

05/30/2002

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

RIGHT NUMBER: 43-11207

NAME AND ADDRESS: WILLIAM & VIRGINIA BRUESCH FAMILY TRUST  
RICHARD BRUESCH TTEE  
PO BOX 40280  
MESA AZ 85274-0280

SOURCE: LITTLE COVE CREEK TRIBUTARY: ALMO CREEK

QUANTITY: 0.40 AFY  
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 02/04/1962

POINT OF  
DIVERSION: T15S R24E S20 NWSESE Within CASSIA County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>   | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-------------------------|----------------------|-----------------|
| STOCKWATER FROM STORAGE | 05/01 06/15          | 0.40 AFY        |
| STOCKWATER STORAGE      | 01/01 12/31          | 0.40 AFY        |

PLACE OF USE: STOCKWATER STORAGE Within CASSIA County  
T15S R24E S20 SESE  
STOCKWATER FROM STORAGE Within CASSIA County  
T15S R24E S20 SESE

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

STOCKWATER FOR 65 HEAD CATTLE, WATER STORAGE, CATTLE GRAZING,  
WILDLIFE.

COPY

2002 MAY 24 AM 11:28  
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     | ) | SUBCASE NO. 43-10, 43-11, 43-391A,      |
|                | ) | 43-396A, 43-2026, 43-2148, 43-11204,    |
| Case No. 39576 | ) | 43-11205, 43-11207, 43-11208, 43-11209, |
|                | ) | 43-11210, 43-11211, 43-11212            |
|                | ) | NOTICE OF COMPLETED                     |
|                | ) | ADMINISTRATIVE PROCEEDING               |

IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

Name and New Address of Claimant:

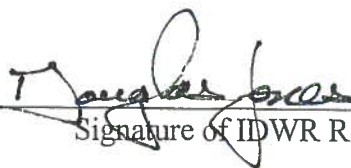
William & Virginia Bruesch Family Trust  
Richard Bruesch Trustee  
PO Box 40280  
Mesa AZ 85274-0280

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated:

5/23/02



Signature of IDWR Representative

### CERTIFICATE OF MAILING

I certify that on 5/24, 2002, 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  
PO Box 2707  
Twin Falls ID 83303-2707
2. One Copy to:  
Claimant or attorney of record:  
William & Virginia Bruesch Family Trust  
Richard Bruesch Trustee  
PO Box 40280  
Mesa AZ 85274-0280
3. One Copy to:  
Each party in the subcase or attorney of record:
4. One Copy to:  
Chief Natural Resources Division  
Office of the Attorney General  
PO Box 44449  
Boise ID 83711-4449
5. 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



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

**1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380**

**Phone: (208) 736-3033 FAX: (208) 736-3037**

**SOUTHERN REGION**

May 24, 2002

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

WILLIAM & VIRGINIA BRUESCH FAMILY TRUST  
RICHARD BRUESCH TRUSTEE  
PO BOX 40280  
MESA AZ 85274-0280

RE: SRBA Claim(s)      43-10, 43-11, 43-391A, 43-396A, 43-2026  
                                 43-2148, 43-11204, 43-11205, 43-11207,  
                                 43-11208, 43-11209, 43-11210, 43-11211,  
                                 43-11212

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett  
Technical Records Specialist

NCA  
RECEIVED

APR 08 2002

Department of Water Resources  
Southern Region

**SNAKE RIVER BASIN ADJUDICATION  
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

**Claim Number(s):**

43-10 | 43-11 | 43-2148 | 43-2026 | 43-11204 | 43-11025  
43-11207 | 43-11208 | 43-11209 | 43-11210 | 43-11211

~~43-12908~~ 43-11212, 43-391A, 43-396A

**Previous Mailing Address:**

William & Virginia Bruesch Family Trust  
Richard Bruesch, Trustee  
2513 E Loyola Dr  
Tempe AZ 85282-4167

