

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 72-15917

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

SOURCE: MC DONALD CREEK TRIBUTARY: SALMON RIVER, EAST FORK

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: T09N R18E S03 NESENE (Instream Ending Point) Within Custer County
S15 SESESE (Instream Beginning Point)

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

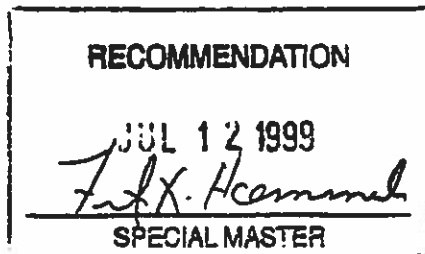
PLACE OF USE: Stockwater Within Custer County
T09N R18E S03 NESE
S10 SESE
S11 SENE
S15 NWNW
SESE SWNW
SENE NESE
SENE NENE

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

In Re SRBA

AMENDED NOTICE of CLAIM
for Water Right number:

MAR 03 1997

Case No. 39576

A72-15917

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:

7204582243

SOURCE:

Source	Tributary
MCDONALD CREEK	EAST FORK 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
09N	18E	15	SE	SE	SE	0	(begin)	CUSTER
09N	18E	3	NE	SE	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 2:50 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	Twtn	Rge	Sec	T1	T2	LOT	within the	County of
04	09N	18E	15	SE	SE	0		CUSTER
04	09N	18E	15	NE	SE	0		CUSTER
04	09N	18E	15	SE	NE	0		CUSTER
04	09N	18E	15	NE	NE	0		CUSTER
04	09N	18E	10	SE	SE	0		CUSTER
04	09N	18E	10	NE	SE	0		CUSTER
04	09N	18E	10	SE	NE	0		CUSTER
04	09N	18E	11	SW	NW	0		CUSTER
04	09N	18E	10	NE	NE	0		CUSTER
04	09N	18E	11	NW	NW	0		CUSTER
04	09N	18E	3	SE	SE	0		CUSTER
04	09N	18E	3	NE	SE	0		CUSTER
04	09N	18E	3	SE	NE	0		CUSTER
16	09N	18E	15	SE	SE	0		CUSTER
16	09N	18E	15	NE	SE	0		CUSTER
16	09N	18E	15	SE	NE	0		CUSTER
16	09N	18E	15	NE	NE	0		CUSTER
16	09N	18E	10	SE	SE	0		CUSTER
16	09N	18E	10	NE	SE	0		CUSTER
16	09N	18E	10	SE	NE	0		CUSTER
16	09N	18E	11	SW	NW	0		CUSTER
16	09N	18E	10	NE	NE	0		CUSTER
16	09N	18E	11	NW	NW	0		CUSTER
16	09N	18E	3	SE	SE	0		CUSTER
16	09N	18E	3	NE	SE	0		CUSTER

	16	09N	18E		3	SE	NE	0			CUSTER
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p. 2

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: APR-15-1997
PAGE: A-8

 RIGHTS FROM: SOURCE: MC DONALD CREEK TRIBUTARY: SALMON RIVER, EAST FORK

 RIGHT NUMBER: 72-15917

 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: MC DONALD CREEK TRIBUTARY: SALMON RIVER, EAST FORK
 QUANTITY: 0.02 CFS
 PRIORITY DATE: 01/01/1879
 POINT OF DIVERSION: T09N R18E S15 SESESE (INSTREAM BEGINNING POINT) Within CUSTER County
 S03 NESENE (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
 T09N R18E S03 SENE NESE SESE
 S10 NENE SENE NESE SESE
 S11 NWNW SWNW
 S15 NENE SENE NESE SESE

 EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
 STOCKWATER, 218 RANGE CATTLE; WILDLIFE VAR. AMT.
 BLM IDENTIFICATION NO: 7204582243

VERIFIED BY: KKC
 4-16-97

APR-09-1997
0002

1

RIGHT NUMBER: 72-15917

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657
83709

SOURCE: MCDONALD CREEK

TRIBUTARY: EAST FORK SALMON RIVER

QUANTITY: 0.02 CFS
01/01 12/31

PRIORITY DATE: 01/01/1879

POINT OF DIVERSION: T09N R18E S03 NESENE (E) Within CUSTER County
S15 SESESE (B)

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER STOCKWATER, 218 RANGE C
~~STOCKWATER~~
~~WILDLIFE~~

PERIOD OF USE
01-01 12-31
01/01 12/31

QUANTITY
0.02 CFS
01/01 12/31
01/01 12/31

PLACE OF USE:

