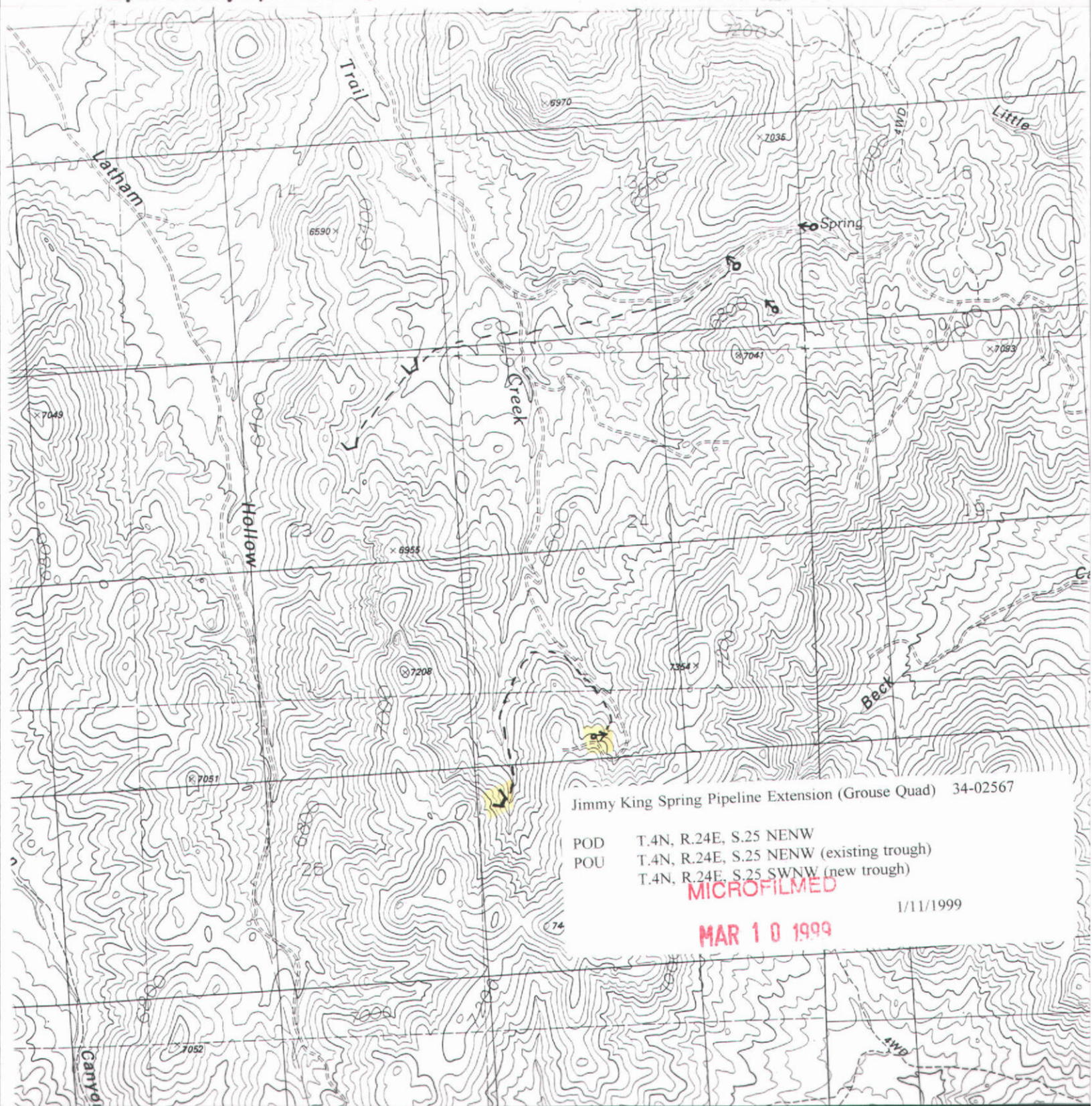


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- 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.



Jimmy King Spring Pipeline Extension (Grouse Quad) 34-02567

POD T.4N, R.24E, S.25 NENW
POU T.4N, R.24E, S.25 NENW (existing trough)
T.4N, R.24E, S.25 SWNW (new trough)

MICROFILMED

1/11/1999

MAR 10 1999

100

100

55.

