

RECEIVED

MAR 15 2000

Department of Water Resources

2000 MAR 13 PM 12:57
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	DISALLOWING WATER RIGHT
Case No. 39576	)	47-13229
_____	)	

On September 17, 1999, a *Special Master's Report and Recommendation* was filed for the above water right, recommending the claim to water right 47-13229 not be decreed and the claim be dismissed, as the result of a split into three separate rights, 47-13229A, 47-13229B, and 47-13229C. No Challenges were filed to the *Special Master's Report and Recommendation*, and the time for filing Challenges has expired.

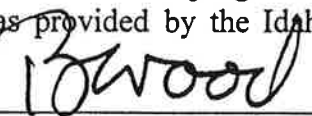
Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 47-13229 is hereby **decreed disallowed**.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED MAR 13 2000


BARRY WOOD
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

MAR 15 2000

Department of Water Resources

2000 MAR 13 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 47-13229

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 47-13229 was mailed
on March 13, 2000, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

W T WILLIAMS INC
C/O TOM WILLIAMS
2600 N 2941 E
TWIN FALLS, ID 83301
Phone: 208-655-4226

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
03/13/00

RECEIVED

MAR 15 2000

Department of Water Resources

2000 MAR 13 PM 12:52
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

Case No. 39576

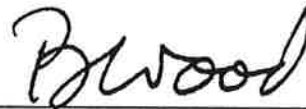
) ORDER OF PARTIAL DECREE
)
)
) For Water Right 47-13229A
)
)
)

On September 17, 1999, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 47-13229A is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED MAR 13 2000



BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 47-13229A

2000 MAR 13 PM 12:52
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

RECEIVED

MAR 15 2000
Department of Water Resources

NAME AND ADDRESS: W T WILLIAMS INC.
C/O TOM WILLIAMS
2600 N 2941 E
TWIN FALLS, ID 83301

SOURCE: SPRINGS TRIBUTARY: SINKS

QUANTITY: 0.05 CFS

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

PRIORITY DATE: 12/31/1950

POINT OF DIVERSION: T13S R17E S17 NESWNE Within Twin Falls County
SESESW
SESWSW
S20 SNNWNE
SWSSENW
NWSWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.05 CFS

PLACE OF USE:	Stockwater	Within Twin Falls County
	T13S R17E S17	SESW
	S20	SENW
		SWNE SWSE NWNE SWSW

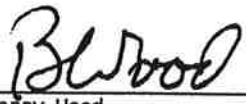
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

MAR 15 2000

Department of Water Resources

2000 MAR 13 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA

Case No. 39576

)
)
)
)

CERTIFICATE OF MAILING

Water Right(s): 47-13229A

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 47-13229A was mailed
on March 13, 2000, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

W T WILLIAMS INC.
C/O TOM WILLIAMS
2600 N 2941 E
TWIN FALLS, ID 83301

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
03/13/00

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MAR 15 2000

Department of Water Resources

2000 MAR 13 PM 12:52
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

) ORDER OF PARTIAL DECREE

Case No. 39576

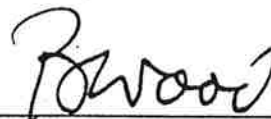
) For Water Right 47-13229B
)
)
)

On September 17, 1999, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 47-13229B is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED MAR 13 2000



BARRY WOOD

Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 47-13229B

2000 MAR 13 PM 12:5
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: UNITED STATES OF AMERICA
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 SOUTH VINNELL WAY
BOISE, ID 83709-1657

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 12/31/1950

POINT OF DIVERSION: T13S R17E S17 SESEW Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE:	Stockwater	Within Twin Falls County
	T13S R17E S06 SWSE	
	S18 NWSE	

OTHER PROVISIONS 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.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

MAR 15 2000

Department of Water Resources

2000 MAR 13 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 47-13229B

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 47-13229B was mailed
on March 13, 2000, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
03/13/00

