

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

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

PRIORITY DATE: 1959-02-05  
IDWR NUMBER: 4102036  
BLM NUMBER: 4102588008  
BASIS OF CLAIM: LICENSE  
BASIN NUMBER: 41

| SOURCE                 | TRIBUTARY TO |
|------------------------|--------------|
| -----                  | -----        |
| GROUNDWATER (MAY WELL) | SINKS        |

DESCRIPTION OF DIVERSION WORKS  
-----  
PIPELINE AND TROUGHS

| PURPOSE OF USE | DIVERSION<br>RATE | DIVERSION<br>VOLUME | PERIOD OF USE<br>FROM | TO    |
|----------------|-------------------|---------------------|-----------------------|-------|
| -----          | -----             | -----               | -----                 | ----- |
| STOCKWATER     | 0.020             | 0.00                | 0101                  | 1231  |
| WILDLIFE       | 0.020             | 0.00                | 0101                  | 1231  |
| TOTAL:         | 0.020 CFS         | 0.00 AF             |                       |       |

NON-IRRIGATION USES  
-----  
May Well, JDR # 0229, 350/CATTLE, 100/DEER

| POINT OF DIVERSION |       |       |        |        |        |       |        |
|--------------------|-------|-------|--------|--------|--------|-------|--------|
| TWP                | RNG   | SEC   | TRACT1 | TRACT2 | TRACT3 | LOT   | COUNTY |
| -----              | ----- | ----- | -----  | -----  | -----  | ----- | -----  |
| 10S                | 32E   | 31    |        | NW     | SW     | 00    | POWER  |

| PLACE OF USE |       |       |        |        |       |        | IRRIGATED |       |
|--------------|-------|-------|--------|--------|-------|--------|-----------|-------|
| TWP          | RNG   | SEC   | TRACT1 | TRACT2 | LOT   | COUNTY | OWNED     | ACRES |
| -----        | ----- | ----- | -----  | -----  | ----- | -----  | -----     | ----- |
| 10S          | 32E   | 31    | NW     | SW     | 00    | POWER  | YES       | 0.0   |
| 10S          | 32E   | 31    | NW     | SE     | 00    | POWER  | YES       | 0.0   |

|     |     |    |    |    |    |       |     |     |
|-----|-----|----|----|----|----|-------|-----|-----|
| 10S | 32E | 31 | SE | SE | 00 | POWER | YES | 0.0 |
| 10S | 32E | 32 | SE | SW | 00 | POWER | YES | 0.0 |
| 10S | 32E | 32 | NE | SE | 00 | POWER | YES | 0.0 |
| 11S | 32E | 05 | NW | NE | 00 | POWER | YES | 0.0 |
| 11S | 32E | 05 | NE | NE | 00 | POWER | YES | 0.0 |
| 11S | 32E | 05 | SW | NW | 00 | POWER | YES | 0.0 |
| 10S | 32E | 31 | NW | SW | 00 | POWER | YES | 0.0 |
| 10S | 32E | 31 | NW | SE | 00 | POWER | YES | 0.0 |
| 10S | 32E | 31 | SE | SE | 00 | POWER | YES | 0.0 |
| 10S | 32E | 32 | SE | SW | 00 | POWER | YES | 0.0 |
| 10S | 32E | 32 | NE | SE | 00 | POWER | YES | 0.0 |
| 11S | 32E | 05 | NW | NE | 00 | POWER | YES | 0.0 |
| 11S | 32E | 05 | NE | NE | 00 | POWER | YES | 0.0 |
| 11S | 32E | 05 | SW | NW | 00 | POWER | YES | 0.0 |

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

-----  
NONE

REMARKS

-----  
PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

Water Right Number - A41-02036

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - D1228

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

First Name -

Address -

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

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

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

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

1 -  
2 -  
3 -  
City- X  
Phone -  
State- ID Zip- 0

Priority Date - 02/05/1959  
Region - 17 SOUTHERN  
Stage - L - LICENSE  
Status -

Source - GROUNDWATER (MAY WELL)  
Tributary - SINKS

Point of Diversion -  
Diversion Name -

10S 32E 31 NW SW (77) POWER

Code - Description - Period From - Water Use - Period To - Diversion Rate - Diversion Volume -

