

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: 4302480134
BLM NUMBER: 4302480134
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 43

SOURCE	TRIBUTARY TO
-----	-----
BLACKSMITH CREEK	CASSIA CREEK

DESCRIPTION OF DIVERSION WORKS

IN-STREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
-----	-----	-----	-----	-----
STOCKWATER	0.120	0.00	0101	1231
WILDLIFE	0.010	0.00	0101	1231
TOTAL:	0.130 CFS	0.00 AF		

NON-IRRIGATION USES

CATTLE/500 VARIOUS WILDLIFE

				POINT OF DIVERSION				
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY	
---	---	---	-----	-----	-----	---	-----	-----
13S	25E	01		SW	SW	00	CASSIA	
13S	26E	06				06	CASSIA	
12S	26E	31				04	CASSIA	

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
---	---	---	-----	-----	---	-----	-----	-----
12S	26E	31			04	CASSIA	YES	0.0

13S	26E	06			04	CASSIA	YES	0.0
13S	26E	06			06	CASSIA	YES	0.0
13S	26E	06			07	CASSIA	YES	0.0
13S	25E	01			01	CASSIA	YES	0.0
13S	25E	01			02	CASSIA	YES	0.0
13S	25E	01	SE	NW	00	CASSIA	YES	0.0
13S	25E	01	NE	SW	00	CASSIA	YES	0.0
13S	25E	01	SE	SE	00	CASSIA	YES	0.0
13S	25E	01	SW	SE	00	CASSIA	YES	0.0
13S	25E	01	SE	SW	00	CASSIA	YES	0.0
13S	25E	01	NW	SW	00	CASSIA	YES	0.0
13S	25E	01	SW	SW	00	CASSIA	YES	0.0
13S	25E	01	SW	NE	00	CASSIA	YES	0.0
12S	26E	31			04	CASSIA	YES	0.0
13S	26E	06			04	CASSIA	YES	0.0
13S	26E	06			06	CASSIA	YES	0.0
13S	26E	06			07	CASSIA	YES	0.0
13S	25E	01			01	CASSIA	YES	0.0
13S	25E	01			02	CASSIA	YES	0.0
13S	25E	01	SE	NW	00	CASSIA	YES	0.0
13S	25E	01	NE	SW	00	CASSIA	YES	0.0
13S	25E	01	SE	SE	00	CASSIA	YES	0.0
13S	25E	01	SW	SE	00	CASSIA	YES	0.0
13S	25E	01	SE	SW	00	CASSIA	YES	0.0
13S	25E	01	NW	SW	00	CASSIA	YES	0.0
13S	25E	01	SW	SW	00	CASSIA	YES	0.0
13S	25E	01	SW	NE	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

1999 JUL 12 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 43-11033

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

SOURCE: BLACKSMITH CREEK TRIBUTARY: CASSIA CREEK
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: T13S R25E S01 SWSWSW (Instream Ending Point) Within Cassia County
SWNESW (Instream Beginning Point)

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

PLACE OF USE: Stockwater Within Cassia County
T13S R25E S01 NESW NWSW
SWSW

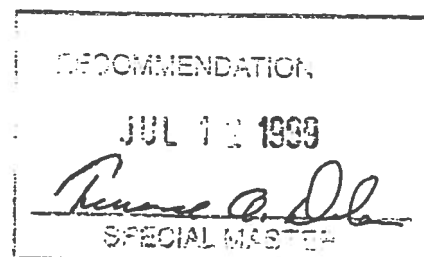
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. R43-11033

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/03/97
PAGE: 23

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	01/01/1873	STOCKWATER	01-01 12-31	0.02 CFS	
TOTAL DIVERSION:					0.02 CFS	

Water Source: BLACKSMITH CREEK

Tributary to: CASSIA CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T13S ^{R26E} S01
Point(s) of Ending Stream Reach: T13S R25E S01

SWNESW
SWSWSW

CASSIA County
CASSIA County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
13S	25E	1	:											S	✓	S	✓						

POU County: CASSIA

Non-Irrigation Uses: CATTLE/500 ~~VARIOUS WILDLIFE~~

Other Rights: NONE

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

A43-02714 A43-10136 A43-10170 A43-10196 A43-10446 A43-11033 R43-02714 R43-10136 R43-10170 R43-10196
R43-10446

Remarks: EXP BLM RECORD ID = 4302480134

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

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

Audit: 09/29/97 AJCTR

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:

43-11033

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:

4302480134

Stg:

StFed:

J

S

SOURCE:

Source	Tributary
BLACKSMITH CREEK	CASSIA 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: INSTREAM USE

REMARKS:

POINT of
DIVERSION:

Twtnship	Range	Section	T1	T2	T3	LOT	B/E	within the	County of
13S	25E	1	SW	SW	SW		E	31	Cassia
13S	25E	1	SW	NE	SW		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	

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	13S	25E	1	NE	SW	0	31	Cassia
04	13S	25E	1	NW	SW	0	31	Cassia
04	13S	25E	1	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. 3957

AMENDED NOTICE of CLAIM for
Water Right number:

43-11033

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:

4302480134

Stg:

StFed:

J

S

SOURCE:

Source

Tributary

BLACKSMITH CREEK

CASSIA 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: INSTREAM USE

REMARKS:

POINT of
DIVERSION:

Township	Range	Section	T1	T2	T3	LOT	B/E	within the	County of
13S	25E	1	SW	SW	SW		E	31	Cassia
13S	25E	1	SW	NE	SW		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	

CONSUMPTIVE
USE:

de minimis

stockwater use

DATE:

08-Oct-97 7:37 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	13S	25E	1	NE	SW	0	31 Cassia
04	13S	25E	1	NW	SW	0	31 Cassia
04	13S	25E	1	SW	SW	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:

43-11033

United States of America acting through
Bureau of Land Management
Idaho State Office
1387 South Vinnell Way
Boise, ID 83709 - 1657

BLMIDENT:

4302480134

Stg:

StFed:

J

S

NAME and
ADDRESS:

SOURCE:

Source	Tributary
BLACKSMITH CREEK	CASSIA 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: INSTREAM USE

REMARKS:

POINT of
DIVERSION:

Twntship	Range	Section	T1	T2	T3	LOT	B/E	within the	County of
13S	25E	1	SW	SW	SW		E	31	Cassia
13S	26E	1	SW	NE	SW		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	

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	13S	25E	1	NE	SW	0	31 Cassia
04	13S	25E	1	NW	SW	0	31 Cassia
04	13S	25E	1	SW	SW	0	31 Cassia

