

AMENDED NOTICE OF FILING DIRECTOR'S REPORT
OF DEFERRED *DE MINIMIS* DOMESTIC
AND / OR STOCK WATER USE
CLAIM NUMBERS 43-13793, 43-13794, 43-13795 and 43-13796

On September 13, 2021, the Director of the Idaho Department of Water Resources (IDWR) filed with the Snake River Basin Adjudication (SRBA) District Court the *Director's Report of Deferred De Minimis Domestic and / or Stock Water Use Claim Nos. 43-13793, 43-13794, 43-13795 and 43-13796* (DRs).

On the same day, the IDWR filed its *Notice of Filing Director's Report of Deferred De Minimis Domestic and / or Stock Water Use* for the claim numbers listed above. At that time, IDWR failed to effect service on a required entity pursuant to Idaho Code § 42-1411. IDWR is sending this **Amended Notice of Filing Director's Report** to correct this error in service.

As a result of IDWR's service error, the filing deadline for objections to the claims has been extended. Any objections received prior to the filing of this Amended Notice are still valid and **do not** need to be re-filed. Please note the changes to the filing deadlines as indicated below.

Why am I getting this mailing?

You have received this mailing because you filed Motions for Determination of Deferred *De Minimis* Domestic or Stock Water Use with an accompanying Notices of Claim to Water Right in the SRBA. The Director has completed the examination of your claims and has filed his report and recommendation of your claims with the Court. This mailing contains only the Director's recommendation to the SRBA Court of your claims. Your mailing **does not** contain the Director's recommendations of any claims other than your own. A complete copy of the DR is also available at the SRBA courthouse in Twin Falls and at the locations listed at the end of this notice. Copies of the DR can be made but you may be charged for copying and mailing. The DR can also be accessed through the SRBA Court's website at <http://www.srba.idaho.gov> or IDWR's website at <http://www.idwr.idaho.gov>. A map of reporting areas, as well as other information pertaining to the SRBA, can be accessed on IDWR's website as well.

A Final Unified Decree was issued in the SRBA on August 26, 2014. Any future reporting of water rights, which were before the SRBA Court prior to the entry of the Final Unified Decree, or deferred *de minimis* domestic and / or stock water claims proceeding under the SRBA Court's *Order Governing Procedures in the SRBA for Adjudication of Deferred De Minimis Domestic and Stock Water Claims* of June 28, 2012, and as amended by the *Order Amending Procedures in the SRBA for Adjudication of Deferred De Minimis Stockwater Claims*, issued October 17, 2017, will be through individual reports or reports on small groups of rights. You will not receive notice of these future reports as they are filed with the SRBA Court unless you have an ownership interest in the water right claim that is being reported. Therefore, if you are interested in the status of water rights belonging to other people that have not yet been recommended by IDWR, you should periodically review the Court's docket sheet or check the status of the water right on the Court's web page located at: <http://www.srba.idaho.gov>.

Information about subscribing to the Court's docket sheet is provided on page three of this notice.

INSTRUCTIONS FOR REVIEWING YOUR OWN WATER RIGHT

The description of your rights, which is enclosed in the DR, is only the Director's *recommendation* to the SRBA Court on your water right. The Court will decide how it will decree your water rights. You are free to agree or disagree with the Director's recommendation. If you agree with the Director's recommendation, you do not need to do anything, pending further notice as described below. If you disagree with the Director's recommendation, you need to file an objection as described below.

INSTRUCTIONS FOR TAKING A WATER RIGHT CLAIM TO COURT

What do I do if I disagree with the recommendation?

If you disagree with any element of the recommendation of the water right and want to be heard in court, file an objection with the SRBA Court. Objections must be made on the standard objection form ("Standard Form 1") available from any IDWR office or from the SRBA Court. You may also download a copy of the objection form from the SRBA web site at: <http://www.srba.idaho.gov>.

Your objection must be **received** by the SRBA Court on or before **Monday, January 24, 2022**. A copy of the objection must be mailed to the Director of IDWR. Should anyone else object to the recommendation of this right, the objector should mail a copy of their objection to the claimant of the right and to the Director of IDWR.