195:

OF

TO

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5381
WATER RIGHT NO. 34-02567

This is to certify that: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709

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	01/01 to 12/31	0.01 CFS	1.4 AF
WILDLIFE	01/01 to 12/31	0.01 CFS	1.4 AF
	Totals	0.01 CFS	1.4 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
JIMMY KING SPRING	TRAIL CREEK

Priority: 02/16/1949

LOCATION OF POINT(S) OF DIVERSION: NENW , Sec. 25, Township 04N, Range 24E
BUTTE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

04N 24E 25 NENW SWNW

PLACE OF USE: WILDLIFE, same as STOCKWATER use

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.

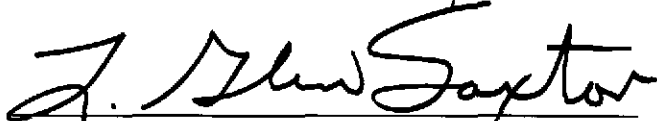
MICROFILMED

TRANSFER NO. 5381
WATER RIGHT NO. 34-02567

CONDITIONS OF APPROVAL AND REMARKS

4. The quantity of water decreed for this water right is not a determination of historical beneficial use.
5. The quantity of water under this right shall not exceed 13,000 gallons per day.
6. Place of use is also identified as BLM project #3403488053.

Dated this 4th day of March, 1999.


Chief, Water Allocation Bureau

MICROFILMED

NOV 11 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

5381

RECEIVED APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

MAR 01 1999

Name of applicant U.S.D.I., Bureau of Land Management Phone (208) 524-7500Post Office address 1405 Hollipark Drive, Idaho Falls, ID 83401

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

2. Describe the reason for the proposed changes Installing additional trough to existing pipeline. New trough will be located approximately 1/2 mile southwest of spring. Also want to add wildlife as an incidental purpose of use.

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
<u>34-02567</u>	<u>02/16/1949</u>	<u>0.01 cfs</u>	<u>Stockwater</u>	<u>0101 to 1231</u>
		<u>0.01 cfs</u>	<u>Wildlife</u>	<u>0101 to 1231</u>
				to
				to

2. Total amount of water being transferred 0.01 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Jimmy King Spring tributary to Trail Creek

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		<u>NE</u>	<u>NW</u>	<u>25</u>	<u>4N</u>	<u>24E</u>	<u>Butte</u>	<u>Jimmy King Spring</u>

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	
<u>4N</u>	<u>24E</u>	<u>25</u>					<u>S.W</u>		<u>S.W</u>										
									<u>NEW</u>										

Total acres

PART 1

6. General Information:

a. Description of diversion system Headbox; pipeline to troughs

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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:

N/A

d. Remarks:

A partial decree for this water right was issued on 12/29/1997.
See attached documents.

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

NOV 10 1994

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

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 34-02567

1998 JAN 15 PM 1:33

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME & ADDRESS:

UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709

SOURCE:

JIMMY KING SPRING

TRIBUTARY: TRAIL CREEK

QUANTITY:

0.01 CFS

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

PRIORITY DATE:

02/16/1949

POINT OF DIVERSION:

T04N R24E S25

NENW

Within BUTTE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
01-01 12-31

QUANTITY
0.01 CFS

PLACE OF USE:

STOCKWATER
T04N R24E S25

Within BUTTE County
NENW

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.

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.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

MICROFILMED

JAN 15 1998

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. 34-02567 Decreed to U.S.D.I., Bureau of Land Management
in case of Snake River Basin Adjudication
dated 12/29/1997 in The District Court of the Fifth
Judicial District of the State of Idaho county of Twin Falls
- b. License No. _____ 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 Master Title Plat

3. Source of water Jimmy King Spring tributary to Trail Creek

4. Date or priority 02/16/1949

5. Water is used for the following purpose:

amount 0.01 cfs for Stockwater purposes from 0101 to 1231
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.01 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	25	4N	24E	Butte	Jimmy King Spring

8. 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	
4N	24E	25					S												

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 0.01 cfs for Stockwater purposes from 0101 to 1231
 (cfs/ac-ft)
 amount 0.01 cfs for Wildlife purposes from 0101 to 1231
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	25	4N	24E	Butte	Jimmy King Spring

3. 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	
4N	24E	25							SW										

Total acres _____

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

1. amount 0.01 cfs for Stockwater purposes from 0101 to 1231
 (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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	25	4N	24E	Butte	Jimmy King Spring

