

Webber Creek Pipeline
32-07157 (3203588081)
T.12N, R.32E
Heart Mountain Quad

1:24,000 Scale

0 1 Miles

PRODUCED BY THE BLM, IDAHO FALLS FIELD OFFICE,
Projection Universal Transverse Mercator
Zone 12, 1927 North American Datum
No warranty is made by the Bureau of Land Management
as to the accuracy, reliability, or completeness of this data
for individual use or aggregate use with other data.
Prepared by Deena Teel on 7/15/1999 from GPS data
collected on 7/7/1999.

Legend:

- Webber
- Srflow
- B.L.M.
- Bureau of Indian Affairs
- Department of Energy
- Forest Service
- Military Reservations
- National Parks & Monuments
- Open water
- Private
- State of Idaho
- U.S. Fish & Wildlife Service

NOV 10 1999

Protraction Diagram No 70 approved 2/24/1955

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES[illegible]

1 2448 ELV D1 Vult Use, Clark County;
Sgr from 2200 ft. 1 in under CLE ME, 1A, & PS
All unappropriated out. 1.2 m. in
Secs 10 to 13 incl
Secs 24, 25
Sec 36

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

CURRENT TO	CURRENT TO
JUN 26 1973	

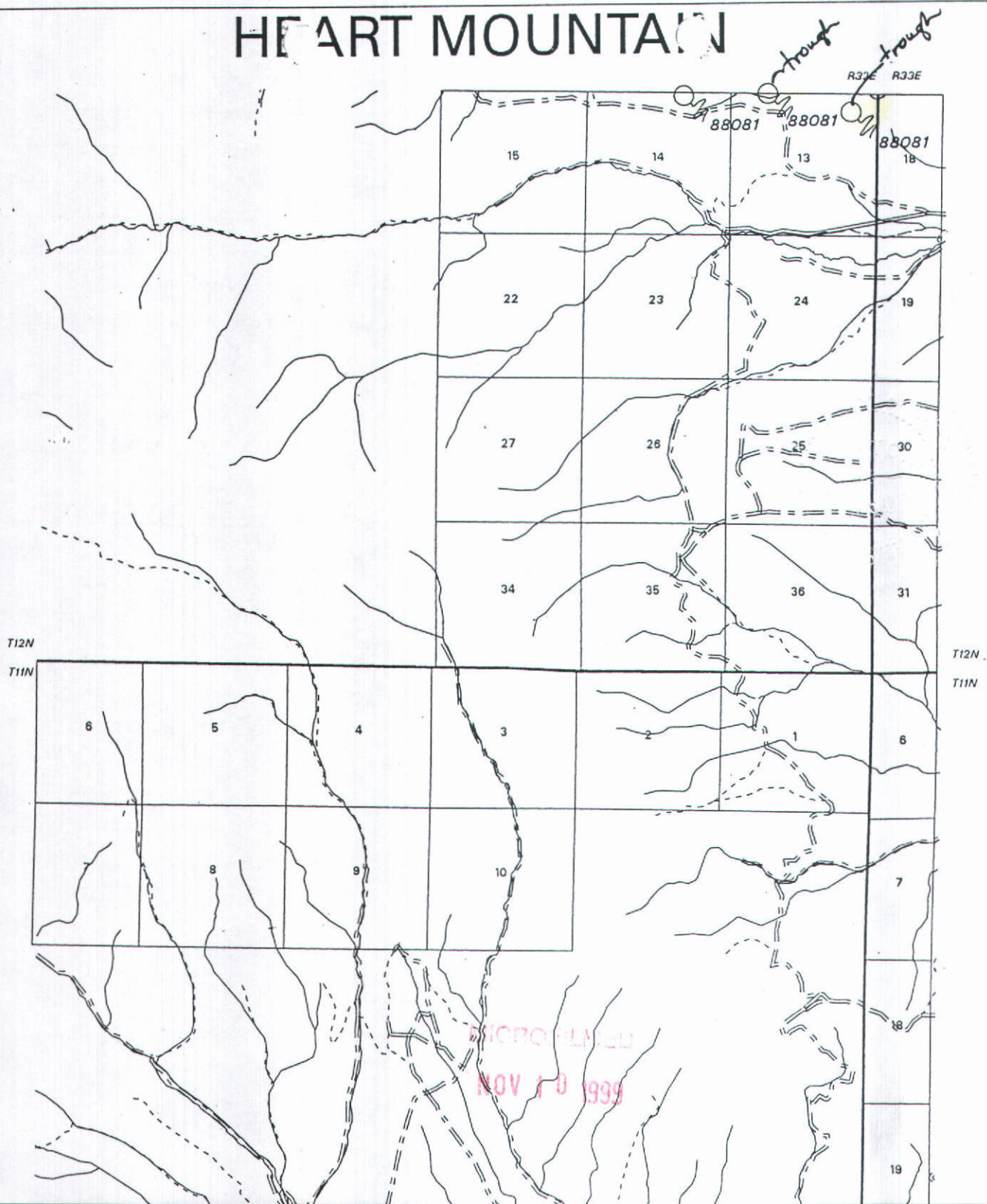
USE PLATS

Lat. $44^{\circ} 17' 53''$ N
Long. $112^{\circ} 35' 3''$ W



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.



Protraction Diagram No 70 approved 2/24/1955

IDAHO FALLS DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLESMT PLAT[illegible]

1 012695 Det PL 167 (Act of Cong 7/23/1955)
completed 4/3/1962. All NF surface Wght by USFS

1 2448 ELV O C1 Vult Use, Clark County:
 Segr from approx 1 in under EL ME, 1A, & PS
 All unappropriated subs. 1 in
 Secs 1 to 3 Incl
 Secs 10 to 13 Incl
 Secs 24, 25
 Sec 36

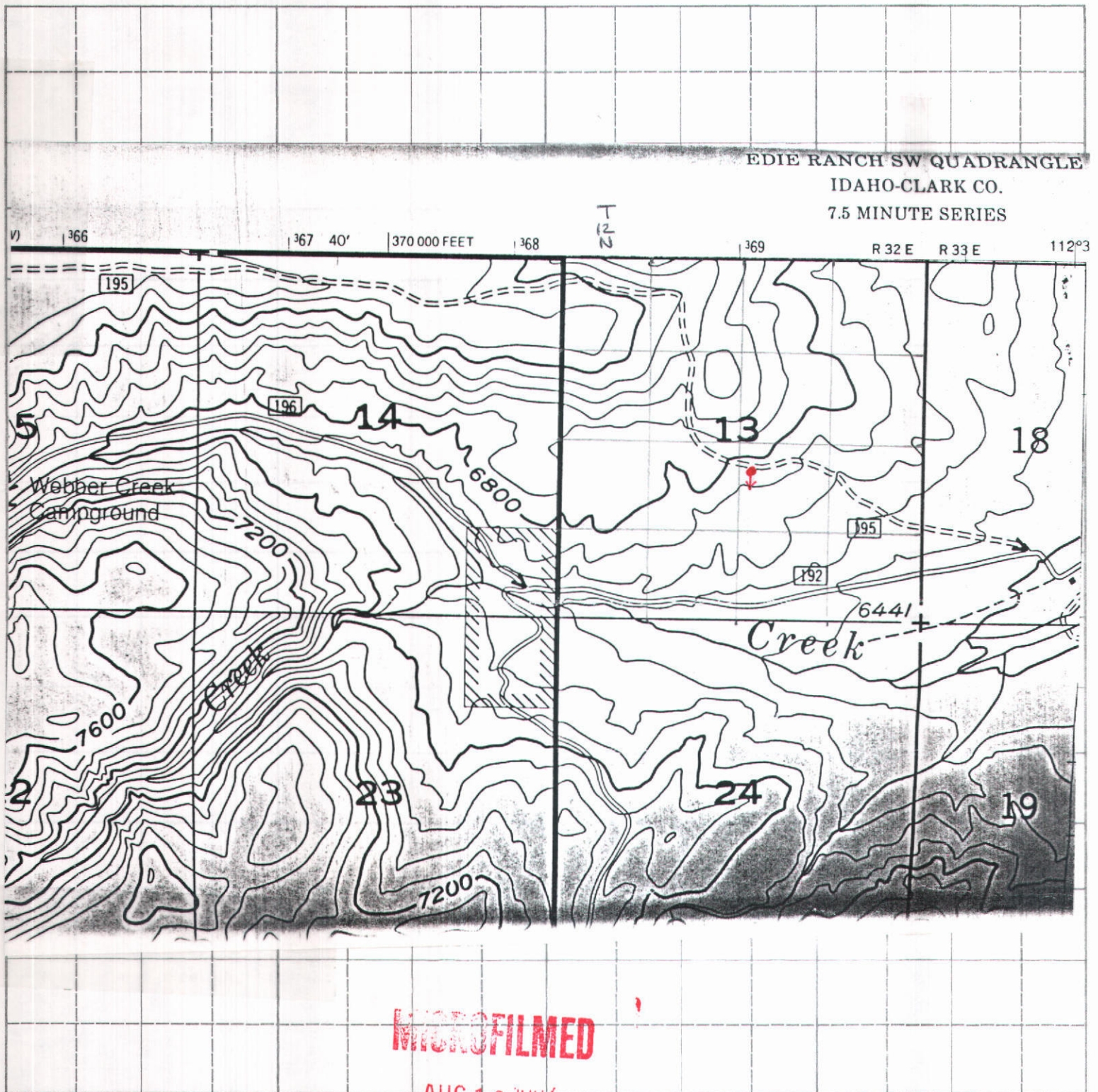
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
JUN 26 1973	

USE PLATS



13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

[Signature]
District Manager*

*per BLM directory-kw 8/6/87

Proof of Publication

The Post Register

State of Idaho
County of Bonneville

I, S. Bob Bright or Robert Park, first being duly sworn, depose and say: That I am the Production Supervisor or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

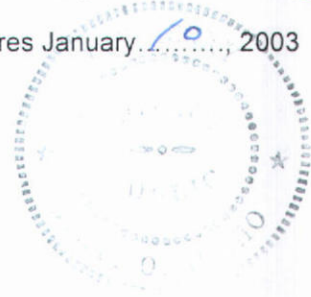
That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for two consecutive (days) weeks, first publication having been made on the 24th day of December, 1998, last publication having been made on the 31st day of December, 1998, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

S. Bob Bright

Subscribed and sworn to before me, this 6th day of January, 1999

John Beem
Notary Public

My commission expires January 10, 2003



NOTICE OF PROPOSED CHANGE OF A WATER RIGHT NO. T5362

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 point of diversion and to change the place of use of the waters of a surface source. The right sought to be changed is evidenced by a license and recorded as follows:

License No.: 32-07157

Source: Spring/Weber Creek

Amount: 0.02 cfs

Priority: 04/07/1987

Point of Diversion: NWNWNE SEC 14 T12N R32E, CLARK COUNTY

The water is used for stockwater from 6/1 to 10/15 within SEC 13 T12N R32E, and SEC 18 T12N R32E, B.M.