What do I do if someone else objects to my water right recommendation?

If someone files an objection to your water right, you may file a response to that objection. Responses to objections must be made on the standard response form ("Standard Form 2") available from any IDWR office or from the SRBA Court. You may also download a copy of the response form from the SRBA web site at: <http://www.srba.idaho.gov>.

Responses must be **received** by the SRBA Court on or before **Friday, March 25, 2022**. A copy of the response must be mailed to the Director of IDWR and the objector to the water right.

What happens if there are no objections to my water right?

Should the deadline for filing objections and responses to your water right pass--with no objections or responses filed--the SRBA Court will hear the uncontested recommendation on **Tuesday, April 19, 2022, at 1:30 p.m. (Mountain Time)** at the SRBA courthouse. A partial decree will be issued following this hearing.

How will I know about the proceedings on my water right recommendation if objections are filed?

A notice will be mailed to you for court dates on your water right. Any other objectors or respondents to your water right will also receive notice of those court dates.

Additional information regarding water right claims can be found on the SRBA Court's web site at: <http://www.srba.idaho.gov>.

Note: The SRBA Court publishes a monthly Docket Sheet listing all objections and responses filed, as well as when Director's Reports are filed. It does not list court dates for individual water right cases, but provides general information helpful to all participants in the SRBA.

The Docket Sheet is available at your county courthouse and all IDWR offices, or you may subscribe by contacting the SRBA Court or IDWR. The annual subscription fee is \$7.50. The Docket Sheet is also available on the SRBA web site at: <http://www.srba.idaho.gov>.

IMPORTANT INFORMATION REGARDING GENERAL PROVISIONS

General provisions are those parts of the SRBA Court's decree that apply to all the water rights in a basin, or to classes of similarly situated water rights within a basin. All general provisions recommended in the SRBA are now decreed. You may obtain a copy of the general provisions for your basin from the SRBA District Court in Twin Falls or at the courthouse location nearest to your basin. You may be charged for copying and mailing. You may also view the general provisions for every basin within the SRBA by going to IDWR's website at: <http://www.idwr.idaho.gov>.

CHANGES OF ADDRESS OR OWNERSHIP DURING THE SRBA COURT CASE

You must contact your regional IDWR office with your address change or if the ownership of your water right changes. Failure to notify IDWR may result in the loss of your water right.

ADDITIONAL INFORMATION

If you have questions about the SRBA, public information brochures are available at any IDWR office. Maps and aerial photography of this reporting area, as well as assistance in using the maps and the photography, are available at the IDWR Regional office nearest to the location of your water right. You are also welcome to call IDWR at any of its offices or its adjudication hotline at 1-800-451-4129. You may contact the SRBA Court, or you may also want to consider contacting an attorney to assist you.

**Snake River Basin Adjudication
District Court**
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
(208) 736-3011
<http://www.srba.idaho.gov>

**Idaho Department of Water Resources
Western Region**
2735 Airport Way
Boise, Idaho 83705-5082
(208) 334-2190

**Idaho Department of Water Resources
Southern Region**
650 Addison Avenue West, Suite 500
Twin Falls, Idaho 83301-3380
(208) 736-3033

Salmon Field Office
102 South Warpath
Salmon, ID 83467-4435
(208) 742-0658

Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, Idaho 83720-0098
(208) 287-4800
(800) 451-4129
<http://www.idwr.idaho.gov>

**Idaho Department of Water Resources
Northern Region**
7600 N. Mineral Drive, Suite 100
Coeur d'Alene, Idaho 83815
(208) 762-2800

**Idaho Department of Water Resources
Eastern Region**
900 North Skyline, Suite A
Idaho Falls, Idaho 83402
(208) 525-7161

Oneida County Courthouse
10 Court Street
Malad City, ID 83252

Cassia County Courthouse
1559 Overland Avenue
Burley, ID 83318

DEFINITIONS OF THE ELEMENTS OF YOUR WATER RIGHT

RIGHT NUMBER: Your water right is identified by a number assigned by IDWR. The first two digits identify IDWR's administrative basin number; for example, 29, 43, or 72.

