

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 72-15958

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 S03 LOT 02 (SEWNWE) (Instream Beginning Point) Within Custer County
T10N R20E S34 SWNWNE (Instream Ending Point)

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

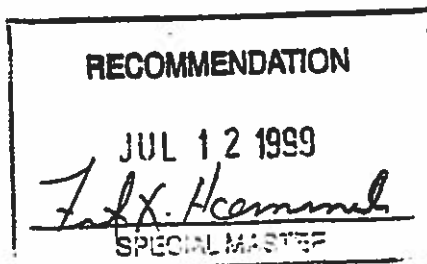
PLACE OF USE:	Stockwater	Within Custer County
	T09N R20E S03 LOT 02 (NWNE)	
	T10N R20E S34 SWSE	NWSE
	SWNE	SENV
	NWNE	

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.

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

A72-15958

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:

7204582280

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:

Twnship	Range	Section	T1	T2	T3	LOT	within the	County of
09N	20E	3	SE	NW	NE		Add-beg	CUSTER
10N	20E	34	SW	NW	NE		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	3	NW	NE	0	ADD	CUSTER
04	10N	20E	34	SW	SE	0		CUSTER
04	10N	20E	34	NW	SE	0		CUSTER
04	10N	20E	34	SW	NE	0		CUSTER
04	10N	20E	34	SE	NW	0		CUSTER
04	10N	20E	34	NW	NE	0		CUSTER
16	09N	20E	3			2		CUSTER
16	10N	20E	34	SW	SE	0		CUSTER
16	10N	20E	34	NW	SE	0		CUSTER
16	10N	20E	34	SW	NE	0		CUSTER
16	10N	20E	34	SE	NW	0		CUSTER
16	10N	20E	34	NW	NE	0		CUSTER
04	09N	20E	3			2		CUSTER
16	09N	20E	3	NW	NE	0	ADD	CUSTER

AJ5856NP

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

DATE: APR-15-1997
PAGE: A-37

RIGHTS FROM: SOURCE: UNNAMED STREAM TRIBUTARY: ROAD CREEK

RIGHT NUMBER: 72-15958

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 S03 LOT 2 (SEWNWE) (INSTREAM BEGINNING POINT) Within CUSTER County
T10N R20E S34 SWNWE (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 S03 Lot 2 (NWNE)	
	T10N R20E S34 NWNE	SWNE SENW NWSE
		SWSE

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
STOCKWATER, 1810 RANGE CATTLE; WILDLIFE VAR. AMT.
BLM IDENTIFICATION NO: 7204582280

VERIFIED BY KKC
4-16-97

APR-09-1997
0038

1

RIGHT NUMBER: 72-15958

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 07/98

PRIORITY DATE: 01/01/1879

POINT OF DIVERSION: T09N R20E S03 L+2 SENWNE (B) Within CUSTER County
T10N S34 SWNWNE (E)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER STOCKWATER, 1810 RANGE	01-01 12-31	0.02 CFS
	STOCKWATER	01/01 12/31	01/01 07/98
	WILDLIFE		01/01 07/98

PLACE OF USE:	STOCKWATER	Within CUSTER County	L+2
	T09N R20E S03	Lot 2	NWNE
	T10N R20E S34	NWNE	SWNE
		SWSE	
	WILDLIFE	Within CUSTER County	
	T09N R20E S03	Lot 2	
	T10N R20E S34	NWNE	SWNE
		SWSE	

EXPLANATORY MATERIAL: BASIS OF CLAIM BENEFICIAL USE

L+2 = NWNE
otherwise OK
K KC
updated
4-10-97



A7215958

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: 7204582280
BLM NUMBER: 7204582280
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 72

SOURCE	TRIBUTARY TO
-----	-----
UNNAMED STREAM	ROAD 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	03				02	CUSTER

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
---	---	---	---	---	---	---	---	---
09N	20E	03			02	CUSTER	YES	0.0
10N	20E	34	SW	SE	00	CUSTER	YES	0.0

MICROFILMED

NOV 01 1994

BLM NUMBER: 7204582280

PAGE: 2

10N	20E	34	NW	SE	00	CUSTER	YES	0.0
10N	20E	34	SW	NE	00	CUSTER	YES	0.0
10N	20E	34	SE	NW	00	CUSTER	YES	0.0
10N	20E	34	NW	NE	00	CUSTER	YES	0.0
09N	20E	03			02	CUSTER	YES	0.0
10N	20E	34	SW	SE	00	CUSTER	YES	0.0
10N	20E	34	NW	SE	00	CUSTER	YES	0.0
10N	20E	34	SW	NE	00	CUSTER	YES	0.0
10N	20E	34	SE	NW	00	CUSTER	YES	0.0
10N	20E	34	NW	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. A72-15958

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/04/93
PAGE: 190

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: ROAD CREEK STAGE: BENEFICIAL USE
POINT(S) OF DIVERSION: T09N R20E S03 LOT02(*NWNE-B*) CUSTER COUNTY
10N 20E 34 NWNE-E

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
10N	20E	34	:												
				S		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
10N	20E	34	:												
				W		W				W			W		

LOTS WITHOUT 1/4 1/4 DESCRIPTION: STOCKWATER
09N 20E 3 02-S *NWNE*

LOTS WITHOUT 1/4 1/4 DESCRIPTION: WILDLIFE
09N 20E 3 02-W

POU COUNTY: CUSTER

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

OTHER RIGHTS: NONE

REMARKS: BLM RECORD ID = 7204582280
FIRST DATE OF BENEFICIAL USE - 1879

DATES: EXAM MADE DATE: VERIFIED DATE:

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

42402034
Horse Basin R-7

DATA ENTRY
ENTERED _____
CHECKED _____

Verified By
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
SEP 26 1994

CERTIFIED
SEP 28 1994
WATER EXAMINER