

12/19/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-4122

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID 83724

SOURCE: SPRING

TRIBUTARY: NEWMAN CREEK

QUANTITY: 0.020 CFS

PRIORITY DATE: 06/01/1970

POINT OF DIVERSION:

T05N R16E S17 SENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

05/01 10/31

0.020 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T05N R16E S17

NWSE 2.40

2.4 ACRES TOTAL

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

FOREST SERVICE RECORD ID = 041417040219260013 00

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

Irrigation of sheep corrals.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code. Wrong QQ entered. Newman Creek does not flow through claimed QQ. Source is a spring.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-4122

WATER RIGHT NUMBER: 37-4122

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 550 W FORT ST MSC 033 BOISE, ID 83724 (208)387-0835

Priority Date: 06/01/1970
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
NEWMAN CREEK	BAKER CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	6/01 to 10/31	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

NEWMAN CREEK	NW1/4SE1/4	Sec. 17, Twp 05N, Rge 16E, B.M.
BLAINE County		

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	16E	17														X			

Total Acres: 3

Conditions of Approval:

1. FOREST SERVICE RECORD ID = 041417040219260013 00

Remarks:Comments:Dates and Other Information:

Original claim
Not found, not
microfilmed.

DEPARTMENT OF WATER RESOURCES
Southern Region1041 Blue Laker Blvd. N.
Twin Falls, Idaho 83301
(208) 734-7579

NOVEMBER 21, 1979

U. S. DEPT. OF AGRIC.
FOREST SERVICE
FEDERAL BLDG.
734-25 ST.
BOISE

UT 244001

RE: Claim No. 27-4122

Dear Claimants:

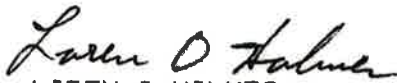
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-207 and 42-204, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,


LOREN O. HOLMES
Southern Region Supervisor

Enclosure

CLAIM TO A WATER RIGHT

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

(Name of Claimant)

(Mailing Address)

9.14.1

Telephone No. _____

(1) Date of priority: (When was the water first applied to a beneficial use) June 1, 1970

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Describe the source of water: (N
Newman Creek

tributary to

Baker Creek

(Cf. gpd, AFA)

(Domestic, Irrigation, Stock, Etc.)

(Mo., Day)

(Mo., Day)

Quantity 2015 cfs

Use Irrigation

Period of Use From June 1

To Aug 31

Quantity

Use

Period of Use From

To

Quantity

Use

Period of Use From

To

Quantity

Use

Period of Use From

To

Quantity

Use

Period of Use From

To

(4) TOTAL QUANTITY USED.

(cfr, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

Su ¼ Su ¼, Sec. 17 Twp. 5N Rge. 16E B.M., County of Blaine

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. *Headbox with 18" pipeline*

Heater box with 1 1/2" pipe line

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

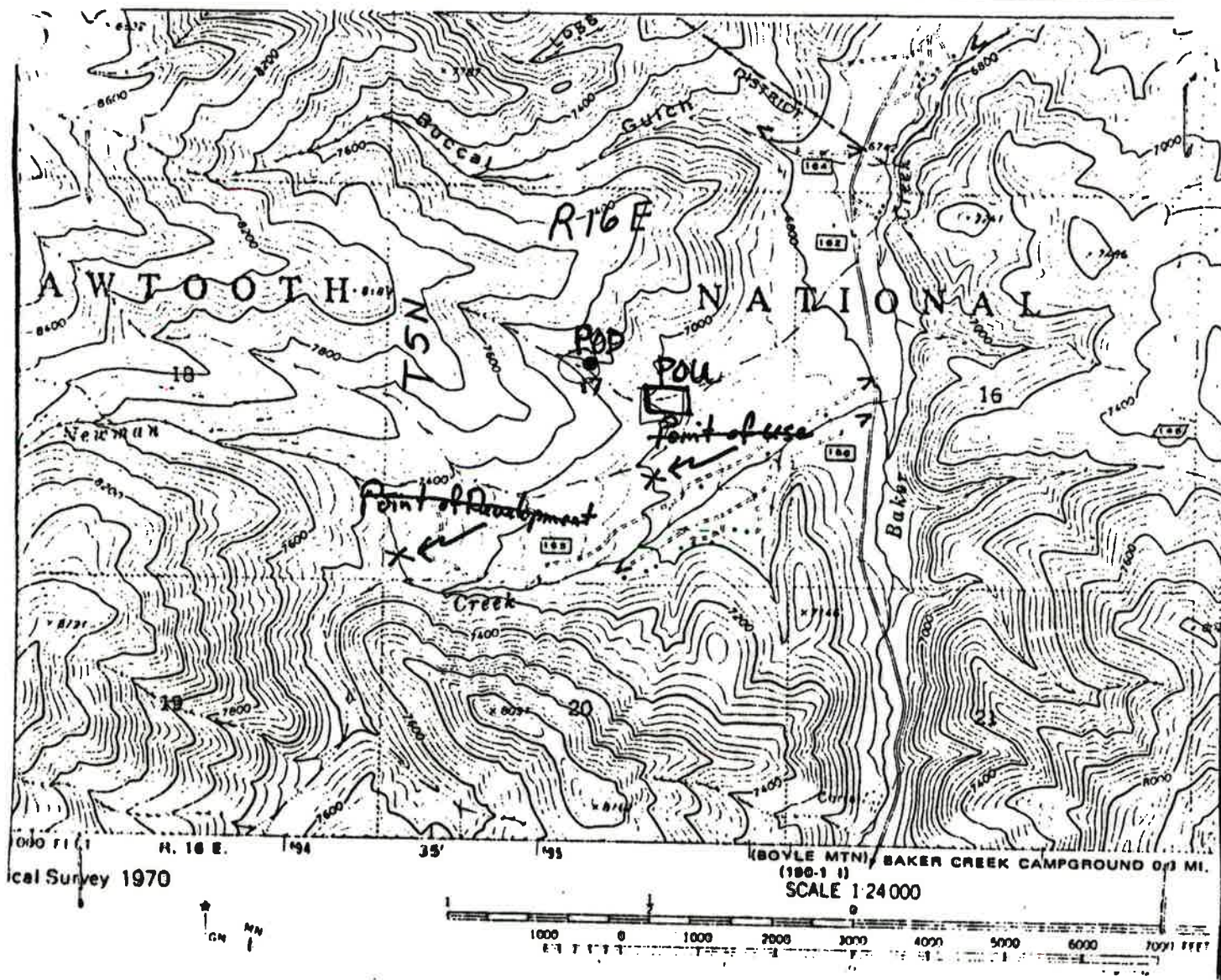
[illegible]

SCANNED

DEC 22 2006

No. of acres 20

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of ~~Utah~~ Utah

County of Weber

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge. United States of America, Forest Service

Sworn to before me this 9th day of October, 1979.

SCANNED

DEC 27 1979

Jeff M. Birmon (Claimant) Deputy Regional Forester, Resources

Calvin Saylor
Notary Public
Residing at Ogden, Utah

From: DWR03::HTHORN1 12-MAY-1995 08:29:07.89
To: DWR60::DJONES
CC: ,HTHORNT0
Subj: Field Work Needed - Basin 37

This message is for your future reference:

State Office has been reviewing Basin 37 US Forest Service state law claims. There is one claim which requires a field exam. A37-04122 is claiming 3 acres of irrigation and therefore requires a field exam. I understand that Allen did the required field exams for Forest Service claims in Basins 71 and 72, so I assume that the region will conduct this exam when the time is appropriate.

Thanks, Helen

*Recommend contact w/ Steve Spencer
about this*