

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 47-16460 V1

WATER RIGHT NUMBER: 47-16460 V1

Owner Type

Current Owner

Name and Address

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

Source

HUMPHREY SPRING

Tributary

LITTLE PINEY CREEK

Beneficial Use

STOCKWATER

From To

5/01 to 11/30

Diversion Rate

0.020 CFS

Annual VolumeTotal Diversion: 0.020 CFSLocation of Point(s) of Diversion

HUMPHREY SPRING

NE1/4SW1/4

Sec. 4, Twp 16S, Rge 19E, B.M.

CASSIA County

Place of Use

STOCKWATER

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 16S | 19E | 4   |    |    |    |    |    |    |    |    | 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 0016 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 47-16460 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: 47-16460  
Class: 1  
SF5 Filed Date:  
Special Master Recom Signed Date:  
Attorney Assigned: NICHOLAS B SPENCER  
Adjudication Agent:  
Basis of Claim:  
Date Filed: 4/30/1999 Objection Status: Active  
Date Filed: 6/7/1999 Objection Status: Active  
Date Filed: 6/8/1999 Objection Status: Active  
Date Filed: 6/8/1999 Objection Status: Active  
Date Filed: 6/7/1999 Objection Status: Active

AJ5809NP  
No. R47-16460

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/10/98  
PAGE: 26

| OWNER<br>CODE    | NAME & ADDRESS                          | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>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: HUMPHREY SPRING

Tributary to: LITTLE PINEY CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T16S R19E S04

NESW

CASSIA 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 |
| 16S | 19E | 4 | : | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  |

POU County: CASSIA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
A47-16460 R45-12023

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 0016  
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  
1/16/98

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: **47-16460**

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: HUMPHREY SPRING Tributary: LITTLE PINEY CREEK
4. Location Meridian BOISE  
Description of Diversion Works: Combo From: Spring  
Location of Point of Diversion  
T: 16 S R: 19 E S: 4 NESW  
Location of Point of Use  
T: 16 S R: 19 E S: 4 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 0016
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  
0358

1

RIGHT NUMBER:

47-16460

NAME AND ADDRESS:

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

SOURCE:

HUMPHREY SPRING

TRIBUTARY: LITTLE PINY 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 S04

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 S04

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 = 041417040211130016 00  
1849 Cattle

11/23/94 00:18:34  
PAGE 1

OLD (D) NUMBER -

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

PHONE - 208-387-0835

PHONE - 801-625-5360

PHONE - 801-625-5360

PHONE -

PHONE - 801-625-5360

+ - - - STATUS - - - - +

+ - - - - - TRIBUTARY - - - - - +  
LITTLE PINY CREEK

[illegible]