**New Mailing Address:**

William & Virginia Bruesch Family Trust  
Richard Bruesch, Trustee  
P O Box 40280  
Mesa AZ 85274-0280

**Telephone Number:**

(480 ) 839-6738

**Signature of Claimant(s):**

*W R Bruesch*

4/2/2002

**Please return this completed form to:**

Adjudication Bureau  
Idaho Dept. of Water Resources  
1301 N. Orchard St.  
Boise, ID 83706-2237  
Ph. 1/800/451-4129 or  
FAX 208/327-5400

Adjudication Bureau  
Idaho Dept. of Water Resources  
2735 Airport Way  
Boise, ID 83705-5082  
Ph. 208/334-2190 or  
FAX 208/334-2348

Adjudication Bureau  
Idaho Dept. of Water Resources  
1341 Fillmore St., Ste. 200  
Twin Falls, ID 83301-3380 or  
FAX 208/736-3037

Adjudication Bureau  
Idaho Dept. of Water Resources  
900 N. Skyline, Ste. A  
Idaho Falls, ID 83402-3653 or  
FAX 208/525-7177

SS  
ADDRESS FM  
Revised 12/13/1999

IDWR Use Only:  
Data Entry: *[Signature]*

Date: 4/24/02

CID 46838

05/11/2001

**NOTICE OF ERROR  
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

**YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 15, 2001**

Water right number: 43-11207

WILLIAM & VIRGINIA BRUESCH FAMILY TRUST  
RICHARD BRUESCH TTEE  
2513 E LOYOLA DR  
TEMPE AZ 852824167  
Telephone Number: (480)839-6738

**RECEIVED**

**JUN 06 2001**

**Department of Water Resources  
Southern Region**

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 5/31/01 SIGNATURE: WR Bruesch  
Please print your name: William Richard Bruesch, trustee

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

01/29/2001

IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-11207

NAME AND ADDRESS: WILLIAM & VIRGINIA BRUESCH FAMILY TRUST  
RICHARD BRUESCH TTEE  
2513 E LOYOLA DR  
TEMPE, AZ 852824167

SOURCE: LITTLE COVE CREEK TRIBUTARY: ALMO CREEK  
0.4 AFY

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

PRIORITY DATE: 02/04/1962

POINT OF DIVERSION: T15S R24E S20 NWSESE Within CASSIA County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE          | PERIOD OF USE | QUANTITY |
|-------------------------|---------------|----------|
| STOCKWATER STORAGE      | 01-01 12-31   | 0.40 AFY |
| STOCKWATER FROM STORAGE | 05-01 06-15   | 0.40 AFY |

PLACE OF USE:

STOCKWATER STORAGE Within CASSIA  
County  
T15S R24E S20 SESE  
STOCKWATER FROM STORAGE Within  
CASSIA County  
T15S R24E S20 SESE

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

STOCKWATER FOR 65 HEAD CATTLE, WATER STORAGE, CATTLE  
GRAZING, WILDLIFE

Water Right Number - R43-11207

Prefix Translation:

RESEARCH

Old (D) Number -

--- Last Name --- + --- First Name --- + --- Address --- +

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

WILLIAM A

1 - PO BOX 910  
2 -  
3 -  
City- BURLEY  
Phone -

State- ID Zip- 83318

\*\*\* C - CURRENT OWNER \*\*\*  
BRUESCH FAMILY TRUST

WILLIAM & VIRGINIA

1 - RICHARD BRUESCH TTEE  
2 - 2513 E LOYOLA DR  
3 -  
City- TEMPE  
Phone - 480-839-6738

State- AZ Zip- 852824167

--- Priority Date --- + --- Region --- + --- Stage --- + --- Status --- +  
02/04/1962 17 SOUTHERN J - BENEFICIAL USE

