

11-10-71

RIGHTS FROM: SOURCE: SPRING TRIBUTARY: BIRCH CREEK

RIGHT NUMBER: 72-02171

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

SOURCE: SPRING TRIBUTARY: BIRCH CREEK
QUANTITY: 0.01 CFS

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.

PRIORITY DATE: 02/16/1949

POINT OF DIVERSION: T13N R18E S26 NW/4NE Within CUSTER County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE STOCKWATER
PERIOD OF USE 01-01 12-31 QUANTITY 0.01 CFS

PLACE OF USE: STOCKWATER T13N R18E S26 NW/4NE Within CUSTER County

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
BLM RECORD ID = 7204588019
STOCKWATER, 431 RANGE CATTLE
SOURCE LOCALLY KNOWN AS BIRCH CREEK SPRING.

AJ5809NP
No. R72-02171

aka Water Source: BIRCH CREEK SPRING

Place of use Legal Description for:																				
NE						NW						SE								
	NENE	NNWE	SUNE	SENE		NENW	NNWN	SWNW	SESW		NESW	NNWS	SWSW	SESW		NESE	NNSE	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	Lt Ac	Lt Ac	Lt Ac	Lt Ac
ZU	19E	2A																		

Conditions of Approval:

L12 - THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRADING

- ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY

- USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

Objection Filed Date:

D0639

DATE: 11/12/93
PAGE: 21

DIVERSION
VOLUME

TOTAL DIVERSION:

13N 18E 26 :

13N 18E 26 :

Presumption Flag:

DEC 03 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:24:00
11/23/93

PAGE: 6
QUICKLOOK INFORMATION

143
CLAIM NUMBER: A72-02171

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				N	LIC HAPS	1-23-95	1-24-95	1-24-95
POINT OF DIV	Y			Y				
SOURCE	Y			Y				
PLACE OF USE	Y			N				
DIV. AMOUNT CFS/VOLUME	Y			N				
CONSUMPTIVE USE	-			-				
PURPOSES	Y			Y				
PERIOD OF USE	Y			N				
BASIS OF CLAIM	-			N				
REMARKS	-			Y				

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

DEC 03 1996

A. AJ CLAIM: # A72-02171 PRIORITY DATE: 02-16-1949 STAGE: L

B. WR RECORD: # 72-02171 PRIORITY DATE: 02-16-1949 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER


ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

NOTES:

RECOMMENDED PRIORITY DATE:

02-16-1949

REVIEWED BY 

DATE

1-12-94

DEC 03 1996

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A72-02171	13N	18E	26		NW	NE		CUSTER

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: BIRCH CREEK SPRING

TRIB: BAYHORSE CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
72-02171	13N	18E	26		NW	NE		CUSTER

OTHER WR RECORDS WITH SAME WR POD
A PREFIX R PREFIX

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

A72-15459 NONE
A72-15460

SOURCE: SPRING

TRIB:

C. FIELD EXAM REQUIRED?

FIELD
EXAMINER

DATABASE

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

Y Y

NOTES:

A72-15459 SPRING/BIRCH CREEK ELECTRONIC INDEX /INDEX
A72-15460 FED LAND CLAIM SAME AS ABOVE MUST BE 720458/821
THIS CLAIM INDEX 72131826-2
No OVERLAP

DEC 03 1996

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:				
TWP.	RGE.	SEC.	1/4	1/4
13N	18E	26	NW	NE

COUNTY

37

DIVERSION NAME

SOURCE: BIRCH CREEK SPRING TRIB: BIRCH CREEK

REVIEWED BY: *[Signature]* DATE: 1-23-95

SYSTEM DESCRIPTION:

DEC 03 1996

A. ROOT WATER RIGHT NUMBERS: A72-02171

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
13N	18E	26	NW	NE		US DEPT OF INTERIOR	A72-02171 /	72-02171 /			
			NW	NE		US DEPT OF INTERIOR	A72-15459 /	- /			
			NW	NE		US DEPT OF INTERIOR	A72-15460 /	- /			
13N	18E	26	NW	NE		US DEPT OF INTERIOR	A72-02171 /	72-02171 /			
			NW	NE		US DEPT OF INTERIOR	A72-15459 /	- /			
			NW	NE		US DEPT OF INTERIOR	A72-15460 /	- /			
TOTAL ACRES							A72-02171				

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()

IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED? FIELD EXAMINER POU COUNTY: CUSTER

DUE TO POU DISCREPANCY? (Y/N) Y

PRESUMPTION FLAG: —

NOTES:

SEE POU REVIEW FOR OVERLAP

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

DATE:

DEC 03 1996

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	FROM	TO	DIVERSION QUANTITY
A72-02171 STOCKWATER	01-01	12-31		.010 CFS
A72-02171 WILDLIFE	01-01	12-31		.010 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED				.010 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	FROM	TO	DIVERSION QUANTITY
72-02171 STOCKWATER	01-01	12-31		.010 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED				.010 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DUE TO WATER-USE DISCREPANCY? (Y/N)	DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
				Y	_____
				Y	_____
				Y	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? YES

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N(☐)

Y(☐) N(☐) Explain in notes, below.

NOTES:

STOCKWATER IS ONLY USE SHOWN ON LICENSE 72-02171.

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO
FOR FARMSTEAD, DOMESTIC, OR STOCK WATERING PURPOSES

Application No. D 639

Permit No. D 639 72-2171

District No. _____

1. Name of Applicant United States Department of the Interior, Bureau of Land Management
2. Post Office Address Swan Island, Portland 18, Oregon
3. Quantity of water claimed .007 sec. ft. 2-16-1949
(Not to exceed 0.1 second foot or 15 acre feet)
4. Source of water supply Spring
(Spring, well, unnamed stream, small lake, snow, or runoff)
5. Location of point of diversion _____ feet distant from the _____ corner of Section _____,
Twp. _____, Rge. _____, B.M., and is in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____, Twp. _____, Rge. _____, B.M.
in the County of Custer 37
6. Location of point of use S. 46° E. 792 feet distant from the N $\frac{1}{2}$ corner of Section 26,
Twp. 13N, Rge. 18E, B.M., and in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Sec. 26, Twp. 13N, Rge. 18 E.
7. Water to be used for Stock Water 1/1-12/31
8. Estimated cost of works \$294.86
9. Kind of works Spring
(Reservoir, dam, ditch, flume, pipe, etc.)
10. Size _____
(Headgate, ditch, flume, pipe, etc.)
11. Time required to apply water to proposed use Completed
12. If reservoir is used, fill in the following in addition to the above questions:
 - (a) Height of dam _____ feet: Length at top _____ feet.
 - (b) Material from which dam is constructed _____
(earth, concrete, timber, rock)
 - (c) The outlet of the proposed reservoir is located _____ feet from the _____ corner of
Section _____, Twp. _____, Rge. _____, B.M.

REMARKS:

Applicant Bureau of Land Management

Agent

Maurice W. March
Acting Regional Grazier

T 13 N

Idaho District #4			111-93					Birch Creek Spring			
26											

R. 18 E.



A7202171

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: 1949-02-16
IDWR NUMBER: 7202171
BLM NUMBER: 7204588019
BASIS OF CLAIM: LICENSE
BASIN NUMBER: 72

SOURCE	TRIBUTARY TO
BIRCH CREEK SPRING	BAYHORSE CREEK

DESCRIPTION OF DIVERSION WORKS

NONE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
STOCKWATER	0.010	0.00	0101	1231
WILDLIFE	0.010	0.00	0101	1231
TOTAL:	0.010 CFS	0.00 AF		

NON-IRRIGATION USES

431 RANGE CATTLE

TWP	RNG	SEC	TRACT1	POINT OF DIVERSION TRACT2	TRACT3	LOT	COUNTY
13N	18E	26		NW	NE	00	CUSTER

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	PLACE OF USE	IRRIGATED OWNED ACRES
13N	18E	26	NW	NE	00	CUSTER		YES 0.0
13N	18E	26	NW	NE	00	CUSTER		YES 0.0
TOTAL ACRES IRRIGATED:								0.0

MICROFILMED
NOV 17 1994

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

MICROFILMED
APR 1983

RECEIVED

MAR 03 1997

Department of Water Resources

In Re SRBA

Case No. 39576

AMENDED NOTICE of CLAIM
for Water Right number:

A72-02171

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:

7204588019

SOURCE:

Source	Tributary
BIRCH CREEK SPRING	BAYHORSE CREEK

QUANTITY:

0.02

CFS

or VOLUME:

0

Acre Fee

The quantity of water under this right for stockwater shall not exceed 13,000 gallons per day

PRIORITY DATE:

2/16/49

POINT of
DIVERSION:

Twtnship	Range	Section	T1	T2	T3	LOT	within the	County of
13N	18E	26		NW	NE	0		CUSTER

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):		Rate in CFS	or	Volume in Ac
04	0101	1231	0.02		0
16	0101	1231	0.01		0

CONSUMPTIVE
USE:

de minimis stockwater use

DATE:

01-Mar-97 2:51 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	13N	18E	26	NW	NE	0		CUSTER
16	13N	18E	26	NW	NE	0		CUSTER