

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 72-15842

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

SOURCE: SPUD 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: T10N R18E S04 NENENW (Instream Ending Point) Within Custer County
SESENW (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 T10N R18E S04 SENW Within Custer County
NENW

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
For X. Hecmann

SPECIAL MASTER

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:

A72-15842

Department of Water Resources

NAME and
ADDRESS:United States of America acting through
Bureau of Land Management
Idaho State Office
1387 South Vinneil Way
Boise, ID 83709 - 1657

BLMIDENT:

7204582171

SOURCE:

Source	Tributary
SPUD 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
10N	18E	4	SE	SE	NW	0	(begin)	CUSTER
10N	18E	4	NE	NE	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	10N	18E	4	SE	NW	0		CUSTER
04	10N	18E	4	NE	NW	0		CUSTER
16	10N	18E	4	SE	NW	0		CUSTER
16	10N	18E	4	NE	NW	0		CUSTER

RB 4-16-97

AJ5856NP

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

DATE: APR-15-1997
PAGE: A-27

RIGHTS FROM:	SOURCE: SPUD CREEK	TRIBUTARY: SALMON RIVER	

RIGHT NUMBER:	72-15842		
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:	SPUD CREEK	TRIBUTARY: SALMON RIVER	
QUANTITY:	0.02 CFS		
PRIORITY DATE:	01/01/1879		
POINT OF DIVERSION:	T10N R18E S04	SESENW (INSTREAM BEGINNING POINT) NENENW (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 T10N R18E S04	Within CUSTER County NENW	SENW
EXPLANATORY MATERIAL:	BASIS OF CLAIM - BENEFICIAL USE STOCKWATER, 201 RANGE CATTLE BLM IDENT 7204582171		

AJ5809NP
No. R72-15842

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/09/97
PAGE: 24

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: SPUD CREEK

Tributary to: SALMON RIVER

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T10N R18E S04
Point(s) of Ending Stream Reach: T10N R18E S04

SESENW
NENENW

CUSTER County
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	:
10N	18E	4	:																	:
			:																	:

POU County: CUSTER

Non-Irrigation Uses: STOCKWATER, 201 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:

7204582171



A7215842

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: 7204582171
BLM NUMBER: 7204582171
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 72

SOURCE	TRIBUTARY TO
SPUD 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, 201 RANGE CATTLE; WILDLIFE VAR. AMT.

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
10N	18E	04	SE	SE	NW	00	CUSTER

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
10N	18E	04	SE	NW	00	CUSTER	YES	0.0
10N	18E	04	NE	NW	00	CUSTER	YES	0.0

NOV 01 1994

11N	18E	33	NW	NE	00	CUSTER	YES	0.0
11N	18E	28	SW	SE	00	CUSTER	YES	0.0
11N	18E	28	NW	SE	00	CUSTER	YES	0.0
11N	18E	28	SW	NE	00	CUSTER	YES	0.0
10N	18E	04	SE	NW	00	CUSTER	YES	0.0
10N	18E	04	NE	NW	00	CUSTER	YES	0.0
11N	18E	33	NW	NE	00	CUSTER	YES	0.0
11N	18E	28	SW	SE	00	CUSTER	YES	0.0
11N	18E	28	NW	SE	00	CUSTER	YES	0.0
11N	18E	28	SW	NE	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. A72-15842

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/04/93
PAGE: 78

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: SPUD CREEK

TRIBUTARY TO: SALMON RIVER

STAGE: BENEFICIAL USE

POINT(S) OF DIVERSION:

T10N R18E S04
11N 18E 28

SESENW-B
SWNE-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
10N	18E	4	:							S									
11N	18E	28	:														S		
11N	18E	33	:															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
10N	18E	4	:							W									
11N	18E	28	:														W		
11N	18E	33	:															W	

POU COUNTY: CUSTER

NON-IRRIGATION USES: STOCKWATER, 201 RANGE CATTLE; WILDLIFE VAR. AMT.

OTHER RIGHTS: NONE

REMARKS: BLM RECORD ID = 7204582171
FIRST DATE OF BENEFICIAL USE - 1879

DATES: EXAM MADE DATE:

VERIFIED DATE:

MISC: WATER DISTRICT NUMBER:

FIELD INSPECTION FLAG:
PRESUMPTION FLAG:

"Verified By"
Tono Map/Ortho-PQ
A808 Map
Water Rights Records
Photos
Exam
(See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
SEP 7 0 1994

CERTIFIED
SEP 28 1994
WATER EXAMINER

DATA ENTRY

ENTERED _____
CHECKED _____

7 ~~10/18/94~~
3 ~~10/18/94~~
Ziegler Basin-R-12
Bald Mountain R11