04 - STOCKWATER 01/01 12/31 0.020  
16 - WILDLIFE 01/01 12/31 0.020

Total Div. Rate - 0.020  
Total Div. Volume -  
Total Div. Capacity -  
Total Consumptive Use - 0.0  
KM Usage -

| Twn | Rng | Sec | Tract | Lot | Acres | Place of Use | Code       | Description | County |
|-----|-----|-----|-------|-----|-------|--------------|------------|-------------|--------|
| 10S | 32E | 31  | NW SW |     |       | 04           | STOCKWATER | (77) POWER  |        |
| 10S | 32E | 31  | NW SE |     |       | 04           | STOCKWATER | (77) POWER  |        |
| 10S | 32E | 31  | SE SE |     |       | 04           | STOCKWATER | (77) POWER  |        |
| 10S | 32E | 32  | SE SW |     |       | 04           | STOCKWATER | (77) POWER  |        |
| 10S | 32E | 32  | NE SE |     |       | 04           | STOCKWATER | (77) POWER  |        |
| 11S | 32E | 5   | NE NE |     |       | 04           | STOCKWATER | (77) POWER  |        |
| 11S | 32E | 5   | NW NE |     |       | 04           | STOCKWATER | (77) POWER  |        |
| 11S | 32E | 5   | SW NW |     |       | 04           | STOCKWATER | (77) POWER  |        |
| 10S | 32E | 31  | NW SW |     |       | 16           | WILDLIFE   | (77) POWER  |        |

Water right number - A41-02036

Prefix Translation: ADJUDICATION CLAIM

| Twn |     | Rng | Sec   | Tract | Lot | Acres | Place of Use | Code     | Description | County |
|-----|-----|-----|-------|-------|-----|-------|--------------|----------|-------------|--------|
| 10S | 32E | 31  | NW SE |       |     |       | 16           | WILDLIFE | (77 ) POWER |        |
| 10S | 32E | 31  | SE SE |       |     |       | 16           | WILDLIFE | (77 ) POWER |        |
| 10S | 32E | 32  | SE SW |       |     |       | 16           | WILDLIFE | (77 ) POWER |        |
| 10S | 32E | 32  | NE SE |       |     |       | 16           | WILDLIFE | (77 ) POWER |        |
| 11S | 32E | 5   | NE NE |       |     |       | 16           | WILDLIFE | (77 ) POWER |        |
| 11S | 32E | 5   | NW NE |       |     |       | 16           | WILDLIFE | (77 ) POWER |        |
| 11S | 32E | 5   | SW NW |       |     |       | 16           | WILDLIFE | (77 ) POWER |        |

+ - - Diversion Means - PIPELINE AND TROUGHS

+ - - Non-Irrigation Use - May Well, JDR # 0229, 350/CATTLE, 100/DEER

+ - - Other Rights for Same Use - NONE

BLM RECORD ID = 4102588008  
PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

+ - - - - - 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 - 08/03/93 AUCTR

- - - - -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     |
| Claims Tape Error Flag | -            | POU Ownership Flag    | - Y          | Presumption Flag        | -       |
| Fee Exempt Flag        | -            | Name Connector        | -            | Notice of Error Flag    | -       |

Water Right Number - 41-02036

Prefix Translation:

WATER RIGHT

Old (D) Number - D1228

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

1 - BUREAU OF LAND MANAGEMENT  
2 - IDAHO STATE OFFICE  
3 - 3380 AMERICANA TERRACE  
City- BOISE State- ID Zip- 83706  
Phone -

Priority Date - 02/05/1959

Region - 17 SOUTHERN

Stage - L - LICENSE

Status -

Source - GROUNDWATER

Tributary -

| Turn | Rng | Sec | Tract | Lot | Rflg | County | Point of Diversion | Diversion Name | Diversion Rate | Diversion No. |
|------|-----|-----|-------|-----|------|--------|--------------------|----------------|----------------|---------------|
|------|-----|-----|-------|-----|------|--------|--------------------|----------------|----------------|---------------|

|                 |             |             |           |           |                |                  |       |  |  |  |
|-----------------|-------------|-------------|-----------|-----------|----------------|------------------|-------|--|--|--|
| 10S             | 32E         | 31          | NW SW     |           |                | (77)             | POWER |  |  |  |
| Code            | Description | Period From | Period To | Water Use | Diversion Rate | Diversion Volume |       |  |  |  |
| 04 - STOCKWATER |             | 01/01       | 12/31     |           | 0.020          |                  |       |  |  |  |

