

15-16

Department of Water Resources
Adjudication Bureau

OCT 20 1995

OFFICE OF THE
ATTORNEY GENERAL

IN Re SRBA
Case No. 39576

SUBCASE NO: 34-04172

PROPOSED ELEMENTS OF A WATER RIGHT

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law, and have appeared, prosecuted and defended their positions with regard to this water right dispute.

Contested elements that are the result of an objection filed with the court shall be accompanied by a statement fully describing all facts, documents, expert opinions and law which support the element of the water right (attach additional pages if necessary).

1. The name and address of the claimant is:

U.S. Dept. of Interior
Bureau of Land Management
Idaho State Office
3380 Americana Terrace
Boise, ID 83706

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

2. The source of water is: Poison Gulch Creek

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

3. The quantity of water used in cubic feet per second or the quantity of water stored in acre-feet per year is:

0.03 CFS

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

4. The priority date is: 6/28/34

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

5. The legal description of point(s) of diversion is; if the claim is for an instream flow, then a legal description of the beginning and ending points of the claimed instream flow:

This claim is for an instream flow. The beginning and ending points are as follows:

T03N R24E S28 NENENW(B)
S22 NESWNW(E)

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

6. The purpose of use is: Stockwater, Wildlife

Required Statement: The provision "71 range cattle" and "variable amount" is not necessary to define the right.

7. The period of year when the water is to be used is:

01/01 - 12/31

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

8. The legal description of the place of use or of the reservation is:

STOCKWATER
T03N R24E S21 NENE SENE NESE NWSE
SWSE
S22 NWNW SWNW
S28 NWNE NENW

All POU's are located in Butte County.

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

9. The annual volume of consumptive use is: De minimis

Required Statement: This accurately describes this element of the water right.

10. Other matters necessary to define this water right

These matters are necessary because: The remark originally recommended is not necessary to define the right.

These matters do not fall within the 9 elements listed above because:

Signature and Address of Parties and their Attorney of Record
(attach additional page if necessary)

I have read this form and know its contents and that the
statements are true to the best of my knowledge and belief.

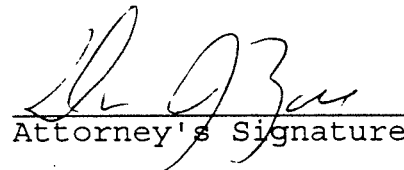
Name and Address of Objector:

Name: United States through
Dept. of Justice for BLM
Address: 601 Pennsylvania Ave., NW
City/State: Washington, DC 20004
Attorney of Record: R. Lee Leininger\Daria Zane\^{William}~~Bill~~ Ferry

Signature	Date
	10/11/95
Attorney's Signature	Date

Name and Address of Claimant:

Name: United States through
Dept. of Justice for BLM
Address: 601 Pennsylvania Ave., NW
City/State: Washington, DC 20004
Attorney of Record: R. Lee Leininger\Daria Zane\^{William}~~Bill~~ Ferry

	10/11/95
Attorney's Signature	Date

INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on October 13, 1995, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

U.S. Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Leah Melendy
Signature of person or attorney
mailing the form

DATE: NOV-17-1992
PAGE: A-183

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

AJSD&MP

BASIS OF CLAIM

MAXIMUM QUANTITY

PERIOD OF USE FROM TO

PURPOSE OF USE

PRIORITY DATE

NAME & ADDRESS

RIGHT NUMBER

SOURCE: POISON GULCH CREEK TRIBUTARY: SINKS

BENEFICIAL USE

CFS

.83

01-01 12-31

06/28/1934 STOCKWATER

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

34-04172

CFS

.03

TOTAL QUANTITY:

NON-IRRIGATION-USES:
STOCKWATER, 71 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

POINT OF DIVERSION:

103N R24E S28
WENEM (B)
WESNM (E)

PLACE OF USE: STOCKWATER

MAUSE

WESE

SENE

WENE

SWSE

MINW

NNWE

103N R24E S21

S22

S28

REMARKS: THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

BLM RECORD ID = 3403488137