

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 47-16470 V1

WATER RIGHT NUMBER: 47-16470 V1

Owner TypeName and Address

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

SourceTributary

EAST FORK THOROUGHbred CREEK

THOROUGHbred CREEK

Beneficial UseFrom ToDiversion RateAnnual Volume

STOCKWATER

5/01 to 11/30

0.020 CFS

Total Diversion:

0.020 CFS

Location of Point(s) of Diversion

EAST FORK THOROUGHbred CREEK SE1/4SW1/4
 CASSIA County (Ending of Reach)

Sec. 21, Twp 16S, Rge 19E, B.M.

EAST FORK THOROUGHbred CREEK NE1/4NW1/4
 CASSIA County (Beginning of Reach)

Sec. 10, Twp 16S, Rge 19E, B.M.

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	10					X		X	X		X	X						
16S	19E	15						X	X			X	X						
16S	19E	21	X		X	X					X			X		X			
16S	19E	22						X											

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 47-16470 V1

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 0066 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.

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: 47-16470
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned: NICHOLAS B SPENCER
Adjudication Agent:
Basis of Claim:
Date Filed: 6/7/1999 Objection Status: Active
Date Filed: 4/30/1999 Objection Status: Active
Date Filed: 6/8/1999 Objection Status: Active
Date Filed: 6/7/1999 Objection Status: Active
Date Filed: 6/8/1999 Objection Status: Active

AJ5809NP
No. R47-16470

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/10/98
PAGE: 36

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: THOROUGHbred CREEK, EAST FORK Tributary to: THOROUGHbred CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T16S R19E S10

NENW

Point(s) of Ending Stream Reach: T16S R19E S21

SESW

CASSIA County

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	
16S	19E	10	:						S			S		S					S		S										
16S	19E	15	:							S		S							S		S										
16S	19E	21	:		S													S		S											
16S	19E	22	:				S					S										S									

POU County: CASSIA

Other Water Rights With Same Point(s) of Diversion With Stage (Includes All Sources):
A47-14923 R45-12006 R45-12039 R45-12041 R47-14923 R47-16433 R47-16448

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 0066
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: 47-16470

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: THOROUGHbred CREEK, EAST FORK Tributary: THOROUGHbred CREEK
4. Location Meridian BOISE
Description of Diversion Works: None From: Stream
Location of Point of Diversion
T: 16 S R: 19 E S: 10 NENW B T: 16 S R: 19 E S: 21 SESW E
Location of Point of Use
T: 16 S R: 19 E S: 10 NENW T: 16 S R: 19 E S: 10 NWSW
T: 16 S R: 19 E S: 10 SENW T: 16 S R: 19 E S: 10 SWNW
T: 16 S R: 19 E S: 10 SWSW T: 16 S R: 19 E S: 15 NWNW
T: 16 S R: 19 E S: 15 NWSW T: 16 S R: 19 E S: 15 SWNW
T: 16 S R: 19 E S: 15 SWSW T: 16 S R: 19 E S: 21 NENE
T: 16 S R: 19 E S: 21 NESW T: 16 S R: 19 E S: 21 NWSE
T: 16 S R: 19 E S: 21 SENE T: 16 S R: 19 E S: 21 SESW
T: 16 S R: 19 E S: 21 SWNE T: 16 S R: 19 E S: 22 NWNW
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 0066
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.

RECEIVED

MAY 28 1998

Department of Water Resources

JAN-16-1997
0374

1

RIGHT NUMBER:

~~45-12069~~ renumber 47-14470

NAME AND ADDRESS:

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

SOURCE:

EAST FORK EF THOROBRED CREEK TRIBUTARY: THORBRED 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 S10

NENW (B)

Within CASSIA County

~~SESW~~

S21

SESW (E)

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
05-01 11-30

QUANTITY
0.04 CFS

PLACE OF USE:

STOCKWATER

Within CASSIA County

T16S R19E S10

NENW

SWNW

SENW

NWSW

SWSW

S15

NWNW

SWNW

NWSW

SWSW

S21

NENE

SWNE

SENE

NESW

SESW

NWSE

S22

NWNW

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 = 041417040211130066 00
1849 Cattle

~~47-14470~~

WATER RIGHT NUMBER - A45-12039

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - +

+ - FIRST NAME - - +

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

*** A - ATTORNEY ***

GHELETA, M OR D ZANE OR E GOULD

1 - US DEPT OF JUSTICE

2 - ENVIRON AND NAT RESOURCE DIV

3 - 550 W FORT STREET BOX 33

CITY- BOISE

STATE- ID ZIP- 837240001

PHONE - 208-387-0835

*** C - CURRENT OWNER ***

AMERICA ACTING THROUGH

UNITED STATES OF

1 - USDA FOREST SERVICE

2 - 324 25TH STREET

3 -

CITY- OGDEN

STATE- UT ZIP- 844012394

PHONE - 801-625-5360

*** K - ALSO KNOWN AS ***

US DEPT OF AGRICULTURE

1 - FOREST SERVICE

2 - 324 25TH STREET

3 -

CITY- OGDEN

STATE- UT ZIP- 844012394

PHONE - 801-625-5360

USFS

1 -

2 -

3 -

CITY- X

STATE- UT ZIP- 0

PHONE -

*** R - REPRESENTATIVE ***

BOYLE

GARY

1 - USDA FOREST SERVICE

2 - 324 25TH STREET

3 -

CITY- OGDEN

STATE- UT ZIP- 844012394

PHONE - 801-625-5360

+ - - PRIORITY DATE - - +
05/01/1875+ - - - REGION - - - +
17 SOUTHERN+ - - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - - SOURCE - - - - - +
EAST FORK EF THOROBRED CREEK+ - +
THOROBRED CREEK+ - +
TWN RNG SEC TRACT LOT RFLG COUNTY DIVERSION NAME16S 19E 10 ^{NE NW}
~~SE SW~~ ^B
^E (31) CASSIA+ - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

04 - STOCKWATER

05/01

11/30

0.040

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

WATER RIGHT NUMBER - A45-12039

PREFIX TRANSLATION: ADJUDICATION CLAIM

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE CODE	DESCRIPTION	COUNTY
16S	19E	10 ~~21~~	NE NW ~~SE SW~~ SW NW SE NW NW SW SW SW CATTLE NWNW SW NW NWSW SW SW			04	STOCKWATER	(31) CASSIA
+ - - DIVERSION MEANS - NONE								
+ - - NON-IRRIGATION USE - 1849								
+ - - OTHER RIGHTS FOR SAME USE -								
+ - - - - - REMARKS - - - - -								
FOREST SERVICE RECORD ID = 041417040211130066 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	-		PDU OWNERSHIP FLAG	-	Y	PRESUMPTION FLAG	-	
FEE EXEMPT FLAG	-		NAME CONNECTOR	-		NOTICE OF ERROR FLAG	-	

2 Mahogany Butte

DATA ENTRY

ENTERED

CHECKED

11 1-7-97

"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 1995CERTIFIED
FEB 27 1995
WATER EXAMINER