

No Color
Documents
In File

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

In Re SRBA) PARTIAL DECREE PURSUANT TO
) I R C P 54(b) FOR 2003 MAR 20 PM 2 32
Case No 39576)
)
) Water Right 67-07683

NAME AND ADDRESS USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE RILEY BUTTE SPRING TRIBUTARY MILK CREEK

QUANTITY 0 05 CFS
2 70 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE 02/22/1984

POINT OF DIVERSION T12N R01W S21 SENWNE Within Washington County

PURPOSE AND PERIOD OF USE	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Wildlife	01-01 TO 12-31	0 02 CFS
			2 70 AFY
	Stockwater	01-01 TO 12-31	0 05 CFS
			2 70 AFY

PLACE OF USE	Stockwater		Within Washington County
	T12N R01W S21	NWNE	
	Wildlife		Within Washington County
	T12N R01W S21	NWNE	

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6)

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I R C P , that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED
MAR 24 2003

This
Right has been
Decreed in the
SRBA.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-7683

Priority: February 22, 1984 Amount: .07 CFS 2.7 AFA

This is to certify, that U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706

has complied with the terms and conditions
of the permit issued pursuant to Application for Permit dated February 22, 1984, and
has submitted proof to the Department of Water Resources on May 1, 1984, that
water has been applied to a beneficial use; an examination by the Department indicates
that the works have a diversion capacity of .07 cfs of water from;

RILEY BUTTE SPRING tributary to MILK CREEK

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Stockwater	01/01 to 12/31	.05 cfs	2.7 afa
Wildlife	01/01 to 12/31	.02 cfs	2.7 afa
	Totals	.07 CFS	2.7 AFA

LOCATION OF POINT OF DIVERSION(S): NWNE , Sec. 21, Township 12N, Range 1W
Washington County

PLACE OF USE: Stockwater

TWN RGE SEC

12N 1W 21 NWNE

PLACE OF USE: Wildlife, same as Stockwater use

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this license is subject to control by the watermaster of State Water District No. 67 .
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.

FILED
AUG 4 1987

State of Idaho
Department of Water Resources

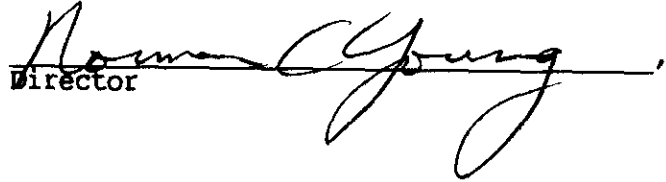
PAGE 2

WATER RIGHT LICENSE

WATER RIGHT NO. 67-7683

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 25TH day of July, 1987.

Acting for the Director



RECEIVED

AUG 21 1987

RECEIVED

FEB 22 1984

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

Department of Water Resources

1. Name of applicant U.S. Dept. of Interior, Bureau of Land Mgmt. Phone 334-1582

Post office address 3948 Development Avenue, Boise, Idaho 83705

2. Source of water supply Riley Butte Spring # 6986 which is a tributary of MILK CREEK

3. Location of point of diversion is NW 1/4 of NE 1/4 of Section 21 Township 12N

Range 1W B.M. WASHINGTON County, additional points of diversion if any:

4. Water will be used for the following purposes:

Amount .05 cfs for STOCK WATER purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)Amount .02 cfs for WILDLIFE WATER purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .07 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Spray box, pipe line, water trough

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW 1/4 of NE 1/4 of Section 21 Township 12N