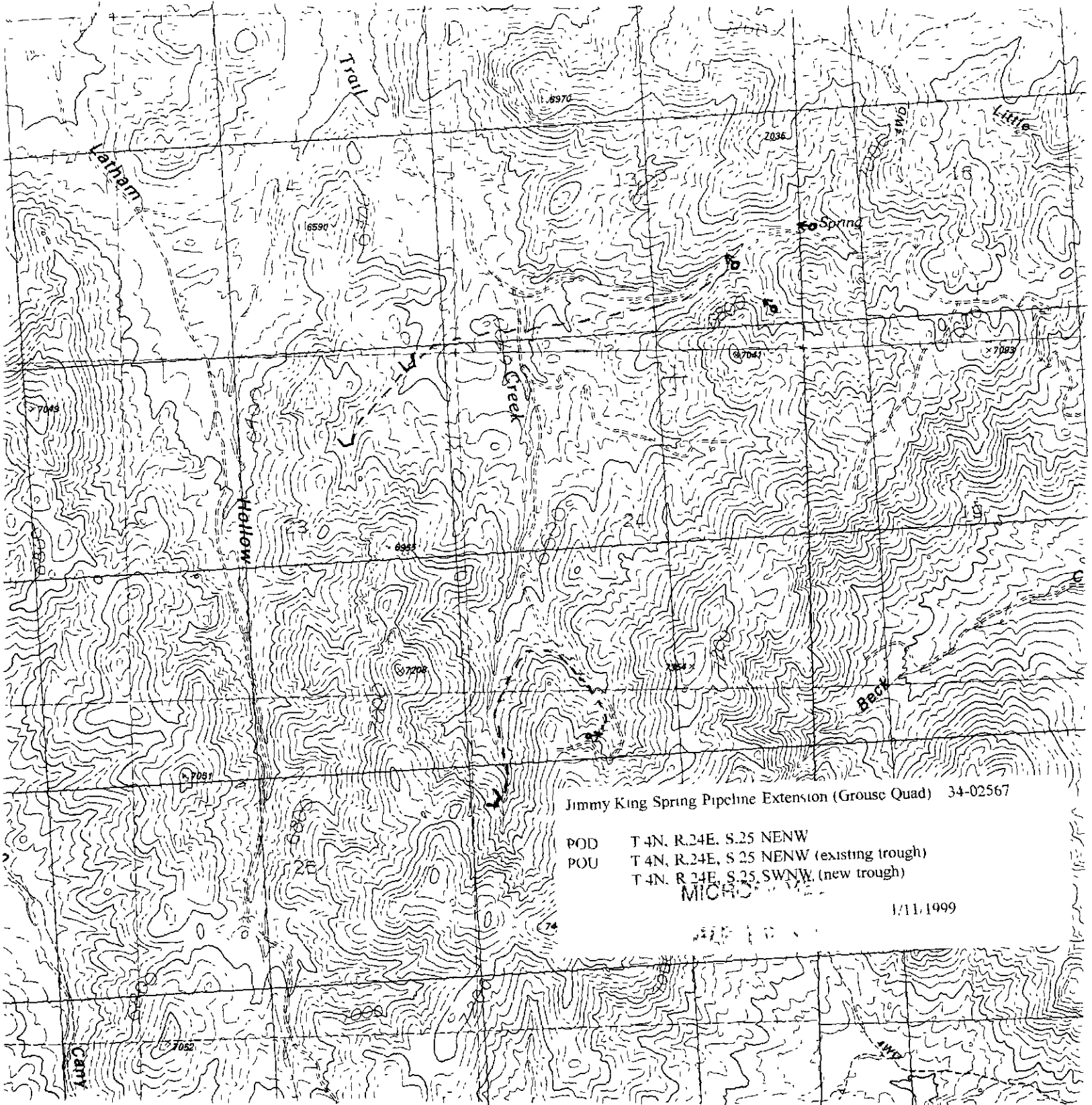
3. Lands irrigated or place of use:

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	
4N	24E	25					S												

Total acres _____

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
	<u>Wildlife</u>	<u>0.01 cfs</u>	<u>24 hours/day</u>	<u>0101</u> to <u>1231</u>
				to

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

Spring will deliver approx. 2 gpm to each trough. Overflow will occur at the location of each trough. At the end of the grazing season, all troughs will be turned off and overflow will occur at the Spring site. Quality of diverted waters will not be affected.

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

No effects on other water uses.

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.

