

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 72-15952

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

SOURCE: SPRING GULCH TRIBUTARY: HERD 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 R19E S07 SWNWSE (Instream Ending Point) Within Custer County
S08 SENWNE (Instream Beginning Point)

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

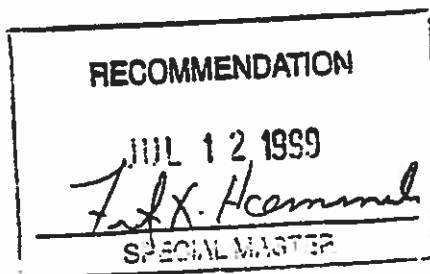
PLACE OF USE:	Stockwater		Within Custer County
	T09N R19E S07	SENE	SWNE
		NWSE	
	S08	NWNE	NENW
		SENE	SWNW

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

A72-15952

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:

7204582275

SOURCE:

Source	Tributary
SPRING GULCH	HERD 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:

Twntship	Range	Section	T1	T2	T3	LOT	within the	County of
09N	19E	8	SE	NW	NE	0	(begin)	CUSTER
09N	19E	7	SW	NW	SE	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	Twnt	Rge	Sec	T1	T2	LOT	within the	County of
04	09N	19E	8	NW	NE	0		CUSTER
04	09N	19E	8	NE	NW	0		CUSTER
04	09N	19E	8	SE	NW	0		CUSTER
04	09N	19E	8	SW	NW	0		CUSTER
04	09N	19E	7	SE	NE	0		CUSTER
04	09N	19E	7	SW	NE	0		CUSTER
04	09N	19E	7	NW	SE	0		CUSTER
16	09N	19E	8	NW	NE	0		CUSTER
16	09N	19E	8	NE	NW	0		CUSTER
16	09N	19E	8	SE	NW	0		CUSTER
16	09N	19E	8	SW	NW	0		CUSTER
16	09N	19E	7	SE	NE	0		CUSTER
16	09N	19E	7	SW	NE	0		CUSTER
16	09N	19E	7	NW	SE	0		CUSTER

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

DATE: APR-15-1997
PAGE: A-16

RIGHTS FROM:	SOURCE: SPRING GULCH	TRIBUTARY: HERD CREEK
RIGHT NUMBER:	72-15952	

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: SPRING GULCH TRIBUTARY: HERD CREEK

QUANTITY: 0.02 CFS

PRIORITY DATE: 01/01/1879

POINT OF DIVERSION: T09N R19E S08 SENWSE (INSTREAM BEGINNING POINT) Within CUSTER County
S07 SWNWSE (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 R19E S07	SWNE	SENE	NWSE	
	S08	NWNE	NENW	SWNW	SENW

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
STOCKWATER, 1810 RANGE CATTLE; WILDLIFE VAR. AMT.
BLM IDENTIFICATION NO: 7204582275

VERIFIED BY KKC
4-16-97

APR-09-1997
0036

1

RIGHT NUMBER: 72-15952

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: SPRING GULCH TRIBUTARY: HERD CREEK

QUANTITY: 0.02 CFS
01/01 07/31

PRIORITY DATE: 01/01/1879

POINT OF DIVERSION: T09N R19E S07 SWNWSE (E) Within CUSTER County
S08 SENWNE (B)

PURPOSE AND PERIOD OF USE: PURPOSE OF USE STOCKWATER, 1810 RANGE PERIOD OF USE 01-01 12-31 QUANTITY 0.02 CFS
STOCKWATER 01/01 07/31
WILDLIFE 01/01 12/31 01/01 07/31

PLACE OF USE: STOCKWATER Within CUSTER County SENE NWSE
T09N R19E S07 SWNE NENW SENW
S08 NWNE
WILDLIFE Within CUSTER County SENE NWSE
T09N R19E S07 SWNE NENW SENW
S08 NWNE

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

KKC
updated
4-10-97

cup



A7215952

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: 7204582275
BLM NUMBER: 7204582275
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 72

SOURCE	TRIBUTARY TO
-----	-----
SPRING GULCH	HERD 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, 1810 RANGE CATTLE; WILDLIFE VAR. AMT.

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
---	---	---	---	---	---	---	---
09N	19E	08	SE	NW	NE	00	CUSTER

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	IRRIGATED OWNED	ACRES
---	---	---	---	---	---	---	---	---
09N	19E	08	NW	NE	00	CUSTER	YES	0.0
09N	19E	08	NE	NW	00	CUSTER	YES	0.0

MICROFILMED
NOV 01 1994

09N	19E	08	SE	NW	00	CUSTER	YES	0.0
09N	19E	08	SW	NW	00	CUSTER	YES	0.0
09N	19E	07	SE	NE	00	CUSTER	YES	0.0
09N	19E	07	SW	NE	00	CUSTER	YES	0.0
09N	19E	07	NW	SE	00	CUSTER	YES	0.0
09N	19E	08	NW	NE	00	CUSTER	YES	0.0
09N	19E	08	NE	NW	00	CUSTER	YES	0.0
09N	19E	08	SE	NW	00	CUSTER	YES	0.0
09N	19E	08	SW	NW	00	CUSTER	YES	0.0
09N	19E	07	SE	NE	00	CUSTER	YES	0.0
09N	19E	07	SW	NE	00	CUSTER	YES	0.0
09N	19E	07	NW	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

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: SPRING GULCH

TRIBUTARY TO: HERD CREEK

STAGE: BENEFICIAL USE

POINT(S) OF DIVERSION:

T09N R19E S08

SEWNNE

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	19E	7	:																
09N	19E	8	:																

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	19E	7	:																
09N	19E	8	:																

POU COUNTY: CUSTER

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

OTHER RIGHTS: NONE

REMARKS: BLM RECORD ID = 7204582275
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
AFC Map
Master Records
Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
SEP 26 1994

CERTIFIED
SEP 26 1994
WATER EXAMINER

DATA ENTRY

ENTERED _____
CHECKED _____

The Paint Pot RI
Bowery Peak RI