

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: **A43-07007**
Date Received: 3/25/1993
Receipt No: X111111
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: UNITED STATES OF AMERICA, ACTING THROUGH 503-231-6145
Address: USDI FISH AND WILDLIFE SER
DIVISION OF ENGINEERING
911 NE 11TH AVE
PORTLAND OR 97232-4181

2. Date of Priority: DEC 24, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	26E	11	SW	SW			CASSIA

5. Description of diverting works:
WELL, PUMP AND FOUR STOCKWATER TANKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.500		4.00
WILDLIFE	01/01	12/31	0.500		4.00

7. Total Quantity Appropriated is:
0.500 C.F.S. (and/or) 4.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER (350 HEAD) AND WILDLIFE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	26E	10	SE	SE		STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09S	26E	10	SE		SE		WILDLF	
		11	SW		SW		STOCK	
			SW		SW		WILDLF	
		14	NW		NW		STOCK	
			NW		NW		WILDLF	
		15	NE		NE		WILDLF	
			NE		NE		STOCK	

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM CLARIFIES AND UPDATES INFORMATION GIVEN IN WATER
RIGHT LICENSE 43-7007.

THE MINIDOKA NATIONAL WILDLIFE REFUGE WAS ESTABLISHED BY
EXECUTIVE ORDER NO. 1032 OF FEBRUARY 25, 1909, AS A PRESERVE AND
BREEDING GROUND FOR NATIVE BIRDS.

10/27/98 tf; DIVERSION RATE CORRECTED TO .50 CFS TO REFLECT
THE WAY THE CLAIM WAS ORIGINALLY FILED WHICH AGREES WITH LICENSE.

15. Basis of Claim: LICENSE

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: A43-07007
Date Received: 3-25-93
Receipt No.: X IIIII
Received By: T. Kelly

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: **United States of America** Phone: **503-231-6145**
(Fish and Wildlife Service)
Address: **Division of Engineering**
911 NE 11th Avenue
Portland, OR 97232-4181
2. Date of Priority: December 24, 1968
3. Source: Ground Water Trib. to: _____
4. Point of Diversion:
Township 9S Range 26E Section 11, SW1/4 of SW1/4, B.M.
County of Cassia
Additional Points of Diversion _____
5. Description of diverting works: **Well, pump, and four stockwater tanks.**
6. Water is claimed for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
Stockwater/Wildlife	Jan.1	Dec.31	0.50		4.0
7. Total Quantity Claimed is:
0.50 C.F.S. (and/or) 4.0 A.F.A.
8. Total consumptive use claimed is de minimus Acre Feet Per Annum.
9. Non-irrigation uses: Stockwater (350 head) and Wildlife.

United States of America
Fish and Wildlife Service

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
9S	26E	11	SW		SW		S,W	
9S	26E	10	SE		SE		S,W	
9S	26E	14	NW		NW		S,W	
9S	26E	15	NE		NE		S,W	

