

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 43-11243

Owner Type Name and Address
Current Owner UNITED STATES OF AMERICA ACTING THROUGH
 BUREAU OF LAND MGMT
 IDAHO STATE OFFICE
 1387 SOUTH VINNELL WAY
 BOISE, ID 837091657
 (208)334-1401

Also Known As BLM
 K, ID

Priority Date: 03/03/1953
Basis: Beneficial Use
Status: Valid

Source: COLD SPRING Trib. to: Cold Spring Creek

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01	12/31	0.02 CFS		
Total Diversion			0.02 CFS		

Point(s) of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
13S	29E	25	SE NE NE		CASSIA

Place(s) of use:

Place of Use Legal Description: STOCKWATER CASSIA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
13S	29E	14		NWSE										
				SWSW										
		23		NWSE										
				NENW										
				SWSW										
		25		SESW			NESW							
		35		NESE										

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. C18 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.

Remarks:

1. Explanatory BLM IDENT NO. 4302480192

Dates:

Licensed Date:
 Claim Received Date: 08/23/2000
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 Response Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
POD	8/30/00 10:46:13 AM	DSHAFF			In Process
POU	8/30/00 10:55:00 AM	DSHAFF			In Process
Priority Date	8/30/00 10:24:50 AM	DSHAFF			In Process
Quantity	8/30/00 10:59:06 AM	DSHAFF			In Process
Season	8/30/00 10:55:50 AM	DSHAFF			In Process
Source	8/30/00 10:47:28 AM	DSHAFF			In Process
Summary	8/30/00 11:02:19 AM		8/30/00 11:02:18 AM	DSHAFF	Complete
Use	8/30/00 10:48:43 AM	DSHAFF			In Process

Other Information:

Receipt Number(s):
 State or Federal:
 Water District:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Verification Log:

Element	Date Time Stamp	Reviewer	Log Text
POD	8/30/00 10:46:10 AM	DSHAFF	1. (YES) The basis is beneficial use. 4. (NO) There is not evidence that there has been a change in the Point of Diversion. 6. (YES) The file contains all the necessary information to verify the POD. Comment for 6: GIS layout supplied with claim 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
POU	8/30/00 10:54:58 AM	DSHAFF	1. (YES) The POU is required. 2. (YES) The basis of claim is beneficial use. 5. (NO) There is no evidence that there has been a change in the POU. 9. (YES) The file contains all the necessary information to verify the POU. Comment for 9: GIS layout of POU's represented from GPS 12. (NO) POU remark was not required. 13. (NO) POU condition was not required.
Priority Date	8/30/00 10:24:48 AM	DSHAFF	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (YES) The basis of claim is beneficial use. 4b. (NO) The priority date was not claimed after the date a permit was required for the source and water use.
Quantity	8/30/00 10:59:05 AM	DSHAFF	10. (YES) The claim file contains sufficient evidence of priority date. 12. (YES) The claim is recommended. 13. (YES) The claim is coded correctly. 14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required. 1. (YES) The basis of claim is beneficial use. 5. (NO) A flow measurement was not required.

