

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

RIGHT NUMBER: 61-12082

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF LANDS
954 W JEFFERSON
PO BOX 83720
BOISE ID 83720-0050

SOURCE: UNNAMED STREAM

TRIBUTARY: DEER HEAVEN CREEK

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/15/1919

POINT OF
DIVERSION:

T02S R11E S32 NWNWSW Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.020 CFS

PLACE OF USE: STOCKWATER Within ELMORE County

T02S R11E S32 NWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is renumbered from former claim 37-21196.

01/30/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-21196

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF LANDS
700 W JEFFERSON RM 210
PO BOX 44449
BOISE ID 83711-4449

SOURCE: UNNAMED STREAM TRIBUTARY: DEER HEAVEN CREEK

QUANTITY: 0.020 CFS
The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/15/1919

POINT OF DIVERSION:
T02S R11E S32 NWNWSW Within ELMORE County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within ELMORE County
T02S R11E S32 NWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Renumbered
61-12082

37-21196 SRBA Review Notes

1/20/06

M. Adler

- Recommended source as unnamed stream tributary to Deer Heaven Creek - Thorn Creek appears to be a local name for the unnamed stream?? However, in that case it should still be ^{Thorn Cr.} tributary to Deer Heaven Creek. Appear that Thorn Creek is an error.

IDAHO DEPARTMENT OF LANDS

954 W. Jefferson St., PO Box 83720
Boise, Idaho 83720-0050
Phone (208) 334-0200 Fax (208) 334-2339

WINSTON WIGGINS - DIRECTOR

**BOARD OF LAND
COMMISSIONERS**

DIRK KEMPTHORNE
Governor

BEN YSURA
Secretary of State

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State Controller

MARILYN HOWARD
Supt of Public
Instruction

January 12, 2004

Idaho Department of Water Resources
ATTN: Allen D. Merritt
1341 Fillmore Street, Suite 200
Twin Falls ID 83301-3380

Re: 'Notice Of Claim Of A Water Right' --
Submitted by the Idaho Department of Lands

Dear Mr. Merritt

We have enclosed thirty-two (32) 'Notice of Claim To A Water Right' forms in duplicate, along with a warrant for the \$800 filing fees (32 x \$25 = \$800). We request that you assign an identification number to each claim, and return the copies marked 'COPY' to us at: Idaho Department of Lands, Statehouse Mail, PO Box 83720, Boise, ID 83720-0050. We have enclosed a pre-addressed envelope for your convenience.

If you have any questions, please call or email me.

Sincerely,



Ula Chadd
Administrative Assistant
Bureau of Surface and Mineral Resources
Email: uchadd@idl.state.id.us
Phone: (208) 334-0250

Enclosure(s)
cc: Area Office

RECEIVED

JAN 14 2004

Department of Water Resources
Southern Region

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

Renumber 61-12082

Ident. Number ~~37-21196~~
Date Received: 1/16/2004
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

STATE OF IDAHO Phone:
DEPARTMENT OF LANDS
700 W JEFFERSON RM 210
PO BOX 44449
BOISE ID 83711-4449

2. Date of Priority: 12/15/1919

3. Source: UNNAMED STREAM Trib. to: THORN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02S	11E	32	NW NW SW	ELMORE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
02S	11E	32	NW SW	STOCKWATER	

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

Received at Southern 01-14-2004. \$25 paid and receipted under S026400.

15. Basis of Claim: Beneficial Use

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

37

39576

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

CIVIL CASE NUMBER:

Identification No. 37-21196

Date Received _____

Receipt Number 5026400 \$25

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

JAN 14 2004

Department of Water Resources
Southern Region

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) State of Idaho, Department of Lands Phone (208) 334-2400

Mailing Address 700 W. Jefferson, Room 210, P.O. Box 44449, Boise, Idaho Zip 83711-4449

2. Date of Priority (Only one per claim) December 15, 1919 Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other (X) (a) Unnamed stream
Name or kind of source

which is tributary to (b) Thorn Creek

4. Location of point of diversion is: Township 2 South Range 11 East

Section 32, NW 1/4 of NW 1/4 of SW 1/4, Govt. Lot _____, B.M.,

County of Elmore

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. A dam collects water in a small reservoir, which was designated as Waypoint 8. The reservoir was dry at the time of inspection on 6/18/2003. See attached photograph of Waypoint 8.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
Month/Day Month/Day (cfs)

For StockWater purposes from January 1 to December 31 amount 0.02
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.02 (cfs)

8. Total consumptive use claimed is de minimis

9. Non-irrigation uses. Describe fully. (Domestic : give number of households served if single ownership ; Stockwater : Type and Number of livestock) The lands described in this claim are leased under State Land Lease, Lease No. 7601 (Grazing). This lease authorizes a total of 730 animal unit months on 5,913.8 acres of State endowment land.

10. Place of use is: Township: 2 South Range 11 East

Section 32, NW 1/4 of SW 1/4 Govt. Lot B.M.,

County of Elmore for (Circle One)

Domestic

Stock

Domestic and Stock

Additional places of use, if any: Not applicable

11. In which county (ies) are lands listed above as place of use located? Elmore

12. Do you own the property listed above as place of use? Yes X No

If your answer is No, describe in Remarks below the authority you have to claim this water right.

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

14. Remarks:

15. Basis of Claim (Circle One)
Decree

Beneficial use

Posted Notice

License

Permit

Court Decree Date Plaintiff vs Defendant

If applicable provide IDWR Water Right Number

16. Signature (s)

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

Number of Attachments = 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Date

For Organizations: I do solemnly swear or affirm that I am Range Program Manager
Title
of the Idaho Department of Lands, that I have signed the foregoing document in the space below as Range Program Manager of the Idaho Department of Lands and that the statements contained in the foregoing document is true and correct.

Signature of Authorized Agent Tracy Behrens Date 1/6/2004

Title and Organization Range Program Manger, Idaho Department of Lands

State of Idaho)

County of Ada) ss

Subscribed and sworn (or affirmed) before me this 6th day of January 2004

Notary Public

Residing at Caladwell

My Commission Expires 9-22-06

Last Name Ident No.



PHOTO RECORD

*South Central Office
Gooding, Idaho*

Lease Number: G-7601

Location: 2S 11E Sec. 32 NWNWSW
Waypoint 8

Date: 6/18/2003

Taken By: Brian Sewell



Reservoir is dry, small watershed