

APR-10-1997  
0016

1

RIGHT NUMBER: 72-14047

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: JIMMY SMITH CREEK

QUANTITY: 0.02 CFS  
0101 278

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: T10N R17E S25 SWNE Within CUSTER County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE                            | PERIOD OF USE          | QUANTITY            |
|-------------------------------------------|------------------------|---------------------|
| STOCKWATER <u>STOCKWATER, 390 RANGE C</u> | 01-01 12-31            | <u>0.02</u> CFS     |
| <del>STOCKWATER</del>                     | <del>01/01 12/31</del> | <del>0101 278</del> |
| <del>WILDLIFE</del>                       |                        |                     |

PLACE OF USE: STOCKWATER Within CUSTER County  
T10N R17E S25 NENE

~~WILDLIFE~~ Within CUSTER County  
~~T10N R17E S25~~ NENE

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

ID#

# 04-14-97  
D.E. 04-15-97

AJ5809NP  
No. R72-14047

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/17/97  
PAGE: 30

| OWNER<br>CODE    | NAME & ADDRESS                                                                                                                                                | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | UNITED STATES OF AMERICA ACTING THROUGH<br>USDI BUREAU OF LAND MANAGEMENT<br>IDAHO STATE OFFICE<br>1387 S VINNELL WAY<br>BOISE ID 837091657<br>(208) 373-4000 | 01/01/1879       | STOCKWATER | 01-01 12-31           | 0.02 CFS          |                     |
| TOTAL DIVERSION: |                                                                                                                                                               |                  |            |                       | 0.02 CFS          |                     |

Water Source: SPRING

Tributary to: JIMMY SMITH CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10N R17E S25

SWNENE

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 Ac | Lt Ac | Lt Ac | Lt Ac | : Lt Ac | Lt Ac | Lt Ac | Lt Ac | : Lt Ac | Lt Ac | Lt Ac | : Lt Ac |  |
| 10N | 17E | 25 | :       | S     | :     | :     | :       | :     | :     | :     | :       | :     | :     | :     | :       | :     | :     | :       |  |

POU County: CUSTER

Other Rights: WATER FEDERALLY RESERVED, SEE REMARKS

Conditions of Approval:

D01 - \*\*\*\*\*  
- \* 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. \*  
- \*\*\*\*\*

Remarks: EXP BLM RECORD ID = 7204581204  
STOCKWATER, 390 RANGE CATTLE; WILDLIFE VAR. AMT.

|        |                        |                        |                       |
|--------|------------------------|------------------------|-----------------------|
| Dates: | Exam Made Date:        | Verified Date:         | Objection Filed Date: |
| Misc:  | Water District Number: | Field Inspection Flag: | Presumption Flag:     |

MAR 03 1997

In Re SRBA

Case No. 39576

AMENDED NOTICE of CLAIM  
for Water Right number: Department of Water Resources

A72-14047

A72-14048

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:

7204581204

SOURCE:

|        |                   |
|--------|-------------------|
| Source | Tributary         |
| SPRING | JIMMY SMITH 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:

|          |       |         |    |    |    |     |            |           |
|----------|-------|---------|----|----|----|-----|------------|-----------|
| Twntship | Range | Section | T1 | T2 | T3 | LOT | within the | County of |
| 10N      | 17E   | 25      | SW | NE | NE |     |            | 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 2:46 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 | Twnt | Rge | Sec | T1 | T2 | LOT | within the | County of |
| 04        | 10N  | 17E | 25  | NE | NE | 0   |            | CUSTER    |
| 16        | 10N  | 17E | 25  | NE | NE | 0   |            | CUSTER    |



A7214047

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: 7204581204  
BLM NUMBER: 7204581204  
BASIS OF CLAIM: BENEFICIAL USE  
(SUBSEQUENT FEDERAL RESERVE)  
BASIN NUMBER: 72

| SOURCE          | TRIBUTARY TO               |
|-----------------|----------------------------|
| -----<br>SPRING | -----<br>JIMMY SMITH CREEK |

