

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: A02-10076
Date Received: 3/25/1993
Receipt No: X111111
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: UNITED STATES OF AMERICA ACTING THROUGH 208-373-4000
Address: USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709

2. Date of Priority: JAN 1, 1874

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
05S	11E	29		8	ELMORE

5. Description of diverting works:
INSTREAM USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
WILDLIFE	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER; WILDLIFE VAR. AMT.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	11E	29		6	STOCK	
				8	WILDLF	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	11E	32		2	STOCK	

11. Place of use in counties: ELMORE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
BLM RECORD ID = 5101780335
FIRST DATE OF BENEFICIAL USE - 1874

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand 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: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

DROPAMENDED NOTICE of CLAIM for
Water Right number:

51-12222

*Renums - A02-10076*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:

5101780335

Sig:

StFed:

J

S

SOURCE:

Source	Tributary
FILE WITH B 02	COLUMBIA RIVER

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:

1/1/1874

Diversion Means: INSTREAM USE

POINT of
DIVERSION:

Twship	Range	Section	T1	T2	T3	LOT	B/E	within the	County of
05S	11E	29			SE	8		39	ELMORE

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in AcFt
18	0101	1231	0.02	
04	0101	1231	0.02	

CONSUMPTIVE
USE:*de minimis*

stockwater use

DATE:

14-Jul-97

7:19 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	05S	11E	29			6		ELMORE
04	05S	11E	32			2		ELMORE

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:

51-12222

→ 02-10076

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:

5101780335

Stg:

StFed:

J

S

SOURCE:

Source

Tributary

SNAKE RIVER

COLUMBIA RIVER

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:

1/1/1874

Diversion Means: INSTREAM USE

POINT of
DIVERSION:

Township	Range	Section	T1	T2	T3	LOT	B/E	within the	County of
05S	11E	29			SE	8		39	ELMORE

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in AcFt
16	0101	1231	0.02	
04	0101	1231	0.02	

CONSUMPTIVE
USE:

de minimis

stockwater use

DATE:

11-Jul-97

7:54 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	05S	11E	29			6		ELMORE
04	05S	11E	32			2		ELMORE

MEMORANDUM

July 31, 1997

A02-10076 & A02-10083

TO: CLAIM FILE NOS. A02-10084, 10087, 10088 10089 & 10091

FROM: JAN SHURTE

RE: CLAIMS SUBMITTED DURING REPORTING AREA 6

During the claims filing for Reporting Area 6 the BLM submitted claims for the above claim numbers, however, they submitted them under the old claim numbers before the number change was made.

When I told Walt Kerpa at BLM that ~~there~~ we would not be recommending these in Reporting Area 6 because they are Snake River sources and will be recommended in the Basin 02 report he responded by sending DROP claims on these numbers. The BLM DROP claims were actually claims they wished to withdraw.

After talking with Walt it became apparent that the BLM did not want to withdraw these claims, only to acknowledge that they would not be reported in the Reporting Area 6 claim recommendations. Therefore, I am placing the DROP claim in each file with a copy of this memo to explain why these are not claims BLM wished to withdraw.



FAX TRANSMISSION

BLM, IDAHO STATE OFFICE, ID917

1387 SOUTH VINNELL WAY

BOISE, ID 83709-1657

(208) 373-3829

FAX: (208) 373-3839 OR -3805

To: JAN SHURTE

**Date:
7/18/97**

Fax #: 334-2348

Pages

**From: Walter Kerpa
Resource Assistant
Water Rights**

Subject: CLAIMS

COMMENTS: Jan, I'm sending you a copy of the coop agreement between the Fish and Game, BLM and Bureau of Sport Fisheries and Wildlife. Also enclosed is a copy of the PLO #4153.

