

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 72-15903

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

SOURCE: JIMMY SMITH CREEK TRIBUTARY: JIMMY SMITH LAKE

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 R17E S25 NWSENE (Instream Ending Point) Within Custer County
R18E S19 NENENW (Instream Beginning Point)

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

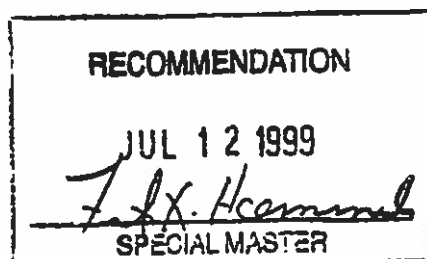
PLACE OF USE: Stockwater Within Custer County
T10N R17E S24 NESE
S25 NENE
R18E S19 NWSW
SENE
SENE
SENE
SENE

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

MAR 03 1997

In Re SRBA

AMENDED NOTICE of CLAIM
for Water Right number:

Case No. 39576

A72-15903

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:

7204582230

SOURCE:

Source	Tributary
JIMMY SMITH CREEK	JIMMY SMITH LAKE

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
10N	18E	19	NE	NE	NW		ADD-BEG	CUSTER
10N	17E	25	NW	SE	NE		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 2:50 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	10N	18E	19	NE	NW	0		CUSTER
04	10N	18E	19	SE	NW	0		CUSTER
04	10N	18E	19	SW	NW	0		CUSTER
04	10N	18E	19	NW	SW	0		CUSTER
04	10N	17E	24	NE	SE	0		CUSTER
04	10N	17E	24	SE	SE	0		CUSTER
04	10N	17E	25	NE	NE	0		CUSTER
04	10N	17E	25	SE	NE	0		CUSTER
16	10N	18E	19	NE	NW	0		CUSTER
16	10N	18E	19	SE	NW	0		CUSTER
16	10N	18E	19	SW	NW	0		CUSTER
16	10N	18E	19	NW	SW	0		CUSTER
16	10N	17E	24	NE	SE	0		CUSTER
16	10N	17E	24	SE	SE	0		CUSTER
16	10N	17E	25	NE	NE	0		CUSTER
16	10N	17E	25	SE	NE	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-15

RIGHTS FROM:	SOURCE: JIMMY SMITH CREEK TRIBUTARY: JIMMY SMITH LAKE

RIGHT NUMBER:	72-15903
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:	JIMMY SMITH CREEK TRIBUTARY: JIMMY SMITH LAKE
QUANTITY:	0.02 CFS
PRIORITY DATE:	01/01/1879
POINT OF DIVERSION:	T10N R18E S19 NENENW (INSTREAM BEGINNING POINT) Within CUSTER County R17E S25 NWSENE (INSTREAM ENDING POINT)
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE PERIOD OF USE QUANTITY STOCKWATER 01-01 12-31 0.02 CFS
PLACE OF USE:	STOCKWATER Within CUSTER County T10N R17E S24 NESE SESE S25 NENE SENE R18E S19 NENW SWNW SENW NWSW
EXPLANATORY MATERIAL:	BASIS OF CLAIM - BENEFICIAL USE STOCKWATER, 390 RANGE CATTLE BLM IDENT 7204582230

AJ5809NP
No. R72-15903

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/09/97
PAGE: 41

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: JIMMY SMITH CREEK

Tributary to: JIMMY SMITH LAKE

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T10N R18E S19
Point(s) of Ending Stream Reach: T10N R17E S25

NENENW
NWSENE

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	Lt	Ac	Lt	Ac
10N	17E	24	:					:					:					:	S				S
10N	17E	25	:	S			S	:					:					:					
10N	18E	19	:					:	S		S	S	:		S			:					

POU County: CUSTER

Non-Irrigation Uses: STOCKWATER, 390 RANGE CATTLE, 2 HORSES; WILDLIFE VAR. AMT.

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

7204582230

N/1
N/3



A7215903

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: 7204582230
BLM NUMBER: 7204582230
BASIS OF CLAIM: BENEFICAL USE
BASIN NUMBER: 72

SOURCE	TRIBUTARY TO
JIMMY SMITH CREEK	JIMMY SMITH LAKE

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, 390 RANGE CATTLE, 2 HORSES; WILDLIFE VAR. AMT.

TWP	RNG	SEC	TRACT1	POINT OF DIVERSION TRACT2	TRACT3	LOT	COUNTY
10N	18E	19	NE	NE	NW	00	CUSTER

TWP	RNG	SEC	TRACT1	PLACE OF USE TRACT2	LOT	COUNTY	IRRIGATED OWNED	ACRES
10N	18E	19	NE	NW	00	CUSTER	YES	0.0
10N	18E	19	SE	NW	00	CUSTER	YES	0.0

MICROFILMED
NOV 01 1994

10N	18E	19	SW	NW	00	CUSTER	YES	0.0
10N	18E	19	NW	SW	00	CUSTER	YES	0.0
10N	17E	24	NE	SE	00	CUSTER	YES	0.0
10N	17E	24	SE	SE	00	CUSTER	YES	0.0
10N	17E	25	NE	NE	00	CUSTER	YES	0.0
10N	17E	25	SE	NE	00	CUSTER	YES	0.0
10N	18E	19	NE	NW	00	CUSTER	YES	0.0
10N	18E	19	SE	NW	00	CUSTER	YES	0.0
10N	18E	19	SW	NW	00	CUSTER	YES	0.0
10N	18E	19	NW	SW	00	CUSTER	YES	0.0
10N	17E	24	NE	SE	00	CUSTER	YES	0.0
10N	17E	24	SE	SE	00	CUSTER	YES	0.0
10N	17E	25	NE	NE	00	CUSTER	YES	0.0
10N	17E	25	SE	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

REC'D FOR YOU

AJ5809NP
NO. A72-15903

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/04/93
PAGE: 139

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: JIMMY SMITH CREEK

TRIBUTARY TO: JIMMY SMITH LAKE

STAGE: BENEFICIAL USE

POINT(S) OF DIVERSION:

T10N R18E S19

NENENW B

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	17E	24	:																
10N	17E	25	:	S														S	
10N	18E	19	:					S		S		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	17E	24	:																
10N	17E	25	:			W												W	
10N	18E	19	:					W		W		W							

POU COUNTY: CUSTER

NON-IRRIGATION USES: STOCKWATER, 390 RANGE CATTLE, 2 HORSES; WILDLIFE VAR. AMT.

OTHER RIGHTS: NONE

REMARKS: BLM RECORD ID = 7204582230
FIRST DATE OF BENEFICIAL USE - 1879

DATES: EXAM MADE DATE:

VERIFIED DATE:

MISC: WATER DISTRICT NUMBER:

FIELD INSPECTION FLAG:
PRESUMPTION FLAG:

72161724
Potomac Peak R 5

DATA ENTRY

ENTERED _____

CHECKED _____

"Verified By"
Topo Map/Ortho-PQ
AFCOS Map
V. Master Records
Photos
Exam
(See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
SEP 26 1994

CERTIFIED
SEP 28 1994
WATER EXAMINER