Range 1W B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered Cattle-200

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: Wildlife

MICROFILMED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. _____

9. a. Who owns the property at the point of diversion U.S. Government

b. Who owns the land to be irrigated or place of use U.S. Government

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

10. Remarks The applicants include the Bureau of Land Management and permittees in:

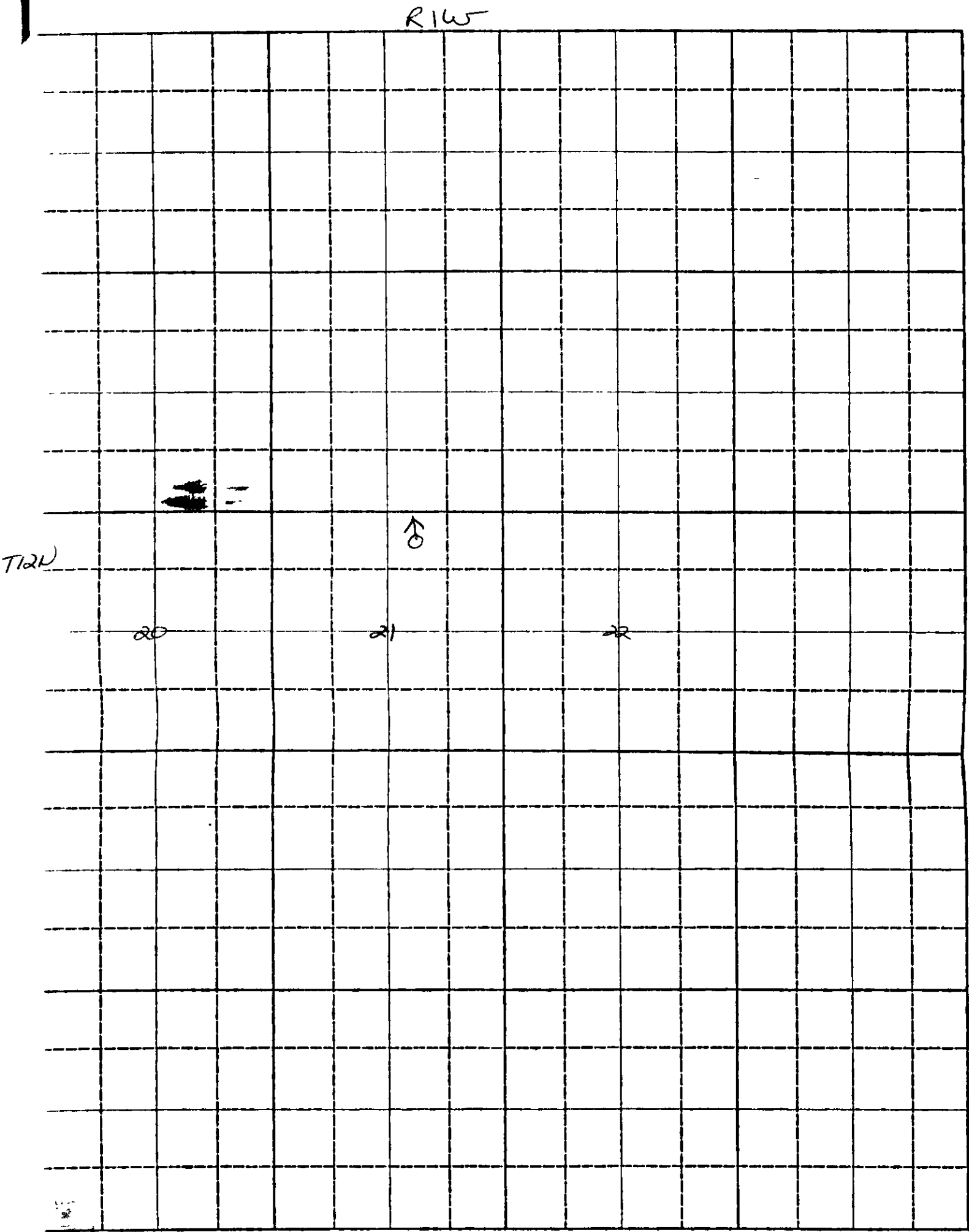
Allotment(s): RILEY BUTTE INC

The permittees cooperating in this project include: Willdon Branch

Project No.: 6986

RECORDED

1. Map of proposed project. Show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale. 2 inches equal 1 mile.

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.

Shirley B. Jones Richard L. Mearns
(Applicant)

posed Priority 2/22/84

Received by JS

Date 3/2/84

Time 2:00pm

2:13pm

ID-910-BP3-0003

Preliminary check by JS

Fee \$ 30.00

Receipted by JS

Date 4-10-84

33907

Publication prepared by JS

Date 3/8/84

Published in Upper County News Reporter

Publication dates 3/15 & 3/22/84

Publication approved JS

Date 3/28/84

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____

Date _____

Recommended for approval

denial

by DBS

tw

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. 67-7683, 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 May 1, 19 85.
- 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. Other: Use of water under this permit is subject to control by the watermaster of State Water District No. 67, Weiser River.