TO BE CHANGED
AS FOLLOWS:

The applicant intends to change the point of diversion to its actual location in the NENWNE SEC 14 T12N R32E and the place of use for water troughs in the NENE and NENW SEC 13 T12N R32E. Any protests against approval of the pro-

posed 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 on or before January 11, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

Published: December 24, 31, 1998

MICROFILMED

NOV 10 1999

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JAN 18 1999

Department of Water Resources
Eastern Region

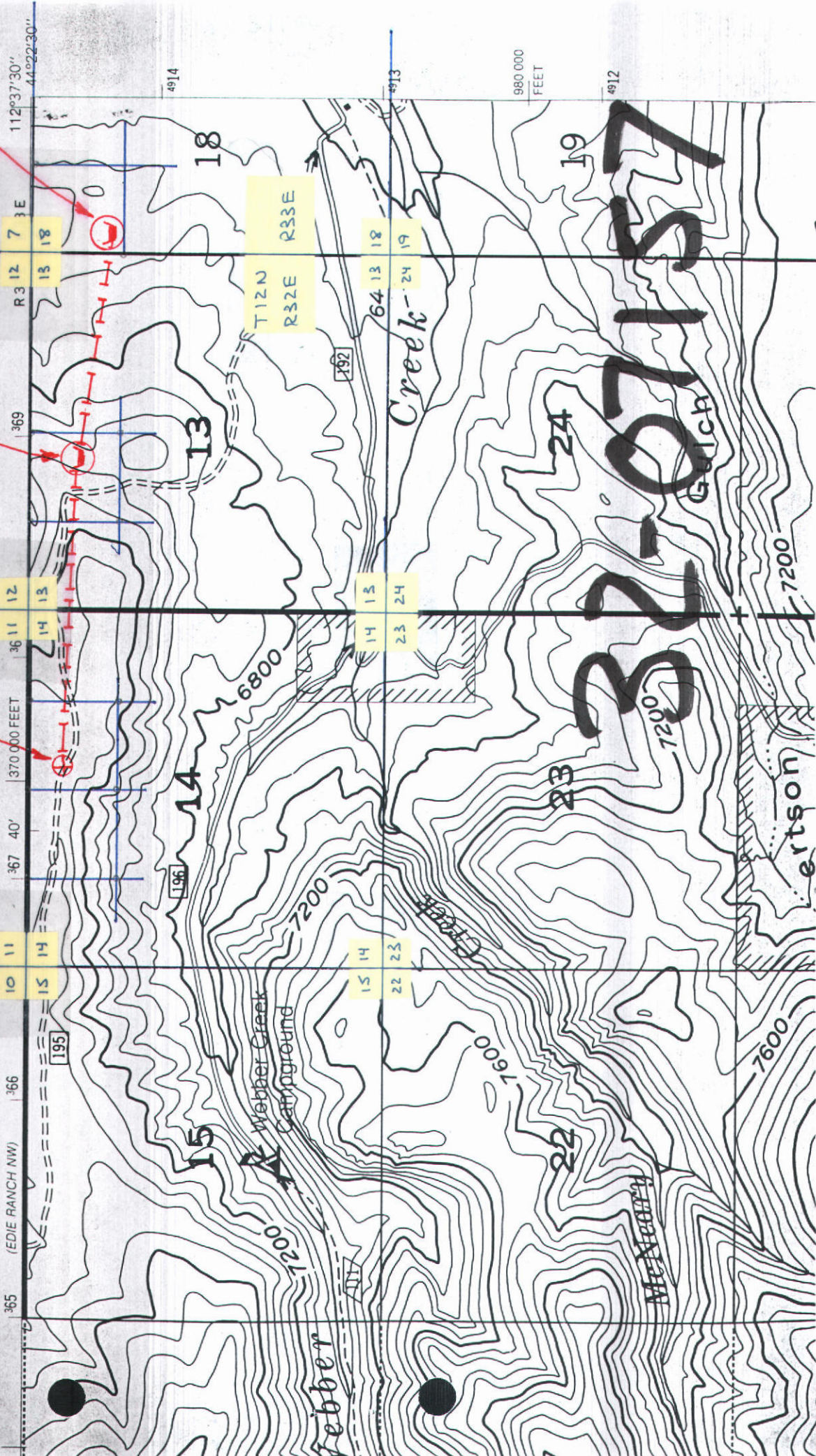
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FEB 13 1995

POINT OF DIVERSION

PLACE OF USE

PLACE OF USE

RANCH SW G
IDAHO-CLA
7.5 MINUTE SERIES



RECEIVED

NOV 01 2000

Department of Water Resources

7TH OCT 31 AM 11:52

FILED
J. DAHO

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

) ORDER OF PARTIAL DECREE

) For Water Right 32-07157

On June 20, 2000, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 32-07157 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED OCT 31 2000.



BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

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 32-07157

OCT 31 11:52

FILED - 10030

RECEIVED

NOV 01 2000

Department of Water Resources

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

SOURCE: WEBBER CREEK

TRIBUTARY: MEDICINE LODGE CREEK

QUANTITY: 0.02 CFS
1.80 AFY

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

PRIORITY DATE: 04/07/1987

POINT OF DIVERSION: T12N R32E S15 NWSE Within Clark County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	06-01 TO 10-15	0.02 CFS 1.80 AFY

PLACE OF USE:	Stockwater		Within Clark County
	T12N R32E S13	NENE	NENW
	R33E S14	NENE	
	S15	SENE	

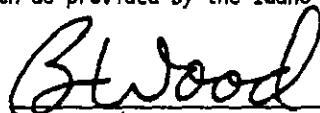
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

NOV 01 2000

Department of Water Resources

2000 OCT 31 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)

CERTIFICATE OF MAILING

Case No. 39576)

Water Right(s): 32-07157

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 32-07157 was mailed
on October 31, 2000, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

MIC...

PAGE 1
10/31/00

**THIS
RIGHT HAS BEEN
DECREED IN THE
SRBA**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

AMENDED

AMENDED

TRANSFER NO. 5362
WATER RIGHT NO. 32-07157

This is to certify that: US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

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	06/01 to 10/15	0.02 CFS	1.8 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
WEBBER CREEK	MEDICINE LODGE CREEK

Priority: 04/07/1987

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 15, Township 12N, Range 32E
CLARK County

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	
12N	32E	13	NENE NENW
		14	NENE
		15	SENE

CONDITIONS OF APPROVAL AND REMARKS

1. The quantity of water decreed for this water right is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 32C.
3. Diversion of water from Webber Creek is limited to those times water is available for diversion under this right and priority from the original source, a spring tributary to Webber Creek located within NWNWNE, S14, T12N, R32E.
4. Prior to diversion of water from Webber Creek, the right holder shall obtain approval of the diversion means or structure from the watermaster.

MICROFILMED

TRANSFER NO. 5362
WATER RIGHT NO. 32-07157

CONDITIONS OF APPROVAL AND REMARKS

5. Approval of Transfer 5362 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.
9. Right 32-07157 also includes incidental use of water for wildlife.
10. The point of diversion and place of use are also known as Webber Creek Pipeline and BLM Record ID No. 3203588081.

Dated this 13 day of

March

1900


Chief, Water Allocation Bureau

MICROFILMED

4/11/2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5362
WATER RIGHT NO. 32-07157

This is to certify that: **US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS ID 83401**

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	06/01 to 10/15	0.02 CFS	1.8 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
WEBBER CREEK	MEDICINE LODGE CREEK

Priority: 04/07/1987

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 15, Township 12N, Range 32E
CLARK County

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		
12N	32E	13	NENE	NENW
		14	NENE	
		15	SENW	

CONDITIONS OF APPROVAL AND REMARKS

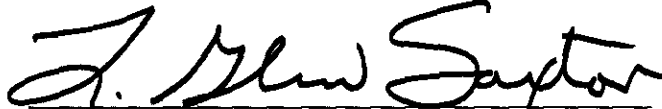
1. The quantity of water decreed for this water right is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 32C.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. Diversion of water from Webber Creek is limited to those times water is available for diversion under this right and priority from the original source, a spring tributary to Webber Creek located within NWNWNE, S14, T12N, R32E.

TRANSFER NO. 5362
WATER RIGHT NO. 32-07157

CONDITIONS OF APPROVAL AND REMARKS

5. Prior to diversion of water from Webber Creek, the right holder shall obtain approval of the diversion means or structure from the watermaster.
6. Approval of Transfer 5362 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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.
10. Right 32-07157 also includes incidental use of water for wildlife.
11. The point of diversion and place of use are also known as Webber Creek Pipeline and BLM Record ID No. 3203588081.

Dated this 18th day of October, 1999.


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5362RECEIVED
APPLICATION FOR TRANSFER OF WATER RIGHT Amended
CLP 74 1999
PART 1Name of applicant U.S.D.I., Bureau of Land Management Phone (208) 524-7500
Post Office address 1405 Hollipark Dr., Idaho Falls, Idaho 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 Source
2. Describe the reason for the proposed changes GPS data collected on 7/7/1999 indicates that the original legal locations claimed are incorrect

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>32-07157</u>	<u>04/07/1987</u>	<u>0.02/1.8</u>	<u>Stockwater</u>	<u>June 1 to Oct. 15</u>
				to
				to
				to

2. Total amount of water being transferred 0.02 cubic feet per second and/or 1.8 acre-feet per annum.3. Source of water Webber Creek tributary to Medicine Lodge Creek

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NW	SE	15	12N	32E	Clark	Webber Creek Pipeline

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	
12N	32E	13	S				S												
12N	32E	14	S																
12N	32E	15							S										

PART 1

6. General Information.

- a. Description of diversion system Water is pumped out of Webber Creek uphill to trough and tank in sect. 15. Water is then pumped east to three more 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 No 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:

Transfer is needed to settle an objection filed by BIM in the SRBA. Transfer is also needed to add troughs located on land administered by the U.S. Forest Service

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 _____

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. 32-07157 issued by the Idaho Department of Water Resources.
- c. Claim No. 32-07157 (SRBA claim) 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 Spring tributary to Weber Creek
4. Date or priority 4/7/1987
5. Water is used for the following purpose:

amount 0.02 cfs for Stockwater purposes from 06/01 to 10/15
(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 0.02 cubic feet per second and/or 1.8 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NW	NE	14	12N	32E	Clark	

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	
12N	32E	13					S												
12N	33E	18					Lot 1												

Total acres _____

9. Describe any other water rights used for the same purpose as described above N/A

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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

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	

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:

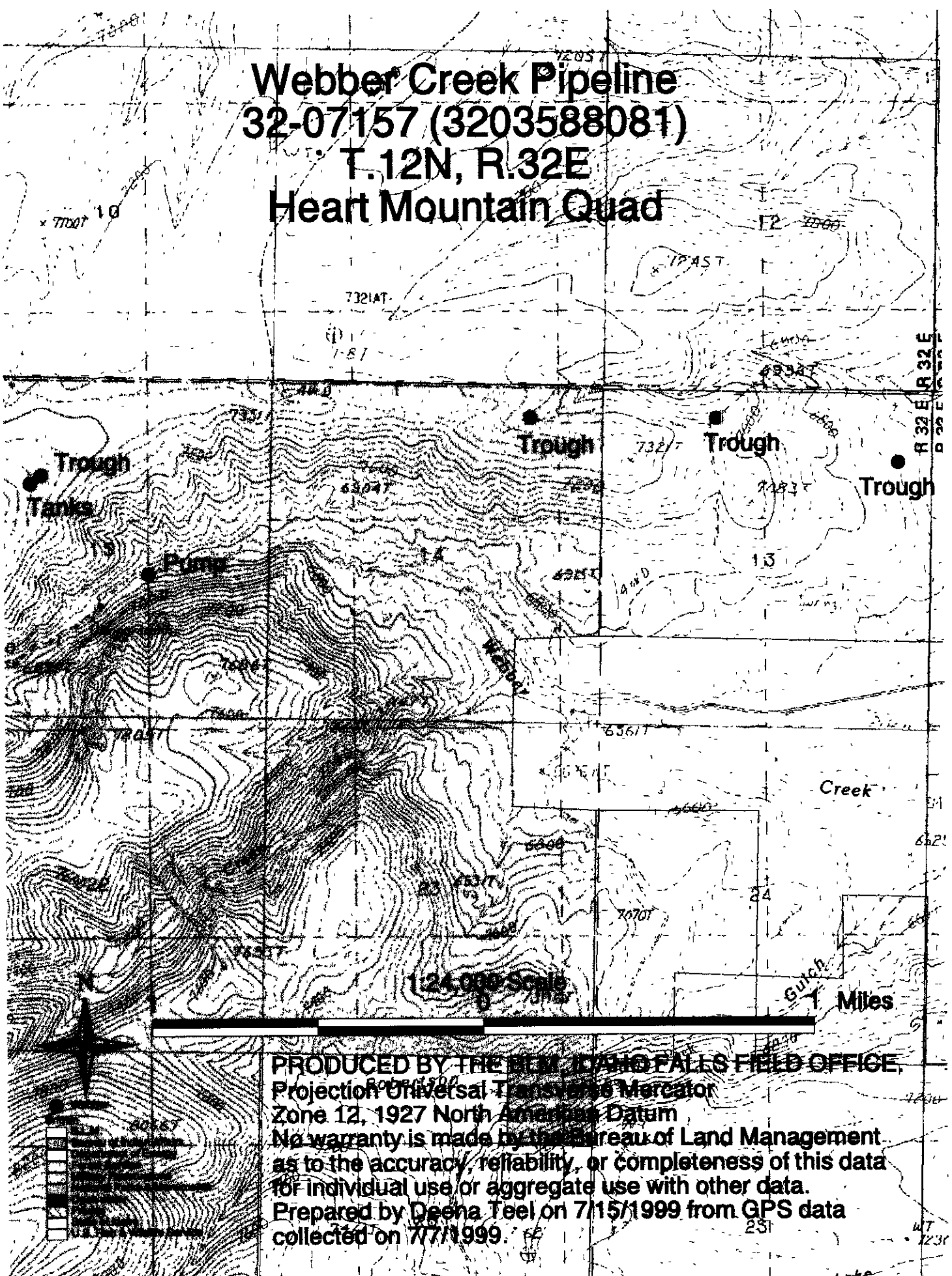
Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

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	

Total acres _____

Webber Creek Pipeline
32-07157 (3203588081)
T.12N, R.32E
Heart Mountain Quad



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.