Thanks, Walt

APR. -30' 97(WED) 10:43 FISH&GAME WALNUT

TEL:12083342114

P. 001



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Idaho State Office
Box 2237
Boise, Idaho 83701

IN REPLY REFER TO

6601.6
I-04836

JUL 24 1967

JUL 17 1967

Mr. John R. Woodworth, Director
Idaho Fish and Game Department
P. O. Box 25
Boise, Idaho 83701

Mr. Paul T. Quick, Regional Director
Bureau of Sport Fisheries and Wildlife
P. O. Box 3621
Portland, Oregon 97208

Gentlemen:

It is with pleasure that I send you copies of the completed cooperative agreement covering the management and use of public lands recently withdrawn for use in conjunction with the C. J. Strike Wildlife Management Area. Other data important to the withdrawal are also attached: (1) copies of the Public Land Order 4153 establishing the withdrawal and (2) copies of two memorandums relating to stipulations and conditions of the withdrawal. We have attached these items to the copies of the cooperative agreement because they are of significance to it and to the withdrawal.

When Public Land Order 4153 was published on February 15, 1967, in the Federal Register, there was a mistake in the land description. This is noted on the copy of the Public Land Order. A request for land description correction has been made, but correction has not been accomplished as of this date. You will be notified when the correction has been made.

I hope that the development and management of these lands having been made possible by the withdrawal will provide many public benefits over the coming years. We will be pleased to provide whatever cooperation and assistance we can to help you achieve this objective.

Post-It* Fax Note	7671	Date	4/30	# of pages	7
To	Don Dutcher	From	Carolyn Robertson		
Co./Dept.	BLM	Co.	IDFG		
Phone #		Phone #	334-2597		
Fax #	373-3839	Fax #	334-2114		

ENCLOSURES

Sincerely yours,

Joe T. Fallini

Joe T. Fallini
State Director

orig letter + 1 copy
agreement
RLS.
7/16
held 1 Co
for land
this should
go to Se
for him

APR. -30' 97 (WED) 10:43 FISH&GAME WALNUT

TEL:12083342114

P. 002

DIRECTIONS

APR 23 8 23 AM '67

I-04836

COOPERATIVE AGREEMENT

Between The

IDAHO FISH AND GAME DEPARTMENT,
BUREAU OF LAND MANAGEMENT AND
BUREAU OF SPORT FISHERIES AND WILDLIFE

Regarding

WITHDRAWN PUBLIC LANDS
For The
C. J. STRIKE
WILDLIFE MANAGEMENT AREA

*This should
not have been
executed
TJB*

Under Title 43, Chapter II, Bureau of Land Management, Department of the Interior, Public Land Order 4153 of February 15, 1967, the public lands herein described were withdrawn from all forms of appropriation under the public land laws, including the general mining laws (Title 30 U.S.C., Ch. 2), but not from the mineral leasing laws. The withdrawal made by Public Land Order 4153 is subject to the rights of the licensee for Power Project No. 2055.

1. Public Land Order 4153 stipulates that upon execution of a cooperative agreement with the Secretary of the Interior or his delegate, the Bureau of Sport Fisheries and Wildlife, the following described lands are to be managed by the State of Idaho, Department of Fish and Game, in furtherance of the purposes of the Fish and Wildlife Coordination Act of March 10, 1934 (48 Stat. 401; 16 U.S.C. 661-664) as amended:

APR. -30' 97(WED) 10:43 FISH&GAME WALNUT

TEL:12083342114

P. 003

Boise Meridian

Tract A - Crane Falls Management Unit

	<u>Acreage</u>
T. 5 S., R. 5 E., Owyhee County	
Sec. 21: Lots 6, 8, SW $\frac{1}{2}$ SE $\frac{1}{2}$	111.38
Sec. 22: Lots 5, 6	36.48
Sec. 27: Lot 1, N $\frac{1}{2}$ NW $\frac{1}{2}$, SE $\frac{1}{2}$ NW $\frac{1}{2}$	159.62
Sec. 28: N $\frac{1}{2}$ NE $\frac{1}{2}$	80.00
	<u>387.48</u>

Tract B - Loveridge Bridge Management Unit

T. 6 S., R. 6 E., Owyhee County	
Sec. 1: Lots 1, 2, S $\frac{1}{2}$ NW $\frac{1}{2}$	160.00
Sec. 2: SW $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{2}$	240.00
Sec. 3: Lots 3, 4, SW $\frac{1}{2}$ NW $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{2}$, SE $\frac{1}{2}$	356.70
Sec. 4: S $\frac{1}{2}$ N $\frac{1}{2}$, NE $\frac{1}{2}$ SE $\frac{1}{2}$	200.00
Sec. 5: Lots 1, 2, 3, 4	168.40
Sec. 6: Lot 1	32.32
	<u>1,157.42</u>

Tracts "A" and "B" described above aggregate 1,544.90 acres of public lands, more or less.

