

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A72-16025
Date Received: 10/26/1993
Receipt No: S016334
Received By: See

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRED M WINTER 208-233-0717
Address: 87 VALLEY VIEW
POCATELLO ID 83204

AND/OR

Name: KATHERINE K WINTER 208-233-0717
Address: 87 VALLEY VIEW
POCATELLO ID 83204

2. Date of Priority: OCT 15, 1945

3. Source: WARM SPRINGS CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
Beginning Point of Instream Flow							
13N	19E	11	NE	SE	NW		CUSTER
Ending Point of Instream Flow							
13N	19E	11	NE	NE	NW		CUSTER

5. Description of diverting works:
INSTREAM STOCK USE VIA STREAMS IN PASTURES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	4.000		

7. Total Quantity Appropriated is:
4.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 200 RANGE

MICROFILMED
NOV 01 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	19E	11	NE	NW		STOCK	
			SE	NW		STOCK	

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

THIS RIGHT IS FOR USE OF A BRANCH OF THE WARM SPRINGS CREEK FOR INSTREAM STOCK USES. 200 INCHES IS NEEDED IN THE WINTER MONTHS TO MAINTAIN A FLOW OF WATER TO THE PLACE OF USE.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Katherine K. Hinton Date: 10/26/93

Date: _____

MICROFILMED
NOV 01 1994

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of October 19 93

Steve C. [Signature]

