

A36-02783

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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER
FROM THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1947-06-20
IDWR WATER RIGHT NO. 3602783
BLM NUMBER: 3602488047
BASIS OF CLAIM: BENEFICIAL USE
BASIN NO.: 36

SOURCE

UNNAMED STREAM

TRIBUTARY TO

SINKS

DESCRIPTION OF DIVERSION WORKS

RESERVOIR

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
STOCKWATER STORAGE	0.000	1.00	0101	1231
TOTAL:	0.000 CFS	1.00 AF		

NON-IRRIGATION USES

15000 RANGE SHEEP

TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
06S	25E	19	SE	NE	00		MINIDOKA

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	IRRIGATED ACRES
06S	25E	19	SE	NE	00	MINIDOKA	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

MICROFILMED
OCT 18 1994

OTHER WATER RIGHTS

NONE

REMARKS

PREVIOUSLY FILED WITH THE IDAHO DEPARTMENT OF WATER RESOURCES

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OCT 18 1994

AJ0749NP
No. R36-02783

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 10/15/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706 (208) 334-1401	06/20/1947	STOCKWATER STORAGE STOCKWATER FROM STORAGE	01-01 12-31 01-01 12-31		1.0 AFA 1.0 AFA
TOTAL DIVERSION:						1.0 AFA

Water Source: UNNAMED STREAM

Tributary to: SINKS

Stage: LICENSE

Point(s) of Diversion:

T06S R25E S19

SENE

MINIDOKA County

Place of use Legal Description for: STOCKWATER STORAGE

				NE				NW				SW				SE									
		NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SESW		NENE		NWSE		SWSE		SESE	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
06S 25E 19 :							S																		

Place of use Legal Description for: STOCKWATER FROM STORAGE

				NE				NW				SW				SE									
		NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SESW		NENE		NWSE		SWSE		SESE	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
06S 25E 19 :							S																		

POU County: MINIDOKA

Non-Irrigation Uses: STOCKWATER, 15000 SHEEP

Other Rights: NONE

Conditions of Approval:

- L12 - THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
- ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
- USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

Remarks: BLM RECORD ID = 3602488047

Dates: Exam Made Date:

Verified Date: 10/15/1992

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

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06/11/93
Feb 5, 1993

CLAIM NO. A36 - 02783

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION REPORT
FOR PREVIOUSLY RECORDED U.S. GOVERNMENT RIGHTS

1. (X) No overlap with claim by "private claimant(s)" - U.S. ownership
() Overlaps with claim by "private claimant(s)"
Claim No(s). _____
() "Private claimant(s)" notification letter sent - date _____
2. (X) No change - DATE OF PRIORITY - Claim matches existing license or decree.
() Change - Claim does not match existing licensed or decreed priority date. IDWR recorded priority date is: _____
3. (X) No change - SOURCE and TRIBUTARY
() Change source to: _____ Per IDWR records? (Y) (N)
() Change trib. to: _____ Per IDWR records? (Y) (N)
4. (X) No change - POINT OF DIVERSION - Claim matches existing license or decree.
() Point of diversion has changed - map attached.
Twp _____, Rng _____, Sec _____, _____ $\frac{1}{4}$, _____ $\frac{1}{4}$, _____ $\frac{1}{4}$, Lot _____.
How was this verified? _____
5. N/A
6. () No change - WATER USES
(X) Uses, per IDWR records: standards
- | | | | | | | | | | | |
|-----|-----------|------|-------|----|-------|--------|-------|-----|-------|----|
| Use | <u>05</u> | From | _____ | To | _____ | Amount | _____ | cfs | _____ | af |
| Use | <u>06</u> | From | _____ | To | _____ | Amount | _____ | cfs | _____ | af |
7. (X) No change - TOTAL RATE AND VOLUME
() Total rate and volume, per IDWR records: _____ cfs _____ af
8. N/A
9. (X) DE standards. No change - NON-IRRIGATION USES - completed on claim.
() Incomplete on claim - per IDWR records:

Domestic - no. of homes _____ Stockwater - no. and kind _____

Other: _____

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WR5809NP
No. 36-02783

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/13/92
PAGE: 5

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF INTERIOR	06/20/1947	STOCKWATER STORAGE	01-01 12-31		1.0 AFA
TOTAL DIVERSION:						1.0 AFA

