

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 47-16435 V1

WATER RIGHT NUMBER: 47-16435 V1

|                   |                                                                                                                             |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                                                                                     |
| Current Owner     | UNITED STATES OF AMERICA ACTING THROUGH<br>USDA FOREST SERVICE<br>550 W FORT ST MSC 033<br>BOISE, ID 83724<br>(208)387-0835 |

Priority Date: 05/01/1875  
Basis: Beneficial Use  
Status: Active

|               |                    |
|---------------|--------------------|
| <u>Source</u> | <u>Tributary</u>   |
| SPRING        | LITTLE PINEY CREEK |

|                       |                         |                       |                      |
|-----------------------|-------------------------|-----------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| STOCKWATER            | 6/01 to 10/31           | 0.020 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.020 CFS             |                      |

Location of Point(s) of Diversion

|               |            |                                 |
|---------------|------------|---------------------------------|
| SPRING        | NW1/4SE1/4 | Sec. 27, Twp 15S, 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 |        |
| 15S | 19E | 27  |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 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 0036 1000 Sheep

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 47-16435 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: 47-16435  
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: 6/8/1999 Objection Status: Active

AJ5809NP  
No. R47-16435

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/10/98  
PAGE: 9

| 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 | 06-01 10-31           | 0.02 CFS          |                     |
| TOTAL DIVERSION: |                                         |                  |            |                       | 0.02 CFS          |                     |

Water Source: SPRING

Tributary to: LITTLE PINEY CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T15S R19E S27

NWSE

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 | Lt | Ac |
| 15S | 19E | 27 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|     |     |    | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |

POU County: CASSIA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
A47-16435 A45-12031

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 0036  
1000 Sheep

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

11/15/00

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: 47-16435

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: SPRING Tributary: LITTLE PINEY CREEK
4. Location Meridian BOISE  
Description of Diversion Works: Pond From: Spring  
Location of Point of Diversion  
T: 15 S R: 19 E S: 27 NWSE  
Location of Point of Use  
T: 15 S R: 19 E S: 27 NWSE
5. Quantity claimed: Period Quantity For  
6/ 01 -- 10/ 31 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 0036
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  
0366

renumbered  
47-16435

recommended  
45-12031

1

RIGHT NUMBER: [REDACTED]

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

SOURCE: LITTLE PINEY SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/01/1875

POINT OF DIVERSION: T15S R19E S27 NWSE Within CASSIA County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|-------------------------------|----------------|---------------|----------|
|                               | STOCKWATER     | 06-01 10-31   | 0.02 CFS |

PLACE OF USE: STOCKWATER Within CASSIA County  
T15S R19E S27 NWSE

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 = 041417040211130036 00  
1000 Sheep

[REDACTED]



WATER RIGHT NUMBER - A45-12031

PREFIX TRANSLATION: ADJUDICATION CLAIM

| TWN                                                            | RNG | SEC | TRACT                                | LOT | ACRES | PLACE OF USE<br>CODE | DESCRIPTION | COUNTY       |
|----------------------------------------------------------------|-----|-----|--------------------------------------|-----|-------|----------------------|-------------|--------------|
| 15S                                                            | 19E | 27  | NW SE                                |     |       | 04                   | STOCKWATER  | (31 ) CASSIA |
| + - - DIVERSION MEANS - POND                                   |     |     |                                      |     |       |                      |             |              |
| + - - NON-IRRIGATION USE - 1000 SHEEP                          |     |     |                                      |     |       |                      |             |              |
| + - - OTHER RIGHTS FOR SAME USE -                              |     |     |                                      |     |       |                      |             |              |
| + - - - - - REMARKS - - - - -                                  |     |     |                                      |     |       |                      |             |              |
| FOREST SERVICE RECORD ID = 041417040211130036 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  
OBJECTION FILED DATE - 00/00/0000  
RESPONSE FILED DATE - 00/00/0000  
CLAIM RECEIVED DATE - 03/25/1993  
PROOF DUE DATE - 00/00/0000  
LICENSED DATE - 00/00/0000  
CLAIMS TAPE ERROR FLG -  
FEE EXEMPT FLAG -

FIELD INSPECTION MADE - 00/00/0000  
FIELD INSPECTION FLAG -  
VERIFIED DATE - 00/00/0000  
LAST AMENDED DATE - 00/00/0000  
PROOF MADE DATE - 00/00/0000  
RECEIPT NUMBER - X111111  
POU OWNERSHIP FLAG - Y  
NAME CONNECTOR -

CIVIL CASE NUMBER - 39576  
OLD CASE NUMBER -  
OLD JUDICIAL DISTRICT -  
TEMPORARY RIGHT - P  
WATER DISTRICT -  
FEDERAL/STATE INDICATOR - S  
PRESUMPTION FLAG -  
NOTICE OF ERROR FLAG -

Mahogany Butte

DATA ENTRY  
ENTERED  
CHECKEDDS  
14 1997

"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