

1999 JUL 12 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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 72-15786

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

SOURCE: CHERRY CREEK

TRIBUTARY: ELLIS 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 R20E S20 NENWSE (Instream Ending Point) Within Custer County
SENESW (Instream Beginning Point)

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

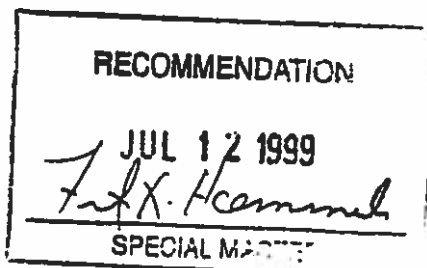
PLACE OF USE: Stockwater T16N R20E S20 NESW Within Custer County
NWSE

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

RECEIVED

MAR 03 1997

In Re SRBA

Case No. 39576

AMENDED NOTICE of CLAIM
for Water Right number:

A72-15786

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:

7204582120

SOURCE:

Source	Tributary
CHERRY CREEK	ELLIS 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
16N	20E	20	SE	NE	SW	0	(begin)	CUSTER
16N	20E	20	NE	NW	SE	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	Twnt	Rge	Sec	T1	T2	LOT	within the	County of
04	16N	20E	20	NE	SW	0		CUSTER
04	16N	20E	20	NW	SE	0		CUSTER
16	16N	20E	20	NE	SW	0		CUSTER
16	16N	20E	20	NW	SE	0		CUSTER

KB 4-16-97

AJ5856NP

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

DATE: APR-15-1997
PAGE: A-6

RIGHTS FROM:	SOURCE: CHERRY CREEK	TRIBUTARY: ELLIS CREEK	

RIGHT NUMBER:	72-15786		
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:	CHERRY CREEK	TRIBUTARY: ELLIS CREEK	
QUANTITY:	0.02 CFS		
PRIORITY DATE:	01/01/1879		
POINT OF DIVERSION:	T16N R20E S20	SENESEW (INSTREAM BEGINNING POINT) NENWSE (INSTREAM ENDING POINT)	Within CUSTER County
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE STOCKWATER	PERIOD OF USE 01-01 12-31	QUANTITY 0.02 CFS
PLACE OF USE:	STOCKWATER T16N R20E S20	Within CUSTER County NESW	NWSE
EXPLANATORY MATERIAL:	BASIS OF CLAIM - BENEFICIAL USE STOCKWATER, 1493 RANGE CATTLE BLM IDENT 7204582120		

AJ5809NP
No. R72-15786

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/08/97
PAGE: 37

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: CHERRY CREEK

Tributary to: ELLIS CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T16N R20E S20
Point(s) of Ending Stream Reach: T16N R20E S20

SENESE
NENWSE

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	20E	20	:					:					:	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	20E	20	:					:					:	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:

7204582120

N11
N13



A7215786

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: 7204582120
BLM NUMBER: 7204582120
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 72

SOURCE	TRIBUTARY TO
CHERRY CREEK	ELLIS 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	20E	20	SE	NE	SW	00	CUSTER

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	IRRIGATED OWNED	ACRES
16N	20E	20	NE	SW	00	CUSTER	YES	0.0
16N	20E	20	NW	SE	00	CUSTER	YES	0.0

MICROFILMED

NOV 01 1994

BLM NUMBER: 7204582120

PAGE: 2

16N	20E	20	NE	SW	00	CUSTER	YES	0.0
16N	20E	20	NW	SE	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

100 1 0 VON

AJ5809NP
NO. A72-15786

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/04/93
PAGE: 26

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: CHERRY CREEK

TRIBUTARY TO: ELLIS CREEK

STAGE: BENEFICIAL USE

POINT(S) OF DIVERSION:

T16N R20E S20

SENE SW-B

NWSE-E

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		
16N	20E	20	:																

PLACE OF USE LEGAL DESCRIPTION FOR: WILDLIFE

				NE				NW				SW				SE			
T	R	S	:	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC		
16N	20E	20	:																

POU COUNTY: CUSTER

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

OTHER RIGHTS: NONE

REMARKS: BLM RECORD ID = 7204582120
FIRST DATE OF BENEFICIAL USE - 1879

DATES: EXAM MADE DATE:

VERIFIED DATE:

MISC: WATER DISTRICT NUMBER:

FIELD INSPECTION FLAG:
PRESUMPTION FLAG:

DATA ENTRY

ENTERED
CHECKED

VERIFIED
AUG 27 1994

Verified By:
Topo Map/Ortho-TO
ASCS Map
Watermaster Records
MAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
DWR Records

CERTIFIED
AUG 28 1994
WATER EXAMINER

72-16-2020
Challis NE
R3