Water Source: UNNAMED STREAM

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T06S R25E S19 SE NE

Place of use Legal Description for: STOCKWATER STORAGE

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
06S	25E	19	:					S	:										

Pou County: MINIDOKA

Dates:	App. Received:	Priority Date:	06/20/1947
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	09/15/1981	

Misc: Water District Number: Field Exam Fee:

Audit: 12/31/84 05/28/88 CONVERT 04/03/89 NAMECHNG 01/26/92 POST-STD
07/15/92 D-NO-CHG

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FEB 05 1993

WATER RIGHT NUMBER - A36-02783

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER - D502

+ - - - - LAST NAME - - - - +

+ - FIRST NAME - - +

+ - - - - ADDRESS - - - - - +

*** A - ATTORNEY ***

HAUGRUD, JACK OR G GARVER OR D ZANE

1 - US DEPT OF JUSTICE

2 - ENV & NR DIV GEN LIT SEC

3 - PO BOX 663

CITY- WASHINGTON

STATE- DC ZIP- 200440663

PHONE - 202-272-4134

*** C - CURRENT OWNER ***

US DEPT OF INTERIOR

1 - BUREAU OF LAND MANAGEMENT

2 - IDAHO STATE OFFICE

3 - 3380 AMERICANA TERRACE

CITY- BOISE

STATE- ID ZIP- 83706

PHONE - 208-334-1401

*** K - ALSO KNOWN AS ***

BLM

1 -

2 -

3 -

CITY- X

STATE- ID ZIP- 0

PHONE -

+ - - PRIORITY DATE - - +
06/20/1947+ - - - REGION - - - +
17 SOUTHERN+ - - - STAGE - - - +
L - LICENSE

+ - - - STATUS - - - - +

+ - - - - SOURCE - - - - - +
UNNAMED STREAM+ - - - - - TRIBUTARY - - - - - +
SINKS

TWN	RNG	SEC	TRACT	LOT	RFLG	COUNTY	POINT OF DIVERSION	STREAM INDEX (BLANK IF NO INDEX CODE)
06S	25E	19	SE NE			(67)	MINIDOKA	

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
05 - STOCKWATER STORAGE		01/01	12/31		1.00

TOTAL DIV. RATE - +	TOTAL DIV. VOLUME - +	TOTAL DIV. CAPACITY - +	TOTAL CONSUMPTIVE USE - +	KW USAGE - +
	1.00		0.0	

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE CODE	DESCRIPTION	COUNTY
06S	25E	19	SE NE			05	STOCKWATER STORAGE	(67) MINIDOKA

+ - - DIVERSION MEANS - RESERVOIR

+ - - NON-IRRIGATION USE - 15000 RANGE SHEEP

+ - - OTHER RIGHTS FOR SAME USE - NONE

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FEB 05 1993

WATER RIGHT NUMBER - A36-02793

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - REMARKS - - - - - +
BLM RECORD ID = 3602488047
PREVIOUSLY FILED WITH THE IDAHO DEPARTMENT OF WATER RESOURCES.

+ - - - - 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 - 09/08/92 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	- 08/31/1992	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	-

DATA ENTRY

ENTERED _____

CHECKED _____

Verified By
Tono Map/Ortho-PCI
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED

OCT 13 1992

CERTIFIED

OCT 14 1992

WATER EXAMINER

P. O.

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO
FOR FARMSTEAD, DOMESTIC, OR STOCK WATERING PURPOSESApplication No. D. 502Permit No. D. 502 36-2783

District No. _____

1. Name of Applicant United States Department of Interior, Bureau of Land Management.
2. Post Office Address P. O. Box 917, Boise, Idaho.
3. Quantity of water claimed 1 acre foot. 6-20-1947
(Not to exceed 0.1 second foot or 15 acre feet)
4. Source of water supply snow or mtn runoff.
(Spring, well, unnamed stream, small lake, snow, or runoff)
5. Location of point of diversion _____ feet distant from the _____ corner of Section _____
Twp. _____, Rge. _____, B. M., and is in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____, Twp. _____, Rge. _____, B. M.
in the County of Minidoka 67
6. Location of point of use N. 75° W. 15 Chains _____ feet distant from the E $\frac{1}{2}$ corner of Section 19
Twp. 6 S., Rge. 25 E., B. M., and in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Sec. 19, Twp. 6 S., Rge. 25 E.
7. Water to be used for watering stock on the range. 1/1 - 12/31
8. Estimated cost of works \$75.05
9. Kind of works excavated earthen reservoir.
(Reservoir, dam, ditch, flume, pipe, etc.)
10. Size _____
(Headgate, ditch, flume, pipe, etc.)
11. Time required to apply water to proposed use completed
12. If reservoir is used, fill in the following in addition to the above questions:
 - (a) Height of dam _____ feet: Length at top _____ feet.
 - (b) Material from which dam is constructed _____
(earth, concrete, timber, rock)
 - (c) The outlet of the proposed reservoir is located _____ feet from the _____ corner of _____
Section _____, Twp. _____, Rge. _____, B. M.