See attached map

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.

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 20 day of July, 19 99.

[Signature]
(Notary Public)

My commission expires 11-25-2002

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and attachments

Received by Date Protest filed by

Prelim. check by Fee \$50

Receipted by HUT # E025147 Date

Published in Post Register Copies of protest forwarded by

Pub. dates 8/5 & 8/12/99 Hearing held by Date

Watermaster recommendation requested on Recommended for ☐ approval ☐ denial

 rec'd by

Copy of transfer sent to lien holder

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

CLARK COUNTY 033
ADAMO FALLS DISTRICT SEC J

5661, PZ, 2 PASADENA CA 91106-0000

MT PLAT

[illegible]

11012695 Col PL 167 (Act of Cong 7/23/1955)
completed 4/3/1962 All VF surface Mgmt by USFS

See from the ME VA & PS
1240 St A N Wt Ave, Clark County

120110101305
120110101305
120110101305

[illegible][illegible][illegible]

1. *Chlorophyll a* (Chl *a*) content was determined using a spectrophotometer (Shimadzu UV-1601) at 663 nm. The concentration of Chl *a* was calculated using the following equation: $\text{Chl } a \text{ (mg/L)} = 12.7 \times \text{OD}_{663}$.

[illegible][illegible][illegible][illegible]

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1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

FOR ORDERS EFFECTING DISPOSAL ON USE OF UNIDENTIFIED LANDS REFER TO INDEX OF UNCLASSIFIED DOCUMENTS

100-443887-100

Jul 26 1973	
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USE PLAYS

1,55211 Duro J
A. 15.61.47 107

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

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

Replaced by
Amended
Transfer
7-26-99

- 2 Describe the reason for the proposed changes GPS data indicates that the original legal locations claimed are incorrect.

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

1. Right Number 32-07157 Priority 01/07/1987 Amount (cfs/ac-ft) 0.02/1.8 Nature of Use Stockwater Period of Use June 1 to Oct. 15
 _____ to _____
 _____ to _____
 _____ to _____
- 2 Total amount of water being transferred 0.02 cubic feet per second and/or 1.8 acre-feet per annum
- 3 Source of water Spring tributary to Weber Creek
4. Point(s) of Diversion

Replaced
7-26-99

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NW	NE	14	12N	32E	Clark	Weber Creek Pipeline

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	
12N	32E	13	S				S												

Total acres _____

PART 1

6. General Information

a. Description of diversion system Headbox; pipeline to two troughsb. 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:

Transfer is needed to settle an objection filed by BLM in the SRBA.

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 _____

PART 2

TRANS NO. 5362

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 32-07157

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	06/01 to 10/15	0.02 CFS	1.8 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SPRING	WEBER CREEK

Priority: 04/07/1987

LOCATION OF POINT(S) OF DIVERSION: NWNWNE , Sec. 14, Township 12N, Range 32E
CLARK County

PLACE OF USE: STOCKWATERTWN RGE SEC

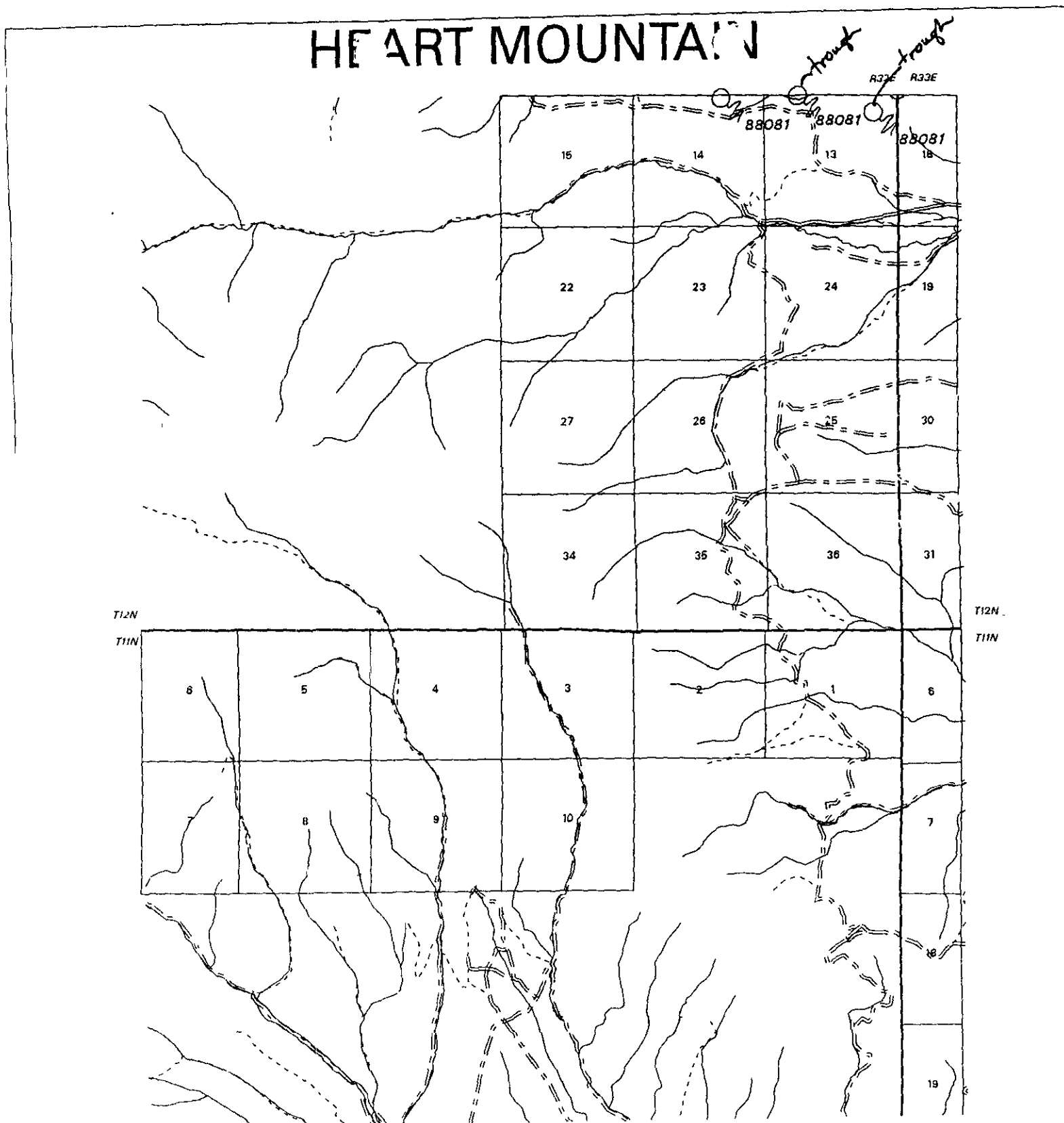
12N	32E	13	NENW
33E	18	Lot 1	(NWNW)

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 = 3203588081
310 RANGE CATTLE, 100 ANTELOPE, 75 DEER, 30 ELK, 5 MOOSE, GROUSE

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.

Deena Lee
(Signature of Applicant)

Subscribed and sworn to before me this 30 day of November, 19 98.

Dorinda S. Hoff
(Notary Public)

My commission expires 11-25 2002

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by HWS Date 11-30-1998 Protest filed by _____

Prelim. check by _____ Fee \$100

Receipted by HWS #E024683 Date 12-16-98

Published in Post Register Copies of protest forwarded by _____

Pub. dates Dec 24 & 31, 1998 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd _____ by RTD

Copy of transfer sent to lien holder _____

Approved: 224,17550

CLARK COUNTY 033

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

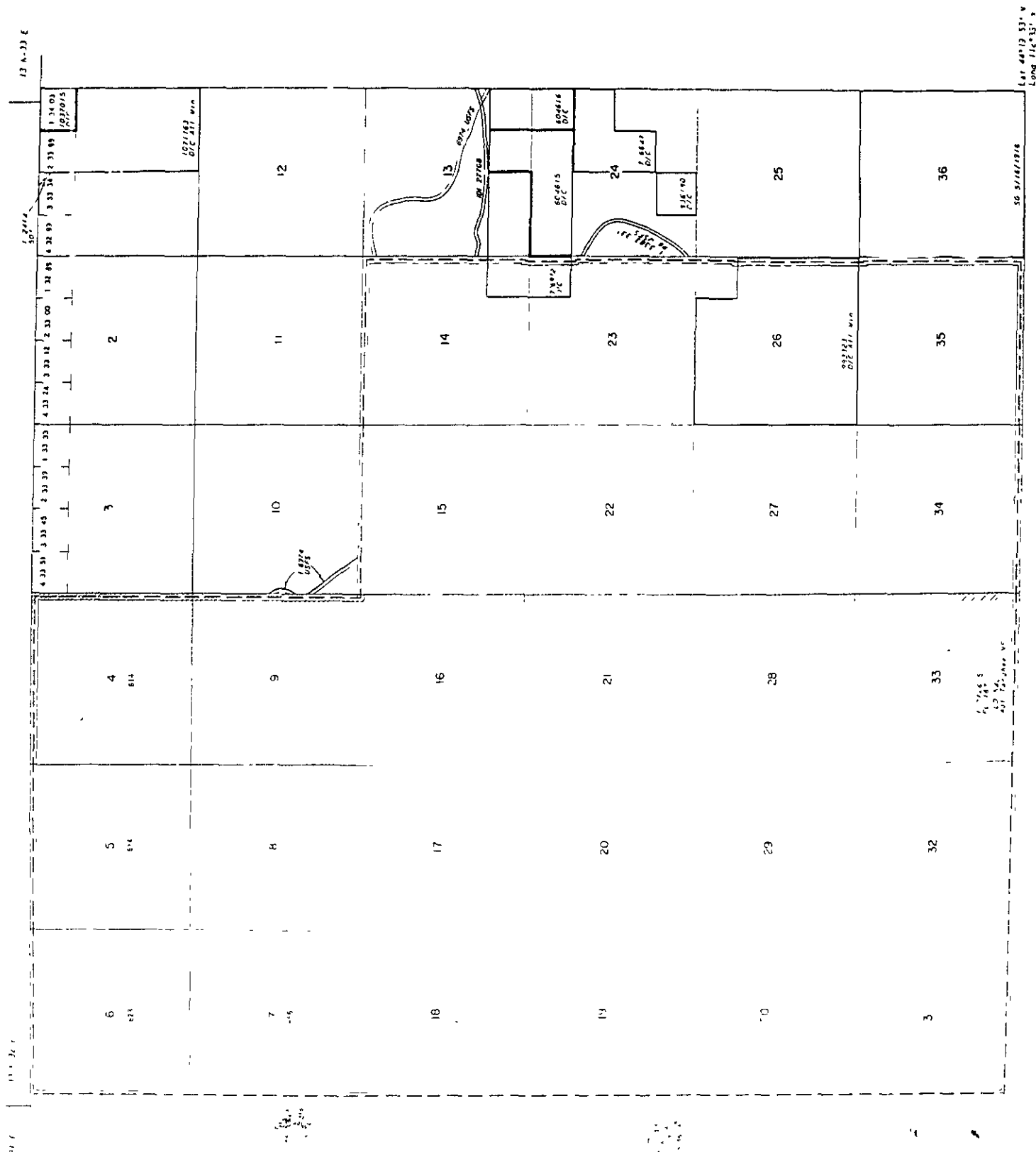
1012635 Det PL 167 (Act of Cong 7/23/1955)