Source --- +  
LITTLE COVE CREEK

Tributary  
EDWARDS CREEK  
ALMO

--- Point of Diversion --- +  
Twn Rng Sec Tract Lot Rflg County  
15S 24E 20 NW SE SE (31) CASSIA

| Code | Description             | Period From | Period To | Water Use | Diversion Rate | Diversion Volume |
|------|-------------------------|-------------|-----------|-----------|----------------|------------------|
| 05   | STOCKWATER STORAGE      | 01/01       | 12/31     |           |                | 0.40             |
| 06   | STOCKWATER FROM STORAGE | 05/01       | 06/15     |           |                | 0.40             |

--- Total Div. Rate --- + --- Total Div. Volume --- + --- Total Consumptive Use --- + --- KW Usage --- +  
0.020 0.40 0.0

| Twn | Rng | Sec | Tract | Lot | Acres | Place of Use | Description             | County      |
|-----|-----|-----|-------|-----|-------|--------------|-------------------------|-------------|
| 15S | 24E | 20  | SE SE |     |       | 05           | STOCKWATER STORAGE      | (31) CASSIA |
| 15S | 24E | 20  | SE SE |     |       | 06           | STOCKWATER FROM STORAGE | (31) CASSIA |

Total Acres:

--- Diversion Means - IN-STREAM POND OF LESS THAN 1 ACRE, EARTHEN DAM WITH SPILLWAY.

--- Non-Irrigation Use -

--- Other Rights for Same Use -

GEN ORIGINAL CLAIM STATED SOURCE NOT TRIBUTARY TO ANY STREAM. CREEK

Remarks

Comments

A43-11207

(Brusch Reservoir #2)

Water right number - R43-11207

Prefix Translation: RESEARCH

IS TRIBUTARY TO EDWARDS CREEK PER USGS 7.5' QUADRANGLE MAP.

EXP THE BLM CONSTRUCTED AN IN-STREAM POND IN 1962 FOR WATER STORAGE. POND IS LESS THAN ONE ACRE AND IS AN EARTHEN DAM WITH SPILLWAY. THIS POND WAS CONSTRUCTED IN COOPERATION WITH THE BLM FOR STOCKWATER USE ON FEDERAL LANDS WHERE THE BRUESCH RANCH HAS GRAZING RIGHTS. NON-IRRIGATION USES INCLUDE STOCKWATER FOR 65 HEAD CATTLE, WATER STORAGE, CATTLE GRAZING, WILDLIFE.

No Old Water Right Numbers Found

Old Water Right Numbers

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A

M43 - DETERMINATION OF HISTORICAL BENEFICIAL USE.  
- THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000

C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
- GALLONS PER DAY.  
- 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.

Decree Plaintiff

Decree Defendant

Decree Date  
00/00/0000

Date: 01/27/2000 User Id: VHAWCOCK Subject: POU & POD  
CLAIMANT STATES RECOMMENDED POU AND POD ARE ON LAND OWNED BY THE NATIONAL PARK SERVICE.

Audit Fields  
01/27/00 VHAWCOCK

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  | - 01/19/2000 | Last Amended Date     | - 00/00/0000 | Temporary Right         | - P     |
|                      |              | Receipt Number        | - S022755    | Water District          | -       |
|                      |              | POU Ownership Flag    | - N          | Federal/State Indicator | - S     |
|                      |              | Name Connector        | -            | Presumption Flag        | -       |
|                      |              |                       |              | Notice of Error Flag    | -       |

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A43-11207  
Date Received: 1/19/2000  
Receipt No: 502755  
Received By: [Signature]

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: WILLIAM & VIRGINIA BRUESCH FAMILY TRUST 480-839-6738  
Address: RICHARD BRUESCH TTEE  
2513 E LOYOLA DR  
TEMPE AZ 85282-4167

2. Date of Priority: FEB 4, 1962

3. Source: LITTLE COVE CREEK Trib. to: EDWARDS CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 15S      | 24E   | 20      | NW     | SE     | SE     |     | CASSIA |