Witness my hand this 11th day of April, 1984.

A. Glen Saxton
Chief, Operations Bureau

Affidavit of Publication:

STATE OF IDAHO }
County of Washington } ss.

Stuart Dopf, being duly sworn deposes and says he is the publisher of the Upper Country News-Reporter, a weekly newspaper published at Cambridge, in the County of Washington, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the annexed, a printed copy of which is attached hereto and made a part hereof, was published

in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of every number thereof during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began March 15, 1984 and ended March 22, 1984

Stuart Dopf

Subscribed and sworn to before me

this 26TH day of March, 1984

B. J. Soules

Notary Public in and for the State of Idaho, residing at Cambridge, Idaho 83610.

Public Notices

NOTICE OF APPLICATION FOR WATER RIGHT

The following applications have been filed to appropriate the public waters of the State of Idaho:

67-7682

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

Source: MC FADDEN LANE
SPRING Trib. to TENNISON
CREEK

Date Filed: 2/22/1984

Diversion Pt: NESW Sec 4 T 11N R 1W
R 1W

Use: STOCKWATER (0.05 CFS)
WILDLIFE (0.02 CFS)

In: NESW Sec 4 T 11N R 1W

67-7683

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

Source: RILEY BUTTE SPRING
Trib. to MILK CREEK

Date Filed: 2/22/1984

Diversion Pt: NWNE Sec 21 T 12N R 1W
12N R 1W

Use: STOCKWATER (0.05 CFS)
WILDLIFE (0.02 CFS)

In: NWNE Sec 21 T 12N R 1W

67-7684

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

Source: MUD HOLE SPRING
Trib. to MILK CREEK

Date Filed: 2/22/1984

Diversion Pt: SWSW Sec 29 T 12N R 1W
12N R 1W

Use: STOCKWATER (0.05 CFS)
WILDLIFE (0.02 CFS)

In: SWSW Sec 29 T 12N R 1W

The permits will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before APRIL 2, 1984.

KEN DUNN, Dir.

Published 3/15 & 3/22/84.

RECEIVED
MAR 28 1984

Department of Water Resources
Western Regional Office

This
Right has been
Decreed in the
SRBA.

MICROFILMED
JUL 2 1981



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

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

July 27, 1987

RE: Permit Nos. 15-7098/7099, 17-7104/7105, 24-7127/7128/7161, 25-7311,
37-8044/8045, 43-7197/7200, 47-7986/7996, 51-7213/
7266/7283/7284/7285/7286, 55-7134/7137/7138/7140,
57-7402/7415/7433, 61-7546/7552/7553/7555/7556,
67-7638/7641/7649/7652/7655/7682/7683/7684

Bureau of Land Mgmt.
3380 Americana Terrace
Boise, ID 83706

Gentlemen:

Enclosed are copies of the Water Right Licenses issued on the above
referenced permits.

If you have any questions concerning these documents, please feel
free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosures

MICROFILMED

AUG 21 1987

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE REPORT

RECEIVED

167-7683
Permit No.

CONTACT WITH PERMIT HOLDER

DATE INITIALS REMARKS
☐ Appointment letter mailed: N/A
☒ Telephone call made: 7/26/85 Jw Department of Water Resources
 (List Telephone No. used)
☒ Appointment scheduled for: 7/29/85 Jw
 (Date, time, location)

EXAMINATION

Date 7/29/85 Accompanied by ED GREEN Total Q measured EST. - .07 cfs
 Source RILEY BUTTE SPRING tributary to MILK CREEK Supp. annubar measurement sheet used? NO
 If source is surface water, estimate total flow of source
 Methods of measurement ESTIMATE Meets permit requirements? yes

Measurement calculations:

STOCKWATER - .05 CFS + 2.7 AFA (.0134 X 200 HD)
 WILDLIFE - .02 CFS + 2.7 AFA
 .07 CFS + 2.7 AFA

WELL/DIV NO.	HP	MOTOR MAKE	MOTOR SERIAL NO	PUMP MAKE	PUMP SERIAL NO	MEASURING DEVICE TYPE	CONDITION OF MEAS DEVICE	REMARKS
				N/A				

System Description Springbox w/ pipeline to trough

Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
Stockwater - 200 HD	.05	2.7	1-1	12-31
Wildlife - mwc.	.02	2.7	1-1	12-31
Total	.07	2.7		

Remarks NO GOVT. LOTS
 AKA PIROS. NO. 6986

RECEIVED

AUG 21 1987

[illegible]

		B	14
			8
T. 10N			21

(Include distance from pump to measuring device, if applicable.)