1-2406 H.V. O.C. Volt Use, Clark County
Sigs from approx 1000 mcs. Clk MC, 1A & PS
all unappropriated exps. 1 to 21 in
Secs 1 to 3 incl
Secs 10 to 13 incl
Secs 21-25
Sec 36

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

CURRENT TO	CURRENT TO
JUL 9 6 1973	

USE PLATS



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 32-07157

Priority: April 7, 1987

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

1.8 AF

This is to certify, that US DEPT OF INTERIOR

BUREAU OF LAND MANAGEMENT

940 LINCOLN RD

IDAHO FALLS ID 83401

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 25, 1987; and has submitted Proof of Beneficial Use on August 14, 1992. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

SPRING

tributary to **WEBER CREEK**

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	06/01 to 10/15	0.02 CFS	1.8 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNWNE , Sec. 14, Township 12N, Range 32E
CLARK County

PLACE OF USE: STOCKWATER

TWN RGE SEC

12N 32E 13 NENW
33E 18 Lot 1(NWNW)

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. Use of water under this water right will be regulated by the watermaster of State Water District No. 32C.
7. Stockwater use is for 350 range cattle.
8. Water used under this right also includes water for wildlife.

FFB 18 1995

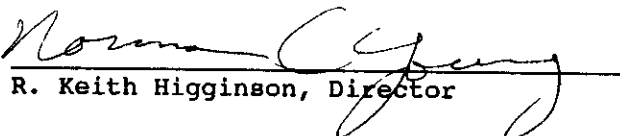
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 32-07157

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 9TH
day of FEBRUARY, 1995.

Attest for


R. Keith Higginson, Director

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 32-07157

Date of Priority: April 7, 1987 Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 1.8 AF

Comes now US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD
IDAHO FALLS ID 83401

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 32-07157, and requests that the permit be changed as follows:

Source: SPRING tributary to WEBER CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	06/01 to 10/15	0.02 CFS	1.8 AF

LOCATION OF POINT(S) OF DIVERSION: NWNWNE , Sec. 14, Township 12N, Range 32E
CLARK County

PLACE OF USE: STOCKWATER

TWN RGE SEC

12N 32E 13 NENW
33E 18 Lot 1(NWNW)

APPROVED

RECEIVED

FEB 13 1991

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Idaho Falls, this 13th day of January, 1991.

Gary J. Brown
(signature) ASSEC.DM

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 32-07157

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50% Received by HWJ # 6020617 Date 1-30-95

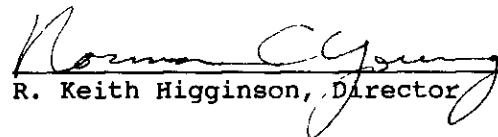
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 32-07157 with the following;

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. Use of water under this water right will be regulated by the watermaster of State Water District No. 32C.
7. Stockwater use is for 350 range cattle.
8. Water used under this right also includes water for wildlife.

Witness my hand this 9TH day of FEBRUARY, 1995.


R. Keith Higginson, Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 32-07157)
IN THE NAME OF USDI BUREAU OF LAND MANAGEMENT) ORDER OF
REINSTATEMENT)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before August 1, 1992; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

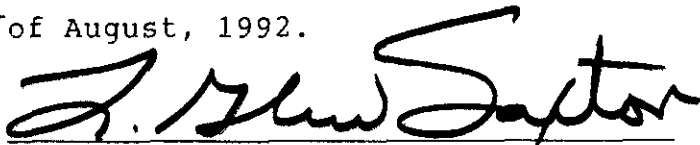
WHEREAS, the Department notified the permit holder that the permit had lapsed for failure to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on August 14, 1992;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 32-07157 be REINSTATED with an advance in priority to April 7, 1987.

Dated this 26th day of August, 1992.


L. GLEN SAXTON
Chief, Water Allocation Bureau

UNRECORDED

SEP 09 1992

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1 Permit No. 32-07157 Telephone No. 208-524-75002 Name(s) of Permit Holder(s): U.S.D.I. Bureau of Land Management3 Mailing Address: 940 Lincoln Road Idaho Falls, ID 834014 Source of Water SpringIf **GROUNDWATER**, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5 Extent of Use (as authorized by the permit).

Domestic _____ (No. of households) Stockwater 310 Range Cattle (No. and type of stock)Irrigation _____ (No. of acres) Other 25 elk, 50 deer, 50 antelope, sage grouse6 Total rate and/or volume for which proof is submitted 0.09 cfs OR _____ acre/feet

7 Refer to the approval conditions on your permit and respond accordingly.

Measuring device Required? _____ Yes _____ No Installed? _____ Yes _____ No

OR

Flow Measurement Port Required? _____ Yes _____ No Installed? _____ Yes _____ No

8 Fee Enclosed \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

9 Person to contact to accompany the Department representative during field examination of the water system

Karen Aslett 208-524-7533
Name Telephone No.940 Lincoln Road Idaho Falls, Id 83401
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho

6-19-92
Date[Signature] District Manager
Signature (and title, if on behalf of a company or organization)

7 1992

Form 202
6/85

RECEIVED
MAR 30 1987

Department of Water Resources
Eastern District Office

RECEIVED

MAR 25 1987

Ident No 32-7157

Weber Cr.
Spring 4794

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1 Name of applicant U.S. Dept. of Interior Bureau of Land Mgmt. Phone 529-1020
Post office address 940 Lincoln Road, Idaho Falls, Idaho 83401

2 Source of water supply Spring which is a tributary of Weber Creek

3 Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt Lot _____
Sec 13 Township 12N Range 32E B M Clark County, additional
points of diversion if any _____

4 Water will be used for the following purposes

Amount .02 for livestock purposes from 6/1 to 10/15 (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)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5 Total quantity to be appropriated is (a) .02 and/or (b) _____
cubic feet per second acre feet per annum

6 Proposed diverting works

a Description of ditches, flumes, pumps, headgates, etc 350 head cows
spring head box and trough

b Height of storage dam _____ feet, active reservoir capacity _____ acre-feet, total
reservoir capacity _____ acre-feet, period of year when water will be diverted to storage
_____ to _____ inclusive

c Proposed well diameter is _____ inches, proposed depth of well is _____ feet

d Is ground water with a temperature of greater than 90°F being sought? No

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

RECORDED

AUG 16 1987

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

- a Hydropower, show total feet of head and proposed capacity in KW _____
- b Stockwatering, list number and kind of livestock 350 head cows
- c Municipal, show name of municipality _____
- d Domestic, show number of households _____
- e Other, describe fully Spring headbox and trough

9 Description of place of use

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

TWP	RANGE	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	
12N	32E	13														S			

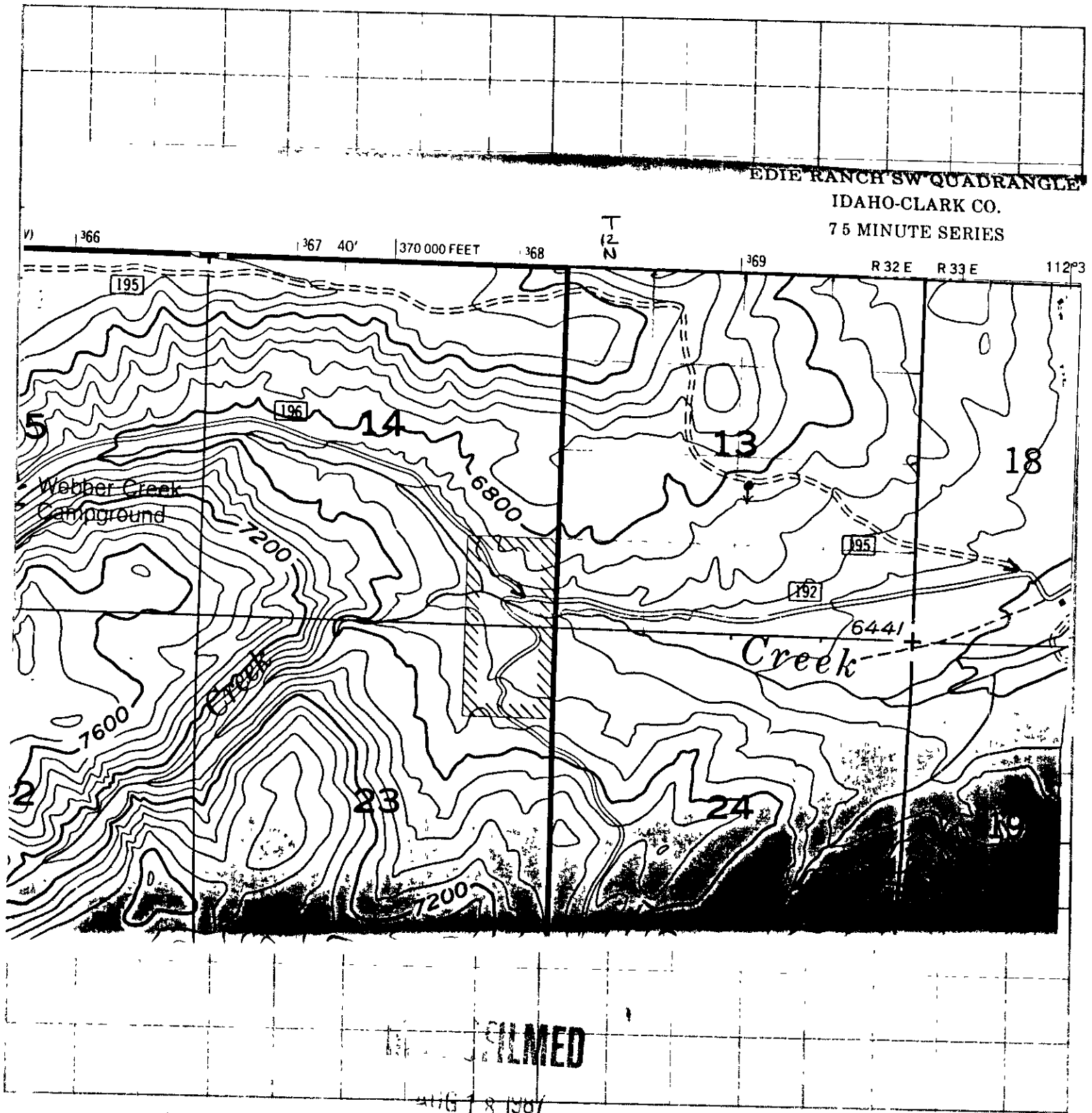
Total number of acres to be irrigated _____

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

- 11 a Who owns the property at the point of diversion? U.S. Government BLM
- b Who owns the land to be irrigated or place of use? U.S. Government BLM
- 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 This water will also be used by elk, deer and antelope.