Deena Lee

(Signature of Applicant)

Subscribed and sworn to before me this 12 day of January, 19 99.

Dandra S. 7/5/99

(Notary Public)

My commission expires 11-25-2002

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by HWT Date 1-12-1999 Protest filed by _____

Prelim. check by _____ Fee 100.00

Received by HWT #E024683 Date _____

Published in Arco Advertiser Copies of protest forwarded by _____

Pub. dates Jan 28 & Feb 4, 1999 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by FD

Copy of transfer sent to lien holder _____

MICHOPI MEL

11-25-2002

TOWNSHIP 4 NORTH RANGE 24 EAST THE BOISE MERIDIAN, IDAHO

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

07861 Est PL 167 Fact of Cong 7/23/1955

1011410 Det PL 167 (Act of Cong 7/23/1955)

SF511/5F5

[illegible]

14 2.

1. The first step in the process of identifying a problem is to recognize that a problem exists. This is often done by comparing current performance with a desired state or goal. If there is a discrepancy, a problem is identified.

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$\frac{d}{dt} \left(\frac{\partial L}{\partial \dot{x}} \right) = \frac{\partial L}{\partial x}$

[Illegible handwritten notes]

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2

Read these pages carefully. They contain information that will help you to understand the results of the study.

Journal of Management Inquiry, Vol. 18 No. 4, December 2009 467-480
DOI: 10.1177/1056492609356100
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Figure 1

FOR ORDERS EFFECTING DISPOSAL OR USE OF

UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

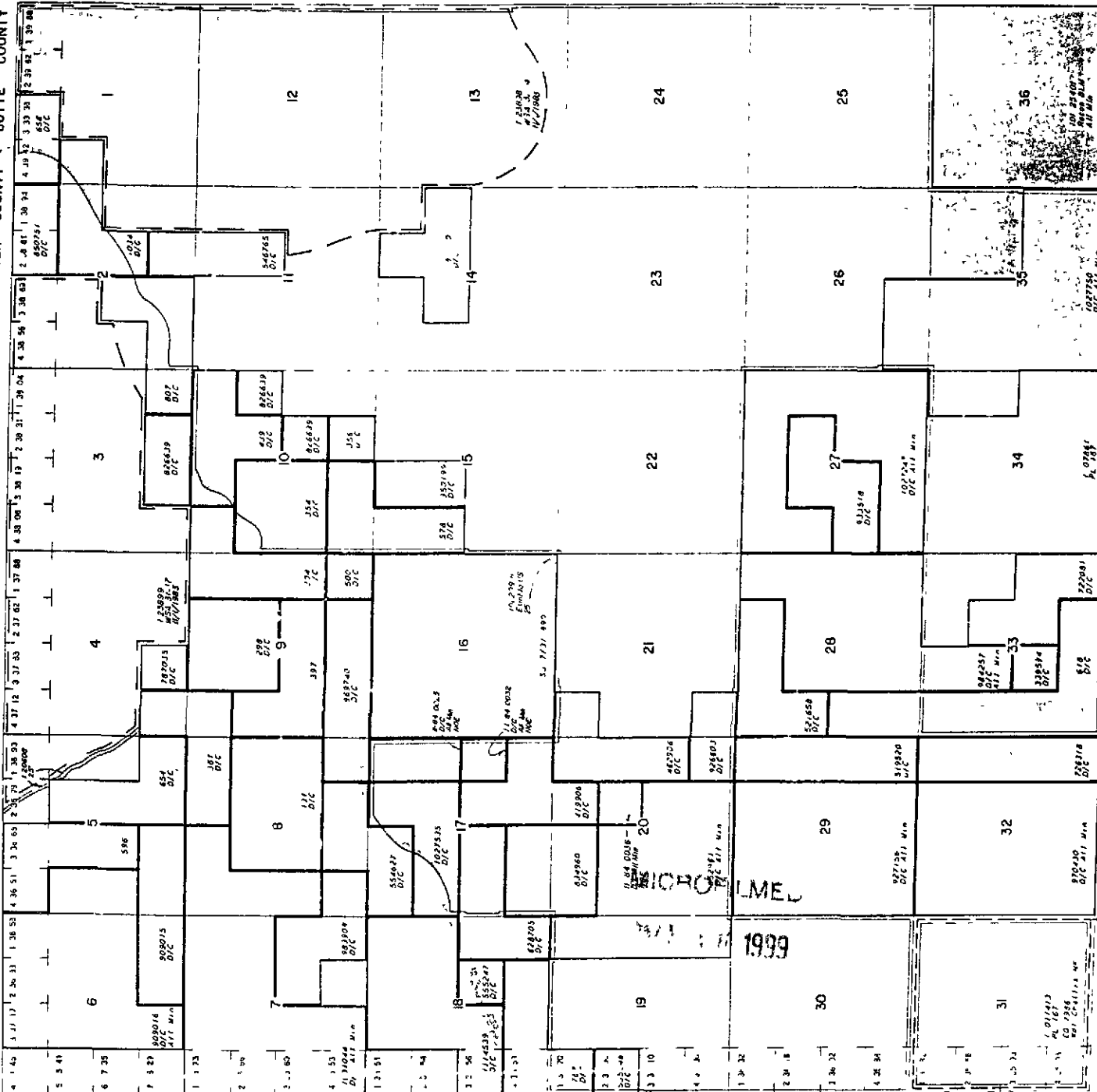
Age Group	1995 (%)	2000 (%)
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30-49	75	70
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70+	55	50