2. The following lands, included in the withdrawal, are to be managed by the Bureau of Land Management in a manner to facilitate the management and utilization of the C. J. Strike Wildlife Management Area:

Boise Meridian

Tract C - Other Public Lands

	<u>Acreage</u>
T. 5 S., R. 4 E., Owyhee County	
Sec. 12: Lots 5, 6, 7	117.80
Sec. 13: NW $\frac{1}{2}$ NE $\frac{1}{2}$	40.00
Sec. 22: SW $\frac{1}{2}$ SE $\frac{1}{2}$	40.00
Sec. 26: NW $\frac{1}{2}$ NW $\frac{1}{2}$, SE $\frac{1}{2}$ SW $\frac{1}{2}$	80.00
Sec. 27: E $\frac{1}{2}$ NE $\frac{1}{2}$	80.00
Sec. 35: SW $\frac{1}{2}$ NE $\frac{1}{2}$	40.00

APR. -30' 97(WED) 10:43 FISH&GAME WALNUT

TEL:12083342114

P.004

Tract C - Other Public Lands (Cont.)

	<u>Acreage</u>
T. 5 S., R. 4 E., Elmore County Sec. 27: Lot 3, E $\frac{1}{2}$ SW $\frac{1}{4}$	92.40
T. 6 S., R. 4 E., Owyhee County Sec. 2: Lots 1, 2, 3, 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3: Lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$	255.60 188.34
T. 5 S., R. 6 E., Owyhee County Sec. 31: Lots 6, 7, 9, SE $\frac{1}{4}$ SW $\frac{1}{4}$	181.15
T. 5 S., R. 7 E., Owyhee County Sec. 28: Lots 4, 5, 6 Sec. 29: Lot 4 Sec. 33: Lot 1 Sec. 34: Lot 2	78.52 13.07 32.46 51.50
T. 5 S., R. 7 E., Elmore County Sec. 35: S $\frac{1}{2}$ SE $\frac{1}{4}$	80.00
T. 5 S., R. 8 E., Elmore County Sec. 31: Lots 1, 2, 3, 4 Sec. 32: Lots 3, 4	163.50 <u>51.80</u> 115.30
T. 6 S., R. 7 E., Elmore County Sec. 1: Lots 1, 2, 3, 4 Sec. 2: Lot 1	86.72 9.31 96.03
T. 6 S., R. 8 E., Elmore County Sec. 1: Lot 6 Sec. 6: Lot 5	13.20 3.00
T. 6 S., R. 8 E., Owyhee County Sec. 3: Lot 12 Sec. 4: Lots 4, 5, 8, 9 Sec. 5: Lot 1 Sec. 6: Lot 5 Elmore County	19.90 133.10 33.30 <u>1,884.67</u>

The Tract "C" lands described aggregate 1,884.67 acres of public land, more or less.

3. It is agreed by the three agencies, U. S. Bureau of Land Management, U. S. Bureau of Sport Fisheries and Wildlife and the Idaho Fish and Game Department that the use and conditions of use of the lands shall be as follows:

APR. -30' 97(WED) 10:44

FISH&GAME WALNUT

TEL:12083342114

P. 005

- A. Tracts "A" and "B" are to be managed by the Idaho Fish and Game Department for wildlife and the hunting and fishing public and will be fenced where necessary to permit control over livestock grazing and to allow establishment and continuance of any vegetation planted or growing naturally for the benefit of wildlife and the soil resources.
- B. Water shall be provided by the Idaho Fish and Game Department for livestock from perimeter grazing areas when and where necessary in or through Tracts "A" and "B". Water shall be provided for livestock by either not fencing certain areas or by fencing lanes to ponds or troughs, or developing water lanes on the extremities of developed areas in the following locations:
- (1) Both sides of State Highway 51 within the NW $\frac{1}{4}$ Section 4, Township 5 South, Range 6 East, B. M. (Tract "B").
 - (2) In Section 3, Township 6 South, Range 6 East, B. M. (Tract "B").
 - (3) Portions of Lot 2 and all of Lot 1, Section 1, Township 6 South, Range 6 East, B. M. (Tract "B") shall be excluded from the fenced area to insure access to stock water in the Snake River from adjacent private lands lying to the south.
 - (4) That portion of the NE $\frac{1}{4}$ Section 28, Township 5 South, Range 5 East, B. M. (Tract "A") that lies south of the existing drift fence, will be left unfenced to provide continued livestock watering access.

