

AJ5856NP

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

DATE: APR-17-1997
PAGE: A-39

RIGHTS FROM: SOURCE: SURPRISE SPRING TRIBUTARY: WARM SPRING CREEK
RIGHT NUMBER: 72-07135

NAME & ADDRESS:

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

SOURCE: SURPRISE SPRING TRIBUTARY: WARM SPRING CREEK

QUANTITY:

0.02 CFS
2.4 AFY

PRIORITY DATE:

03/31/1981

POINT OF DIVERSION:

T13N R20E S21

NENESW

Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

12-16 01-15

05-16 06-15

12-16 01-15

05-16 06-15

QUANTITY

0.02 CFS

1.2 AFY

0.02 CFS

1.2 AFY

0.02 CFS

1.2 AFY

0.02 CFS

1.2 AFY

1.2 AFY

PLACE OF USE:

STOCKWATER
T13N R20E S21

Within CUSTER County
NESW

STOCKWATER
SAME AS OTHER USE

WILDLIFE
T13N R20E S21

Within CUSTER County
NESW

WILDLIFE
SAME AS OTHER USE

EXPLANATORY MATERIAL:

BASIS OF CLAIM - LICENSE
BLM RECORD ID = 7204588189
STOCKWATER, 1032 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

VERIFIED BY KKC
4-17-97

APR-10-1997
0013

RIGHT NUMBER:

72-07135

NAME AND ADDRESS:

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

SOURCE:

SURPRISE SPRING

QUANTITY:

0.02 CFS
1.2 AFY
2/4 AFY

TRIBUTARY: WARM SPRING CREEK

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:

03/31/1981

POINT OF DIVERSION:

T13N R20E S21

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

STOCKWATER

WILDLIFE

WILDLIFE

PLACE OF USE:

STOCKWATER
T13N R20E S21

STOCKWATER
T13N R20E S21

WILDLIFE
T13N R20E S21

WILDLIFE

NENESW

Within CUSTER County

PERIOD OF USE	QUANTITY
12-16 01-15	0.02 CFS
07/01 72/71	1.2 AFY
05-16 06-15	2/4 AFY
12-16 01-15	0.02 CFS
05-16 06-15	1.2 AFY
	0.02 CFS
	1.2 AFY

Within CUSTER County

NENESW

Within CUSTER County

NENESW

Within CUSTER County

NENESW

Within CUSTER County

update 16-12-97

update

update

update 14-97

update

APR-10-1997
0014

2

72-07135 CONTINUED

SAME AS OTHER USE

OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

up BLM RECORD ID = 7204588189

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

MAR 03 1997

In Re SRBA

Case No. 39576

AMENDED NOTICE of CLAIM
for Water Right number:

A72-07135

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:

7204588189

SOURCE:

Source	Tributary
SURPRISE SPRING	WARM SPRING CREEK

QUANTITY:

0.02 CFS or VOLUME: 2.4 Acre Fee

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

PRIORITY DATE:

3/31/81

POINT of
DIVERSION:

Twtnship	Range	Section	T1	T2	T3	LOT	within the	County of
13N	20E	21		NE	SW	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	2.4
16	1216	0115	0.02	1.2
04	0516	0615	0.02	1.2
16	0516	0615	0.02	1.2

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	13N	20E	21	NE	SW	0		CUSTER
16	13N	20E	21	NE	SW	0		CUSTER



A7207135

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: 1981-03-31
IDWR NUMBER: 7207135
BLM NUMBER: 7204588189
BASIS OF CLAIM: LICENSE
BASIN NUMBER: 72

SOURCE	TRIBUTARY TO
SURPRISE SPRING	WARM SPRING CREEK

DESCRIPTION OF DIVERSION WORKS

HEADBOX & PIPE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
STOCKWATER	0.020	2.40	0101	1231
WILDLIFE	0.020	1.20	1216	0115
STOCKWATER	0.020	1.20	0516	0615
WILDLIFE	0.020	1.20	0516	0615
TOTAL:	0.020 CFS	2.40 AF		

NON-IRRIGATION USES

1032 RANGE CATTLE

				POINT OF DIVERSION			
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
13N	20E	21		NE	SW	00	CUSTER

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY		
13N	20E	21	NE	SW	00	CUSTER	YES	0.0

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NOV 1984
OWNED 1994
IRRIGATED ACRES

