

10/16/2008

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

RIGHT NUMBER: 67-14400

NAME AND ADDRESS: A L CATTLE INC
PO BOX 608
EMMETT ID 83617

SOURCE: SMITH GULCH CREEK
UNNAMED STREAM

TRIBUTARY: MILL CREEK
TRIBUTARY: SMITH GULCH

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 10/07/1909

POINT OF
DIVERSION:

T13N R01E S22 SESW End of Stream Flow Within WASHINGTON County
T13N R01E S27 SWSW End of Stream Flow Within WASHINGTON County
T13N R01E S27 NWSE Begin of Stream Flow Within WASHINGTON County
T13N R01E S34 SESW Begin of Stream Flow Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER in WASHINGTON County

T13N R01E S22	SESW	T13N R01E S27	NENW
T13N R01E S27	NWNW	T13N R01E S27	SWNW
T13N R01E S27	NESW	T13N R01E S27	NWSW
T13N R01E S27	SWSW	T13N R01E S27	SESW
T13N R01E S27	NWSE	T13N R01E S34	NENW
T13N R01E S34	SENW	T13N R01E S34	NESW
T13N R01E S34	SESW		

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Stockwater use is for 2000 range cattle.

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 67-14400
Date Received: 12/18/2002
Receipt No: W029933
Received By: Rch

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

A L CATTLE INC Phone: (208)365-2320
PO BOX 608
EMMETT ID USA 83617

2. Date of Priority: 10/07/1909

3. Source: SMITH GULCH Trib. to: MILL CREEK
UNNAMED STREAM SMITH GULCH

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
13N	01E	34	SE SW	WASHINGTON	Beginning Point
13N	01E	22	SE SW	WASHINGTON	Ending Point
13N	01E	27	NW SE	WASHINGTON	Beginning Point
13N	01E	27	NW SW	WASHINGTON	Ending Point

5. Description of diverting works:

In-stream stock

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: Stockwater, 2000 Range Cattle

SCANNED
APR 16 2004

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
13N	01E	22	SE	SW		STOCKWATER	
13N	01E	27	NW	NW		STOCKWATER	
			NE	NW		STOCKWATER	
			SW	NW		STOCKWATER	
			NW	SW		STOCKWATER	
			SW	SW		STOCKWATER	
			NE	SW		STOCKWATER	
			SE	SW		STOCKWATER	
			NW	SE		STOCKWATER	
13N	01E	34	NE	NW		STOCKWATER	
			SE	NW		STOCKWATER	
			NE	SW		STOCKWATER	
			SE	SW		STOCKWATER	

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

BLM agreement via Western Stock Growers Association

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
Title
Al Cattle, Inc, that I have signed the foregoing
Organization
document in the space below as president of
Title
Al Cattle, Inc and that the statements contained in the
Organization
foregoing document are true and correct. Agnes L. Beardsford
Signature of Authorized Agent

pres. Al Cattle, Inc
Title and Organization

12. 20. 2002

Date

State of Idaho)
County of ADA) SS.

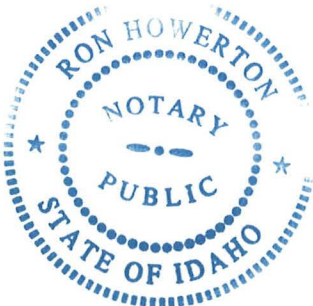
Subscribed and sworn (or affirmed) before me this
of Dec 2002

20th
Ron Howerton

Notary Public

Residing at Ron Howerton

My commission Expires Residing at Boise, Idaho
My Commission Expires December 8, 2006



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAWREACH AA

Please type or print clearly

1. Name of Claimant (s) _____ Phone () _____

Mailing Address _____ Zip _____

2. Date of Priority (Only one (1) per claim) _____

3. Source of water supply (a) SMITH GULCH
which is tributary to (b) MILL CREEK4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township 13N Range 1E Section 34, _____ 1/4 of SE 1/4 of SW 1/4,Govt. Lot _____ B.M., County of WASH.ending point is: Township 13N Range 1E Section 22, _____ 1/4 of SE 1/4 of
SW 1/4, Govt. Lot _____ B.M., County of WASH.5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. INSTREAM STOCK

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAWREACH BB

Please type or print clearly

1. Name of Claimant (s) _____ Phone () _____

Mailing Address _____ Zip _____

2. Date of Priority (Only one (1) per claim) _____

3. Source of water supply (a) UNNAMED STREAM
which is tributary to (b) SMITH GULCH4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township 13N Range 1E Section 27, _____ 1/4 of NW 1/4 of SE 1/4,Govt. Lot _____ B.M., County of WASH.ending point is: Township 13N Range 1E Section 27, _____ 1/4 of NW 1/4 of
SW 1/4, Govt. Lot _____ B.M., County of WASH.5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. IN STREAM STOCK

