

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 72-15768

NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE: MORGAN CREEK, WEST FORK TRIBUTARY: MORGAN CREEK

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION: T16N R18E S25 NWSNW (Instream Beginning Point) Within Custer County
R19E S29 SWSWSW (Instream Ending Point)

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

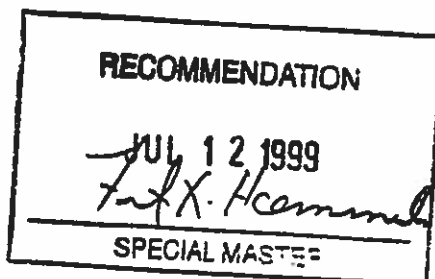
PLACE OF USE:	Stockwater		Within Custer County
	T16N R18E S25	SENW	SWNW
		NWSE	SWSE
		SESE	
	R19E S29	SWSW	
	S30	SWSW	SWSE
		SESE	
	S31	NWNW	NENW
		NWNE	

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

In Re SRBA

Case No. 39576

AMENDED NOTICE of CLAIM
for Water Right number:

MAR 03 1997

A72-15768

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:

7204582102

SOURCE:

Source	Tributary
WEST FORK MORGAN CREEK	MORGAN 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
16N	18E	25	NW	SW	NW	0	(begin)	CUSTER
16N	19E	29	SW	SW	SW	0	Add-end	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 2:49 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	16N	18E	25	SW	NW	0		CUSTER
04	16N	18E	25	SE	NW	0		CUSTER
04	16N	18E	25	NW	SE	0		CUSTER
04	16N	18E	25	SW	SE	0		CUSTER
04	16N	18E	25	SE	SE	0		CUSTER
04	16N	19E	30	SW	SW	0		CUSTER
04	16N	19E	31	NW	NW	0		CUSTER
04	16N	19E	31	NE	NW	0		CUSTER
04	16N	19E	31	NW	NE	0		CUSTER
04	16N	19E	30	SW	SE	0		CUSTER
04	16N	19E	30	SE	SE	0		CUSTER
04	16N	19E	29	SW	SW	0		CUSTER
16	16N	18E	25	SW	NW	0		CUSTER
16	16N	18E	25	SE	NW	0		CUSTER
16	16N	18E	25	NW	SE	0		CUSTER
16	16N	18E	25	SW	SE	0		CUSTER
16	16N	18E	25	SE	SE	0		CUSTER
16	16N	19E	30	SW	SW	0		CUSTER
16	16N	19E	31	NW	NW	0		CUSTER
16	16N	19E	31	NE	NW	0		CUSTER
16	16N	19E	31	NW	NE	0		CUSTER
16	16N	19E	30	SW	SE	0		CUSTER
16	16N	19E	30	SE	SE	0		CUSTER
16	16N	19E	29	SW	SW	0		CUSTER

705 4-16-97

AJ5856NP

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

DATE: APR-15-1997
PAGE: A-16

RIGHTS FROM: SOURCE: MORGAN CREEK, WEST FORK TRIBUTARY: MORGAN CREEK

RIGHT NUMBER: 72-15768

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: MORGAN CREEK, WEST FORK TRIBUTARY: MORGAN CREEK

QUANTITY: 0.02 CFS

PRIORITY DATE: 01/01/1879

POINT OF DIVERSION: T16N R18E S25 NWSNW (INSTREAM BEGINNING POINT) Within CUSTER County
R19E S29 SWSWSW (INSTREAM ENDING POINT)

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
T16N R18E S25 SWNW SENW NWSE SWSE
SESE
R19E S29 SWSW
S30 SWSW SWSE SESE
S31 NWNE NENW NWNW

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
STOCKWATER, 1493 RANGE CATTLE
BLM IDENT 7204582102

AJ5809NP
No. R72-15768

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/08/97
PAGE: 27

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH	01/01/1879	STOCKWATER WILDLIFE	01-01 12-31 01-01 12-31	0.02 CFS 0.01 CFS	
TOTAL DIVERSION:					0.02 CFS	

Water Source: WEST FORK MORGAN CREEK

Tributary to: MORGAN CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T16N R18E S25
Point(s) of Ending Stream Reach: T16N R19E S29

NWSWNW
SWSWSW

CUSTER County
CUSTER County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE			
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
16N	18E	25	:							S	S					S	S	S	
16N	19E	29	:											S					
16N	19E	30	:											S				S	
16N	19E	31	:		S			S	S									S	

Place of use Legal Description for: WILDLIFE

				NE				NW				SW				SE			
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
16N	18E	25	:							W	W							W	
16N	19E	29	:											W				W	
16N	19E	30	:											W				W	
16N	19E	31	:		W			W	W									W	

POU County: CUSTER

Non-Irrigation Uses: STOCKWATER, 1493 RANGE CATTLE; WILDLIFE VAR. AMT.