16S 19E 4 NE SW (31) CASSIA

| CODE | DESCRIPTION | PERIOD FROM | PERIOD TO | WATER USE | DIVERSION RATE | DIVERSION VOLUME |
|------|-------------|-------------|-----------|-----------|----------------|------------------|
| 1    | 1           | 1           | 1         | 1         | 1              | 1                |
| 2    | 2           | 2           | 2         | 2         | 2              | 2                |
| 3    | 3           | 3           | 3         | 3         | 3              | 3                |
| 4    | 4           | 4           | 4         | 4         | 4              | 4                |
| 5    | 5           | 5           | 5         | 5         | 5              | 5                |
| 6    | 6           | 6           | 6         | 6         | 6              | 6                |
| 7    | 7           | 7           | 7         | 7         | 7              | 7                |
| 8    | 8           | 8           | 8         | 8         | 8              | 8                |
| 9    | 9           | 9           | 9         | 9         | 9              | 9                |
| 10   | 10          | 10          | 10        | 10        | 10             | 10               |
| 11   | 11          | 11          | 11        | 11        | 11             | 11               |
| 12   | 12          | 12          | 12        | 12        | 12             | 12               |
| 13   | 13          | 13          | 13        | 13        | 13             | 13               |
| 14   | 14          | 14          | 14        | 14        | 14             | 14               |
| 15   | 15          | 15          | 15        | 15        | 15             | 15               |
| 16   | 16          | 16          | 16        | 16        | 16             | 16               |
| 17   | 17          | 17          | 17        | 17        | 17             | 17               |
| 18   | 18          | 18          | 18        | 18        | 18             | 18               |
| 19   | 19          | 19          | 19        | 19        | 19             | 19               |
| 20   | 20          | 20          | 20        | 20        | 20             | 20               |
| 21   | 21          | 21          | 21        | 21        | 21             | 21               |
| 22   | 22          | 22          | 22        | 22        | 22             | 22               |
| 23   | 23          | 23          | 23        | 23        | 23             | 23               |
| 24   | 24          | 24          | 24        | 24        | 24             | 24               |
| 25   | 25          | 25          | 25        | 25        | 25             | 25               |
| 26   | 26          | 26          | 26        | 26        | 26             | 26               |
| 27   | 27          | 27          | 27        | 27        | 27             | 27               |
| 28   | 28          | 28          | 28        | 28        | 28             | 28               |
| 29   | 29          | 29          | 29        | 29        | 29             | 29               |
| 30   | 30          | 30          | 30        | 30        | 30             | 30               |
| 31   | 31          | 31          | 31        | 31        | 31             | 31               |
| 32   | 32          | 32          | 32        | 32        | 32             | 32               |
| 33   | 33          | 33          | 33        | 33        | 33             | 33               |
| 34   | 34          | 34          | 34        | 34        | 34             | 34               |
| 35   | 35          | 35          | 35        | 35        | 35             | 35               |
| 36   | 36          | 36          | 36        | 36        | 36             | 36               |
| 37   | 37          | 37          | 37        | 37        | 37             | 37               |
| 38   | 38          | 38          | 38        | 38        | 38             | 38               |
| 39   | 39          | 39          | 39        | 39        | 39             | 39               |
| 40   | 40          | 40          | 40        | 40        | 40             | 40               |
| 41   | 41          | 41          | 41        | 41        | 41             | 41               |
| 42   | 42          | 42          | 42        | 42        | 42             | 42               |
| 43   | 43          | 43          | 43        | 43        | 43             | 43               |
| 44   | 44          | 44          | 44        | 44        | 44             | 44               |
| 45   | 45          | 45          | 45        | 45        | 45             | 45               |
| 46   | 46          | 46          | 46        | 46        | 46             | 46               |
| 47   | 47          | 47          | 47        | 47        | 47             | 47               |
| 48   | 48          | 48          | 48        | 48        | 48             | 48               |
| 49   | 49          | 49          | 49        | 49        | 49             | 49               |
| 50   | 50          | 50          | 50        | 50        | 50             | 50               |
| 51   | 51          | 51          | 51        | 51        | 51             | 51               |
| 52   | 52          | 52          | 52        | 52        | 52             | 52               |
| 53   | 53          | 53          | 53        | 53        | 53             | 53               |
| 54   | 54          | 54          | 54        | 54        | 54             | 54               |
| 55   | 55          | 55          | 55        | 55        | 55             | 55               |
| 56   | 56          | 56          | 56        | 56        | 56             | 56               |
| 57   | 57          | 57          | 57        | 57        | 57             | 57               |
| 58   | 58          | 58          | 58        | 58        | 58             | 58               |
| 59   | 59          | 59          | 59        | 59        | 59             | 59               |
| 60   | 60          | 60          | 60        | 60        | 60             | 60               |
| 61   | 61          | 61          | 61        | 61        | 61             | 61               |
| 62   | 62          | 62          | 62        | 62        | 62             | 62               |
| 63   | 63          | 63          | 63        | 63        | 63             | 63               |
| 64   | 64          | 64          | 64        | 64        | 64             | 64               |
| 65   | 65          | 65          | 65        | 65        |                |                  |

0.040

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

WATER RIGHT NUMBER - A45-12023

PREFIX TRANSLATION: ADJUDICATION CLAIM

| TWN                                              | RNG | SEC | TRACT                  | LOT | ACRES | CODE            | DESCRIPTION | COUNTY       |
|--------------------------------------------------|-----|-----|------------------------|-----|-------|-----------------|-------------|--------------|
| 16S                                              | 19E | 4   | NE SW                  |     |       | 04              | STOCKWATER  | (31 ) CASSIA |
| + - - DIVERSION MEANS - COMBO                    |     |     |                        |     |       |                 |             |              |
| + - - NON-IRRIGATION USE - 1849 CATTLE           |     |     |                        |     |       |                 |             |              |
| + - - OTHER RIGHTS FOR SAME USE -                |     |     |                        |     |       |                 |             |              |
| + - - REMARKS                                    |     |     |                        |     |       |                 |             |              |
| FOREST SERVICE RECORD ID = 041417040211130016 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]*  
14 17 97

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

VERIFIED  
FEB 24 1995

CERTIFIED  
FEB 27 1995  
WATER EXAMINER