Place(s) of Use

[illegible]

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

AUG 21 1981

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

JUNE 27, 1984

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

RE: Permit No. 67-7683

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 334-2190 or in person in the third floor State Towers Building, 450 West State Street, Boise.

Sincerely,
s./Judy Pense
Secretary

RECEIVED
FILMED

AUG 21 1984

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card statement that the permit holder(s) has completed development to the extent shown below Permit No. 67-7683

Name(s) of Permit Holder. BOISE DISTRICT BLM
3948 DEVELOPMENT AVE

Post Office Address: BOISE, IDAHO 83705

Tel. No. 334 1582

Source of Water. Riley Butte Spring

Extent of Use: ☐ Domestic (number of households)
☒ Stockwater 2000 (number and type of stock)
☐ Irrigation (acres)
☐ Other

Measuring Device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No
Access Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

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

4/30/84
Date

Charles B. Jones
Signature of Permit Holder
ACTIVE AREA MCA - 4/30/84

RECEIVED

MAY 8 1984



Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

PLACE
TEN CENT
STAMP
HERE

RECEIVED

MAY 11 1984

Department of Water Resources
Western Regional Office

April 16, 1984

RE: Application for Permit No's. 11-7336, 67-7682/7683/7684

U.S. Dept. of Interior
Bureau of Land Management
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.

We have enclosed instructions entitled "Making Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop these permits. Also enclosed for your convenience are the statement of beneficial use postcards that must be submitted when your projects are completed.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

Enclosures

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, IDAHO 83706

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: GLS APPLICATION NUMBER: 67-7683

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.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

- ☐ 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. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

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: April 2 1984
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 3/28/84
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application. 301
☒ Publication dates and paper, recorded on application. Upper County News Reporter
☒ Protests, dates, withdrawal, etc., recorded on application. 3/15 & 3/22/84
☒ 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? 67
☒ 2/22/84 Date of priority recommended.
☒ Special conditions of approval or cover letter. _____

Hold for fee

By: DBS Date: 4/2/84

STATE OFFICE REVIEW:

L116 05(67, Weiser River)

☐ See attached sheet for more information.
By: KW Date: 4-10-1984

POINT OF DIVERSION AND STREAM INDEX INFORMATION

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

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Idaho State Office
3380 Americana Terrace
Boise, Idaho 83706

IN REPLY
REFER TO

7250 (931)

February 21, 1984

RECEIVED
FEB 22 1984

Department of Water Resources

RECEIVED
FEB 22 1984

Department of Water Resources
Western Region Office

CERTIFIED--RETURN RECEIPT REQUESTED

Water Allocation Division
Department of Water Resources
Statehouse
Boise, Idaho 83720

Gentlemen:

Enclosed are 7 Applications and 2 Amended Applications for processing.
Billing is to be made through order number ID-910-PH3-0003.

Please return approved applications to the following address:

State Hydrologist
Bureau of Land Management
Idaho State Office
3380 Americana Terrace
Boise, Idaho 83706

Thank you for your cooperation.

Sincerely yours,

Karl Gebhardt
Hydrologist

Enclosures as stated

*Eastern: 4 apps
2 amendments
Western: 3 apps*

6Z=2683_

U.S. DEPT. OF INTERIOR

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

Source: RILEY BUTTE SPRING trib. to MILK CREEK

Date Filed: 02/22/1984

Diversion Pt: NWNE Sec 21 T 12N R 01W

Use: STOCKWATER	(0.05 CFS)
WILDLIFE	(0.02 CFS)

In: NWNE Sec 21 T 12N R 01W

MICROFILMED

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

[illegible]