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

N11
N13

7204580102



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: 1879-01-01
AGENCY NUMBER: 7204582102
BLM NUMBER: 7204582102
BASIS OF CLAIM: BENEFICAL USE
BASIN NUMBER: 72

SOURCE	TRIBUTARY TO
WEST FORK MORGAN CREEK	MORGAN CREEK

DESCRIPTION OF DIVERSION WORKS

IN-STREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE 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, 1493 RANGE CATTLE; WILDLIFE VAR. AMT.

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
16N	18E	25	NW	SW	NW	00	CUSTER

PLACE OF USE

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
16N	18E	25	SW	NW	00	CUSTER	YES	0.0
16N	18E	25	SE	NW	00	CUSTER	YES	0.0

MICROFILMED

NOV 01 1994

16N	18E	25	NW	SE	00	CUSTER	YES	0.0
16N	18E	25	SW	SE	00	CUSTER	YES	0.0
16N	18E	25	SE	SE	00	CUSTER	YES	0.0
16N	19E	30	SW	SW	00	CUSTER	YES	0.0
16N	19E	31	NW	NW	00	CUSTER	YES	0.0
16N	19E	31	NE	NW	00	CUSTER	YES	0.0
16N	19E	31	NW	NE	00	CUSTER	YES	0.0
16N	19E	30	SW	SE	00	CUSTER	YES	0.0
16N	19E	30	SE	SE	00	CUSTER	YES	0.0
16N	19E	29	SW	SW	00	CUSTER	YES	0.0
16N	18E	25	SW	NW	00	CUSTER	YES	0.0
16N	18E	25	SE	NW	00	CUSTER	YES	0.0
16N	18E	25	NW	SE	00	CUSTER	YES	0.0
16N	18E	25	SW	SE	00	CUSTER	YES	0.0
16N	18E	25	SE	SE	00	CUSTER	YES	0.0
16N	19E	30	SW	SW	00	CUSTER	YES	0.0
16N	19E	31	NW	NW	00	CUSTER	YES	0.0
16N	19E	31	NE	NW	00	CUSTER	YES	0.0
16N	19E	31	NW	NE	00	CUSTER	YES	0.0
16N	19E	30	SW	SE	00	CUSTER	YES	0.0
16N	19E	30	SE	SE	00	CUSTER	YES	0.0
16N	19E	29	SW	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

FIRST DATE OF BENEFICIAL USE - 1879

AJ5809NP
NO. A72-15768

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/04/93
PAGE: 7

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	01/01/1879	STOCKWATER WILDLIFE	01-01 12-31 01-01 12-31	0.01 CFS 0.01 CFS	
TOTAL DIVERSION:					0.01 CFS	

WATER SOURCE: WEST FORK MORGAN CREEK TRIBUTARY TO: MORGAN CREEK STAGE: BENEFICIAL USE
POINT(S) OF DIVERSION: T16N R18E S25 NWSWNW-B CUSTER COUNTY
16 19 29 SWSW E

PLACE OF USE LEGAL DESCRIPTION FOR: STOCKWATER

				NE				NW				SW				SE							
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	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	LT AC	LT AC	:
16N	18E	25	:					:			S	S	:	S				:		S	S	S	:
16N	19E	29	:					:					:			S		:					:
16N	19E	30	:					:					:			S		:			S	S	:
16N	19E	31	:		S			:	S	S			:					:					:

PLACE OF USE LEGAL DESCRIPTION FOR: WILDLIFE

				NE				NW				SW				SE							
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	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	LT AC	LT AC	:
16N	18E	25	:					:			W	W	:	S				:		W	W	W	:
16N	19E	29	:					:					:			W		:					:
16N	19E	30	:					:					:			W		:			W	W	:
16N	19E	31	:		W			:	W	W			:					:					:

POU COUNTY: CUSTER

NON-IRRIGATION USES: STOCKWATER, 1493 RANGE CATTLE; WILDLIFE VAR. AMT.

OTHER RIGHTS: NONE

REMARKS: BLM RECORD ID = 7204582102
FIRST DATE OF BENEFICIAL USE - 1879

DATES: EXAM MADE DATE: VERIFIED DATE:

MISC: WATER DISTRICT NUMBER: FIELD INSPECTION FLAG:
PRESUMPTION FLAG:

7216R25
Twin Peaks N-E
+2 R-B

DATA ENTRY
ENTERED
CHECKED

VERIFIED
AUG 27 1994

Verified By
Topo Map/Ortho-Photo
AGCS Map
Watermaster Records
IAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
EWR Records

CERTIFIED
AUG 28 1994
WATER EXAMINER