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FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 34-02567

1998 JAN 15 PM 1:33

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709

SOURCE: JIMMY KING SPRING TRIBUTARY: TRAIL CREEK

QUANTITY: 0.01 CFS

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

PRIORITY DATE: 02/16/1949

POINT OF DIVERSION: T04N R24E S25 NENW Within BUTTE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.01 CFS

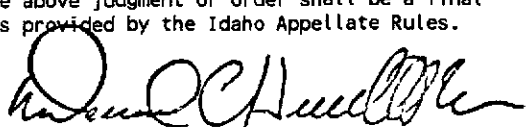
PLACE OF USE: STOCKWATER Within BUTTE County
T04N R24E S25 NENW

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.

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.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 34-02567

MICROFILMED

PAGE 1
DEC-29-1997

**This right has been
superceded by
a Decree.**

**All actions above this point
are based on the decreed
version of this right.**

MICROFILMED

MAR 11 1993

Approval of ~~Commissioner~~ of Reclamation

The number of this permit is D 636

Recorded in Book D Page D 636 Approved March 4, 1949

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions

Work to begin on or before Completed and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

Completion of Works and Beneficial Use of Water appropriated in accordance herewith, to be made on or before

Witness my hand this. 4 th. day of March 19 49.

MARK R. KULP
State Reclamation Engineer ~~Commissioner of Reclamation~~

IN TESTIMONY WHEREOF, We, C.A. ROBINS Governor of the State of Idaho,
and J.D. BY PRICE Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 4 th. day
of March 19 49.

Countersigned

STATE OF IDAHO

By J.D. "CY" PRICE
Secretary of State

By C.A. ROBINS
Governor

No D. 636	PERMIT
Date of first receipt at office of Commissioner of State Reclamation in or 400 P.M. Feb. 16, 1949	Returned to applicant for correction
Corrected application received	Fees \$ 1.00
STATE OF IDAHO LICENSE AND CERTIFICATE OF WATER RIGHT	
Water License No D 636	TO Bureau of Land Management
Source of Supply Spring	Amount .006 Sec Feet
Place of Use NE 1/4 Sec. 25, T. 4 N., R. 24 E.	Purpose Stock watering
Date of Priority February 16, 1949	Recorded March 4, 1949
In Book D of Licenses, Page 636	

LICENSE AND CERTIFICATE OF WATER RIGHT

Water License No D 636 Priority February 16, 1949 Amount .006 sec. ft.

This is to certify that Bureau of Land Management of Portland, Oregon
State Reclamation Engineer
made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of a right to the use of the waters of

Spring under Use Permit No D 636 and that said right to the use of said waters
has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and
entered of record in Volume D of Licenses, at page D 636 on the 4 day of March 19 49.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho

State Reclamation Engineer

WITNESS THE SEAL and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 4 th.
March 19 49

MARK R. KULP
State Reclamation Engineer



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

March 5, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709

RE: Water Right 34-02567 (Transfer 5381)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5381). 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.