Total Div. Rate - 0.020 + Total Div. Volume - 0.020 + Total Div. Capacity - 0.020

| Turn | Rng | Sec | Tract | Lot | Acres | Place of Use | Code       | Description | County     |
|------|-----|-----|-------|-----|-------|--------------|------------|-------------|------------|
| 10S  | 32E | 31  | NW SW |     |       | 04           | STOCKWATER |             | (77) POWER |
| 10S  | 32E | 32  | SW SW |     |       | 04           | STOCKWATER |             | (77) POWER |
| 10S  | 32E | 32  | NE SE |     |       | 04           | STOCKWATER |             | (77) POWER |
| 10S  | 32E | 32  | SW SE |     |       | 04           | STOCKWATER |             | (77) POWER |
| 11S  | 32E | 5   | NE NE |     |       | 04           | STOCKWATER |             | (77) POWER |
| 11S  | 32E | 5   | NE NW |     |       | 04           | STOCKWATER |             | (77) POWER |

- - - Diversion Means -

- - - Non-Irrigation Use -

- - - Other Rights for Same Use -

TRANS. 3259. Remarks -

- - - Old Water Right Numbers -  
No Old Water Right Numbers found.

- - - Conditions of Approval -  
No Conditions of Approval found.

**WATER RIGHT**

+ - Decree Date - +  
00/00/0000

- - -Comments- -  
No Comments Found

```

+ - - Audit Fields - 12/31/84 05/28/88 CONVERT 03/23/89 CURTIS 04/03/89 NAMECHNG 01/26/92 POST-STD
07/15/92 D-NO-CHG

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[illegible]

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5669  
WATER RIGHT NO. 41-02036

*Southern*  
RECEIVED  
MAY 10 2000  
Department of Water Resources  
Southern Region

This is to certify that: US BUREAU OF LAND MANAGEMENT  
15 E 200 S  
BURLEY ID 83318

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| STOCKWATER            | 01/01 to 12/31       | 0.02 CFS              | 4.7 AF               |

SOURCE

GROUNDWATER

Priority: 02/05/1959

LOCATION OF POINT(S) OF DIVERSION: Lot 3 (NENWSW), Sec. 31, Township 10S, Range 32E  
POWER County

PLACE OF USE: STOCKWATER

TWN RGE SEC

|         |    |              |      |
|---------|----|--------------|------|
| 10S 32E | 31 | NESE         | SESE |
|         | 32 | NESW         | NESE |
| 11S 32E | 4  | Lot 4 (NWNW) |      |
|         | 5  | Lot 1 (NENE) | SWNW |

SCANNED  
OCT 21 2003

CONDITIONS OF APPROVAL AND REMARKS

1. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

TRANSFER NO. 5669  
WATER RIGHT NO. 41-02036

CONDITIONS OF APPROVAL AND REMARKS

4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
6. Place of use is also identified as BLM Record ID 4102588008.

Dated this 8<sup>th</sup> day of May, 2000.

  
Chief, Water Allocation Bureau

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

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 ) NOTICE OF COMPLETED  
 ) ADMINISTRATIVE PROCEEDINGS  
Case No. 39576 )  
 ) Water Right 41-02036  
 )

IDWR has completed the following Administrative Proceeding:

|                                     |                       |
|-------------------------------------|-----------------------|
| <input type="checkbox"/>            | Change of Address     |
| <input type="checkbox"/>            | Substitution of Party |
| <input checked="" type="checkbox"/> | I.C. 42-222 Transfer  |

## I.C. 42-422 TRANSFERS

An Administrative Proceeding pursuant to I.C. 42-222 has been completed for water right 41-02036 and all appeal times have run.

The following changes have been made to the water right:

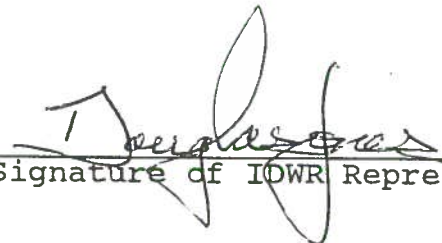
|     |                    |     |               |
|-----|--------------------|-----|---------------|
| [-] | Point of Diversion | [X] | Place of Use  |
| [-] | Period of Use      | [-] | Nature of Use |

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 Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED:

 12/17/99

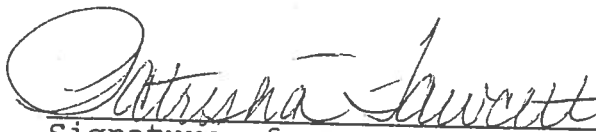
  
\_\_\_\_\_  
Signature of IDWR Representative

COBY

CERTIFICATE OF MAILING

I certify that on 12/22/1999 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  
253 Third Avenue North  
P.O. Box 2707  
Twin Falls, Idaho 83303-2707
2. One Copy to:  
Each party in the subcase, or attorney of record:  
  
R LEE LEININGER  
550 W FORT ST MSC 033  
BOISE ID 83724
