

SRBA CLAIMS: BASIN 43
Malta NE D342113
Map 2 (West) of 2

**SRBA CLAIM THAT IS NOT FOR
 INSTREAM USE**

- Point Determined by GPS
- Digitized Point
- Area Determined by GPS
- Digitized Area (reservoir, etc)
- Pipeline Determined by GPS
- Digitized Pipeline (Not Actual Route)
- Ditch Determined by GPS
- Digitized Ditch (Not Actual Route)
- Surface Ownership

- BIA
- BLM
- DOI
- MIL
- NPS
- PRIVATE
- STATE
- USFS
- USFWS
- WATER
- Public Land Survey System

- 10 DIGIT # - BLM Identification # for Claim
- D - Point of Diversion (POD)
- U - Place of Use (POU)
- DU - POD and POU (Represented by one point since they are very close and not distinguishable on a 1:24000 map)

- S - Spring
- Sm - Stream
- W - Well
- T - Trough
- R - Reservoir
- P - Pond
- L - Lake
- Pl - Playa

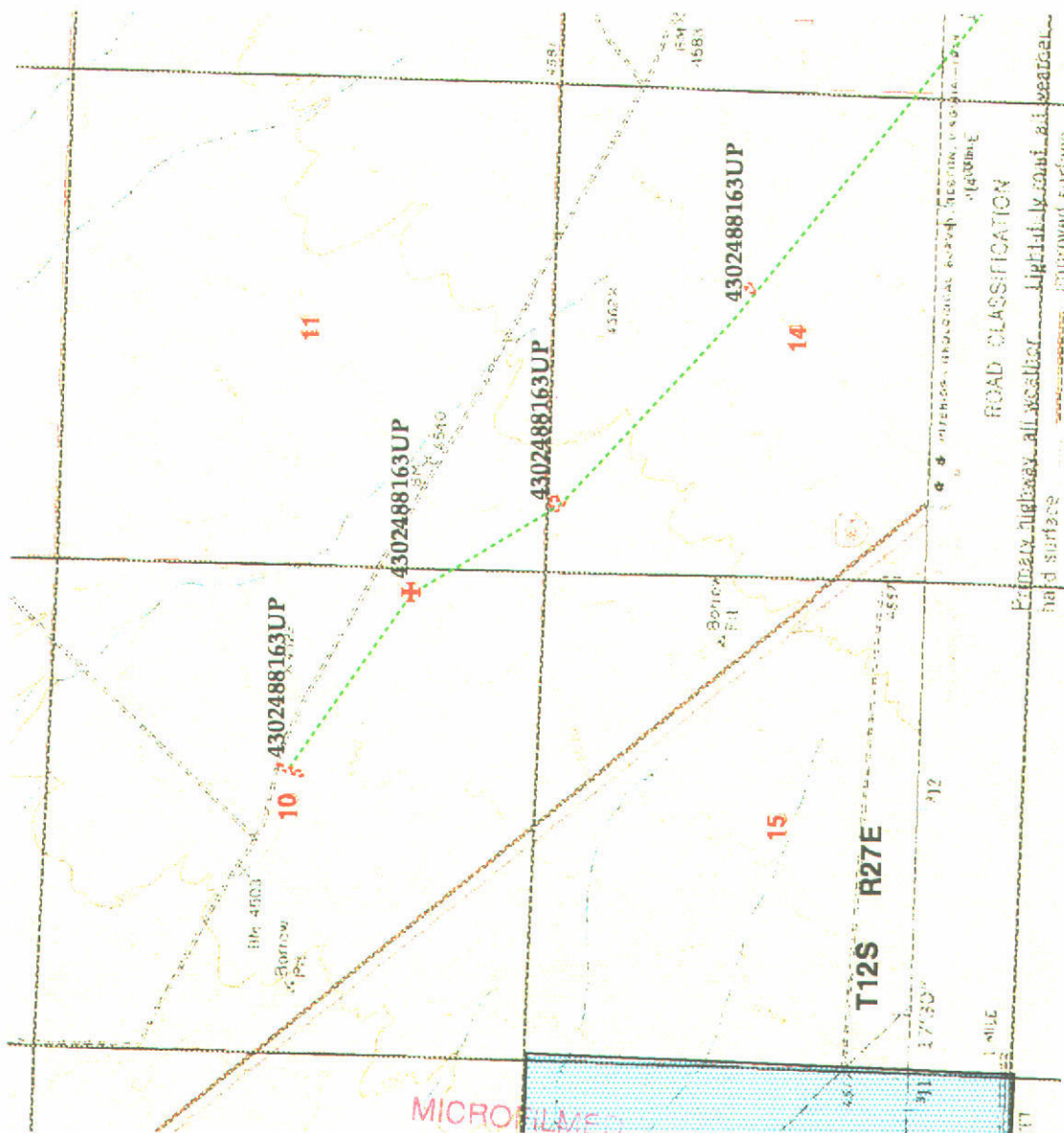
1:24000

No warranty is made by the
 Bureau of Land Management
 for use of the data for purposes
 not intended by the BLM.

buffer: g:\proj\water\rights\z12
 \plots\all\ba4302488163w.apr
 UTM ZONE 12 - DATUM NAD27



Map 1

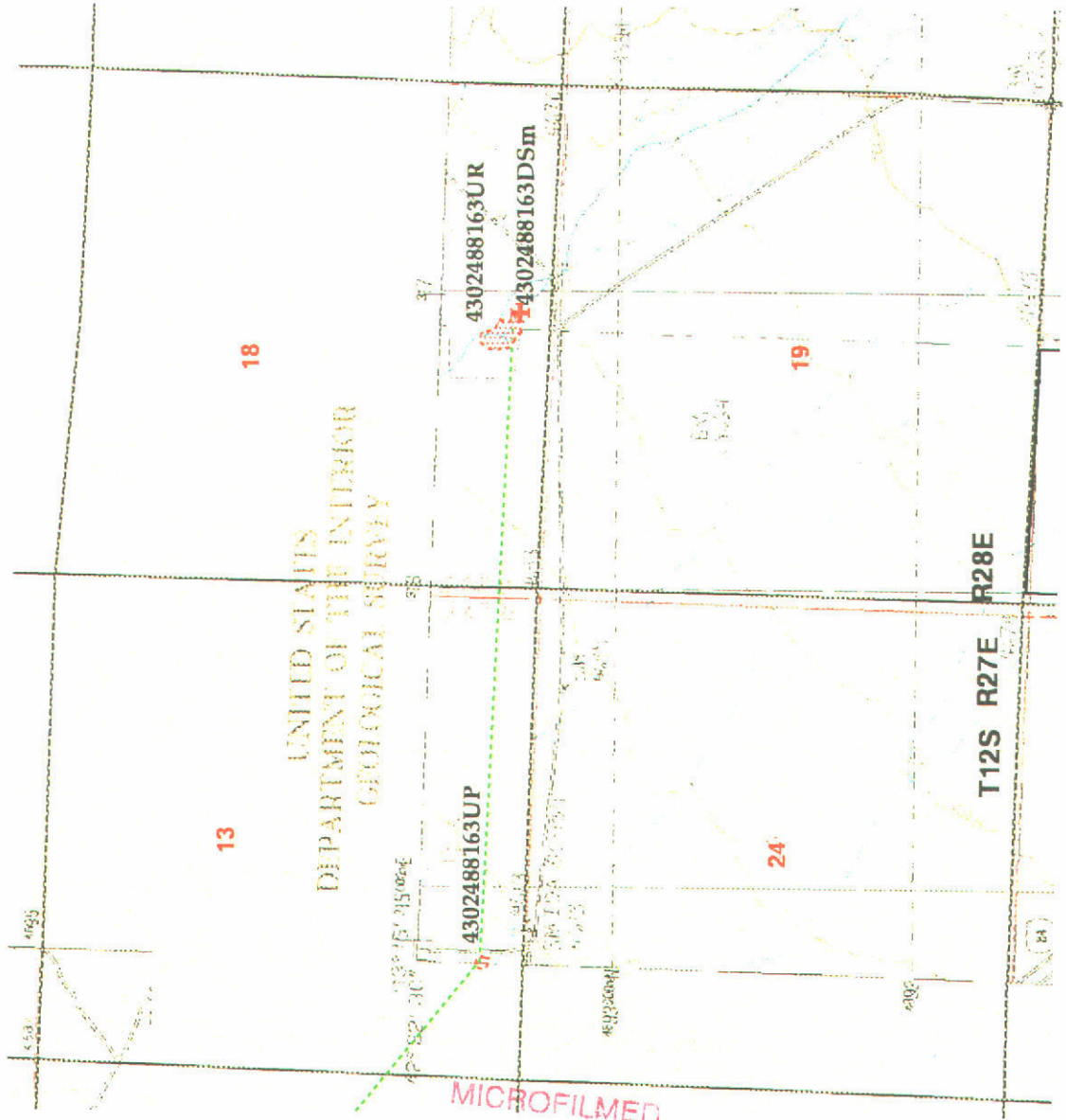


MICROFILMED
OCT 26 1998

Sent by Steve Davis, Burley office, BLM - Received 9-16-98

SRBA CLAIMS: BASIN 43
Sublett C242113
Map 1 (East) of 2

Map 2



SRBA CLAIM THAT IS NOT FOR
INSTREAM USE

- Point Determined by GPS
- Digitized Point
- Area Determined by GPS
- Digitized Area (reservoir, etc)
- Pipeline Determined by GPS
- Digitized Pipeline (Not Actual Route)
- Ditch Determined by GPS
- Digitized Ditch (Not Actual Route)
- Surface Ownership
- BIA
- BLM
- DOI
- MIL
- NPS
- PRIVATE
- STATE
- USFS
- USFWS
- WATER
- Public Land Survey System

10 DIGIT # - BLM Identification
for Claim

D - Point of Diversion (POD)

U - Place of Use (POU)

DU - POD and POU

(Represented by one point
since they are very close
and not distinguishable
on a 1:24000 map)

S - Spring

Sm - Stream

W - Well

T - Trough

R - Reservoir

P - Pond

L - Lake

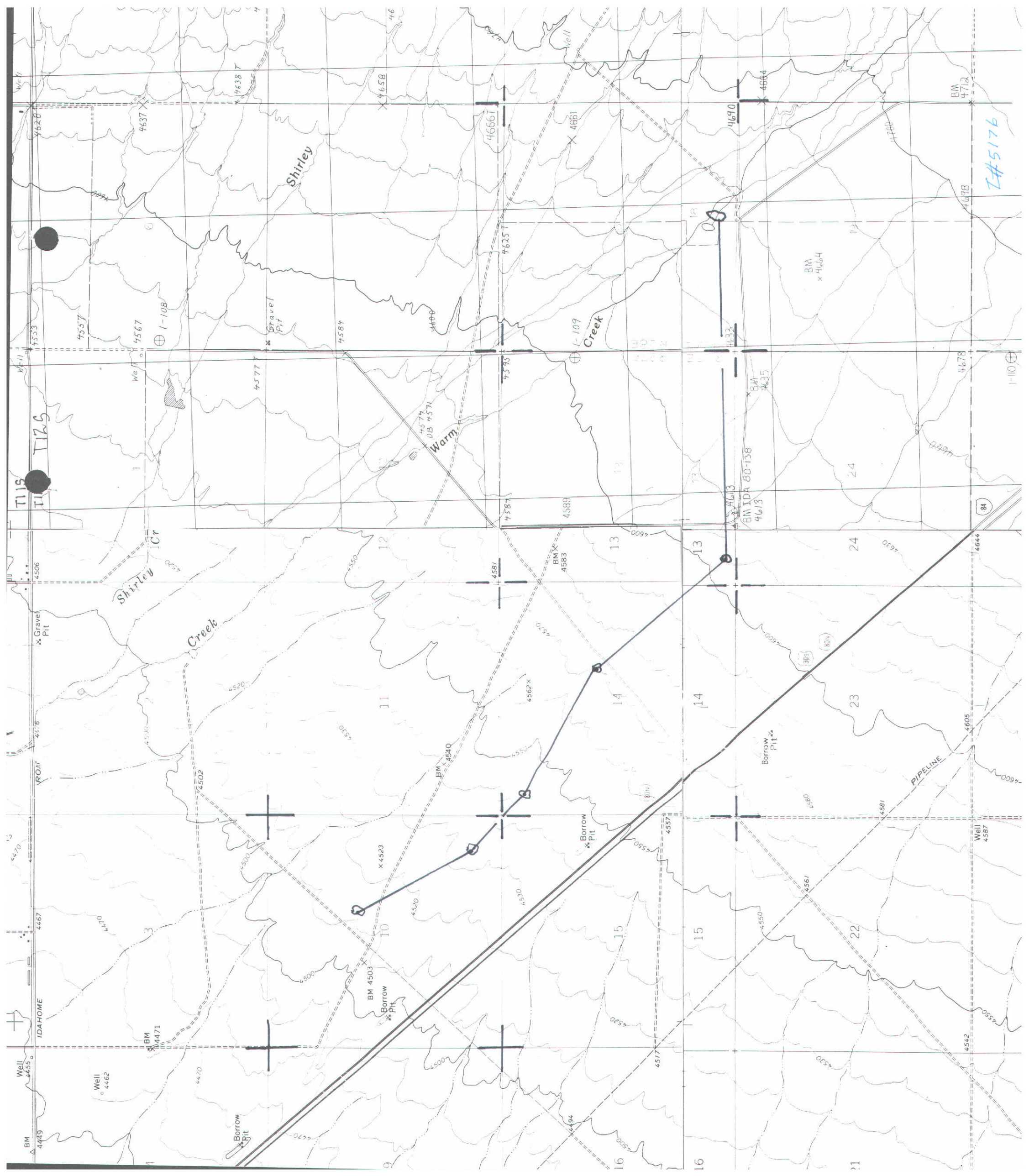
Pl - Playa

1:24000

No warranty is made by the
Bureau of Land Management
for use of the data for purposes
not intended by the BLM.

