

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 47-16433 V1

WATER RIGHT NUMBER: 47-16433 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>
THOROUGHNBRED CREEK	GOOSE 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

THOROUGHNBRED CREEK	SW1/4SE1/4SE1/4	Sec. 29, Twp 16S, Rge 19E, B.M.
CASSIA County	(Beginning of Reach)	
THOROUGHNBRED CREEK	SW1/4NE1/4NE1/4	Sec. 28, Twp 16S, Rge 19E, B.M.
CASSIA County	(Beginning of Reach)	
THOROUGHNBRED CREEK	NE1/4NE1/4	Sec. 32, Twp 16S, Rge 19E, B.M.
CASSIA County	(Ending of Reach)	
THOROUGHNBRED CREEK	NW1/4NE1/4NE1/4	Sec. 32, Twp 16S, Rge 19E, B.M.
CASSIA County	(Ending of Reach)	
THOROUGHNBRED CREEK	NE1/4NW1/4NE1/4	Sec. 33, Twp 16S, Rge 19E, B.M.
CASSIA County	(Beginning of Reach)	
THOROUGHNBRED CREEK	NW1/4NE1/4NW1/4	Sec. 28, Twp 16S, Rge 19E, B.M.
CASSIA County	(Ending of Reach)	
THOROUGHNBRED CREEK	SE1/4SW1/4	Sec. 21, Twp 16S, Rge 19E, B.M.
CASSIA County	(Beginning of Reach)	
THOROUGHNBRED CREEK	NW1/4NE1/4NE1/4	Sec. 32, Twp 16S, Rge 19E, B.M.
CASSIA County	(Ending of Reach)	

Place of Use

STOCKWATER

Twp	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	21											X	X					

08/07/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 47-16433 V1

16S 19E 28		X	X		X	X	X		X	X			
16S 19E 29												X	
16S 19E 32		X											
16S 19E 33			X		X	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 0074 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.

2. VHANCOCK 7/16/1998 DATA ENTRY

Comment: ADDED BEGINNING AND ENDING PD FOR 3 UNNAMED TRIBS TO THOROUGHbred CREEK PER FS MAP #86

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

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 47-16433 V1

SubCase:

SubCase Number: 47-16433

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: 6/7/1999 Objection Status: Active

Date Filed: 6/8/1999 Objection Status: Active

AJ5809NP
No. R47-16433

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/10/98
PAGE: 6

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

Tributary to: GOOSE CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T16S R19E S21
Point(s) of Ending Stream Reach: T16S R19E S32

SESW
NENE

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
16S	19E	21	:																		
16S	19E	28	:	S		S				S		S				S					
16S	19E	29	:											S		S					
16S	19E	32	:	S														S			
16S	19E	33	:			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 R47-16448 R47-16470

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 0074
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.

ADD P/O for 3
unnamed tribs to
thoroughbred CR
B 28 SW NE NE
E 28 NW NE NW

B 33 NE NW NE
E 32 NW NE NE
B 29 SW SE SE
E 32 NW NE NE

PER FS map
86

1/15/98

AJ5809NP
No. R47-16433

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

=====

DATE: 06/10/98
PAGE: 7

=====

Comments: Date: 06/10/1998 User-ID: AJU5-DJO Subject: AJU5 STOCK ONLY UPDATE
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

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

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

RECEIVED

MAY 28 1998

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: 47-16433

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

Tributary: GOOSE CREEK

4. Location Meridian BOISE

Description of Diversion Works: None

From: Stream

Location of Point of Diversion

T: 16 S R: 19 E S: 21 SESW B T: 16 S R: 19 E S: 32 NENE E

Location of Point of Use

T: 16	S	R: 19	E S: 21	SESW	T: 16	S	R: 19	E S: 21	SWSW
T: 16	S	R: 19	E S: 28	NENE	T: 16	S	R: 19	E S: 28	NENW
T: 16	S	R: 19	E S: 28	NWNE	T: 16	S	R: 19	E S: 28	NWNW
T: 16	S	R: 19	E S: 28	NWSW	T: 16	S	R: 19	E S: 28	SWNW
T: 16	S	R: 19	E S: 28	SWSW	T: 16	S	R: 19	E S: 29	NESE
T: 16	S	R: 19	E S: 29	SESE	T: 16	S	R: 19	E S: 32	NENE
T: 16	S	R: 19	E S: 33	NENW	T: 16	S	R: 19	E S: 33	NWNE
T: 16	S	R: 19	E S: 33	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 0074

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.

NOV 28 1998

U.S. Department of Water Resources

JAN-16-1997
0375

renumbered ^{Vickie} 47-16433
recommended 45-12041

1

RIGHT NUMBER: [REDACTED]

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

SOURCE: THOROUGHbred CREEK TRIBUTARY: GOOSE 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 S21 SESW (B) Within CASSIA County
S32 NWNE
NWNE (E)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	05-01 11-30	0.04 CFS

PLACE OF USE:	STOCKWATER	Within CASSIA County		
	<u>T16S R19E S21</u>	<u>SWSW</u>	<u>SESW</u>	
	<u>S28</u>	<u>NENW</u>	<u>NWNW</u>	
	<u>S29</u>	<u>NESE</u>	<u>SESE</u>	<u>SWNW</u>
	<u>S32</u>	<u>NENE</u>	<u>NWNE</u>	<u>NWSW</u>

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 = 041417040211130074 00
1849 Cattle

[REDACTED]

WATER RIGHT NUMBER - A45-12041

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 - - - - - +
THOROUGHbred CREEK+ - +
GOOSE CREEK+ - +
TWN RNG SEC TRACT LOT RFLG COUNTY DIVERSION NAME16S 19E 21 ^{SE SW} ~~NW NE~~ - B (31) CASSIA+ - - - - - 32 ^{NW NE} - E - - - - - WATER USE - - - - - +
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 - A45-12041

PREFIX TRANSLATION: ADJUDICATION CLAIM

TWN	RNG	SEC	TRACT	LOT	ACRES	CODE	DESCRIPTION	COUNTY
16S	19E	21 32	SWSW SESW NWNE			04	STOCKWATER	(31) CASSIA
+ - - DIVERSION MEANS - NONE								
+ - - NON-IRRIGATION USE - 1840								
+ - - OTHER RIGHTS FOR SAME USE -								
+ - - REMARKS								
32 FOREST SERVICE RECORD ID = 041417040211130074 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 -		

1 Mahogany Butte

DATA ENTRY

ENTERED

CHECKED 174 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 1995

CERTIFIED
FEB 27 1995
WATER EXAMINER