RECEIVED

SEP 15 1997

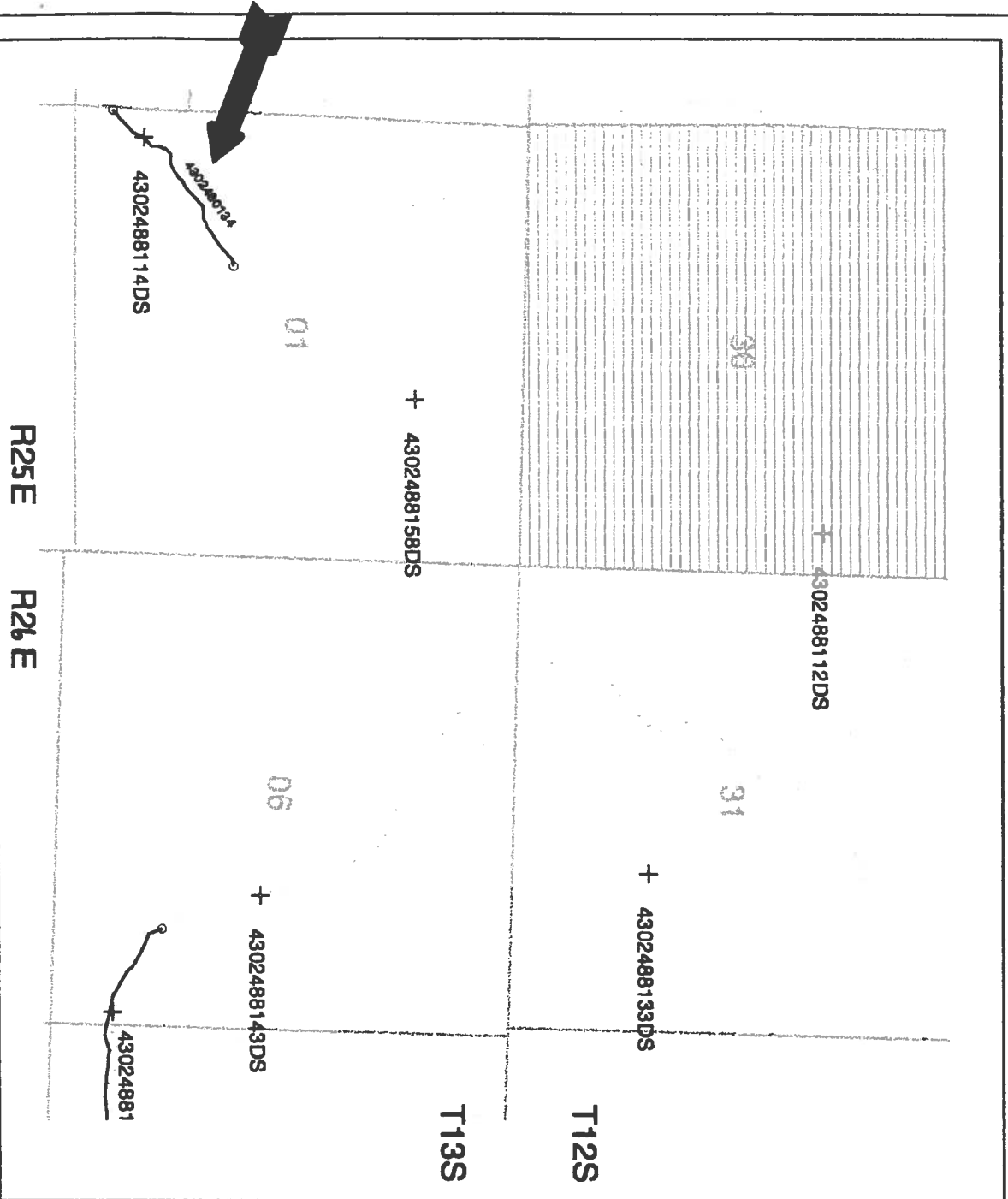
Department of Water Resources

RECEIVED

SEP 15 1997

Department of Water Resources

WATER RIGHTS: BASIN 43 Nibbs Creek C442113



WATER RIGHT POINT
+ dg
+ gpe
WATER RIGHTS STREAM POINT
o Point of diversion
o MPA segment break
o Other stopping point
o Water Monitoring Site
WATER RIGHTS STREAMS
X dg
WATER RIGHTS AREA
+ dg
+ gpe
TRANSPORTATION
Improved Road
Secondary Road
Trail
Loop Trail
NIBBS CREEK 75' QUADRANGLE
AND STATUS
BLM
NPS
PRIVATE
STATE
FEDERAL
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
PI - Playa
O - Other

1:24000
A

Projection: UTM Zone 12
Datum: NAD27 Conus
Water Rights Basin 43 - 02/10/97
For Internal BLM Use Only
/gla/prof/water/rights/12/
pchs b43/
basin43_0442113_022797.apr

RIGHT NUMBER:

43-11033

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:

BLACKSMITH CREEK

TRIBUTARY: CASSIA CREEK

QUANTITY:

0.13 CFS

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

PRIORITY DATE:

01/01/1873

POINT OF DIVERSION:

T12S R26E S31 LOT 4 (SWSW) (B) Within CASSIA County
T13S R25E S01 LOT 4 ()
R26E S06 LOT 6 () (E)

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER
WILDLIFE
PERIOD OF USE
01-01 12-31
01/01 12/31
QUANTITY
0.12 CFS
01/01 01/98

PLACE OF USE:

STOCKWATER Within CASSIA County
T12S R26E S31 LOT 4 (SWSW)
T13S R25E S01 LOT 1 (NENE)
R26E S06 LOT 4 (NNW)
T12S R26E S31 LOT 4
T13S R25E S01 LOT 1
R26E S06 LOT 4
WILDLIFE Within CASSIA County
T12S R26E S31 LOT 4
T13S R25E S01 LOT 1
R26E S06 LOT 4
SENW
SESW
SWNE
SWSW
SESE
Lot 7 (SWSW)
Lot 17
SWNE
SWSW
SESE
Lot 7 (SWSW)
Lot 17
SWNE
SWSW
SESE
Lot 17

43-11033 CONTINUED

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 = 4302480134
CATTLE/500

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Kelly K Christensen

DATE

February 13, 1996 2:46pm

CUSTOMER

STEVE DAVIS FOR BLM

SUBJECT: RIGHTS APPURTENANT TO TNS 13S; RNG 25E; SEC 01; SW $\frac{1}{4}$ SW $\frac{1}{4}$
B.M.

phone call (X) walk-in (.)