13 Map of proposed project show clearly the proposed point of diversion, place of use section number, township and range number



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

[Signature]
 Applicant
 District Manager

*per BLM directory-kw 8/6/87

Received by CW Date 4-8-87 Time 3:00 PM Proposed Priority 3/25/87
Fee \$ 5.00 Receipted by JP # 42747 Date 7-8-87
Publication prepared by MJ Date 4-29-87 Published in Post Register
Publication approved CW Date 5-28-87

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 32-7157, 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 August 1, 19 92

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.

Use of water under this permit is subject to control by the watermaster of State Water District No. 32C, Medicine Lodge Creek.

Witness my hand this 10th day of August, 1987.

J. Glen Saxton
Chief, Operations Bureau

RECORDED

AUG 18 1987

**THIS
RIGHT HAS BEEN
DECREED IN THE
SRBA**

11-20-2014



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 14, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

RE: Water Right 32-07157 (Amended Transfer 5362)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5362). 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 an amended 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) 327-7940.

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt
Enclosures

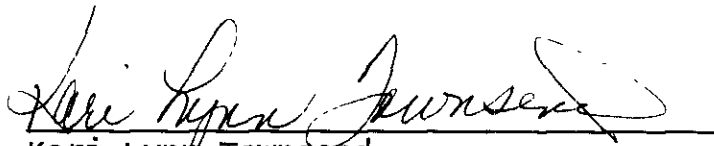
MICROFILMED

CERTIFICATE OF MAILING

I hereby certify that on the 14th day of March, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing AMENDED TRANSFER APPROVAL to the person(s) listed below:

WATER RIGHT 32-07157 (Transfer 5362)

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


Kari Lynn Townsend
Secretary

MICROFILMED



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 14, 2000

GREG SHENTON
WATERMASTER
BOX 33
DUBOIS ID 83423

RE: TRANSFER OF WATER RIGHT 32-07157 (Transfer 5362)

Dear Greg:

Enclosed is a copy of the recently approved Transfer of Water Right for the above referenced water right (Transfer 5362) in the name of U.S. Dept. of Interior, Bureau of Land Management.

If you have any questions, please call me at 208-327-7940.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jeff Peppersack'.

JP Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED

1975 1 1 500

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

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.



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Upper Snake River District
Idaho Falls Field Office
1405 Hollipark Drive
Idaho Falls, Idaho 83401-2100

RECEIVED

MAR 10 2000

Department of Water Resources

In Reply Refer To

7250

March 7, 2000

Pam Skaggs
Idaho Department of Water Resources
1301 N Orchard Street
Boise, Idaho 83720-9000

RE Transfer #5362 for water right 32-07157 and Notice of Completed Administrative Proceeding (NCAP)

Dear Ms. Skaggs,

This office recently received a completed transfer and NCAP for the above water right (see attachments) Everything appears to be in order except for a remark that states, "A measuring device and lockable controlling works of a type acceptable to IDWR shall be permanently installed and maintained as a part of the diverting works" During a conversation between one of my staff and Harold Jones on March 3, 2000, Mr Jones stated that this requirement is not practical and should be removed from the water right

The pipeline associated with this water right pumps water out of Webber Creek and delivers it to four troughs. The Bureau of Land Management has several hundred other pipelines with similar designs that have been decreed without requiring a measuring device or lockable controlling works. Please consider removing this condition from the water right.

You may contact Deena Teel at (208) 524-7533 if you need additional information

Sincerely,

Joe Kacyon

Joe Kraayenbrink
Field Manager

MICROFILMED

1543

attachments

Amended Approval dated 03-13-2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Webber Creek Pipeline
3203588081

TRANSFER OF WATER RIGHT

TRANSFER NO. 5362
WATER RIGHT NO. 32-07157

This is to certify that: US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

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	06/01 to 10/15	0.02 CFS	1.8 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
WEBBER CREEK	MEDICINE LODGE CREEK

Priority: 04/07/1987

LOCATION OF POINT(S) OF DIVERSION: USFS NWSE , Sec. 15, Township 12N, Range 32E
CLARK County

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	
12N	32E	13	NENE BLM
		14	NENE USFS
		15	SENE USFS

CONDITIONS OF APPROVAL AND REMARKS

1. The quantity of water decreed for this water right is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 32C.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. Diversion of water from Webber Creek is limited to those times water is available for diversion under this right and priority from the original source, a spring tributary to Webber Creek located within NWNWNE, S14, T12N, R32E.

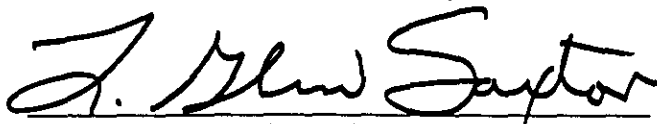
MICROFILMED

TRANSFER NO. 5362
WATER RIGHT NO. 32-07157

CONDITIONS OF APPROVAL AND REMARKS

5. Prior to diversion of water from Webber Creek, the right holder shall obtain approval of the diversion means or structure from the watermaster.
6. Approval of Transfer 5362 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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.
10. Right 32-07157 also includes incidental use of water for wildlife.
11. The point of diversion and place of use are also known as Webber Creek Pipeline and BLM Record ID No. 3203588081.

Dated this 18th day of October, 1999.


Chief, Water Allocation Bureau

MICROFILM

17 2000

**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 19, 2000

USDI BUREAU OF LAND MGMT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657RECEIVED
BLM ISO MR
JAN 26 2000
9:00 A.M.RE: Transfer #5362 for water right(s) 32-07157 and Notice of
Completed Administrative Proceeding (NCAP)

Dear Sir:

On October 18, 1999, the Idaho Department of Water Resources (IDWR) approved Transfer #5362, modifying the above referenced water right. Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,


Jennifer Crabtree
Technical Records Specialist

WIDRO, IL

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

)

Water Rights: 32-07157

)

Case No. 39576

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☐ Substitution of Party

☒ I.C. § 42-222 transfer 5362

☒ point of diversion ☒ place of use

☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 22 JAN 2000



Signature of IDWR Representative

RECORDED

CERTIFICATE OF MAILING

I certify that on Jan 24, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
USDI BUREAU OF LAND MGMT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A
4. One copy to:
Each party in the subcase, or attorney of record
N/A
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-20-2000
PAGE: A-40-----
RIGHTS FROM: SOURCE: WEBBER CREEK TRIBUTARY: MEDICINE LODGE CREEK

RIGHT NUMBER: 32-07157

NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

SOURCE: WEBBER CREEK TRIBUTARY: MEDICINE LODGE CREEK

QUANTITY: 0.02 CFS
1.8 AFYTHE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 04/07/1987

POINT OF DIVERSION: T12N R32E S15 NWSE Within CLARK County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	06-01 10-15	0.02 CFS
			1.8 AFY

PLACE OF USE:	STOCKWATER	Within CLARK County
	T12N R32E S13	NENE NENW
	S14	NENE
	S15	SENW

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

A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE
ACCEPTABLE TO IDWR SHALL BE PERMANENTLY INSTALLED AND MAINTAINED
AS A PART OF THE DIVERTING WORKS.

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, SECTION 42-1412(6) IDAHO CODE.

MICROFILM

AJ5856NP

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

DATE: JAN-20-2000

PAGE: A-41

RIGHTS FROM: SOURCE: WEBBER CREEK TRIBUTARY: MEDICINE LODGE CREEK

RIGHT NUMBER: 32-07157 (CONT)

OTHER PROVISIONS (CONT)

DIVERSION OF WATER FROM WEBBER CREEK IS LIMITED TO THOSE TIMES
WATER IS AVAILABLE FOR DIVERSION UNDER THIS RIGHT AND PRIORITY
FROM THE ORIGINAL SOURCE, A SPRING TRIBUTARY TO WEBBER CREEK
LOCATED WITHIN N44WNE, S14, T12N, R32E.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 32C.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
BLM RECORD ID = 3203588081
310 RANGE CATTLE, 100 ANTELOPE, 75 DEER, 30 ELK, 5 MOOSE, GROUSE

MICROFILM



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 19, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

RE: Water Right 32-07157 (Transfer 5362)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5362). 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.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

A handwritten signature in dark ink, appearing to read 'J. Peppersack'.

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

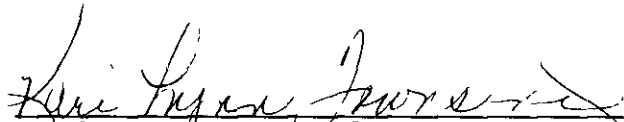
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 19th day of **October, 1999**, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

RE: WATER RIGHT 32-07157 (Transfer 5362)

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


**Kari Lynn Townsend
Secretary**

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:

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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.

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.



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 19, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

GREG SHENTON
WATERMASTER
BOX 33
DUBOIS ID 83423

RE: TRANSFER OF WATER RIGHT 32-07157 (Transfer 5362)

Dear Greg:

Enclosed is a copy of the recently approved Transfer of Water Right for the above referenced water right (Transfer 5362) in the name of US Dept. of Interior, Bureau of Land Management.

Also enclosed is a copy of the reviewers notes.

If you have any questions, please call me at (208) 327-7947.

Sincerely,


Jeff Peppersack, Manager
Water Permits Section

JP:klt

Enclosures

MEMORANDUM

TO: File 32-07157

FROM: Pam Skaggs²¹⁵/State Office

SUBJECT: Transfer 5362

DATE: October 14, 1999

Transfer 5362 changes the point of diversion, place of use and source under Right 32-07157. This right has been recommended in the SRBA similarly to the original license. The transfer application reflects changes to the right to resolve an objection to the recommendation by the right holder.

The transfer proposes to change the source from a spring tributary to Webber Creek to a point of diversion located in Section 15, T12N, R32E, directly from Webber Creek. The place of use is changed to reflect GPS corrections, to include a trough located in Section 15, T12N, R32E, add a second trough in Section 13, T12N, R32E, and remove the trough originally identified in Section 18, T12N, R33E.

The watermaster of Water District 32-C approved of the proposed change with specific concerns regarding the diversion. Recommended conditions include watermaster control, measuring device & lockable controlling works, diversion limited to water availability from the original source, diversion means subject to watermaster, right-of-way (Forest Service administered land), common grazing allotment limits, incidental wildlife use, non-confirmation of historical use, 13,000 gpd diversion limit, and standard transfer conditions.

TRANSFER REVIEW SHEET

(07-98)

Transfer # 5362

Date Reviewed 10-14-99

Right(s) 32-D7157 - As recommended in SRBA

WRQ/Split Summary ☒ ^{NAP} SRBA Status NA Run POU Comparison Report _{STOCK}

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 P/D, P/U & Source J:Add P/D & Change P/U

Proof of Ownership USDI/BLM License & SRBA Claim
New P/D & troughs in Sec 14 & 15 on land administered by USFS

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

Check Transfer Against Recorded Right Season/Vol. 136 days

(1) ☒ Priority (2) ☒ Use (3) ☒ Season (4) ☒ Rate (5) ☐ Volume
partial year 6-1 to 10-15
(6) ☐ Source (7) ☐ P/D (8) ☐ P/U (9) ☐ Proof/Owner (10) ☐ Map
(11) 32-C Water District (12) ☐ Pertinent Conditions (13) ☐ Expansion
Wm Comment Rvd. 9-17-99

(5) Stock Vol = 16at (310 cattle x 12gpd x 136 days) Licensed & Recommended in SRBA with L&A Allow larger in order to compensate for miscellaneous wildlife.
(6) Transfer changes source from a Spring in Sec 14 to its tributary Webber Creek. - Wm diversion comments apply to new P/D.
(7) Change P/D to Creek diversion in S15.
(8) Change P/L to reflect GPS corrections & addition of trough & tank in Section 15, and 2nd trough in Sec 13.

Forest Service land.
(W57) Modified (W53) (N11 & N13) wildlife KLA-Webber Creek Pipeline & BLM ID# 3203588081
Transfer Remarks Special Wm Condition per WD resolution (1980).
Conditions R04, R43, T07, T08, R37

Database/Processing Notes Standard ☐ Non-Standard ☒

Copy approved version to an "X" prefix. Comment to base L&R.
Delete T.