REMARKS:

Applicant Bureau of Land Management

Agent

Maurice W. March
Acting Improvement Supervisor

T. 6 S.

Idaho	District #5		1-C-269			Monument Lake	
		19					

R. 26 E.

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FEB 15 1993

R PROOF

CVR

MAPS

PHOTOS

MISC

INDEXED

OCT 18 1994

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
in case follow-up is needed.

STEVE DAVIS

BLM - BURLEY

678-5514 EXT 6626

2. SUBJECT OF INQUIRY:

THEY RECENTLY SENT A LETTER TO SOUTHERN ADJUDICATION
STAFF. MADE THE CLARIFICATION BY PHONE THAT IN FIRST
PARAGRAPH AT THE SENTENCE "IN ORDER TO AVOID ...",
THEY ARE NOT ASKING US (IDWR) TO CHANGE THE
DIRECTOR'S REPORT BUT MAY BE TO AGREE ON SOME
PRE-LITIGATION RESOLUTIONS BETWEEN PARTIES.

LETTER # 7250

3. RESPONSE TO INQUIRY:

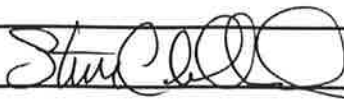
I TOLD STEVE THAT THIS PROCESS WAS
HANDLED AT OUR BOISE OFFICE BY NICK SPENCER.
SOME PRELIMINARY FOOT WORK WILL BE DONE AT THIS
OFFICE THEN THE INFORMATION WOULD BE FORWARDED
TO NICK S. IN BOISE

I AGREED TO WRITE THIS MEMO AND FORWARD IT
TO NICK ALONG WITH THEIR PACKAGE AND LETTER # 7250.

4. IDWR STAFF AND DATE:

Print name and initial

WATER RIGHT CLAIM (Nos.):



8-18-93

STEVE CLELLAND

scw

A36-2783 & A36-15396

MICROFILMED

OCT 18 1994

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 the Rights to the Use of Water
from the Snake River Basin
Water System

Case No. 36-02783 -0001

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

RESPONSE TO OBJECTION

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

2. Person who filed objection:

Name: US BUREAU OF LAND MANAGEMENT
Address: DEPT OF INTERIOR
3380 AMERICANA TERRACE
BOISE ID 83706

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER

Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

5. ☒ Points of Diversion: I respond to the objection concerning the legal description of the point(s) of diversion.

9. ☒ Place of Use: I respond to the objection concerning:

9a. ☒ The legal description of the place of use.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 5, 9, and 9a and all allegations of the objection regarding these items IDWR responds as follows: The point of diversion and place of use were recommended as claimed by the United States and as licensed by IDWR. The United States improperly seeks to use the objection process to amend its notice of claim. IDWR believes that a claimant must obtain leave of the court to amend a claim after the director's report is filed, just as a party must obtain leave of the court to file a late claim after the director's report is filed. Once leave of court is granted, IDWR can investigate the amended claim and make an appropriate recommendation to the court. IDWR lacks sufficient information to form a belief as to the truth of the matter asserted and

therefore denies the objection and all allegations of the objection.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

No. of
Pages

Notice of Claim No. A36-02783

2

(Over)

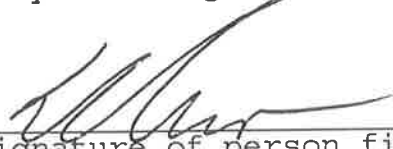
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

David B. Shaw, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



Signature of person filing response

By:



(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 23rd day of August,
1993.