NAME AND ADDRESS: Your name and address should appear here. IDWR will use the most recent name and address in its records for the water right.

SOURCE: The name and/or type of the source where you divert your water. For example: "groundwater," "unnamed spring," or "Common Creek."

QUANTITY: The amount of water recommended in either cubic feet per second (cfs) and/or the volume of water in acre feet per year (AFY).

PRIORITY DATE: The date used to determine the priority of your right in relation to other rights using water from the same source.

POINT OF DIVERSION: The legal location where you divert water from its source; generally described as 1/4 1/4 sections down to a 40-acre tract, or smaller. Other legal descriptions that might be used are government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys, or other survey information.

PURPOSE OF USE: The general category of the type of use you can make of your water. Typical purposes of use include irrigation, domestic, or stock watering.

PERIOD OF USE: The period of time during the year when you can use the water for your right.

PLACE OF USE: The legal location where you use your water right; generally described as 1/4 1/4 sections down to a 40-acre tract. Other legal descriptions that might be used are government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys, or other survey information.

PLACE OF USE FOR IRRIGATION PROJECTS: Pursuant to Idaho Code Sections 42-219(2) and 42-1411(2)(h). IDWR has included GIS mapping for describing the place of use (digital boundary) for water rights meeting certain criteria (i.e. irrigation projects). The **PLACE OF USE** for irrigation projects is reported in digital format and uses GIS technology to particularly identify and display a geographic area encompassing the place of use with the aid of a computer. The GIS data is stored in digital format and contained on a CD-ROM and is properly marked for identification with the water right number. The CD-ROM will be retained by the SRBA Court. IDWR also retains a duplicate of the original CD-ROM. The electronic data contained on the CD-ROM is available for public use and is also accessible through the IDWR internet website (<http://www.idwr.idaho.gov>). *Upon request, IDWR will provide a copy of the CD-ROM with the electronic data to claimants.*

BASIS OF CLAIM: The method that was used to establish your claim. Examples include prior decree, posted notice, beneficial use (historical) method, license, or permit.

IDWR does not investigate or make recommendations regarding federal law based claims.

CERTIFICATE OF SERVICE

I certify that on November 22, 2021, I caused to be served a true and correct copy of this Director's Report of Deferred *De Minimis* Domestic or Stock Water Use, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail

2. Copies to:

Chief, Natural Resources Div.
Office of the Attorney General
P.O. Box 83720
Boise, ID 83720-0010

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail

United States Department of Justice
Environment & Natural Resources Div.
550 W. Fort Street MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail

Cassia County Courthouse
1559 Overland Ave
Burley, ID 83318

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail

Oneida County Courthouse
10 Court Street
Malad City, ID 83252

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail

Robert Parke
2025 S 2050 E
Malta ID 83342-8612

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail

U.S. Attorney's Office
1290 West Myrtle Street, Suite 500
Boise, ID 83702

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail

U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail



Signature of person delivering form

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
SEP 13 2021	
By _____	Clerk
_____	Deputy Clerk

**NOTICE OF FILING DIRECTOR'S REPORT
OF DEFERRED *DE MINIMIS* DOMESTIC
AND / OR STOCK WATER USE** By _____
CLAIM NUMBERS 43-13793, 43-13794, 43-13795 and 43-13796

The Director of the Idaho Department of Water Resources (IDWR) has filed with the Snake River Basin Adjudication (SRBA) District Court the Director's Report of Deferred *De Minimis* Domestic and / or Stock Water Use Claim Nos. 43-13793, 43-13794, 43-13795 and 43-13796 (DRs). The DR contains the Director's recommendation to the SRBA Court as to how your *de minimis* domestic and / or stock water right, claimed under state law, should be decreed in the SRBA if allowed by the District Court.

Why am I getting this mailing?

