

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 72-15988

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

SOURCE: UNNAMED STREAM TRIBUTARY: HERD LAKE

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 S26 NWNENE (Instream Ending Point) Within Custer County
SWNENE (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 T09N R19E S26 NWNENE Within Custer County
NENE

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.

RECOMMENDATION

JUL 12 1999

L. X. Hammel
SPECIAL MASTER

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:

A72-15988

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:

7204582307

SOURCE:

Source	Tributary
UNNAMED STREAM	LAKE 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	19E	26	SW	NW	NE	0	Add-beg	CUSTER
09N	19E	26	NW	NE	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 2:51 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	19E	26	NW	NE	0	DITTO	CUSTER
04	09N	19E	26	NE	NE	0	DITTO	CUSTER

AJ5856NP

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

DATE: APR-15-1997
PAGE: A-33

RIGHTS FROM:	SOURCE: UNNAMED STREAM	TRIBUTARY: HERD LAKE	

RIGHT NUMBER:	72-15988		
NAME & ADDRESS:	UNITED STATES OF AMERICA ACTING THROUGH USD! BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE ID 83709-1657		
SOURCE:	UNNAMED STREAM	TRIBUTARY: HERD LAKE	
QUANTITY:	0.02 CFS		
PRIORITY DATE:	01/01/1879		
POINT OF DIVERSION:	T09N R19E S26	SWNWNE (INSTREAM BEGINNING POINT) NWNENE (INSTREAM ENDING POINT)	Within CUSTER County
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 R19E S26	Within CUSTER County NENE	NWNE
EXPLANATORY MATERIAL:	BASIS OF CLAIM - BENEFICIAL USE STOCKWATER, 218 RANGE CATTLE; WILDLIFE VAR. AMT. BLM IDENTIFICATION NO: 7204582307		

VERIFIED BY KKC
4-16-97

APR-09-1997
0054

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RIGHT NUMBER: 72-15988

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: *Herd Lake* ~~LANE CREEK~~

QUANTITY: 0.02 CFS
01/01 2/28

PRIORITY DATE: 01/01/1879

POINT OF DIVERSION: T09N R19E S26

OK
NWNE (E)
SWNW (B)
NWNW

Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER STOCKWATER 218 RANGE C
~~STOCKWATER~~
~~WIKWIFE~~

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

QUANTITY
0.02 CFS
01/01 2/28
01/01 2/28

PLACE OF USE:

STOCKWATER
T09N R19E S26
S29

Within CUSTER County

NENE
NWNW

NWNE *OK*

SENN

~~WIKWIFE~~
~~T09N R19E S26~~
~~S29~~

~~Within CUSTER County~~

~~NENE~~
~~NWNW~~

~~SENN~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

KKC updated 4-11-97



A7215988

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: 7204582307
BLM NUMBER: 7204582307
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 72

SOURCE	TRIBUTARY TO
-----	-----
UNNAMED STREAM	LAKE 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, 218 RANGE CATTLE; WILDLIFE VAR. AMT.

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
---	---	---	---	---	---	---	---
09N	19E	26	NW	SE	NW	00	CUSTER

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	IRRIGATED OWNED	ACRES
---	---	---	---	---	---	---	---	---
09N	19E	26	SE	NW	00	CUSTER	YES	0.0
09N	19E	29	NW	NE	00	CUSTER	YES	0.0

MICROFILMED

NOV 6 1994

BLM NUMBER: 7204582307

PAGE: 2

09N	19E	26	NE	NE	00	CUSTER	YES	0.0
09N	19E	26	SE	NW	00	CUSTER	YES	0.0
09N	19E	29	NW	NE	00	CUSTER	YES	0.0
09N	19E	26	NE	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. A72-15988

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/04/93
PAGE: 217

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: LAKE CREEK

STAGE: BENEFICIAL USE

POINT(S) OF DIVERSION:

T09N R19E S26

NWSENW -B NE NE-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	19E	26	:	S								S							
09N	19E	29	:	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	LT	AC	LT	AC
09N	19E	26	:	W								W							
09N	19E	29	:			W													

POU COUNTY: CUSTER

NON-IRRIGATION USES: STOCKWATER, 218 RANGE CATTLE; WILDLIFE VAR. AMT.

OTHER RIGHTS: NONE

REMARKS: BLM RECORD ID = 7204582307
FIRST DATE OF BENEFICIAL USE - 1879

DATES: EXAM MADE DATE:

VERIFIED DATE:

MISC: WATER DISTRICT NUMBER:

FIELD INSPECTION FLAG:
PRESUMPTION FLAG:

DATA ENTRY

ENTERED

CHECKED

"Verified By"
Topo Map/Ortho-PQ
AECOS Map
Master Records
Photos
Exam
(See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
SEP 26 1994

CERTIFIED
SEP 28 1994
WATER EXAMINER

~~7-2091426~~
Herd Lake-R-11