Notary Public for Idaho

Residing at: _____

My Commission expires: _____

Danni Smith, Notary Public

Residing at Boise, Idaho

My Commission Expires December 5, 1994

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of AUGUST, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared 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

2. One copy to the owner of the water right, and you must fill in the following information:

See No. 3

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: US DEPT OF JUSTICE
Address: ENVT & NAT RESOURCES DIV
550 WEST FORT ST BOX 33
BOISE ID 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

A36-02783

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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER
FROM THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1947-06-20
IDWR WATER RIGHT NO. 3602783
BLM NUMBER: 3602488047
BASIS OF CLAIM: BENEFICIAL USE
BASIN NO.: 36

SOURCE	TRIBUTARY TO
-----	-----
UNNAMED STREAM	SINKS

DESCRIPTION OF DIVERSION WORKS

RESERVOIR

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM TO
-----	-----	-----	-----
STOCKWATER STORAGE	0.000	1.00	0101 1231
TOTAL:	0.000 CFS	1.00 AF	

NON-IRRIGATION USES

15000 RANGE SHEEP

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
---	---	---	-----	-----	-----	---	-----
06S	25E	19		SE	NE	00	MINIDOKA

PLACE OF USE							OWNED	IRRIGATED ACRES
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	-----	-----
---	---	---	-----	-----	---	-----	-----	-----
06S	25E	19	SE	NE	00	MINIDOKA	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

MICROFILMED
OCT 18 1994

OTHER WATER RIGHTS

NONE

REMARKS

PREVIOUSLY FILED WITH THE IDAHO DEPARTMENT OF WATER RESOURCES

MICROFILMED
FEB 05 1993
MICROFILMED
OCT 18 1994



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Burley District Office

Route 3, Box 1

Burley, Idaho 83318



IN REPLY REFER TO:

August 16, 1993

RECEIVED

7250

Idaho Department Of Water Resources
Attn: Adjudication Section
222 Shoshone Street East
Twin Falls, Idaho 83301

AUG 18 1993

Department of Water Resources
Southern Region Office

Dear Sirs:

Attached are copies of three objections BLM submitted for three SRBA claims (36-02783, 36-15393, and 36-15396) prepared by our office. Attached to each of these objections is a sheet entitled "Corrections Needed", which gives a detailed explanation of the specific changes needed in the "Director's Report" due to oversights at the time the claims were prepared by our office. In order to avoid time consuming litigation, we are proposing resolutions to these objections by changing the "Director's Report" in accordance with these "Corrections Needed" attachments.

SRBA claims 36-02783 and 36-15396 require a little further explanation as follows:

36-02783 -- It was discovered during the objection phase that mistakes were made by BLM when the original "Application For Permit" was filed in 1947.

36-15396 -- When this claim was prepared and submitted, it was not known that BLM had an Idaho water right license (36-02886) for this source; this license was found during the objection phase, resulting in the discovery that corrections were needed for this SRBA claim. (See "Reasons Supporting Each Box Checked" in the objection for the parameters needing changes due to the discovery of this license.)

Would you please review and respond to the proposed resolutions. If there are any questions, contact Steve Davis at (208) 678-5514, extension 6626.

Sincerely,

Gerald L. Quinn

Gerald L. Quinn
District Manager

cc: ISO (931)
Enclosures

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OCT 18 1994

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
In case follow-up is needed.

STEVE DAVIS

BLM - BURLEY

678-5514 EXT 6626

2. SUBJECT OF INQUIRY:

THEY RECENTLY SENT A LETTER TO SOUTHERN ADJUDICATION STAFF. MADE THE CLARIFICATION BY PHONE THAT IN FIRST PARAGRAPH AT THE SENTENCE "IN ORDER TO AVOID ...", THEY ARE NOT ASKING US (IDWR) TO CHANGE THE DIRECTOR'S REPORT BUT MAYBE TO AGREE ON SOME PRE-LITIGATION RESOLUTIONS BETWEEN PARTIES.

LETTER # 7250

3. RESPONSE TO INQUIRY:

I TOLD STEVE THAT THIS PROCESS WAS HANDLED AT OUR BOISE OFFICE BY NICK SPENCER. SOME PRELIMINARY FOOT WORK WILL BE DONE AT THIS OFFICE THEN THE INFORMATION WOULD BE FORWARDED TO NICK S. IN BOISE

I AGREED TO WRITE THIS MEMO AND FORWARD IT TO NICK ALONG WITH THEIR PACKAGE AND LETTER # 7250.

