

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 47-16437 V1

WATER RIGHT NUMBER: 47-16437 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>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	8/01 to 10/31	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

SPRING	SW1/4SE1/4	Sec. 18, Twp 16S, Rge 19E, B.M.
CASSIA County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
16S	19E	18	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
																	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 0083 575 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.

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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: 47-16437
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: 6/8/1999 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. R47-16437

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/10/98
PAGE: 11

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	08-01 10-31	0.02 CFS	
TOTAL DIVERSION:					0.02 CFS	

Water Source: SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion:

T16S R19E S18

SWSE

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 18	:		:		:		:		:		:		:		S	:

POU County: CASSIA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A47-14529 A47-16437 R45-12011

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 0083
575 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

Dir
1/16/03

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: 47-16437

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: SINKS

4. Location

Meridian BOISE

Description of Diversion Works: Pond

From: Spring

Location of Point of Diversion

T: 16 S R: 19 E S: 18 SWSE

Location of Point of Use

T: 16 S R: 19 E S: 18 SWSE

5. Quantity claimed:

Period

Quantity

For

8/ 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 0083

Also known as Bog Spring

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
0347

1

RIGHT NUMBER:

 *renumbered 47-16437*

NAME AND ADDRESS:

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

SOURCE:

BOG SPRING

TRIBUTARY: GOOSE CREEK

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:

T16S R19E S18

SWSE

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
08-01 10-31

QUANTITY
0.02 CFS

PLACE OF USE:

STOCKWATER
T16S R19E S18

Within CASSIA County
SWSE

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 = 041417040211130083 00
575 Cattle



WATER RIGHT NUMBER - A45-12011

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 - - - - - +
BOG SPRING+ - +
GOOSE CREEK+ - +
TWN RNG SEC TRACT LOT RFLG COUNTY DIVERSION NAME

16S 19E 18 SW SE (31) CASSIA

+ - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

04 - STOCKWATER

08/01

10/31

0.020

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.020 0.0

WATER RIGHT NUMBER - A45-12011

PREFIX TRANSLATION: ADJUDICATION CLAIM

| TWN | RNG | SEC | TRACT | LOT | ACRES | PLACE OF USE CODE | DESCRIPTION | COUNTY |
|--|-----|-----|--------------------------------------|-----|-------|---------------------|-------------|--------------|
| 16S | 19E | 18 | SW SE | | | 04 | STOCKWATER | (31) CASSIA |
| + - - DIVERSION MEANS - POND | | | | | | | | |
| + - - NON-IRRIGATION USE - 575 CATTLE | | | | | | | | |
| + - - OTHER RIGHTS FOR SAME USE - | | | | | | | | |
| + - - REMARKS - - - - - | | | | | | | | |
| FOREST SERVICE RECORD ID = 041417040211130083 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 - |

Timber Butte

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

DATA ENTRY

ENTERED

CHECKED

VERIFIED
FEB 24 1995

CERTIFIED
FEB 27 1995
WATER EXAMINER