bufo: /gis/projects/water/rights/12
/plots/ullar/4302488163-a-pr
UTM ZONE 12 - DATUM NAD27





(IDWR #43-07279) 4302488163

0-0 06-20-90

BLM

24

ID-90BC

3-39-

MICROFILMED

OCT 26 1998

T# 5176

POD

20-90

BLM

24

ID-90BC

3-38B-8

+



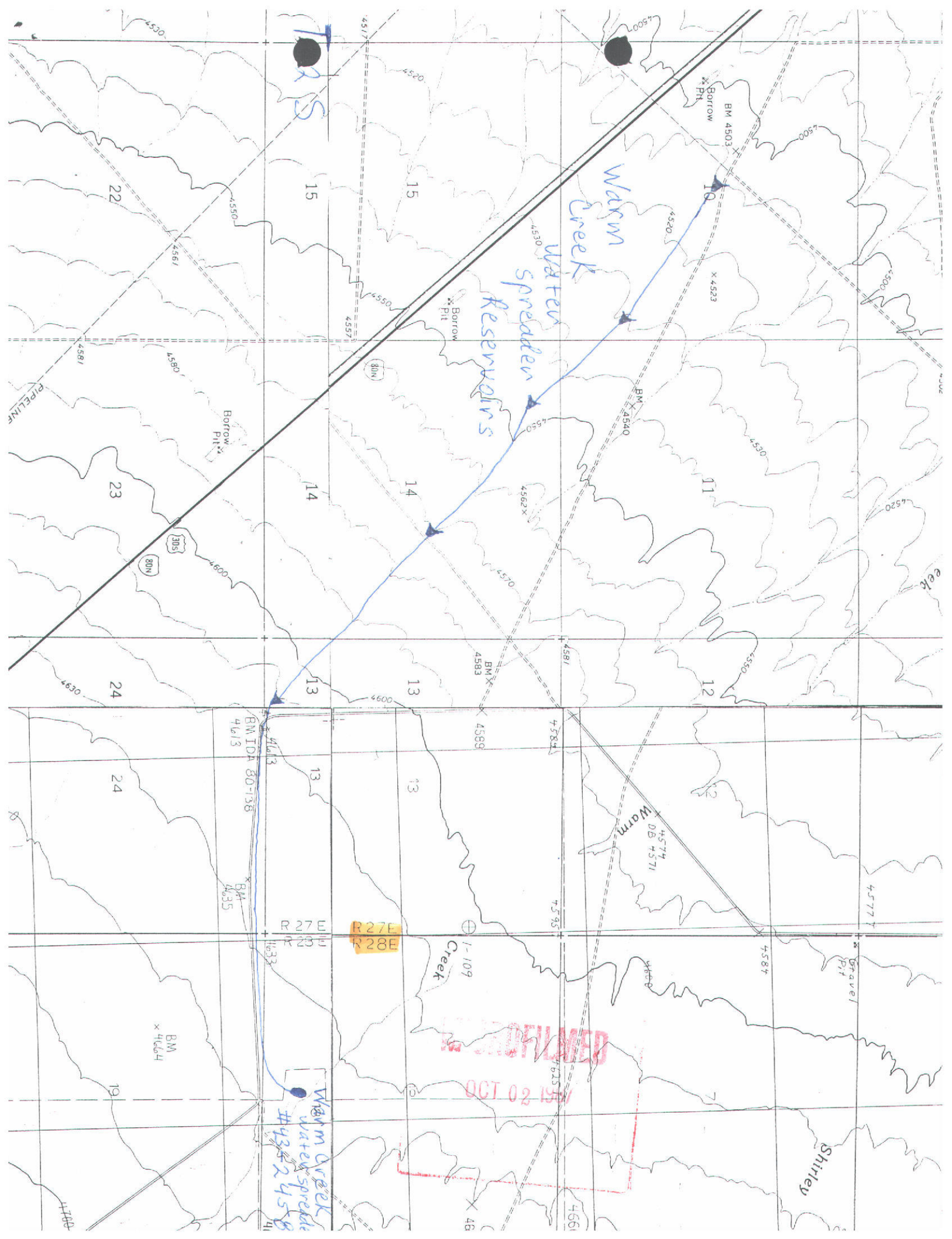
+

0 0 0

MICROFILMED

OCT 26 1998

T#5176



SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
 STATE OF IDAHO)

MARGE BARENDREGT, being first
 duly sworn, deposes and says that she is the

Clerk of the South Idaho
 Press, a daily newspaper published at Bur-
 ley, Idaho, in the county aforesaid and that
 the paper is of general circulation therein.
 Deponent further states that the printed no-
 tice attached hereto was duly published
 according to law in the regular editions of

The South Idaho Press for two (2)
 consecutive weeks, commencing with the issue
 dated Aug 6 1987, and ending
 with the issue dated Aug 13 1987.

Marge Barendregt

Subscribed and sworn to before me
 this 21st day of Aug
 1987.

Sally Staker Notary Public
 Cost of Publication 26.40
 Notary Fee 1.50
 Total Cost 26.90

INDEXED

OCT 02 1987

RECEIVED

AUG 25 1987

Department of Water Resources
 Southern Region Office

87-309

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed
 to appropriate the public waters of the State of
 Idaho:

43-7279

U.S. DEPT. OF INTERIOR
 BUREAU OF LAND MGMT., IDAHO STATE OF-
 FICE, 3380 AMERICANA TERRACE, BOISE, ID
 83706

Source: WARM CREEK trib. to SINKS
 Diversion Pt: SWSWSE Sec 18 T 12S R 28E; 4
 miles North and 7 miles East of Malta.

Use: STOCKWATER (0.120 CFS)
 WILDLIFE (0.020 CFS)
 STOCKWATER STORAGE (4.0 AF)
 WILDLIFE STORAGE (2.0 AF)

Date Filed: 5-22-1987

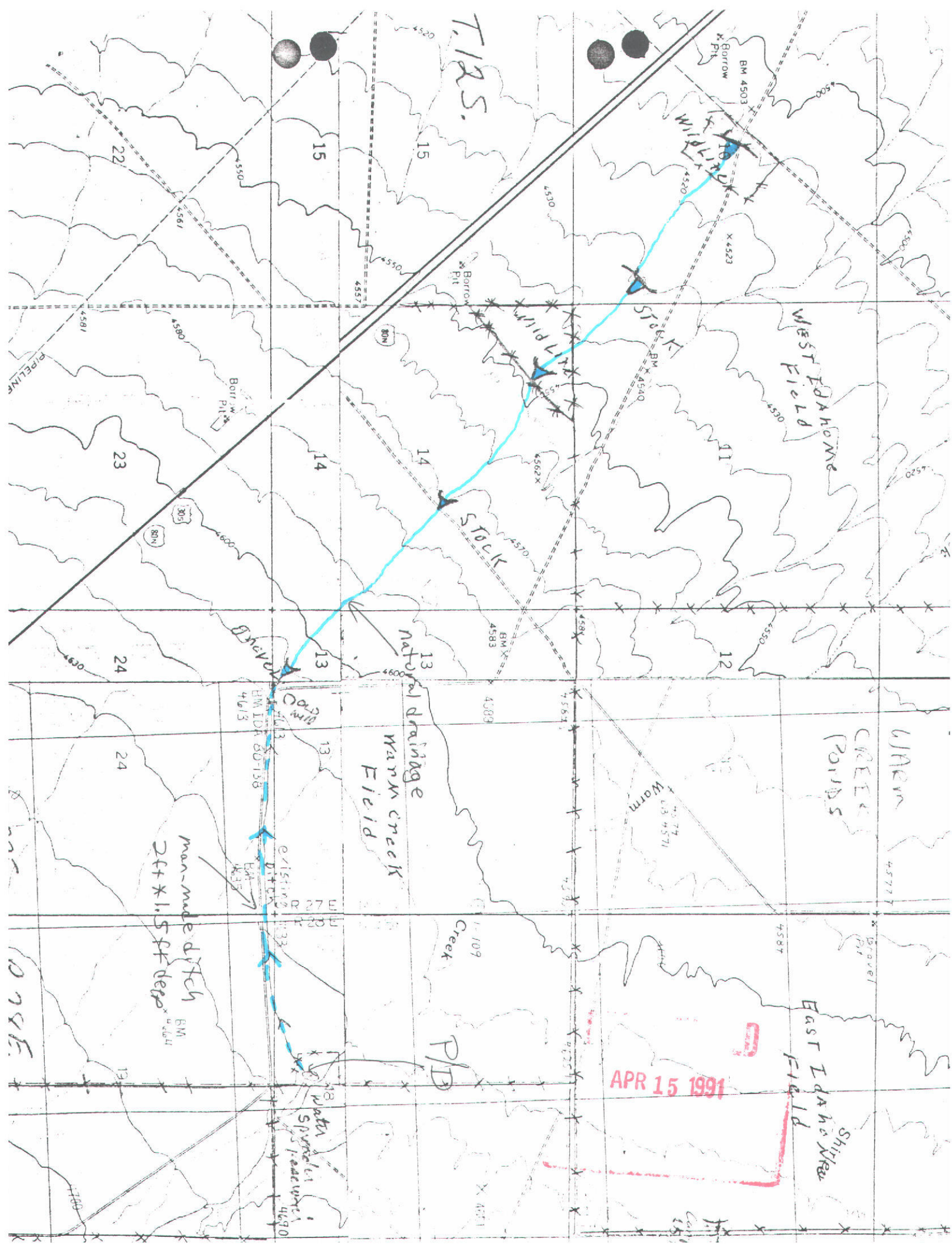
In: SWSW Sec 13 T 12S R 27E SWNE Sec 14 T
 12S R 27E NWNW Sec 14 T 12S R 27E SENW Sec
 10 T 12S R 27E SESE Sec 10 T 12S R 27E

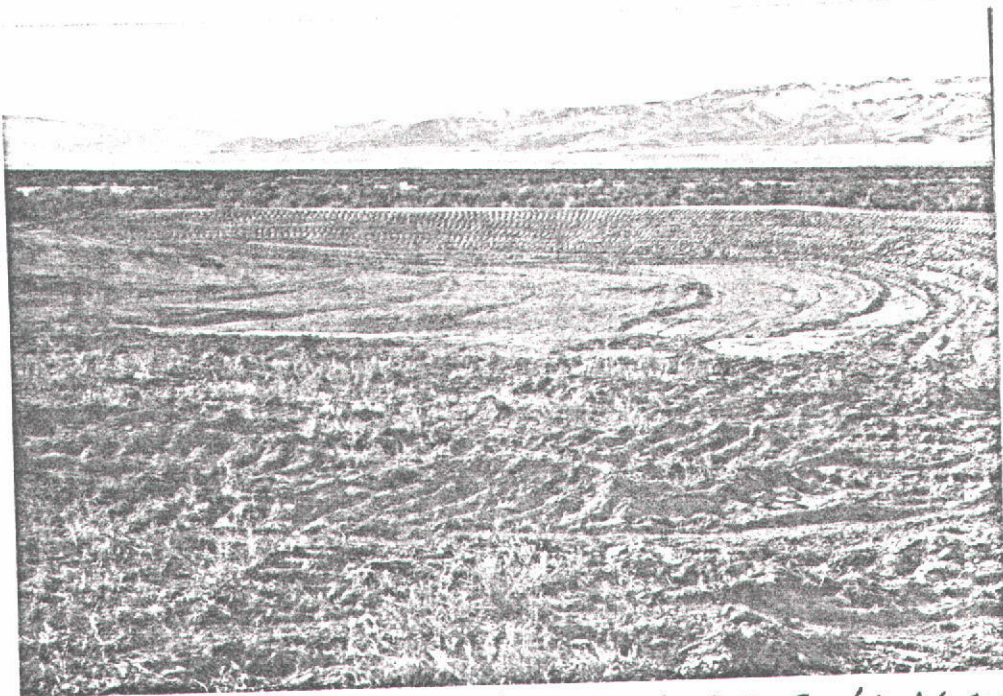
The Permit(s) will be subject to all prior
 water rights. Protests must be filed with the
 Director, Dept. of Water Resources, Southern
 Region, 2148 4th Avenue East, Twin Falls,
 Idaho 83301 on or before August 24, 1987.

Ken Dunn, Dir.

Published in the South Idaho Press on August 6
 and 13, 1987.

OK
 MB
 8/27/87





Warm Creek Stock Pond T. 12S, R. 27E. Section 14 SWNE.