Season	8/30/00 10:55:49 AM	DSHAFF	Comment for 5: d&s 6. (NO) The source is not ground water and the purpose of use does not require a diversion volume limit. 7. (NO) The parent right does not have an annual diversion volume limit. 9. (NO) Quantity remark was not required. 10. (YES) Quantity condition was required. 1. (YES) The basis of claim is beneficial use. 4. (NO) There is not evidence that there has been a change to the period of use. 9. (YES) The file contains all the necessary information to verify the period of use. 11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined. 15. (NO) Period of Use remark was not required. 16. (NO) Period of Use condition was not required. 1. (YES) The basis is beneficial use. 4. (NO) There is not evidence that there has been a change in the Source. 7. (YES) The file contains all of the necessary information to verify the source. Comment for 7: Source shown on USGS quad 8. (YES) The source is surface water. 9. (YES) The source is a standard source. 10. (NO) Source remark was not required. 11. (NO) Source condition was not required. 1. (YES) The basis of the claim is beneficial use. 2. (NO) All the water being used for all the purposes is not being claimed and to the extent it was claimed. 4. (YES) A portion of the claim is being recommended. 5. (YES) General remark was required. 6. (YES) Explanatory remark was required. 7. (NO) Additional condition was not required. 8. (YES) Wanted to view the recommended right. 9. (NO) This is not a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file. 12. (YES) Set the verification date. 1. (YES) The basis of claim is beneficial use. 4. (NO) There is not evidence that there has been a change to the purpose of use. 9. (YES) The file contains all the necessary information to verify the purpose of use. 11. (NO) Purpose of Use remark was not required. 12. (NO) Purpose of Use condition was not required.
Source	8/30/00 10:47:26 AM	DSHAFF	
Summary	8/30/00 11:02:17 AM	DSHAFF	
Use	8/30/00 10:48:41 AM	DSHAFF	

08/30/2000

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

RIGHT NUMBER: 43-11243

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
BUREAU OF LAND MGMT
IDAHO STATE OFFICE
1387 SOUTH VINNELL WAY
BOISE, ID 837091657

SOURCE: COLD SPRING TRIBUTARY: Cold Spring Creek

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 03/03/1953

POINT OF DIVERSION: T13S R29E S25 SENENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01-01 12-31	0.02 CFS

PLACE OF USE:

<u>STOCKWATER Within CASSIA County</u>			
T13S R29E S14	NWSE	T13S R29E S14	SWSW
T13S R29E S23	NWSE	T13S R29E S23	NENW
T13S R29E S23	SWSW	T13S R29E S25	SESW
T13S R29E S25	NESW	T13S R29E S35	NESE

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

BLM IDENT NO. 4302480192



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

In Re SRBA

PPD?:

PD?:

Adm?:

Prob?: ☐

NCAF

AMENDED NOTICE of CLAIM for
Water Right number:

Case No. 39576

TO BE ASSIGNED (IDWR number) **43-11243**

NAME and
ADDRESS:

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

Other Right and date:

BLMIDENT:

4302480192

Stg:

StFed:

J

S

NONE

SOURCE:

Source

Tributary

COLD SPRING

COLD SPRING CANYON

QUANTITY:

0.02

CFS

or VOLUME:

Acre Feet

The quantity of water under this right for stockwater shall not exceed 13,000 gallons per day.

PRIORITY DATE:

3/3/53

Diversion Means: PIPELINE AND TROUGHS.

REMARKS:

SPRING ON PRIVATE LAND; POU's ON BLM

POINT of
DIVERSION:

Twnship	Range	Section	T1	T2	T3	LOT	B/E	within the	County of
13S	29E	25	SE	NE	NE			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	
16	0101	1231	0.01	

CONSUMPTIVE
USE:

de minimis stockwater & wildlife

DATE: 22-Aug-00

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	13S	29E	23	SW	SW		31	CASSIA
04	13S	29E	14	NW	SE		31	CASSIA
04	13S	29E	25	NE	SW		31	CASSIA
04	13S	29E	25	SE	SW		31	CASSIA
04	13S	29E	35	NE	SE		31	CASSIA
04	13S	29E	14	SW	SW		31	CASSIA
04	13S	29E	23	NW	SE		31	CASSIA
04	13S	29E	23	NE	NW		31	CASSIA
16	13S	29E	23	NW	SE		31	CASSIA
16	13S	29E	23	SW	SW		31	CASSIA
16	13S	29E	14	NW	SE		31	CASSIA
16	13S	29E	25	NE	SW		31	CASSIA
16	13S	29E	25	SE	SW		31	CASSIA
16	13S	29E	35	NE	SE		31	CASSIA
16	13S	29E	14	SW	SW		31	CASSIA
16	13S	29E	23	NE	NW		31	CASSIA