APR. -30' 97(WED) 10:44 FISH&GAME WALNUT

TEL:12083342114

P. 006

- C. At such times that the Idaho Fish and Game Department determines it is desirable to permit livestock grazing in all or portions of Tracts "A" and/or "B", the Department will notify the Bureau of Land Management and advise them of the amount, species and schedule of grazing desired. The Bureau of Land Management will administer all approved grazing and collect and retain all revenues accruing from such livestock grazing.
- D. The remaining public lands covered by Public Land Order 4153 and this agreement, Tract "C", are to be managed by the Bureau of Land Management to provide for the continuance of public access to the Snake River and C. J. Strike Reservoir for recreational purposes including the harvesting of the fish and wildlife resources of the C. J. Strike project area and vicinity. Livestock grazing as permitted under provisions of the Taylor Grazing Act will be continued on Tract "C" lands under the complete jurisdiction of the Bureau of Land Management, but within the limits and intents as set forth by paragraph 2, Public Land Order 4153 and this agreement.

Within the activities of development, management, or maintenance of the lands entailed by this agreement, neither the Bureau of Sport Fisheries and Wildlife, nor the Bureau of Land Management, nor the Idaho

APR. -30' 97(WED) 10:44 FISH&GAME WALNUT

TEL:12083342114

P.007

Fish and Game Department shall initiate or perpetuate expenditures or services for which either or both of the other agencies will be financially, physically or morally responsible or obligated to support.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day and year below written.

APPROVED:

BUREAU OF LAND MANAGEMENT

BY: *Joe T. Tallini*TITLE: STATE DIRECTORDATE: MAY 18 1967

BUREAU OF SPORT FISHERIES AND WILDLIFE

BY: *Paul T. Quick*TITLE: PAUL T. QUICK
Regional DirectorDATE: MAY 15 1967

STATE OF IDAHO, DEPARTMENT OF FISH AND GAME

BY: *John L. Woodward*TITLE: DirectorDATE: May 4, 1967

RULES AND REGULATIONS

TRACT C (OTHER PUBLIC LANDS)

T. 5 S., R. 4 E.,
 Sec. 12, lots 5 to 7, inclusive;
 Sec. 13, NW $\frac{1}{4}$, NE $\frac{1}{4}$;
 Sec. 22, SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 23, NW $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$;
 Sec. 27, lot 3, E $\frac{1}{2}$, NE $\frac{1}{4}$, E $\frac{1}{2}$, SW $\frac{1}{4}$;
 Sec. 35, SW $\frac{1}{4}$, NE $\frac{1}{4}$.
 T. 6 S., R. 4 E.,
 Sec. 2, lots 1 to 4, inclusive, SE $\frac{1}{4}$, NW $\frac{1}{4}$;
 Sec. 3, lots 1, 2, S $\frac{1}{2}$, NE $\frac{1}{4}$.
 T. 5 S., R. 6 E.,
 Sec. 31, lots 6, 7, 9, SE $\frac{1}{4}$, NW $\frac{1}{4}$.
 T. 5 S., R. 7 E.,
 Sec. 28, lots 1, 5, 6;
 Sec. 29, lot 4;
 Sec. 33, lot 1;
 Sec. 34, lot 2;
 Sec. 34, E $\frac{1}{2}$, SE $\frac{1}{4}$.
 T. 5 S., R. 8 E.,
 Sec. 31, lots 1 to 4, inclusive;
 Sec. 32, lots 3, 4.
 T. 6 S., R. 7 E.,
 Sec. 1, lots 1 to 4, inclusive;
 Sec. 2, lot 1.
 T. 6 S., R. 8 E.,
 Sec. 1, lot 6;
 Sec. 5, lot 12;
 Sec. 4, lots 4, 5, 8, 9;
 Sec. 5, lot 1;
 Sec. 6, lot 5.

