

A43-11090

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: 4302808120  
BLM NUMBER: 4302808120  
BASIS OF CLAIM: BENEFICIAL USE  
BASIN NUMBER: 43

| SOURCE        | TRIBUTARY TO |
|---------------|--------------|
| -----         | -----        |
| CALDER SPRING | SINKS        |

DESCRIPTION OF DIVERSION WORKS

-----

SPRING, DITCH, POND

| PURPOSE OF USE | DIVERSION<br>RATE | DIVERSION<br>VOLUME | PERIOD OF USE<br>FROM | TO    |
|----------------|-------------------|---------------------|-----------------------|-------|
| -----          | -----             | -----               | -----                 | ----- |
| STOCKWATER     | 0.010             | 0.00                | 0501                  | 1010  |
| WILDLIFE       | 0.010             | 0.00                | 0101                  | 1231  |
| TOTAL:         | 0.010 CFS         | 0.00 AF             |                       |       |

NON-IRRIGATION USES

-----

2000/CATTLE 150/DEER

|     |     |     |        | POINT OF DIVERSION |        |     |        |  |
|-----|-----|-----|--------|--------------------|--------|-----|--------|--|
| TWP | RNG | SEC | TRACT1 | TRACT2             | TRACT3 | LOT | COUNTY |  |
| --- | --- | --- | -----  | -----              | -----  | --- | -----  |  |
| 10S | 29E | 35  |        | SW                 | SW     | 00  | CASSIA |  |
| 10S | 29E | 34  |        | NW                 | SW     | 00  | CASSIA |  |

| PLACE OF USE |     |     |        |        |     |        | IRRIGATED |       |
|--------------|-----|-----|--------|--------|-----|--------|-----------|-------|
| TWP          | RNG | SEC | TRACT1 | TRACT2 | LOT | COUNTY | OWNED     | ACRES |
| ---          | --- | --- | -----  | -----  | --- | -----  | -----     | ----- |
| 10S          | 29E | 35  | SW     | SW     | 00  | CASSIA | YES       | 0.0   |

BLM NUMBER: 4302808120

PAGE: 2

|     |     |    |    |    |    |        |     |     |
|-----|-----|----|----|----|----|--------|-----|-----|
| 10S | 29E | 34 | NW | SW | 00 | CASSIA | YES | 0.0 |
| 10S | 29E | 35 | SW | SW | 00 | CASSIA | YES | 0.0 |
| 10S | 29E | 34 | NW | SW | 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

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PREVIOUSLY AWARDED STATUTORY WATER RIGHT - BLM ID -> 4302488120

**IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)**

DATE: 01/27/98  
PAGE: 1

| Water Source:          | SPRING        | Tributary to: | SINKS | Stage: | BENEFICIAL USE |
|------------------------|---------------|---------------|-------|--------|----------------|
| Point(s) of Diversion: | T10S R29E S35 | SHINSH        |       |        | CASSIA County  |

Point(s) of Diversion: T10S R29E S35 S44W

| Place of use | Legal Description for: | STOCKWATER |
|--------------|------------------------|------------|
|              |                        |            |

[illegible]

POU County: CASSIA

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 = 4302808120  
80 CLAIM- ASSOCIATED CLAIM 4302488120

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

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

Comments: Date: 01/27/1998 User-ID: MBALDWIN Subject: EDIT CHANGES  
Per D. Jones edit (M Baldwin)

**Audit:** 01/27/98 MBALDWIN

AJ5809NP  
No. R43-11090

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/18/98  
PAGE: 2

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

Water Source: SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10S R29E S35

~~NENWSW~~

SWNWSW

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 |
| 10S                 | 29E | 35 | : |                     |    |    |    |                     |    |    |    | S                   |    |    |    |

POU County: CASSIA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
R43-04135

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 = 4302808120  
80 CLAIM- ASSOCIATED CLAIM 4302488120

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. 3957

AMENDED NOTICE of CLAIM for  
Water Right number:

43-11090

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:

4302808120

Stg:

J

StFed:

X

SOURCE:

Source Tributary

SPRING

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:

1/1/1873

Diversion Means: UNDEVELOPED SPRING

REMARKS:

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

80 CLAIM- ASSOCIATED CLAIM 4302488120

POINT of  
DIVERSION:

| Twnship | Range | Section | T1 | T2 | T3 | LOT | B/E | within the | County of |
|---------|-------|---------|----|----|----|-----|-----|------------|-----------|
| 10S     | 29E   | 35      | SW | NW | SW |     |     | 31         | Cassia    |
| 10S     | 29E   | 34      | NE | NW | 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 | 0              |