You have received this mailing because you filed Motions for Determination of Deferred *De Minimis* Domestic or Stock Water Use with an accompanying Notices of Claim to Water Right in the SRBA. The Director has completed the examination of your claims and has filed his report and recommendation of your claims with the Court. This mailing contains only the Director's recommendation to the SRBA Court of your claims. Your mailing **does not** contain the Director's recommendations of any claims other than your own. A complete copy of the DR is also available at the SRBA courthouse in Twin Falls and at the locations listed at the end of this notice. Copies of the DR can be made but you may be charged for copying and mailing. The DR can also be accessed through the SRBA Court's website at <http://www.srba.idaho.gov> or IDWR's website at <http://www.idwr.idaho.gov>. A map of reporting areas, as well as other information pertaining to the SRBA, can be accessed on IDWR's website as well.

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Your objection must be received by the SRBA Court on or before **Monday, November 15, 2021**. A copy of the objection must be mailed to the Director of IDWR. Should anyone else object to the recommendation of this right, the objector should mail a copy of their objection to the claimant of the right and to the Director of IDWR.

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Responses must be received by the SRBA Court on or before **Friday, January 14, 2022**. A copy of the response must be mailed to the Director of IDWR and the objector to the water right.

What happens if there are no objections to my water right?

Should the deadline for filing objections and responses to your water right pass--with no objections or responses filed--the SRBA Court will hear the uncontested recommendation on **Tuesday, March 15, 2022, at 1:30 p.m. (Mountain Time)** at the SRBA courthouse. A partial decree will be issued following this hearing.

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Snake River Basin Adjudication District Court

253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
(208) 736-3011
<http://www.srba.idaho.gov>

Idaho Department of Water Resources

322 East Front Street
P.O. Box 83720
Boise, Idaho 83720-0098
(208) 287-4800
(800) 451-4129
<http://www.idwr.idaho.gov>

Idaho Department of Water Resources *Western Region*

2735 Airport Way
Boise, Idaho 83705-5082
(208) 334-2190

Idaho Department of Water Resources *Northern Region*

7600 N. Mineral Drive, Suite 100
Coeur d'Alene, Idaho 83815
(208) 762-2800

Idaho Department of Water Resources *Southern Region*

650 Addison Avenue West, Suite 500
Twin Falls, Idaho 83301-3380
(208) 736-3033

Idaho Department of Water Resources *Eastern Region*

900 North Skyline, Suite A
Idaho Falls, Idaho 83402
(208) 525-7161

Salmon Field Office

102 South Warpath
Salmon, ID 83467-4435
(208) 742-0658

Latah County Courthouse

PO Box 8068
Moscow, ID 83843

DEFINITIONS OF THE ELEMENTS OF YOUR WATER RIGHT

RIGHT NUMBER: Your water right is identified by a number assigned by IDWR. The first two digits identify IDWR's administrative basin number; for example, 29, 43, or 72.

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BASIS OF CLAIM: The method that was used to establish your claim. Examples include prior decree, posted notice, beneficial use (historical) method, license, or permit.

IDWR does not investigate or make recommendations regarding federal law based claims.

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
SEP 13 2021
By _____ Clerk Deputy Clerk

**DIRECTOR'S REPORT OF DEFERRED
DE MINIMIS STOCK WATER USE**

Claim No. 43-13794

In Re SRBA
Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources
Gary Spackman, Director
Craig L. Saxton, Manager, Adjudication Section

September 7, 2021

DESCRIPTIVE SUMMARY

This is a Director's Report of Deferred *De Minimis* Stock Water Use submitted by the Director of the Idaho Department of Water Resources (IDWR).

INTRODUCTION

A Motion for Determination of Deferred *De Minimis* Stock Water Use (Motion) and Notice of Claim to Water Right for water right claim no. 43-13794 was submitted to the Court on August 23, 2017. IDWR published a notice of the pendency and purpose of the Motion, and the Director has now completed his examination of the claim. The examination for the above-mentioned water right claim was conducted by Craig Saxton, Manager, Adjudication Section, on behalf of the Director. The materials used in and results of the examination of the elements of the claim are discussed below.

