

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 72-15936

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

SOURCE: UNNAMED STREAM TRIBUTARY: ROAD 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: T09N R20E S05 NENWNW (Instream Beginning Point) Within Custer County  
T10N R20E S32 NENWSW (Instream Ending Point)

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Stockwater     | 01-01 TO 12-31 | 0.02 CFS |

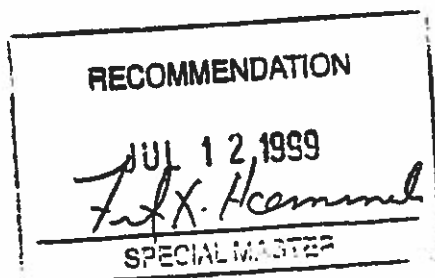
| PLACE OF USE: | Stockwater    |      | Within Custer County |
|---------------|---------------|------|----------------------|
|               | T09N R20E S05 | NWNW |                      |
|               | T10N R20E S32 | SWSW | NWSW                 |

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

Department of Water Resources

In Re SRBA

Case No. 39576

AMENDED NOTICE of CLAIM  
for Water Right number:

A72-15936

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:

7204582260

SOURCE:

| Source         | Tributary  |
|----------------|------------|
| UNNAMED STREAM | ROAD 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 |
|----------|-------|---------|----|----|----|-----|------------|-----------|
| 09N      | 20E   | 5       | NE | NW | NW | 0   | (begin)    | CUSTER    |
| 10N      | 20E   | 32      | NE | NW | 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        | 09N  | 20E | 5   | NW | NW | 0   |            | CUSTER    |
| 04        | 10N  | 20E | 32  | SW | SW | 0   |            | CUSTER    |
| 04        | 10N  | 20E | 32  | NW | SW | 0   |            | CUSTER    |
| 16        | 09N  | 20E | 5   | NW | NW | 0   |            | CUSTER    |
| 16        | 10N  | 20E | 32  | SW | SW | 0   |            | CUSTER    |
| 16        | 10N  | 20E | 32  | NW | SW | 0   |            | CUSTER    |

AJ5856NP

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

DATE: APR-15-1997  
PAGE: A-36

-----  
RIGHTS FROM: SOURCE: UNNAMED STREAM TRIBUTARY: ROAD CREEK  
-----  
RIGHT NUMBER: 72-15936  
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: ROAD CREEK  
QUANTITY: 0.02 CFS  
PRIORITY DATE: 01/01/1879  
POINT OF DIVERSION: T09N R20E S05 NENWNW (INSTREAM BEGINNING POINT) Within CUSTER County  
T10N R20E S32 NENWSW (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 R20E S05 NWNW  
T10N R20E S32 NWSW SWSW  
EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE  
STOCKWATER, 1810 RANGE CATTLE; WILDLIFE VAR. AMT.  
BLM IDENTIFICATION NO: 7204582260

VERIFIED BY KKC  
H-16-97

APR-09-1997  
0017

1

RIGHT NUMBER: 72-15936

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: ROAD CREEK

QUANTITY: 0.02 CFS  
01/01 12/31

PRIORITY DATE: 01/01/1879

POINT OF DIVERSION: T09N R20E S05 NENWNW (B) Within CUSTER County  
T10N S32 NENWSW (E)

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
STOCKWATER STOCKWATER, 1810 RANGE  
~~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 Within CUSTER County  
T09N R20E S05 NWNW  
T10N R20E S32 NWSW SWSW  
  
WILDLIFE Within CUSTER County  
T09N R20E S05 NWNW  
T10N R20E S32 NWSW SWSW

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

KKC  
update  
4-10-97



A7215936

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: 7204582260  
BLM NUMBER: 7204582260  
BASIS OF CLAIM: BENEFICIAL USE  
BASIN NUMBER: 72

| SOURCE         | TRIBUTARY TO |
|----------------|--------------|
| -----          | -----        |
| UNNAMED STREAM | ROAD CREEK   |

DESCRIPTION OF DIVERSION WORKS

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IN-STREAM USE

| PURPOSE OF USE | DIVERSION<br>RATE | DIVERSION<br>VOLUME | PERIOD OF USE<br>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

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STOCKWATER, 1810 RANGE CATTLE; WILDLIFE VAR. AMT.

| POINT OF DIVERSION |     |     |        |        |        |     |        |
|--------------------|-----|-----|--------|--------|--------|-----|--------|
| TWP                | RNG | SEC | TRACT1 | TRACT2 | TRACT3 | LOT | COUNTY |
| ---                | --- | --- | ---    | ---    | ---    | --- | ---    |
| 09N                | 20E | 05  | NE     | NW     | NW     | 00  | CUSTER |

PLACE OF USE

| TWP | RNG | SEC | TRACT1 | TRACT2 | LOT | COUNTY | IRRIGATED<br>OWNED | ACRES |
|-----|-----|-----|--------|--------|-----|--------|--------------------|-------|
| --- | --- | --- | ---    | ---    | --- | ---    | ---                | ---   |
| 09N | 20E | 05  | NW     | NW     | 00  | CUSTER | YES                | 0.0   |
| 10N | 20E | 32  | SW     | SW     | 00  | CUSTER | YES                | 0.0   |

MICROFILMED  
NOV 01 1994

BLM NUMBER: 7204582260

PAGE: 2

|     |     |    |    |    |    |        |     |     |
|-----|-----|----|----|----|----|--------|-----|-----|
| 10N | 20E | 32 | NW | SW | 00 | CUSTER | YES | 0.0 |
| 09N | 20E | 05 | NW | NW | 00 | CUSTER | YES | 0.0 |
| 10N | 20E | 32 | SW | SW | 00 | CUSTER | YES | 0.0 |
| 10N | 20E | 32 | NW | SW | 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. A72-15936

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/04/93  
PAGE: 170

| OWNER<br>CODE    | NAME & ADDRESS                                                                                                                       | PRIORITY<br>DATE | WATER USE              | USE PERIOD<br>FROM TO      | DIVERSION<br>RATE    | DIVERSION<br>VOLUME |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------------|----------------------------|----------------------|---------------------|
| C                | US DEPT OF INTERIOR<br>BUREAU OF LAND MANAGEMENT<br>IDAHO STATE OFFICE<br>3380 AMERICANA TERRACE<br>BOISE ID 83706<br>(208) 334-1401 | 01/01/1879       | STOCKWATER<br>WILDLIFE | 01-01 12-31<br>01-01 12-31 | 0.01 CFS<br>0.01 CFS |                     |
| TOTAL DIVERSION: |                                                                                                                                      |                  |                        |                            | 0.01 CFS             |                     |

WATER SOURCE: UNNAMED STREAM

TRIBUTARY TO: ROAD CREEK

STAGE: BENEFICIAL USE

POINT(S) OF DIVERSION:

T09N R20E S05

NENWNW

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 |
| 09N | 20E | 5  | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| 10N | 20E | 32 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |

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 |
| 09N | 20E | 5  | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| 10N | 20E | 32 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |

POU COUNTY: CUSTER

NON-IRRIGATION USES: STOCKWATER, 1810 RANGE CATTLE; WILDLIFE VAR. AMT.

OTHER RIGHTS: NONE

REMARKS: BLM RECORD ID = 7204582260  
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  
ASCG Map  
Watermaster Records  
NAFP Photos  
Field Exam  
Other (See Remarks)  
County Records  
Witness Statement  
Project Records  
IDWR Records

VERIFIED  
SEP 26 1994

7204582260  
The Paint Pot R9

DATA ENTRY

ENTERED

CHECKED

CERTIFIED

SEP 26 1994

WATER EXAMINER