3. One Copy to:  
Chief, Natural Resources Division  
Office of the Attorney General  
P.O. Box 44449  
Boise, Idaho 83711-4449
4. 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

AJ5856NP

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

DATE: DEC-21-1999

PAGE: A-13

RIGHT NUMBER: 41-02036

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

SOURCE: GROUNDWATER

QUANTITY: 0.02 CFS  
4.7 AFY

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

PRIORITY DATE: 02/05/1959

POINT OF DIVERSION: T10S R32E S31 LOT 3 ( NWSW) Within POWER County

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|----------------|----------------|---------------|----------|
|                | STOCKWATER     | 01-01 12-31   | 0.02 CFS |
|                |                |               | 4.7 AFY  |

| PLACE OF USE: | STOCKWATER    | Within POWER County            |
|---------------|---------------|--------------------------------|
|               | T10S R32E S31 | NESE SESE                      |
|               | S32           | SESW NESE                      |
|               | T11S R32E S05 | Lot 1 (NENE) Lot 2 (NWNE) SWNW |

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.

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY  
TRANSFER 5516 BY NOVEMBER 9, 2000.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE  
BLM RECORD ID 4102588008.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5516  
WATER RIGHT NO. 41-02036

RECEIVED  
NOV 15 1999  
Department of Water Resources  
Salem, Oregon

This is to certify that: US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
15 E 200 S  
BURLEY ID 83318

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| STOCKWATER            | 01/01 to 12/31       | 0.02 CFS              | 4.7 AF               |

SOURCE

GROUNDWATER

Priority: 02/05/1959

LOCATION OF POINT(S) OF DIVERSION: Lot 3 ( NWSW), Sec. 31, Township 10S, Range 32E  
POWER County

PLACE OF USE: STOCKWATER

TWN RGE SEC

|         |    |              |              |
|---------|----|--------------|--------------|
| 10S 32E | 31 | NESE         | SESE         |
|         | 32 | SESW         | NESE         |
| 11S 32E | 5  | Lot 1 (NENE) | Lot 2 (NWNE) |
|         |    |              | SWNW         |

CONDITIONS OF APPROVAL AND REMARKS

1. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

TRANSFER NO. 5516  
WATER RIGHT NO. 41-02036

CONDITIONS OF APPROVAL AND REMARKS

4. The quantity of water decreed for this water right is not a determination of historical beneficial use, and shall not exceed 13,000 gallons per day.
5. The place of use is also identified as BLM Record ID 4102588008.

Dated this 9<sup>th</sup> day of November, 1999

J. Glen Saxton  
Chief, Water Allocation Bureau

## MEMORANDUM

**TO:** File 41-02036

**FROM:** Pam Skaggs<sup>OS</sup>/State Office

**SUBJECT:** Transfer 5516

**DATE:** November 9, 1999

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Transfer 5516 changes the place of use under Right 41-02036. The right has been recommended in the SRBA and this transfer is to reflect changes in the system and the addition of an additional trough.

Diversion volume was based on the number of cattle claimed under this right in the SRBA to reflect historical use and avoid expansion through this approval. Recommended conditions include SRBA conditions regarding the quantity of water (non-determination of historical use & 13,000gpd limit), stockwater overlap & beneficial use, and standard transfer conditions.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 5516

RECEIVED  
JUN 14 1999  
Department of Water Resources  
Department Region  
Source

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

NAP

Name of Applicant U.S. Bureau of Land Management Phone (208) 677-6626  
Post Office address 15 East 200 South, Burley, ID 83318

A. PURPOSE OF TRANSFER

1. ☒ <sup>Refine</sup> Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_
2. Describe the reason for the proposed changes To more accurately show the location of the POD and POU's. Add one POU to more equally distribute livestock use in the area.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 41-02036 Priority February 5, 1959 Amount (cfs/ac-ft) 0.02 CFS Nature of Use stockwater Period of Use 01/01 to 12/31