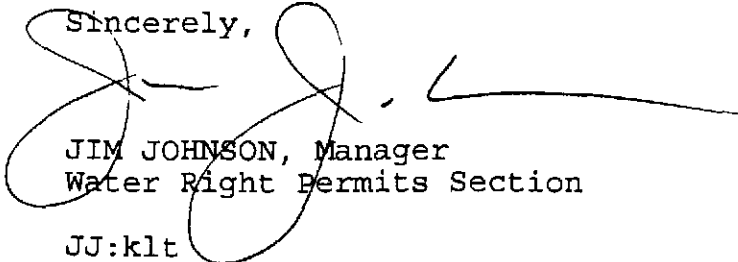
As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

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

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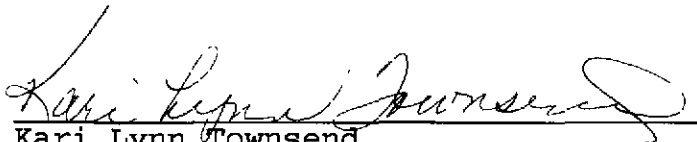
2025 11 14

CERTIFICATE OF MAILING

I hereby certify that on the 5th day of **March, 1999**, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHT 34-02567 (Transfer 5381)

**UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709**


Kari Lynn Townsend
Secretary

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APR 20 1999

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.

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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.

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MAR 13 1999

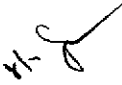
MEMORANDUM

TO: File 34-02567

FROM: Pam Skaggs^{PS}/State Office

SUBJECT: Transfer 5381

DATE: March 3, 1999



Transfer 5381 changes the place of use to include an additional trough as part of the system under Right 34-02567. Wildlife use is also added to reflect existing use by stock and wildlife. No increase in the original use by stock and wildlife is authorized by this transfer approval.

This right has been decreed in the SRBA and updated on the water right database. Recommended conditions include decreed conditions, limited to beneficial use by stock, and standard transfer conditions.

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MAR 10 1999

TRANSFER REVIEW SHEET

(07-98)

Transfer # 5381

Date Reviewed 03-03-99
38

Right(s) 34-02567 - SRBA Decree

☒ WRQ/Split Summary Decree 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 G: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 - Grant Land maps

Transfer ☒ All of Right _____ Portion of Right
Resulting Split(s) None

Check Transfer Against Recorded Right Season/Vol. _____

(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
13,000 gpd/No historic use.

(2) Add incidental wildlife use.
(5) Max. Vol. @ 13,000 gpd = 14.6aba (Stock = 1.4aba) < VDR
(8) Add SWNW, S25 to P/U

Transfer Remarks Ed + N11 + N13
Conditions R37, T07, T08

Stock = 4 Horses/100 range cattle
BLM# 3403488053

Database/Processing Notes Standard ☒ Non-Standard _____
T file

"T" Files Update Complete ☒ Approval Form ☒ Transfer Memo ☒
Database Updated Following Approval ☒ Memo/Form Files Deleted ☒

03-04-99 38

SRBA

SUBCASE SUMMARY REPORT 34-02567

[Return to SRBA Home Page](#)

SRBA
03-03-1999

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 34-02567 FILE#: 00000
CLAIMANT: USDI BLM
STATUS: PD ISSUED
WATER SOURCE: JIMMY KING SPRING, TRAIL CREEK

****** PARTIES INVOLVED ******

USDI BLM

ATTY: US DEPARTMENT OF JUSTICE

****** ROA ENTRIES ******

01-15-1998 PARTIAL DECREE FILED
01-15-1998 CERTIFICATE OF MAILING - PARTIAL DECREE

01-15-1998

[Return to SRBA Home Page](#)

IDAHO DEPARTMENT OF WATER RESOURCES
PREFIX/SPLIT QUERY

DATE: 03/03/99

TIME: 07:59:39

PAGE: 1

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
34-02567	US DEPT OF INTERIOR	C	02/16/1949	L/	SPRING	STOCK	WR
T34-02567	US DEPT OF INTERIOR	C	02/16/1949	D/	JIMMY KING SPRING	STOCK WILDLF	WR
-----	-----	-----	-----	-----	-----	-----	-----
34-02567	AMERICA ACTING THROUGH, UNITED STATES OF	C	02/16/1949	D/	JIMMY KING SPRING	P DECR	AJ
A34-02567	AMERICA ACTING THROUGH, UNITED STATES OF	C	02/16/1949	L/	JIMMY KING SPRING	STOCK STOCK WILDLF	AJ

1-14-99
5381

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

RECEIVED

MAR 01 1999

INITIAL REVIEW BY: BLM

Department of Water Resources

1. Right number 31-02567 Applicant BLM
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Other Add P/U

4. Check:

- a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- b. ☒ Description of original point of diversion.
- c. ☒ Description of original place of use.