RECEIVED

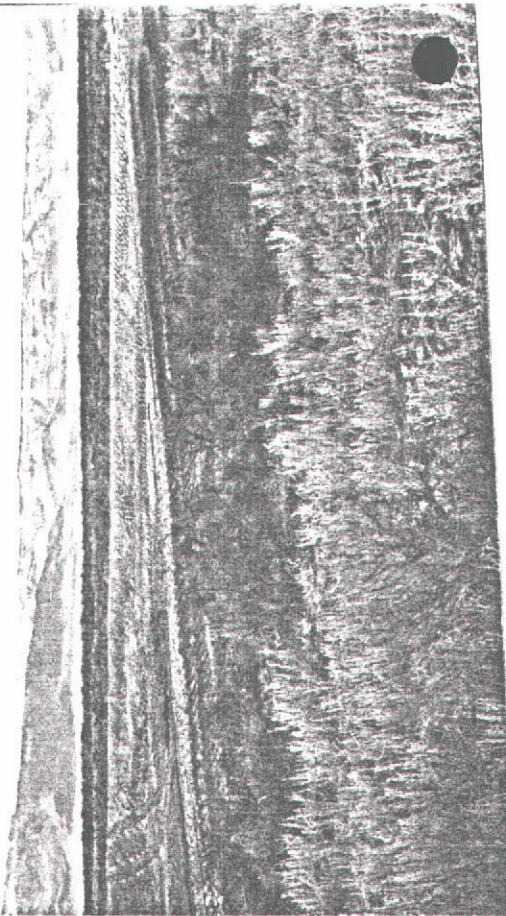
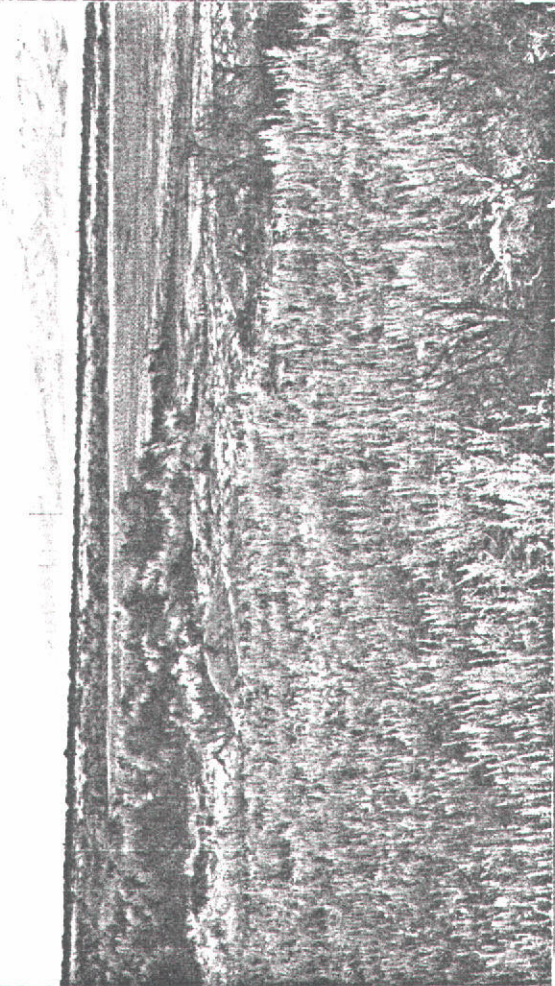
APR 15 1991

MICROFILMED

APR 15 1991

MICROFILMED

APR 15 1991



Warm Creek Wildlife pond T.125, R.27E. Section 14 NW NW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5176
WATER RIGHT NO. 43-07279

This is to certify that: **US DEPT OF INTERIOR**
BUREAU OF LAND MANAGEMENT
15 E 200 S
BURLEY ID 83318

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	05/01 to 12/30	0.12 CFS	4.0 AF
STOCKWATER STORAGE	01/01 to 12/31		4.0 AF
WILDLIFE	01/01 to 12/31	0.01 CFS	2.0 AF
WILDLIFE STORAGE	01/01 to 12/31		2.0 AF
DIVERSION TO STORA	01/01 to 12/31	0.12 CFS	
	Totals	0.12 CFS	6.0 AF

SOURCE

WARM CREEK

TRIBUTARY OF

SINKS

Priority: 05/22/1987

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 18, Township 12S, Range 28E
CASSIA County

PLACE OF USE: STOCKWATER

TWN RGE SEC

12S 27E	10	NESE
	13	SWSW
	14	SWNE
28E	18	SESW

PLACE OF USE: WILDLIFE

TWN RGE SEC

12S 27E	10	SWNE	NESE	NWSE
	13	SWSW		
	14	SWNE	NWNW	
28E	18	SESW		

MICROFILMED

OCT 26 1988

TRANSFER NO. 5176
WATER RIGHT NO. 43-07279

CONDITIONS OF APPROVAL AND REMARKS

1. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. The quantity of water under this right is not a determination of historical beneficial use, and shall not exceed 13,000 gallons per day.

Dated this 28th day of September, 1998

J. Glen Saylor
Chief, Water Allocation Bureau

MICROFILMED

OCT 26 1998

RECEIVED
 OCT 14 1997

 STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

 Transfer No. 5176
 RECEIVED

 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 1
 MAR 09 1998

 Department of Water Resources
 Southern Region

Department of Water Resources

 Name of applicant Bureau of Land Management Phone (208) 678-5514
 Post Office address 15 East, 200 South Burley, ID 83318

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☐ Change period of use ☒ Other Add one POU
2. Describe the reason for the proposed changes POD- location was GPS'd and found to be in a different location than what was described on the original license. One POU was added and one POU changed after field verified using a 1:24000 topographic map. Nature of Use is being changed to more accurately describe actual situation than what was on original license. The water will still be used only for drinking water for livestock and wildlife.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|--------------|--------------------|-------------------------|---------------|
| 43-07279 | May 22, 1987 | 0.12 cfs/4 ac-ft | stockwater | 0501 to 1230 |
| | | 4.0 ac-ft | stockwater storage | 0501 to 1230 |
| | | 0.01 cfs/2 ac-ft | wildlife | 0101 to 1231 |
| | | 2.0 ac-ft | wildlife storage | 0101 to 1231 |
| | | 2.0 ac-ft | wildlife from storage | 0101 to 1231 |
| | | 4.0 ac-ft | stockwater from storage | 0501 to 1230 |
| | | 0.12 cfs | diversion to storage | 0101 to 1231 |
2. Total amount of water being transferred 0.12 cubic feet per second and/or 6.0 acre-feet per annum.
3. Source of water Warm Creek tributary to sinks
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	SE	18	12S	28E	Cassia	Warm Creek

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12S	27E	10			W										5/16	1/16			
12S	27E	10																S;W	
12S	27E	13											S;W						
12S	27E	14			S;W														
12S	27E	14					W												
12S	28E	18											S;W						
																			MICROFILMED

P/O Adjustments made per BLM 9-10-98 memo 4 GPS base.

Total acres

OCT 20 1998

PART 1

6. General Information:

a. Description of diversion system Ditch and 6 reservoirs

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes XX No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

MICROFILMED
OCT 26 1958

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 43-07279

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	05/01 to 12/30	0.12 CFS	4.0 AF
STOCKWATER STORAGE	05/01 to 12/30		4.0 AF
WILDLIFE	01/01 to 12/31	0.01 CFS	2.0 AF
WILDLIFE STORAGE	01/01 to 12/31		2.0 AF
	Totals	0.12 CFS	6.0 AF

SOURCE

WARM CREEK

TRIBUTARY OF

SINKS

Priority: 05/22/1987

LOCATION OF POINT(S) OF DIVERSION:SESESW , Sec. 18, Township 12S, Range 28E
CASSIA CountyPLACE OF USE: STOCKWATERTWN RGE SEC

12S 27E	10	SESE
	13	SWSW
	14	SWNE

PLACE OF USE: WILDLIFETWN RGE SEC

12S 27E	10	SESE	SESE
	13	SWSW	
	14	SWNE	NWNW

CONDITIONS/REMARKS:

1. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. BLM RECORD ID = 4302488163
480/CATTLE

Recommended Claim

MICROFILMED
OCT 24 1988

PART 2

TRANS NO. 5176

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 43-07279

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	05/01 to 12/30	0.12 CFS	4.0 AF
STOCKWATER STORAGE	05/01 to 12/30		4.0 AF
WILDLIFE	01/01 to 12/31	0.01 CFS	2.0 AF
WILDLIFE STORAGE	01/01 to 12/31		2.0 AF
	Totals	0.12 CFS	6.0 AF

SOURCETRIBUTARY OF

WARM CREEK

SINKS

Priority: 05/22/1987

LOCATION OF POINT(S) OF DIVERSION:SESESW , Sec. 18, Township 12S, Range 28E
CASSIA CountyPLACE OF USE: STOCKWATERTWN RGE SEC

12S 27E 10	SESE
13	SWSW
14	SWNE

PLACE OF USE: WILDLIFETWN RGE SEC

12S 27E 10	SENW	SESE
13	SWSW	
14	SWNE	NWNW

CONDITIONS/REMARKS:

1. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
2. Stockwater use is for 480 cattle.

MICROFILMED

OCT 26 1988

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2 (Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 43-07279 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☒ Other Public Land (BLM)

3. Source of water Warm Creek tributary to sinks

4. Date or priority May 22, 1987

5. Water is used for the following purpose:

amount 0.12cfs/4.0ac-ft for stockwater purposes from 05/01 to 12/30
(cfs/ac-ft) 4.0ac-ft for stockwater storage purposes from 05/01 to 12/30
(cfs/ac-ft) 0.01cfs/2.0ac-ft for wildlife purposes from 01/01 to 12/31
(cfs/ac-ft) 2.0ac-ft wildlife storage 01/01 to 12/31

6. Total amount of water under right 0.12 cubic feet per second and/or 6.0 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SE	SW	18	12S	28E	Cassia	Warm Creek

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
12S	27E	10								W								S;W	
12S	27E	13											S;W						
12S	27E	14				S;W			W										

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

MICROFILMED
OCT 28 1988

SRBA CLAIMS: BASIN 43
Malta NE D342113
Map 2 (West) of 2

**SRBA CLAIM THAT IS NOT FOR
 INSTREAM USE**

- Point Determined by GPS
- Digitized Point
- Area Determined by GPS
- Digitized Area (reservoir, etc)
- Pipeline Determined by GPS
- Digitized Pipeline (Not Actual Route)
- Ditch Determined by GPS
- Digitized Ditch (Not Actual Route)
- Surface Ownership

- BIA
- BLM
- DOI
- MIL
- NPS
- PRIVATE
- STATE
- USFS
- USFWS
- WATER
- Public Land Survey System

10 DIGIT # - BLM Identification
 # for Claim
 D - Point of Diversion (POD)
 U - Place of Use (POU)
 DU - POD and POU
 (Represented by one point
 since they are very close
 and not distinguishable
 on a 1:24000 map)

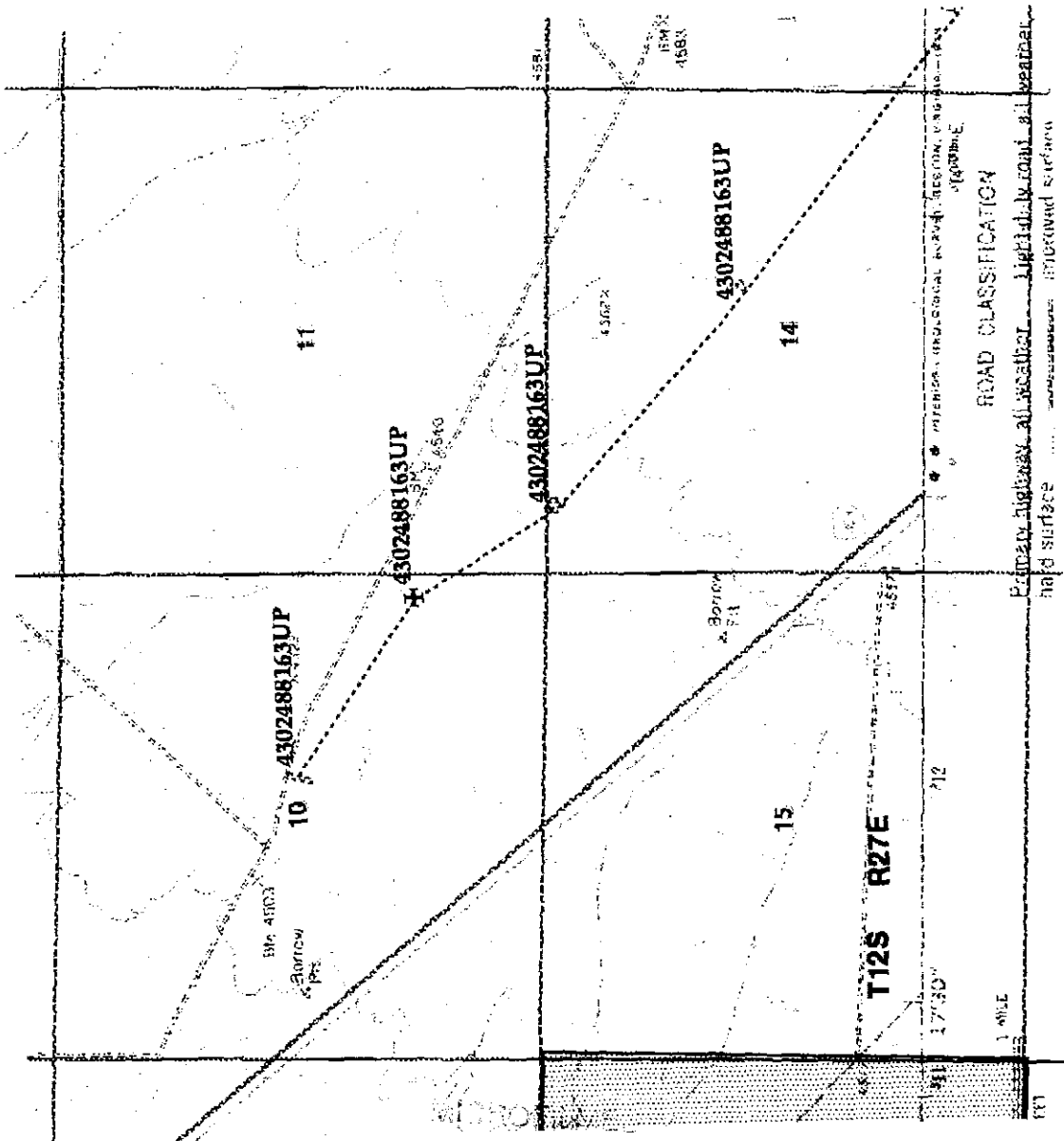
- S - Spring
- Sm - Stream
- W - Well
- T - Trough
- R - Reservoir
- P - Pond
- L - Lake
- PI - Playa

1:24000

No warranty is made by the
 Bureau of Land Management
 for use of the data for purposes
 not intended by the BLM.