11. Place of use, county(ies): Cassia.

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

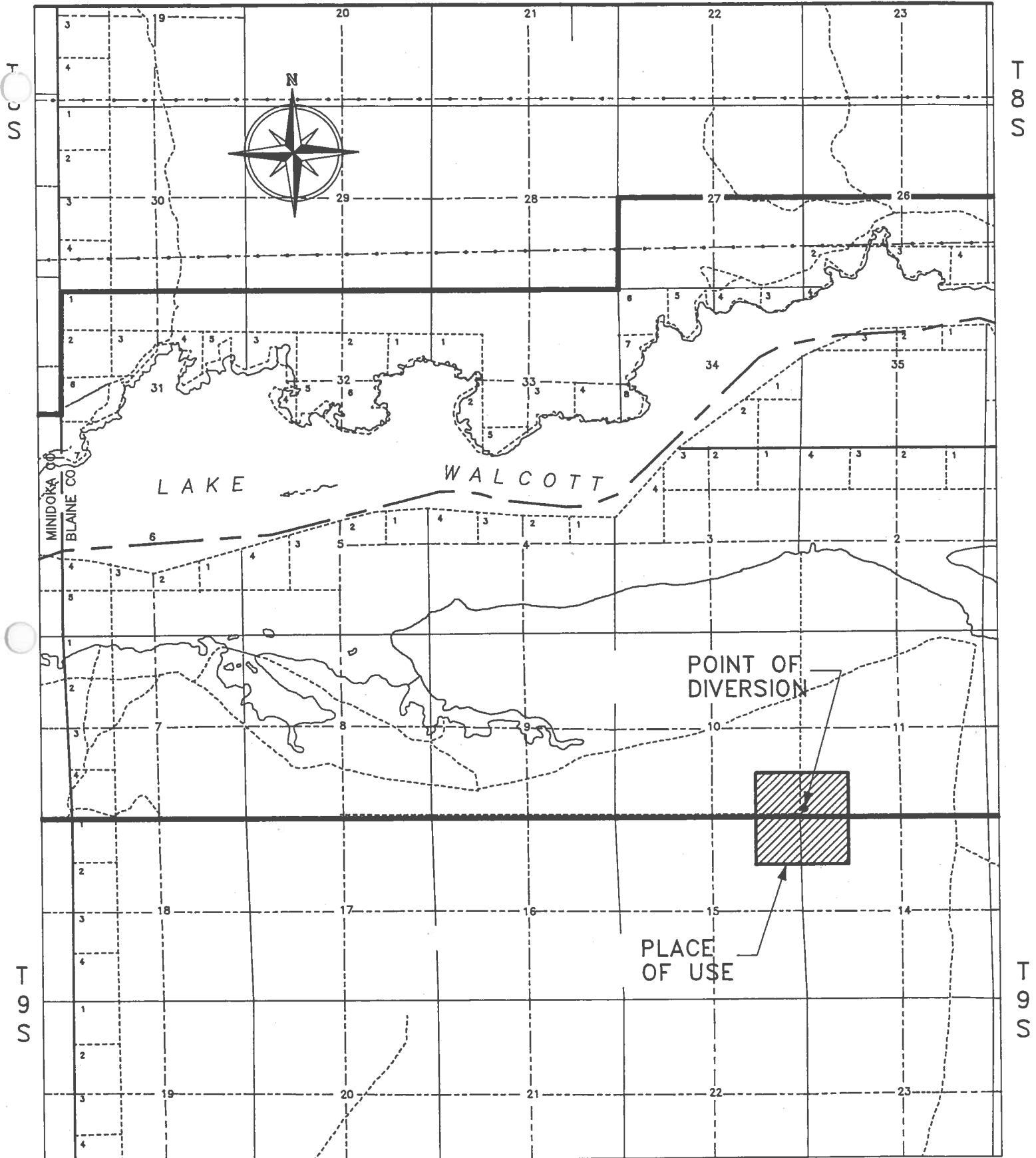
13. Other Water Rights Used:

14. Remarks: This claim clarifies and updates information given in water right license 43-7007.

The Minidoka National Wildlife Refuge was established by Executive Order No. 1032 of February 25, 1909, as a preserve and breeding ground for native birds.

15. Basis of Claim (Check one) Beneficial Use _____ Posted Notice _____
License X Permit _____ Decree _____

If applicable provide IDWR Water Right Number 43-7007
Court _____ Case Number _____ Decree Date _____



WATER RIGHT NUMBER 43-7007

SCALE 0 1/2 1 2 MILES



IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE
911 NE. 11th Avenue
Portland, Oregon 97232-4181

ABA/EN/WR

RECEIVED
JUN 19 2001

June 12, 2001

Department of Water Resources
Southern Region

Idaho Department of Water Resources
Regional Office
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301

Subject: Notice of Error Reply Forms

The U.S. Fish and Wildlife Service (Service) submits the enclosed *Notice of Error Reply* forms for Water Right Numbers 43-11131 and 43-7007. The Service agrees with the preliminary recommendations for each water right.

If you have questions or need additional information, please contact David Langman at (503) 231-6251.

Sincerely,

Michael Eberle
Agent for U.S. Fish and Wildlife Service

Enclosures

cc: (w/enclosures)
Barbara Scott-Brier, SOL, PNW
Refuge Manager, Minidoka NWR

05/11/2001

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

RIGHT NUMBER: 43-7007

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI FISH AND WILDLIFE SERVICE
DIVISION OF ENGINEERING
911 N E 11TH AVE
PORTLAND OR 972324181

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JUN 19 2001

Department of Water Resources
Southern Region

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.500 CFS
4.00 AFY

PRIORITY DATE: 12/24/1968

POINT OF DIVERSION:

T09S R26E S11 SWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
WILDLIFE	1/01 12/31	0.500 CFS 4.00 AFY
STOCKWATER	1/01 12/31	0.500 CFS 4.00 AFY

PLACE OF USE:

WILDLIFE Within CASSIA County

T09S R26E S10	SESE	T09S R26E S11	SWSW
T09S R26E S14	NWNW	T09S R26E S15	NENE

STOCKWATER Within CASSIA County

T09S R26E S10	SESE	T09S R26E S11	SWSW
T09S R26E S14	NWNW	T09S R26E S15	NENE

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License
STOCKWATER (350 HEAD) AND WILDLIFE.