4. IDWR STAFF AND DATE:

Print name and initial

WATER RIGHT CLAIM (Nos.):

Steve Clelland

8-18-93

STEVE CLELLAND

sc

A36-2783 & A36-15396

A36-15393

MICROFILMED

OCT 18 1994

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

Case No. 36-02783
(You must insert the
water right number you
are objecting to)

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

OBJECTION

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

RECEIVED
AUG 18 1993
Department of Water Resources
Southern Region Office

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

(Over)

OBJECTION - 1

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OCT 18 1994

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: United States of America
Bureau of Land Management
U. S. Department of the Interior
Idaho State Office
Address: 3380 Americana Terrace
Boise, ID 83706

Briefly describe your interest in this water right:

The United States of America, through the
Bureau of Land Management (BLM), has a
valid water right; but this claim, as it
appears in the Director's Report,
requires correction(s).

2. Owner of the water right:

Name: United States of America
Bureau of Land Management
Address: U. S. Department of the Interior
Idaho State Office
3380 Americana Terrace
Boise, ID 83706

3. If this objection is filed by an attorney:

Attorney Name: K. Jack Haugrud
Daria J. Zane
Attorney Address: U.S. Department of Justice
550 West Fort Street
Box 33
Boise, ID 83734
Attorney Phone No.: (202) 272-4134; (202) 272-8351

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☐ Quantity: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☒ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☐ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I object to:
 - a. ☒ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☐ Remarks: I object to the "remarks" listed with the water right.

12. ☐ Water Right Recommendation: I object to:
- a. ☐ this water right being recommended at all; or
- b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☐ Other: I object to: _____
- _____
- _____
- _____
- _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

Boxes 5 and 9 have been checked because the legal descriptions for the point of diversion and place of use need to be corrected.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

The "Director's Report" should be changed to incorporate the correction(s) needed for this recommended claim. These correction(s) are shown on the attachment entitled "Correction(s) Needed".

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary. "Correction(s) Needed"

(1); copy of BLM's claim from "Director's Report" (1);

map of correction(s) (1)

VERIFICATION (Must be Completed)

State of Idaho

County of Cassia

Gerald L. Quinn, Burley District Manager, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

Maurice R. Bagley

for Gerald L. Quinn

Signature of person filing objection

By: _____

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 22nd day of April,
1993.

Barthelme Bonner

Notary Public for State of Idaho

Residing at: Cassia County

My Commission expires: March 1, 1998

OBJECTION - 5

(Over)

MICROFILMED
OCT 18 1994

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted by the Clerk of the Court.** You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the _____ day of _____, 199____, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, 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

2. One copy to the owner of the water right, and you must fill in the following information:

Owner name:	<u>United States of America</u>
	<u>Bureau of Land Management</u>
	<u>U. S. Department of the Interior</u>
	<u>Idaho State Office</u>
Owner's address:	<u>3380 Americana Terrace</u>
	<u>Boise, ID 83706</u>

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734

Signature of Objector or attorney
mailing on Objector's behalf

36-02783

Correction(s) Needed

BOX 5 (Point Of Diversion):

Change from T06S R25E S19 SENE to T06S R25E S19 SWNE.

BOX 9 (Place Of Use):

For all purposes of use, change from T06S R25E S19 SENE
to T06S R25E S19 SWNE.

OBJECTION - 7

(Over)

MICROFILMED
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RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: UNNAMED STREAM		TRIBUTARY: SINKS				
36-02783	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	06/20/1947	STOCKWATER STORAGE	01-01 12-31	.9	AFY
			STOCKWATER FROM STORAGE	01-01 12-31	.9	AFY
			WILDLIFE STORAGE	01-01 12-31	.1	AFY
			WILDLIFE FROM STORAGE	01-01 12-31	.1	AFY
			TOTAL QUANTITY:		1.0	AFY

LICENSE

NON-IRRIGATION-USES:

STOCKWATER, 15000 SHEEP

POINT OF DIVERSION:

T06S R25E S19

SENE

PLACE OF USE: STOCKWATER STORAGE

T06S R25E S19

SENE

PLACE OF USE: STOCKWATER FROM STORAGE

T06S R25E S19

SENE

PLACE OF USE: WILDLIFE STORAGE

SAME AS OTHER USE

PLACE OF USE: WILDLIFE FROM STORAGE

SAME AS OTHER USE

REMARKS: RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT
TO IDAHO CODE 42-1416A.THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.
BLM RECORD ID = 3602488047