CONSUMPTIVE  
USE:

de minimis stockwater use

DATE: 27-Oct-97 11:26 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 | Twn | Rge | Sec | T1 | T2 | LOT | within the | County of |
|-----------|-----|-----|-----|----|----|-----|------------|-----------|
| 04        | 10S | 29E | 34  | NW | SW |     | 31         | Cassia    |
| 04        | 10S | 29E | 35  | NW | SW |     | 31         | Cassia    |

ADDED

RECEIVED

OCT 30 1997

Department of Water Resources  
Southern Region

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

WATER RIGHTS CLAIM MAP

43-11090

43-04135

BLM IDENTIFICATION NUMBER

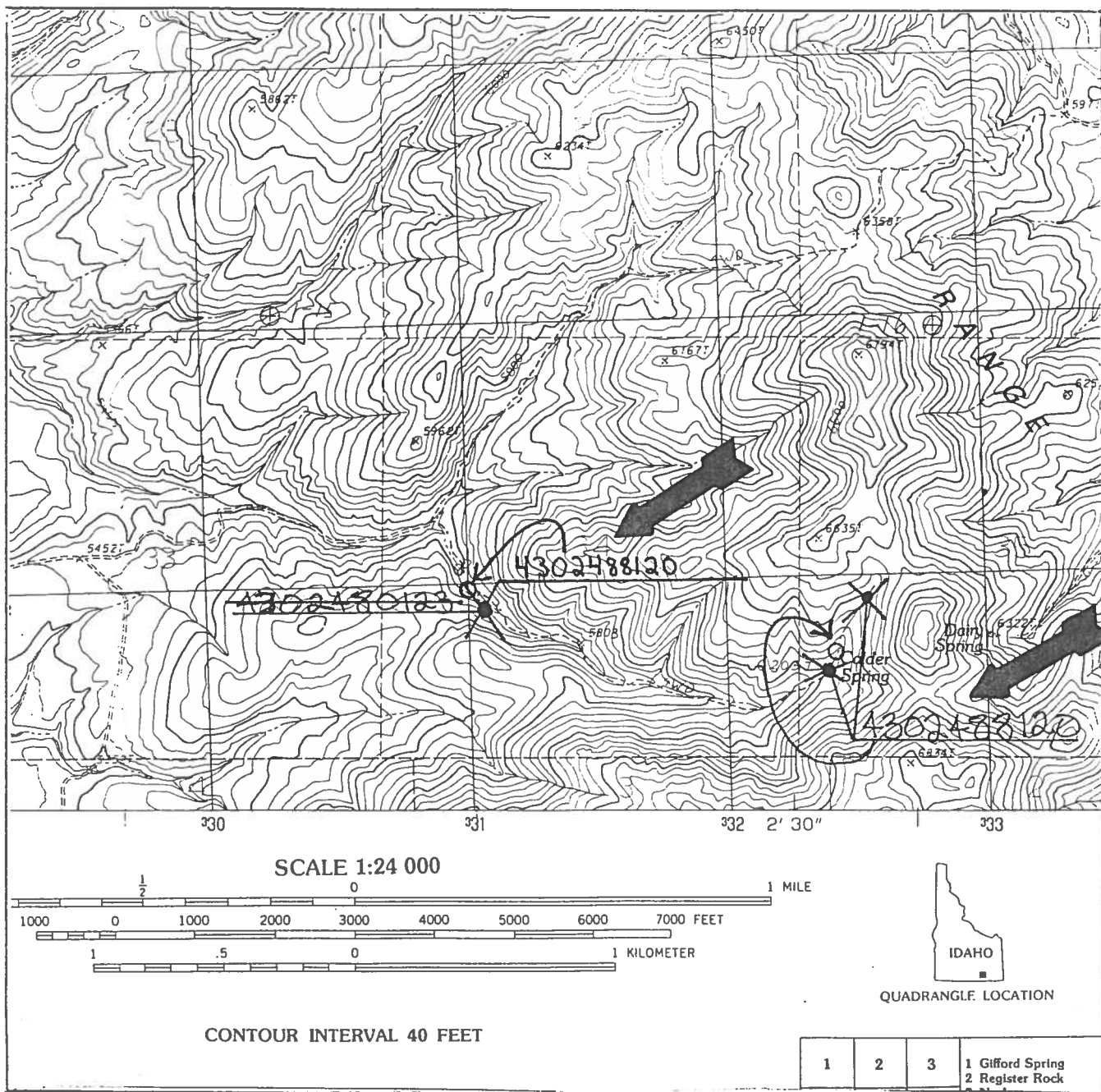
4302488120

TOWNSHIP 10 S

RANGE 29 E

MERIDIAN: BOISE

QUAD MAP NAME 430 2808120 BADGER PEAK

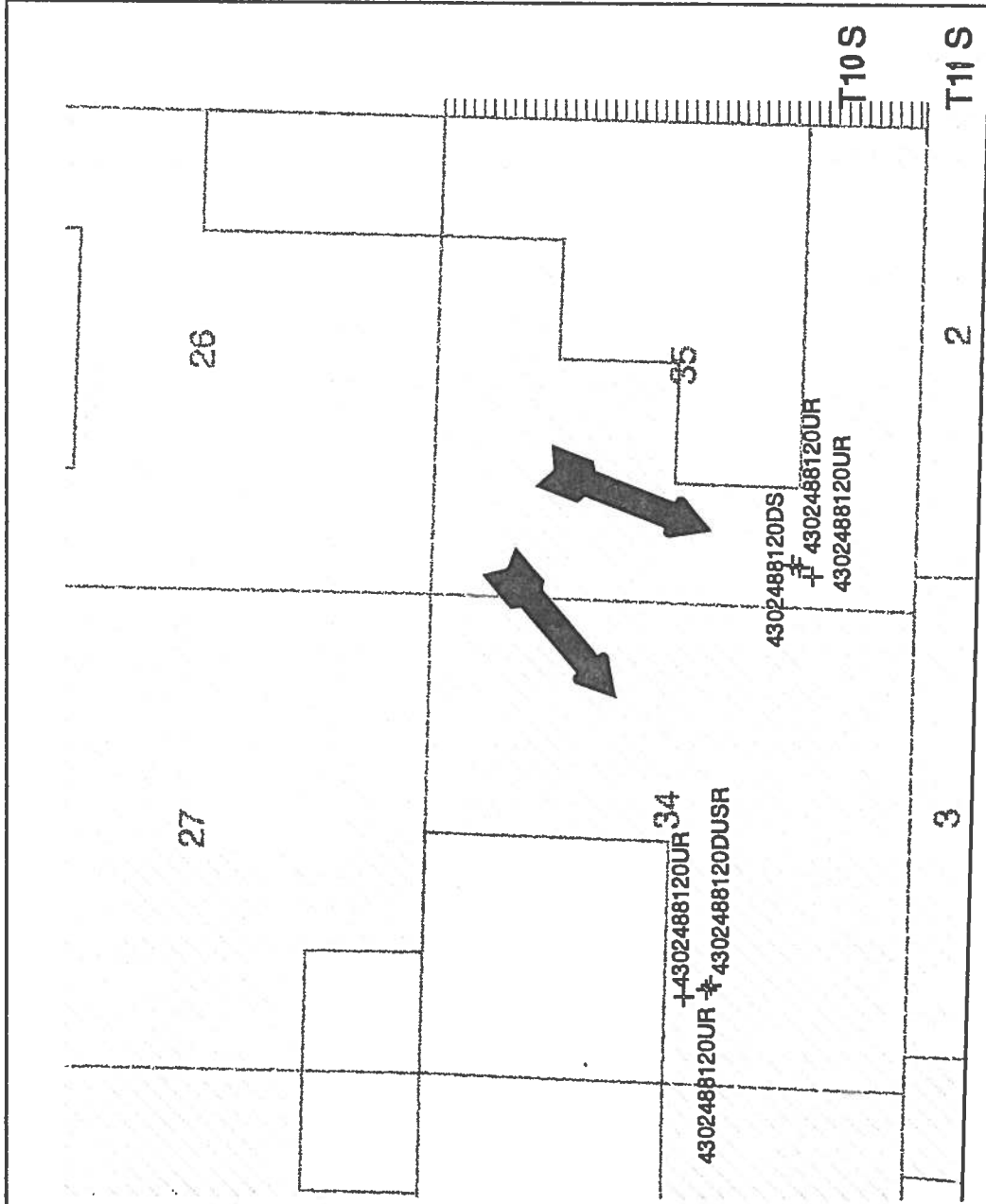


LEGEND

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          |

# WATER RIGHTS: BASIN 43 BADGER PEAK E142113



WATER RIGHT POINT  
+ dg  
+ gpa  
WATER RIGHTS STREAM POINT  
o Point of diversion  
o MPA segment break  
o Other stopping point  
x Water Monitoring Site  
WATER RIGHTS STREAMS  
W dg  
W gpa  
WATER RIGHTS AREA  
dg  
gpa  
BADGER PEAK 7.5' QUADRANGLE  
Surfown  
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  
fgr/projects/water/rights/212/  
plots b43/

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43-04135