

AJ5856NP

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

DATE: APR-17-1997
PAGE: A-24

RIGHTS FROM:

SOURCE: POVERTY SPRING

TRIBUTARY: BIRCH CREEK

RIGHT NUMBER:

72-07144

NAME & ADDRESS:

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

SOURCE:

POVERTY SPRING

TRIBUTARY: BIRCH CREEK

QUANTITY:

0.02 CFS
4.0 AFY

PRIORITY DATE:

03/31/1981

POINT OF DIVERSION:

T11N R18E S09

NWSW

Within CUSTER County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
01-01 12-31

QUANTITY
0.02 CFS
4.0 AFY

WILDLIFE

01-01 12-31

0.02 CFS
4.0 AFY

PLACE OF USE:

STOCKWATER
T11N R18E S09

Within CUSTER County
NWSW

WILDLIFE

T11N R18E S09

Within CUSTER County
NWSW

EXPLANATORY MATERIAL:

BASIS OF CLAIM - LICENSE
BLM RECORD ID = 7204588197
STOCKWATER, 200 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

VERIFIED BY
KX-7-97
4-11-97

APR-10-1997
0022

1

RIGHT NUMBER:

72-07144

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:

POVERTY SPRING

TRIBUTARY: BIRCH CREEK
SALMON RIVER

QUANTITY:

0.02 CFS
4.0 AFY

THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIAL
USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

PRIORITY DATE:

03/31/1981

POINT OF DIVERSION:

T11N R18E S09

PURPOSE AND
PERIOD OF USE:

STOCKWATER
WILDLIFE

SWSW

Within CUSTER County

PERIOD OF USE
01-01 12-31
01-01 12-31

QUANTITY
0.02 CFS
4.0 AFY
0.02 CFS
4.0 AFY

PLACE OF USE:

STOCKWATER
T11N R18E S09
WILDLIFE
T11N R18E S09

Within CUSTER County

SWSW

Within CUSTER County

SWSW

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

BLM RECORD ID = 7204588197

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

wpd 6-16-97
K
H-16-12C

change

K
wpd 4-15-97
H

Base Dupon
BLM R/D
accept of
change to
definition that
no other
revisions

revised 1985

MAR 03 1997

In Re SRBA

Case No. 39576

AMENDED NOTICE of CLAIM
for Water Right number:

Department of Water Resources

A72-07144

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:

7204588197

SOURCE:

Source	Tributary
POVERTY SPRING	SALMON RIVER

QUANTITY:

0.02 CFS or VOLUME: 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
11N	18E	9	SW	NW	SW			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	4
16	0101	1231	0.02	4

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	11N	18E	9	NW	SW	0		CUSTER
16	11N	18E	9	NW	SW	0		CUSTER



A7207144

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: 7207144
BLM NUMBER: 7204588197
BASIS OF CLAIM: LICENSE
BASIN NUMBER: 72

SOURCE	TRIBUTARY TO
----- POVERTY SPRING	----- SALMON RIVER

DESCRIPTION OF DIVERSION WORKS

PIPE, TROUGH

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
-----	-----	-----	-----	-----
STOCKWATER	0.020	4.00	0101	1231
WILDLIFE	0.020	4.00	0101	1231
TOTAL:	0.020 CFS	4.00 AF		

NON-IRRIGATION USES

538 RANGE CATTLE, 6 HORSES

				POINT OF DIVERSION			
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
---	---	---	---	---	---	---	---
11N	18E	09		SW	SW	00	CUSTER

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
---	---	---	---	---	---	---	---	---
11N	18E	09	SW	SW	00	CUSTER	YES	0.0
11N	18E	09	SW	SW	00	CUSTER	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

MICROFILMED
NOV 02 1994

BLM NUMBER: 7204588197

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
NOV 11 1974

AJ0749NP
No. R72-07144

214-94

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 WILDLIFE	01-01 12-31 01-01 12-31	0.02 CFS 0.02 CFS	4.00 AFA 4.00 AFA
TOTAL DIVERSION:					0.02 CFS	4.00 AFA

Water Source: POVERTY SPRING
Point(s) of Diversion: T11N R18E S09
Tributary to: BIRCH CREEK
Stage: LICENSE
CUSTER County

Place of use Legal Description for: STOCKWATER

NE		NW		SW		SE	
T	R	S	Ac	Ac	Ac	Ac	Ac
11N	18E	9	:	:	:	:	:

Place of use Legal Description for: WILDLIFE

NE		NW		SW		SE	
T	R	S	Ac	Ac	Ac	Ac	Ac
11N	18E	9	:	:	:	:	:

POU County: CUSTER
Non-Irrigation Uses: STOCKWATER, 200 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: BLM RECORD ID = 7204588197
Dates: Exam Made Date: Verified Date:
Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

MICROFILMED
NOV 02 1994

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 WILDLIFE	01-01 12-31 01-01 12-31	0.02 CFS 0.02 CFS	4.00 AFA 4.00 AFA
TOTAL DIVERSION:					0.02 CFS	4.00 AFA

Water Source: POVERTY SPRING

Tributary to: Bird Creek
~~SALMON RIVER~~

Stage: LICENSE

Point(s) of Diversion: T11N R18E S09

SMSW

CUSTER County

Place of use Legal Description for: STOCKWATER

NE	NW	SW	SE
T R S : Lt Ac Lt Ac Lt Ac Lt Ac	NE NW NW NW NW NW NW NW	SW NW NW NW NW NW NW NW	SE NW NW NW NW NW NW NW NW
11N 18E 9 :	:	:	:

Place of use Legal Description for: WILDLIFE

NE	NW	SW	SE
T R S : Lt Ac Lt Ac Lt Ac Lt Ac	NE NW NW NW NW NW NW NW	SW NW NW NW NW NW NW NW	SE NW NW NW NW NW NW NW NW
11N 18E 9 :	:	:	:

POU County: CUSTER

Non-Irrigation Uses: ~~530 RANGE CATTLE, 6 HORSES~~

Stockwater, 200 cattle, Wildlife, variable amounts

Other Rights: NONE

Remarks: BLM RECORD ID = 7204588197

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

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Cond. Code = L1B

MICROFILMED
NOV 02 1994
Siv Jan
2/16/94

MR 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			Desktop S.W. Keen 2-16-94	No	6	S.W. Keen 2-16-94		
POINT OF DIV	Y			No	1, 6			
SOURCE	Y			Yes	6			
PLACE OF USE	Y			No	1, 6			
DIV. AMOUNT CFS/VOLUME				No	6			
CONSUMPTIVE USE	-			No	6			
PURPOSES				No	6			
PERIOD OF USE				No	6			
BASIS OF CLAIM	-			No	6			
REMARKS	-			Yes	6			

"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.

MICROFILMED
NOV 02 1994

A. AJ CLAIM: # A72-07144 PRIORITY DATE: 03-31-1981 STAGE: L
B. WR RECORD: # 72-07144 PRIORITY DATE: 03-31-1981 STAGE: L

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

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()

NOTES: Claimed as licensed; recommend as claimed.

RECOMMENDED PRIORITY DATE:
03-31-1981

REVIEWED BY S.W. Kern DATE 2-16-94

MICROFILMED
NOV 02 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A72-07144	11N	18E	9		SW	SW		CUSTER

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

MR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: POVERTY SPRING

TRIB: SALMON RIVER

B. MR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
72-07144	11N	18E	9		SW	SW		CUSTER

OTHER MR RECORDS WITH SAME MR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

A72-14865
A72-14866

NONE

SOURCE: POVERTY SPRING

TRIB: BIRCH CREEK

C. FIELD EXAM REQUIRED?

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

NOTES:

- PD claimed as licensed; cannot confirm a 10-acre tract from the license file on U.S.G.S. O-Q. Recommended to the licensed 10-acre tract.
- Spring is not indicated or moved on the U.S.G.S. quad, but recommend the name as claimed because it was licensed that way. Tributary to Birch Creek, which is tributary to the Salmon River.
- A72-14865 = BLN, Spring trid to Birch Creek, Beneficial Use, 1/1/1879, same PD
- A72-14866 = BLN, 1926, Spring trid to Birch Creek, Federal, 1926, same PD

NOV 02 1994
MICROFILMED
Disallor

CLAIM NUMBER: A72-07144

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:		DIVERSION NAME	
TWP.	RGE. SEC.	COUNTY	
11N	8E 9	Custer	
—	—	—	—
—	—	—	—
—	—	—	—
—	—	—	—
—	—	—	—
—	—	—	—
—	—	—	—
—	—	—	—
SOURCE: Poverty Spring	TRIB: Birch Creek		
REVIEWED BY: S.W. Keen	DATE: 2-16-99		

MICROFILMED
NOV 02 1994

A. ROOT WATER RIGHT NUMBERS: A72-07144

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	HR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11N	18E	9	SW	SW		US DEPT OF INTERIOR	A72-07144 /	72-07144 /			
			SW	SW		US DEPT OF INTERIOR	A72-14863 /	- /			
			SW	SW		US DEPT OF INTERIOR	A72-14864 /	- /			
			SW	SW		US DEPT OF INTERIOR	A72-14865 /	- /			
			SW	SW		US DEPT OF INTERIOR	A72-14866 /	- /			
			SW	SW		US DEPT OF INTERIOR	A72-15816 /	- /			
11N	18E	9	SW	SW		US DEPT OF INTERIOR	A72-07144 /	72-07144 /			
			SW	SW		US DEPT OF INTERIOR	A72-14863 /	- /			
			SW	SW		US DEPT OF INTERIOR	A72-14864 /	- /			
			SW	SW		US DEPT OF INTERIOR	A72-14865 /	- /			
			SW	SW		US DEPT OF INTERIOR	A72-14866 /	- /			
			SW	SW		US DEPT OF INTERIOR	A72-15816 /	- /			
TOTAL ACRES							A72-07144				

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE Y FIELD EXAMINER

POU COUNTY: CLUSTER

PRESUMPTION FLAG: N/A

NOTES:

Claimed as leased; recommend as claimed

RECOMMENDATIONS:

TOTAL ACRES:

N/A

REVIEWED BY:

S.W. Pearson

DATE:

2-16-94

MICROFILMED
NOV 02 1994

A. AJ CLAIMED USES:

PURPOSES
A72-07144 STOCKWATER
A72-07144 WILDLIFE

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

DIVERSION QUANTITY
.020 CFS 4.00 AF/A
.020 CFS 4.00 AF/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

.020 CFS 4.00 AF/A

B. WR RECORDED USES:

PURPOSES
72-07144 STOCKWATER
72-07144 WILDLIFE

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

DIVERSION QUANTITY
.020 CFS 4.00 AF/A
.020 CFS 4.00 AF/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

.020 CFS 4.00 AF/A

PRESUMPTION FLAG: N/A

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?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

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

NOTES:

Heavy use, and amounts all claimed as licensed. Recommend as claimed.

Stockwater - 200 acre-cattle (see beneficial use field report)
Wildlife - variable amounts

MICROFILMED
NOV 02 1994