

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 AND FEDERAL 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  
(RESERVED..... 1926-04-17)  
AGENCY NUMBER: 4302480109  
BLM NUMBER: 4302480109  
BASIS OF CLAIM: BENEFICIAL USE  
(SUBSEQUENT FEDERAL RESERVE)  
BASIN NUMBER: 43

SOURCE

TRIBUTARY TO

-----  
BENCH SPRING

-----  
PARK CREEK

DESCRIPTION OF DIVERSION WORKS

-----  
SPRING

| PURPOSE OF USE | DIVERSION<br>RATE | DIVERSION<br>VOLUME | PERIOD OF USE<br>FROM | TO   |
|----------------|-------------------|---------------------|-----------------------|------|
| STOCKWATER     | 0.030             | 0.00                | 0101                  | 1231 |
| WILDLIFE       | 0.010             | 0.00                | 0101                  | 1231 |
| TOTAL:         | 0.040 CFS         | 0.00 AF             |                       |      |

NON-IRRIGATION USES

-----  
CATTLE/400 SHEEP/2,000 VARIOUS WILDLIFE

| POINT OF DIVERSION |     |     |        |        |        |     |        |
|--------------------|-----|-----|--------|--------|--------|-----|--------|
| TWP                | RNG | SEC | TRACT1 | TRACT2 | TRACT3 | LOT | COUNTY |
| 14S                | 25E | 12  | SW     | NE     | SW     | 00  | CASSIA |

PLACE OF USE

|     |     |     |        |        |     |        | IRRIGATED<br>OWNED | ACRES |
|-----|-----|-----|--------|--------|-----|--------|--------------------|-------|
| TWP | RNG | SEC | TRACT1 | TRACT2 | LOT | COUNTY |                    |       |
| 14S | 25E | 12  | NE     | SW     | 00  | CASSIA | YES                | 0.0   |
| 14S | 25E | 12  | NE     | SW     | 00  | CASSIA | YES                | 0.0   |

TOTAL ACRES IRRIGATED: 0.0

BLM NUMBER: 4302480109

PAGE: 2

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

-----  
WATER FEDERALLY RESERVED, SEE REMARKS

REMARKS

-----  
1926 RESERVED - EXECUTIVE ORDER DATED APR 17

PWR NO. 107

AJ5809NP  
No. R43-10997

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/03/97  
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: BENCH SPRING

Tributary to: PARKS CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T14S R25E S12

NWSWSW ✓

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 |
| 14S  | 25E  | 12   | :       | :     | :     | :     | :     | :       | S     | ✓     | :     | :       | :     | :     | :     |

POU County: CASSIA

Non-Irrigation Uses: CATTLE/400 SHEEP/2,000

~~VARIOUS WILDLIFE~~

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
R43-10875

Conditions of Approval:

D01 - \*\*\*\*\*  
- \* 4/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT. \*  
- \*  
- \* THIS WATER RIGHT IS ALSO CLAIMED BASED ON FEDERAL LAW \*  
- \* WITH AN APRIL 17, 1926, DATE OF PRIORITY PURSUANT TO AN \*  
- \* EXECUTIVE ORDER SIGNED THE SAME DATE AND KNOWN AS PUBLIC \*  
- \* WATER RESERVE 107. \*  
- \*\*\*\*\*

Remarks: EXP BLM RECORD ID = 4302480109

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit:

09/29/97 AJCTR

*data entry done*

*EXP 10/13/97*

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:

43-10997

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:

4302480109

Stg:

StFed:

J

X

SOURCE:

| Source       | Tributary   |
|--------------|-------------|
| BENCH SPRING | PARKS CREEK |

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: UNDEVELOPED SPRING

REMARKS:

Also reserved pursuant to EO 4/17/26, PWR 107

POINT of  
DIVERSION:

| Twtnship | Range | Section | T1 | T2 | T3 | LOT | B/E | within the | County of |
|----------|-------|---------|----|----|----|-----|-----|------------|-----------|
| 14S      | 25E   | 12      | NW | SW | SW |     |     | 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 |                |