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MAR 15 2000

Department of Water Resources

2000 MAR 13 PM 1:41
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

) ORDER OF PARTIAL DECREE

Case No. 39576

) For Water Right 47-13229C
)
)
)

On September 17, 1999, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 47-13229C is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED _____

MAR 13 2000



BARRY WOOD

Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

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

In Re SRBA)

Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 47-13229C

2000 MAR 13 PM 12:52
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS:

UNITED STATES OF AMERICA
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 SOUTH VINNELL WAY
BOISE, ID 83709-1657

SOURCE:

SPRING

TRIBUTARY: SINKS

QUANTITY:

0.02 CFS

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

PRIORITY DATE:

12/31/1950

POINT OF DIVERSION:

T13S R17E S20

SWSWE

Within Twin Falls County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Stockwater

PERIOD OF USE
01-01 TO 12-31

QUANTITY
0.02 CFS

PLACE OF USE:

Stockwater
T13S R17E S20

SWSE

Within Twin Falls County

OTHER PROVISIONS 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.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

B Wood

Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

MAR 15 2000

Department of Water Resources

2000 MAR 13 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 47-13229C

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 47-13229C was mailed
on March 13, 2000, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

DIANA DELANEY
Chief Deputy Clerk

1999 July 1 AM 9:18

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

Names of Parties Filing Document:

UNITED STATES OF AMERICA

W. T. WILLIAMS, INC.

Attorneys' Names and Addresses:

LOIS J. SCHIFFER
Assistant Attorney General
Environment and Natural
Resources Division

LARRY A. BROWN
Special Attorney, U.S. Dept. of Justice
General Litigation Section
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, Idaho 83724
Ph.: (208) 387-0835 FAX: (208) 387-0842

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

In Re SRBA

) Subcase No.s: 47-13229

)

) **STIPULATION TO RESOLVE**

) **SUBCASE**

Case No. 39576

)

)

The United States of America (hereinafter "United States") and W. T. Williams, Inc.

(hereinafter "Claimant"), agree and stipulate to resolve United States Department of the Interior,
Bureau of Land Management (hereinafter "BLM") objections to the above-captioned Subcase as
follows:

STIPULATION

WHEREAS, the United States recognizes the significant role of the livestock industry in the settlement, history and culture of the State of Idaho; and,

WHEREAS, the United States and Claimant recognize the importance of the stockwater right at issue in this Subcase to the livestock industry in the State of Idaho and the BLM's grazing program; and,

WHEREAS, the United States and Claimant recognize that for Water Right Claim Number 47-13229 the "Point of Diversion" is located on land owned by the Claimant and one or more "Places of Use" are on land owned by the United States; and,

WHEREAS, the United States and Claimant wish to resolve the objection regarding ownership of this stockwater right without further litigation, expense, and delay;

THEREFORE, Claimant and the United States stipulate and agree as follows:

1. The parties agree to "split" water right 47-13229 into three new claims, where the Claimant shall hold title to private land places of use under Water Right Claim Number 47-13229A; and the United States shall hold title to federal public land places of use under Water Right Claim Numbers 47-13229B and 47-13229C.

2. The parties agree that the Claimant is the sole owner of Water Right Claim Number 47-13229A.

3. The parties agree that the United States is the sole owner of Water Right Claim Numbers 47-13229B and 47-13229C. For these water rights, the purpose of use is the watering of livestock owned by persons holding BLM-issued grazing permits. The stockwater purpose of

use for these water rights shall not be changed so long as a valid BLM-issued grazing permit exists for the land on which the particular water right is located.

4. The United States recognizes that the "Point of Diversion" for Water Right Claim Number 47-13229B is on land owned by the Claimant. The parties agree and stipulate that water delivered to the "Place of Use" for Water Right Claim Number 47-13229B is by mutual agreement of the parties. The parties further agree that claimant retains the discretion to regulate water delivery, except as follows. The parties agree that delivery of water from the "Point of Diversion" may be terminated by either party: *Provided*, the party desiring to terminate water delivery provides 30 days written notice of termination. The United States agrees and stipulates that the United States will not receive any vested interest in the lands owned by the Claimant by virtue of a partial or decreed water right.