Notary Public

Seal

Residing at Twin Falls

My Commission Expires Dec 7, 1994

MICROFILMED
NOV 01 1994

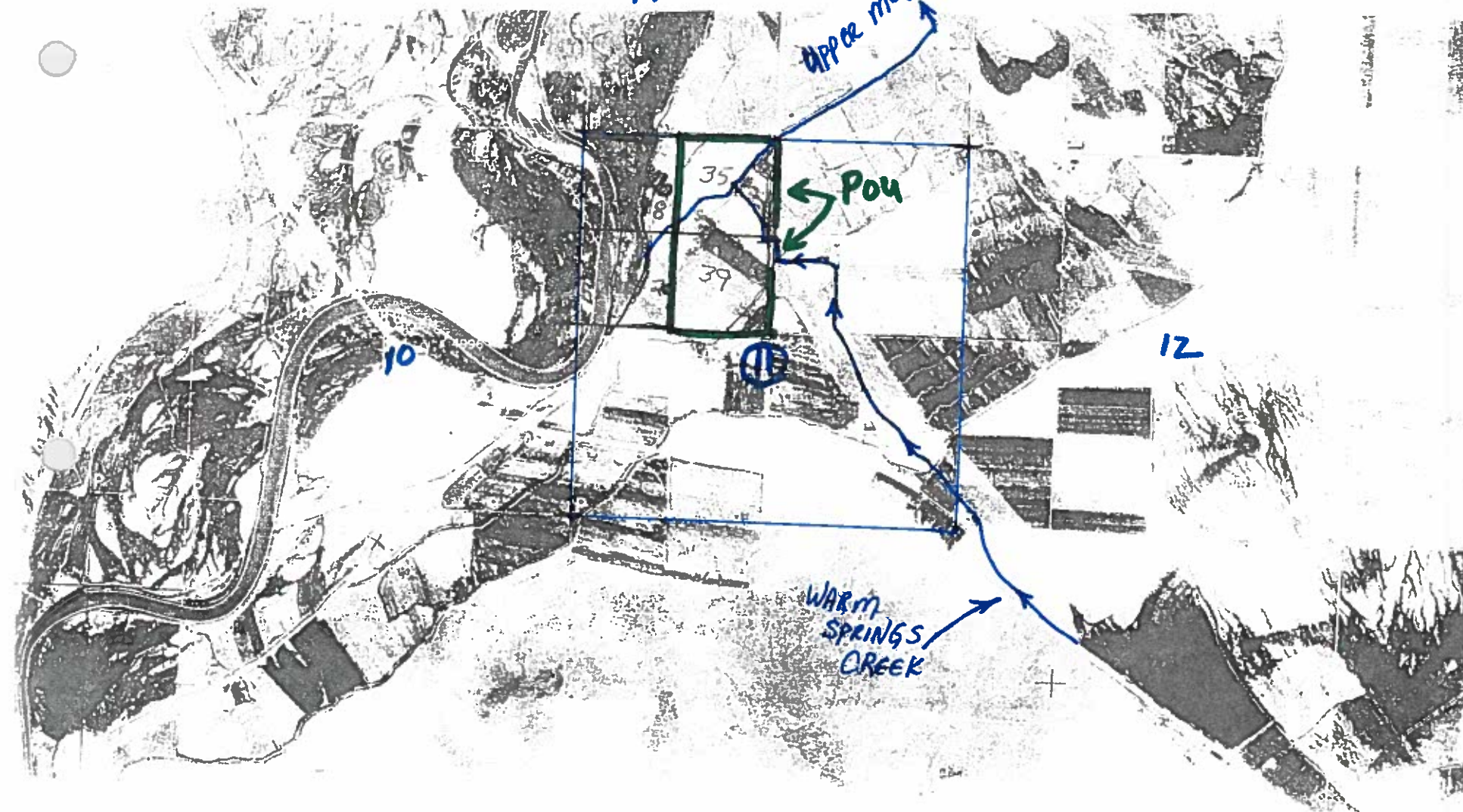
4-25

T13N
R19E

MICROFILMED
NOV 01 1994

A72-16025

~~WINTER~~
WINTER



FEB-10-1997
0025

1

RIGHT NUMBER: 72-16025

NAME AND ADDRESS: FRED M WINTER
KATHERINE K WINTER
87 VALLEY VIEW
POCATELLO ID 83204

SOURCE: WARM SPRING CREEK
~~WARM SPRINGS CREEK~~

TRIBUTARY: SALMON RIVER
~~SALMON RIVER~~

QUANTITY: ~~0.05 CFS~~
~~1/100 EPS~~

0.02 cfs

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 10/15/1945

POINT OF DIVERSION: T13N R19E S11 NENENW (E) Within CUSTER County
NESENW (B)

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER
~~STOCKWATER STOCKWATER, 200 RANGE~~

PERIOD OF USE
01-01 12-31

QUANTITY
~~0.05 CFS~~
~~1/100 EPS~~

PLACE OF USE: STOCKWATER Within CUSTER County
T13N R19E S11 NENW SENW

OTHER MATTERS 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
STOCKWATER, 200 RANGE

Charged per Bw-12
directions
KFC
2-27-97

.02 cfs

AJ5809NP
No. R72-16025

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/17/97
PAGE: 22

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FRED M WINTER	10/15/1945	STOCKWATER	01-01 12-31	0.05 CFS	
C	KATHERINE K WINTER 87 VALLEY VIEW POCATELLO ID 83204 (208) 233-0717					
TOTAL DIVERSION:					0.05 CFS	

Water Source: ~~WARM SPRING CREEK~~

Tributary to: SALMON RIVER

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T13N R19E S11
Point(s) of Ending Stream Reach: T13N R19E S11

NESENW
NENENW

CUSTER County
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	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac
13N	19E	11	:				:	S			:				:				:

POU County: CUSTER

Non-Irrigation Uses: STOCKWATER, 200 RANGE

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N73 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Dates: Exam Made Date: Verified Date: 06/03/1994 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 06/03/1994 User-ID: CLELLAND Subject: COPIED FROM REMARKS
THIS RIGHT IS FOR USE OF A BRANCH OF THE WARM SPRINGS CREEK FOR
INSTREAM STOCK USES. 200 INCHES IS NEEDED IN THE WINTER MONTHS
TO MAINTAIN A FLOW OF WATER TO THE PLACE OF USE.

Date: 06/03/1994 User-ID: CLELLAND Subject: RECOMMENDATIONS
THIS RIGHT IS REC'D FOR THE AMOUNT USED BY THE CATTLE AS PER
IDWR STANDARD RATE IN APPENDIX IV. THE ADDITIONAL FLOWS CLAIMED

VERIFIED BY: KKC
2-7-97

AJ5809NP
No. R72-16025

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/17/97
PAGE: 23

=====
Comments: Date: 06/03/1994 User-ID: CLELLAND Subject: RECOMMENDATIONS
ARE NOT VIEWED AS A BENEFICIAL USE.

Audit: 06/03/94 CLELLAND 03/30/95 POST-STD 01/14/97 D&S-DSHA

AJ0749NP
No. R72-16025

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

VERIFIED BY *Sc*
DATE: 06/03/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FRED M WINTER	10/15/1945	STOCKWATER	01-01 12-31	0.05 CFS	
C	KATHERINE K WINTER					
	87 VALLEY VIEW					
	POCATELLO ID 83204			TOTAL DIVERSION:	0.05 CFS	
	(208) 233-0717					

Water Source: WARM SPRING CREEK

Tributary to: SALMON RIVER

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T13N R19E S11
Point(s) of Ending Stream Reach: T13N R19E S11

NESENW
NENENW

CUSTER County
CUSTER County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE							
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
13N	19E	11	:					:	S				:					:					:

POU County: CUSTER

Non-Irrigation Uses: STOCKWATER, 200 RANGE

Other Rights: NONE

Dates: Exam Made Date: Verified Date: 06/03/1994

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 06/03/1994 User-ID: CLELLAND Subject: COPIED FROM REMARKS
THIS RIGHT IS FOR USE OF A BRANCH OF THE WARM SPRINGS CREEK FOR
INSTREAM STOCK USES. 200 INCHES IS NEEDED IN THE WINTER MONTHS
TO MAINTAIN A FLOW OF WATER TO THE PLACE OF USE.