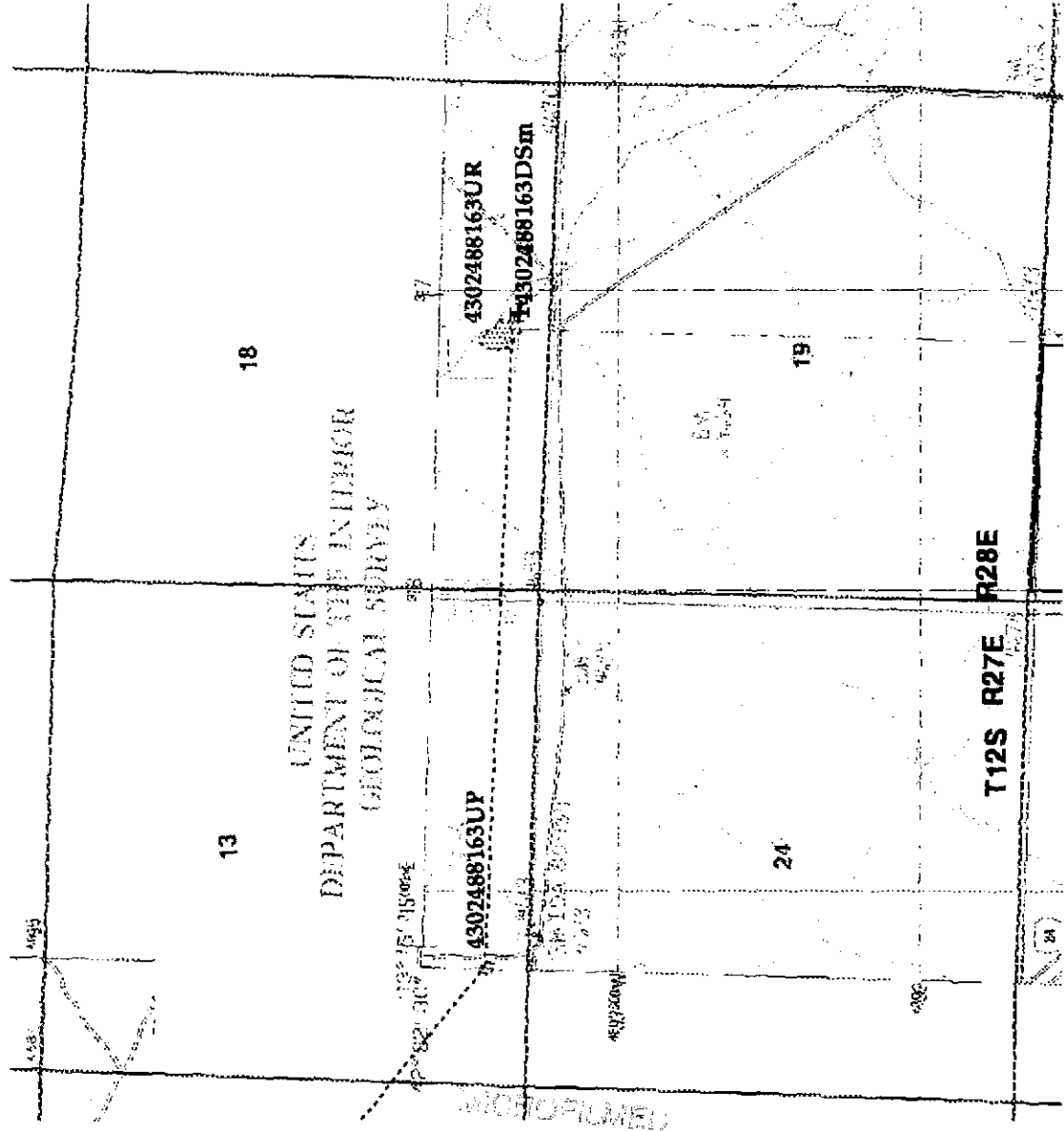
bufo: /gis/projects/water/rights/12
 /data/collect/4302488163w.apr
 UTM ZONE 12 - DATUM NAD27

Map 1



SRBA CLAIMS: BASIN 43
Sublett C242113
Map 1 (East) of 2

Map 2



**SRBA CLAIM THAT IS NOT FOR
 INSTREAM USE**

- Point Determined by GPS
- Digitized Point
- Area Determined by GPS
- Digitized Area (reservoir, etc)
- Pipeline Determined by GPS
- Digitized Pipeline (Not Actual Route)
- Ditch Determined by GPS
- Digitized Ditch (Not Actual Route)
- Surface Ownership
- BIA
- BLM
- DOI
- MIL
- NPS
- PRIVATE
- STATE
- USFS
- USFWS
- WATER
- Public Land Survey System

**10 DIGIT # - BLM Identification
 # for Claim**

D - Point of Diversion (POD)

U - Place of Use (POU)

DU - POD and POU

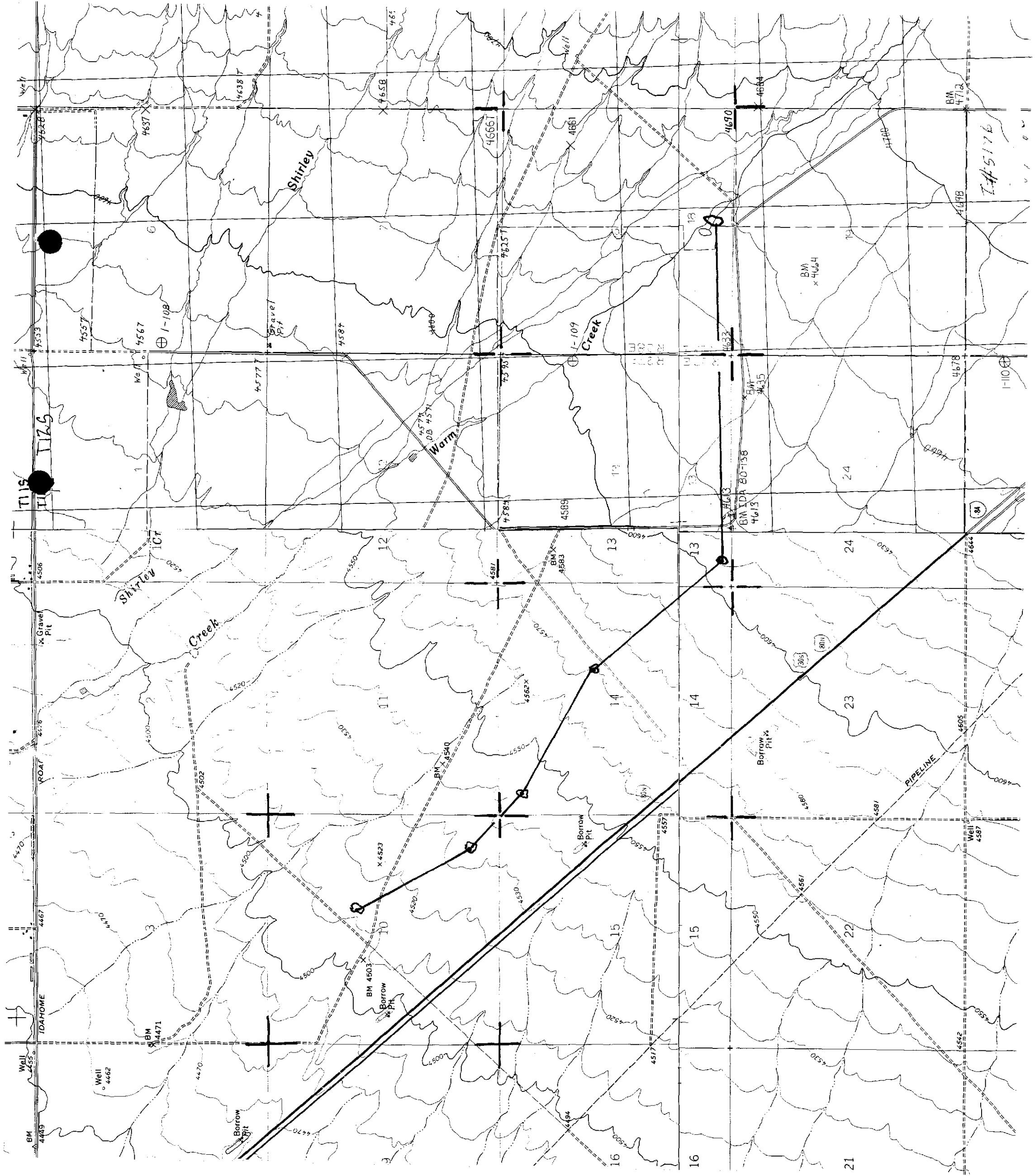
(Represented by one point
 since they are very close
 and not distinguishable
 on a 1:24000 map)

- S - Spring
- Sm - Stream
- W - Well
- T - Trough
- R - Reservoir
- P - Pond
- L - Lake
- Pl - Playa

1:24000

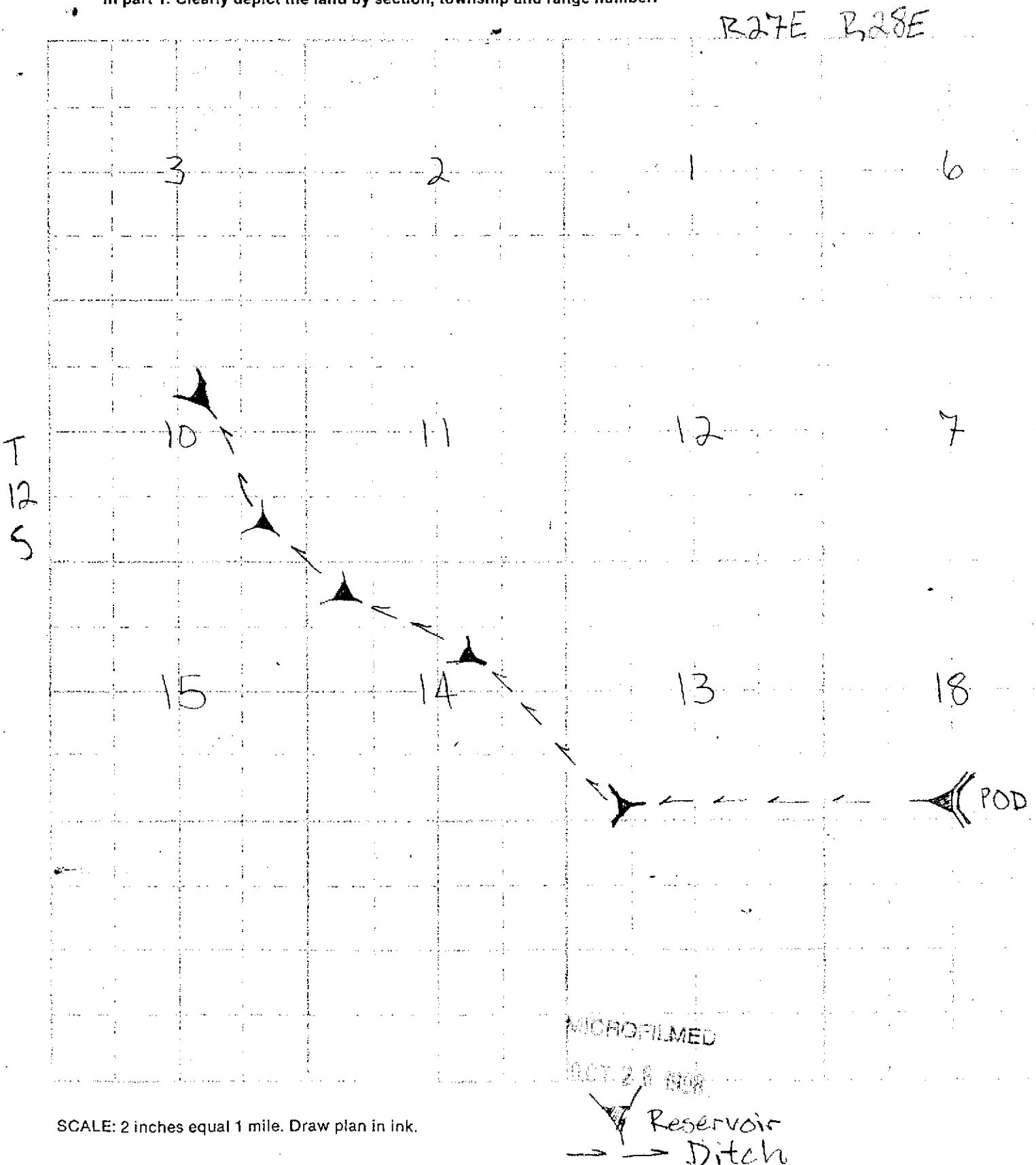
No warranty is made by the
 Bureau of Land Management
 for use of the data for purposes
 not intended by the BLM.

bafor: lgaiprjectalwaterhigh12
 ipdata: adfba43024881635a.p
 UTM ZONE 12 - DATUM NAD27



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

John L. Angerhagen, Acting Area Manager
(Signature of Applicant)
9th day of October, 19 97

Subscribed and sworn to before me this _____ day of _____, 19 _____

Dorothy Bonner
(Notary Public)

My commission expires 3-1-98

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 3 attachments

Received by GLS Date 17 Oct 97 Protest filed by _____

Prelim. check by " " Fee \$100 5020639

Receipted by GLS Date 17 Oct 97

Published in So. Ok. Press Copies of protest forwarded by _____

Pub. dates 12/8 & 12/15/97 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

MICROFILMED
OCT 28 1998

(IDWR#43-07279) 4302488163

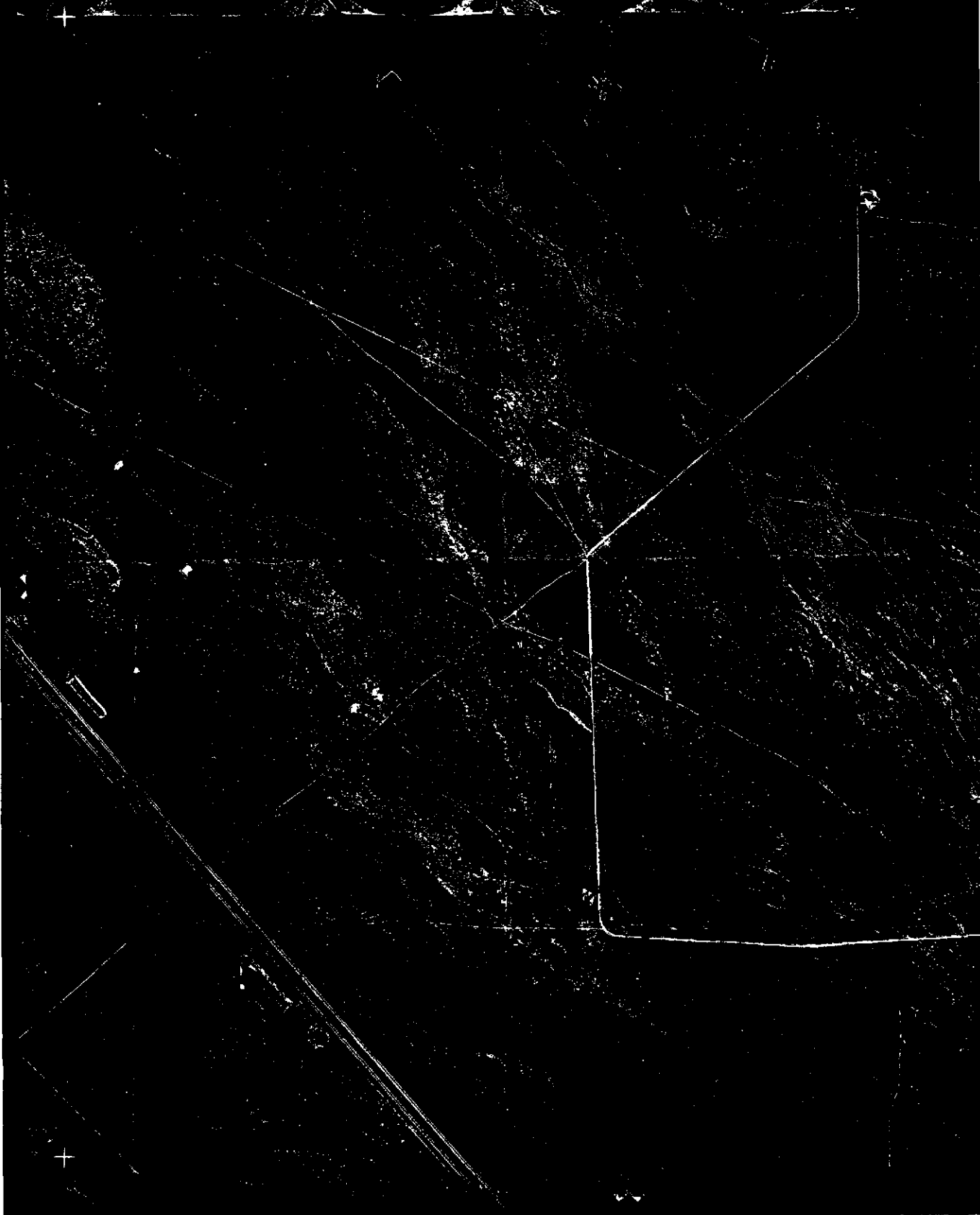
U 0 6-20-90

BLM

24

ID-90BC

3-39-



MICROFILMED

OCT 26 1998

T # 5176

↑
↑
ROD

20-90

BLM

24

ID-90BC

3-38B-8

MICROFILMED

OCT 26 1998

T#5176

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 43-07279

Priority: May 22, 1987

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.12 CFS
6.0 AF

This is to certify, that U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 837060000

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated May 22, 1987; and
has submitted Proof of Beneficial Use on January 4, 1988. An examination indicates
that the works have a diversion capacity of .120 cfs of water from:

WARM CREEK tributary to SINKS

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	05/01 to 12/30	0.12 CFS	4.0 AF
STOCKWATER STORAGE	05/01 to 12/30		4.0 AF
WILDLIFE	01/01 to 12/31	0.01 CFS	2.0 AF
WILDLIFE STORAGE	01/01 to 12/31		2.0 AF
	Totals	0.12 CFS	6.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESESW , Sec. 18, Township 12S, Range 28E
CASSIA County

PLACE OF USE: STOCKWATER
TWN RGE SEC

12S 27E	10	SESE
	13	SWSW
	14	SWNE

PLACE OF USE: WILDLIFE
TWN RGE SEC

12S 27E	10	SESE	SESE
	13	SWSW	
	14	SWNE	NWNW

RECEIVED

APR 15 1991

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 43-07279

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right, when considered with all 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.
6. Stockwater use is for 480 cattle.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 28th
day of March, 1941.

David R. Tutthill Jr.
for R. Keith Higginson, Director

APR 15 1941

RECEIVED

Form 202
6/85

MAY 22 1987

STATE OF IDAHO

Ident. No. 43-7279

DEPARTMENT OF WATER RESOURCES

Department of Water Resources **APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Bureau of Land Management Phone (208) 678-5514

Post office address Route 3, Box 1 - Burley, Idaho 83318

2. Source of water supply Warm Creek which is a tributary of sinks

3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____

Sec. 18 Township 12 S Range 28 E B.M. Cassia County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .12 for livestock purposes from 5/1 to 12/30 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 for wildlife purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 4.0 for livestock purposes from 5/1 to 12/30 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 2.0 for wildlife purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .12 and/or (b) 6.0
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Warm Creek Water Spreader Reservoirs:

A one mile long existing canal will be improved to divert water to an ephemeral channel
that will contain 5 reservoirs.

b. Height of storage dam 6' each feet; active reservoir capacity .8 acre-feet; total
reservoir capacity 1.2 acre-feet; period of year when water will be diverted to storage:
1/1 to 12/31 inclusive.

c. Proposed well diameter is N/A inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 90°F being sought? _____

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

Five years (minimum 1 year).

MICROFILMED

OCT 02 1987

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. 480 cattle
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. 20 mule deer, 40 antelope and other upland species will utilize the waters plus they will provide water fowl nesting habitat.

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12 S	27 E	13											SS WS						
		14			SS WS			A, E WS	*										
		10								SW A, E								SS WS	

* No water amounts in item 4 for these uses

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 43-2458, D-0227, D-0913, and D-0921

11. a. Who owns the property at the point of diversion? Bureau of Land Management

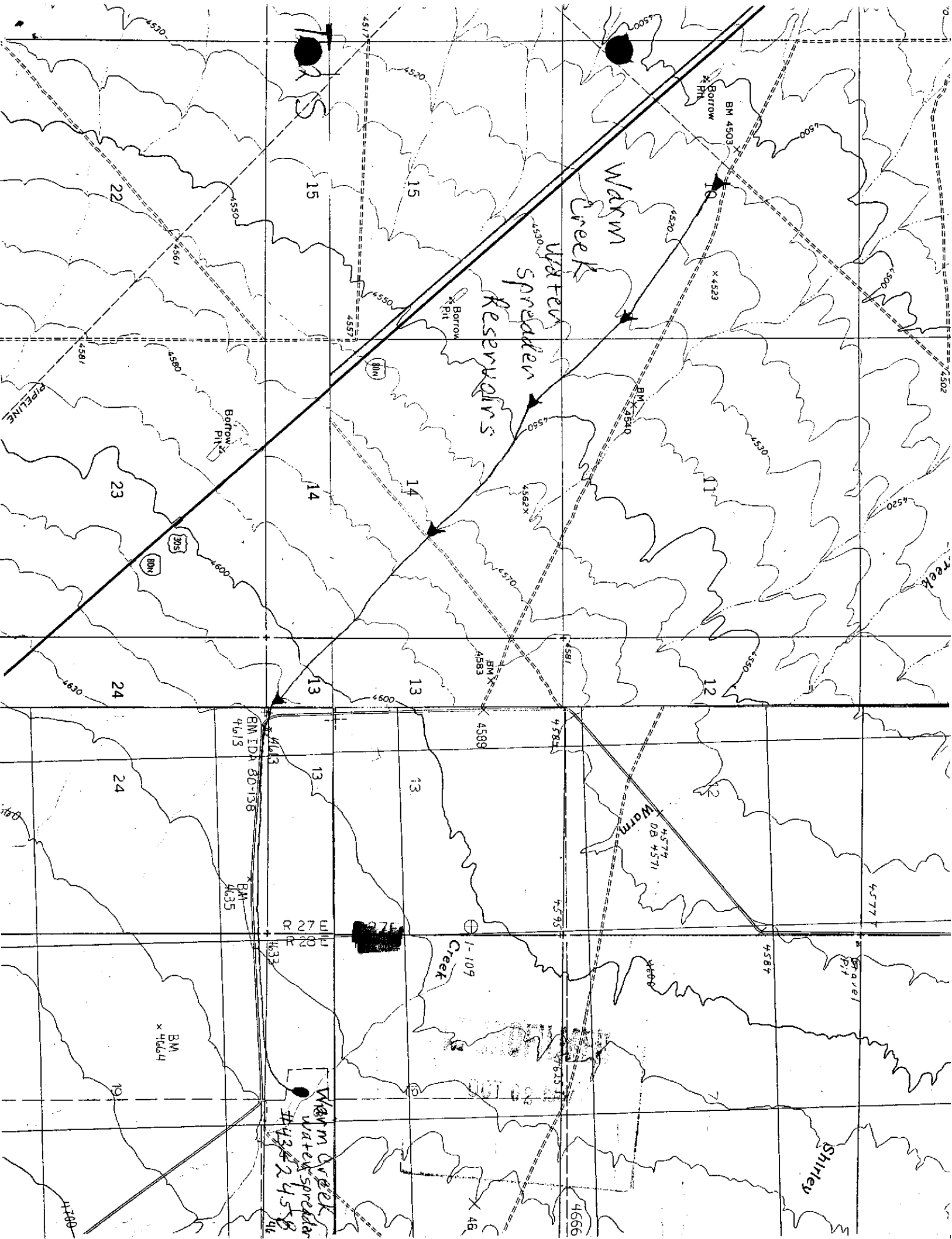
b. Who owns the land to be irrigated or place of use? Bureau of Land Management

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

RECORDED

OCT 02 1987



MICROFILMED
OCT 02 1987

OCT 02 1987

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Terrance M. Costello - Snake River Area Manager

Received by LB QJ Date 6/10/87 Time 4:00 Proposed Priority 5/22/87
Date 5-22-87 Time 8:30 Preliminary check by LH
Fee \$ 30.00 Receipted by AF # 42747 Date 7-8-87
Publication prepared by M. Baldwin Date 7/15/87 Published in South Id. Press
Publication approved M. Baldwin Date 8/27/87

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 43-7279, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1992.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 22nd day of September, 1987.

A. Glen Saylor
Chief, Operations Bureau

MICROFILMED

OCT 02 1987

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

MARGE BARENDREFF, being first
duly sworn, deposes and says that she is the

Clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for two (2)
consecutive weeks, commencing with the issue
dated Aug. 6 1987, and ending
with the issue dated Aug. 13 1987.

Marge Barendreff

Subscribed and sworn to before me
this 21st day of Aug.

1987.

Sally Staher

Notary Public

Cost of Publication 26.40

Notary Fee .50

Total 26.90

RECORDED

OCT 02 1987

RECEIVED

AUG 25 1987

Department of Water Resources
Southern Region Office

FOR WATER RIGHT

The following application(s) have been filed
to appropriate the public waters of the State of
Idaho:

43-7279

U.S. DEPT. OF INTERIOR

BUREAU OF LAND MGMT., IDAHO STATE OF-
FICE, 3380 AMERICANA TERRACE, BOISE, ID
83706

Source: WARM CREEK 17th to SINKS

Diversion Pt. SWSW Sec 18 T 125 R 28E; 4
miles North and 7 miles East of Malta.

Use: STOCKWATER (0.120 CFS)

WILDLIFE (0.020 CFS)

STOCKWATER STORAGE (4.0 AF)

WILDLIFE STORAGE (2.0 AF)

Date Filed: 5-22-1987

In: SWSW Sec 13 T 125 R 27E SWNE Sec 14 T
125 R 27E NWNW Sec 14 T 125 R 27E SENW Sec
10 T 125 R 27E SESE Sec 10 T 125 R 27E

The Permit(s) will be subject to all prior
water rights. Protests must be filed with the
Director, Dept. of Water Resources, Southern
Region, 2140 4th Avenue East, Twin Falls,
Idaho 83301 on or before August 24, 1987.