5. Description of diverting works:  
IN-STREAM POND OF LESS THAN 1 ACRE, EARTHEN DAM WITH SPILLWAY.

6. Water is used for the following purposes:

| Purpose                 | From  | To    | C.F.S | (or) | A.F.A. |
|-------------------------|-------|-------|-------|------|--------|
| STOCKWATER STORAGE      | 01/01 | 12/31 |       |      | 0.40   |
| STOCKWATER FROM STORAGE | 05/01 | 06/15 |       |      | 0.40   |

7. Total Quantity Appropriated is:  
0.020 C.F.S. (and/or) 0.40 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
STOCK - 65 HEAD CATTLE, WATER STORAGE, CATTLE GRAZING, WILDLIFE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use    | Acres |
|----------|-------|---------|--------|--------|-----|--------|-------|
| 15S      | 24E   | 20      | SE     | SE     |     | STOC S |       |
|          |       |         | SE     | SE     |     | STO FS |       |

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

14. Remarks:

ORIGINAL CLAIM STATED SOURCE NOT TRIBUTARY TO ANY STREAM. CREEK IS TRIBUTARY TO EDWARDS CREEK PER USGS 7.5' QUADRANGLE MAP. THE BLM CONSTRUCTED AN IN-STREAM POND IN 1962 FOR WATER STORAGE. POND IS LESS THAN ONE ACRE AND IS AN EARTHEN DAM WITH SPILLWAY. THIS POND WAS CONSTRUCTED IN COOPERATION WITH THE BLM FOR STOCKWATER USE ON FEDERAL LANDS WHERE THE BRUESCH RANCH HAS GRAZING RIGHTS.

15. Basis of Claim: BENEFICIAL USE

January 14, 2000

Ms. Vickie Hancock  
Water Resource Agent  
Southern Regional Office  
Idaho Department of Water Resources  
Twin Falls, ID 83301-3380

**RECEIVED**

**JAN 18 2000**

Department of Water Resource  
Southern Region

Subject: Notice of Claims

Dear Ms. Hancock

We are enclosing documents for eight claims for stockwater use and one claim for irrigation use on behalf of the William Wallace & Virginia E. Bruesch Family Trust. These claims are being presented in response to the discussion at the September 20<sup>th</sup> and 22nd meetings last year at the Bruesch Ranch in Almo between Vickie Hancock of the IDWR, Cordell Sheridan, and Richard Bruesch.

The eight claims for stockwater use are as follows:

| Spring or Facility Name         | Diversion Location ~ T R S | Land Owner                |
|---------------------------------|----------------------------|---------------------------|
| Bruesch Res 1                   | 15S 24E SE-NE-SE 20        | Bureau of Land Management |
| Bruesch Res 2                   | 15S 24E NW-SE-SE 20        | National Park Service     |
| East Circle Trough              | 15S 23E NE-NW-SE 24        | National Park Service     |
| Middle Fork Circle Creek Spring | 15S 23E SE-SW-NW 24        | National Park Service     |
| East Scotties Camp Spring       | 15S 23E NE-SW-SE 13        | National Park Service     |
| West Scotties Camp Spring       | 15S 23E NW-SW-SE 13        | National Park Service     |
| Indian Grove Spring             | 15S 23E SW-SE-SE 14        | National Park Service     |
| Walters Creek Spring            | 15S 23E SW-SE-SE 11        | U S Forest Service        |

Of special note is the claim for stockwater use at Indian Grove Spring. That spring is also the headwaters of Graham Creek as claimed under Claim # A43-00010.

The single irrigation claim is for ground water recharge from Graham Creek. It has been the practice of the Bruesch Ranch to irrigate the hay fields, meadows, and pastures on a year-round basis to the extent of available water in Graham Creek. If, by IDWR definition, the irrigation season is a fixed period from April to October, then the remainder of the year needs to be claimed as well. Our original Claim #A43-00010 as filed claimed the water for the entire year from January 1<sup>st</sup> to December 31<sup>st</sup>. We believe that full year use represents the situation and irrigation (recharge) practice that has been traditionally used.

