

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 72-15807

NAME AND ADDRESS:

USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE:

BAYHORSE CREEK

TRIBUTARY: SALMON RIVER

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:

T12N R18E S03
S12

NWSWN
NESWN

(Instream Beginning Point) Within Custer County
(Instream Ending Point)

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
Stockwater

PERIOD OF USE
01-01 TO 12-31

QUANTITY
0.02 CFS

PLACE OF USE:

Stockwater
T12N R18E S02

S03

S11

S12

R19E S03

NWSW
SWSE
SWNW
SWNE
NENE
NWNW
NESE

Within Custer County
SESW

SENW

SWNW

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.

RECOMMENDATION

JUL 12 1999

Felix Hammel
SPECIAL MASTER

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

In Re SRBA

Case No. 39576

AMENDED NOTICE of CLAIM RECEIVED
for Water Right number:

A72-15807

MAR 03 1997

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:

7204582140

Department of Water Resources

SOURCE:

Source	Tributary
BAYHORSE CREEK	SALMON RIVER

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
12N	18E	3	NW	SW	NW	0	Add-beg	CUSTER
12N	18E	12	NE	SW	NW	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	12N	18E	3	SW	NW	0	ditto	CUSTER
04	12N	18E	3	SE	NW	0	ditto	CUSTER
04	12N	18E	3	SW	NE	0	ditto	CUSTER
04	12N	19E	3	NE	SE	0	ditto	CUSTER
04	12N	18E	2	NW	SW	0	ditto	CUSTER
04	12N	18E	2	SE	SW	0	ditto	CUSTER
04	12N	18E	2	SW	SE	0	ditto	CUSTER
04	12N	18E	11	NE	NE	0	ditto	CUSTER
04	12N	18E	12	NW	NW	0	ditto	CUSTER
04	12N	18E	11	SW	NW	0	ditto	CUSTER

RIGHTS FROM:		SOURCE: BAYHORSE CREEK		TRIBUTARY: SALMON RIVER	
RIGHT NUMBER:		72-15807			
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:		BAYHORSE CREEK		TRIBUTARY: SALMON RIVER	
QUANTITY:		0.02 CFS			
PRIORITY DATE:		01/01/1879			
POINT OF DIVERSION:		T12N R18E S03 S12	NWSNW NESNW	(INSTREAM BEGINNING POINT) (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 T12N R18E S02 S03 S11 S12 R19E S03	Within CUSTER County NWSW SWNE NENE MWNW NESE	SESW SWNW SWNW	SWSE SENW
EXPLANATORY MATERIAL:		BASIS OF CLAIM - BENEFICIAL USE STOCKWATER, 100 RANGE CATTLE BLM IDENT 7204582140			

AJ5809NP
No. R72-15807

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/09/97
PAGE: 5

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	01-01 12-31	0.02 CFS	
TOTAL DIVERSION:					0.02 CFS	

Water Source: BAYHORSE CREEK

Tributary to: SALMON RIVER

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T12N R18E S03

NWSWNW

CUSTER County

Point(s) of Ending Stream Reach: T12N R18E S12

NESWNW

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	:
12N	18E	2	:																					:
12N	18E	3	:				S					S	S			S	S							:
12N	18E	11	:	S								S												:
12N	18E	12	:							S														:
12N	19E	3	:															S						:

POU County: CUSTER

Non-Irrigation Uses: STOCKWATER, 100 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:

7204582140

N11
N13



A7215807

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: 7204582140
BLM NUMBER: 7204582140
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 72

SOURCE

TRIBUTARY TO

WOOD CREEK

SALMON RIVER

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, 100 RANGE CATTLE; WILDLIFE VAR. AMT.

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
12N	18E	01	NE	NW	NE	00	CUSTER

PLACE OF USE

PLACE OF USE							IRRIGATED OWNED ACRES	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY		
12N	18E	01	NW	NE	00	CUSTER	YES	0.0
12N	18E	01	NE	NE	00	CUSTER	YES	0.0

MICROFILMED

NOV 01 1994

BLM NUMBER: 7204582140

PAGE: 2

12N	18E	01	SE	NE	00	CUSTER	YES	0.0
12N	19E	06	SW	NW	00	CUSTER	YES	0.0
12N	18E	01	NW	NE	00	CUSTER	YES	0.0
12N	18E	01	NE	NE	00	CUSTER	YES	0.0
12N	18E	01	SE	NE	00	CUSTER	YES	0.0
12N	19E	06	SW	NW	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

REC'D B VON

AJ5809NP
NO. A72-15807

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/04/93
PAGE: 46

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: WOOD CREEK

TRIBUTARY TO: SALMON RIVER

STAGE: BENEFICIAL USE

POINT(S) OF DIVERSION:

T12N R18E S01

NENWNE-B
SWNW-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	LT	AC
12N	18E	1	:	S		S		S											
12N	19E	6	:							S									

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	LT	AC
12N	18E	1	:	W		W		W											
12N	19E	6	:							W									

POU COUNTY: CUSTER

NON-IRRIGATION USES: STOCKWATER, 100 RANGE CATTLE; WILDLIFE VAR. AMT.

OTHER RIGHTS: NONE

REMARKS: BLM RECORD ID = 7204582140
FIRST DATE OF BENEFICIAL USE - 1879

DATES: EXAM MADE DATE: VERIFIED DATE:

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

"Verified By"
Topo Map/Ortho-PQ
AFCG Map
VLM Master Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
SEP 26 1994

CERTIFIED
SEP 28 1994
WATER EXAMINER

72127801

Bayhorse
R-3

DATA ENTRY

ENTERED _____
CHECKED _____