RECEIVED

MAR - 1 1999

Department of Water Resources

5. Amount of land &/or water transferred:

- a. ☒ All of right.
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
- c. ☒ Check description of point(s) of diversion.
- d. ☒ Check description of place of use.
- e. ☒ Check map (shows p.d. and p.u. after transfer).
- f. ☒ Check for correct signature, notarization, and fee.
- g. ☒ Check proof of ownership of right &/or land from which water is transferred.
- h. ☒ Check for expansion in use of right. Comments Added Wildlife AS USE

- i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) _____

- j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____

4. By EDC Date 1/29/99

AFFIDAVIT OF PUBLICATION

I, COLLEEN BABCOCK

of the Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with the issue dated JAN. 28, 1999

and ending with the issue dated

FEB. 4, 1999
Colleen Babcock

STATE OF IDAHO }
COUNTY OF BUTTE }

On this 4th day of February

in the year of 1999, before me, a Notary Public,

personally appeared

Colleen Babcock

known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same

Thomas D. Curran

Notary Public for Idaho

Residing at

Arco, ID

My commission expires

1-23-2004

**NOTICE OF PROPOSED
CHANGE OF A WATER RIGHT**

NO. T6381

Notice is hereby given that US Dept of Interior, Bureau of Land Management, 1405 Hollipark Dr, Idaho Falls ID 83401, has applied to the Department of Water Resources to change the place of use of a surface water source. The right sought to be changed is evidenced by a decree and recorded as follows:

Decree No. 34-02567

Amount 0.01 cfs

Source: Jimmy King Springs

Trail Creek

Priority 02/16/1949

Point of Diversion: NENW SEC 25 T04N R24E, BUTTE COUNTY.

The water is used for stockwater within SEC 25 T04N R25E, B.M.

TO BE CHANGED AS FOLLOWS:

The applicant intends to add a water trough to this system in the SWNW SEC 25 T04N R24E for stockwater and wild-life water.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N Skyline Dr. Ste A, Idaho Falls, ID 83402, together with a protest fee of \$25.00 on or before February 15, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

Published in The Arco Advertiser on January 28 and February 4, 1999.

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RECEIVED

FEB 10 1999

1999

Department of Water Resources
Eastern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION
January 20, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

RE: Applications for Transfer #5380 and #5381

Dear Applicant:

This office is currently in the process of advertising the application in the Arco Advertiser on January 28 and February 4, 1999. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the 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.

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

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc

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MAR 10 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 20, 1999

**ARCO ADVERTISER
PO DRAWER C
ARCO ID 83213**

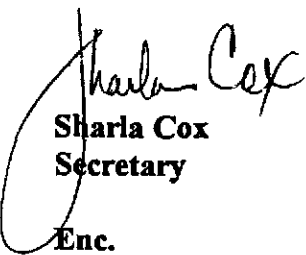
Dear Publisher:

Enclosed you will find a legal notice which we wish to have published on the dates indicated in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before FEBRUARY 15, 1999.

Respectfully submitted,


Sharla Cox
Secretary

Enc.

MICROFILMED

JAN 23 1999

**NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. T5381**

Notice is hereby given that US Dept of Interior, Bureau of Land Management, 1405 Hollipark Dr, Idaho Falls ID 83401, has applied to the Department of Water Resources to change the place of use of a surface water source. The right sought to be changed is evidenced by a decree and recorded as follows:

Decree No.:	34-02567	Source:	Jimmy King Springs Trail Creek
Amount:	0.01 cfs	Priority:	02/16/1949
Point of Diversion: NENW SEC 25 T04N R24E, BUTTE COUNTY			
The water is used for stockwater within SEC 25 T04N R25E, B.M.			

TO BE CHANGED AS FOLLOWS:

The applicant intends to add a water trough to this system in the SWNW SEC 25 T04N R24E for stockwater and wildlife water.

Any protests against approval of the proposed changed must be filed with the Idaho Department of Water Resources, 900 N Skyline Dr. Ste A, Idaho Falls, ID 83402, together with a protest fee of \$25.00 on or before February 15, 1999. The protestant must also send a copy of the protest to the applicant.

**KARL J. DREHER
Director**

Published in the Arco Advertiser on January 28 and February 4, 1999.

MICROFILMED

MAY 1 1999