DESCRIPTION OF DIVERSION WORKS  
-----  
UNDEVELOPED SPRING

| 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  
-----  
STOCKWATER, 390 RANGE CATTLE; WILDLIFE VAR. AMT.

| POINT OF DIVERSION |       |       |        |        |        |       |        |
|--------------------|-------|-------|--------|--------|--------|-------|--------|
| TWP                | RNG   | SEC   | TRACT1 | TRACT2 | TRACT3 | LOT   | COUNTY |
| -----              | ----- | ----- | -----  | -----  | -----  | ----- | -----  |
| 10N                | 17E   | 25    | SW     | NE     | NE     | 00    | CUSTER |

| PLACE OF USE |       |       |        |        |       |        | IRRIGATED |       |
|--------------|-------|-------|--------|--------|-------|--------|-----------|-------|
| TWP          | RNG   | SEC   | TRACT1 | TRACT2 | LOT   | COUNTY | OWNED     | ACRES |
| -----        | ----- | ----- | -----  | -----  | ----- | -----  | -----     | ----- |
| 10N          | 17E   | 25    | NE     | NE     | 00    | CUSTER | YES       | 0.0   |
| 10N          | 17E   | 25    | NE     | NE     | 00    | CUSTER | YES       | 0.0   |

TOTAL ACRES IRRIGATED: 0.0

FILED  
NOV 01 1994

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

RECEIVED  
NOV 10 1981

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIMS PROOF READING REPORT

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

WATER RIGHT NUMBER - A72-14047

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - REMARKS - - - - -  
BLM RECORD ID = 7204581204  
RESERVED - EXECUTIVE ORDER DATED APR 17, 1926 PWR NO. 107

+ - - - - OLD WATER RIGHT NUMBERS - - - - -  
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL - - - - -  
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +  
00/00/0000

+ - - AUDIT FIELDS - 06/13/93 AJCTR

+ - - - - COMMENTS - - - - -  
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

|                       |              |                       |              |                         |         |
|-----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| COURT REPORT FILING   | - 00/00/0000 | FIELD INSPECTION MADE | - 00/00/0000 | CIVIL CASE NUMBER       | - 39576 |
| OBJECTION FILED DATE  | - 00/00/0000 | FIELD INSPECTION FLAG | -            | OLD CASE NUMBER         | -       |
| RESPONSE FILED DATE   | - 00/00/0000 | VERIFIED DATE         | - 00/00/0000 | OLD JUDICIAL DISTRICT   | -       |
| CLAIM RECEIVED DATE   | - 03/25/1993 | LAST AMENDED DATE     | - 00/00/0000 | TEMPORARY RIGHT         | - P     |
| PROOF DUE DATE        | - 00/00/0000 | PROOF MADE DATE       | - 00/00/0000 | WATER DISTRICT          | -       |
| LICENSED DATE         | - 00/00/0000 | RECEIPT NUMBER        | - X111111    | FEDERAL/STATE INDICATOR | - S     |
| CLAIMS TAPE ERROR FLG | -            | POU OWNERSHIP FLAG    | - Y          | PRESUMPTION FLAG        | -       |
| FEE EXEMPT FLAG       | -            | NAME CONNECTOR        | -            | NOTICE OF ERROR FLAG    | -       |

72101725

Deny-not delineated on map

DATA ENTRY

ENTERED \_\_\_\_\_

CHECKED \_\_\_\_\_

Verified By  
Topo Map/Ortho-PQ  
AECIS Map  
Watermaster Records  
NAPP Photos  
Field Exam  
Other (See Remarks)  
County Records  
Witness Statement  
Project Records  
IDWR Records

VERIFIED  
SEP 2 6 1994

CERTIFIED  
SEP 2 6 1994  
WATER EXAMINER