

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 72-15972

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

SOURCE: BROKEN WAGON CREEK TRIBUTARY: WARM SPRING 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: T10N R20E S03 LOT 02 (NWNE) (Instream Beginning Point) Within Custer County
T11N R20E S35 SESENW (Instream Ending Point)

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

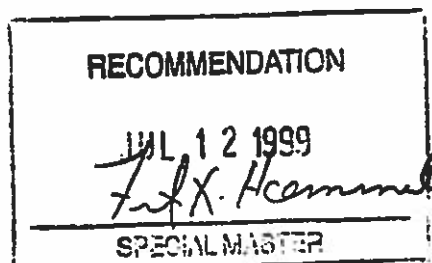
PLACE OF USE:	Stockwater	Within Custer County
	T10N R20E S03 LOT 02 (NWNE)	
	T11N R20E S34 SWSE	NESE
	SESE	
	NWSW	SWNW
	SENW	

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.



Berry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

MAR 03 1997

In Re SRBA

Case No. 39576

AMENDED NOTICE of CLAIM
for Water Right number:

A72-15972

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:

7204582291

SOURCE:

Source	Tributary
BROKEN WAGON CREEK	WARM SPRING 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
10N	20E	3				2	(begin)	CUSTER
11N	20E	35	SE	SE	NW		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	10N	20E	3			2		CUSTER
04	11N	20E	34	SW	SE	0		CUSTER
04	11N	20E	34	SE	SE	0		CUSTER
04	11N	20E	34	NE	SE	0		CUSTER
04	11N	20E	35	NW	SW	0		CUSTER
04	11N	20E	35	SW	NW	0		CUSTER
04	11N	20E	35	SE	NW	0		CUSTER
16	10N	20E	3			2		CUSTER
16	11N	20E	34	SW	SE	0		CUSTER
16	11N	20E	34	SE	SE	0		CUSTER
16	11N	20E	34	NE	SE	0		CUSTER
16	11N	20E	35	NW	SW	0		CUSTER
16	11N	20E	35	SW	NW	0		CUSTER
16	11N	20E	35	SE	NW	0		CUSTER

AJ5856NP

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

DATE: APR-15-1997
PAGE: A-2

RIGHTS FROM: SOURCE: BROKEN WAGON CREEK TRIBUTARY: WARM SPRING CREEK

RIGHT NUMBER: 72-15972

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: BROKEN WAGON CREEK TRIBUTARY: WARM SPRING CREEK

QUANTITY: 0.02 CFS

PRIORITY DATE: 01/01/1879

POINT OF DIVERSION: T10N R20E S03 LOT 2 (NWNE) (INSTREAM BEGINNING POINT) Within CUSTER County
T11N R20E S35 SESENW (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
T10N R20E S03 Lot 2 (NWNE)
T11N R20E S34 NESE SWSE SESE
S35 SNNW SENW NWSW

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
STOCKWATER, 1810 RANGE CATTLE; WILDLIFE VAR. AMT.
BLM IDENTIFICATION NO: 7204582291

VERIFIED BY. KKS
4-16-97

APR-09-1997
0046

1

RIGHT NUMBER: 72-15972

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: BROKEN WAGON CREEK TRIBUTARY: WARM SPRING CREEK

QUANTITY: 0.02 CFS
01/01 01/31

PRIORITY DATE: 01/01/1879

POINT OF DIVERSION: T10N R20E S03 LOT 2 ~~WNE~~ (B) Within CUSTER County
T11N S35 SESENW (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 01/31
WIXDVIPE	01/01 12/31	01/01 01/31

PLACE OF USE:

STOCKWATER	Within CUSTER County		
T10N R20E S03	Lot 2 WNE	SWSE	SESE
T11N R20E S34	NESE	SENW	NWSW
S35	SWNW		
WIXDVIPE	Within CUSTER County		
T10N R20E S03	Lot 2	SWSE	SESE
T11N R20E S34	NESE	SENW	NWSW
S35	SWNW		

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

KKC
Updated
4-11-97



A7215972

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: 7204582291
BLM NUMBER: 7204582291
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 72

SOURCE	TRIBUTARY TO
-----	-----
BROKEN WAGON CREEK	WARM SPRING 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
-----	-----	-----	-----	-----	-----	-----	-----
10N	20E	03				02	CUSTER

PLACE OF USE

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
-----	-----	-----	-----	-----	-----	-----	-----	-----
10N	20E	03			02	CUSTER	YES	0.0
11N	20E	34	SW	SE	00	CUSTER	YES	0.0

NOV 01 1934

11N	20E	34	SE	SE	00	CUSTER	YES	0.0
11N	20E	34	NE	SE	00	CUSTER	YES	0.0
11N	20E	35	NW	SW	00	CUSTER	YES	0.0
11N	20E	35	SW	NW	00	CUSTER	YES	0.0
11N	20E	35	SE	NW	00	CUSTER	YES	0.0
10N	20E	03			02	CUSTER	YES	0.0
11N	20E	34	SW	SE	00	CUSTER	YES	0.0
11N	20E	34	SE	SE	00	CUSTER	YES	0.0
11N	20E	34	NE	SE	00	CUSTER	YES	0.0
11N	20E	35	NW	SW	00	CUSTER	YES	0.0
11N	20E	35	SW	NW	00	CUSTER	YES	0.0
11N	20E	35	SE	NW	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. A72-15972

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/04/93
PAGE: 201

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: BROKEN WAGON CREEK

TRIBUTARY TO: WARM SPRING CREEK

STAGE: BENEFICIAL USE

POINT(S) OF DIVERSION:

T10N R20E S03 LOT02(*NWNB*) - *B*
11N 20E 35 SE NW-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
11N	20E	34	:																
11N	20E	35	:																
								<i>S</i>				<i>S</i>				<i>S</i>			

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
11N	20E	34	:																
11N	20E	35	:																
								<i>W</i>				<i>W</i>				<i>W</i>			

LOTS WITHOUT 1/4 1/4 DESCRIPTION: STOCKWATER

10N 20E 3 02-S *NWDE*

LOTS WITHOUT 1/4 1/4 DESCRIPTION: WILDLIFE

10N 20E 3 02-W

PDU COUNTY: CUSTER

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

OTHER RIGHTS: NONE

REMARKS: BLM RECORD ID = 7204582291
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

for Records

(See Remarks)
County Records
Witness Statement
Probate Records
IDWR Records

VERIFIED
SEP 26 1994

CERTIFIED
SEP 28 1994
WATER EXAMINER

72112034
Horse Basin R-19