CONSUMPTIVE  
USE:

de minimis stockwater use

DATE: 08-Dec-97 2:07 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 | Twtn | Rge | Sec | T1 | T2 | LOT | within the County of |
|-----------|------|-----|-----|----|----|-----|----------------------|
| 04        | 14S  | 25E | 12  | SW | SW | 0   | 31 Cassia            |

RECEIVED  
DEC 09 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. 39576

AMENDED NOTICE of CLAIM for  
Water Right number:

43-10997

43-10998

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:

4302480109

Stg:

StFed:

J

X

SOURCE:

| Source       | Tributary   |
|--------------|-------------|
| BENCH SPRING | PARKS CREEK |

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: UNDEVELOPED SPRING

REMARKS:

Also reserved pursuant to EO 4/17/26, PWR 107

POINT of  
DIVERSION:

| Twtnship | Range | Section | T1 | T2 | T3 | LOT | B/E | within the | County of |
|----------|-------|---------|----|----|----|-----|-----|------------|-----------|
| 14S      | 25E   | 12      | NW | SW | SW |     |     | 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 |                |

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 | Twtn | Rge | Sec | T1 | T2 | LOT | within the | County of |
|-----------|------|-----|-----|----|----|-----|------------|-----------|
| 04        | 14S  | 25E | 12  | SW | SW | 0   | 31         | Cassia    |