I did an AJQ5 and a WRQ5 on the above legal and found A43-02714, A43-07271 and A43-11033 on the adj side and 43-02714 on the water rights side. There is a conflict between the adj claim and the wr records on 43-07271 on at least the P/D and source. Steve said that he would check it out.

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

10/27/94 01:04:55
PAGE 1

WATER RIGHT NUMBER - A43-11033

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

SOURCE - BLACKSMITH CREEK
TRIBUTARY - CASSIA CREEK

TWN	RNG	SEC	TRACT	LOT	RFLG	COUNTY	POINT OF DIVERSION	DIVERSION NAME
12S	26E	31	SW SW	4	B	(31)	CASSIA	
13S	25E	1	SW SW		E	(31)	CASSIA	
13S	26E	6		6		(31)	CASSIA	

CODE	DESCRIPTION	PERIOD FROM	WATER USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
04	STOCKWATER	01/01	12/31	0.120	
16	WILDLIFE	01/01	12/31	0.010	

TOTAL DIV. RATE - 0.130
TOTAL DIV. VOLUME -
TOTAL DIV. CAPACITY -
TOTAL CONSUMPTIVE USE -
KW USAGE -

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE CODE	DESCRIPTION	COUNTY
12S	26E	31	SW SW	4		04	STOCKWATER	(31) CASSIA
13S	25E	1	NE NE	1		04	STOCKWATER	(31) CASSIA
13S	25E	1	NW NE	2		04	STOCKWATER	(31) CASSIA
13S	25E	1	SE NE			04	STOCKWATER	(31) CASSIA
13S	25E	1	SE NW			04	STOCKWATER	(31) CASSIA
13S	25E	1	NE NW			04	STOCKWATER	(31) CASSIA
13S	25E	1	NE SW			04	STOCKWATER	(31) CASSIA
13S	25E	1	NW SW			04	STOCKWATER	(31) CASSIA

WATER RIGHT NUMBER - A43-11033

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - -		TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE	CODE	DESCRIPTION	COUNTY	+ - - - -	
		13S	25E	1	SW SW				04	STOCKWATER	(31) CASSIA		
		13S	25E	1	SE SW				04	STOCKWATER	(31) CASSIA		
		13S	25E	1	SW SE				04	STOCKWATER	(31) CASSIA		
		13S	25E	1	SE SE				04	STOCKWATER	(31) CASSIA		
		13S	26E	6	NW NW	4			04	STOCKWATER	(31) CASSIA		
		13S	26E	6	NW SW	6			04	STOCKWATER	(31) CASSIA		
		13S	26E	6	SW SW	7			04	STOCKWATER	(31) CASSIA		
		12S	26E	31		4			16	WILDLIFE	(31) CASSIA		
		13S	25E	1		1			16	WILDLIFE	(31) CASSIA		
		13S	25E	1		2			16	WILDLIFE	(31) CASSIA		
		13S	25E	1	SW NE				16	WILDLIFE	(31) CASSIA		
		13S	25E	1	SE NW				16	WILDLIFE	(31) CASSIA		
		13S	25E	1	NE SW				16	WILDLIFE	(31) CASSIA		
		13S	25E	1	NW SW				16	WILDLIFE	(31) CASSIA		
		13S	25E	1	SE SW				16	WILDLIFE	(31) CASSIA		
		13S	25E	1	SW SW				16	WILDLIFE	(31) CASSIA		
		13S	25E	1	SE SW				16	WILDLIFE	(31) CASSIA		
		13S	25E	1	SE SE				16	WILDLIFE	(31) CASSIA		
		13S	26E	6		4			16	WILDLIFE	(31) CASSIA		
		13S	26E	6		6			16	WILDLIFE	(31) CASSIA		
		13S	26E	6		7			16	WILDLIFE	(31) CASSIA		

+ - - - - DIVERSION MEANS - IN-STREAM USE

+ - - - - NON-IRRIGATION USE - CATTLE/500 VARIOUS WILDLIFE

+ - - - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - -
BLM RECORD ID = 4302480134
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 - - - - +
+ - - - - DECREE DATE - - - +
00/00/0000

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

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