ARR ALLOTMENT

Stock claim A

Stock claim B

Springs

JEOP

4796

23

ADAMS CO
WASHINGTON CO

NATIONAL

5271

300

300

300

300

300

300

300

300

300

300

300

300

300

300

300

300

300

300

300

300

300

300

300

300

300

300

300

300

300

300

300

300

300

300

300

300

300

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

Identification No. 67-14400

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) AL Cattle Inc Phone (208) 365-2320

Mailing Address Po Box 608 Emmett, ID Zip 83617

2. Date of Priority (Only one per claim) 10-7-1909 Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other () (a) Smith Gulch Creek
Name of kind of source

which is tributary to (b) Mill Creek

4. Location of point of diversion is: Township 12 Range 1 E

Section 34 , NE 1/4 of SE 1/4 of SW 1/4, Govt. Lot _____, BM.,

County of Washington

Additional points of diversion if any: 1 tributary

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. _____

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Stock Water purposes from 1-1 Month/Day to 12-31 Month/Day amount .02 (cfs)

(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .02 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 2000 head stock cows and calves

SCANNED
APR 16 2004

*

CLAIM NUMBERS

Smith Gulch Creek

DATE

AGENT

TRANSFER NUMBER

HOMESTEAD ENTRY NO.

CLAIMED ACRE TOTAL

GEOGRAPHIC INFO ACRES

	TNS	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM		<u>Smith Gulch</u>																	
GIS		<u>1E</u>	<u>34</u>					<u>S</u>			<u>S</u>	<u>S</u>			<u>S</u>				
RECOM		<u>1E</u>	<u>27</u>					<u>S</u>		<u>S</u>			<u>S</u>		<u>S</u>				
		<u>1E</u>	<u>22</u>												<u>(S)</u>				
CLAIM		<u>Tribal #1</u>		<u>pt of dimension</u>				<u>SW of NW of SE</u>				<u>sect 27</u>							
GIS		<u>1E</u>	<u>27</u>									<u>S</u>		<u>S</u>	<u>S</u>		<u>S</u>		
RECOM																			
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B43-POU.SHP

SHAPE NOS.

43-POD.SHP

NOS. DESCRIPTION

DBF TABLES UPDATED

B43-DBPOU.DBF

B43-DBPOD.DBF

JPEG LAYOUT

10. Place of use is: Township: _____ Range _____
Section _____, _____ 1/4 of _____ 1/4, Govt. Lot _____, B.M.,
County of _____ for (Circle One) Domestic (Stock) Domestic and Stock
Additional places of use, if any See insert *

11. In which county (ies) are lands listed above as place of use located? Washington

12. Do you own the ^{is allotment} property listed above as place of use? Yes ✓ No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

14. Remarks: BLM agreement via Western Stock Growers Assoc.

15. Basis of Claim (Circle One) (Beneficial Use) Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am president

of Alh Cattle, Inc that I have signed the foregoing
document in the space below as president of Alh Cattle, Inc
Organization Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day of _____ 19 _____

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Last Name _____ Ident No. _____

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14400 V1

WATER RIGHT NUMBER: 67-14400 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	A L CATTLE INC PO BOX 608 EMMETT, ID 83617 (208)365-2320

Priority Date: 10/07/1909

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SMITH GULCH CREEK UNNAMED STREAM	MILL CREEK SMITH GULCH

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

Location of Point(s) of Diversion

SMITH GULCH CREEK	SE1/4SW1/4	Sec. 34, Twp 13N, Rge 01E, B.M.
WASHINGTON County	(Beginning of Reach)	
SMITH GULCH CREEK	SE1/4SW1/4	Sec. 22, Twp 13N, Rge 01E, B.M.
WASHINGTON County	(Ending of Reach)	
UNNAMED STREAM	NW1/4SE1/4	Sec. 27, Twp 13N, Rge 01E, B.M.
WASHINGTON County	(Beginning of Reach)	
UNNAMED STREAM	SW1/4SW1/4	Sec. 27, Twp 13N, Rge 01E, B.M.
WASHINGTON County	(Ending of Reach)	

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	
13N	01E	22												X					
13N	01E	27					X	X	X		X	X	X	X		X			
13N	01E	34					X			X	X			X					

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-14400 V1

Conditions of Approval:

1. BLM agreement via Western Stock Growers Association
2. X02 Stockwater use is for 2000 range cattle.
3. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
4. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
5. 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.

Remarks:

Comments:

Water Supply Bank: