

AJ5856NP

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

DATE: APR-17-1997  
PAGE: A-2

RIGHTS FROM: SOURCE: BILLY BASIN SPRING TRIBUTARY: BIG LAKE CREEK  
RIGHT NUMBER: 72-07137

NAME & ADDRESS:

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

SOURCE: BILLY BASIN SPRING TRIBUTARY: BIG LAKE CREEK

QUANTITY: 0.02 CFS  
0.7 AFY

PRIORITY DATE: 03/31/1981

POINT OF DIVERSION: T10N R17E S35 NESWNE

Within CUSTER County

PURPOSE AND  
PERIOD OF USE:

STOCKWATER

PERIOD OF USE  
01-01 12-31

QUANTITY  
0.02 CFS  
0.7 AFY

WILDLIFE

01-01 12-31

0.02 CFS  
0.7 AFY

PLACE OF USE:

STOCKWATER  
T10N R17E S35

Within CUSTER County  
SWNE

WILDLIFE  
T10N R17E S35

Within CUSTER County  
SWNE

EXPLANATORY MATERIAL:

BASIS OF CLAIM - LICENSE  
BLM RECORD ID = 7204588191  
STOCKWATER, 390 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

VERIFIED BY  
KLC  
4-17-97

APR-10-1997  
0016

1

RIGHT NUMBER:

72-07137

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:

BILLY BASIN SPRING

TRIBUTARY: BIG LAKE CREEK  
SALMON RIVER, EAST FORK

QUANTITY:

0.02 CFS  
0.7 AFY

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:

T10N R17E S35

NESWNE

Within CUSTER County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE  
STOCKWATER

PERIOD OF USE  
01-01 12-31

QUANTITY  
0.02 CFS  
0.7 AFY  
0.02 CFS  
0.7 AFY

WILDLIFE

01-01 12-31

PLACE OF USE:

STOCKWATER  
T10N R17E S35

Within CUSTER County  
SWNE

WILDLIFE  
T10N R17E S35

Within CUSTER County  
SWNE

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

BLM RECORD ID = 7204588191

EXPLANATORY MATERIAL:

BASIS OF CLAIM - LICENSE

12-28-97  
14-1-97  
12-28-97

MAR 03 1997

In Re SRBA

AMENDED NOTICE of CLAIM  
for Water Right number:

A72-07137

Department of Water Resources

Case No. 39576

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:

7204588191

SOURCE:

| Source             | Tributary              |
|--------------------|------------------------|
| BILLY BASIN SPRING | EAST FORK SALMON RIVER |

QUANTITY:

0.02 CFS or VOLUME: 0.7 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 |
|----------|-------|---------|----|----|----|-----|------------|-----------|
| 10N      | 17E   | 35      |    | SW | 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 | 0.7          |
| 16             | 0101                       | 1231        | 0.02 | 0.7          |

CONSUMPTIVE  
USE:

de minimis stockwater use

DATE:

01-Mar-97 2:53 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        | 10N  | 17E | 35  | SW | NE | 0   |            | CUSTER    |
| 16        | 10N  | 17E | 35  | SW | NE | 0   |            | CUSTER    |



A7207137

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: 7207137  
BLM NUMBER: 7204588191  
BASIS OF CLAIM: LICENSE  
BASIN NUMBER: 72

| SOURCE             | TRIBUTARY TO           |
|--------------------|------------------------|
| BILLY BASIN SPRING | EAST FORK SALMON RIVER |

DESCRIPTION OF DIVERSION WORKS

HEADBOX & PIPELINE

| PURPOSE OF USE | DIVERSION<br>RATE | DIVERSION<br>VOLUME | PERIOD<br>FROM | OF USE<br>TO |
|----------------|-------------------|---------------------|----------------|--------------|
| STOCKWATER     | 0.020             | 0.70                | 0101           | 1231         |
| WILDLIFE       | 0.020             | 0.70                | 0101           | 1231         |
| TOTAL:         | 0.020 CFS         | 0.70 AF             |                |              |

NON-IRRIGATION USES

390 RANGE CATTLE

| TWP | RNG | SEC | TRACT1 | POINT OF DIVERSION<br>TRACT2 | TRACT3 | LOT | COUNTY |
|-----|-----|-----|--------|------------------------------|--------|-----|--------|
| 10N | 17E | 35  |        | SW                           | NE     | 00  | CUSTER |

PLACE OF USE

| TWP | RNG | SEC | TRACT1 | TRACT2 | LOT | COUNTY | IRRIGATED<br>OWNED | ACRES |
|-----|-----|-----|--------|--------|-----|--------|--------------------|-------|
| 10N | 17E | 35  | SW     | NE     | 00  | CUSTER | YES                | 0.0   |
| 10N | 17E | 35  | SW     | NE     | 00  | CUSTER | YES                | 0.0   |

TOTAL ACRES IRRIGATED: 0.0

MICROFILMED  
NOV 02 1994

BLM NUMBER: 7204588191

PAGE: 2

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

-----  
NONE

REMARKS

-----  
PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 19 1991

2-17-94

28-17-94

02-11-94

3380 AMERICANA TERRACE  
BOISE ID 83706  
(208) 334-1401

**Stage: LICENSE**  
**CUSTER County**

NE  
SCENE  
MENU[illegible]

NE  
CINE  
SCENE  
MENU

|       | NE    |   |       |       | NW    |       |   |       | SW    |       |       |   | SE    |       |       |       |
|-------|-------|---|-------|-------|-------|-------|---|-------|-------|-------|-------|---|-------|-------|-------|-------|
| S\N   | SENE  | : | NENW  | NWNW  | SNNW  | SENW  | : | NESW  | NWSW  | SWSW  | SESW  | : | NESE  | NUSE  | SWSE  | SESE  |
| 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 |
| W     | -     | : | -     | -     | -     | -     | : | -     | -     | -     | -     | : | -     | -     | -     | -     |

# TH ALLOT

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.