The areas described aggregate 3,420.57 acres, in Elmore and Owyhee Counties.

2. The withdrawal made by this order does not alter the applicability of the public land laws governing the use of any of the lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws. However, leases, licenses, or permits will be issued and disposals will be made only if the proposed use of the lands will not interfere with the proper management of the C. J. Strike Wildlife Management Area.

3. The withdrawal made by this order is subject to the rights of the licensee for Power Project No. 2055.

HARRY R. ANDERSON,
 Assistant Secretary of the Interior.

FEBRUARY 9, 1967.

[P.R. Doc. 87-1630; Filed, Feb. 14, 1967;
 2:59 p.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4153]

[Idaho 64836]

IDAHO

Withdrawal for the C. J. Strike Wildlife Management Area

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights and the provisions of existing withdrawals the following described lands, which are under the jurisdiction of the Secretary of the Interior, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (Title 30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, and reserved as follows:

a. In furtherance of the purposes of the Fish and Wildlife Coordination Act of March 10, 1934 (48 Stat. 401; 16 U.S.C. 661-664), as amended, for management by the State of Idaho as part of the C. J. Strike Wildlife Management Area after execution of a cooperative agreement with the Secretary of the Interior, or his delegate;

BOISE MERIDIAN

TRACT A (CRANE FALLS MANAGEMENT AREA)

T. 5 S., R. 5 E.,
 Sec. 21, lots 6 and 8, SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 22, lots 5 and 6;
 Sec. 27, lot 1, N $\frac{1}{2}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$, NW $\frac{1}{4}$;
 Sec. 28, N $\frac{1}{2}$, NE $\frac{1}{4}$.

TRACT B (LOVERIDGE BRIDGE MANAGEMENT AREA)

T. 6 S., R. 6 E.,
 Sec. 1, lots 1, 2, S $\frac{1}{2}$, NW $\frac{1}{4}$;
 Sec. 2, SW $\frac{1}{4}$, N $\frac{1}{2}$, SE $\frac{1}{4}$;
 Sec. 3, lots 3, 4, SW $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 4, S $\frac{1}{2}$, N $\frac{1}{2}$, NE $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 5, lots 1 to 4, inclusive;
 Sec. 6, lot 1.

b. For management by the Department of the Interior in a manner to facilitate the management and utilization of the C. J. Strike Wildlife Management Area:

From: DWR80::JSHURTE 11-JUL-1997 12:39:58.28
To: DWR06::"WKERPA@ID.BLM.GOV"
CC: JSHURTE
Subj: BASIN 02 CLAIMS & 1 MORE CLAIM QUESTION

Here are the ones that are Snake River Basin 02 claims and will not be reported in this Reporting Area #6:

Old number

New number

A51-12222 (5101780335) - A02-10076
A51-12233 (5101780345) - A02-10083
A51-12234 (5101780346) - A02-10084
A51-12242 (5101780354) - A02-10087
A51-12243 (5101780355) - A02-10088
A51-12244 (5101780356) - A02-10089 - this one was not listed on your fax message, however, a claim with the number 02-10089 was sent with the wildlife ones?
A51-12246 (5101780358) - A02-10091

So that's those.

A55-11730 (5501581496) - this one was returned by Roxanne with the question asked - Should claim include SWSE? You returned the claim on 7-9-97 with a fax that said Yes it should include that location. However, the claim doesn't have that 1/41/4 on it. Could you fax over another amended claim with that 1/41/4?

Just one reminder concerning the two wildlife ones that need the acre foot reduced to de minimus. Those two are:

A51-12237 (5101780349)
A51-12238 (5101780350)

The ones for 1986 that will likely be disallowed because the statute for instream stockwater exemption from the mandatory permit statute does not pertain to instream wildlife are:

A51-12698 (5101780804)
A51-12701 (5101780807)
A51-12702 (5101780808)
A51-12705 (5101780811)

Just thought you might want to know those.

