

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 72-15949

2004 AUG -4 PM 4:01
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *jm*

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

SOURCE: UNNAMED STREAM TRIBUTARY: BEAR 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 S07 NWSWNE (Instream Ending Point) Within Custer County
S18 NENWNE (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 R20E S07	SWNE	NWSE
	S18	SWSE	
		NWNE	

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.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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.

John M. Melanson
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

Robertson, Jean

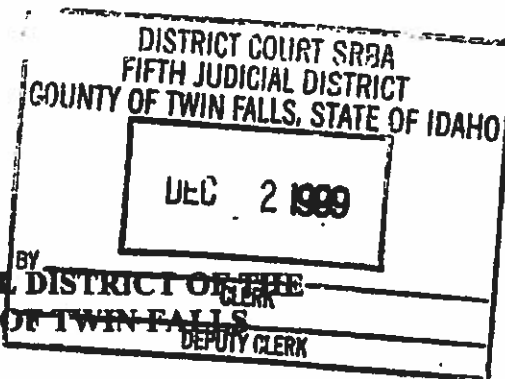
From: Robertson, Jean
Sent: Thursday, January 13, 2000 11:56 AM
To: Denniston, Sara
Subject: data entry on BLM claims

Sara,
Wanted to let you know that the data entry has been completed per the SF5 for the following BLM claims: 72-07340, 72-11765, 72-15761, 72-15891, 72-15949, 72-15980, and 72-16001.
Jeanie

RECEIVED

DEC 6 1999

Department of Water Resources



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

Subcase No. 72-15949

Case No. 39576

STANDARD FORM 5

AMENDED CLAIM

FOR DOMESTIC & STOCKWATER RIGHTS

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right and to amend the Notice of Claim. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT /OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown 12/2/99
Larry A. Brown *Fwp* Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

Jeanie Robertson 12/2/99
Id. Water Res. Agent Date

AS TO FORM

[Signature] 12/2/99
Date

*data entry
completed per
SF5
1-13-00
P*

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

RIGHTS FROM: SOURCE: UNNAMED STREAM TRIBUTARY: BEAR CREEK

RIGHT NUMBER: 72-15949

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: BEAR CREEK

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 01/01/1879

Fwp

* 4/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT. *

* THIS WATER RIGHT IS ALSO CLAIMED BASED ON FEDERAL LAW *
* WITH AN APRIL 17, 1926, DATE OF PRIORITY PURSUANT TO AN *
* EXECUTIVE ORDER SIGNED THE SAME DATE AND KNOWN AS PUBLIC *
* WATER RESERVE 107. *

Within CUSTER County

POINT OF
DIVERSION: T09N R20E S18 SESENE ~~NENNE~~ (INSTREAM BEGINNING POINT)
S07 SWSENE ~~NWSWE~~ (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 S07 SENE NESB
SESE SWSB
NWSB SWSB
S18 NENE SENE
NWSB

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
STOCKWATER, 1810 RANGE CATTLE

CERTIFICATE OF MAILING

I certify that on 12-2, 1999, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

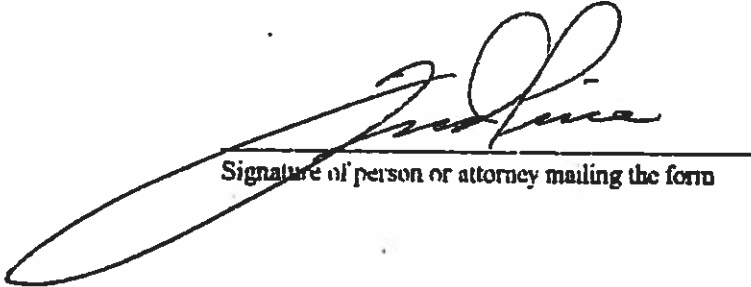
2. Copy to:

Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of person or attorney mailing the form

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

01/10/00 11:31:21

Page 1

Water Right Number - R72-15949

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
AMERICA ACTING THROUGH

UNITED STATES OF

1 - USDI BUREAU OF LAND MANAGEMENT
2 - IDAHO STATE OFFICE
3 - 1387 S VINNELL WAY
City- BOISE
Phone - 208-373-4000

State- ID Zip- 837091657

*** K - ALSO KNOWN AS ***
BLM

1 -
2 -
3 -
City- X
Phone -

State- ID Zip- 0

+ - - Priority Date - - +
01/01/1879

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
J - BENEFICIAL USE

+ - - Status - - - +

+ - - Source - - - - - +
UNNAMED STREAM

+ - - Tributary - - - - - +
BEAR CREEK

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

09N 20E 18 NE NW NE B (37) CUSTER
7 NW SW NE E (37) CUSTER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

