

Robertson, Jean

From: Robertson, Jean
Sent: Thursday, January 13, 2000 11:56 AM
To: Denniston, Sara
Subject: data entry on BLM claims

Sara,
Wanted to let you know that the data entry has been completed per the SF5 for the following BLM claims: 72-07340, 72-11765, 72-15761, 72-15891, 72-15949, 72-15980, and 72-16001.
Jeanie

RECEIVED

DEC 6 1999

Department of Water Resources

DISTRICT COURT SRBA
FIFTH JUDICIAL DISTRICT
COUNTY OF TWIN FALLS, STATE OF IDAHO

DEC 2 1999

BY _____
CLERK
DEPUTY CLERK

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

) Subcase No. 72-11765

Case No. 39576

)
)
) **STANDARD FORM 5**

) **AMENDED CLAIM**

) **FOR DOMESTIC & STOCKWATER RIGHTS**

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right and to amend the Notice of Claim. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT /OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown 12/2/99
Larry A. Brown FWP Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

Jeanie Robertson 12/2/99
Jr. Water Res. Agent Date

AS TO FORM

K. O. ... 12/2/99
Date

data entry
complete per
SFS 1/13/00

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

RIGHTS FROM: SOURCE: SPRING TRIBUTARY: LAKE CREEK

RIGHT NUMBER: 72-11765

NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

SOURCE: SPRING TRIBUTARY: LAKE CREEK

QUANTITY: 0.02 CFS

PRIORITY DATE: 01/01/1879

* ~~4/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT.~~ *
* ~~THIS WATER RIGHT IS ALSO CLAIMED BASED ON FEDERAL LAW~~ *
* ~~WITH AN APRIL 17, 1926, DATE OF PRIORITY PURSUANT TO AN~~ *
* ~~EXECUTIVE ORDER SIGNED THE SAME DATE AND KNOWN AS PUBLIC~~ *
* ~~WATER RESERVE 107.~~ *

POINT OF
DIVERSION: T09N R19E S17 SENESE Within CUSTER County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
STOCKWATER 01-01 12-31 0.02 CFS

PLACE OF USE: STOCKWATER Within CUSTER County
T09N R19E S17 SENESE

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
BLM RECORD ID = 7204580001
STOCKWATER, 218 RANGE CATTLE; WILDLIFE VAR. AMT.

CERTIFICATE OF MAILING

I certify that on 12-2, 1999, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

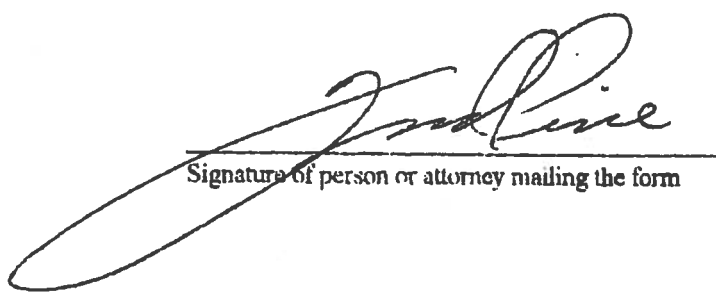
2. Copy to:

Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of person or attorney mailing the form

Water Right Number - R72-11765

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
AMERICA ACTING THROUGH

UNITED STATES OF

1 - USDI BUREAU OF LAND MANAGEMENT

2 - IDAHO STATE OFFICE

3 - 1387 S VINNELL WAY

City- BOISE

Phone - 208-373-4000

State- ID Zip- 837091657

*** K - ALSO KNOWN AS ***
BLM

1 -

2 -

3 -

City- X

Phone -

State- ID Zip- 0

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
01/01/1879 17 SOUTHERN J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SPRING LAKE CREEK

+ - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

09N 19E 17 SE NE SE (37) CUSTER

+ - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

04 - STOCKWATER 01/01 12/31 0.020

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Consumptive Use - + + - - KW Usage - +
0.020 0.0

+ - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

09N 19E 17 NE SE 04 STOCKWATER (37) CUSTER

Total Acres:

+ - - Diversion Means - SPRING

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - WATER FEDERALLY RESERVED, SEE REMARKS—

+ - - - - - - - - - - - Remarks - - - - - +

Water right number - R72-11765

Prefix Translation: RESEARCH

[illegible]

+-----+
C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6) IDAHO CODE.

| | | | | | | |
|---------|--------------------|-------|---------|--------------------|-------|-----------------|
| + - - - | - Decree Plaintiff | - - + | + - - - | - Decree Defendant | - - + | + - Decree Date |
| | | | | | | 00/00/0000 |

| | +-----+-----+-----+-----+-----+-----+-----+-----+-----+ | -Comments- | +-----+-----+-----+-----+-----+-----+-----+-----+-----+ |
|--|---|------------|---|
| Date: 01/07/2000 User Id: CTIMM Subject: STIPULATED RECOMMENDATIONS
CHANGED POI AND ADDED C18 AS PER SIGNED SF-5. | | | |

