

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 72-15956

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 S08 SWSENE (Instream Ending Point) Within Custer County
NESESE (Instream Beginning Point)

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

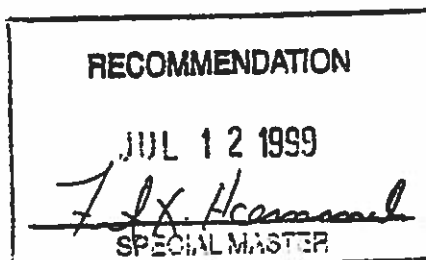
PLACE OF USE: Stockwater Within Custer County
T09N R20E S08 SESE
NESE

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

In Re SRBA

AMENDED NOTICE of CLAIM
for Water Right number:

Case No. 39576

A72-15956

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:

7204582278

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:

Twtnship	Range	Section	T1	T2	T3	LOT	within the	County of
09N	20E	8	NE	SE	SE	0	(begin)	CUSTER
09N	20E	8	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	Twtn	Rge	Sec	T1	T2	LOT	within the	County of
04	09N	20E	8	SE	SE	0		CUSTER
04	09N	20E	8	NE	SE	0		CUSTER
04	09N	20E	8	SE	NE	0		CUSTER
16	09N	20E	8	SE	SE	0		CUSTER
16	09N	20E	8	NE	SE	0		CUSTER
16	09N	20E	8	SE	NE	0		CUSTER

AJ5856NP

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

DATE: APR-15-1997
PAGE: A-22

RIGHTS FROM: SOURCE: UNNAMED STREAM TRIBUTARY: BEAR CREEK

RIGHT NUMBER: 72-15956
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
PRIORITY DATE: 01/01/1879
POINT OF DIVERSION: T09N R20E S08 NESESE (INSTREAM BEGINNING POINT) Within CUSTER County
SWSENE (INSTREAM ENDING POINT)
PURPOSE AND PERIOD OF USE: PURPOSE OF USE STOCKWATER STOCKWATER, 1870 RANGE PERIOD OF USE 01-01 12-31 QUANTITY 0.02 CFS
PLACE OF USE: STOCKWATER T09N R20E S08 Within CUSTER County SENE NESE SESE
EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
BLM IDENTIFICATION NO: 7204582278

VERIFIED BY KKC
4-16-97

updated
KKC

APR-09-1997
0037

RIGHT NUMBER: 72-15956

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: BEAR CREEK

QUANTITY: 0.02 CFS
01/01 07/31

PRIORITY DATE: 01/01/1879

POINT OF DIVERSION: T09N R20E S08 SWSENE (E) Within CUSTER County
NESESE (B)

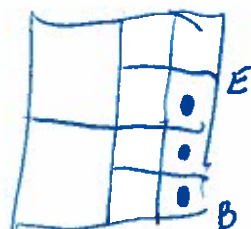
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY	
			0.02	CFS
	STOCKWATER STOCKWATER, 1870 RANGE	01-01 12-31	01/01	07/31
	STOCKWATER		01/01	07/31
	WIKWIFE	01/01 12/31	01/01	07/31

PLACE OF USE:	STOCKWATER	Within CUSTER County	SESE
	T09N R20E S08	SENE	NESE
	WIKWIFE	Within CUSTER County	SESE
	T09N R20E S08	SENE	NESE

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Rechecked
claim OK
K K C

~~Disallowed~~
P/U appears to be
in the wrong location
K K C





A7215956

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: 7204582278
BLM NUMBER: 7204582278
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 72

SOURCE	TRIBUTARY TO
-----	-----
UNNAMED STREAM	BEAR 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	20E	08	NE	SE	SE	00	CUSTER

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
---	---	---	---	---	---	---	---	---
09N	20E	08	SE	SE	00	CUSTER	YES	0.0
09N	20E	08	NE	SE	00	CUSTER	YES	0.0

MICROFILMED

NOV 01 1994

BLM NUMBER: 7204582278

PAGE: 2

09N	20E	08	SE	NE	00	CUSTER	YES	0.0
09N	20E	08	SE	SE	00	CUSTER	YES	0.0
09N	20E	08	NE	SE	00	CUSTER	YES	0.0
09N	20E	08	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

AJ5809NP
NO. A72-15956

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/04/93
PAGE: 188

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: BEAR CREEK STAGE: BENEFICIAL USE
POINT(S) OF DIVERSION: T09N R20E S08 NESESE-B SENE-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		
09N	20E	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	20E	8																		

POU COUNTY: CUSTER

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

OTHER RIGHTS: NONE

REMARKS: BLM RECORD ID = 7204582278
FIRST DATE OF BENEFICIAL USE - 1879

DATES: EXAM MADE DATE: VERIFIED DATE:

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

7204582278

Jerry Peak R-2

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

VERIFIED
SEP 26 1994

CERTIFIED
SEP 28 1994
WATER EXAMINER