One last question concerns the ones you added stockwater to. I took that to mean that they were not set aside for wildlife, so they will be recommended for stockwater only? If this isn't correct please let me know. Thanks again for all your hard work! Jan



FAX TRANSMISSION

BLM, IDAHO STATE OFFICE, ID917

1387 SOUTH VINNELL WAY

BOISE, ID 83709 -1657

(208) 373-3829

FAX: (208) 373-3839 OR -3805

To: JAN SHURTE

Date:
7/11/97

Fax #: 334-2348

Pages

From: Walter Kerpa
Resource Assistant
Water Rights

Subject: CLAIMS

COMMENTS: Jan, good morning. Well, today is the day, and here are the claims. I'm going to start with the wildlife claims first. They will be broken into two sections. First there are the claims along CJ Strike Wildlife Management Area that were assigned from a Public Land Order. They involve a joint partnership with the State Fish and Game. They range in date from 1967 to 1986. Second are wildlife claims that are based on specific Sikes Act tracts of land that were withdrawn from stock for the protection of wildlife. These are also joint ventures with the BLM, Fish and Game, and in some cases private individuals. We will have to send you the specific Sikes Act information dealing with each section of land. These are currently being compiled through our records division and will be available shortly. So, the wildlife claims everyone has been waiting for are:

CJ Strike Wildlife Management Area Claims:

A51-12233(5101780345)	had a date of 1967, based on PLO #4153 - SNAKE RIVER	NEW # 02-10083
A51-12234(5101780346)	"	" - SNAKE RIVER - NEW # 02-10084
A51-12235(5101780347)	"	" - WAS DISALLOWED POND - WILL RECOMMEND
A51-12236(5101780348)	"	" - WAS DISALLOWED - POND - WILL RECOMMEND TO RON
A51-12237(5101780349)	"	" - " " " " " "
A51-12238(5101780350)	"	" - TO RON } WILL BE RECOMMENDED
A51-12239(5101780351)	"	" - TO RON } HAVE BEEN (AMENDED)
A51-12242(5101780354)	"	" - SNAKE RIVER - NEW # A02-10087
A51-12243(5101780355)	"	" - SNAKE RIVER - NEW # A02-10088
A51-12246(5101780358)	"	" SNAKE RIVER - 02-10091

The second type of wildlife claims are based off of Sikes Act Tracts dealing with irrigated lands. The specific case abstracts are currently being researched.

A51-12698(5101780804)	Sikes Act Tract - 1986 - DISALLOW
A51-12701(5101780807)	Sikes Act Tract I-25583 - 1986 - DISALLOW
A51-12702(5101780808)	Sikes Act Tract I-25583 - " "
A51-12703(5101780809)	Sikes Act Tract I-25583 - ROXANNE WILL DO
A51-12704(5101780810)	Sikes Act Tract I-25583 - ROXANNE WILL DO
A51-12705(5101780811)	Sikes Act Tract I-25583 - 1986 - DISALLOW
A51-12707(5101780813)	Sikes Act Tract I-25583 - ROXANNE WILL DO

Then there are two claims that looked like wildlife only but should have stockwater added to them because cattle have access to them. They are;

A51-12222(5101780335) Stock added - SNAKE RIVER - NEW # 02-10076
 A51-11943(5101780092) " " - KAY HAS - WILL RECOMMEND STOCKWATER ONLY.

The other two weird claims I have out there will come later, along with the three copies of the PWR's that you need, I promise. I hope this settles these somewhat. If they don't make sense let me know. I put later dates on those Sikes Act Tracts because some of them were there due to runoff. Let me know if that is correct or not.

Thanks, Walt

MEMORANDUM

July 31, 1997

A02-10076 + A02-10083

TO: CLAIM FILE NOS. A02-10084, 10087, 10088 10089 & 10091

FROM: JAN SHURTE

RE: CLAIMS SUBMITTED DURING REPORTING AREA 6

During the claims filing for Reporting Area 6 the BLM submitted claims for the above claim numbers, however, they submitted them under the old claim numbers before the number change was made.

When I told Walt Kerpa at BLM that ~~there~~ we would not be recommending these in Reporting Area 6 because they are Snake River sources and will be recommended in the Basin 02 report he responded by sending DROP claims on these numbers. The BLM DROP claims were actually claims they wished to withdraw.

After talking with Walt it became apparent that the BLM did not want to withdraw these claims, only to acknowledge that they would not be reported in the Reporting Area 6 claim recommendations. Therefore, I am placing the DROP claim in each file with a copy of this memo to explain why these are not claims BLM wished to withdraw.