5. If the grazing permit issued by the BLM to the Claimant shall ever lapse, be canceled, or be terminated, and is not renewed, then the United States shall cooperate in the transfer of Water Right Claim Number 47-13229B to the Claimant: *Provided*, that Claimant shall administratively transfer the places of use located on lands owned by the United States to lands owned by the Claimant. Claimant shall be allowed to remove troughs, pipeline material, and other associated equipment from lands owned by the United States using procedures approved by the BLM.

6. Neither party shall be required to pay any compensation to the other in connection with the transfer of Water Right Claim Number 47-13229B to Claimant. Neither party shall be required to pay any compensation to the other in connection with the administrative transfer of places of use from lands owned by the United States to lands owned by the Claimant. All costs

associated with filing a Notice of Change of Ownership with the Idaho Department of Water Resources, and all costs associated with filing for the administrative transfer of places of use with the Idaho Department of Water Resources, shall be borne by the Claimant.

7. Nothing in this stipulation shall prevent the BLM from administering the use of a grazing allotment and its associated water rights in accordance with applicable law, including taking such administrative actions as changing the boundaries of grazing allotments or modifying or terminating BLM-issued grazing permits.

8. This stipulation was reached through negotiations for the purpose of resolving legal disputes, including pending litigation. All parties agree that no offers and/or compromises made in the course of the negotiations regarding any of the subcases mentioned in this document shall be construed as admissions against interest or be used in any legal proceeding.

9. The parties agree to bear their own costs and attorney fees in connection with this matter.

10. This stipulation was entered into and executed voluntarily by all parties in good faith, and without any fraud, misunderstanding, overreaching, misrepresentation, duress, or undue influence.

CLAIMANT:
W. T. WILLIAMS, INC.

Thomas Williams
PRESIDENT

DATED: 7/1/99

OBJECTOR:
UNITED STATES OF AMERICA

Larry C. Brown
LARRY A. BROWN *Sup*
Of Attorneys for the United States

DATED: 6/30/99

CERTIFICATE OF SERVICE

I certify that on July 1, 1999, I served a true and correct copy of the foregoing **STIPULATION TO RESOLVE SUBCASE: 47-13229** upon the following individuals by placing the document in the United States Mail in Boise, Idaho, postage paid, and addressed as follows:

U.S. Department of Justice
General Litigation Section
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Hand

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83720-0098

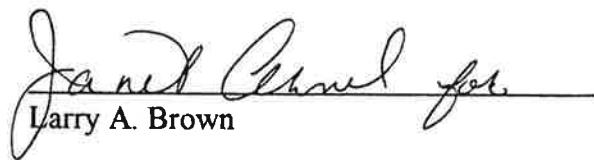
Hand

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Hand

W. T. Williams, Inc.
c/o Tom Williams
2600 North 2941 East
Twin Falls, Idaho 83301

mail


Larry A. Brown

DL
1999 July 1, AM 9:18

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

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

In Re SRBA

) Subcase No. 47-13229
)
)

Case No. 39576

) **STANDARD FORM 5**
)
)

) **AMENDED CLAIM**
)

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right and to amend the Notice of Claim. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the original claim shall be "split" into three new claims. The claimant shall hold title to the non-federal land POU's under 47-13229A and shall withdraw with prejudice its claim to the federal land POU's which will be held by the United States under 47-13229B and 47-13229C. The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

W T Williams, Inc.
C/O Tom Williams

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Thomas Williams 7/1/99
Date

Larry A. Brown 7/1/99
Date
Larry A. Brown FWP
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

· IDWR CONCURRENCE:

James Brown 8/7/99
Date

IDWR CONCURRENCE:

Date

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: ~~47-13229~~ 47-13229A

Name and Address: W T WILLIAMS INC
C/O TOM WILLIAMS
2600 N 2941 E
TWIN FALLS, ID 83301

Source: SPRINGS

Tributary: SINKS

Quantity: .05 CFS

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

Priority Date: 12-31-1950

Diversion Point: T13S R17E S17 NESWNE Within Twin Falls County
SESWS
SESESW
S20 SWNWNE
SWSNW
NWSWSW
SESWS

Fwp *T.W.*
PS *RB*

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Stockwater	01-01 TO 12-31	.05 CFS

Place of Use:	Stockwater		Within Twin Falls County
	T13S R17E	~~S06~~ ~~SWSE~~	
		~~S07~~ ~~SWSE~~	
		S17 SWNE	SWSE
		SESW	
		~~S18~~ ~~NWSE~~	
		S20 ~~NWSE~~	SENW
		SWSW	~~SWSE~~
		~~NWNE~~	

Other Provisions Necessary for Definition / 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

300 RANGE CATTLE
RP 13S17E060000
RP 13S17E070000
RP 13S17E170000
RP 13S17E180000
RP 13S17E203000
RP 13S17E207200

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: ~~47-13229~~ 47-13229B

Name and Address: ~~W T WILLIAMS INC~~
~~C/O TOM WILLIAMS~~
~~2600 N 2941 E~~
~~TWIN FALLS, ID 83301~~

UNITED STATES OF AMERICA, ACTING THROUGH
U.S.D.I., BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 VINNELL WAY
BOISE, ID 83709-1657

Source: SPRINGS

Tributary: SINKS

Quantity: ~~0.05~~ 0.02 CFS

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

Priority Date: 12-31-1950

Diversion Point: T13S R17E S17 ~~NESWNE~~ Within Twin Falls County
~~SESWSE~~
~~SESESW~~
S20 ~~SWNWNE~~
~~SWSENW~~
~~NWSWSW~~
~~SESWSE~~

FWP
1/3
T.W.
RG

Purpose and
Period of Use: Purpose of Use Period of Use Quantity
Stockwater 01-01 TO 12-31 ~~0.05~~ 0.02 CFS

Place of Use: Stockwater Within Twin Falls County
T13S R17E S06 SWSE
S07 SWSE
S17 SWNE SWSE
SESW
S18 NWSE
S20 NWSE SENW
SWSW SWSE

Other Provisions Necessary for Definition / 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

~~300 RANGE CATTLE~~
~~RP 13S17E060000~~
~~RP 13S17E070000~~
~~RP 13S17E170000~~
~~RP 13S17E180000~~
~~RP 13S17E203000~~
~~RP 13S17E207200~~

SOURCE IS ALSO KNOWN AS WILLIAMS PIPELINE.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: ~~47-13229~~ 47-13229C

Name and Address: ~~W T WILLIAMS INC~~
~~C/O TOM WILLIAMS~~
~~2600 N 2941 E~~
~~TWIN FALLS, ID 83301~~

UNITED STATES OF AMERICA, ACTING THROUGH
U.S.D.I., BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 VINNELL WAY
BOISE, ID 83709-1657

Source: SPRINGS

Tributary: SINKS

Quantity: ~~-05~~ 0.02 CFS

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

Priority Date: 12-31-1950

Diversion Point: T13S R17E ~~S17~~ NESWNE Within Twin Falls County

~~SESWSE~~
~~SESESW~~
S20 SWNWNE
SWSENW
NWSWSW
SESWSE
SWSWSE

FWP
RB

Purpose and

Period of Use:	Purpose of Use	Period of Use	Quantity
	Stockwater	01-01 TO 12-31	~~-05~~ <u>0.02</u> CFS

Place of Use: Stockwater Within Twin Falls County

T13S R17E	~~S06~~ SWSE	
	~~S07~~ SWSE	
	~~S17~~ SWNE	SWSE
	~~SES~~ SW	
	~~S18~~ NWSE	
S20	NWSE	SENW
	SWSW	SWSE

Other Provisions Necessary for Definition / 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