DISCUSSION

Priority Date

1. General overview of priority date considerations for stockwater claims on federal land

The Idaho Supreme Court in *Joyce Livestock Co. v. United States of America*, 144 Idaho 1 (2007) made clear ranchers could establish beneficial use instream water rights on federal land for watering their livestock if the ranchers held a valid grazing permit for grazing livestock on the federal land. The Court also determined that these instream water rights so acquired by ranchers were appurtenant to the ranchers' patented or base property. *Joyce Livestock*, 144 Idaho at 12. The Court remanded for redetermination of the priority date of the water rights because the ranchers claimed priority dates that predated their grazing authorization from the Bureau of Land Management (BLM). *Id.* at 16. The Court noted a BLM Class 1 grazing license could only be issued to a rancher if the rancher had been grazing livestock on the public range for at least five years prior to the enactment of the Taylor Grazing Act in 1934. *Id.* The court held

that instream stockwater rights based on BLM Class 1 grazing permits pass with the land as a matter of law, unless the water right is expressly reserved. *Id.* at 14.

Following the remand of *Joyce Livestock Co.* and companion case *LU Ranching Co. v. United States*, 144 Idaho 89 (2007), the SRBA district court determined the priority dates for LU Ranching Co.'s 15 water rights based on applications for grazing permits filed by LU Ranching Co.'s predecessors. *See Memorandum Decision on Remand and Order of Amended Partial Decrees* (SRBA Subcase no. 55-10288B, et al.) (July 3, 2008). Because instream stockwater rights based on Class 1 grazing permits pass with the land as a matter of law, Judge Melanson held that a court determining the priority date of an instream stockwater right under Class 1 licenses "need only look at the earliest date that a water right can be established that is associated with a particular parcel of homestead or base ranch property." *Id.* at 4-5. Recognizing a Class 1 grazing license required grazing that predated the grazing permit application, the court held that a Class 1 grazing license in conjunction with representations of earlier water use made by the claimant is sufficient evidence to establish priority dates predating the Taylor Grazing Act for LU Ranching Co.'s water rights on the federal land. *See Id.* at 7.

Effective July 1, 2021, the Idaho Legislature passed House Bill No. 186 which modified Section 42-1411, Idaho Code, to instruct the Director of the Idaho Department of Water Resources to accept the date of the first grazing permit issued on the federal grazing allotment to establish the date of priority and that there shall be a rebuttable presumption that the claimant's base property relates back to the base property when the first grazing permit was issued on the federal grazing land or when water was first applied to beneficial use on the federal land.

Therefore, for beneficial use instream stockwater claims on federal land, IDWR reviews information about the earliest available grazing permit applicable to the federal grazing allotment which the claimant has authorization to graze stock.

2. Robert Parke's claimed priority date

Robert Parke filed claim no. 43-13794 for the stockwater use from Summit Springs. The

claimed priority date of April 1, 1909, is supported by a Notice to Grazing Applicant issued to Mr. Ether Parke on February 18, 1909 by the United States Department of Agriculture Forest Service (USFS), informing Mr. Parke that his application No. 40 has been approved for grazing 50 head of cattle and 5 head of horses with in the Minidoka National Forest. The Minidoka National Forest was created on July 1, 1908, and then added to Sawtooth National Forest on July 1, 1953¹.

Mr. Parke provided IDWR with a copy of the current Term Grazing Permit No. 01360 issued on March 13, 2013, authorizing Robert Parke to graze 215 cattle within the United States Forest Service Cold Springs C&H Grazing Allotment. The Cold Springs C&H Grazing Allotment is within the Sawtooth National Forest. The permit expires on December 31, 2022.

The priority date is recommended as claimed.

Points of Diversion

Claim 43-13794 overlaps existing water right 43-10751 decreed to the USFS in the Snake River Basin Adjudication (SRBA). The claimed points of diversion are in Township 13S, Range 30E, Section 15, NENW and SENW, which is consistent with decreed points of diversion for right 43-10751 and were verified by identifying the location of Summit Springs using USGS Quadrangle maps. The point of diversion is recommended as claimed.

Source

The source for water is Summit Springs tributary to the Sinks and can be verified using the USGS quadrangle maps.