2. Total amount of water being transferred 0.02 CFS cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.
3. Source of water Groundwater (May Well) tributary to \_\_\_\_\_
4. Point(s) of Diversion:

| Lot      | 1/4 | 1/4       | 1/4       | Sec.      | Twp.       | Rge.       | County       | Local name for diversion |
|----------|-----|-----------|-----------|-----------|------------|------------|--------------|--------------------------|
| <u>3</u> |     | <u>NW</u> | <u>SW</u> | <u>31</u> | <u>10S</u> | <u>32E</u> | <u>Power</u> | <u>May Well</u>          |
|          |     |           |           |           |            |            |              |                          |
|          |     |           |           |           |            |            |              |                          |
|          |     |           |           |           |            |            |              |                          |

5. Lands irrigated or place of use:

| Twp.       | Rge.       | Sec.      | NE 1/4 |                          |                          |        | NW 1/4 |        |          |        | SW 1/4 |        |        |          | SE 1/4   |        |        |          | Totals |
|------------|------------|-----------|--------|--------------------------|--------------------------|--------|--------|--------|----------|--------|--------|--------|--------|----------|----------|--------|--------|----------|--------|
|            |            |           | NE 1/4 | NW 1/4                   | SW 1/4                   | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4   | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4   | NE 1/4   | NW 1/4 | SW 1/4 | SE 1/4   |        |
| <u>10S</u> | <u>32E</u> | <u>31</u> |        |                          |                          |        |        |        |          |        |        |        |        |          | <u>5</u> |        |        | <u>5</u> |        |
| <u>10S</u> | <u>32E</u> | <u>32</u> |        |                          |                          |        |        |        |          |        |        |        |        | <u>5</u> | <u>5</u> |        |        |          |        |
| <u>11S</u> | <u>32E</u> | <u>5</u>  |        | <u>Lot 1</u><br><u>5</u> | <u>Lot 2</u><br><u>5</u> |        |        |        | <u>5</u> |        |        |        |        |          |          |        |        |          |        |
|            |            |           |        |                          |                          |        |        |        |          |        |        |        |        |          |          |        |        |          |        |
|            |            |           |        |                          |                          |        |        |        |          |        |        |        |        |          |          |        |        |          |        |
|            |            |           |        |                          |                          |        |        |        |          |        |        |        |        |          |          |        |        |          |        |
|            |            |           |        |                          |                          |        |        |        |          |        |        |        |        |          |          |        |        |          |        |
|            |            |           |        |                          |                          |        |        |        |          |        |        |        |        |          |          |        |        |          |        |
|            |            |           |        |                          |                          |        |        |        |          |        |        |        |        |          |          |        |        |          |        |

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OCT 03 1998

Department of Water Resources  
Southern Region

RECEIVED

OCT 05 1998

Department of Water Resources

**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

A. Subcase 41-02036