~~300 RANGE CATTLE~~
~~RP 13S17E060000~~
~~RP 13S17E070000~~
~~RP 13S17E170000~~
~~RP 13S17E180000~~
~~RP 13S17E203000~~
~~RP 13S17E207200~~

CERTIFICATE OF MAILING

I certify that on July 1, 1999, I mailed the original and copies of this STANDARD FORM 5 (SF5)/AMENDED CLAIM, including all attachments, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

Hand

2. Copy to:

Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

Hand

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

Hand

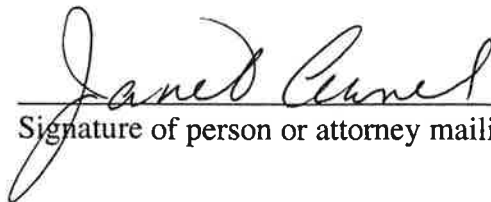
3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Hand

W T Williams, Inc.
C/O Tom Williams
2600 North 2941 East
Twin Falls, ID 83301

mail



Signature of person or attorney mailing the form

13229
RECEIVED

FEB 26 1999

Department of Water Resources
Southern Region

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

In Re SRBA)

A. Subcase 47-13229

(Insert water right number)

Case No. 39576)

**STANDARD FORM 1
OBJECTION**

_____)
Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494
United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: W. T. Williams Inc.; C/O Tom Williams

Address: 2600 N 2941 E Twin Falls, ID 83301

Name:

Address:

Name:

Address:

Name:

Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ Name and Address

Should be: _____

2. ☐ Source

Should be: _____

3. ☐ Quantity

Should be: _____

4. ☒ Priority Date

Should be: See attached

5. ☒ Point(s) of Diversion

Should be: See attached

6. ☐ Instream Flow Description

Should be: _____

7. ☐ Purpose(s) of Use

Should be: _____

8. ☐ Period of Year

Should be: _____

9. ☒ Place of Use

Should be: See attached

11. I object because:

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant does not have a valid water right with the elements claimed.

F.

VERIFICATION (Must be Completed)

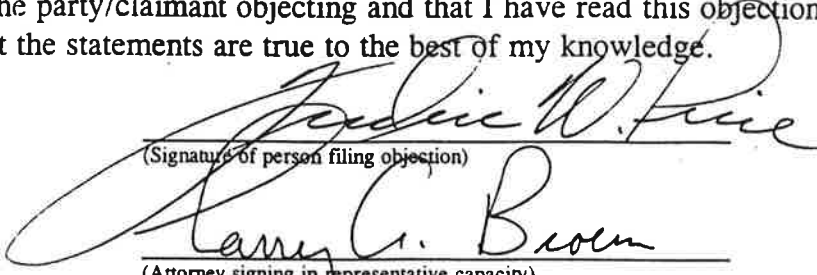
State of Idaho)

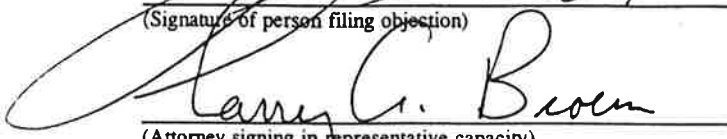
) ss.

