

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 72-15816

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

SOURCE: BIRCH 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: T11N R18E S09 SWNSW (Instream Beginning Point) Within Custer County
SWSESW (Instream Ending Point)

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

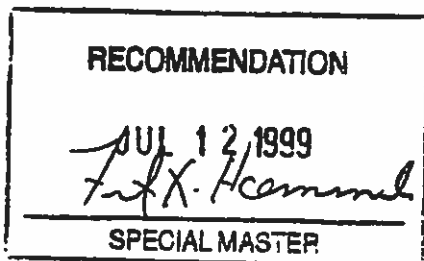
PLACE OF USE:	Stockwater	NWSW	Within Custer County
	T11N R18E S09	SESW	SWSW

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:

A72-15816

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:

7204582149

SOURCE:

Source	Tributary
BIRCH 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
11N	18E	9	SW	NW	SW	0	(begin)	CUSTER
11N	18E	9	SW	SE	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	11N	18E	9	NW	SW	0		CUSTER
04	11N	18E	9	SW	SW	0		CUSTER
04	11N	18E	9	SE	SW	0		CUSTER
16	11N	18E	9	NW	SW	0		CUSTER
16	11N	18E	9	SW	SW	0		CUSTER
16	11N	18E	9	SE	SW	0		CUSTER

AJ0749NP
No. R72-15816

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/16/97
PAGE: 1

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: BIRCH CREEK

Tributary to: SALMON RIVER

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T11N R18E S09

SWWSW

CUSTER County

Point(s) of Ending Stream Reach: T11N R18E S09

SWSESW

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	:
11N	18E	9	:																	:
			:																	:

POU County: CUSTER

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP STOCKWATER, 538 RANGE CATTLE
BLM IDENT 7204582149

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

AJ5809NP
No. R72-15816

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/09/97
PAGE: 18

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: BIRCH CREEK

Tributary to: SALMON RIVER

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T11N R18E S09

SWNWSW

CUSTER County

Point(s) of Ending Stream Reach: T11N R18E S09

SWSESW

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	:
11N	18E	9	:											S	S	S				:

POU County: CUSTER

Non-Irrigation Uses: STOCKWATER, 538 RANGE CATTLE, 6 HORSES; WILDLIFE VAR. AMT.

EXP

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

7204582149

N11

N13

claim moves from sec. 22 to sec. 9
then 15818 moves from sec. 10 & 15 to sec. 22
leaving sec. 10 w/o claim



A7215816

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: 7204582149
BLM NUMBER: 7204582149
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 72

SOURCE

TRIBUTARY TO

BIRCH 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, 538 RANGE CATTLE, 6 HORSES; WILDLIFE VAR. AMT.

POINT OF DIVERSION

TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
11N	18E	09	SW	NW	SW	00	CUSTER

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	IRRIGATED OWNED	ACRES
11N	18E	09	NW	SW	00	CUSTER	YES	0.0
11N	18E	09	SW	SW	00	CUSTER	YES	0.0

MICROFILMED

NOV 01 1994

11N	18E	09	SE	SW	00	CUSTER	YES	0.0
11N	18E	22	NW	NW	00	CUSTER	YES	0.0
11N	18E	22	NE	NW	00	CUSTER	YES	0.0
11N	18E	09	NW	SW	00	CUSTER	YES	0.0
11N	18E	09	SW	SW	00	CUSTER	YES	0.0
11N	18E	09	SE	SW	00	CUSTER	YES	0.0
11N	18E	22	NW	NW	00	CUSTER	YES	0.0
11N	18E	22	NE	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

AJ5809NP
NO. A72-15816

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/04/93
PAGE: 55

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	01/01/1979	STOCKWATER WILDLIFE	01-01 12-31 01-01 12-31	0.01 CFS 0.01 CFS	
TOTAL DIVERSION:					0.01 CFS	

WATER SOURCE: BIRCH CREEK

TRIBUTARY TO: SALMON RIVER

STAGE: BENEFICIAL USE

POINT(S) OF DIVERSION: T11N R18E S09

SWNWSW-B
NENE-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
11N	18E	9	:																
11N	18E	22	:																

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
11N	18E	9	:																
11N	18E	22	:																

POU COUNTY: CUSTER

NON-IRRIGATION USES: STOCKWATER, 538 RANGE CATTLE, 6 HORSES; WILDLIFE VAR. AMT.

OTHER RIGHTS: NONE

REMARKS: BLM RECORD ID = 7204582149
FIRST DATE OF BENEFICIAL USE - 1879

DATES: EXAM MADE DATE: VERIFIED DATE:

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

~~72111809~~
Budd Mountain L-17

DATA ENTRY

ENTERED
CHECKED

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NARS Photos
Exam
(See Remarks)
Records
Witness Statement
Project Records
IDWR Records

VERIFIED
SEP 28 1994

CERTIFIED
SEP 28 1994
WATER EXAMINER