

✓✓

Department of Water Resources  
Adjudication Bureau

IN Re SRBA  
Case No. 39576

**SUBCASE NO: 57-02365A**

## 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. Department 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: Blackstock Spring

The source is also known Blackstock Spring No. 1

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:

.02 CFS

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

---

4. The priority date is: 01/24/42

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:

T01S R05W S28 SWNWNE

Required Statement: The element as recommended originally was incorrect. The change reflects an accurate description of the element. IDWR had previously reviewed this change and recommended it.

---

6. The purpose of use is: Stockwater, Wildlife

Required Statement: The provisions "292 range cattle" and "variable amount" are 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  
T01S R05W S17 SESE  
S28 NWNE

All POU's are located in Owyhee 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 included in the Director's Report 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)

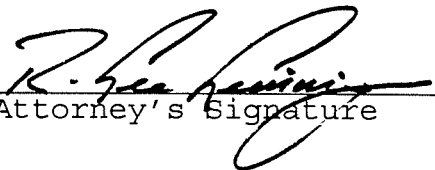
I have read this form and know its contents and that the  
statements are true to the best of my knowledge and belief.

Name 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 Ferry

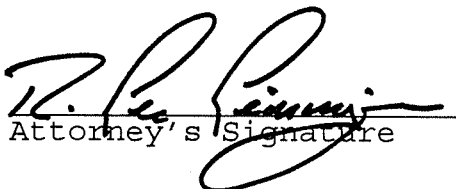
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

 12/18/95  
\_\_\_\_\_  
Attorney's Signature Date

Name 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 Ferry

 12/18/95  
\_\_\_\_\_  
Attorney's Signature Date

RIGHT  
NUMBER

NAME &amp; ADDRESS

PRIORITY  
DATEPURPOSE OF USE  
PERIOD OF USE  
FROM TOMAXIMUM  
QUANTITY

BASIS OF CLAIM

SOURCE: BLACKSTOCK SPRING

TRIBUTARY: DEAD HORSE CREEK

57-02365A

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

01/24/1942 STOCKWATER

01-01 12-31

.02 CFS

LICENSE

NON-IRRIGATION-USES:  
STOCKWATER, 292 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

TOTAL QUANTITY:

.02 CFS

POINT OF DIVERSION:

T01S ROSU S28

PLACE OF USE: STOCKWATER

T01S ROSU S17

SESE

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 = 5701588023  
SOURCE ALSO KNOWN AS BLACKSTOCK SPRING NO. 1

57-02365B

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

01/24/1942 STOCKWATER

04-01 10-31

.02 CFS

LICENSE

NON-IRRIGATION-USES:  
STOCKWATER, 338 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

TOTAL QUANTITY:

.02 CFS

POINT OF DIVERSION:

T01S ROSU S28

PLACE OF USE: STOCKWATER

T01S ROSU S18

SESE

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 = 5701581819  
SOURCE ALSO KNOWN AS BLACKSTOCK SPRING NO. 2

## 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 January 18, 1996, 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:

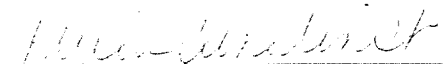
1. Original to:

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

  
\_\_\_\_\_  
Signature of person or attorney  
mailing the form