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

328 10-18-99

SRBA

SUBCASE SUMMARY REPORT 32-07157

Return to SRBA Home Page

SRBA
10-14-1999

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 32-07157 FILE#: 00013
CLAIMANT: USDI BLM
STATUS: ADMIN PROCEED PENDNG
WATER SOURCE: SPRING, WEBER CREEK
ISSUES: POINT(S) OF DIVERSION DESCRIPTION
PLACE OF USE OR IRRIGATED ACRES IN EACH 40 A.

**** PARTIES INVOLVED ****

USDI BLM

ATTY: US DEPARTMENT OF JUSTICE

**** ROA ENTRIES ****

06-03-1998	OBJ 01 F/B USDI BLM	RB	10-02-1998 0001
09-11-1998	ORDER OF REFERENCE APPOINTING FRITZ X HAEMMERLE SPECIAL MASTER FOR DOMESTIC AND STOCKWATER CLAIMS - RA 8 (BASIN 31, 32, 33)		
10-19-1998	ORDER ON UNITED STATES BUREAU OF LAND MANAGEMENT'S OBJECTIONS TO UNITED STATES' CLAIMS IN REPORTING AREAS 8, 9, AND 11 BASINS 29, 27, 31, 32 AND 33	6B 6B 6B 6B	11-20-1998 0500 11-20-1998 11-20-1998 11-20-1998
10-20-1998	HEARING HELD - STATUS CONFERENCE	UH	10-20-1998 0930
10-20-1998	MINUTES - STATUS CONFERENCE		
10-20-1998	ORDER ON UNITED STATE'S OBJECTIONS TO DOMESTIC AND STOCKWATER RIGHTS IN REPORTING AREAS 8, 9, 11 AND 14 (BASINS 31, 32, 33, 29, 27, 23, 24, AND 25)		
10-20-1998	NTC OF FILING ORIGINAL CLAIMS FOR DOMESTIC AND STOCKWATER RIGHTS IN BASIN 32		
12-04-1998	MTN TO STAY SUBCASES PENDING ADMINISTRATIVE PROCEEDINGS (F/B U.S.)	MG	12-04-1998
03-15-1999	NOTICE OF ADMINISTRATIVE PROCEEDING 42-222 TRANSFER - CHANGE POD & POU	AZ	03-02-2000
09-13-1999	AMENDED ORDER OF REFERENCE APPOINTING THOMAS R CUSHMAN SPECIAL MASTER ASSIGNED MASTER WAS: 702 HAEMMERLE, FRITZ		

Return to SRBA Home Page

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
32-07157	US DEPT OF INTERIOR	C	04/07/1987	L/	SPRING	STOCK	WR
T32-07157	US DEPT OF INTERIOR	C	04/07/1987	L/	WEBBER CREEK	STOCK	WR

32-07157	AMERICA ACTING THROUGH, UNITED STATES OF	C	04/07/1987	L/	SPRING	STOCK	AJ
A32-07157	AMERICA ACTING THROUGH, UNITED STATES OF	C	03/25/1987	P/	SPRING	STOCK	AJ
						STOCK	
						WILDLF	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

12-16-88
T5362
RECEIVED
SEP 24 1999

INITIAL REVIEW BY: HLJ

Department of Water Resources

1. Right number 32-07157 Applicant RLM
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
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 NA
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) NA
 - j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
If yes, what district? WD 32-C Medicine Lodge - Greg Shenton

OK Still Need comment
Letter back
9-15-99

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* See watermaster remarks! HLF

4. BY RDC Date 9/13/99

All uses within Watermaster Districts require special conditions.

T5362

01-99

State of Idaho
Department of Water Resources

RECEIVED

SEP 17 1999

Department of Water Resources
Eastern Region

RECOMMENDATION OF WATERMASTER

Application No: 5362

Applicant's Name: U.S.D.I., BUREAU OF LAND MANAGEMENT

Watermaster's Recommendation:

a) I do not oppose approval of this application.

b) XXXXXXX I do not oppose approval of this application if it is conditioned as

follows: IT IS DIVERTED FROM WEVERCREEK AND OVER SOME TYPE OF

LEGAL MEASURING DEVISE BEFORE BEING PUMPED THROUGH A PIPE LINE.

WHERE AS THE WATERMASTER WILL BE MORE ABLE TO REGULATE THE WATER.

c) I oppose approval of this application for the following reasons:

d) Additional Comment : REFER TO THE ATTACHED RESOLUTION, WHICH READS
TO PROHIBIT SPRINKLERS PUMPING DIRECTLY FROM CREEK AS IT WAS ADOPTED IN
1980. THE 1980 RESOLUTION READS AS FOLLOWS: THAT NO ADDITIONAL SPRINKLER
PUMPING BE ALLOWED FORM MEDICINE LODGE CREEK OR ITS TRIBUTARIES, WITHOUT
FIRST DIVERTING THE WATER INTO A PRIVATE POND OR SUMP, TO ELIMINATE ANY
INTERFERENCE WITH REGULATION OF STREAM WATERS. MOTION PASSED UNANIMOUSLY.
THE MOTION HAS SINCE BEEN PASSED EVERY YEAR SINCE THAT DATE.

Dated this 15 day of SEPTEMBER, 1999.

Water District No: 32-C

GREGORY A. SHENTON
Watermaster's Signature

Use reverse side of page if you need more space

shown by the budget shall be paid on or before the first day of August, 1987.

ADVISORY COMMITTEE

Chairman McGarry appointed the following to serve again on the Advisory Committee for 1987: Elman Woodfield; Jack Webster; Lee Small and Lynn Hoggan.

WATERMASTERS REPORT AND REVIEW OF 1987 BUDGET

Watermaster Don Shenton, presented his watermasters report and discuss the following information. The 1986 water year, there was no channel damage this year, he also reported on the two special Advisory Board meetings that were held last year, if anyone wishes to read the minutes from these two meetings they are on file in the Secretary's office. He gave the snow report for the year, gave last years expenditures report, and then he presented the 1987 proposed budget.

Motion was made by Lynn Hoggan, seconded by Lee Small, that the Watermasters report be accepted Motion passed unanimously.

Motion was made by Lynn Hoggan, seconded by Lee Small, to adopt the proposed budget for 1987, the items being as follows: Watermasters Salary, \$ 1,748.00; Deputy Watermasters Salary, \$ 4,345.00; Mileage for Deputy Watermaster, \$ 2,500.00; and Miscellaneous and other expenses, \$ 2,154.00; TOTAL, \$ 11,107.00. Motion passed unanimously.

Resolution was made by Grant Ashcraft, seconded by Lynn Hoggan, to prohibit sprinklers pumping directly from creek as was adopted in 1980. The 1980 resolution reads as follows: That no additional sprinkler pumping be allowed from Medicine Lodge Creek or its tributaries, without first diverting the water into a private pond or sump, to eliminate any interference with regulation of stream waters. Motion passed unanimously.

Tom Christensen is building a reservoir on Middle Creek. Don Shenton reported that he had made a written response to the Dept. of Water Resources, objecting to the application. Objections was based on the fact the application didn't show the source of water to fill the reservoir, and maintain the losses of evaporation and seepage.

Keith Wilson, from the I.D.W.R. reported that the S.B, 1143 amends existing law to eliminate the requirement that the Director of the Dept. of Water Resource has to be a licensed engineer, also the Directors would be appointed at the Governors pleasure.

Proof of Publication

The Post Register

RECEIVED

AUG 20 1999

Department of Water Resources
Eastern Region

State of Idaho
County of Bonneville

I, S Bob Bright or Robert Park, first being duly sworn, depose and say That I am the Production Supervisor or Asst Prod Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for two consecutive (days) weeks, first publication having been made on the 5th day of August, 1999, last publication having been made on the 12th day of August, 1999, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement

Subscribed and sworn to before me, this 18th day of August, 1999

Notary Public

My commission expires January 3, 2003



**NOTICE OF PROPOSED CHANGE
OF A WATER RIGHT
NO. T5362**

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

License No. 32-07157

Source. Spring/Weber Creek

Amount. 0.02 cfs

Priority: 04/07/1987

Point of Diversion(s): NWNWNE SEC 14

T12N R32E, Clark County

The water is used for stockwater in the NENW SEC 13 T12N R32E, and NWNW SEC 18 T12N R32E, B.M.

**TO BE CHANGED
AS FOLLOWS:**

The applicant has amended application for transfer #5362 and changed the point of diversion to the NENWSE SEC 15 T12N R32E on Webber Creek tributary to Medicine Lodge Creek. The places of use will be for stock troughs in SEC 13, 14 and 15 T12N R32E.

Any protests against approval of the proposed changes 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 August 23, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

Published: August 5, 12, 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

July 29, 1999

KARL J. DREHER
DIRECTOR

USDI BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

RE: Application for Transfer #5362

Dear Applicant:

This office is currently in the process of advertising the application in the Post Register on August 5 and 12, 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



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

July 28, 1999

POST REGISTER
PO BOX 1800
IDAHO FALLS ID 83403

Dear Cathy Von Borstel:

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 August 23, 1999.

Respectfully submitted,

Sharla Cox
Administrative Assistant

Enc.

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. T5362

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

License No.:	32-07157	Source: Spring/Weber Creek
Amount:	0.02 cfs	Priority: 04/07/1987

Point of Diversion(s): NWNWNE SEC 14 T12N R32E, Clark County
The water is used for stockwater in the NENW SEC 13 T12N R32E, and NWNW SEC 18 T12N R33E, B.M.

TO BE CHANGED AS FOLLOWS:

The applicant has amended application for transfer #5362 and changed the point of diversion to the NENWSE SEC 15 T12N R32E on Webber Creek tributary to Medicine Lodge Creek. The places of use will be for stock troughs in SEC 13, 14 and 15 T12N R32E.

Any protests against approval of the proposed changes 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 August 23, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

Published in the Post Register on August 5 and 12, 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

July 29, 1999

GREG SHENTON
WATERMASTER #32-C
PO BOX 33
DUBOIS ID 83423

RE: Application for Transfer #5362

Dear Greg:

Please find enclosed a copy of the above referenced application. Please review the application and submit any comments you may have to our Department by August 23, 1999.

If you have any questions, please feel free to contact us.
Thank you for your cooperation in this matter.

Respectfully submitted,

Harold W. Jones
Water Right Supervisor

HWJ:sc

enc.

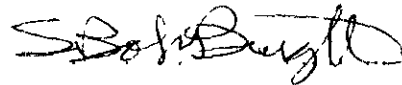
Proof of Publication

The Post Register

State of Idaho
County of Bonneville

I, S Bob Bright or Robert Park, first being duly sworn, depose and say That I am the Production Supervisor or Asst Prod Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho, said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for two consecutive (days) weeks, first publication having been made on the 24th day of December, 1998, last publication having been made on the 31st day of December, 1998, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement



Subscribed and sworn to before me, this 6th day of January , 1999

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT NO. T5362

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 point of diversion and to change the place of use of the waters of a surface source. The right sought to be changed is evidenced by a license and recorded as follows.

License No 32-07157

Source Spring/Weber Creek

Amount. 0.02 cfs

Priority 04/07/1987

Point of Diversion: NWNWNE SEC 14
T12N R32E, CLARK COUNTY

The water is used for stockwater from
6/1 to 10/15 within SEC 13 T12N R32E,
and SEC 18 T12N R32E, B M

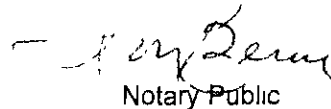
TO BE CHANGED
AS FOLLOWS

The applicant intends to change the
point of diversion to its actual location in
the NENWNE SEC 14 T12N R32E and
the place of use for water troughs in the
NENE and NENW SEC 13 T12N R32E
Any protests against approval of the pro-

posed 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
on or before January 11, 1999. The prot-
estant must also send a copy of the pro-
test to the applicant

KARL J. DREHER
Director

Published December 24, 31, 1998



Notary Public

My commission expires January 10, 2003



RECEIVED

JAN 18 1999

Department of Water Resources
Eastern Region



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 18, 1998

THE POST REGISTER
PO BOX 1800
IDAHO FALLS ID 83402

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 JANUARY 11, 1999.