04 - STOCKWATER 01/01 12/31 0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.020 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

09N 20E 7 SW NE 04 STOCKWATER (37) CUSTER
09N 20E 7 NW SE 04 STOCKWATER (37) CUSTER
09N 20E 7 SW SE 04 STOCKWATER (37) CUSTER
09N 20E 18 NW NE 04 STOCKWATER (37) CUSTER

Total Acres:

+ - - Diversion Means - SPRING

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use ~~WATER FEDERALLY RESERVED, SEE REMARKS~~

Water right number - R72-15949

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +

EXP STOCKWATER, 1810 RANGE CATTLE

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +

C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.
N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

Date: 01/10/2000 User Id: CTIMM Subject: STIPULATED RECOMMENDATIONS
AS PER SF-5, REMOVED CONDITION OF APPROVAL D01, ADDED C18, CHANGED PLACE OF USE AND POINT OF DIVERSION.

+ - - Audit Fields - - +

01/10/00 CTIMM

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 01/29/1999	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 06/02/1999	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 03/03/1997	Last Amended Date	- 00/00/0000	Temporary Right	- T
		Receipt Number	- X111111	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

RECEIVED

JUN 29 1999

Department of Water Resources
Southern Region

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

A. Subcase 72-15949

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494
United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: United States of America

Address: 1387 South Vinnell Way Boise, ID 83709-1657

Name: Bureau of Land Management

Address:

Name:

Address:

Name:

Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point(s) of Diversion**
Should be: See attached
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See attached

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The legal descriptions reported in the Director's Report for this claim are inaccurate. See attached for revised legal description for the POD and POU. Remove Federal Reserve from this water right.

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of Ada)

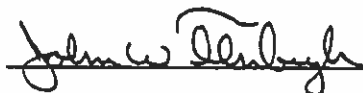
Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 1, 1999



John W. Thornburgh

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 05-16-2003

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on June 2nd, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: United States of America
Address: 1387 South Vinnell Way Boise, ID 83709-1657
Name: Bureau of Land Management
Address:
Name:
Address:
Name:
Address:

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Signature of Objector or attorney mailing on Objector's behalf

AJ5856NP

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

DATE: JAN-26-1999
PAGE: A-1003

RIGHTS FROM: SOURCE: UNNAMED STREAM TRIBUTARY: BEAR CREEK

RIGHT NUMBER: 72-15949

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

-PODIPOU UNALLURATE

SOURCE: UNNAMED STREAM

TRIBUTARY: BEAR CREEK

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1879

.....
~~1/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT.~~
~~THIS WATER RIGHT IS ALSO CLAIMED BASED ON FEDERAL LAW~~
~~WITH AN APRIL 17, 1926, DATE OF PRIORITY PURSUANT TO AN~~
~~EXECUTIVE ORDER SIGNED THE SAME DATE AND KNOWN AS PUBLIC~~
~~WATER RESERVE 107~~

POINT OF DIVERSION: T09N R20E S18 ~~NENUNE 3832NS~~ (INSTREAM BEGINNING POINT) Within CUSTER County
S07 ~~NLSUNE 5WS2NS~~ (INSTREAM ENDING POINT)

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
01-01 12-31

QUANTITY
0.02 CFS

PLACE OF USE:

STOCKWATER
T09N R20E S07
S18

Within CUSTER County
~~38NS...NLSNE~~
~~NENB...NLSNE~~

~~NSSS...NLSNE~~ ~~38NS...NLSNE~~

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
STOCKWATER, 1810 RANGE CATTLE

Water Right Number - 72-15949

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
AMERICA ACTING THROUGH

UNITED STATES OF

1 - USDI BUREAU OF LAND MANAGEMENT
2 - IDAHO STATE OFFICE
3 - 1387 S VINNELL WAY
City- BOISE State- ID Zip- 837091657
Phone - 208-373-4000

*** K - ALSO KNOWN AS ***
BLM

1 -
2 -
3 -
City- X State- ID Zip- 0
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/01/1879 17 SOUTHERN J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
UNNAMED STREAM BEAR CREEK

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name

09N 20E 18 ~~SE-SE-NE~~ B (37) CUSTER
7 ~~SW-SE-NE~~ E (37) CUSTER
NW SW NE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
04 - STOCKWATER 01/01 12/31 0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.020 0.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

09N 20E 7 ~~SE-NE~~ NW SE 04 STOCKWATER (37) CUSTER
09N 20E 7 ~~NE-SE~~ SW SE 04 STOCKWATER (37) CUSTER
09N 20E 7 ~~SE-SE~~ SW NE 04 STOCKWATER (37) CUSTER
09N 20E 18 ~~NE-NE~~ NW NE 04 STOCKWATER (37) CUSTER
09N 20E 18 ~~SE-NE~~ NW NE 04 STOCKWATER (37) CUSTER