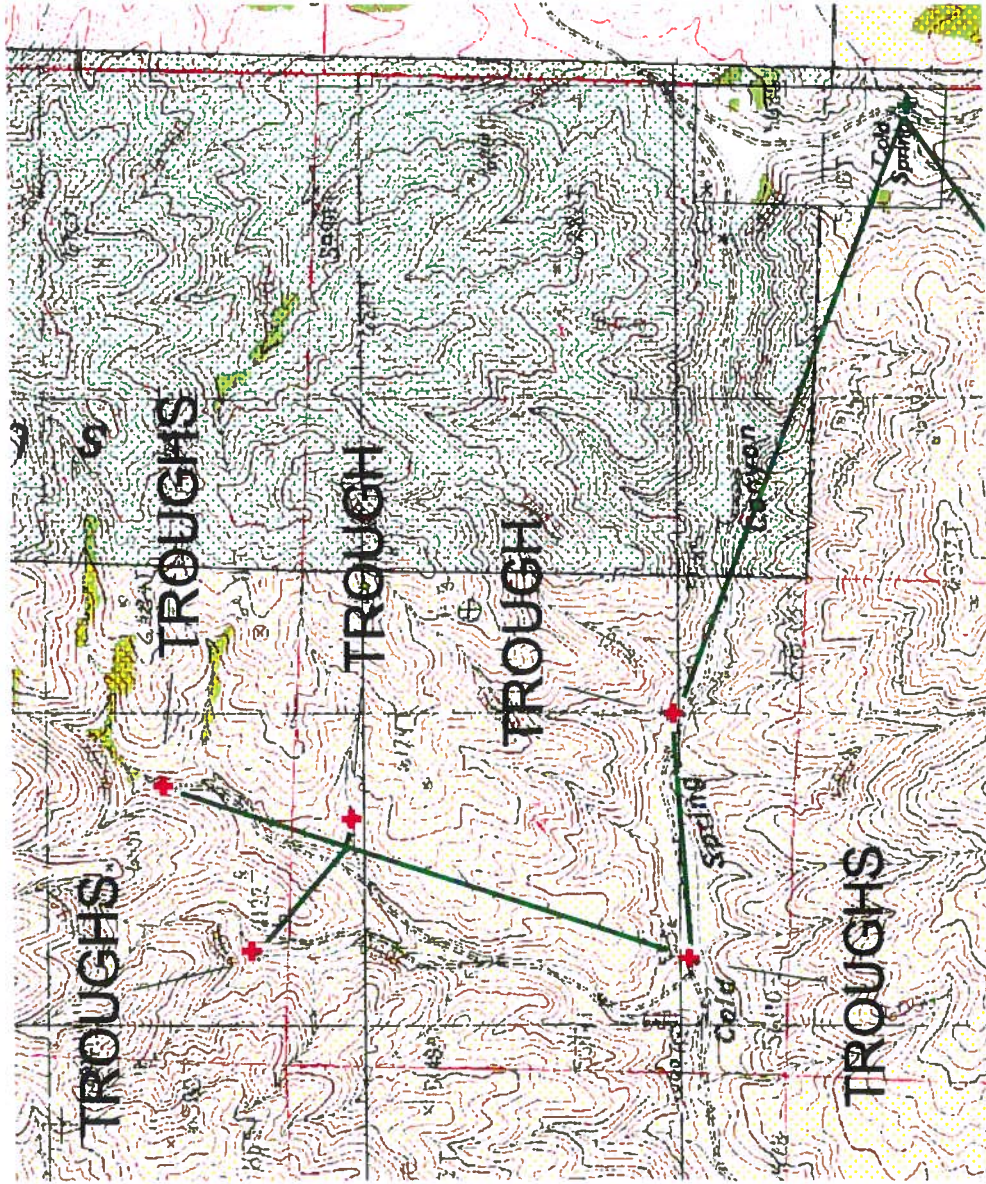
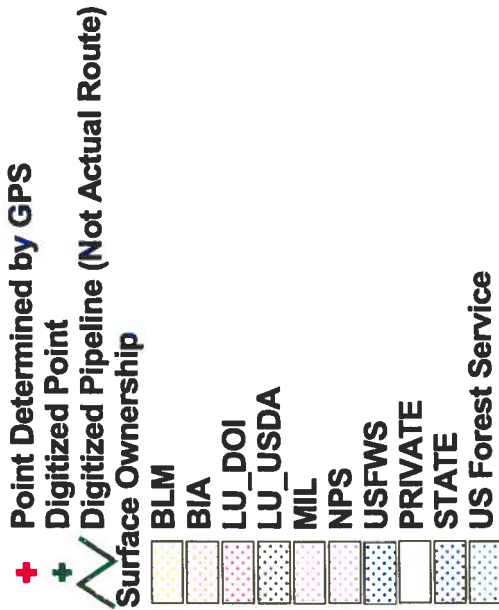
RECEIVED