BLM NUMBER: 7204588189

PAGE: 2

13N 20E 21 NE SW 00 CUSTER 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

RECEIVED
MAY 1 1984

AJ0749NP
No. R72-07135

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

DATE: 02/17/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706 (208) 334-1401	03/31/1981	STOCKWATER STOCKWATER WILDLIFE WILDLIFE	12-16 01-15 05-16 06-15 12-16 01-15 05-16 06-15	0.02 CFS 0.02 CFS 0.02 CFS 0.02 CFS	1.20 AFA 1.20 AFA 1.20 AFA 1.20 AFA
TOTAL DIVERSION:					0.02 CFS	1.20 AFA

Water Source: SURPRISE SPRING

Tributary to: WARM SPRING CREEK

Stage: LICENSE

Point(s) of Diversion:

T13N R20E S21

NENESW

CUSTER County

Place of use Legal Description for: STOCKWATER

NE	NW	SW	SE
NENE NENE SENE : NENE NENE SENE : NENE NENE SENE : NENE NENE SENE :	NENE NENE SENE : NENE NENE SENE : NENE NENE SENE : NENE NENE SENE :	NENE NENE SENE : NENE NENE SENE : NENE NENE SENE : NENE NENE SENE :	NENE NENE SENE : NENE NENE SENE : NENE NENE SENE : NENE NENE SENE :
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13N 20E 21 :	13N 20E 21 :	13N 20E 21 :	13N 20E 21 :

Place of use Legal Description for: STOCKWATER

NE	NW	SW	SE
NENE NENE SENE : NENE NENE SENE : NENE NENE SENE : NENE NENE SENE :	NENE NENE SENE : NENE NENE SENE : NENE NENE SENE : NENE NENE SENE :	NENE NENE SENE : NENE NENE SENE : NENE NENE SENE : NENE NENE SENE :	NENE NENE SENE : NENE NENE SENE : NENE NENE SENE : NENE NENE SENE :
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13N 20E 21 :	13N 20E 21 :	13N 20E 21 :	13N 20E 21 :

Place of use Legal Description for: WILDLIFE

NE	NW	SW	SE
NENE NENE SENE : NENE NENE SENE : NENE NENE SENE : NENE NENE SENE :	NENE NENE SENE : NENE NENE SENE : NENE NENE SENE : NENE NENE SENE :	NENE NENE SENE : NENE NENE SENE : NENE NENE SENE : NENE NENE SENE :	NENE NENE SENE : NENE NENE SENE : NENE NENE SENE : NENE NENE SENE :
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13N 20E 21 :	13N 20E 21 :	13N 20E 21 :	13N 20E 21 :

Place of use Legal Description for: WILDLIFE

NE	NW	SW	SE
NENE NENE SENE : NENE NENE SENE : NENE NENE SENE : NENE NENE SENE :	NENE NENE SENE : NENE NENE SENE : NENE NENE SENE : NENE NENE SENE :	NENE NENE SENE : NENE NENE SENE : NENE NENE SENE : NENE NENE SENE :	NENE NENE SENE : NENE NENE SENE : NENE NENE SENE : NENE NENE SENE :
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 :	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 :	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 :	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 :
13N 20E 21 :	13N 20E 21 :	13N 20E 21 :	13N 20E 21 :

POU County: CUSTER

Non-Irrigation Uses: STOCKWATER, 1032 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.

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NOV 02 1994

02-17-94

AJD749NP
No. R72-07135

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

DATE: 02/17/94
PAGE: 2

Remarks: BLM RECORD ID = 7204588189

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

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NOV 02 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 72-7135 Priority March 31, 1981 Amount 0.02 cfs

THIS IS TO CERTIFY, that U.S. Dept. of Interior, Bureau of Land Management
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 72-7135 issued pursuant to Application for Permit dated March 31, 1981,
and has submitted proof to the Department of Water Resources on May 21, 1982,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.02 cfs of water from Surprise Spring,
tributary to Salmon River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use		Rate of Diversion		Annual Volume
Stockwater	from <u>May 16</u>	to <u>June 15</u>	at <u>0.02</u>	cfs and	<u>1.2 acre feet</u>
Stockwater	from <u>December 16</u>	to <u>January 15</u>	at <u>0.02</u>	cfs and	<u>1.2 acre feet</u>
Wildlife	from <u>May 16</u>	to <u>June 15</u>	at <u>0.02</u>	cfs and	<u>1.2 acre feet</u>

*

(both dates inclusive)

Subject, however, to the condition that no more than 0.02 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed

2.4 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21,
Twp 13N, Rge 20E in the County of Custer

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
13N	20E	21								X									

Total number of acres irrigated

* Wildlife December 16 to January 15 0.02 cfs 1.2 acre feet

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NOV 12 1984

CONDITIONS OF APPROVAL

- a. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 7th day of

MARCH, 19 85.