+ - - Audit Fields - - +
01/10/00 CTIMM

| | | | | | | |
|--|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| | Court Report Filing | - 01/29/1999 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| | Objection Filed Date | - 06/02/1999 | Field Inspection Flag | - | Old Case Number | - |
| | Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - |
| | Claim Received Date | - 03/03/1997 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | | Receipt Number | - X111111 | Water District | - |
| | | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | | Name Connector | - | Presumption Flag | - |
| | | | | | Notice of Error Flag | - |

RECEIVED
JUN 29 1999
Department of Water Resources
Cody, Idaho

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase 72-11765

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494
United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: United States of America
Address: 1387 South Vinnell Way Boise, ID 83709-1657

Name: Bureau of Land Management

Address:

Name:

Address:

Name:

Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See attached

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The legal description reported in the Director's Report for this claim is inaccurate. See attached for revised POU legal description.

F.

VERIFICATION (Must be Completed)

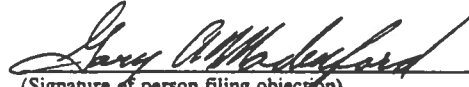
State of Idaho)

) ss.

County of Ada)

Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 1, 1999



John W. Thornburgh

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 05-16-2003

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on June 2nd, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: United States of America
Address: 1387 South Vinnell Way Boise, ID 83709-1657
Name: Bureau of Land Management
Address:
Name:
Address:
Name:
Address:

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449


Signature of Objector or attorney mailing on Objector's behalf

AJ5856NP

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

DATE: JAN-26-1999
PAGE: A-920

RIGHTS FROM: SOURCE: SPRING TRIBUTARY: LAKE CREEK

RIGHT NUMBER: 72-11765

NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH *-POU INACCURATE*
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

SOURCE: SPRING TRIBUTARY: LAKE CREEK
QUANTITY: 0.02 CFS
PRIORITY DATE: 01/01/1879

* 4/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT. *
* *
* THIS WATER RIGHT IS ALSO CLAIMED BASED ON FEDERAL LAW *
* WITH AN APRIL 17, 1926, DATE OF PRIORITY PURSUANT TO AN *
* EXECUTIVE ORDER SIGNED THE SAME DATE AND KNOWN AS PUBLIC *
* WATER RESERVE 107. *

POINT OF DIVERSION: T09N R19E S17 SENESE Within CUSTER County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
STOCKWATER 01-01 12-31 0.02 CFS

PLACE OF USE: STOCKWATER Within CUSTER County
T09N R19E S17 ~~SENESE~~ *NESE*

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
BLM RECORD ID = 7204580001
STOCKWATER, 218 RANGE CATTLE; WILDLIFE VAR. AMT.

RECEIVED

MAR 03 1999

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

AMENDED NOTICE of CLAIM
for Water Right number:

A72-11765

A72-11766

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:

7204580001

SOURCE:

| | |
|--------|------------|
| Source | Tributary |
| SPRING | LAKE 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:

1/1/1879

POINT of
DIVERSION:

| | | | | | | | | |
|----------|-------|---------|----|----|----|-----|------------|-----------|
| Twtnship | Range | Section | T1 | T2 | T3 | LOT | within the | County of |
| 09N | 19E | 17 | SE | NE | SE | | | 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 2:41 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 | 09N | 19E | 17 | SE | NE | 0 | | CUSTER |
| 16 | 09N | 19E | 17 | SE | NE | 0 | | CUSTER |

COPY

DATE: 04/17/97
PAGE: 52

DIVERSION RATE **DIVERSION VOLUME**

0.02 CFS

0.02 CFS

Stage: BENEFICIAL USE

CUSTER COUNTY

ES

W

C Lt AC Lt AC

5

•

D01 - *****

THAT THE UNITED STATES IS ALSO CLAIMED BASED ON FEDERAL LAW

- * WITH AN APRIL 17, 1926, DATE OF PRIORITY PURSUANT TO AN

WATER RESERVE 10%.

BLM RECORD ID = 7204580001
STOCKWATER, 218 RANGE CATTLE; WILDLIFE VAR. AMT.

Objection Filed Date:

Field Inspection Flag:

VERIFIED BY KKC 6-17-97

APR-10-1997
0036

RIGHT NUMBER:

72-11765

NAME AND ADDRESS:

UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657
83709

SOURCE:

SPRING

TRIBUTARY: LAKE CREEK

QUANTITY:

0.02 CFS
01/01 CFS

PRIORITY DATE:

01/01/1879

* 4/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT. *
* * * * *
* THIS WATER RIGHT IS ALSO CLAIMED BASED ON FEDERAL LAW *
* WITH AN APRIL 17, 1926, DATE OF PRIORITY PURSUANT TO AN *
* EXECUTIVE ORDER SIGNED THE SAME DATE AND KNOWN AS PUBLIC *
* WATER RESERVE 107. *

POINT OF DIVERSION:

T09N R19E S17

SENESE

Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER STOCKWATER 218 RANGE C)
STOCKWATER EXP
WILDLIFE

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

QUANTITY
0.02 CFS
01/01 CFS
01/01 CFS

PLACE OF USE:

STOCKWATER
T09N R19E S17

Within CUSTER County
SENE

WILDLIFE
T09N R19E S17

WILDLIFE
WILDLIFE COUNTRY
SENE

EXPLANATORY MATERIAL:

BASIS OF CLAIM - BENEFICIAL USE
BLM RECORD ID = 7204580001

(ok) 4/16/97



A7211765

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 AND FEDERAL 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: 1879-01-01
(RESERVED..... 1926-04-17)
AGENCY NUMBER: 7204580001
BLM NUMBER: 7204580001
BASIS OF CLAIM: BENEFICIAL USE
(SUBSEQUENT FEDERAL RESERVE)
BASIN NUMBER: 72

| SOURCE | TRIBUTARY TO |
|--------|--------------|
| ----- | ----- |
| SPRING | LAKE CREEK |

DESCRIPTION OF DIVERSION WORKS

UNDEVELOPED SPRING

| PURPOSE OF USE | DIVERSION
RATE | DIVERSION.
VOLUME | PERIOD OF
FROM | TO |
|----------------|-------------------|----------------------|-------------------|-------|
| ----- | ----- | ----- | ----- | ----- |
| STOCKWATER | 0.010 | 0.00 | 0101 | 123 |
| WILDLIFE | 0.010 | 0.00 | 0101 | 123 |
| TOTAL: | 0.010 CFS | 0.00 AF | | |

NON-IRRIGATION USES

STOCKWATER, 218 RANGE CATTLE; WILDLIFE VAR. AMT.

| POINT OF DIVERSION | | | | | | | |
|--------------------|-----|-----|--------|--------|--------|-----|--------|
| TWP | RNG | SEC | TRACT1 | TRACT2 | TRACT3 | LOT | COUNTY |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 09N | 19E | 17 | SE | NE | SE | 00 | CUSTER |

| PLACE OF USE | | | | | | | IRRIGATED
OWNED ACRES |
|--------------|-----|-----|--------|--------|-----|--------|--------------------------|
| TWP | RNG | SEC | TRACT1 | TRACT2 | LOT | COUNTY | |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 09N | 19E | 17 | SE | NE | 00 | CUSTER | YES |
| 09N | 19E | 17 | SE | NE | 00 | CUSTER | YES |

MICROFILMED

NOV 07 1994

TOTAL ACRES IRRIGATED: (

BLM NUMBER: 7204580001

PAGE

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

WATER FEDERALLY RESERVED, SEE REMARKS

REMARKS

RESERVED - EXECUTIVE ORDER DATED APR 17, 1926 PWR NO. 107

WATER RIGHT NUMBER - A72-11765

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (C) NUMBER -

+ - - - - LAST NAME - - - - + - - - - FIRST NAME - - - - + - - - - ADDRESS - - - - -

*** A - ATTORNEY ***
HAUGKUD, JACK OR G GARVER OR D ZANE

1 - US DEPT OF JUSTICE
2 - ENV & NR DIV GEN LIT SEC
3 - PO BOX 663
CITY- WASHINGTON
PHONE - 202-272-4134

STATE- DC ZIP- 200440553

*** C - CURRENT OWNER ***
US DEPT OF INTERIOR

1 - BUREAU OF LAND MANAGEMENT
2 - IDAHO STATE OFFICE
3 - 3380 AMERICANA TERRACE
CITY- BOISE
PHONE - 208-234-1401

STATE- ID ZIP- 83706

*** X - ALSO KNOWN AS ***
ELM

STATE- ID ZIP- 0

CITY- X
PHONE -

+ - - - - PRIORITY DATE - - - - + - - - - REGION - - - - + - - - - STAGE - - - - + - - - - STATUS - - - - +
01/01/1879 17 SOUTHERN J - BENEFICIAL USE

+ - - - - SOURCE - - - - + - - - - TRIBUTARY - - - - - LAKE CREEK

+ - - - - POINT OF DIVERSION - - - - - DIVERSION NAME

TWN 09N 19E 17 SE NE SE (37) CUSTER

+ - - - - PERIOD FROM PERIOD TO WATER USE - - - - - DIVERSION RATE DIVERSION VOLUME

04 - STOCKWATER 01/01 12/31 0.010
16 - WILDLIFE 01/01 12/31 0.010

+ - - - - TOTAL DIV. RATE - - - - + - - - - TOTAL DIV. VOLUME - - - - + - - - - TOTAL CONSUMPTIVE USE - - - - + - - - - KW USAGE - - - - +
0.010 0.0

+ - - - - TRACT LUT ACRES PLACE OF USE - - - - - DESCRIPTION COUNTY

09N 19E 17 17 04 STOCKWATER
09N 19E 17 17 15 WILDLIFE

+ - - - - DIVERSION MEANS - SPRING

+ - - - - NON-IRRIGATION USE - STOCKWATER, 218 RANGE CATTLE; WILDLIFE VAR. AMT.

+ - - - - OTHER RIGHTS FOR SAME USE - WATER FEDERALLY RESERVED, SEE REMARKS

CERTIFIED
JUN 28 1984
WATER EXAMINER