AUG 23 2000

Department of Water Resources

4302480192 (Late Claim)

(Map 1 Of 2)



T. 13 S

R. 29 E R. 30 E

RECEIVED

AUG 23 2000

Department of Water Resources



No warranty is made by the Bureau of Land Management for use of the data for purposes not intended by BLM.

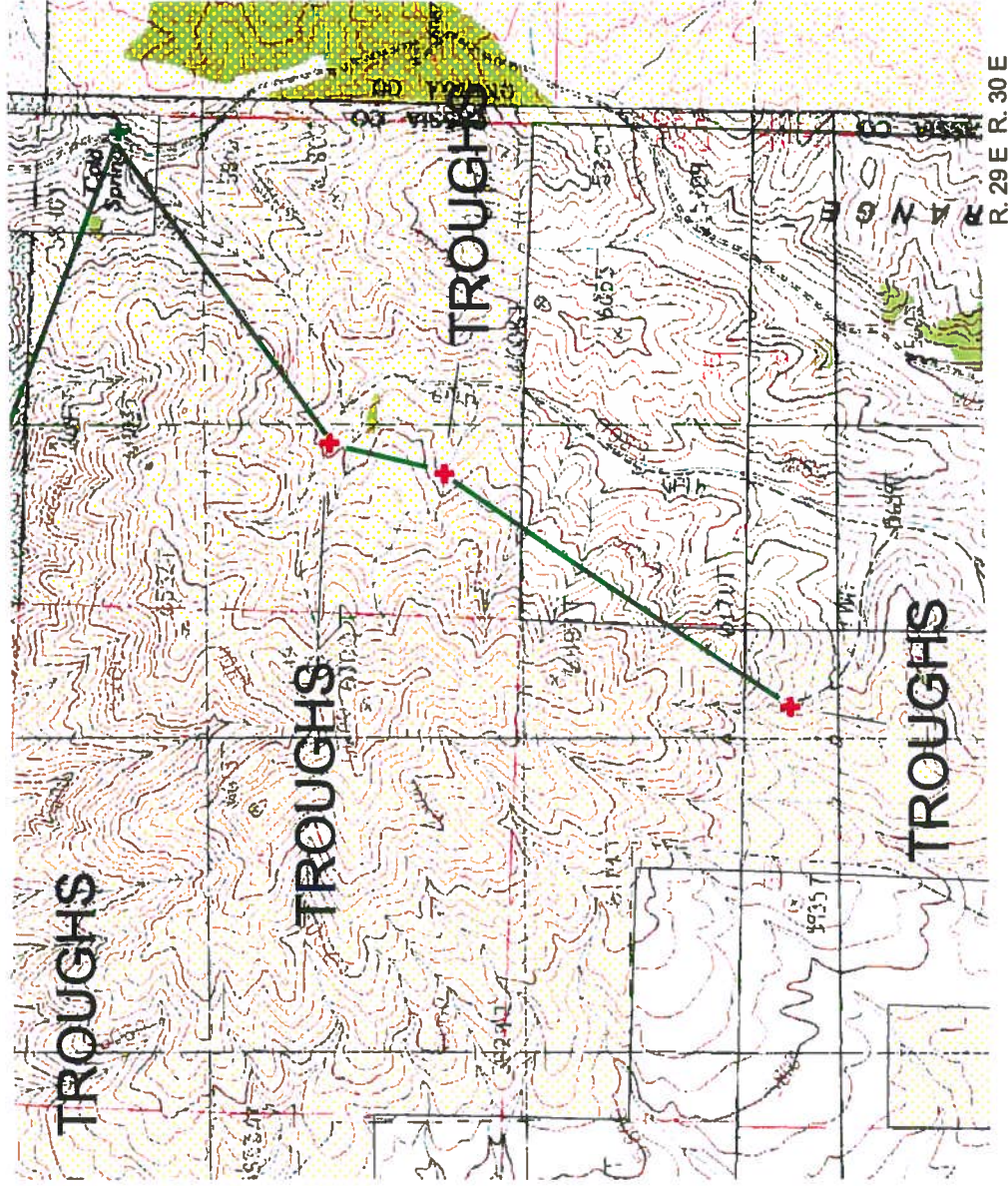
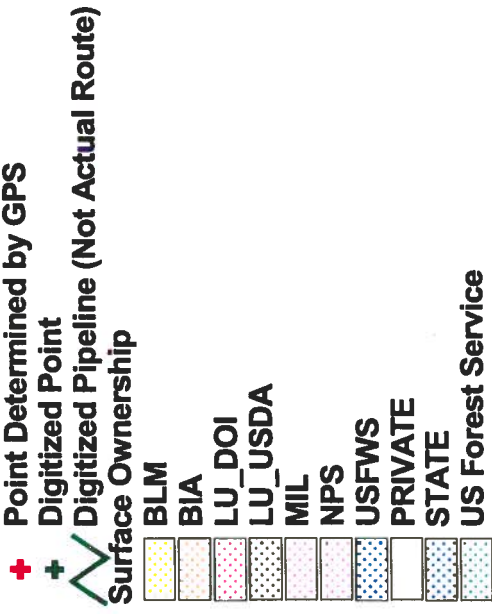
DRAFT



