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Department of Water Resources
Adjudication Bureau

IN Re SRBA
Case No. 39576

SUBCASE NO: 57-11453

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: Pixley 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:

0.24 CFS

Required Statement: The element as recommended originally was incorrect. The change reflects an accurate description of the element.

4. The priority date is: 01/01/1875

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:

T07S R01W S35 NESW (B)
T07S R01W S10 SWSW (E)

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 provision "4964 range cattle" 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									
T07S	R01W	S10	SWSW	SESW					
T07S	R01W	S15	NENW	SWNW	SENW	NESW		NWSW	
			SESW						
T07S	R01W	S22	SWNE	NENW	SENW	SESW		NWSE	
			SWSE						
T07S	R01W	S25	SWNW	SENW	NESW	NWSW		SWSW	
T07S	R01W	S26	NESW	NWSW	SESW	NESE		NWSE	
			SWSE	SESE					
T07S	R01W	S27	NWNE	SWNE	SENE	NESE		SESE	
T07S	R01W	S34	NENE						
T07S	R01W	S35	NENE	NWNE	SWNE	NENW			
			Lot 2 (SWNW)	SENW	NESW	Lot 3 (NWSW)		Lot 1 (NWNW)	

All POU's are located in Owyhee County

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.

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

Required Statement: This accurately describes this element.

10. Other matters necessary to define this water right:

These matters are necessary because:

The remark as originally recommended in the Director's Report is not necessary to define the right.

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

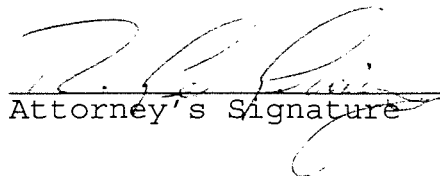
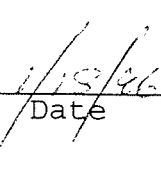
Signature and Address of Parties and their Attorney of Record
(attach additional page if necessary)

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\Paul F.
Holleman\William Ferry

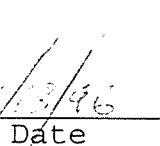
Signature Date

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\Paul F.
Holleman\William Ferry

Attorney's Signature Date

AJ5856NP

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

DATE: OCT-13-1992
PAGE: A-942

RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATE

PURPOSE OF USE
FROM TO

MAXIMUM
QUANTITY

BASIS OF CLAIM

SOURCE: PILEY CREEK

TRIBUTARY: CASTLE CREEK

57-11453

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT

01/01/1875 STOCKWATER

01-01 12-31

1.00 CFS

BENEFICIAL USE

IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

TOTAL QUANTITY:

1.00 CFS

NON-IRRIGATION-USES:

STOCKWATER, 4964 RANGE CATTLE

POINT OF DIVERSION:

T07S R01W S26

S15

PLACE OF USE: STOCKWATER

MESW (B)
SESU (E)

T07S R01W S15

S22

SESU
SMNE

MUSE
MESU

SMNE
SMSE

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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 = 5701680895

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:

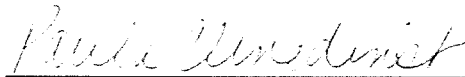
1. Original to:

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