(Insert water right number)

**DOMESTIC AND  
STOCK WATER RIGHT  
OBJECTION**

Please fill in the following information:

**B. NAME AND ADDRESS OF PERSON OBJECTING**

Name: United States of America acting through the Department of Interior,

Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way

Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494

United States Department of Justice: Environment and Natural Resource Division; General Litigation Section  
550 West Fort Street, MSC 033; Boise, Idaho 83724

**C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT**

Name: United States of America

Address: 1387 South Vinnell Way

Name: Bureau of Land Management

Address: Boise, Idaho 83709-1657

Name:

Address:

Name:

Address:

**D.** I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**  
Should be: \_\_\_\_\_
2. ☐ **Source**  
Should be: \_\_\_\_\_
3. ☐ **Quantity**  
Should be: \_\_\_\_\_
4. ☐ **Priority Date**  
Should be: \_\_\_\_\_
5. ☐ **Point(s) of Diversion**  
Should be: \_\_\_\_\_
6. ☐ **Instream Flow Description**  
Should be: \_\_\_\_\_
7. ☐ **Purpose(s) of Use**  
Should be: \_\_\_\_\_
8. ☐ **Period of Year**  
Should be: \_\_\_\_\_
9. ☐ **Place of Use**  
Should be: See attached

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

**E. REASONS SUPPORTING OBJECTION(S):**

The legal description reported in the Director's Report for the POU of this claim is inaccurate. See attached for revised POU legal description.

**F.**

**VERIFICATION (Must be Completed)**

State of Idaho )

)ss.

County of Ada)

Jeff Steele, BLM Area Manager, duly sworn, upon oath, deposes and says:

(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

\_\_\_\_\_  
(Signature of person filing objection)

\_\_\_\_\_  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: \_\_\_\_\_

\_\_\_\_\_  
Notary Public for \_\_\_\_\_

Residing at: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

## INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

### G. CERTIFICATE OF MAILING

I certify that on \_\_\_\_\_, 199\_\_, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

2. One copy to the claimant of the water right at the following address:

Name: United States of America  
Address: 1387 South Vinnell Way  
Name: Bureau of Land Management  
Address: Boise, Idaho 83709-1657  
Name:  
Address:  
Name:  
Address:

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

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

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

\_\_\_\_\_  
Signature of Objector or attorney  
mailing on Objector's behalf

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 41-02036

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

SOURCE: GROUNDWATER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 02/05/1959

POINT OF DIVERSION: T10S R32E S31 LOT 3 ( NW SW)

Within POWER County

PURPOSE AND  
PERIOD OF USE:PURPOSE OF USE  
STOCKWATERPERIOD OF USE  
01-01 12-31QUANTITY  
0.02 CFS

PLACE OF USE:

STOCKWATER

Within POWER County

T10S R32E S31

~~NW SW~~ NE SE

SE SE

S32

~~SW SW~~ SE SW

NE SE

T11S R32E S05

Lot 1 (NENE)

Lot 2 ~~NENE~~ (NW NE)~~SW SW~~  
SW NW

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.

EXPLANATORY MATERIAL:

BASIS OF CLAIM - LICENSE

BLM RECORD ID = 4102588008

PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

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. 39576

AMENDED NOTICE of CLAIM for  
Water Right number:

41-02036

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:

4102588008

Stg:

StFed:

L

S

SOURCE:

Source Tributary

GROUNDWATER

SINKS

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:

2/5/1959

Diversion Means: PIPELINE AND TROUGHS

REMARKS:

MAY WELL/EAST FORK PIPELINE

POINT of  
DIVERSION:

| Twtnship | Range | Section | T1 | T2 | T3 | LOT | B/E | within the | County of |
|----------|-------|---------|----|----|----|-----|-----|------------|-----------|
| 10S      | 32E   | 31      | NW | SW |    | 3   |     | 77         | POWER     |

PURPOSE  
and  
PERIOD  
OF USE:

| Purpose of Use | Period of Use (from - to): | Rate in CFS | Volume in AcFt |
|----------------|----------------------------|-------------|----------------|