County of Ada)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

2-11-99



John W. Thornburgh

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 05-16-2003

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on 2-12, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: W. T. Williams Inc.; C/O Tom Williams
Address: 2600 N 2941 E Twin Falls, ID 83301

Name:
Address:

Name:
Address:

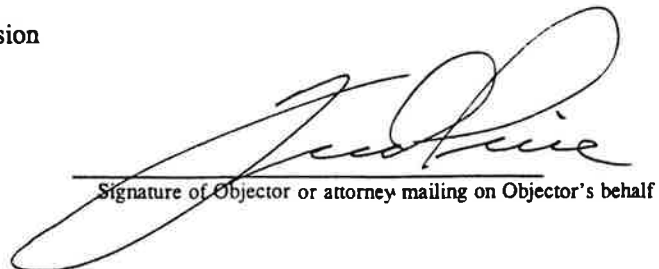
Name:
Address:

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449



Signature of Objector or attorney mailing on Objector's behalf

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-7-1998

PAGE: A-5545

RIGHTS FROM: SOURCE: SPRINGS TRIBUTARY: SINKS

RIGHT NUMBER: 47-13229

POD, POU on BLM

NAME & ADDRESS: W T WILLIAMS INC
C/O TOM WILLIAMS
2600 N 2941 E
TWIN FALLS ID 83301

SOURCE: SPRINGS TRIBUTARY: SINKS

QUANTITY: 0.05 CFS

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

PRIORITY DATE: 12/31/1950

POINT OF DIVERSION: T13S R17E S17

NESWNE PVT
SESESW PVT
SESWSW PVT
SWNWNE PVT
SWSESW PVT
NWSWSW PVT
SESWSE BLM

Within TWIN FALLS County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
01-01 12-31

QUANTITY
0.05 CFS

PLACE OF USE:

STOCKWATER

Within TWIN FALLS County

T13S R17E S06

SWSE BLM

S07

SWSE BLM

S17

SWNE PVT

SESW PVT

SWSE PVT

S18

NWSE BLM

S20

SESW PVT

SWSW PVT

NWSE BLM

SWSE BLM

OTHER PROVISIONS 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

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-7-1998
PAGE: A-5546

RIGHTS FROM:

SOURCE: SPRINGS

TRIBUTARY: SINKS

RIGHT NUMBER:

47-13229 (CONT)

EXPLANATORY MATERIAL: (CONT)

300 RANGE CATTLE
RP 13S17E060000
RP 13S17E070000
RP 13S17E170000
RP 13S17E180000
RP 13S17E203000
RP 13S17E207200

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOUR
RECOMMENDED WATER RIGHTS ACQUIRED UNDER ST

RIGHT NUMBER: 47-13229

NAME & ADDRESS: W T WILLIAMS INC
C/O TOM WILLIAMS
2600 N 2941 E
TWIN FALLS ID 83301

SOURCE: SPRINGS

TRIBUTARY: SINK

QUANTITY: 0.05 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL
GALLONS PER DAY.

PRIORITY DATE: 12/31/1950

POINT OF DIVERSION: T13S R17E S17

S20

NESWNE
SESESW
SESWSE
SWNWNE
SWSENW
NWSWSW
SESWSE

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PLACE OF USE:

STOCKWATER
T13S R17E S06
S07
S17
S18
S20

Within TWIN FALLS Cou
SWSE
SWSE
SWNE
NWSE
SENW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WA

THE QUANTITY OF WATER DECREED FOR THIS WATER
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
300 RANGE CATTLE
RP 13S17E060000
RP 13S17E070000
RP 13S17E170000
RP 13S17E180000
RP 13S17E203000
RP 13S17E207200

OK
8-3-98
K KC

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: A47-13229
Date Received: 12/22/1988
Receipt No: 500 5025
Received By: Adm

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: W. T. WILLIAMS, INC. 208-655-4226
Address: RT. 1
TWIN FALLS, ID 83301

2. Date of Priority: DEC 31, 1950

3. Source: SPRINGS Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	17E	17	NE	SW	NE		TWIN FALLS
			SE	SE	SW		TWIN FALLS
			SE	SW	SE		TWIN FALLS
		20	SW	NW	NE		TWIN FALLS
			SW	SE	NW		TWIN FALLS
			NW	SW	SW		TWIN FALLS
			SE	SW	SE		TWIN FALLS

5. Description of diverting works:
SEVEN SPRING AREAS USED BY CATTLE IN GOAT SPRINGS PASTURE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.050		