RECEIVED

SEP 15 1997

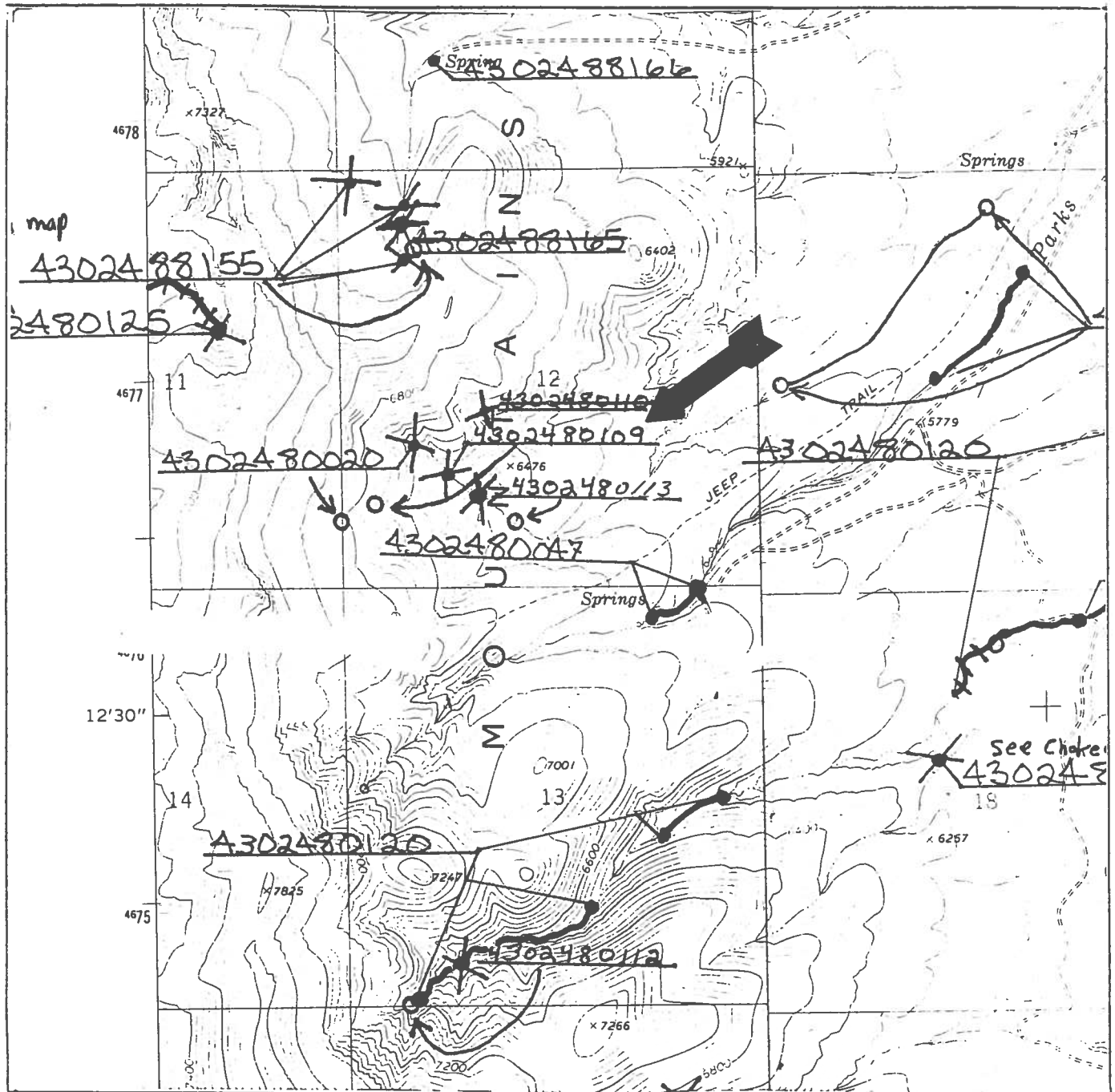
Department of Water Resources

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

BLM IDENTIFICATION NUMBER  
4302480109

WATER RIGHTS CLAIM MAP

TOWNSHIP 14 S RANGE 25 E MERIDIAN: BOISE QUAD MAP NAME KANE CANYON



LEGEND

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

SCALE: 1" = 24,000

RECEIVED

SEP 15 1997

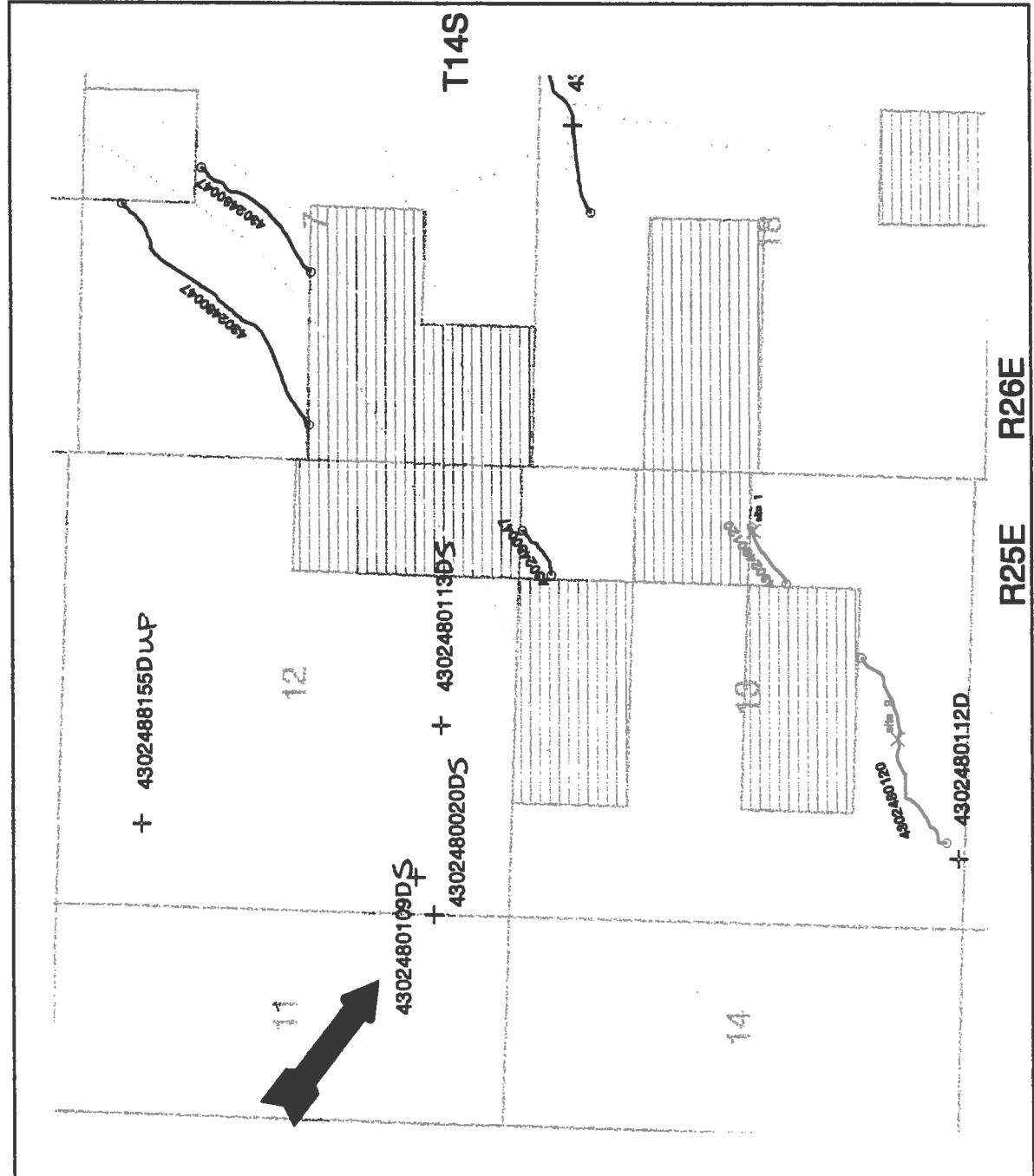
Department of Water Resources

# WATER RIGHTS: BASIN 43 Kane Canyon B4542113

RECEIVED

SEP 15 1997

Department of Water Resources



WATER RIGHT POINT

dig

gps

WATER RIGHTS STREAM POINT

Point of diversion

MIRA segment break

Other stopping point

Water Monitoring Site

WATER RIGHTS STREAMS

dig

WATER RIGHTS AREA

dig

gps

TRANSPORTATION

Improved Road

Secondary Road

Trail

Jeep Trail

Kane Canyon 7.5' quadrangle

LAND STATUS

BLM

NPS

PRIVATE

STATE

STATEPR

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

1:24000

0.1 0 0.1 0.2 Miles

Projection: UTM Zone 12  
Datum: NAD27 Conus

Water Rights Basin 43 - 02/10/97  
For Internal BLM Use Only  
/gis/projects/water/rights/12/  
plots\_b43/basin43\_b442113\_022697.apr

RIGHT NUMBER:

43-10997

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:

BENCH SPRING

TRIBUTARY: PARK CREEK

QUANTITY:

0.04 CFS

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

PRIORITY DATE:

01/01/1873

POINT OF DIVERSION:

T14S R25E S12

