

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 37-21208
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 STREAMS Trib. to: THORN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02S	11E	35	SE NE NE	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	35	NE NE	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

CIVIL CASE NUMBER:

39576

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

Identification No. 37-21208

Date Received

Receipt Number 5026400 \$25

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

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

RECEIVED

JAN 14 2004

Department of Water Resources
Southern Region

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 35, SE 1/4 of NE 1/4 of NE 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 the water from a spring in a reservoir, which is designated as Waypoint 36. A steel tank below the dam collects overflow from the reservoir. The spring was not flowing, and the steel tank was empty on 6/25/2003. See attached photograph of Waypoint 36.

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 35, NE ¼ of NE ¼ 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 Manager Idaho Department of Lands

State of Idaho)

) ss.

County of Ada)

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

Notary Public

Residing at Caldwell

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. 35 SENENE

Waypoint 36

Date: 6/25/2003

Taken By: Brian Sewell



Good Stock pond with spring above, and empty stock tank below.

01/30/2006

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

RIGHT NUMBER: 37-21208

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

SOURCE: SPRING

TRIBUTARY: UNNAMED STREAM

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 S35 SENENE 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 S35 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.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

37-21208 SRBA Notes

1/20/06

M. Adler

- Source recommended as spring tributary to unnamed spring. Claimant says source is spring in claim notes.

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

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Sup't 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

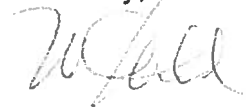
Re: 'Notice Of Claim Of A Water Right' --
Submitted by the Idaho Department of Lands

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

M:\Surface-Minerals\UChadd\RANGE-READING-FILE-04-01-02Copied11-26-02\WaterRights-LTR-32NoticesOfClaim-1-12-2004.doc

**KEEP IDAHO GREEN
PREVENT WILDFIRE**

EQUAL OPPORTUNITY EMPLOYER