

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 72-15859

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

SOURCE: LONE PINE CREEK TRIBUTARY: WARM SPRING 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: T12N R19E S13 NENENE (Instream Ending Point) Within Custer County
R20E S19 SWSWNE (Instream Beginning Point)

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

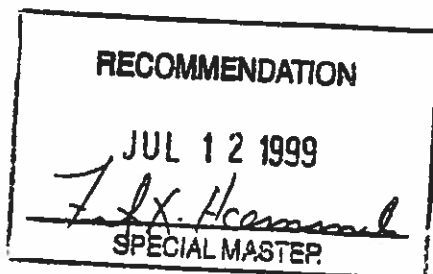
PLACE OF USE: Stockwater Within Custer County
T12N R19E S13 NENE SENE
R20E S18 LOT 05 () LOT 06 ()
S19 NESW SESW
NWNE SWNE
NENW

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.



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

RECEIVED

MAR 03 1997

In Re SBA

Case No. 39576

AMENDED NOTICE of CLAIM
for Water Right number:

A72-15859

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:

7204582187

SOURCE:

Source	Tributary
LONE PINE CREEK	WARM SPRING 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:

Twship	Range	Section	T1	T2	T3	LOT	within the	County of
12N	20E	19	SW	SW	NE	0	(begin)	CUSTER
12N	19E	13	NE	NE	NE	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	Tw	Rge	Sec	T1	T2	LOT	within the	County of
04	12N	19E	13	NE	NE	0		CUSTER
04	12N	19E	13	SE	NE	0		CUSTER
04	12N	20E	18			5		CUSTER
04	12N	20E	18			6		CUSTER
04	12N	20E	18	NE	SW	0		CUSTER
04	12N	20E	18	SE	SW	0		CUSTER
04	12N	20E	19	NW	NE	0		CUSTER
04	12N	20E	19	SW	NE	0		CUSTER
04	12N	20E	19	NE	NW	0		CUSTER
16	12N	19E	13	NE	NE	0		CUSTER
16	12N	19E	13	SE	NE	0		CUSTER
16	12N	20E	18			5		CUSTER
16	12N	20E	18			6		CUSTER
16	12N	20E	18	NE	SW	0		CUSTER
16	12N	20E	18	SE	SW	0		CUSTER
16	12N	20E	19	NW	NE	0		CUSTER
16	12N	20E	19	SW	NE	0		CUSTER
16	12N	20E	19	NE	NW	0		CUSTER

RIGHTS FROM:	SOURCE: LONE PINE CREEK		TRIBUTARY: WARM SPRING CREEK	
RIGHT NUMBER:	72-15859			
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:	LONE PINE CREEK		TRIBUTARY: WARM SPRING CREEK	
QUANTITY:	0.02 CFS			
PRIORITY DATE:	01/01/1879			
POINT OF DIVERSION:	T12N R20E S19 R19E S13	SWSNE NENENE	(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 R19E S13 R20E S18 S19	Within CUSTER County NENE Lot 5 NWNE	SENE Lot 6 SWNE	NESW NENW SESW
EXPLANATORY MATERIAL:	BASIS OF CLAIM - BENEFICIAL USE STOCKWATER, 255 RANGE CATTLE BLM IDENT 7204582187			

AJ5809NP
No. R72-15859

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/09/97
PAGE: 25

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: LONE PINE CREEK

Tributary to: WARM SPRING CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T12N R20E S19

SWSWNE

CUSTER County

Point(s) of Ending Stream Reach: T12N R19E S13

NENENE

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	19E	13	S																				
12N	20E	18													S				S				
12N	20E	19			S		S				S												

Lots Without 1/4 1/4 Description: STOCKWATER

12N 20E 18 05-S 06-S

POU County: CUSTER

Non-Irrigation Uses: STOCKWATER, 255 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:

720458287

N11
N13



A7215859

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: 7204582187
BLM NUMBER: 7204582187
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 72

SOURCE	TRIBUTARY TO
-----	-----
LONE PINE CREEK	WARM SPRING 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, 255 RANGE CATTLE; WILDLIFE VAR. AMT.

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
12N	20E	19	SW	SW	NE	00	CUSTER

PLACE OF USE							IRRIGATED OWNED	ACRES
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY		
12N	20E	19	SW	NE	00	CUSTER	YES	0.0
12N	20E	19	NW	NE	00	CUSTER	YES	0.0

NOV 01 1994

12N	20E	19	NE	NW	00	CUSTER	YES	0.0
12N	20E	18	SE	SW	00	CUSTER	YES	0.0
12N	20E	18	NE	SW	00	CUSTER	YES	0.0
12N	20E	18			06	CUSTER	YES	0.0
12N	20E	18			05	CUSTER	YES	0.0
12N	19E	13	SE	NE	00	CUSTER	YES	0.0
12N	19E	13	NE	NE	00	CUSTER	YES	0.0
12N	20E	19	SW	NE	00	CUSTER	YES	0.0
12N	20E	19	NW	NE	00	CUSTER	YES	0.0
12N	20E	19	NE	NW	00	CUSTER	YES	0.0
12N	20E	18	SE	SW	00	CUSTER	YES	0.0
12N	20E	18	NE	SW	00	CUSTER	YES	0.0
12N	20E	18			06	CUSTER	YES	0.0
12N	20E	18			05	CUSTER	YES	0.0
12N	19E	13	SE	NE	00	CUSTER	YES	0.0
12N	19E	13	NE	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

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: LONE PINE CREEK
POINT(S) OF DIVERSION: T12N R20E S19
TRIBUTARY TO: WARM SPRING CREEK
STAGE: BENEFICIAL USE
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
12N	19E	13	:	S			S					S	S		S				
12N	20E	18	:																
12N	20E	19	:		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
12N	19E	13	:	W			W												
12N	20E	18	:																
12N	20E	19	:		W	W		W				W			W				

LOTS WITHOUT 1/4 1/4 DESCRIPTION: STOCKWATER
12N 20E 18 05-S 06-S

LOTS WITHOUT 1/4 1/4 DESCRIPTION: WILDLIFE
12N 20E 18 05-W 06-W

POU COUNTY: CUSTER

NON-IRRIGATION USES: STOCKWATER, 255 RANGE CATTLE; WILDLIFE VAR. AMT.

OTHER RIGHTS: NONE

REMARKS: BLM RECORD ID = 7204582187
FIRST DATE OF BENEFICIAL USE - 1879

DATES: EXAM MADE DATE: VERIFIED DATE:

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

72-12-19-13
Lone Pine Peak
R-3

Verified By
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
SEP 26 1994

DATA ENTRY
ENTERED
CHECKED

CERTIFIED
SEP 28 1994
WATER EXAMINER