Respectfully submitted,

Sharla Cox
Secretary

Enc.

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. T5362

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 point of diversion and to change the place of use of the waters of a surface source. The right sought to be changed is evidenced by a license and recorded as follows:

License No.: 32-07157 Source: Spring/Weber Creek
Amount: 0.02 cfs Priority: 04/07/1987
Point of Diversion: NWNWNE SEC 14 T12N R32E, CLARK COUNTY
The water is used for stockwater from 6/1 to 10/15 within SEC 13 T12N R32E, and SEC 18 T12N R32E, B.M.

TO BE CHANGED AS FOLLOWS:

The applicant intends to change the point of diversion to its actual location in the NENWNE SEC 14 T12N R32E and the place of use for water troughs in the NENE and NENW SEC 13 T12N R32E.

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 on or before January 11, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

Published in the Post Register on December 24 and 31, 1998.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 18, 1998

GREG SHENTON
WATERMASTER #32-C
PO BOX 33
DUBOIS ID 83423

RE: Application for Transfer #5362

Dear Greg:

Please find enclosed a copy of the above referenced application for transfer. Please review the application and submit any comments you may have to our Department as soon as possible.

If you have any questions, please feel free to contact us.
Thank you for your cooperation in this matter.

Respectfully submitted,

Harold W. Jones
Water Right Supervisor

HWJ:sc

enc.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 18, 1998

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

RE: Application for Transfer #5362, 5363, & 5364

Dear Applicant:

This office is currently in the process of advertising the application in the Post Register on December 24 and 31, 1998. 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



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 9, 1995

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD
IDAHO FALLS ID 83401

RE: WATER RIGHT NO. 32-07157

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED
FEB 13 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 24, 1995

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD
IDAHO FALLS ID 83401

RE: WATER RIGHT NO. 32-07157

Dear Water Right Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to correspond with the findings of the Department's field examiner.

As of this date, I have not received the amendment. If I do not receive it within fourteen (14) days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin. Enclosed for your convenience is another amendment form in the event the first one was misplaced.

If you have any questions, please contact me. My telephone number is (208) 327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

1/24/95
1:12 PM



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 17, 1994

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD
IDAHO FALLS ID 83401

RE: WATER RIGHT NO. 32-07157

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion and the place(s) of use description. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 60 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur or have any questions with this information, please contact me as soon as possible. My telephone number is (208) 327-7947.

Sincerely,

A handwritten signature in ink, appearing to read 'Jim Johnson', written over a horizontal line.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

RECEIVED
FEB 13 1995

LICENS REVIEW CHECKLIST

PERMIT NO. 32-07157 DATE 11-14-94



NAME	Yes <u> </u>	No <u>✓</u>	Or Address Change?
PRIORITY DATE	<u>✓</u>	<u> </u>	Advance? <u>YES</u> Advanced to: <u>4-7-1987</u> Order to reinstate needed? <u>already done</u> Incorrect fee for rate recommended? <u>NO</u>
SOURCE	<u> </u>	<u>✓</u>	Changes or just clarification of originally intended source? <u> </u> Notice of Intent to Void necessary? <u> </u>
POINT OF DIV	<u>✓</u>	<u> </u>	Amendment needed? <u>Change to NWNWNE OF SEC 14</u> Overlaps? <u> </u>
PLACE OF USE	<u>✓</u>	<u> </u>	Amendment needed? <u>Change SEC 13 TO NENW AND</u> Overlaps? <u>(LOT 1) ADD NWNW OF SEC 18-12N-33E</u>
DIV RATE	<u> </u>	<u>✓</u>	Permit/fee limits: <u>.02 CFS</u> Meas Q = <u> </u> Theo Q = <u> </u> Recommend: <u>.02</u> <u>(350 cattle)</u> <u>Permit limit @ .02</u> Combined rates exceed capacity <u> </u>
ANNUAL VOLUME	<u>✓</u>	<u> </u>	Season of use: <u>6-1 to 10-15 (per permit)</u> Calculations: <u>138 days / 365 = .38 x 4.7 = 1.78 cfs</u> Flow limit: <u> </u> cfs x <u> </u> x 1.9835 = <u> </u> Combined volumes exceed capacity/allowable <u> </u>
USES	<u> </u>	<u>✓</u>	Change in Nature of Use or additional uses? <u> </u> Amendment necessary? <u> </u>
REMARKS	<u>W25</u>	<u>✓</u>	Multiple p/d(s) in ¼ ¼? <u> </u> Other <u>wildlife comment</u>
CONDITIONS	<u>R04</u>	<u>✓</u>	Measuring/Locking Devices <u> </u> Watermaster control - District <u>32C</u> Irrigation Overlap <u> </u> Water Quality <u> </u> Other <u>Standard</u> Heat/Cool/ Fish verified <u> </u> <u>BLM CONDITION</u>
COMMENTS:	<u> </u> <u> </u> <u> </u>		

352 cattle per chart

RECOMMENDED	CFS	VOL	SRBA Claim Filed	<u>YES</u>
<u>Stuckwater</u>	<u>.02</u>	<u>1.8</u>	Adjustment Memo Needed	<u>YES</u>
<u> </u>	<u> </u>	<u> </u>	LICENSE	
<u> </u>	<u> </u>	<u> </u>	1ST AMENDMENT LETTER	<u>P48 + P38</u>
<u> </u>	<u> </u>	<u> </u>	FINAL AMENDMENT LETTER	<u>(P47 + S05)</u>



RECEIVED

NOV 07 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

'WERER CREEK SPRING'

IDR# 4794

A. GENERAL INFORMATION

Permit No. 32-07157

United States Department of Interior
Bureau of Land Management
940 Lincoln Road, Idaho Falls, ID 83401

Phone: (208) 524-7500

2. Accompanied by: DELIDA FAL

EXAM DATE: 2-1-1994

Address: SAME

Phone No. _____

Relationship to Permit Holder: CO-OWNER

3 Source: SPRING

tributary to WERER CREEK

B. OVERLAP REVIEW

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

2 Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1 Point(s) of Diversion:

Ident No	Gov't Lot	1/4	1/4	1/4	Sec.	Twp	Rge.	County	Method of Determination/Remarks
		NW	NW	NE	14	12N	32E	CLARK	USGS, IN OFFICE CONFIRMATION

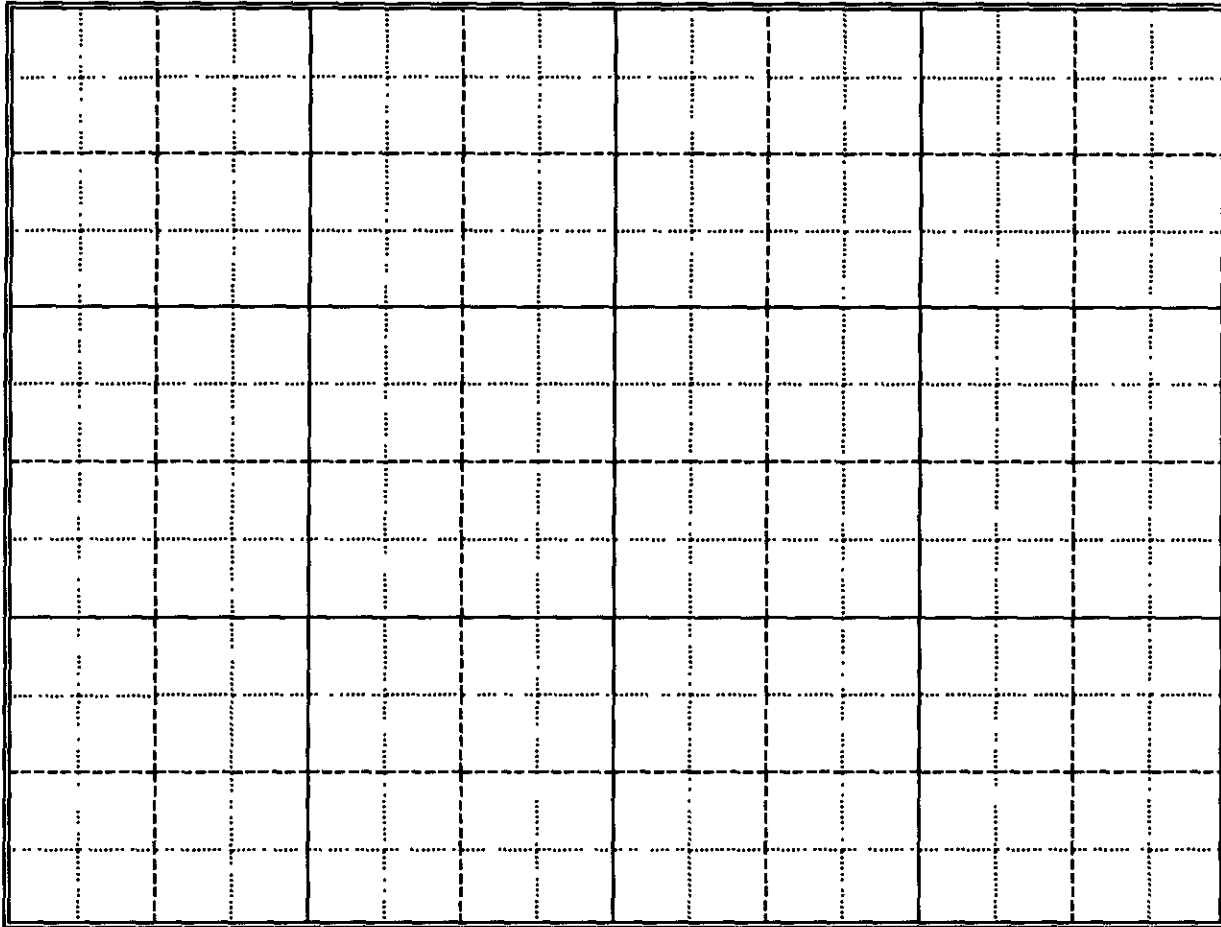
2 Place(s) of Use:

Indicate Method of Determination USFS, IN OFFICE

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	32E	12					S												
12N	33E	18					S												

NOV 13 1994

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i d. as applicable



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required)

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: _____

RECEIVED

FEB 13 1996

E. NARRATIVE/REMARKS/COMMENTS

DEVELOPED SPRING TO PIPELINE TO STOCK TROUGHS TO PROVIDE
WATER FOR 350 RANGE CATTLE 6-1 APR 10-15.

ALL INFORMATION AS PER OFFICE VISIT CONDUCTED 3-17-1974.

LOUISIANA 22 222222

LOUISIANA 222222 222222 222222 222222 222222
RECEIVED 222222

WILDLIFE USE USE ASSIGNED ELK, DEER ANTELOPE, ETC.

Have conditions of permit approval been met? ☐ yes ☐ no

095

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

As per permit 0.02 cfs**G. VOLUME CALCULATIONS****1. Volume Calculations for Irrigation:** $V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$ _____**2. Volume Calculations for Other Uses:**DE MINIMIS CONSUMPTION 0.60**H. RECOMMENDATIONS****1. Recommended Amounts**

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Stock water</u>	<u>6-1</u>	<u>10-15</u>	<u>0.02</u>	<u>0.60</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>0.02</u>	<u>0.60</u>

2. Recommended Amendments

☒ 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

I. AUTHENTICATIONField Examiner's Name Paul Meyer Date 10-31-91Reviewer Keith Carlson Date 11/2/94

SEAL

PROPOSED
11/2/94
11/2/94

MEMORANDUM

TO: File 32-07157 / B.L.M.
FROM: Brenda Chapman
DATE: November 14, 1994
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

G. VOLUME CALCULATIONS

Volume recommendation has been increased to 1.8 afa. The standard yearly volume for 350 range cattle from the stockwater chart is 4.7 af. Therefore, a 138 day season of use (6/1 to 10/15) is 38% of the total or 1.8 af.