**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: 43-7007

UNITED STATES OF AMERICA ACTING THROUGH
USDI FISH AND WILDLIFE SERVICE
DIVISION OF ENGINEERING
911 N E 11TH AVE
PORTLAND OR 972324181
Telephone Number: (503)231-6145

RECEIVED

JUN 19 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:

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: 6/12/2001 SIGNATURE: [Signature]
Please print your name: MICHAEL EBERLE

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

01/19/2001

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

RIGHT NUMBER: 43-7007

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI FISH AND WILDLIFE SERVICE
DIVISION OF ENGINEERING
911 NE 11TH AVE
PORTLAND, OR 97232-4181

SOURCE: GROUND WATER

QUANTITY: 0.5 CFS
4 AFY

PRIORITY DATE: 12/24/1968

POINT OF DIVERSION: T09S R26E S11 SWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1-01 12-31	0.50 CFS
		4.00 AFY
WILDLIFE	1-01 12-31	0.50 CFS
		4.00 AFY

PLACE OF USE:

<u>STOCKWATER Within CASSIA County</u>			
T09S R26E S10	SESE	T09S R26E S11	SWSW
T09S R26E S14	NWNW	T09S R26E S15	NENE
<u>WILDLIFE Within CASSIA County</u>			
T09S R26E S10	SESE	T09S R26E S11	SWSW
T09S R26E S14	NWNW	T09S R26E S15	NENE

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

STOCKWATER (350 HEAD) AND WILDLIFE.

Water Right Number - R43-07007

Prefix Translation: RESEARCH

Old (D) Number -

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

*** A - ATTORNEY ***
HAUGRUD K JACK OR D ZANE OR M GHELETA

1 - US DEPARTMENT OF JUSTICE
2 - ENV & NR DIVISION
3 - 550 W FORT ST BOX 33
City- BOISE
Phone - 202-272-4134

State- ID Zip- 83734

*** C - CURRENT OWNER ***
AMERICA, ACTING THROUGH

1 - USDI FISH AND WILDLIFE SER
2 - DIVISION OF ENGINEERING
3 - 911 NE 11TH AVE
City- PORTLAND
Phone - 503-231-6145

State- OR Zip- 972324181

*** K - ALSO KNOWN AS ***
FWS

1 -
2 -
3 -
City- X
Phone -

State- OR Zip- 0

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
12/24/1968 15 EASTERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +

GROUNDWATER

+ - - - - - - - - - - - - - Point of Diversion - - - - - +

TwN Rng Sec Tract Lot Rflg County

09S 26E 11 SW SW (31) CASSIA

+ - - - - - - - - - - - - - Water Use - - - - - +

Code Description Period From Period To Diversion Rate Diversion Volume

04 - STOCKWATER 01/01 12/31 0.500 4.00
16 - WILDLIFE 01/01 12/31 0.500 4.00

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - KW Usage - +
0.500 4.00 0.0

| TwN | Rng | Sec | Tract | Lot | Acres | Place of Use | Code | Description | County |
|-----|-----|-----|-------|-----|-------|---------------|------|-------------|-------------|
| 09S | 26E | 10 | SE SE | | | 04 STOCKWATER | 04 | STOCKWATER | (31) CASSIA |
| 09S | 26E | 11 | SW SW | | | 04 STOCKWATER | 04 | STOCKWATER | (31) CASSIA |
| 09S | 26E | 14 | NW NW | | | 04 STOCKWATER | 04 | STOCKWATER | (31) CASSIA |
| 09S | 26E | 15 | NE NE | | | 04 STOCKWATER | 04 | STOCKWATER | (31) CASSIA |
| 09S | 26E | 10 | SE SE | | | 16 WILDLIFE | 16 | WILDLIFE | (31) CASSIA |
| 09S | 26E | 11 | SW SW | | | 16 WILDLIFE | 16 | WILDLIFE | (31) CASSIA |
| 09S | 26E | 14 | NW NW | | | 16 WILDLIFE | 16 | WILDLIFE | (31) CASSIA |
| 09S | 26E | 15 | NE NE | | | 16 WILDLIFE | 16 | WILDLIFE | (31) CASSIA |

Total Acres:

| | | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---|-------|
| 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 | - 05/05/2000 | Old Judicial District | - | |
| Claim Received Date | - 03/25/1993 | Last Amended Date | - 00/00/0000 | Temporary Right | - | P |
| | | Receipt Number | - X111111 | Water District | - | |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - | S |
| | | Name Connector | - AND | Presumption Flag | - | |
| | | | | Notice of Error Flag | - | |