¹ <https://foresthistory.org/wp-content/uploads/2017/01/National-Forests-of-the-U.S.pdf> (pg 45).

Place of Use

The claimed beneficial use of water occurs within the USFS's Cold Springs C&H Allotment. The base property for grazing permit 01360 held by Robert Parke is in Township 13S, Range 27E, Section 18, NE¼NW¼, and was verified with the USFS by e-mail on June 30, 2020. The base property can also be identified as Cassia County parcel number RP13S27E182400. According to the Cassia County property records Robert Parke owns the base property.

The claims are appurtenant to the base property; however, the places of use described in the claims are consistent with the places of use described in the overlapping USFS water right 43-10751.

Overlapping water right 43-10751 describes a place of use that is supplied water from Summit Springs by diverting the springs into a pipe and trough system and conveying spring water to individual troughs within the Cold Springs C&H grazing allotment. Even though overlapping water right 43-10751 held by the USFS was decreed with a priority date of August 29, 1969, IDWR does not have evidence of when the current delivery system was completed and first used for stockwater to the extent claimed.

USFS claim record for 43-10751 describes the diversion works description as "Combo". IDWR will recommend the place of use consistent with an instream or non-diverted stockwater use where the place of use is consistent with the location of the spring locations and where stock would have access water in 1909, when the original grazing permit was issued.

Quantity

The quantity claimed is for 0.04 cubic feet per second ("cfs"). In Basin Wide Issue # 12, the SRBA court determine *de minimis* instream stockwater rights cannot exceed 0.02 cfs because

a diversion rate greater than 0.02 cfs results in a 24-hour diversion volume that exceeds 13,000 gallons per day. This claim is being recommended for instream use and therefore the recommended diversion rate is 0.02 cfs.

Purpose and Period of Use

The extent of the water use can be described as in-stream *de minimis* stockwater use. Water used for stockwater purposes is generally recommended for year-round use if year-round use is claimed.

CONCLUSION

There is sufficient evidence to recommend claim 43-13794 for the instream watering of livestock from Summit Springs tributary to the Sinks.

Respectfully submitted this 7th day of September, 2021.



CRAIG L. SAXTON
Manager, Adjudication Section

CERTIFICATE OF SERVICE

I certify that on September 10, 2021, I caused to be served a true and correct copy of this Director's Report of Deferred *De Minimis* Domestic or Stock Water Use, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail

2. Copies to:

Chief, Natural Resources Div.
Office of the Attorney General
P.O. Box 83720
Boise, ID 83720-0010

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail

United States Department of Justice
Environment & Natural Resources Div.
550 W. Fort Street MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail

Cassia County Courthouse
1459 Overlay Ave
Burley, ID 83318

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail

Robert Parke
2025 S 2050 E
Malta ID 83342-8612

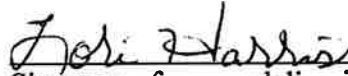
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail

U.S. Attorney's Office
1290 West Myrtle Street, Suite 500
Boise, ID 83702

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail

U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail



Signature of person delivering form

09/03/2021

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

RIGHT NUMBER: 43-13794

NAME AND ADDRESS: ROBERT PARKE
2025 S 2350 E
MALTA ID 83342-8612

SOURCE: SUMMIT SPRINGS TRIBUTARY: SINKS

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 04/01/1909

POINT OF DIVERSION: T13S R30E S15 SENW Within ONEIDA County
T13S R30E S15 NENW Within ONEIDA County

This right does not grant any right-of-way or easement across the land of another.

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

Stockwater use is for the in-stream watering of livestock.

The period of use under this water right is limited to the period of use authorized by the United States for grazing on Federal land as described in the applicable grazing permit, annual operating instructions, and other controlling documents.

PLACE OF USE:

<u>STOCKWATER in ONEIDA County</u>			
T13S	R30E	S15	NENW
T13S	R30E	S15	SENW

This right is appurtenant to the base property described below:
T13S, R27E, S18, NENW.

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

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. Idaho Code § 42-1412(6).

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use