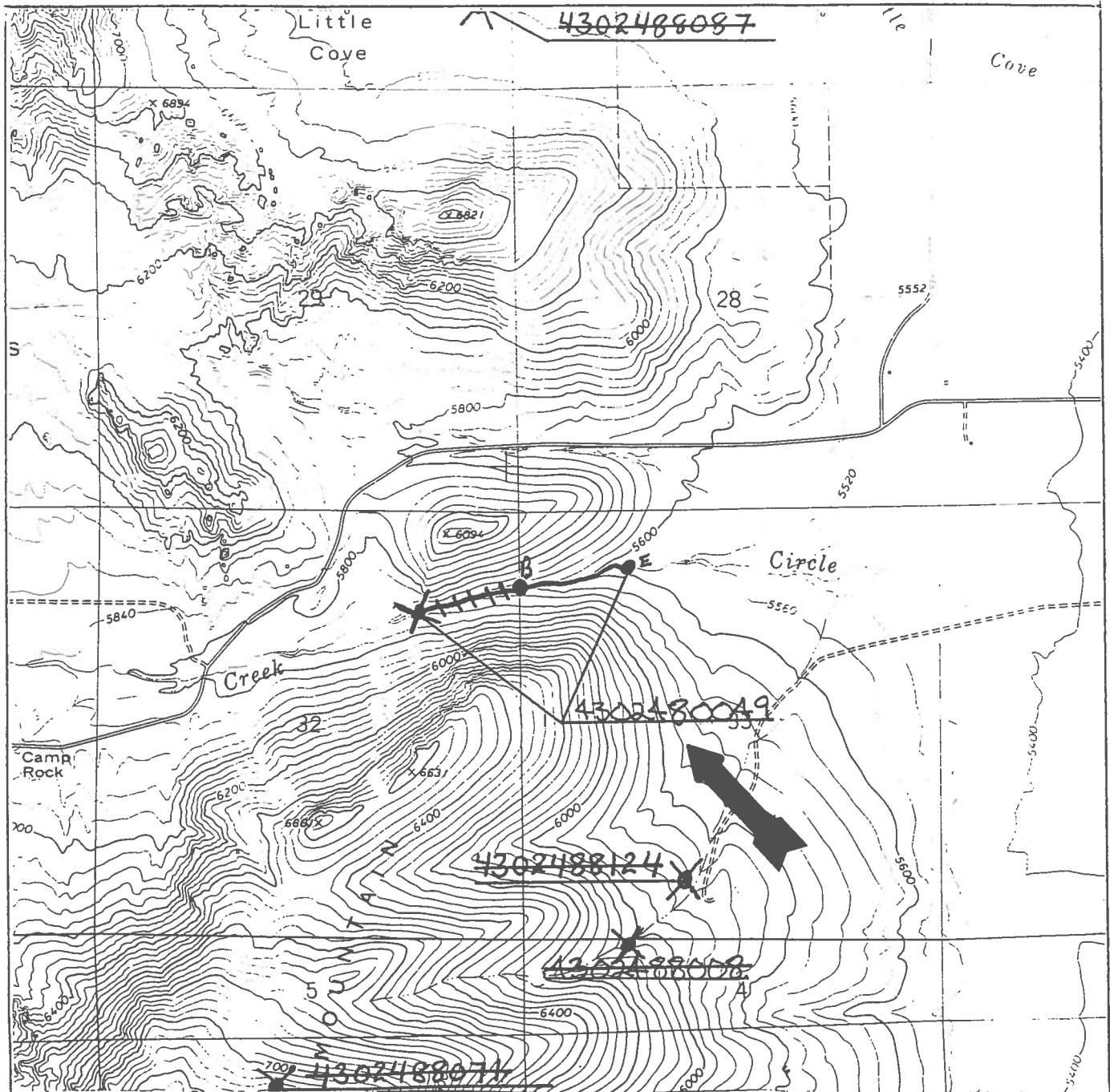
Department of Water Resources

DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

BLM IDENTIFICATION NUMBER  
4302480049

WATER RIGHTS CLAIM MAP

TOWNSHIP 15 S RANGE 24 E MERIDIAN: BOISE QUAD MAP NAME ALMO



LEGEND

SCALE: 1" = 24,000

|                                       |  |                                     |
|---------------------------------------|--|-------------------------------------|
| POD (ORIGINAL, CORRECT LOCATION)      |  | INSTREAM USE CLAIM                  |
| POD (ORIGINAL LOCATION, INCORRECT)    |  | INSTREAM USE CLAIM, DROPPED SEGMENT |
| POD (CORRECTED LOCATION OR ADDED POD) |  | 4302488000 WITHDRAWN CLAIM          |

RECEIVED  
SEP 15 1997

Department of Water Resources

RECEIVED

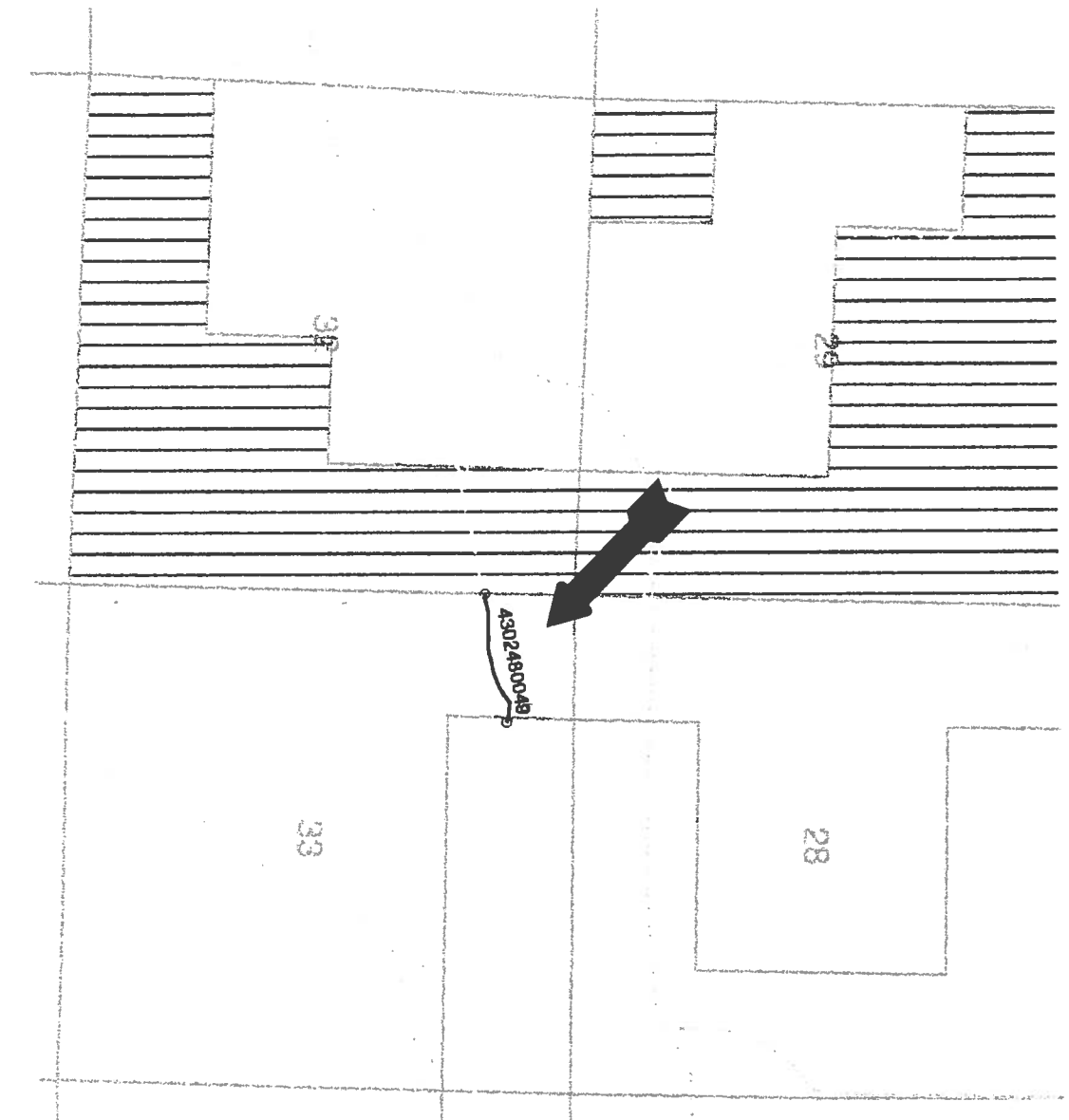
SEP 15 1997

# WATER RIGHTS: BASIN 43

Almo A642113

T15S R24E

Department of Water Resources



1:24000

0.1 0 0.1 0.2 0.3 Miles

Projection: UTM Zone 12  
Datum: NAD27 Conus

Water Rights Basin 43 - 02/10/97  
For Internal BLM Use Only  
Agis/projects/water/rights/212/  
plots\_b43/basin43\_a642113\_021097.apr

WATER RIGHT POINT  
+ dg  
WATER RIGHTS STREAM POINT  
+ dg  
Point of diversion  
MRA segment break  
Other stopping point  
Water Monitoring Site  
WATER RIGHTS STREAMS  
X dg  
WATER RIGHTS AREA  
+ dg  
TRANSPORTATION  
Improved Road  
Secondary Road  
Trail  
Jump Trail  
4-WD  
STREAMS  
LAKES  
INTERMITTENT  
HYDROLOGY POINT  
ALMO 7.5' QUADRANGLE  
LAND STATUS  
BLM  
NPS  
PRIVATE  
STATE  
STATE  
USFS  
SECTIONS  
CLAIM DESCRIPTION  
(Claim No.) D - Point of Diversion  
(Claim No.) U - Place of Use  
(Claim No.) DU - POD & POU  
Within 100' of each other  
or inseparable  
Claims are further identified by the following:  
S - Spring  
W - Well  
R - Reservoir  
T - Trough  
P - Pond  
Pl - Playa  
O - Other

RIGHT NUMBER:

43-10912

NAME AND ADDRESS:

UNITED STATES OF AMERICA ACTING THROUGH  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE ID 83709

SOURCE:

CIRCLE CREEK

TRIBUTARY: RAFT RIVER

QUANTITY:

0.1 CFS

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

PRIORITY DATE:

01/01/1873

POINT OF DIVERSION:

T15S R24E S32  
S33

NENE (B) Within CASSIA County  
NNNW (E)

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
STOCKWATER  
~~WILDLIFE~~

PERIOD OF USE  
01-01 12-31  
~~01/01 12/31~~

QUANTITY  
0.1 CFS  
~~0.1 0.13~~

PLACE OF USE:

STOCKWATER  
T15S R24E S32  
S33

Within CASSIA County  
NENE  
NNNW

~~WILDLIFE~~  
T15S R24E S32  
S33

~~Within CASSIA County~~  
~~NENE~~  
~~NNNW~~

OTHER MATTERS 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.

EXPLANATORY MATERIAL:

BASIS OF CLAIM - BENEFICIAL USE  
BLM RECORD ID = 4302480049  
CATTLE/120

AJ5808NP  
(00-26)

WATER RIGHT NUMBER - A43-10912

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - +

+ - FIRST NAME - - - +

+ - - - - ADDRESS - - - - - +

\*\*\* A - ATTORNEY \*\*\*

HAUGRUD, JACK OR G GARVER OR D ZANE

1 - US DEPT OF JUSTICE  
2 - ENV & NR DIV GEN LIT SEC  
3 - PO BOX 663  
CITY- WASHINGTON  
PHONE - 202-272-4134

STATE- DC ZIP- 200440663

\*\*\* C - CURRENT OWNER \*\*\*

US DEPT OF INTERIOR

1 - BUREAU OF LAND MANAGEMENT  
2 - IDAHO STATE OFFICE  
3 - 3380 AMERICANA TERRACE  
CITY- BOISE  
PHONE - 208-334-1401

STATE- ID ZIP- 83706

\*\*\* K - ALSO KNOWN AS \*\*\*

BLM

1 -  
2 -  
3 -  
CITY- X  
PHONE -

STATE- ID ZIP- 0

+ - - PRIORITY DATE - - + + - - REGION - - - + + - - STAGE - - - + + - - STATUS - - - +  
01/01/1873 17 SOUTHERN J - BENEFICIAL USE

+ - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - + + - - - - -  
CIRCLE CREEK RAFT RIVER

+ - - - - POINT OF DIVERSION - - - - - + + - - - - - DIVERSION NAME  
TWN RNG SEC TRACT LOT RFLG COUNTY

15S 24E 32 NE NE (31) CASSIA  
NW NW (31) CASSIA

+ - - - - DESCRIPTION PERIOD FROM PERIOD TO WATER USE - - - - - DIVERSION RATE DIVERSION VOLUME  
CODE

04 - STOCKWATER

01/01 12/31

0.100

~~16 - WILDLIFE~~

~~01/01 12/31~~

~~0.100~~

+ - - TOTAL DIV. RATE - + + - - TOTAL DIV. VOLUME - + + - - TOTAL DIV. CAPACITY - + + - - TOTAL CONSUMPTIVE USE - + + - - KW USAGE - + +  
0.100 0.0

+ - - - - TWN RNG SEC TRACT LOT ACRES PLACE OF USE CODE DESCRIPTION COUNTY  
15S 24E 32 NE NE 04 STOCKWATER (31) CASSIA

15S 24E 33 NW NW 04 STOCKWATER (31) CASSIA

15S 24E 32 NE NE 16 WILDLIFE (31) CASSIA

15S 24E 33 NW NW 16 WILDLIFE (31) CASSIA

+ - - DIVERSION MEANS - IN-STREAM USE

+ - - NON-IRRIGATION USE - CATTLE/120 MULE DEER/25 ANTELOPE/10

WATER RIGHT NUMBER - A43-10912      PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - REMARKS - - - - - +  
BLM RECORD ID = 4302480049  
FIRST DATE OF BENEFICIAL USE - 1873

+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +  
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - - CONDITIONS OF APPROVAL - - - - - +  
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - +      + - - - - DECREE DEFENDANT - - - +  
00/00/0000

+ - - AUDIT FIELDS - 07/23/93 AJCTR

+ - - - - - COMMENTS - - - - - +  
NO COMMENTS FOUND

+ - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

|                       |              |                       |              |                         |         |
|-----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| COURT REPORT FILING   | - 00/00/0000 | FIELD INSPECTION MADE | - 00/00/0000 | CIVIL CASE NUMBER       | - 39576 |
| OBJECTION FILED DATE  | - 00/00/0000 | FIELD INSPECTION FLAG | -            | OLD CASE NUMBER         | -       |
| RESPONSE FILED DATE   | - 00/00/0000 | VERIFIED DATE         | - 00/00/0000 | OLD JUDICIAL DISTRICT   | -       |
| CLAIM RECEIVED DATE   | - 03/25/1993 | LAST AMENDED DATE     | - 00/00/0000 | TEMPORARY RIGHT         | - P     |
| PROOF DUE DATE        | - 00/00/0000 | PROOF MADE DATE       | - 00/00/0000 | WATER DISTRICT          | -       |
| LICENSED DATE         | - 00/00/0000 | RECEIPT NUMBER        | - X111111    | FEDERAL/STATE INDICATOR | - S     |
| CLAIMS TAPE ERROR FLG | -            | POU OWNERSHIP FLAG    | - Y          | PRESUMPTION FLAG        | -       |
| FEE EXEMPT FLAG       | -            | NAME CONNECTOR        | -            | NOTICE OF ERROR FLAG    | -       |

Almo

DATA ENTRY  
ENTERED  
CHECKED 74 1-6-97

"Verified By"  
Topo from Idaho-PQ  
A  
W  
N  
F  
C  
W  
P  
IDWR Records

VERIFIED  
DEC 23 1994  
WATER EXAMINER

CERTIFIED  
DEC 28 1994