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OCT 18 1994

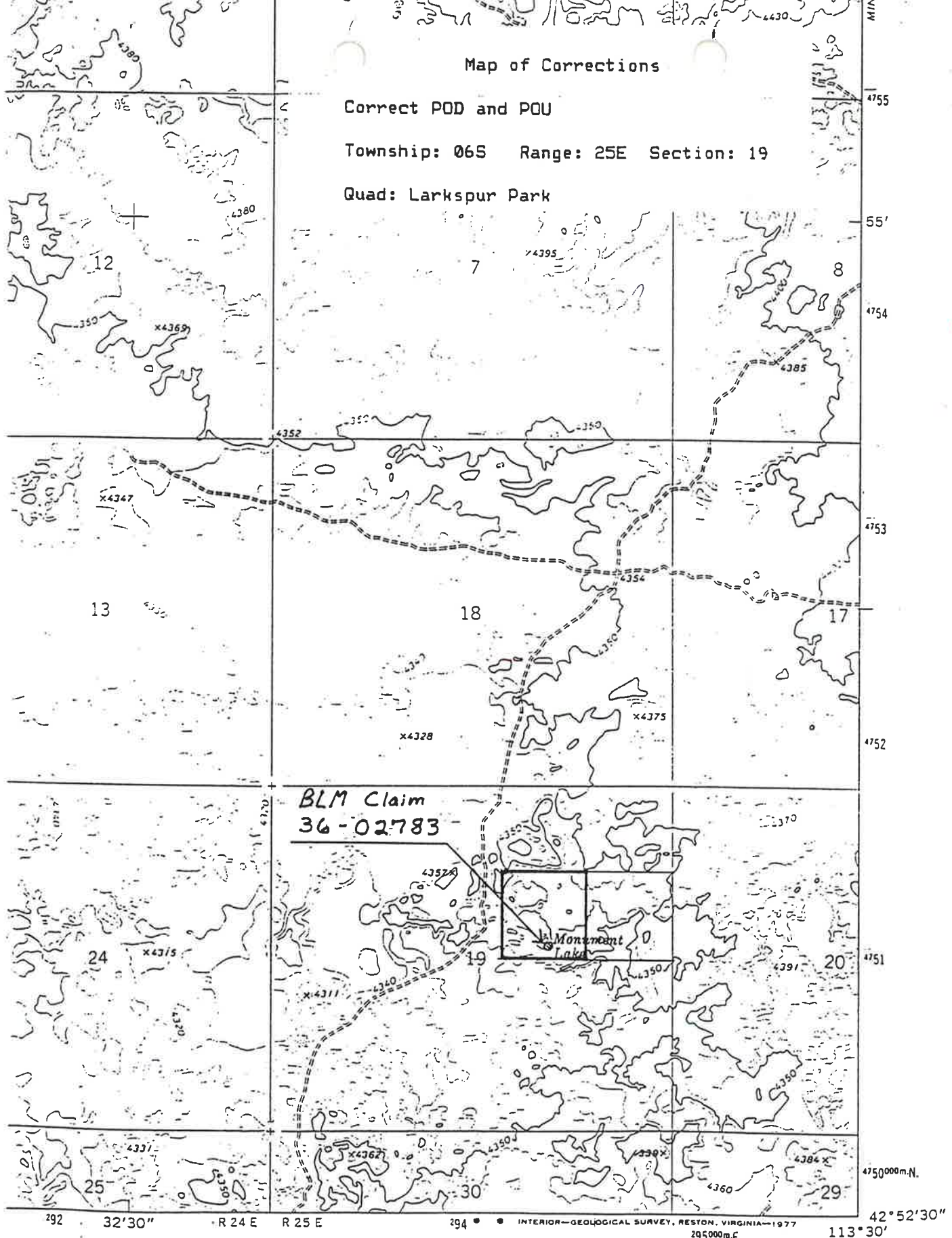
Map of Corrections

Correct POD and POU

Township: 06S Range: 25E Section: 19

Quad: Larkspur Park

POOR ORIGINAL



ROAD CLASSIFICATION

Primary highway, hard surface _____ Light-duty road, hard or improved surface _____
Secondary highway, hard surface _____ Unimproved road _____

○ Interstate Route □ U. S. Route ○ State Route

MICROFILMED

OCT 18 1994

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

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

Case No. 36-02783
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

APR 30 1993

Department of Water Resources
Adjudication Bureau

36-02783 -0001/
93-04-0247

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: United States of America
Bureau of Land Management
U. S. Department of the Interior
Idaho State Office
Address: 3380 Americana Terrace
Boise, ID 83706

Briefly describe your interest in this water right:

The United States of America, through the
Bureau of Land Management (BLM), has a
valid water right; but this claim, as it
appears in the Director's Report,
requires correction(s).