SWNEW

Within CASSIA County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
STOCKWATER  
WILDLIFE

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

QUANTITY  
0.03 CFS  
0101 013

PLACE OF USE:

STOCKWATER  
T14S R25E S12

Within CASSIA County  
NEW

WILDLIFE  
T14S R25E S12

Within CASSIA County  
NEW

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 = 4302480109  
CATTLE/400 SHEEP/2,000

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIMS PROOF READING REPORT

AJ5808NP  
(00-26)

WATER RIGHT NUMBER - A43-10997

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 - - - - - + + - - - - -  
BENCH SPRING PARK CREEK

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

14S 25E 12 SW NE SW (31) CASSIA

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

04 - STOCKWATER 01/01 12/31 0.030  
16 - WILDLIFE 01/01 12/31 0.010

+ - - - - - - - - - - - - - - - - - TOTAL DIV. VOLUME - + + - - - - - CAPACITY - + + - - - - - TOTAL CONSUMPTIVE USE - + + - - - - - KW USAGE - + +  
0.040 0.0

+ - - - - - - - - - - - - - - - - - PLACE OF USE - - - - - + + - - - - - COUNTY  
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION

14S 25E 12 NE SW 04 STOCKWATER (31) CASSIA  
14S 25E 12 NE SW 16 WILDLIFE (31) CASSIA

+ - - - - DIVERSION MEANS - SPRING

+ - - - - NON-IRRIGATION USE - CATTLE/400 SHEEP/2,000 VARIOUS WILDLIFE

+ - - - - OTHER RIGHTS FOR SAME USE - WATER FEDERALLY RESERVED, SEE REMARKS