Date: 06/03/1994 User-ID: CLELLAND Subject: RECOMMENDATIONS
THIS RIGHT IS REC'D FOR THE AMOUNT USED BY THE CATTLE AS PER
IDWR STANDARD RATE IN APPENDIX IV. THE ADDITIONAL FLOWS CLAIMED
ARE NOT VIEWED AS A BENEFICIAL USE.

Audit: 06/03/94 CLELLAND

MICROFILMED
NOV 01 1994

CLAIM NO. 472-16025STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET
FOR DOMESTIC AND STOCKWATER CLAIMS IN PLACE OF A CVR

POOR ORIGINAL

1. ☒ No Change NAME:
NEW OWNER: _____
☒ No Change ADDRESS:
NEW ADDRESS: _____
☒ DATA ENTRY STANDARDS CHECKED?
2. ☒ No Change - DATE OF PRIORITY: No Field Verification Needed.
☐ CHANGE- Priority date, per claimant, is _____.
(if the priority date, based on your exam, seems questionable,
explain in COMMENTS.)
3. ☐ No Change - SOURCE: _____
☒ CHANGE - Different ~~Source~~ ^{NAME} found: WARM SPRINGS Creek.
4. ☒ No Change - POINT OF DIVERSION: Confirmed by OPQ 4254 Exam.
☐ Point of diversion is different than the claim
New P/D: Twp. _____, Rge. _____, Sec. _____, _____ 1/4 _____ 1/4 _____ 1/4
- Note: If the 10-acre tract is shown on the claim, then
verification of the 10-acre parcel is needed. Otherwise the
10-acre tract is not required, unless the source is a spring.
5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS: INSTREAM USE
☐ Incomplete desc., complete items missing, IF KNOWN.
HP of pump _____ Static water level _____ Well depth _____
Casing size _____ Pumping water level _____ Gravity flow _____
Method of irr. _____
6. ☐ No Change - WATER USES:
☒ Different uses, (list uses found): Based rate on standard amount @ 200 Head
Use STOCKWATER From 1-1 To 12-31 Amount 0.05 cfs _____ af
Use _____ From _____ To _____ Amount _____ cfs _____ af
7. ☐ No Change - TOTAL VOLUME:
☒ Change found, The new total is, -- -- -- 0.05 cfs _____ af
8. N/A
9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
☐ Incomplete on claim - Exam found:
Domestic - No. of homes _____ Stockwater - No. of head _____
Other: _____
☒ DATA ENTRY STANDARDS (correct to..)

MICROFILMED

NOV 01 1983

10. ☒ No Change - PLACE OF USE: (If changed, list below.)
Use Twp. Rge. Sec. 1/4, 1/4, 1/4

ORIGINAL

Confirmed by Exam # OPQ 425

11. ☒ Checked: N/A

12. ☒ Checked: N/A

13. ☒ No change - OTHER RIGHTS FOR SAME USE:
☐ CHANGE:

14. ☒ None REMARKS: (copy existing remarks to comments in "R")
☐ Add the following standard remarks:
LIST STANDARD REMARKS FOR THE RECOMMENDATION:

15. ☒ BASIS OF CLAIM VERIFIED AS: D - L - P - S - J (circle one)

COMMENTS: (pertinent to field examination)

I Confirmed a branch of Warm Spring Creek does flow
thru the POW.

Cannot establish these flow rates as a Water Right
since No Beneficial use is known.

ATTACHMENTS: Attached to This Form. Attachments are in ~~Permit~~ Claim File.

PHOTOS ☐
MAP ☐
SYSTEM DIAGRAM ☐

☒

DATE EXAM CONDUCTED: 11/93 & 2/94

FIELD EXAMINER: STEVE CLELLAND

Signature Steve Clelland

REVIEWED BY/DATE: See 6-2-94

DATA ENTRY BY/DATE: [Signature]

VERIFICATION BY/DATE: [Signature]

POOR ORG. VAL

CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CLELLAND

FILE A72-16025

RE: Warm Spring Creek Use for stock

DATE 2-22-94

NAME OF PARTY

Mrs. Winters

she called to find out where her stock water right was in the process.

She says she hasn't been receiving the water at all this year.

I explained the AS process and told her the situation is in the grey area; We can't enforce the rights and we can't deny them either.

I suggested she consult her attorney to learn all the options she has to deal w/ this issue and that of being "forced to join the Challis Canal."

MICROFILMED
NOV 01 1994