

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-20125 V1

WATER RIGHT NUMBER: 37-20125 V1

|                   |                                                                                                                                                                |
|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                                                                                                                        |
| Current Owner     | UNITED STATES OF AMERICA ACTING THROUGH<br>USDI BUREAU OF LAND MANAGEMENT<br>IDAHO STATE OFFICE<br>1387 S VINNELL WAY<br>BOISE, ID 83709-1657<br>(208)373-4000 |

Priority Date: 04/17/1926

Basis: Reserved

Status: Active

|                  |                  |
|------------------|------------------|
| <u>Source</u>    | <u>Tributary</u> |
| CLAY BANK SPRING | SINKS            |

|                       |                         |           |                       |                      |
|-----------------------|-------------------------|-----------|-----------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u>             | <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| STOCKWATER            | 1/01 to                 | 12/31     | 0.020 CFS             |                      |
|                       | <u>Total Diversion:</u> |           | 0.020 CFS             |                      |

Location of Point(s) of Diversion

|                  |                 |                                 |
|------------------|-----------------|---------------------------------|
| CLAY BANK SPRING | NE1/4NW1/4SE1/4 | Sec. 25, Twp 01S, Rge 17E, B.M. |
| BLAINE 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 |        |
| 01S | 17E | 25  |    |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |        |

Conditions of Approval:

1. C18 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. Section 42-1412(6), Idaho Code.
2. D01 \*\*\*\*\*  
4/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT.  
THIS WATER RIGHT IS CLAIMED BASED ON FEDERAL LAW WITH AN APRIL 17, 1926, DATE OF PRIORITY PURSUANT TO AN EXECUTIVE ORDER SIGNED THE SAME DATE AND KNOWN AS PUBLIC WATER RESERVE 107.  
\*\*\*\*\*
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

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Remarks:

1. Explanatory BLM RECORD ID = 37 05489096

Comments:

1. AJU5-DJO 8/26/1998 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.

SubCase:

SubCase Number: 37-20125

Class: 1

SF5 Filed Date: 7/31/2001

Special Master Recom Signed Date: 8/31/2001

Attorney Assigned: NICHOLAS B SPENCER

Adjudication Agent:

Basis of Claim:

Date Filed: 6/2/1999 Objection Status: Active

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See file #37-18320 for  
the Special Master's  
Report and  
Recommendation:  
Findings of Fact and  
Conclusion of Law.