We are also enclosing a check payable to Idaho Department of Water Resources in the amount of \$250 to pay for 8 fees of \$25 and one fee of \$50.

We greatly appreciate the assistance that you have given us in understanding the claims process and for the information you provided in the meeting with us in Almo.

We would appreciate receipt of the claim profile reports for these and for our original claims as revised once the IDWR has processed them. Please let me know if there is anything else required or if you have questions regarding the information contained in the claim documents.

Sincerely,

A handwritten signature in dark ink, appearing to read "WR Bruesch", with a long horizontal flourish extending to the right.

Richard Bruesch, Trustee  
2513 E Loyola Dr  
Tempe AZ 85282-4167

cc: Alan Bruesch w/ encls.  
Janet Powers w/ encls.

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

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

CIVIL CASE NUMBER: 39576

Identification No. A43-16207  
Date Received 1-18-2000  
Receipt Number 5022755

NOTICE OF CLAIM  
TO A  
WATER RIGHT

ACQUIRED UNDER STATE LAW  
For Domestic and/or Stockwater Purposes  
Where Daily Use is less than 13,000 gallons per day.

RECEIVED

JAN 18 2000

Department of Water Resource  
Southern Basin

Filing Fee \$25

Please type or print clearly William Wallace & Virginia E.  
Bruesch Family Trust

Bruesch Res #2

1. Name of Claimant (s) Richard Bruesch, Trustee Phone (480) 839-6738

Mailing Address 2513 E. Loyola Dr., Tempe, AZ Zip 85282-4167

2. Date of Priority (Only one per claim) February 4, 1962 Month/Day/Year

3. Source of water supply (Check one) ( ) Groundwater or Other (X) (a) Little Cove Creek  
Name or kind of source

which is tributary to (b) Not a tributary to any other stream.

4. Location of point of diversion is: Township 15S Range 24E

Section 20, NW 1/4 of SE 1/4 of SE 1/4, Govt. Lot \_\_\_\_\_, BM.,

County of Cassia

Additional points of diversion if any: None

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. The Bureau of Land management constructed an in-stream pond in 1962 for water storage. The pond is less than one acre in size and is an earthen dam with a spillway.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

|     |              |               |                            |    |              |        |               |
|-----|--------------|---------------|----------------------------|----|--------------|--------|---------------|
|     | stockwater   |               | Month/Day                  |    | Month/Day    |        | (cfs)         |
| For | storage      | purposes from | <u>01-01</u>               | to | <u>12-31</u> | amount | <u>0.44FA</u> |
|     | stockwater   |               | (Both dates are inclusive) |    |              |        |               |
| For | from storage | purposes from | <u>05-01</u>               | to | <u>06-15</u> | amount | <u>0.44FA</u> |

7. Total quantity claimed 0.02 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) stockwater for 65 head of cattle, water storage, cattle grazing and wildlife

10. Place of use is: Township: T15S Range 24ESection 20, SE 1/4 of SE 1/4, Govt. Lot \_\_\_\_\_, B.M.,County of Cassia for (Circle One) Domestic Stock Domestic and StockAdditional places of use, if any None11. In which county (ies) are lands listed above as place of use located? Cassia12. Do you own the property listed above as place of use? Yes \_\_\_\_\_ No ✓

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

None14. Remarks: This pond was constructed in cooperation with the Bureau of Land management for stockwater use on federal lands where the Bruesch Ranch has grazing right15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court \_\_\_\_\_ Decree Date \_\_\_\_\_ Plaintiff vs Defendant \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do \_\_\_\_\_ do not ✓ wish to receive and pay a small annual fee for monthly copies of the docket sheet.Number of Attachments 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am a Trusteeof William Wallace & Virginia E Bruesch Family Trust, that I have signed the foregoingdocument in the space below as Trustee of the Trust