From: DWR80::JSHURTE 11-JUL-1997 12:39:58.28
To: DWR06::"WKERPA@ID.BLM.GOV"
CC: JSHURTE
Subj: BASIN 02 CLAIMS & 1 MORE CLAIM QUESTION

Here are the ones that are Snake River Basin 02 claims and will not be reported in this Reporting Area #6:

Old number

New number

A51-12222 (5101780335) - A02-10076
A51-12233 (5101780345) - A02-10083
A51-12234 (5101780346) - A02-10084
A51-12242 (5101780354) - A02-10087
A51-12243 (5101780355) - A02-10088
A51-12244 (5101780356) - A02-10089 - this one was not listed on your fax message, however, a claim with the number 02-10089 was sent with the wildlife ones?
A51-12246 (5101780358) - A02-10091

So that's those.

A55-11730 (5501581496) - this one was returned by Roxanne with the question asked - Should claim include SWSE? You returned the claim on 7-9-97 with a fax that said Yes it should include that location. However, the claim doesn't have that 1/41/4 on it. Could you fax over another amended claim with that 1/41/4?

Just one reminder concerning the two wildlife ones that need the acre foot reduced to de minimus. Those two are:

A51-12237 (5101780349)
A51-12238 (5101780350)

The ones for 1986 that will likely be disallowed because the statute for instream stockwater exemption from the mandatory permit statute does not pertain to instream wildlife are:

A51-12698 (5101780804)
A51-12701 (5101780807)
A51-12702 (5101780808)
A51-12705 (5101780811)

Just thought you might want to know those.

One last question concerns the ones you added stockwater to. I took that to mean that they were not set aside for wildlife, so they will be recommended for stockwater only? If this isn't correct please let me know. Thanks again for all your hard work! Jan



FAX TRANSMISSION

BLM, IDAHO STATE OFFICE, ID917

1387 SOUTH VINNELL WAY

BOISE, ID 83709 -1657

(208) 373-3829

FAX: (208) 373-3839 OR -3805

To: JAN SHURTE

Date:
7/11/97

Fax #: 334-2348

Pages

From: Walter Kerpa
Resource Assistant
Water Rights

Subject: CLAIMS

COMMENTS: Jan, good morning. Well, today is the day, and here are the claims. I'm going to start with the wildlife claims first. They will be broken into two sections. First there are the claims along CJ Strike Wildlife Management Area that were assigned from a Public Land Order. They involve a joint partnership with the State Fish and Game. They range in date from 1967 to 1986. Second are wildlife claims that are based on specific Sikes Act tracts of land that were withdrawn from stock for the protection of wildlife. These are also joint ventures with the BLM, Fish and Game, and in some cases private individuals. We will have to send you the specific Sikes Act information dealing with each section of land. These are currently being compiled through our records division and will be available shortly. So, the wildlife claims everyone has been waiting for are:

CJ Strike Wildlife Management Area Claims:

A51-12233(5101780345)	had a date of 1967, based on PLO #4153 - SNAKE RIVER NEW # 02-10083
A51-12234(5101780346)	" - SNAKE RIVER - NEW # 02-10084
A51-12235(5101780347)	" - WAS DISALLOWED POND - WILL RECOMMEND
A51-12236(5101780348)	" - WAS DISALLOWED - POND - WILL RECOMMEND TO RON
A51-12237(5101780349)	" - " " " " " " " " " "
A51-12238(5101780350)	" - TO RON } WILL BE RECOMMENDED
A51-12239(5101780351)	" - TO RON } HAVE BEEN (AMENDED)
A51-12242(5101780354)	" - SNAKE RIVER - NEW # A02-10087
A51-12243(5101780355)	" - SNAKE RIVER - NEW # A02-10088
A51-12246(5101780358)	" SNAKE RIVER - 02-10091

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Thanks, Walt

RECEIVED

MAY 01 1997

WATER RESOURCES
WESTERN REGION

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

NAME and
ADDRESS:

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

AMENDED NOTICE of CLAIM
for Water Right number:

~~A51-12222~~

A02-10076

BLMIDENT:

5101780335

SOURCE:

Source	Tributary
SNAKE RIVER	COLUMBIA RIVER

QUANTITY:

0.02 CFS or VOLUME: 0 Acre Fee

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

PRIORITY DATE:

1/1/1874

POINT of
DIVERSION:

Twntship	Range	Section	T1	T2	T3	LOT	within the	County of
05S	11E	29			SE	8		39 ELMORE

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in Ac
16	0101 1231	0.02		

CONSUMPTIVE
USE:

de minimis stockwater use

DATE: 01-May-97 2:37 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	Twnt	Rge	Sec	T1	T2	LOT	within the	County of
04	05S	11E	29			6		ELMORE
04	05S	11E	32			2		ELMORE

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

~~AS-12222~~ A02-10076

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1874-01-01
AGENCY NUMBER: 5101780335
BLM NUMBER: 5101780335
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 51

SOURCE	TRIBUTARY TO
-----	-----
SNAKE RIVER	COLUMBIA RIVER

DESCRIPTION OF DIVERSION WORKS

INSTREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
-----	-----	-----	-----	-----
WILDLIFE	0.020	0.00	0101	1231
TOTAL:	0.020 CFS	0.00 AF		

NON-IRRIGATION USES

STOCKWATER; WILDLIFE VAR. AMT.

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
---	---	---	---	---	---	---	---
05S	11E	29	SE			08	ELMORE

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
---	---	---	---	---	---	---	---	---
05S	11E	29			08	ELMORE	YES	0.0
05S	11E	29			06	ELMORE	YES	0.0
05S	11E	32			02	ELMORE	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

MICROFILMED

AUG 16 1994

BLM NUMBER: 5101780335

PAGE: 2

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

FIRST DATE OF BENEFICIAL USE - 1874

MICROFILMED

AUG 1 8 1994

AD2-10076

WATER RIGHT NUMBER - 451-12222 PREFIX TRANSLATION: ADJUDICATION CLAIM CLD (C) NUMBER -

*** A - ATTORNEY ***
HAUGRUD, JACK OR G GARVER OR D ZANE

*** C - CURRENT OWNER ***
US DEPT OF INTERIOR

*** K - ALSO KNOWN AS ***
BLM

PRIORITY DATE - 01/01/1874 REGION - 14 WESTERN

SOURCE - SNAKE RIVER

TWN - 055 RNG - 11E SEC - 29 TRACT - NWSE-E LOT - RFLG - COUNTY - (39) Elmore

CODE - 055 DESCRIPTION - NWSE-E PERIOD FROM - 01/01 PERIOD TO - 12/31 WATER USE - DIVERSION RATE - 0.020 DIVERSION VOLUME - 0.0

TOTAL DIV. RATE - 0.020 TOTAL DIV. VOLUME - TOTAL DIV. CAPACITY - TOTAL DIV. CONSUMPTIVE USE - 0.0

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE	DESCRIPTION	COUNTY
055	11E	29	NWSE	6		STOCKWATER	WILDLIFE	(39) ELMORE
055	11E	32	NWSE	2		STOCKWATER	WILDLIFE	(39) ELMORE
055	11E	29	NWSE	8		WILDLIFE	WILDLIFE	(39) ELMORE

DIVERSION MEANS - INSTREAM USE

NON-IRRIGATION USE - STOCKWATER; WILDLIFE VAR. AMT.

OTHER RIGHTS FOR SAME USE - NONE

WATER RIGHT NUMBER - ~~5112222~~ **A02-10076**

PREFIX TRANSLATION: ADJUDICATION CLAIM

BLM RECORD ID = 5101780335

FIRST DATE OF BENEFICIAL USE - 1874

NO OLD WATER RIGHT NUMBERS FOUND.

NO OLD WATER RIGHT NUMBERS FOUND.

NO CONDITIONS OF APPROVAL.

NO CONDITIONS OF APPROVAL FOUND.

DEGREE PLAINTIFF - - - +

DEGREE DEFENDANT - - - +

DEGREE DATE - +

00/00/0000

AUDIT FIELDS - 06/20/93 AJCTR

NO 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	- X1111111	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLAG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

Pasadena Valley-I 4-03

DATA ENTRY

ENTERED

CHECKED

74 1-12-91

Verified By
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statements
Project Records
IDWR Records

VERIFIED

MAR 21 1994

CERTIFIED

MAR 26 1994

WATER EXAMINER