Acting for the Director



A. AJ CLAIM: # A72-07135 PRIORITY DATE: 03-31-1981 STAGE: L
B. WR RECORD: # 72-07135 PRIORITY DATE: 03-31-1981 STAGE: L

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

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

NOTES: priority date claimed as licensed

RECOMMENDED PRIORITY DATE:
03-31-1981

REVIEWED BY RT DATE 02-11-94

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NOV 17 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A72-07135	13N	20E	21		NE		SW	CUSTER

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

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: SURPRISE SPRING

TRIB: WARM SPRING CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
72-07135	13N	20E	21		NE		SW	CUSTER

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

A72-14771 NONE
A72-14772

SOURCE: SURPRISE SPRING

TRIB: SALMON RIVER

C. FIELD EXAM REQUIRED?

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

NOTES:

POD claimed as lieumed

ten were that confirmed on 09 11-26

Measurment claimed cover and tributary confirmed on 09 11-26

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NOV 07 1994

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:					
TWP.	RGE.	SEC.		LOT	COUNTY
<u>13N</u>	<u>30E</u>	<u>21</u>	<u>NE</u>	<u>NE</u>	<u>SW</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
SOURCE: <u>Sundance Spring</u>	TRIB: <u>Warm Spring Creek</u>				

REVIEWED BY:

DATE:

SYSTEM DESCRIPTION:

MICROFILMED
NOV 02 1994

A. ROOT WATER RIGHT NUMBERS: A72-07135

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	HR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
13N	20E	21	NE	SM		US DEPT OF INTERIOR	A72-07135 /	72-07135 /			
			NE	SM		US DEPT OF INTERIOR	A72-14771 /	- /			
			NE	SM		US DEPT OF INTERIOR	A72-14772 /	- /			
13N	20E	21	NE	SM		US DEPT OF INTERIOR	A72-07135 /	72-07135 /			
			NE	SM		US DEPT OF INTERIOR	A72-14771 /	- /			
			NE	SM		US DEPT OF INTERIOR	A72-14772 /	- /			
TOTAL ACRES							A72-07135				

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

IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE Y FIELD EXAMINER N

POU COUNTY: CUSTER

PRESUMPTION FLAG:

NOTES:

POU claimed as licensed
A72-14771 - disallowed, license represents first use
A72-14772 - Federal Reserve Right

RECOMMENDATIONS:

TOTAL ACRES: 1

REVIEWED BY: *ef*

DATE: 02-11-94

MICROFILMED
NOV 02 1994

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A72-07135 STOCKWATER	FROM ~~01-01~~ <u>10-12-21</u> <u>12-16-01-15</u>	.020 CFS <u>1.20</u> ~~2.40~~ AF/A
A72-07135 WILDLIFE	FROM 12-16 TO 01-15	.020 CFS 1.20 AF/A
A72-07135 STOCKWATER	FROM 05-16 TO 06-15	.020 CFS 1.20 AF/A
A72-07135 WILDLIFE	FROM 05-16 TO 06-15	.020 CFS 1.20 AF/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

.020 CFS 2.40 AF/A

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
72-07135 STOCKWATER	FROM 12-16 TO 01-15	.020 CFS 1.20 AF/A
72-07135 WILDLIFE	FROM 12-16 TO 01-15	.020 CFS 1.20 AF/A
72-07135 STOCKWATER	FROM 05-16 TO 06-15	.020 CFS 1.20 AF/A
72-07135 WILDLIFE	FROM 05-16 TO 06-15	.020 CFS 1.20 AF/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

.020 CFS 2.40 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(X)

RECOMMEND TO WR STANDARDS OR OTHER?

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

NOTES:

recommended as claimed

non irrigation use includes wildlife, variable amount

MICROFILMED

NOV 9 1994