1:24000

4302480192 (Late Claim)

(Map 2 Of 2)



T. 13 S



RECEIVED

AUG 23 2000

Department of Water Resources

RIGHT NUMBER: 43-11243

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

SOURCE: COLD SPRING

TRIBUTARY: COLD SPRING CANYON

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 03/03/1953

POINT OF DIVERSION:

T13S R29E S25 SENENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE:

STOCKWATER Within CASSIA County

T13S R29E S14	SWSW	T13S R29E S14	NWSE
T13S R29E S23	NWSE	T13S R29E S23	NENW
T13S R29E S23	SWSW	T13S R29E S25	SESW
T13S R29E S25	NESW	T13S R29E S35	NESE

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

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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: Beneficial Use

BLM IDENT NO. 4302480192

11268

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:

3-11243 ← corrected
UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657
Telephone Number: (208)373-4000

RECEIVED

JUN 15 2001

Department of Water Resource
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:

The Tributary is called Cold spring canyon.
not coldspring creek according to USGS, 7 1/2 minute,
topographical map

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

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

DATE: 5-29-01

SIGNATURE:

Cynthia Slack for Steve Daves

Please print your name:

Cynthia Slack

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

✓ [Signature] 7/3/01

05/11/2001

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

RIGHT NUMBER: 43-11243

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

SOURCE: COLD SPRING

TRIBUTARY: COLD SPRING CREEK

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 03/03/1953

POINT OF DIVERSION:

T13S R29E S25 SENENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE:

STOCKWATER Within CASSIA County

T13S R29E S14	SWSW	T13S R29E S14	NWSE
T13S R29E S23	NWSE	T13S R29E S23	NENW
T13S R29E S23	SWSW	T13S R29E S25	SESW
T13S R29E S25	NESW	T13S R29E S35	NESE

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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
BLM IDENT NO. 4302480192