

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-12871 V1

WATER RIGHT NUMBER: 45-12871 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 550 W FORT ST MSC 033 BOISE, ID 83724 (208)387-0835

Priority Date: 05/01/1879

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
CAVE GULCH SPRING	CAVE GULCH CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	5/01 to 11/30	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

CAVE GULCH SPRING	SE1/4NE1/4	Sec. 28, Twp 15S, Rge 21E, B.M.
CASSIA County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
15S	21E	28				X													

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory FOREST SERVICE RECORD ID = 0414 17040211 15 0022 1849 Cattle

Comments:

1. KCHRISTE 1/28/1998 BASIS OF CLAIM
Comment: LICENSE RIGHT 45-07390 AMENDED TO BU & EARLIER PRIORITY DATE

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-12871 V1

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

SubCase:

SubCase Number: 45-12871
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned: NICHOLAS B SPENCER
Adjudication Agent:
Basis of Claim:
Date Filed: 7/21/1998 Objection Status: Active

AJ5809NP
No. F45-07390

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/15/98
PAGE: 11

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 550 W FORT ST MSC 033 BOISE ID 83724	05/01/1879	STOCKWATER	05-01 11-30	0.03 CFS <i>0.02</i>	
TOTAL DIVERSION:					0.02 CFS	

Water Source: CAVE GULCH SPRING

Tributary to: CAVE GULCH CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T15S R21E S28

SENE

CASSIA County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE											
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NENE		NWSE		SWSE		SESE	
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	Lt Ac	Lt Ac	Lt Ac	Lt Ac
15S	21E	28	:				S ✓	:						:									

POU County: CASSIA

Non-Irrigation Uses: 1849 Cattle

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A45-07390 A45-10325 R45-07390 R45-10325

Remarks: EXP FOREST SERVICE RECORD ID = 0414 17040211 15 0022

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

dev. system
Renumbered to
A45-12871

map DD-77
88

AJ5809NP
No. R45-07390

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/15/98
PAGE: 17

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 324 25TH STREET OGDEN UT 844012394 (801) 625-5360	10/11/1979	STOCKWATER	05-01 11-30	0.02 CFS	8.50 AFA
TOTAL DIVERSION:					0.02 CFS	8.50 AFA

Water Source: CAVE GULCH SPRING

Tributary to: CAVE GULCH CREEK

Stage: LICENSE

Point(s) of Diversion:

T15S R21E S28

SENE

CASSIA County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE																			
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE	
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	
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15S	21E	28	:																												

POU County: CASSIA

Non-Irrigation Uses: STOCKWATER, 1849 RANGE CATTLE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A45-07390 A45-10325 F45-07390 R45-10325

Conditions of Approval:

- L12 - THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
- ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
- USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

Remarks: GEN FOREST SERVICE RECORD ID = 041417040211150022 00

Dates: Exam Made Date: Verified Date: 02/24/1995 Objection Filed Date:

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

Audit: 02/24/95 RMCCARTH

RECEIVED

OCT 15 1997

Department of Water Resources

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: **45-07390**

Date received _____

Receipt No: _____

FILED UNDER STATE LAW

1. Name of Claimant: UNITED STATES OF AMERICA on behalf of the U.S.D.A. Forest Service

Address: 550 W. Fort Street MSC033

Boise

ID

83724

2. Date of Priority: 05/01/1879

3. Source of water: CAVE GULCH SPRING

From: Spring

4. Location

Description of Diversion Works:

Combo

Location of Point of Use

Meridian BOISE

T: 15 S R: 21 E S: 28 SENE

Location of Point of Diversion

T: 15 S R: 21 E S: 28 SENE Fl:

5. Quantity claimed:

Period	Quantity	For
5/ 01 - 11/ 30	0.03 CFS	Stockwater

6. Total Consumptive Use Claimed for Present and Future Use is:

0.03 CFS

AE2B010667



7. Present and future uses to which the water is or will be used:

Stockwater

8. Attach the legal description of the reservation, and maps showing for each consumptive use the existing and proposed place of use and existing points of diversion.

Bound separately

9. Remarks:

State Basin: 45

National Forest: Sawtooth

Forest Service Record ID: 04 14 17040211 15 0 0022

10. Describe any other water rights used at the same place and for the same purposes as described above:

None

11. Counties within the reservation: Not available

Notice is hereby given that the United States Department of Justice will represent the Department of Agriculture, Forest Service, in all matters pertaining to the Snake River Basin Adjudication. All notices required by law to be mailed by the Director to the claimant should be mailed to the individuals at the address below:

Bruce Bernard
U.S. Department of Justice
Environment and Natural Resources Division
550 W. Fort Street MSC033
Boise, ID 83724

This form is an attachment to a letter forwarding the claims of the U.S. Department of Agriculture, Forest Service. The signature and affirmation on such letter constitutes the signature of the authorized agent representing the United States of America required for each such claim.