OK
MB
8/27/87

STATEMENT

MEMBER OF ASSOCIATED PRESS

PHONE 878-2201

RECEIVED

South Idaho Press

ESTABLISHED 1904
230 EAST MAIN BOX 190
BURLEY, IDAHO 83318

AUG 25 1987

PUBLISHED
DAILY
MONDAY
THRU
FRIDAY
AND SUNDAY
MORNINGS

Department of Water Resources
Southern Region Office

Dept of Water Resources
2148 4th Ave E
Twin Falls, Idaho
83301

TERMS:
ALL ACCOUNTS
DUE AND
PAYABLE ON
20TH OF MONTH
FOLLOWING CHARGE

87-309

Please detach this stub and mail with your remittance. Your cancelled check serves as your receipt.

DATE	DESCRIPTION:	LINES OR INCHES	CODE	CHARGES	CREDITS	BALANCE
BALANCE FORWARD						
8/21/87	Legal	30 x 2 @ .88		26.40		26.40
# 43-7279	87-309			.50		
	notary					
	OK MB 8/27/87					

MICROFILMED

OCT 02 1987

PAY LAST
AMOUNT
THIS COLU

SOUTH IDAHO PRESS
BURLEY, IDAHO



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

October 1, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
15 E 200 S
BURLEY ID 83318

RE: Water Right 43-07279 (Transfer 5176)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5176). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

If you have acquired any other water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7947.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt
Enclosures

MICROFILMED
OCT 26 1998

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of October, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHT 43-07279 (Transfer 5176)

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
15 E 200 S
BURLEY ID 83318


Kari Lynn Townsend
Secretary

MICROFILMED

OCT 26 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

OCT 26 1998

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED

OCT 26 1998

MEMORANDUM

TO: File 43-07279

FROM: Pam Skaggs^{PS}/State Office

SUBJECT: Transfer 5176

DATE: September 17, 1998

Transfer 5176 changes the point of diversion and place of use under Right 43-07279. The transfer is correcting or changing the right to more accurately reflect the existing system. Recently collected GPS data has verified the legal description. No physical changes occur through this transfer.

Discussion with Steve Davis, BLM hydrologist, clarified the existing uses on the system. Diversion to storage was included to reflect the diversion from Warm Creek to the ponds. "From storage" uses were not recommended as part of the approval. The water is not diverted from the storage ponds, stock and wildlife simply drink from the ponds. Season of use for stockwater storage was adjusted to reflect year round storage.

Recommended conditions include beneficial use within the grazing allotment, historical beneficial use, 13,000 gpd limit and standard transfer conditions.

MICROFILMED

OCT 26 1998

TRANSFER REVIEW SHEET

(07-98)

Transfer # 5176

Date Reviewed 9-9-98

Right(s) 43-07279 - As Recommended in SRBA

☒ WRQ/Split Summary ☒ Recommended/A+ Issue
SRBA Status NA Run POU Comparison Report

B:Change P/D C:Add P/D

D:Change P/U

E:Change Nature of Use

F:Change Period of Use

☒ Other

H:Change P/D & Add P/D

I:Change P/D & P/U

J:Add P/D & Change P/U

Proof of Ownership SRBA Claim

Transfer ☒ All of Right ☐ Portion of Right

Resulting Split(s) NONE

Check Transfer Against Recorded Right

Season/Vol. NA

(1) ☒ Priority (2) ☐ Use (3) ☐ Season (4) ☒ Rate (5) ☒ Volume

(6) ☒ Source (7) ☐ P/D (8) ☐ P/U (9) ☒ Proof/Owner (10) ☒ Map

(11) NA Water District (12) Yes Pertinent Conditions (13) NO Expansion

(2) Add Div to STOR rate of Flow - From Storage Uses NA
Ditch system with reservoirs - Natural Drainage - Water not
diverted from storage to a new location.

(3) Stock STOR corrected to reflect yr. round

(7) Correct P/D to actual legal

(8) Change 1 POU / 4 Add 1 POU (18,555W) Correct P/U per GPS maps
+ BLM letter 9-10-98

Advertised P/U by section. ☒ OC

Steve Davis/BLM contacted to discuss POU 1677-16627
+ uses.

Transfer Remarks SRBA - Not Historical Use + 13,000 gpd limit

Conditions R37, T07, T08, T09

Already recommended

Database/Processing Notes

Standard ☐ Non-Standard ☒

Copy approved version to an "X" prefix + comment to base WR

"T" Files Update Complete ☒ Approval Form ☒ Transfer Memo ☒

Database Updated Following Approval ☒ Memo/Form Files Deleted ☒

9-29-98 38

WR0749NP
No. T43-07279

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/17/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF INTERIOR	05/22/1987	STOCKWATER	05/01 12/30	0.120 CFS	4.00 AFA
	BUREAU OF LAND MANAGEMENT		STOCKWATER STORAGE	01/01 12/31		4.00 AFA
	15 E 200 S		WILDLIFE	01/01 12/31	0.010 CFS	2.00 AFA
	BURLEY ID 83318		WILDLIFE STORAGE	01/01 12/31		2.00 AFA
	(208) 678-5514		DIVERSION TO STORAGE	01/01 12/31	0.120 CFS	
TOTAL DIVERSION:					0.120 CFS	6.00 AFA

Water Source: WARM CREEK

Tributary to: SINKS

Stage: LICENSE

Point(s) of Diversion Capacity: 0.120 CFS

Point(s) of Diversion: T12S R28E S18 SWSE

CASSIA County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
12S	27E	10	:					:						:					:	S				:	
12S	27E	13	:					:						:			S		:					:	
12S	27E	14	:				S	:						:					:					:	
12S	28E	18	:					:						:			S		:					:	

Place of use Legal Description for: WILDLIFE

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
12S	27E	10	:				W	:						:					:	W	W			:	
12S	27E	13	:					:						:			W		:					:	
12S	27E	14	:				W	:			W			:					:					:	
12S	28E	18	:					:						:			W		:					:	

Pou County: CASSIA

Conditions of Approval:

- R37 - This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Remarks: GEN The quantity of water under this right is not a determination of historical beneficial use, and shall not exceed 13,000 gallons per day.

WR0749NP
No. T43-07279

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/17/98
PAGE: 2

=====
Dates: App. Received: 10/27/1997 Priority Date: 05/22/1987
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 03/28/1991

Misc: Water District Number: Field Exam Fee: N (Not Required)

Comments: Date: 09/16/1998 User-ID: PSKAGGS Subject: TRANSFER 5176
Transfer 5176 changes the point of diversion & place of use under
Right 43-07279 to more accurately reflect current use.

Audit: 11/28/97 MBALDWIN 09/16/98 PSKAGGS



United States Department of the Interior **RECEIVED**
BUREAU OF LAND MANAGEMENT

Upper Snake River Districts
Snake River Resource Area
15 East 200 South
Burley, Idaho 83318-9501

SEP 16 1998

Department of Water Resources

In Reply Refer to:
7250 (024)

September 10, 1998

Pam Skaggs
Idaho Department of Water Resources
1301 N. Orchard Street
Boise, Idaho 83706

Dear Ms. Skaggs:

In accordance with our telephone conversation on September 9, 1998, this letter is being written to confirm what the POD and POUs should be for the "Application For Transfer Of Water Right" involving license 43-07279. During the SRBA process, we collected GPS data (GIS maps attached) concerning the POD and POUs. Therefore, we now know that the legal descriptions (and associated POU usages in terms of "W" or "S and W") should be as follows:

POD: T12S R28E Sec. 18 SWSWSE

POU:	T12S R27E Sec. 10 SWNE	W
	T12S R27E Sec. 10 NESE	S and W
	T12S R27E Sec. 10 NWSE	W
	T12S R27E Sec. 13 SWSW	S and W
	T12S R27E Sec. 14 SWNE	S and W
	T12S R27E Sec. 14 NWNW	W
	T12S R28E Sec. 18 SESW	S and W

If you have any questions, please contact me at (208) 677-6626.

Sincerely,

Steve Davis
Hydrologist

MICROFILMED

OCT 26 1998

MEMORANDUM

TO: File 43-07279

FROM: Pam Skaggs/State Office

SUBJECT: Telecon with Steve Davis, BLM

DATE: September 9, 1998

I spoke with Steve Davis from the Burley BLM office today to discuss Transfer 5176. The transfer does not propose changing the system, only correcting legal descriptions and clarifying use.

I had questions regarding the addition of "from storage" uses to the right. Steve said that the water is diverted from the creek and run through a series of ponds. No water is diverted from the ponds for use at a separate place of use. He thought that the "from storage" uses described the stock and wildlife drinking from the ponds. He agreed that those uses weren't appropriate.

However, he did have concerns that the place of use identified on the transfer application was in error. Some further GPS investigation identified uses in the N1/2SE, S10 instead of the SESE, S10. He will send a letter requesting the correction to the place of use, along with a copy of the map correctly identifying the place of use sites.

I will withhold further review of this application until the information has been received.

MICROFILMED
OCT 26 1998

SRBA SUBCASE SUMMARY REPORT 43-07279

[Return to SRBA Home Page](#)

SRBA
09-09-1998

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 43-07279 FILE#: 00052
CLAIMANT: USDI BLM
STATUS: AT ISSUE
WATER SOURCE: WARM CREEK, SINKS
ISSUES: POINT(S) OF DIVERSION DESCRIPTION
 PLACE OF USE OR IRRIGATED ACRES IN EACH 40 A.

**** PARTIES INVOLVED ****

USDI BLM
USDI BLM

ATTY: U.S. DEPT. OF JUSTICE
ATTY: LEE LEININGER

**** ROA ENTRIES ****

07-02-1998 OBJ 01 F/B USDI BLM

RB 09-01-1998 0001

[Return to SRBA Home Page](#)

MICROFILMED

OCT 26 1998

SPLIT RIGHT SUMMARY
9/9/98
TRANSFER 5176

SD-0611-2 Basin: 43 Starting Water Right: 07279

S	Water	Name	O	Priority	STG/	Source	Use	S
E	Right No.	Last, First	W	Date	STS		Desc	Y
L			N					S
---	43-07279	US DEPT OF INTERIOR	C	05/22/1987	L/	WARM CREEK	STOCK	WR
---							STOC	S
---							WILDLF	
---							WILD	S
---	T43-07279	US DEPT OF INTERIOR	C	05/22/1987	L/	WARM CREEK	STOCK	WR
---							STOC	S
---							WILDLF	
---							WILD	S
---							WLD	FS
---							STO	FS
---							DIV	S
---	43-07279	AMERICA ACTING THROU	C	05/22/1987	L/	WARM CREEK	WILDLF	AJ
---							STOC	S
---							STOCK	
---							WILD	S
---	A43-07279	AMERICA ACTING THROU	C	05/22/1987	L/	WARM CREEK	STOCK	AJ
---							WILDLF	
---							STOC	S
---							WILD	S
---							STO	FS
---							WLD	FS

MICROFILMED
OCT 26 1998

IDWR TRANSFER ANALYSIS SHEET

APPLICANT USO2- BLM TRANSFER NO. 5176

1. Right number(s) 43-07279

2. Type of right ☐ Decree ☒ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer ☒ Change P/D ☐ Add P/D ☒ Change P/U
☒ Change N/U ☐ Change Source ☐ Split Right
☒ Other: ADD P/U

4. Check Existing
Right: 43-02661? ☒ Source ☒ Priority ☒ Amount ☒ Purpose
WATER RIGHT 43-02458? ☒ Period ☒ SRBA Claim
STILL ACTIVE?? ☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

Comments: (A) 43-02458 * BLM withdrew claim 9/30/97
CLAIM WAS ORIGINALLY "D" CLAIMS
(A) 43-02661 * PERMIT

5. Check Proposed Right for amount of land &/or water transferred:

Also see attached memo for more analysis information

- a. ☒ All of right
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. NA ☐ Proof of ownership of right &/or land from which water is transferred
- h. ☒ Expansion in use of right - Comments: Some P/U pts. are claimed in A43-10914 also

RECEIVED

MAR - 9 1998

Department of Water Resources

1990 Color Photos
Steve Davis per

T 5176

- i. ✓ Existing rights from same source, on land water is being transferred to; right number(s): _____

SEE 4. & 5 & memo

- j. ✓ SRBA claim(s) - Comments (NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) _____

SEE 4. & 5 & memo

- [illegible]

INITIAL ALLOCATION REVIEW BY
SRBA SUPERVISOR REVIEW BY
PUBLICATION REVIEW BY

DATE 10 Nov 97
DATE 3/6/98
DATE

1. Legal Notice electronically sent to DWR03::VAULT

✓ Yes @ 3:44 pm, 12/1/97

2. COMMENT LETTERS

Watermaster recommendation requested on 11/14, Received on

Other comments letters - send to the following name(s) & address(es):

3. Transfer published correctly? ✓ Yes No
4. Affidavit of publication received? ✓ Yes No
5. Protests received? Yes ✓ No; Acknowledgement sent? Yes
6. Copies made for Region file (see attached supplemental page)? Yes

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny due to _____
- _____
3. Conditions (special conditions in Water Districts) _____

 Also see attached memo for recommendation dated: _____

4. By AVC Date 12/29/97

RECEIVED

DEC 19 1997

Department of Resources
Bureau of Land Management

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia)
STATE OF IDAHO) ss

Ruth Holmes, being first duly sworn, deposes and says that she is the Legals clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of the South Idaho Press for 2 consecutive week(s), commencing with the issue dated December 8 1997, and ending with the issue dated December 15 1997.

Ruth Anne Holmes

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

On this 15th day of December in the year of 1997 before me, a Notary Public, personally appeared Ruth Holmes, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Kay Moore
Notary Public for Idaho

Residing at Paul, ID

My commission expires: 9-20-2001

Cost of Publication 67.32

Affidavit Fee 5.00

Total Cost 72.32

MICROFILMED

OCT 26 1998

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT, No. T# 5176**

Notice is hereby given that USDI-Bureau of Land Management, 15 E 200 S; BURLEY ID 83318 has applied to the Department of Water Resources for changes to a licensed water right.