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent WR Bruesch Date 1/13/2000Title and Organization Trustee, William Wallace & Virginia E. Bruesch Family TrustState of Idaho/or Arizona )County of Maricopa ) SS.Subscribed and sworn (or affirmed) before me this 13 day of Jan 192000Notary Public Michael T. WhiteResiding at SAINT RIVER PROJECT C.U.My Commission Expires 25 FEB 2002Last Name Bruesch Ident No. A43-11207

Copies: White-State, Yellow-Claimant

P. O.

# APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO  
FOR FARMSTEAD, DOMESTIC, OR STOCK WATERING PURPOSES

BY THE UNITED STATES DEPARTMENT OF THE INTERIOR

Application No. D. 1678

Permit No. D. 1678 43-2687

District No. \_\_\_\_\_

1. Name of Applicant U.S. DEPARTMENT OF THE INTERIOR - BUREAU OF LAND MANAGEMENT
2. Post Office Address Box 460, Burley, Idaho
3. Quantity of water claimed 4 acre feet 2-4-1963  
(Not to exceed 0.1 second foot or 15 acre feet)
4. Source of water supply Run off unnamed stream  
(Spring, well, unnamed stream, small lake, snow, or runoff)
5. Location of point of diversion N 56° W 1326 feet distant from the section corner of Section 20 21  
29 28  
Twp. 15S, Rge. 24E, B.M., and is in the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 20, Twp. 15S, Rge. 24E, B.M.  
in the County of Cassia 3/
6. Location of point of use N 56° W 1326 feet distant from the section corner of Section 20 21  
29 28  
Twp. 15S, Rge. 24E, B.M., and in the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , Sec. 20, Twp. 15S, Rge. 24E
7. Water to be used for Livestock watering 55 1/1-12/31
8. Estimated cost of works \$185.00
9. Kind of works Reservoir  
(Reservoir, dam, ditch, flume, pipe, etc.)
10. Size \_\_\_\_\_  
(Headgate, ditch, flume, pipe, etc.)
11. Time required to apply water to proposed use Now in use
12. If reservoir is used, fill in the following in addition to the above questions:
  - (a) Height of dam 8 feet; Length at top 40 feet.
  - (b) Material from which dam is constructed earth  
(earth, concrete, timber, rock)
  - (c) The outlet of the proposed reservoir is located 1326 feet from the southeast corner of  
Section 20, Twp. 15S, Rge. 24E, B.M.

## REMARKS:

**Bruesch Reservoir #2**  
**I2-R-154**

Dept. of the Interior  
Applicant Bureau of Land Management

Agent [Signature]  
District Manager

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# Approval of State Reclamation Engineer

The number of this permit is D 1678

Recorded in Book 4 Page D 1678 Approved February 8, 1963

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Work to begin on or before completed and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

Completion of Works and Beneficial Use of Water appropriated in accordance herewith, to be made on or before completed

Witness my hand this 8 day of February, 1963

Carl E. Tappan

Ass't. State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYTHE Governor of the State of Idaho, and ARNOLD WILLIAMS Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 8 day of February, 19 63

Countersigned: STATE OF IDAHO

By \_\_\_\_\_ Secretary of State. By \_\_\_\_\_ Governor.

## PERMIT

No. D

Date of first receipt at office of State Reclamation Engineer

8-01-63 A. M. February 4, 1963

2-5-63 Returned to applicant for correction

February 5, 1963

Corrected application received

2-8-63 February 8, 1963

Fees \$1.00

STATE OF IDAHO  
LICENSE AND CERTIFICATE OF  
WATER RIGHT

Water License No. D 1678

U. S. Department of the Interior  
TO Bureau of Land Management

Source of Supply Runoff

Amount 0.4 Sec. Feet

Place of Use See Sec. 20, T.15S, R.24, E8M

Purpose Livestock Watering

Date of Priority February 4, 1963

Recorded February 13, 1963

In Book 4 of Licenses, Page D-1678

## LICENSE AND CERTIFICATE OF WATER RIGHT

Water License No. D 1678 Priority February 4, 1963 Amount 0.4 c.f.s.