**data Date:**

District

**Field Inspection Flag:**  
**Presumption Flag:**

NOV 02 1994

28-17-94

State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 72-7137 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. 72-7137 issued pursuant to Application for Permit dated March 31, 1981,  
and has submitted proof to the Department of Water Resources on June 13, 1983,  
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 Billy Basin Spring,  
tributary to Big Lake Creek, 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        |
|-------------------|---------------------------------------------|------------------------|----------------------|
| <u>Stockwater</u> | from <u>January 1</u> to <u>December 31</u> | at <u>0.02</u> cfs and | <u>0.7</u> acre feet |
| <u>Wildlife</u>   | from <u>January 1</u> to <u>December 31</u> | at <u>0.02</u> cfs and | <u>0.7</u> acre feet |
|                   | from _____ to _____                         | at _____ cfs and       | _____                |

(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  
0.7 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$  Section 35,  
Twp 10N, Rge 17E 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 $\frac{1}{4}$ |        |
| 10N  | 17E   | 35   |                  |                  | X                |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

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NOV 0 2 1994

Total number of acres irrigated \_\_\_\_\_

MICROFILMED

MICROFILMED

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 18<sup>TH</sup> day of SEPTEMBER, 19 85.

Boise, IDAHO

Director



A. AJ CLAIM: # A72-07137 PRIORITY DATE: 03-31-1981 STAGE: L  
B. WR RECORD: # 72-07137 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 claimed

RECOMMENDED PRIORITY DATE:  
03-31-1981

REVIEWED BY ST DATE 02-11-94

MICROFILMED  
NOV 07 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY   |
|-----------|------|------|------|-----|-----|-----|-----|--------|
| A72-07137 | 10N  | 17E  | 35   |     | SW  | NE  |     | CUSTER |

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

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: BILLY BASIN SPRING

TRIB: EAST FORK SALMON RIVER

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT    | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY   |
|----------|------|------|------|-----|-----|-----|-----|--------|
| 72-07137 | 10N  | 17E  | 35   |     | SW  | NE  |     | CUSTER |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT  
A PREFIX R PREFIX

NONE

A72-14057  
A72-14058

NONE

SOURCE: BILLY BASIN SPRING

TRIB: BIG LAKE CREEK

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 licensed  
Ten acre tract confirmed on OQ V-23  
Recommend licensed source and tributary confirmed on OQ V-23*

**MICROFILMED**  
NOV 17 1994

|     |     |
|-----|-----|
| 1/4 | 1/4 |
|-----|-----|

1/4

107

COUNTY

DIVERSION NAME

$$\begin{array}{r} 1011 \\ 176 \\ \hline 35 \end{array}$$

NE Sh

NE

Crater

SOURCE: Billy Basin Spring

TRIB: Big Lake Creek

REVIEWED BY: pt

DATE: 02-11-94

SYSTEM DESCRIPTION:

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

A. ROOT WATER RIGHT NUMBERS: A72-07137

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 |
|-----|-----|-----|-----|-----|-----|---------------------|---------------|---------------|-----------------|----------------|------------------|
| TON | 17E | 35  | SM  | NE  |     | US DEPT OF INTERIOR | A72-07137 /   | 72-07137 /    |                 |                |                  |
|     |     |     | SM  | NE  |     | US DEPT OF INTERIOR | A72-14057 /   | - /           |                 |                |                  |
|     |     |     | SM  | NE  |     | US DEPT OF INTERIOR | A72-14058 /   | - /           |                 |                |                  |
| TON | 17E | 35  | SM  | NE  |     | US DEPT OF INTERIOR | A72-07137 /   | 72-07137 /    |                 |                |                  |
|     |     |     | SM  | NE  |     | US DEPT OF INTERIOR | A72-14057 /   | - /           |                 |                |                  |
|     |     |     | SM  | NE  |     | US DEPT OF INTERIOR | A72-14058 /   | - /           |                 |                |                  |

TOTAL ACRES A72-07137

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  
A72-14057 - claims different POU  
A72-14058 - Federal Reserve Right

RECOMMENDATIONS:

TOTAL ACRES: 1

REVIEWED BY: ET

DATE: 02-11-94

MICROFILMED  
NOV 02 1994

A. AJ CLAIMED USES:

PURPOSES  
A72-07137 STOCKWATER  
A72-07137 WILDLIFE

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

DIVERSION QUANTITY  
.020 CFS .70 AF/A  
.020 CFS .70 AF/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

.020 CFS .70 AF/A

B. WR RECORDED USES:

PURPOSES  
72-07137 STOCKWATER  
72-07137 WILDLIFE

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

DIVERSION QUANTITY  
.020 CFS .70 AF/A  
.020 CFS .70 AF/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

.020 CFS .70 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?  
RECOMMEND TO WR STANDARDS OR OTHER?

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

NOTES:

*claimed as licensed*

*non-irrigation was include wildlife, wildlife amount*

MICROFILMED

NOV 02 1994