The purpose of Transfer No. 5176 is to change point of diversion, place of use and record use as off-stream storage instead of on-stream storage. The water will continue to be used as livestock and wildlife drinking water only.

PRESENTLY, Licensed Water Right No. 43-07279 (0.12 cfs) with a priority date of 05/22/1987 is diverted from Warm Creek tributary to Sinks within SE1/4SW1/4, S18, T12S, R28E; Cassia County for stockwater & stockwater storage (5/1 to 12/30) and wildlife & wildlife storage (1/1 to 12/31) within parts of Sections 10, 13 & 14, T12S, R27E; Cassia County.

PROPOSED CHANGE

The applicant wishes to divert a total of 0.12 cfs/6.0 af of water from Warm Creek within SW1/4SE1/4, S18, T12S, R28E; Cassia County for the following uses within Sections 10, 13 & 14, T12S, R27E and S18, T12S, R28E; Cassia County:

Use*Period of Use*Amount

stockwater*05/01-12/30*0.12 cfs

stockwater storage* " *4.0 af

stockwater from storage* " *4.0 af

wildlife*01/01-12/31*0.01 cfs

wildlife storage* " *2.0 af

wildlife from storage* " *2.0 af

diversion to storage* " *0.12 cfs

Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before December 26, 1997 by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT, No. T# 5176**

Notice is hereby given that USDI-Bureau of Land Management, 15 E 200 S; BURLEY ID 83318 has applied to the Department of Water Resources for changes to a licensed water right.

The purpose of Transfer No. 5176 is to change point of diversion, place of use and record use as off-stream storage instead of on-stream storage. The water will continue to be used as livestock and wildlife drinking water only.

PRESENTLY, Licensed Water Right No. 43-07279 (0.12 cfs) with a priority date of 05/22/1987 is diverted from Warm Creek tributary to Sinks within SE1/4SW1/4, S18, T12S, R28E; Cassia County for stockwater & stockwater storage (5/1 to 12/30) and wildlife & wildlife storage (1/1 to 12/31) within parts of Sections 10, 13 & 14, T12S, R27E; Cassia County.

PROPOSED CHANGE

The applicant wishes to divert a total of 0.12 cfs/6.0 af of water from Warm Creek within SW1/4SE1/4, S18, T12S, R28E; Cassia County for the following uses within Sections 10, 13 & 14, T12S, R27E and S18, T12S, R28E; Cassia County:

Use*Period of Use*Amount

stockwater*05/01-12/30*0.12 cfs

stockwater storage* " *4.0 af

stockwater from storage* " *4.0 af

wildlife*01/01-12/31*0.01 cfs

wildlife storage* " *2.0 af

wildlife from storage* " *2.0 af

diversion to storage* " *0.12 cfs

Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before December 26, 1997 by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on
12/8 & 12/15/97.

MICROFILMED

OCT 26 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

December 1, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTENTION-LEGALS
SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

MICROFILMED

DEC 26 1998

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
No. T# 5176

Notice is hereby given that USDI-Bureau of Land Management, 15 E 200 S; BURLEY ID 83318 has applied to the Department of Water Resources for changes to a licensed water right.

The purpose of Transfer No. 5176 is to change point of diversion, place of use and record use as off-stream storage instead of on-stream storage. The water will continue to be used as livestock and wildlife drinking water only.

PRESENTLY, Licensed Water Right No. 43-07279 (0.12 cfs) with a priority date of 05/22/1987 is diverted from Warm Creek tributary to Sinks within SE1/4SW1/4, S18, T12S, R28E; Cassia County for stockwater & stockwater storage (5/1 to 12/30) and wildlife & wildlife storage (1/1 to 12/31) within parts of Sections 10, 13 & 14, T12S, R27E; Cassia County.

PROPOSED CHANGE

The applicant wishes to divert a total of 0.12 cfs/6.0 af of water from Warm Creek within SW1/4SE1/4, S18, T12S, R28E; Cassia County for the following uses within Sections 10, 13 & 14, T12S, R27E and S18, T12S, R28E; Cassia County:

Use	Period of Use	Amount
stockwater	05/01-12/30	0.12 cfs
stockwater storage	"	4.0 af
stockwater from storage	"	4.0 af
wildlife	01/01/-12/31	0.01 cfs
wildlife storage	"	2.0 af
wildlife from storage	"	2.0 af
diversion to storage	"	0.12 cfs

Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before December 26, 1997 by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on 12/8 & 12/15/97.

MICROFILMED

DEC 28 1997



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

November 28, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTN STEVE DAVIS
USDI-BUREAU OF LAND MANAGEMENT
15 E 200 S
BURLEY ID 83318

Re: Application for Transfer No. 5176 (43-07279)

Dear Applicants

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office has scheduled advertising the application in The South Idaho Press for 12/8 and 12/15/97.

The advertisement(s) will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Georgia Satterlee
Water Resource Agent

GS:mb

MICROFILMED

OCT 24 1998

M E M O T O F I L E

FROM: Georgia Satterlee
DATE: 18 November 1997
RE: Transfer per 43-07279 (A43-07279)

This transfer proposes to manipulate the existing BLM claim. The uses are for storage and drinking water for livestock and wildlife. The rate and acre-feet per annum will not increase.

Due to GPS and other field verification techniques, the new location of the original point of diversion has been verified, with an additional place of use, and a original place of use change.

In addition to 43-07279, priority date 05/22/87, there are two licensed rights and one Beneficial Use claim calling to similar portions of the Places of Use as in 43-07279.

<u>WATER RIGHT</u>	<u>PRIORITY DATE</u>	<u>RATE</u>	<u>USE</u>
43-02661	02/06/1957	0.10 cfs	Stockwater
*A43-02661	02/06/1957	0.10 cfs	Stockwater/Wildlife
43-02458	11/08/1966	0.22 cfs	Stockwater
*A43-02458	11/08/1966	0.22 cfs	Stockwater/Wildlife
A43-10914	01/01/1873	0.10 cfs	Stockwater/Wildlife

* BLM withdrew adjudication claims on 09/30/97. Uncertain how the licensed water right stands up now.

It appears the application for transfer is encompassing all the portions within the licensed right, 43-07279, and from the withdrawn claims.

At this juncture, I am uncertain how to address the conditions and other issues that may be lurking. I will submit the package to Mary for advertisement, and discuss the issues with Allen before the month end.

MICROFILMED

OCT 26 1998

April 2, 1991

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 837060000

RE: WATER RIGHT NO. 43-07279

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

RECEIVED
BUREAU OF LAND MANAGEMENT
APR 15 1991

APR 15 1991

February 23, 1990

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 837060000

RE: PERMIT NO. 43-07279

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

APR 15 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

43-7279
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
☒ Copy of Permit
☒ Copies of any Amendments/Orders with conditions of approval
☒ Computer Data Proof Report
☒ Copy of U.S.G.S. Quad
☒ Check for Government Lots. If so, make a copy of Government Plat
Check of P/D index LW 2/3/88 (Initial and date)
Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____

- Check of P/U index LW 2/3/88 (Initial and date)
Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
☒ Photographs of Point of Diversion and Place of Use
☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed Cal Edwards 7/24/89 (Signature of examiner and date)
Exam Reviewed by Senior Water Resource Agent TJR 2-15-89 (Initial and date)
Exam Reviewed by Manager of Regional Office LH 2/24/89 (Initial and date)
Exam Date Entered in Computer _____ (Initial and date)
Exam sent to State Office _____ (Initial and date)
Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

MAR 01 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 43-7279

1. Owner: Bureau of Land Management Phone No. 678-5514

Current Address: Rt 3, Box 1 - Burley, Id 83318

2. Accompanied by: Kirk Koch EXAM. DATE: 7/28/88

Address: Same Phone No. 678-5514

Relationship to Permit Holder: Employee

3. Source: Warm Creek tributary to Sinks

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____

☐ Copies Attached

2. Other water rights with same point of diversion: 43-2458 - reservoir, D-0227,

D-0913, D-0921

☒ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

APR 16 1989

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Water is diverted out of Reservoir by Stand pipe with float filter to man-made ditch 2 ft x 1.5 ft deep approximately 1.25 miles long where it enters the 1st of a series of ponds with a 'earth and stone' storage capacity of 1.2 AF. Water then follows natural drainage + 4 more ponds in series. Water is for 400 cattle, 30 mule deer and about 40 Antelope.

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

[illegible]

6. Place(s) of Use:

Indicate Method of Determination

[illegible]

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

Stockwater Demand: $Q = 480 \times .00022 = 0.11 \text{ cfs}$ (No measurements made)
Wildlife Demand: $Q = 60 \times .00022 = 0.01 \text{ cfs}$

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi $\times 2.31 =$ _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3)

; Flow rate: _____ cfs (4)

Water HP: (3) $\times$ (4) $\div 8.8 =$ _____ (5)

Meter Input KW: $3.6 \times$ _____ KH $\times$ _____ CTR or _____ MULT $\times$ _____ PTR $\times$ _____ N/ _____ T = _____ (6)

Meter Input HP: (6) $\times 1.34 =$ _____ (7)

Panel Input KW: _____ Ave PF $\times$ _____ Ave Volts $\times$ _____ Ave Amps $\times .001732 =$ _____ (6)

Panel Input HP: (6) $\times 1.34 =$ _____ (7) Efficiency: (5)/(7) $\times 100 =$ _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

Stock: $480 \times .0134 = 6.4 \text{ AFA} - \text{demand}$

APR 16 1991

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Records on this project were sparse. Photos of 2 ponds are included and told all are the same.

$$\text{Total Storage Capacity} = 5 \text{ ponds} \times 1.2 \text{ AF} = 6 \text{ AF}$$

$$\text{Demand (livestock only)} = 0.4 \text{ AF}$$

Base storage on pond capacity, since less than demand. Ponds filled 1 time a year.

2 ponds are fenced strictly used for wildlife.

No photo of diversion available.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Livestock	5/1	12/30	1.2	
wildlife	1/1	12/31	0.3	
Storage for livestock	5/1	12/30	—	4.0
Storage for wildlife	1/1	12/31	—	2.0
Totals:			1.2 cfs	6.0 AF

2. Recommended Amendments

- ☐ Change P.D. as reflected above
- ☐ Change P.U. as reflected above
- ☐ Add P.D. as reflected above
- ☐ Add P.U. as reflected above

