

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 47-16465 V1

WATER RIGHT NUMBER: 47-16465 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: 05/01/1875
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
WPA SPRING	CHERRY 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

WPA SPRING	NE1/4SW1/4	Sec. 26, Twp 16S, Rge 19E, B.M.
CASSIA County		

Place of Use

STOCKWATER

Tw	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16S	19E	26									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 13 0021 1849 Cattle

Comments:

1. AJU5-DJO 6/10/1998 AJU5 STOCK ONLY UPDATE

Comment: USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK. CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD. ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 47-16465 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: 47-16465
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned: NICHOLAS B SPENCER
Adjudication Agent:
Basis of Claim:
Date Filed: 6/8/1999 Objection Status: Active
Date Filed: 6/7/1999 Objection Status: Active
Date Filed: 6/8/1999 Objection Status: Active
Date Filed: 6/7/1999 Objection Status: Active
Date Filed: 4/30/1999 Objection Status: Active

AJ5809NP
No. R47-16465

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/10/98
PAGE: 31

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH	05/01/1875	STOCKWATER	05-01 11-30	0.02 CFS	
TOTAL DIVERSION:					0.02 CFS	

Water Source: WPA SPRING

Tributary to: CHERRY CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T16S R19E S26

NESW

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
16S 19E 26	:		:		:		:		:	S	:		:		:	

POU County: CASSIA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A47-16465 R45-12028

Conditions of Approval:

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

Remarks: EXP FOREST SERVICE RECORD ID = 0414 17040211 13 0021
1849 Cattle

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 06/10/1998 User-ID: AJU5-DJO Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 05/29/98 AJCTR 06/09/98 AJU5-DJO

D
6-16-98

2/16/03

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: 47-16465

RECEIVED
MAY 28 1998
Department of Water Resources

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: 05/01/1875
3. Source of water: WPA SPRING
Tributary: CHERRY CREEK
4. Location Meridian BOISE
Description of Diversion Works: Pond From: Spring
Location of Point of Diversion
T: 16 S R: 19 E S: 26 NESW
Location of Point of Use
T: 16 S R: 19 E S: 26 NESW
5. Quantity claimed: Period Quantity For
5/ 01 -- 11/ 30 0.02 CFS Stockwater
6. Total Consumptive Use Claimed for Present and Future Use is:
0.02 CFS
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: 47
National Forest: Sawtooth
Forest Service Record ID: 04 14 17040211 13 0 0021
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, Box 33
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.

JAN-16-1997
0363

1

RIGHT NUMBER:

~~REDACTED~~ Renumbered 47-16465

NAME AND ADDRESS:

UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
324 25TH STREET
OGDEN UT 84401-2394

SOURCE:

WPA SPRING

TRIBUTARY: CHERRY CREEK

QUANTITY:

0.04 CFS

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

PRIORITY DATE:

05/01/1875

POINT OF DIVERSION:

T16S R19E S26

NESW

Within CASSIA County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
05-01 11-30

QUANTITY
0.04 CFS

PLACE OF USE:

STOCKWATER
T16S R19E S26

Within CASSIA County
NESW

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
FOREST SERVICE RECORD ID = 041417040211130021 00
1849 Cattle

~~REDACTED~~

OLD (D) NUMBER -

+ - - - - - ADDRESS - - - - - +

PHONE - 208-387-0835

PHONE - 801-625-5360

PHONE - 801-625-5360

STATE- UT ZIP- 0

PHONE - 801-625-5360

+ - - - STATUS - - - - +

+ - - - - TRIBUTARY - - - - +
CHERRY CREEK

0.040

+ - TOTAL DIV. RATE - +		+ - TOTAL DIV. VOLUME - +		+ - TOTAL DIV. CAPACITY - +		+ - TOTAL CONSUMPTIVE USE - +		+ - KW USAGE - +	
0.040						0.0			

WATER RIGHT NUMBER - A45-12028

PREFIX TRANSLATION: ADJUDICATION CLAIM

TWN	RNG	SEC	TRACT	LOT	ACRES	CODE	DESCRIPTION	COUNTY
16S	19E	26	NE SW			04	STOCKWATER	(31) CASSIA
+ - - DIVERSION MEANS - POND								
+ - - NON-IRRIGATION USE - 1849 CATTLE								
+ - - OTHER RIGHTS FOR SAME USE -								
+ - - REMARKS - - - - -								
FOREST SERVICE RECORD ID = 041417040211130021 00								
+ - - OLD WATER RIGHT NUMBERS - - - - -								
NO OLD WATER RIGHT NUMBERS FOUND.								
+ - - CONDITIONS OF APPROVAL - - - - -								
NO CONDITIONS OF APPROVAL FOUND.								
+ - - - - DECREE PLAINTIFF - - - +			+ - - - - DECREE DEFENDANT - - - +			+ - DECREE DATE - +		
						00/00/0000		
+ - - AUDIT FIELDS - 04/23/94 AJCTR								
+ - - COMMENTS - - - - -								
NO COMMENTS FOUND								
+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -								
COURT REPORT FILING - 00/00/0000			FIELD INSPECTION MADE - 00/00/0000			CIVIL CASE NUMBER - 39576		
OBJECTION FILED DATE - 00/00/0000			FIELD INSPECTION FLAG -			OLD CASE NUMBER -		
RESPONSE FILED DATE - 00/00/0000			VERIFIED DATE - 00/00/0000			OLD JUDICIAL DISTRICT -		
CLAIM RECEIVED DATE - 03/25/1993			LAST AMENDED DATE - 00/00/0000			TEMPORARY RIGHT - P		
PROOF DUE DATE - 00/00/0000			PROOF MADE DATE - 00/00/0000			WATER DISTRICT -		
LICENSED DATE - 00/00/0000			RECEIPT NUMBER - X111111			FEDERAL/STATE INDICATOR - S		
CLAIMS TAPE ERROR FLG -			POU OWNERSHIP FLAG - Y			PRESUMPTION FLAG -		
FEE EXEMPT FLAG -			NAME CONNECTOR -			NOTICE OF ERROR FLAG -		

Mahogany Butte

DATA ENTRY
ENTERED
CHECKED

[Signature]
12-91

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAFP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
FEB 24 1995

CERTIFIED
FEB 27 1995
WATER EXAMINER