This is to certify that Bureau of Land Management of Burley, Idaho made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of Runoff under Use Permit No. D 1678, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume D 4 of Licenses, at page D 1678, on the 8 13 day of 2 13 February, 19 63

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS THE SEAL and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 13 day of February, 19 63

Carl E. Tappan

Ass't. State Reclamation Engineer.

Old (D) Number - D1678

+ . . . . . Address . . . . . +

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

1 - USD, NATIONAL PARK SERVICE  
2 - WATER RIGHTS BRANCH  
3 - 1201 OAK RIDGE DR STE 250  
City- FORT COLLINS State- CO Zip- 80525  
Phone - 303-225-3506

City- SEATTLE State- WA Zip- 98104  
Phone - 208-000-0000

1 - BUREAU OF LAND MANAGEMENT  
2 - IDAHO STATE OFFICE-INITIAL CL.  
3 - 3380 AMERICANA TERRACE  
City- BOISE State- ID Zip- 83706  
Phone - 208-334-1401

STATUS - - - +

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| +   | ----- Point of Diversion ----- |     |          |     |      |             |
|-----|--------------------------------|-----|----------|-----|------|-------------|
| Twn | Rng                            | Sec | Tract    | Lot | Rflg | County      |
| 15S | 24E                            | 20  | NW SE SE |     |      | (31) CASSIA |

| Code | Description             | Period From | Period To | Water Use | Diversion Rate | Diversion Volume |
|------|-------------------------|-------------|-----------|-----------|----------------|------------------|
| 05 - | STOCKWATER STORAGE      | 01/01       | 12/31     |           |                | 0.40             |
| 17 - | WILDLIFE STORAGE        | 01/01       | 12/31     |           |                | 0.40             |
| 06 - | STOCKWATER FROM STORAGE | 01/01       | 12/31     |           |                | 0.40             |
| 18 - | WILDLIFE FROM STORAGE   | 01/01       | 12/31     |           |                | 0.40             |

|                     |     |                       |     |                         |     |                           |     |              |     |
|---------------------|-----|-----------------------|-----|-------------------------|-----|---------------------------|-----|--------------|-----|
| + - Total Div. Rate | - + | + - Total Div. Volume | - + | + - Total Div. Capacity | - + | + - Total Consumptive Use | - + | + - KU Usage | - + |
|                     |     | 0.40                  |     |                         |     | 0.0                       |     |              |     |

Water right number - A43-02687

Prefix translation: ADJUDICATION CLAIM

| Twn | Rng | Sec | Tract | Lot | Acres | Place of Use | Code | Description                | County      |
|-----|-----|-----|-------|-----|-------|--------------|------|----------------------------|-------------|
| 15S | 24E | 20  | SE SE |     |       |              |      | 05 STOCKWATER STORAGE      | (31) CASSIA |
| 15S | 24E | 20  | SE SE |     |       |              |      | 06 STOCKWATER FROM STORAGE | (31) CASSIA |
| 15S | 24E | 20  | SE SE |     |       |              |      | 17 WILDLIFE STORAGE        | (31) CASSIA |
| 15S | 24E | 20  | SE SE |     |       |              |      | 18 WILDLIFE FROM STORAGE   | (31) CASSIA |

+ - - Diversion Means - EARTHEN DAM 8' HIGH; 65' CREST. SKETCH OF DAM ATTACHED

+ - - Non-Irrigation Use - STOCKWATER, CATTLE GRAZING; WILDLIFE

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - -

GEN BRUESCH RESERVOIR NO. 2  
BLM LICENSE D-1678 ATTACHED.

+ - - - - - 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 01/04/96 DSHAFF

+ - - - - - 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 |       |
|                      |              | POU Ownership Flag    | - Y          | Presumption Flag        | -   |       |
|                      |              | Name Connector        | - AND/OR     | Notice of Error Flag    | -   |       |