| 04             | 0101 1231                  | 0.02        | 0              |

CONSUMPTIVE  
USE:

de minimis stockwater use

DATE: 13-Sep-97 8:12 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 | Twtn | Rge | Sec | T1 | T2 | LOT | within the | County of |
|-----------|------|-----|-----|----|----|-----|------------|-----------|
| 04        | 10S  | 32E | 31  | NE | SE | 0   | #Name?     | POWER     |
| 04        | 10S  | 32E | 31  | SE | SE | 0   | #Name?     | POWER     |
| 04        | 10S  | 32E | 32  | SE | SW | 0   | #Name?     | POWER     |
| 04        | 10S  | 32E | 32  | NE | SE | 0   | #Name?     | POWER     |
| 04        | 11S  | 32E | 5   | NW | NE | 2   | #Name?     | POWER     |
| 04        | 11S  | 32E | 5   | NE | NE | 1   | #Name?     | POWER     |
| 04        | 11S  | 32E | 5   | SW | NW | 0   | #Name?     | POWER     |

AJ5809NP  
No. F41-02036

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/12/98  
PAGE: 2

| OWNER<br>CODE    | NAME & ADDRESS                                                                                                                                                | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | UNITED STATES OF AMERICA ACTING THROUGH<br>USDI BUREAU OF LAND MANAGEMENT<br>IDAHO STATE OFFICE<br>1387 S VINNELL WAY<br>BOISE ID 837091657<br>(208) 373-4000 | 02/05/1959       | STOCKWATER | 01-01 12-31           | 0.02 CFS          |                     |
| TOTAL DIVERSION: |                                                                                                                                                               |                  |            |                       | 0.02 CFS          |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T10S R32E S31 Lot03( NWSW)

POWER County

Place of use Legal Description for: STOCKWATER

| NE   |     |      |    | NW   |    |      |    | SW   |    |      |    | SE   |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |   |
|------|-----|------|----|------|----|------|----|------|----|------|----|------|----|------|----|------|----|------|----|------|----|------|----|------|----|------|----|------|----|------|---|
| NENE |     | NWNE |    | SWNE |    | SENE |    | NENW |    | NWNW |    | SWNW |    | SENW |    | NESW |    | NWSW |    | SWSW |    | SESW |    | NESE |    | NWSE |    | SWSE |    | SESE |   |
| T    | R   | S    | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   |   |
| 10S  | 32E | 31   | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | : |
| 10S  | 32E | 32   | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | : |
| 11S  | 32E | 5    | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | :  |      | : |

POU County: POWER

Non-Irrigation Uses: ~~May Well, JBR # 0229, 350/CATTLE, 100/DEER~~

Other Rights: NONE

Remarks: EXP BLM RECORD ID = 4102588008  
MAY WELL/EAST FORK PIPELINE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:  
Presumption Flag:

Trans 3259 approved  
over Kig 41-02031 Feb 13, 1989

Recommendation  
Based upon  
1989 transfers  
KKC  
2-6-98

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:

41-02036

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:

4102588008

Stg:

StFed:

L

S

SOURCE:

Source GROUNDWATER Tributary                     

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:

2/5/59

Diversion Means:

PIPELINE AND TROUGHS

REMARKS:

MAY WELL/EAST FORK PIPELINE

POINT of  
DIVERSION:

| Twship | Range | Section | T1 | T2 | T3 | LOT | B/E | within the | County of |
|--------|-------|---------|----|----|----|-----|-----|------------|-----------|
| 10S    | 32E   | 31      | NW | SW | 3  |     |     | 77         | POWER     |

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 | 0              |

CONSUMPTIVE  
USE:

de minimis

stockwater use

DATE:

08-Oct-97 7:30 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        | 10S | 32E | 31  | NE | SE | 0   | 77 POWER             |
| 04        | 10S | 32E | 31  | SE | SE | 0   | 77 POWER             |
| 04        | 10S | 32E | 32  | SE | SW | 0   | 77 POWER             |
| 04        | 10S | 32E | 32  | NE | SE | 0   | 77 POWER             |