STOCKWATER
T09N R18E S03
S10
S11
S15

Within CUSTER County

SENE
NENE
NNNW
NENE

NESE
SENE
SWNW
SENE

SESE
NESE
NESE

SESE
SESE
SESE

WILDLIFE
T09N R18E S03
S10
S11
S15

Within CUSTER County

SENE
NENE
NNNW
NENE

NESE
SENE
SWNW
SENE

SESE
NESE
NESE

SESE
SESE
SESE

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

KKC
updated
4-10-97



A7215917

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: 7204582243
BLM NUMBER: 7204582243
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 72

SOURCE	TRIBUTARY TO
-----	-----
MCDONALD CREEK	EAST FORK 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, 218 RANGE CATTLE; WILDLIFE VAR. AMT.

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
-----	-----	-----	-----	-----	-----	-----	-----
09N	18E	15	SE	SE	SE	00	CUSTER

PLACE OF USE

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
-----	-----	-----	-----	-----	-----	-----	-----	-----
09N	18E	15	SE	SE	00	CUSTER	YES	0.0
09N	18E	15	NE	SE	00	CUSTER	YES	0.0

MICROFILMED

1994 01 1994

09N	18E	15	SE	NE	00	CUSTER	YES	0.0
09N	18E	15	NE	NE	00	CUSTER	YES	0.0
09N	18E	10	SE	SE	00	CUSTER	YES	0.0
09N	18E	10	NE	SE	00	CUSTER	YES	0.0
09N	18E	10	SE	NE	00	CUSTER	YES	0.0
09N	18E	11	SW	NW	00	CUSTER	YES	0.0
09N	18E	10	NE	NE	00	CUSTER	YES	0.0
09N	18E	11	NW	NW	00	CUSTER	YES	0.0
09N	18E	03	SE	SE	00	CUSTER	YES	0.0
09N	18E	03	NE	SE	00	CUSTER	YES	0.0
09N	18E	03	SE	NE	00	CUSTER	YES	0.0
09N	18E	15	SE	SE	00	CUSTER	YES	0.0
09N	18E	15	NE	SE	00	CUSTER	YES	0.0
09N	18E	15	SE	NE	00	CUSTER	YES	0.0
09N	18E	15	NE	NE	00	CUSTER	YES	0.0
09N	18E	10	SE	SE	00	CUSTER	YES	0.0
09N	18E	10	NE	SE	00	CUSTER	YES	0.0
09N	18E	10	SE	NE	00	CUSTER	YES	0.0
09N	18E	11	SW	NW	00	CUSTER	YES	0.0
09N	18E	10	NE	NE	00	CUSTER	YES	0.0
09N	18E	11	NW	NW	00	CUSTER	YES	0.0
09N	18E	03	SE	SE	00	CUSTER	YES	0.0
09N	18E	03	NE	SE	00	CUSTER	YES	0.0
09N	18E	03	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

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: MCDONALD CREEK

TRIBUTARY TO: EAST FORK SALMON RIVER

STAGE: BENEFICIAL USE

POINT(S) OF DIVERSION:

T09N R18E S15

SESESE B
SENE F

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	:
09N	18E	3	:				S	:					:					:	S			S	:
09N	18E	10	:	S			S	:					:					:	S			S	:
09N	18E	11	:					:		S		S	:					:					:
09N	18E	15	:	S			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	:
---	---	---	:	LT	AC	LT	AC	:	LT	AC	LT	AC	:	LT	AC	LT	AC	:	LT	AC	LT	AC	:
09N	18E	3	:				W	:					:					:	W			W	:
09N	18E	10	:	W			W	:					:					:	W			W	:
09N	18E	11	:					:		W		W	:					:					:
09N	18E	15	:	W			W	:					:					:	W			W	:

POU COUNTY: CUSTER

NON-IRRIGATION USES: STOCKWATER, 218 RANGE CATTLE; WILDLIFE VAR. AMT.

OTHER RIGHTS: NONE

REMARKS: BLM RECORD ID = 7204582243
FIRST DATE OF BENEFICIAL USE - 1879

DATES: EXAM MADE DATE:

VERIFIED DATE:

MISC: WATER DISTRICT NUMBER:

FIELD INSPECTION FLAG:
PRESUMPTION FLAG:

22 09 1803
Bawery Peak
Zeigler Basin R2

DATA ENTRY

ENTERED

CHECKED

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

CERTIFIED

SEP 28 1994

WATER EXAMINER

VERIFIED
SEP 26 1994