

AJ5856NP

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

DATE: APR-15-1997  
PAGE: A-25

RIGHTS FROM: SOURCE: SPRING TRIBUTARY: PENNAL GULCH

RIGHT NUMBER: 72-02210

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: PENNAL GULCH

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:

08/23/1961

POINT OF DIVERSION:

T14N R19E S12

NESESE

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  
T14N R19E S12

Within CUSTER County  
SESE

EXPLANATORY MATERIAL:

BASIS OF CLAIM - LICENSE  
BLM RECORD ID = 7204588058  
STOCKWATER, 24 RANGE CATTLE  
SOURCE LOCALLY KNOWN AS LOWER PENNAL GULCH SPRING.

OWNER CODE

NAME & ADDRESS

PRIORITY DATE

WATER USE

USE PERIOD FROM TO

DIVERSION RATE

DIVERSION VOLUME

C

UNITED STATES OF AMERICA ACTING THROUGH

08/23/1961

STOCKWATER

01-01 12-31

0.01 CFS

0.01 CFS

Water Source: LOWER PENAL GULCH SPRING

Tributary to: ~~PENAL~~ GULCH

Stage: LICENSE

Point(s) of Diversion: T14N R19E S12

NESESE

CUSTER County

Place of use Legal Description for: STOCKWATER

|      |      |      |      |      |      |      |      |      |      |
|------|------|------|------|------|------|------|------|------|------|
|      |      | NE   |      | NW   |      | SW   |      | SE   |      |
| NENE | NWNE | SWNE | SENE | NENW | NWNW | SWNW | SESW | NESE | NWSE |
| Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   |
| T    | R    | S    |      | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   |
| 14N  | 19E  | 12   |      |      |      |      |      |      | S    |

POU County: CUSTER

Non-Irrigation Uses: STOCKWATER, 24 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

Other Rights: NONE

Conditions of Approval:

L12 - 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.

Remarks: ~~GEN~~ BLM RECORD ID = 7204588058

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

N11

N13

D1411



A7202210

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: 1961-08-23  
IDWR NUMBER: 7202210  
BLM NUMBER: 7204588058  
BASIS OF CLAIM: LICENSE  
BASIN NUMBER: 72

| SOURCE                   | TRIBUTARY TO |
|--------------------------|--------------|
| -----                    | -----        |
| LOWER PENAL GULCH SPRING | SALMON RIVER |

DESCRIPTION OF DIVERSION WORKS  
-----  
NONE

| PURPOSE OF USE | DIVERSION<br>RATE | DIVERSION<br>VOLUME | PERIOD OF USE<br>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  
-----  
24 RANGE CATTLE

|       |       |       |        | POINT OF DIVERSION |        |       |        |
|-------|-------|-------|--------|--------------------|--------|-------|--------|
| TWP   | RNG   | SEC   | TRACT1 | TRACT2             | TRACT3 | LOT   | COUNTY |
| ----- | ----- | ----- | -----  | -----              | -----  | ----- | -----  |
| 14N   | 19E   | 12    |        | SE                 | SE     | 00    | CUSTER |

| PLACE OF USE |       |       |        |        |       |        | IRRIGATED   |
|--------------|-------|-------|--------|--------|-------|--------|-------------|
| TWP          | RNG   | SEC   | TRACT1 | TRACT2 | LOT   | COUNTY | OWNED ACRES |
| -----        | ----- | ----- | -----  | -----  | ----- | -----  | -----       |
| 14N          | 19E   | 12    | SE     | SE     | 00    | CUSTER | 0.0         |
| 14N          | 19E   | 12    | SE     | SE     | 00    | CUSTER | 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

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PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

RECEIVED  
MAY 11 1971  
MICROFILMED

AJ0749NP  
No. R72-02210

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 02/10/94  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                                                                                       | PRIORITY<br>DATE | WATER USE  | USE PERIOD |       | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------|------------------|------------|------------|-------|-------------------|---------------------|
|                  |                                                                                                                                      |                  |            | FROM       | TO    |                   |                     |
| C                | US DEPT OF INTERIOR<br>BUREAU OF LAND MANAGEMENT<br>IDAHO STATE OFFICE<br>3380 AMERICANA TERRACE<br>BOISE ID 83706<br>(208) 334-1401 | 08/23/1961       | STOCKWATER | 01-01      | 12-31 | 0.01 CFS          |                     |
| TOTAL DIVERSION: |                                                                                                                                      |                  |            | 0.01 CFS   |       |                   |                     |