+ - - Diversion Means - SPRING

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - WATER FEDERALLY RESERVED, SEE REMARKS

+ - - - - Remarks - - - - - +

EXP STOCKWATER, 1810 RANGE CATTLE

Water right number - 72-15949

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +

D01 - *****
- * 4/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT. *
- *
- * THIS WATER RIGHT IS ALSO CLAIMED BASED ON FEDERAL LAW *
- * WITH AN APRIL 17, 1926, DATE OF PRIORITY PURSUANT TO AN *
- * EXECUTIVE ORDER SIGNED THE SAME DATE AND KNOWN AS PUBLIC *
- * WATER RESERVE 107. *
- *****

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 03/20/97 AJCTR 04/08/97 WL-PRODM 04/21/97 NU-DSHAF 01/14/99 DJONES 01/17/99 CPDSHAFF
02/04/99 ADT-DSHA 06/08/99 UPD-SEGB

+ - - - - Comments - - - - - +
No Comments Found

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 01/29/1999	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 06/02/1999	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 01/14/1999	Old Judicial District	-
Claim Received Date	- 03/03/1997	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- X111111	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

RECEIVED

In Re SRBA

Case No. 39576

AMENDED NOTICE of CLAIM
for Water Right number:

MAR 03 1997

A72-15949

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:

7204582272

SOURCE:

Source	Tributary
UNNAMED STREAM	BEAR 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:

Township	Range	Section	T1	T2	T3	LOT	within the	County of
09N	20E	18	SE	SE	NE	0	(begin)	CUSTER
09N	20E	7	SW	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	TwN	Rge	Sec	T1	T2	LOT	within the	County of
04	09N	20E	18	SE	NE	0		CUSTER
04	09N	20E	18	NE	NE	0		CUSTER
04	09N	20E	7	SE	SE	0		CUSTER
04	09N	20E	7	NE	SE	0		CUSTER
04	09N	20E	7	SE	NE	0		CUSTER
16	09N	20E	18	SE	NE	0		CUSTER
16	09N	20E	18	NE	NE	0		CUSTER
16	09N	20E	7	SE	SE	0		CUSTER
16	09N	20E	7	NE	SE	0		CUSTER
16	09N	20E	7	SE	NE	0		CUSTER

COPY

APR-09-1997
0033

RIGHT NUMBER:

72-15949

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
83799

SOURCE:

UNNAMED STREAM

TRIBUTARY: BEAR CREEK

QUANTITY:

0.02 CFS
0/01 EPS

PRIORITY DATE:

01/01/1879
04/17/1926

POINT OF DIVERSION:

109N R20E S07

SWSENE (E)
SWSWNE (B)

Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

STOCKWATER STOCKWATER

1810 RANGE

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

STOCKWATER

109N R20E S07

SWSENE

Within CUSTER County

PLACE OF USE:

MIRBYLIFE

109N R20E S07

SWSENE

Within CUSTER County

* 4/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT.
*
* THIS WATER RIGHT IS ALSO CLAIMED BASED ON FEDERAL LAW
* WITH AN APRIL 17, 1926, DATE OF PRIORITY PURSUANT TO AN
* EXECUTIVE ORDER SIGNED THE SAME DATE AND KNOWN AS PUBLIC
* WATER RESERVE 107.

QUANTITY
0.02 CFS
0/01 EPS

SESE

Change to Federal
Bureau of Land
Management
Held 4-10-97

XKC

APR-09-1997
0034

2

72-15949 CONTINUED

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

COPY



A7215949

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 AND FEDERAL 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
(RESERVED..... 1926-04-17)
AGENCY NUMBER: 7204582272
BLM NUMBER: 7204582272
BASIS OF CLAIM: BENEFICIAL USE
(SUBSEQUENT FEDERAL RESERVE)
BASIN NUMBER: 72

SOURCE	TRIBUTARY TO
-----	-----
UNNAMED STREAM	BEAR CREEK

DESCRIPTION OF DIVERSION WORKS

UNDEVELOPED SPRING

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, 1810 RANGE CATTLE; WILDLIFE VAR. AMT.

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
-----	-----	-----	-----	-----	-----	-----	-----
09N	20E	07	SW	SW	NE	00	CUSTER

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
-----	-----	-----	-----	-----	-----	-----	-----	-----
09N	20E	07	SW	NE	00	CUSTER	YES	0.0
09N	20E	07	SW	NE	00	CUSTER	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

WATER FEDERALLY RESERVED, SEE REMARKS

REMARKS

RESERVED - EXECUTIVE ORDER DATED APR 17, 1926 PWR NO. 107