2. Owner of the water right:

Name: United States of America
Bureau of Land Management
Address: U. S. Department of the Interior
Idaho State Office
3380 Americana Terrace
Boise, ID 83706

3. If this objection is filed by an attorney:

Attorney Name: K. Jack Haugrud
Daria J. Zane
Attorney Address: U.S. Department of Justice Box 30
550 West Fort Street
Box 33
Boise, ID 83734
Attorney Phone No.: (202) 272-4134; (202) 272-8351

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☐ Quantity: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☒ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☐ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I object to:
 - a. ☒ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☐ Remarks: I object to the "remarks" listed with the water right.

- RECEIVED
12. ☐ Water Right Recommendation: I object to:
- a. ☐ this water right being recommended at all; or
- b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☐ Other: I object to: _____
- _____
- _____
- _____
- _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

Boxes 5 and 9 have been checked because the legal descriptions for the point of diversion and place of use need to be corrected.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

The "Director's Report" should be changed to incorporate the correction(s) needed for this recommended claim. These correction(s) are shown on the attachment entitled "Correction(s) Needed".

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary. "Correction(s) Needed"

(1); copy of BLM's claim from "Director's Report" (1);

map of correction(s) (1)

VERIFICATION (Must be Completed)

State of Idaho

County of Cassia

Gerald L. Quinn, Burley District Manager, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

Maurice R. Begley

for Gerald L. Quinn

Signature of person filing objection

By: _____

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 22nd day of April,
1993.

Donna L. Bonner

Notary Public for State of Idaho

Residing at: Cassia County

My Commission expires: March 1, 1998

OBJECTION - 5

(Over)

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OCT 18 1994

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the _____ day of _____, 199____, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, 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

2. One copy to the owner of the water right, and you must fill in the following information:

Owner name:	<u>United States of America</u>
	<u>Bureau of Land Management</u>
	<u>U. S. Department of the Interior</u>
	<u>Idaho State Office</u>
Owner's address:	<u>3380 Americana Terrace</u>
	<u>Boise, ID 83706</u>

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Objector or attorney
mailing on Objector's behalf

36-02783

Correction(s) Needed

BOX 5 (Point Of Diversion):

Change from T06S R25E S19 SENE to T06S R25E S19 SWNE.

BOX 9 (Place Of Use):

For all purposes of use, change from T06S R25E S19 SENE
to T06S R25E S19 SWNE.

AJ5856NP

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

DATE: NOV-2-1992
PAGE: A-3915

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: UNNAMED STREAM		TRIIBUTARY: SINKS				
36-02783	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3300 AMERICANA TERRACE BOISE ID 83706	06/20/1947	STOCKWATER STORAGE	01-01 12-31	.9	AFY
			STOCKWATER FROM STORAGE	01-01 12-31	.9	AFY
			WILDLIFE STORAGE	01-01 12-31	.1	AFY
			WILDLIFE FROM STORAGE	01-01 12-31	.1	AFY
			TOTAL QUANTITY:		1.0	AFY

LICENSE

NON-IRRIGATION-USES:

STOCKWATER, 15000 SHEEP

POINT OF DIVERSION:

T06S R25E S19

SENE

PLACE OF USE: STOCKWATER STORAGE

T06S R25E S19

SENE

PLACE OF USE: STOCKWATER FROM STORAGE

T06S R25E S19

SENE

PLACE OF USE: WILDLIFE STORAGE

SAME AS OTHER USE

PLACE OF USE: WILDLIFE FROM STORAGE

SAME AS OTHER USE

REMARKS: RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT
TO IDAHO CODE 42-1416A.

THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.
BLM RECORD ID = 3602488047

Map of Corrections

Correct POD and POU

Township: 06S Range: 25E Section: 19

Quad: Larkspur Park

POOR ORIGINAL

BLM Claim
36-02783

Monument Lake

ROAD CLASSIFICATION

Primary highway, hard surface _____ Light-duty road, hard or improved surface _____
Secondary highway, hard surface _____ Unimproved road _____

○ Interstate Route ○ U. S. Route ○ State Route

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(MINI-DOK) 336871 SW