Water Source: LOWER PENAL GULCH SPRING      Tributary to: PENAL GULCH      Stage: LICENSE  
Point(s) of Diversion: T14N R19E S12      NESESE      CUSTER County

| Place of use Legal Description for: STOCKWATER |     |    |      |    |    |    |    |    |    |    |    |
|------------------------------------------------|-----|----|------|----|----|----|----|----|----|----|----|
| NE                                             |     |    | NW   |    |    | SW |    |    | SE |    |    |
| T                                              | R   | S  | : Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt |
| 14N                                            | 19E | 12 | :    | :  | :  | :  | :  | :  | :  | :  | :  |
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A. AJ CLAIM: # A72-02210 PRIORITY DATE: 08-23-1961 STAGE: L  
B. WR RECORD: # 72-02210 PRIORITY DATE: 08-23-1961 STAGE: L

C. FIELD EXAM REQUIRED? DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE EXAMINER  
N A

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

NOTES: See summary

RECOMMENDED PRIORITY DATE:  
08-23-1961

REVIEWED BY ATM

DATE 1-31-94

MICROFILMED  
NOV 02 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|-----------|------|------|------|-----|-----|-----|-----|------|
| A72-02210 | 14N  | 19E  | 12   |     |     |     |     |      |

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

WR RECORDS IN SAME 40 ACRE TRACT  
NONE

SOURCE: LOWER PENAL GULCH SPRING

TRIB: SALMON RIVER

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT    | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|----------|------|------|------|-----|-----|-----|-----|------|
| 72-02210 | 14N  | 19E  | 12   |     |     |     |     |      |

OTHER WR RECORDS WITH SAME WR POD  
AJ CLAIMS IN SAME 40 ACRE TRACT  
A PREFIX R PREFIX  
NONE NONE

SOURCE: SPRING

TRIB:

C. FIELD EXAM REQUIRED?

| DUE TO POD DISCREPANCY?    | (Y/N) | DATABASE | FIELD EXAMINER |
|----------------------------|-------|----------|----------------|
| DUE TO SOURCE DISCREPANCY? | (Y/N) | Y        | <u>N</u>       |

NOTES:

Completed on cello 7-75  
Twp. changed per map  
Only claim for "Lower Penal Gulch" for "wr" shown 73

MICROFILMED  
NOV 02 1994

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | COUNTY | DIVERSION NAME |
|------|------|------|-----|-----|-----|-----|--------|----------------|
| —    | —    | —    | NE  | SE  | SE  | —   | —      | —              |
| —    | —    | —    | —   | —   | —   | —   | —      | —              |
| —    | —    | —    | —   | —   | —   | —   | —      | —              |
| —    | —    | —    | —   | —   | —   | —   | —      | —              |
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| —    | —    | —    | —   | —   | —   | —   | —      | —              |

SOURCE: \_\_\_\_\_ TRIB: Barrel Gulch

DATE: 08-17

**SYSTEM DESCRIPTION:**

**MICROFILMED**  
**NOV 02 1994**

A. ROOT WATER RIGHT NUMBERS: A72-02210

B. POU LISTING

| TWP         | RNG | SEC | 1/4 | 1/4 | LOT | NAME                | AJ<br>#/ACRES | WR<br>#/ACRES | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-------------|-----|-----|-----|-----|-----|---------------------|---------------|---------------|-----------------|----------------|------------------|
| 14N         | 19E | 12  | SE  | SE  |     | US DEPT OF INTERIOR | A72-02210 /   | 72-02210 /    |                 |                |                  |
| 14N         | 19E | 12  | SE  | SE  |     | US DEPT OF INTERIOR | A72-02210 /   | 72-02210 /    |                 |                |                  |
| TOTAL ACRES |     |     |     |     |     |                     | A72-02210     |               |                 |                |                  |

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y ( ) N ( )  
IF YES SEE ATTACHED SHEET:

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

DUE TO POU DISCREPANCY? (Y/N)

Y

PRESUMPTION FLAG:

NOTES:

*See Record.*

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

*KJP*

DATE:

*8-8-94*

MICROFILMED  
NOV 02 1994

A. AJ CLAIMED USES:

PURPOSES  
A72-02210 STOCKWATER  
~~A72-02210 WILDLIFE~~

MONTH/DAY  
FROM 01-01 TO 12-31  
~~FROM 01-01 TO 12-31~~

DIVERSION QUANTITY  
.010 CFS  
~~.010 CFS~~

TOTAL DIVERSION RATE/VOLUME CLAIMED

.010 CFS

B. WR RECORDED USES:

PURPOSES  
72-02210 STOCKWATER

MONTH/DAY  
FROM 01-01 TO 12-31

DIVERSION QUANTITY  
.010 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.010 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

|                                    | FIELD EXAM REQUIRED? | DATE | EXAMINER |
|------------------------------------|----------------------|------|----------|
| DUE TO WATER-USE DISCREPANCY?      | (Y/N)                | Y    | <u>✓</u> |
| DUE TO DIVERSION RATE DISCREPANCY? | (Y/N)                | Y    | <u>✓</u> |
| DUE TO PERIOD FROM/TO DISCREPANCY? | (Y/N)                | Y    | <u>✓</u> |

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y ( ✓ ) N ( )

RECOMMEND TO WR STANDARDS OR OTHER?

Y ( ) N ( ) Explain in notes, below.

NOTES:

*No wildlife or D-Permit.*

MICROFILMED  
NOV 02 1994

**APPLICATION FOR PERMIT  
TO DIVERT THE PUBLIC WATER OF THE STATE OF IDAHO  
FOR IRRIGATION, DOMESTIC, OR STOCK WATERING PURPOSES**

Application No. D 1411

Permit No. D 1411 72-2210

District No. \_\_\_\_\_

**POOR ORIGINAL**

1. Name of Applicant Bureau of Land Management
2. Post Office Address Salmon, Idaho
3. Quantity of water claimed 1 gal. per min. .00223 cfs P-23-1961  
(Not to exceed 0.1 second foot or 16 acre feet)
4. Source of water supply Spring  
(Spring, well, unnamed stream, small lake, snow, or runoff)
5. Location of point of diversion S 40° W 1920 feet distant from the R4 corner of Section 12,  
Twp. 14 N, Rge. 19 E, B.M., and is in the SE ¼ of the SE ¼ of Section 12, Twp. 14 N, Rge. 19 E B.M.  
in the County of Custer 37 head
6. Location of point of use due west 30 feet distant from the spring corner of Section \_\_\_\_\_,  
Twp. \_\_\_\_\_, Rge. \_\_\_\_\_, B.M., and in the SE ¼ of the SE ¼, Sec. 12, Twp. 14 N, Rge. 19 E.
7. Water to be used for livestock 1/1-12/31
8. Estimated cost of works \$198.00
9. Kind of works trough & pipeline  
(Reservoir, dam, ditch, flume, pipe, etc.)
10. Size 10 ft. trough - 30 ft. of plastic pipeline  
(Headgate, ditch, flume, pipe, etc.)
11. Time required to apply water to proposed use 12 mandays
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:**

**This project provides livestock water and permits better stock distribution and range use.**

Applicant Bureau of Land Management

Agent Ronald J. Gunderson  
Acting District Manager

|              |  |  |  |  |  |  |  |  |
|--------------|--|--|--|--|--|--|--|--|
| T14 N R 19 E |  |  |  |  |  |  |  |  |
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**MICROFILMED**

**NOV 12 1994**

RECEIVED

MAR 03 1997

In Re SRBA

Case No. 39576

AMENDED NOTICE of CLAIM  
for Water Right number:

A72-02210

Department of Water Resources

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:

7204588058

SOURCE:

| Source                   | Tributary    |
|--------------------------|--------------|
| LOWER PENAL GULCH SPRING | SALMON RIVER |

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:

8/23/61

POINT of  
DIVERSION:

| Twtnship | Range | Section | T1 | T2 | T3 | LOT | within the | County of |
|----------|-------|---------|----|----|----|-----|------------|-----------|
| 14N      | 19E   | 12      |    | SE | SE | 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 2:52 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        | 14N  | 19E | 12  | SE | SE | 0   |            | CUSTER    |
| 16        | 14N  | 19E | 12  | SE | SE | 0   |            | CUSTER    |