

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 72-15928

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

SOURCE: UNNAMED STREAM TRIBUTARY: SPUD 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: T10N R18E S04 NWNWN (Instream Beginning Point) Within Custer County
T11N R18E S33 NESESW (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	Within Custer County
	T10N R18E S04 NWNW	
	T11N R18E S33 SWSW	SESW

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. Hammond
SPECIAL MASTER

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

In Re SRBA

Case No. 39576

AMENDED NOTICE of CLAIM
for Water Right number:

A72-15928

RECEIVED

MAR 03 1997

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:

7204582254

SOURCE:

Source	Tributary
UNNAMED STREAM	SPUD 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:

Twtnship	Range	Section	T1	T2	T3	LOT	within the	County of
10N	18E	4	NW	NW	NW	0	(begin)	CUSTER
11N	18E	33	NE	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 2:50 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	10N	18E	4	NW	NW	0		CUSTER
04	11N	18E	33	SW	SW	0		CUSTER
04	11N	18E	33	SE	SW	0		CUSTER
04	11N	18E	33	SW	SE	0		CUSTER
16	10N	18E	4	NW	NW	0		CUSTER
16	11N	18E	33	SW	SW	0		CUSTER
16	11N	18E	33	SE	SW	0		CUSTER
16	11N	18E	33	SW	SE	0		CUSTER

AJ5856NP

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

DATE: APR-15-1997
PAGE: A-44

RIGHTS FROM: SOURCE: UNNAMED STREAM TRIBUTARY: SPUD CREEK

RIGHT NUMBER: 72-15928
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: UNNAMED STREAM TRIBUTARY: SPUD CREEK
QUANTITY: 0.02 CFS
PRIORITY DATE: 01/01/1879
POINT OF DIVERSION: T10N R18E S04 NWNWNW (INSTREAM BEGINNING POINT) Within CUSTER County
T11N R18E S33 NESESW (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 R18E S04 NWNW
T11N R18E S33 SWSW SESW
EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
STOCKWATER, 201 RANGE CATTLE; WILDLIFE VAR. AMT.
BLM IDENTIFICATION NO. 7204582254

VERIFIED BY: KKC
4-16-97

APR-09-1997
0011

1

RIGHT NUMBER: 72-15928

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: UNNAMED STREAM TRIBUTARY: SPUD CREEK

QUANTITY: 0.02 CFS
0/07 2/8

PRIORITY DATE: 01/01/1879

POINT OF DIVERSION: T10N R18E S04 NWNNW (B) Within CUSTER County
T11N S33 NESES (E)

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
~~STOCKWATER~~ STOCKWATER, 201 RANGE C
~~STOCKWATER~~
~~WILDLIFE~~

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

QUANTITY
0.02 CFS
0/07 2/8
0/07 2/8

PLACE OF USE:

STOCKWATER Within CUSTER County
T10N R18E S04 NWNW
T11N R18E S33 SWSW

SESW

~~WILDLIFE~~ Within CUSTER County
~~T10N R18E S04~~ NWNW
~~T11N R18E S33~~ SWSW

SESW

SWSE

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Per BLM map
White Cloud Peak Quadrangle
N4400 - W11400/30X60
1975

Surface Management State
SWSE = private gnd.
Also Q/Q is beyond
end point of Divdese.

KKC
updated
4-10-97



A7215928

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: 7204582254
BLM NUMBER: 7204582254
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 72

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

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

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	IRRIGATED OWNED	ACRES
---	---	---	---	---	---	---	---	---
10N	18E	04	NW	NW	00	CUSTER	YES	0.0
11N	18E	33	SW	SW	00	CUSTER	YES	0.0

MICROFILMED

NOV 01 1994

BLM NUMBER: 7204582254

PAGE: 2

11N	18E	33	SE	SW	00	CUSTER	YES	0.0
11N	18E	33	SW	SE	00	CUSTER	YES	0.0
10N	18E	04	NW	NW	00	CUSTER	YES	0.0
11N	18E	33	SW	SW	00	CUSTER	YES	0.0
11N	18E	33	SE	SW	00	CUSTER	YES	0.0
11N	18E	33	SW	SE	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. 472-15928

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/04/93
PAGE: 163

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: UNNAMED STREAM

TRIBUTARY TO: SPUD CREEK

STAGE: BENEFICIAL USE

POINT(S) OF DIVERSION: T10N R18E S04

NWNWNW
SWSE 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	33	:											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	18E	4	:							W									
11N	18E	33	:											W	W			W	

POU COUNTY: CUSTER

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

OTHER RIGHTS: NONE

REMARKS: BLM RECORD ID = 7204582254
FIRST DATE OF BENEFICIAL USE - 1879

DATES: EXAM MADE DATE: VERIFIED DATE:

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

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

VERIFIED
SEP 26 1994

DATA ENTRY

ENTERED
CHECKED

CERTIFIED
SEP 26 1994
WATER EXAMINER

72101804
Ziegler Basin R 13