J. AUTHENTICATION

Field Examiner's Name Carl Reeb

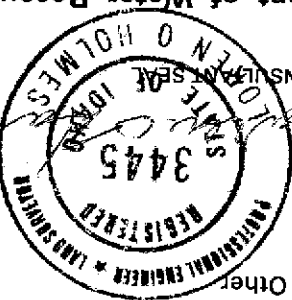
Signature Carl e Reeb

Certification Date 4/6/88

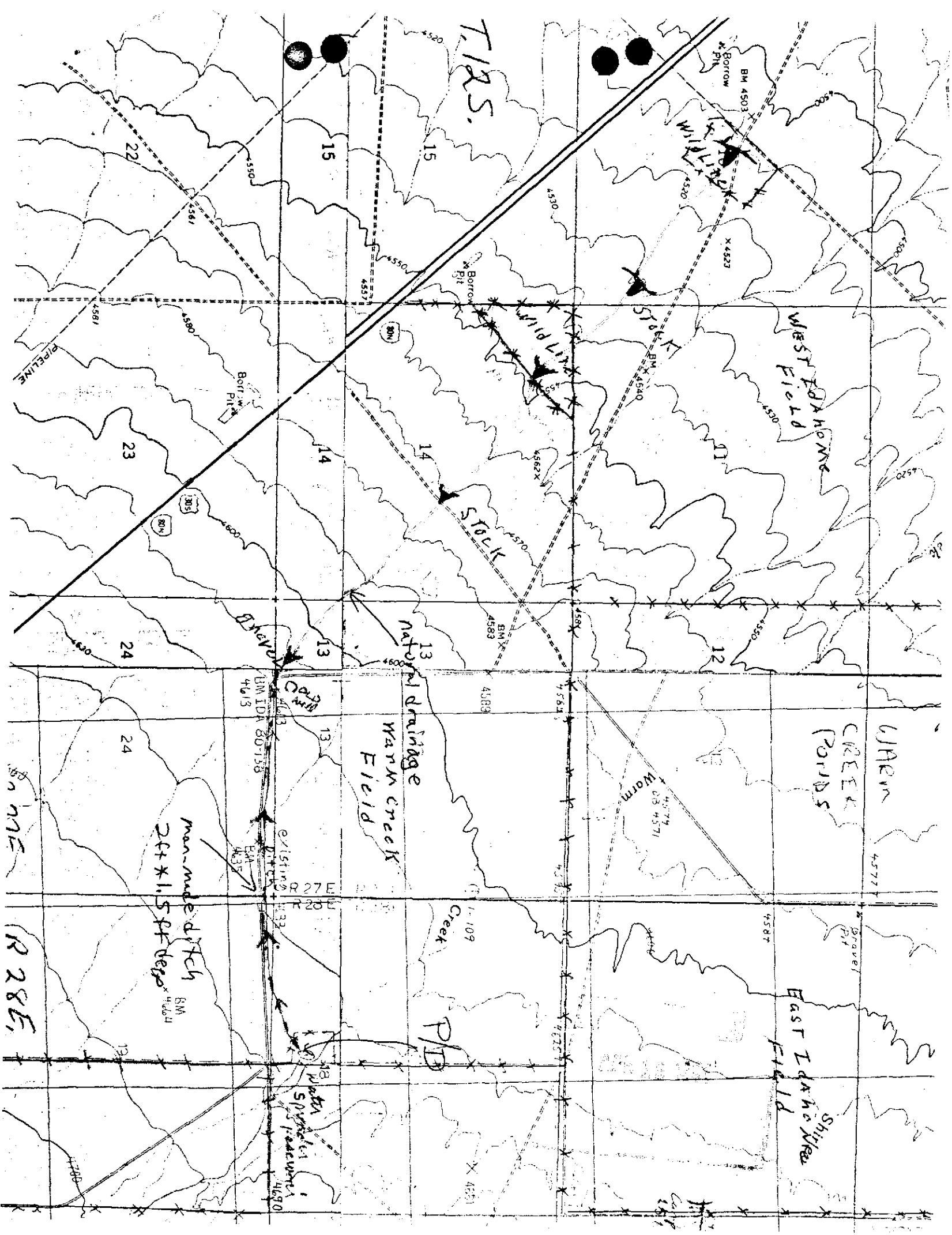
Field Report Preparation Date 7/28/88

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

APM 3/28/89



418



T. 125.

West Idaho home

CREEK Ponds

East Idaho home

Worm

Stock

Natural drainage

Warm creek Field

man-made ditch
2ft x 1.5 ft deep

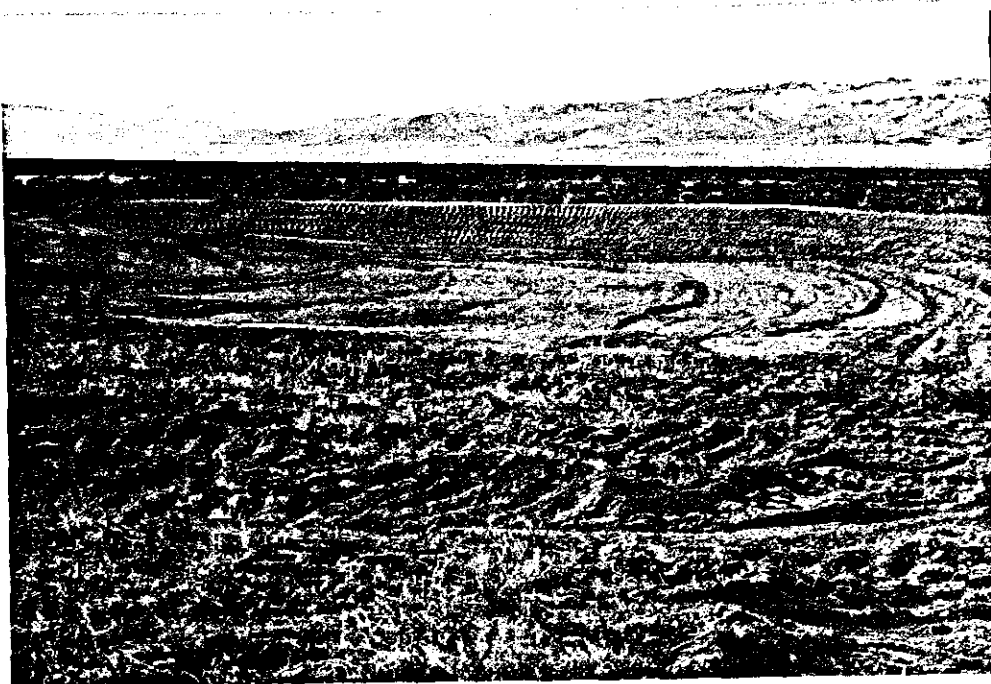
PIPELINE

Shirley

R 28 E

Shirley

Shirley

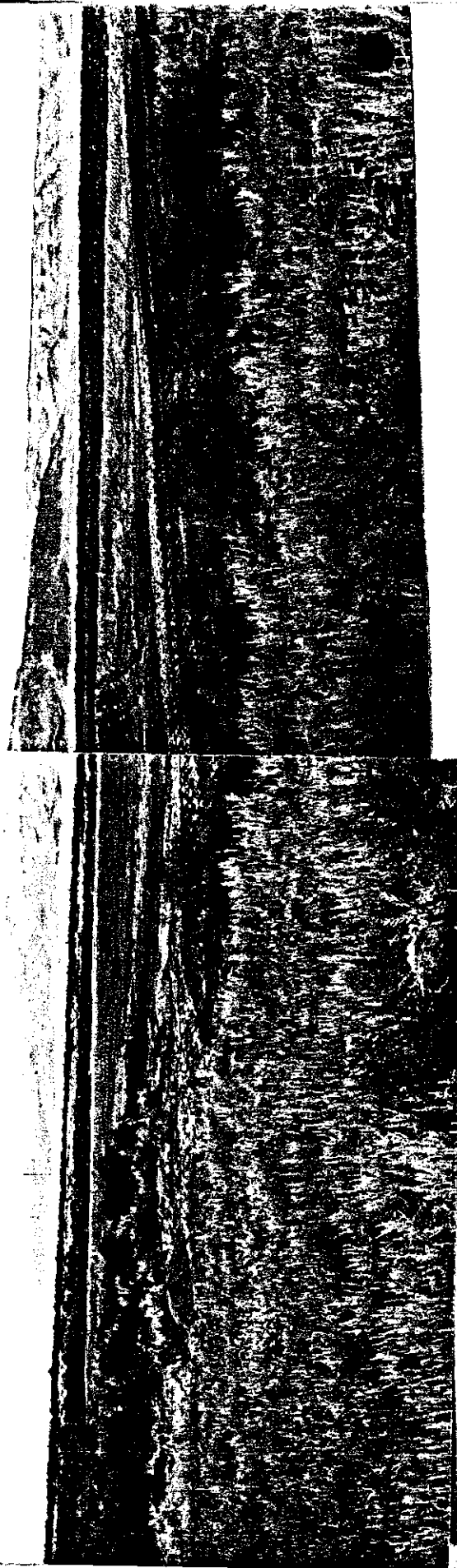


Warm Creek Stock Pond T. 12S, R. 27E. Section 14 SW NE.

APR 15 1961

ICB BY GAY
APR 13 1921

APR 13 1921



Warm Creek Wildlife pond T. 125, R. 295, Section 14 NW NW

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 43-7279

Date: 1-15-1988

General Considerations:

y Name same as permit
y Signature the same as permit holder
N Address change _____ If yes, prepare a data entry
y Proof received timely
_____ Reinstated

Source of Water:

y Surface water
1 Groundwater
_____ 1. well log in file
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

y Rate of diversion appropriate for uses
_____ Is rate or volume and fee appropriate?
y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

NA Is a measuring device or access port required?
NA Has one been installed?
NA Waiver or modification of measuring device requested

Remarks: *- Proof - acceptable*
No fee required

_____ Priority Calculation:
Date proof received _____
Date proof due _____ + _____
No. of days late _____ = _____
Priority date _____ + _____
NEW PRIORITY DATE _____ = _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

JAN 04 1988

Mo 8 env. of 3
Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 43-7279

Name(s) of Permit Holder: Bureau of Land Management

Post Office Address: Rt.3 Box 1 , Burley, Id. 83318

Telephone No. 208-678-5514

Source of Water: Warm Creek

Extent of Use:

Domestic _____ (number of households)

Stockwater 480 Cattle (number and type of stock)

Irrigation _____ (acres)

Other/Remarks 20 Mule Deer, 40 Antelope

Indicate the date water was first diverted and beneficially used under this permit: 8/87

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

Flow Measurement Port: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

Person to contact to accompany the Department representative during the field examination:

Kirk Koch

(Name)

Rt.3 Box 1 Burley

(Address)

208-678-5514

(Telephone Number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

~~Ted Milesnick~~, Snake River Area Manager

Date 12/23/87

Ted Milesnick, Snake River Area Manager
Signature of Permit Holder (and Title, if appropriate)

FEB 29 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

September 29, 1987

RE: Permit Nos. 36-8326/8328, 43-7278/7279/7280/7281/7282/7283/7284/
7285/7286, 45-7611/7612/7613/7614, 55-7368

U.S. Dept. of Interior
Bureau of Land Mgmt.
Idaho State Office
3380 Americana Terrace
Boise, ID 83706

Gentlemen:

Enclosed are copies of your approved Applications for Permit. We direct your attention to the conditions of approval on the fourth pages.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permits were issued, and you must proceed diligently until the projects are completed. The enclosed blue cards must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permits were approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop these permits into licenses.

Sincerely,

GARY SPACKMAN
Supervisor, Water Allocation Section

GS:sc

Enclosures

RECEIVED
FILED

OCT 02 1987

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: CH APPLICATION NUMBER: 43-7279

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.

Field check by: _____

Date: _____

Comments: _____

☐ Fee.

☐ Yes ☒ No

Field check required.

☐ Yes ☒ No

Critical groundwater area.

☐ Yes ☒ No

Request dam safety information. Sent by: _____ Date: _____

☒ Yes ☐ No*

In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

☐ Yes ☐ No

Platted by: _____ Map No. _____

☐ Yes ☐ No

Other rights on same place of use. _____

☒ Yes ☐ No*

In form for advertising.

Final date for protests: _____

☐ Yes ☒ No

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. Date: _____

☒ Application published correctly. If not, record action taken: _____

☒ Fee amount, receipt date & number, recorded on application.

☒ Publication dates and paper, recorded on application.

☒ Protests, dates, withdrawal, etc., recorded on application.

☒ Recommendation & initial, recorded on application.

☐ Yes ☒ No

Measuring device required.

☐ Yes ☒ No

Access port required.

☒ Yes ☐ No

Will water be delivered by watermaster? If yes, what district? 43A - N/A, source sinks

5/22/87 Date of priority recommended.

Special conditions of approval or cover letter. 26

FILED

OCT 02 1987

By: Adm

Date: 8/31/87

STATE OFFICE REVIEW:

617

26

☐ See attached sheet for more information.

By: kw

Date: 9/22/87

SEP 01 1987

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

2148 4th Ave. E.
Twin Falls, Idaho 83301
(208) 734-3578

July 15, 1987

South Idaho Press
P.O. Box 190
Burley, ID 83318

Gentlemen:

Enclosed you will find a legal notices which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notices on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary A. Baldwin
Sec/Office Coord.

Encl:

RECEIVED

OCT 02 1987

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

43-7279

U.S. DEPT. OF INTERIOR

BUREAU OF LAND MGMT., IDAHO STATE OFFICE, 3388 AMERICANA TERRACE,
BOISE, ID 83706

Source: WARM CREEK trib. to SINKS

Diversion Pt: SWSWSE Sec 18 T 12S R 28E ; 4 miles North & 7 miles East of Malta.

Use: STOCKWATER	(8.128 CFS)
WILDLIFE	(8.028 CFS)
STOCKWATER STORAGE	(4.0 AF)
WILDLIFE STORAGE	(2.0 AF)

Date Filed: 05/22/1987

In: SWSW Sec 13 T 12S R 27E SWNE Sec 14 T 12S R 27E NWNW
Sec 14 T 12S R 27E SENW Sec 18 T 12S R 27E SESE Sec 18 T 12S R 27E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before August 24, 1987

KEN DUNN, Dir.

Published 8/6 & 8/13/87

RECEIVED

OCT 02 1987

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

43-7279

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO STATE OF-

FICE, 3380 AMERICAN TERRACE, BOISE, ID

Source: WARM CREEK trib. to SINKS

Division Pt. SWSWSE Sec 18 T 12S R 28E, 4

Use: STOCKWATER (0.120 CFS)

WILDLIFE (0.020 CFS)

STOCKWATER STORAGE (4.0 AF)

WILDLIFE STORAGE (2.0 AF)

Date filed: 5-22-1987

In: SWSW Sec 13 T 12S R 27E SWNE Sec 14 T

12S R 27E NWNW Sec 14 T 12S R 27E SENW Sec

10 T 12S R 27E SESE Sec 10 T 12S R 27E

The Permit(s) will be subject to all prior

water rights. Protests must be filed with the

Director, Dept. of Water Resources, Southern

Region, 2148 4th Avenue East, Twin Falls,

Idaho 83301 on or before August 24, 1987.

Ken Dunn, Dir.

Published in the South Idaho Press on August 6

and 13, 1987.

leg011

1987

1987

1987

1987

1987

1987

1987

1987

1987

1987

1987

1987

1987

1987

1987

1987

1987

1987

1987

1987

1987

1987

RECEIVED
OCT 02 1987

OK
MB
7/27/87



Southern
United States Department of the Interior

BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, IDAHO 83706



IN REPLY REFER TO:

RECEIVED

JUN 10 1987

Department of Water Resources
Southern Region Office

RECEIVED

MAY 22 1987

Department of Water Resources

7250 (931)

May 20, 1987

Allocation Division
Department of Water Resources
Post Office Box 100
Boise, ID 83720

Re: Element:

For processing are three (3) "Application for Amendment" forms, two "Application for Transfer of Water Right" forms, one (1) "Claim to a Water Right" form and thirty six (36) "Application for Permit" forms. Billing is to be made through order number ID-910-BP7-0015.

Please return the approved application to the following address:

Steven A. Ellis
Bureau of Land Management
Idaho State Office
3380 Americana Terrace
Boise, Idaho 83706

Thank you for your cooperation.

Sincerely yours,

Steven A. Ellis
Soil Scientist/Hydrologist

Closures

2 Amendment
2 Permit amendment
corrected APP

OK 1/3 app
17 app
3 app
1 claim

State Off
Western
Eastern

Southern
Eastern + 1 transfer
Western + 1 transfer
Western

MICROFILMED

OCT 02 1987

STAFF ANALYSIS SUPPLEMENT

1) Water District None Basin # 43

2) Local Description: (of one P/D)

☐

At the above street address

☒4 miles N/S NORTH and 7 miles E/W East
of Malta (City or landmark).☐

Other (describe): _____