7. Total Quantity Appropriated is:
0.050 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 300 RANGE

A47-13229

Page 1

Date: 12/22/88

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MAR 14 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	17E	6	SW	SE		STOCK	
		7	SW	SE		STOCK	
		17	SW	NE		STOCK	
			SE	SW		STOCK	
			SW	SE		STOCK	
		18	NW	SE		STOCK	
		20	SE	NW		STOCK	
			SW	SW		STOCK	
			NW	SE		STOCK	
			SW	SE		STOCK	

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
NONE

14. Remarks:
P/U IN SEC. 7, 6, & 18 IS BLM.; ALL OTHER P/U & P/D OWNED BY
CLAIMANT. THE SPRING IN SESESW S.17 IS PIPED TO BLM PROPERTY.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am President of
W.T. Williams Inc., that I have signed the foregoing
document in the space below as President of
W.T. Williams Inc. and that the statements contained in the
foregoing document are true and correct.

Thomas Williams
Signature of Authorized Agent
W.T. Williams Inc.
Title and Organization
12/22/88
Date

State of Idaho

County of Twin Falls)
SS.

Subscribed and sworn (or affirmed) before me this 22nd day
of Dec 1988

Al J. Menst
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/99

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: **A47-13229**
Date Received: 12/22/1988
Receipt No: S005025
Received By: address change JC

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: W T WILLIAMS, INC
Address: C/O TOM WILLIAMS
2600 N 2941 E
TWIN FALLS ID 83301
208-655-4226

2. Date of Priority: DEC 31, 1950

3. Source: SPRINGS Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	17E	17	NE	SW	NE		TWIN FALLS
			SE	SE	SW		TWIN FALLS
			SE	SW	SE		TWIN FALLS
		20	SW	NW	NE		TWIN FALLS
			SW	SE	NW		TWIN FALLS
			NW	SW	SW		TWIN FALLS
			SE	SW	SE		TWIN FALLS

5. Description of diverting works:
SEVEN SPRING AREAS USED BY CATTLE IN GOAT SPRINGS PASTURE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.050		

7. Total Quantity Appropriated is:
0.050 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Acre

9. Non-irrigation uses:
S/ 300 RANGE

MICROFILMED
OCT 28 1994

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): See attached list- Basin 47

[] Old Mailing Address: W.T. Williams, Inc.

c/o Tom Williams

Rt. 1, Twin Falls, ID 83301

[] New Mailing Address: W.T. Williams, Inc.

c/o Tom Williams

2600 N. 2941 E., Twin Falls, ID 83301

New Telephone Number: () 655-4226 No Change

[X] Signature of Claimant: W.T. Williams, Inc. (per)

Date: 4/8/93

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 4-1-93 By: SC

Further Action Needed: Needs Signature by Claimant

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 8-12-93 By: [Signature]

MICROFILMED

OCT 28 1994

SD-0601-2 Last Name: W. T. WILLIAMS, INC.

STATE	First Name	Water Right No.	Priority Date	Source	Total Diversion	Use Code	Desc
	W. T. WILLIAMS, INC.						
		C A47-13219	12/31/1974	GROUNDWATER	0.040	43	DOMEST
		C A47-13222	12/31/1955	GROUNDWATER	0.040	04	STOCK
		C A47-13223	12/31/1955	GROUNDWATER	0.040	43	DOMEST
		C A47-13229	12/31/1950	SPRINGS	0.050	04	STOCK
		C A47-13230	12/31/1945	GROUNDWATER	0.200	04	STOCK
		C A47-02448	04/02/1958	SPRING			
				NORTH COTTO	14.400	02	IRR S
						03	IRR FS
		C A47-04477	04/15/1954	GROUNDWATER	5.000	01	IRR
		C A33-02041	05/07/1963	GROUNDWATER	3.890	01	IRR
		C A33-02069	02/13/1953	GROUNDWATER	4.800	01	IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

OCT 28 1994