| 04        | 11S | 32E | 5   | NW | NE | 2   | 77 POWER             |
| 04        | 11S | 32E | 5   | NE | NE | 1   | 77 POWER             |
| 04        | 11S | 32E | 5   | SW | NW | 0   | 77 POWER             |

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. 39576

AMENDED NOTICE of CLAIM for  
Water Right number:

41-02036

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:

4102588008

Stg:

StFed:

L

S

SOURCE:

| Source      | Tributary |
|-------------|-----------|
| GROUNDWATER | SINKS     |

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:

2/5/1959

Diversion Means: PIPELINE AND TROUGHS

REMARKS:

MAY WELL/EAST FORK PIPELINE

POINT of  
DIVERSION:

| Twship | Range | Section | T1 | T2 | T3 | LOT | B/E | within the | County of |
|--------|-------|---------|----|----|----|-----|-----|------------|-----------|
| 10S    | 32E   | 31      | NW | SW |    | 3   |     | 77         | POWER     |

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 | 0              |

CONSUMPTIVE  
USE:

de minimis

stockwater use

DATE:

13-Sep-97

9:22 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        | 10S | 32E | 31  | NE | SE | 0   | 77         | POWER     |
| 04        | 10S | 32E | 31  | SE | SE | 0   | 77         | POWER     |
| 04        | 10S | 32E | 32  | SE | SW | 0   | 77         | POWER     |
| 04        | 10S | 32E | 32  | NE | SE | 0   | 77         | POWER     |
| 04        | 11S | 32E | 5   | NW | NE | 2   | 77         | POWER     |
| 04        | 11S | 32E | 5   | NE | NE | 1   | 77         | POWER     |
| 04        | 11S | 32E | 5   | SW | NW | 0   | 77         | POWER     |

Stock  
WELL

ALSO:

41-02031  
(MAY WELL)

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SEP 15 1997

Department of Water Resources

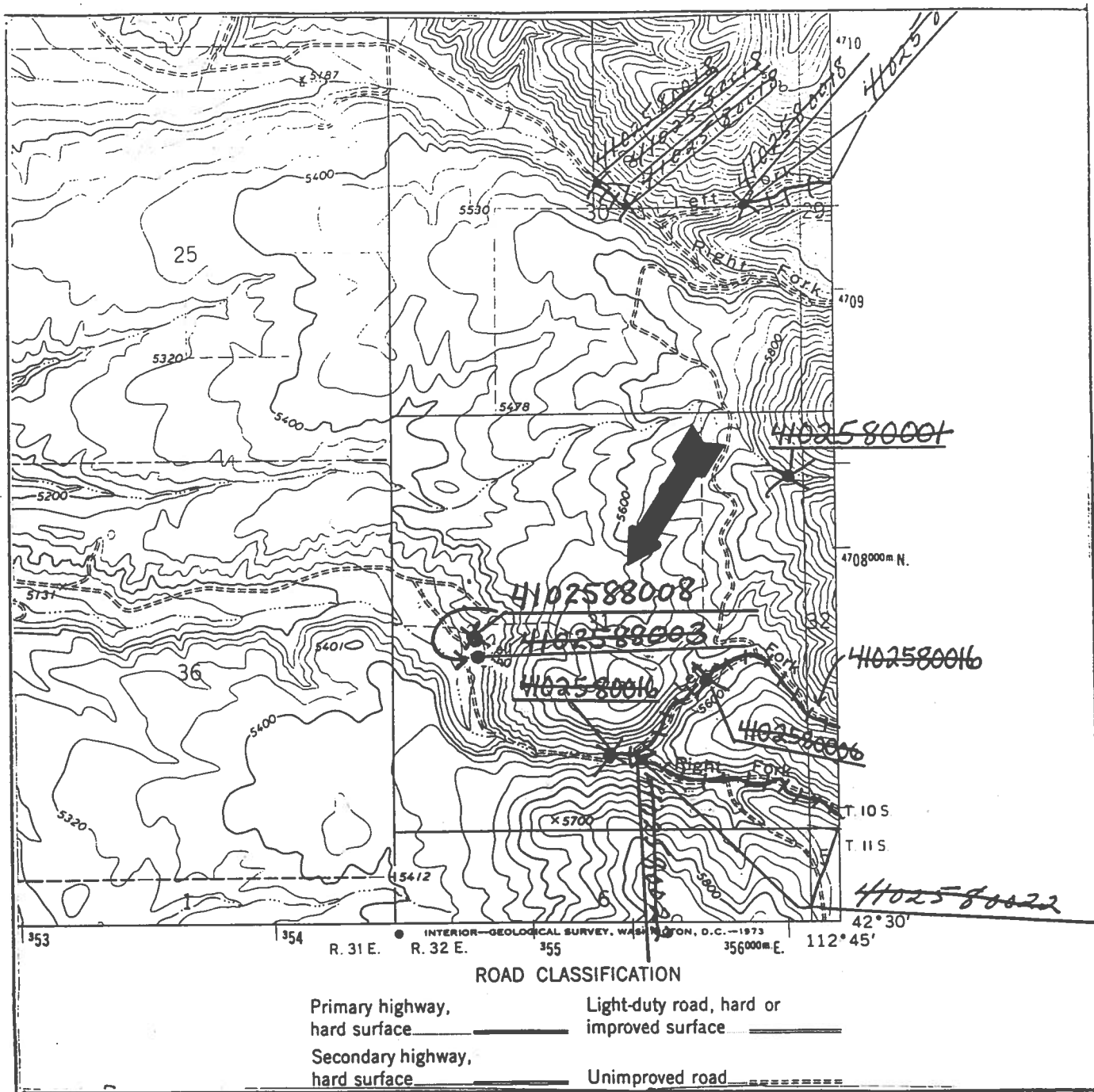
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

BLM IDENTIFICATION NUMBER

WATER RIGHTS CLAIM MAP

4102588008

TOWNSHIP 10 S RANGE 32 E MERIDIAN:BOISE QUAD MAP NAME ROCKLAND EAST



LEGEND

SCALE: 1" = 24,000'

|   |                                       |     |                                     |
|---|---------------------------------------|-----|-------------------------------------|
| ● | POD (ORIGINAL, CORRECT LOCATION)      | —●— | INSTREAM USE CLAIM                  |
| ✕ | POD (ORIGINAL LOCATION, INCORRECT)    | —✕— | INSTREAM USE CLAIM, DROPPED SEGMENT |
| ○ | POD (CORRECTED LOCATION OR ADDED POD) | —○— | WITHDRAWN CLAIM                     |

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Department of Water Resources

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. 39576

AMENDED NOTICE of CLAIM for  
Water Right number:

41-02036

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:

4102588008

Stg:

StFed:

L

S

SOURCE:

| Source      | Tributary |
|-------------|-----------|
| GROUNDWATER |           |

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:

2/5/1959

Diversion Means:

PIPELINE AND TROUGHS

REMARKS:

MAY WELL/EAST FORK PIPELINE

POINT of  
DIVERSION:

| Twtnship | Range | Section | T1 | T2 | T3 | LOT | B/E | within the | County of |
|----------|-------|---------|----|----|----|-----|-----|------------|-----------|
| 10S      | 32E   | 31      | NW | SW | 03 |     |     | 77         | POWER     |

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 | 0              |

CONSUMPTIVE  
USE:

de minimis

stockwater use

DATE:

08-Dec-97

2:07 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 | Twtn | Rge | Sec | T1 | T2 | LOT | within the County of |
|-----------|------|-----|-----|----|----|-----|----------------------|
| 04        | 10S  | 32E | 31  | NE | SE | 0   | 77 POWER             |
| 04        | 10S  | 32E | 31  | SE | SE | 0   | 77 POWER             |
| 04        | 10S  | 32E | 32  | SE | SW | 0   | 77 POWER             |
| 04        | 10S  | 32E | 32  | NE | SE | 0   | 77 POWER             |
| 04        | 11S  | 32E | 5   | NW | NE | 2   | 77 POWER             |
| 04        | 11S  | 32E | 5   | NE | NE | 1   | 77 POWER             |
| 04        | 11S  | 32E | 5   | SW | NW | 0   | 77 POWER             |

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Department of Water Resources