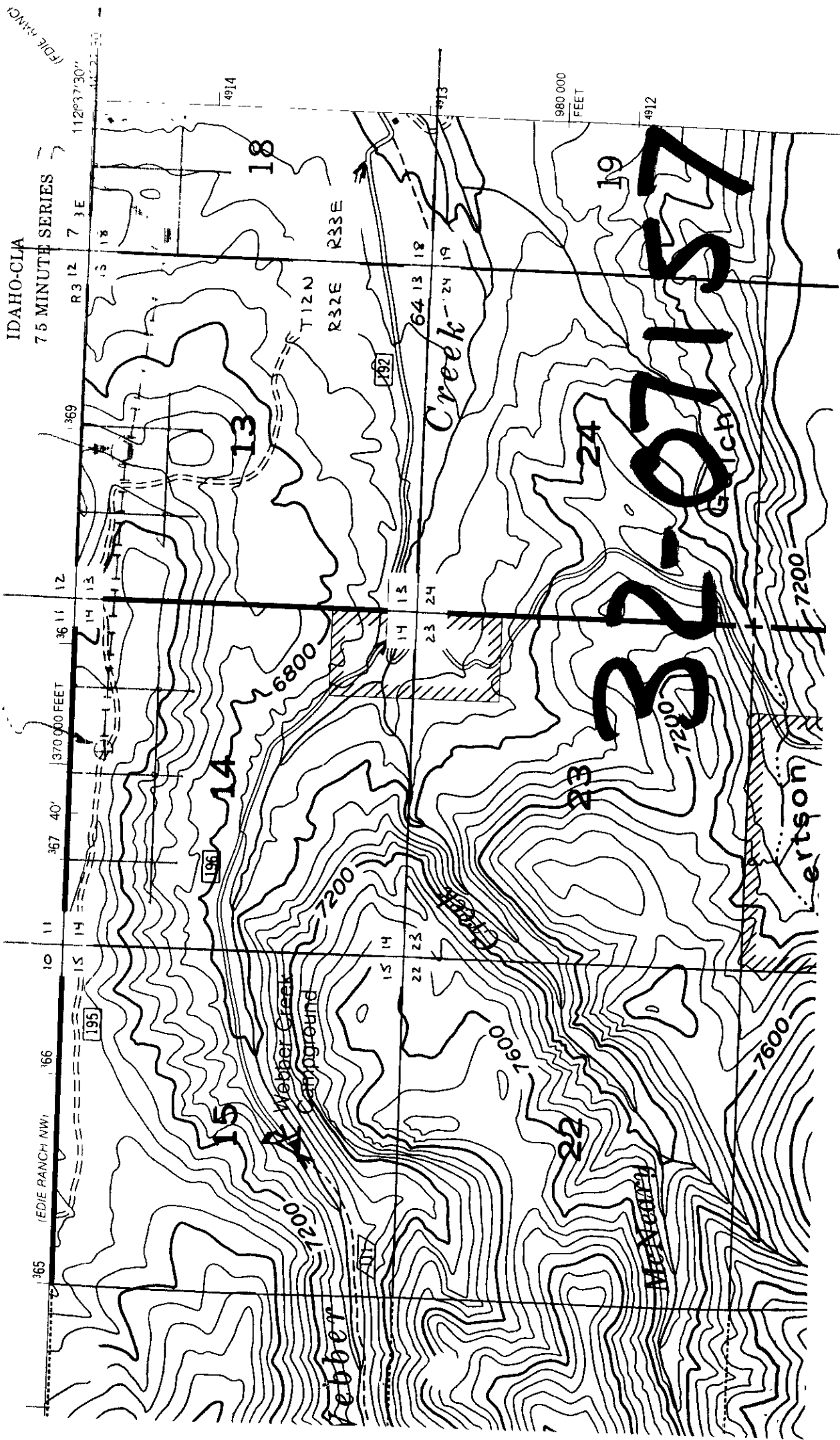
H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Stockwater	6/1 to 10/15	.02	1.8

See item G.

RANCH SW C
IDAHO-CLJA
75 MINUTE SERIES



EDIE RANCH NW1

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August 28, 1992

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 837060000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 32-07157

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

MICROFILMED
SEP 09 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 32-07157

Reviewed by Alg

Date 7/1/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
Proof timely received?
If not, complete calculation below.

Stock
Correct Uses? yes

SOURCE OF WATER

✓ Surface water source
Ground water source

NA Drilling permit required?
Copy in the file? Drilling Permit No. _____
Amount paid for permit _____ Correct?
Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
50.00 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
Installed?
Waiver requested?

PRIORITY CALCULATION

Date proof received 8/14/92 226
Date proof due 8/1/92 - 213
No. of days late = 13
Priority Date 3/25/87 + 284
New Priority Date 4/7/87 97

DEFICIENCIES OR ACTION ITEMS

no'ts OK

proof acceptable

needs an order

DATA ENTRY

New Address _____

Proof Made 8/14/92
8/24/92 leg

August 5, 1992

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 837060000

LAPSE NOTICE

RE: PERMIT NO. 32-07157

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated May 31, 1992. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 8/5/92
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Klg
J



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 1, 1992

USDI Bureau of Land Management
940 Lincoln Road
Idaho Falls, ID 83401

Re: Permit No. 32-07157

Dear Permit Holder:

Returned is the proof of beneficial use you submitted in connection with the above referenced permits. Unfortunately, it is unacceptable as filed.

The Department has determined, from pertinent sections of the Idaho Code, that the permit holder must meet two requirements in order to be exempt from the license exam fee. They are:

1. The water right must use a groundwater source.
2. The rate of diversion must be .04 cfs or less.

As you can see, you do not meet requirement #1 since you use a spring (surface) for your source. Therefore, a license examination fee of \$50 applies to your permit. I have enclosed a copy of the Instructions for the Proof of Beneficial Use for your convenience.

Please return the proof of beneficial use and the \$50 license exam fee as soon as possible. In order to meet all the required dates, you must return the proof and fee by August 1, 1992.

If you have any questions or if I can be of any further assistance, please feel to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

MICROFILMED

SEP 09 1992

May 31, 1992

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 837060000

PROOF DUE NOTICE

RE: PERMIT NO. 32-07157

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

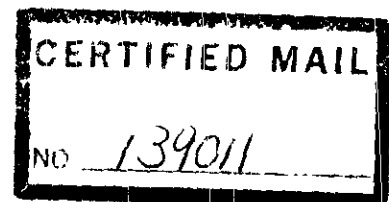
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures





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

August 10, 1987

RE: Permit Nos. 13-7440, 23-7113, 31-7483/7485/7487, 32-7153/7154/
7155/7156/7157, 34-7495/7496, 35-8640/8641/8643/
8644/8645/8646/8647/8648/8649/8650/8651

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

MAILED

AUG 18 1987

May 8, 1987

Mr. Don Shenton, Watermaster
Box 33
Dubois, Idaho 83423

Re: Application for Permit No. 32-7153, 32-7157
U.S.D.I. Bureau of Land Management

Dear Mr. Shenton,

We are enclosing copies of applications that may be of interest to you. Please review the applications and submit any comments you may have to our Department as soon as possible. The last date for protest is May 25, 1987 and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

Ernest Carlsen
Assistant Regional Manager

EC/md

Enclosure

RECORDED

APR 18 1987



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

A. Kenneth Dunn
Director

April 30, 1987

U.S.D.I. Bureau of Land Mgmt.
Idaho State Office
3380 Americana Terrace
Boise, Idaho 83706

RE: Applications for permit nos. 23-7113, 31-7482, 31-7483,
31-7484, 31-7485, 31-7486, 31-7487, 31-7488, 32-7153, 32-7154,
32-7155, 32-7156, 32-7157, 35-8639, 35-8640

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right applications for permit. The applications have been assigned identification nos. listed above. Please refer to these numbers in all further correspondence.

This office is currently in the process of advertising the applications in the Blackfoot News, Jefferson Star, Post Register & the Ashton Herald. The advertisements 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 the applications are protested, you will be sent a copy of the protest. The protest must be resolved before the applications are approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the applications are not protested, they will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the applications and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

Ernest Carlsen
Assistant Regional Manager

EC/md

MICROFILMED

AUG 18 1987

Proof of Publication

The Post-Register

RECEIVED

MAY 22 1987

State of Idaho, }
County of Bonneville } ss

Department of Water Resources
Eastern District Office

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 7th day of May, 1987, last publication having been made on the 14th day of May, 1987, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 19th day of May, 1987.

Notary Public

My commission expires September 30, 1988.

B10

NOTICE OF APPLICATION FOR WATER RIGHT

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

32-7154

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA TER-
RACE, BOISE, ID 83706
Source: WARM CREEK SPRING trib. to
DEEP CREEK
Diversion Pt. NENWNE Sec 29 T 11N R 33E
Use: STOCKWATER (0.050 CFS)
Date Filed: 03/25/1987
In: SWSW Sec 28 T 11N R 33E SWNE Sec 33
T 11N R 33E

32-7155

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA TER-
RACE, BOISE, ID 83706
Source: UNNAMED STREAM trib. to SINKS
Diversion Pt. NWNNE Sec 25 T 09N R 34E
Use: STOCKWATER (0.15 AF); STOCK-
WATER (0.15 AF)
Date Filed: 03/25/1987
In: NESE Sec 25 T 09N R 34E

32-7156

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA TER-
RACE, BOISE, ID 83706
Source: UNNAMED STREAM trib. to SINKS
Diversion Pt. NESENE Sec 25 T 09N R 34E
Use: STOCKWATER (0.15 AF); STOCK-
WATER (0.15 AF)
Date Filed: 03/25/1987
In: SENE Sec 25 T 09N R 34E

32-7157

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA TER-
RACE, BOISE, ID 83706
Source: SPRING trib. to WEBER CREEK
Diversion Pt. NWNWSE Sec 13 T 12N R 32E
Use: STOCKWATER (0.020 CFS)
Date Filed: 03/25/1987
In: NWSE Sec 13 T 12N R 32E

23-7115

U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG., 324
25TH ST., OGDEN, UT 84401
Source: LONG GULCH SPRING trib. to

SNAKE RIVER, SOUTH FORK
Diversion Pt. NESWSE Sec 05 T 01S R 44E
Use: STOCKWATER (0.020 CFS)
Date Filed: 04/27/1987
In: SWNE Sec 32 T 01N R 44E SWNE SESW
Sec 29 T 01N R 44E SENE Sec 30 T 01N R 44E
SWSE Sec 05 T 01N R 44E

23-7114

U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG., 324
25TH ST., OGDEN, UT 84401
Source: LAKE CANYON SPRING trib. to
PALISADES CREEK
Diversion Pt. SENWNW Sec 26 T 01N R 45E
Use: STOCKWATER (0.010 CFS)
Date Filed: 04/27/1987
In: NWNW Sec 26 T 01N R 45E

The permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402 on or before May 25, 1987.

Ken Dunn
Director

Published May 7, 14, 1987

RECEIVED

AUG 18 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

APRIL 29, 1987

The Post Register
P. O. Box 1800
Idaho Falls, Idaho 83401

Gentlemen

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 MAY 29, 1987.

Yours truly,

Michele Davis
Office Secretary

Encl.

RECEIVED
FILMED

AUG 18 1987

NOTICE OF APPLICATION
FOR WATER RIGHT

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

42-7197

U.S. DEPT. OF INTERIOR

BUREAU OF LAND MGMT., IDAHO STATE OFFICE, 1380 AMERICAN TERRACE,
BOISE, ID 83726

Source: SPRING to lb. to WEBER CREEK

Location: PT. MINNISH SEC. 12 T. 12N R. 12E

Use: STOCKWATER 10.020 CFS.

Date Filed: 05/25/1987

In: Boise Sec. 12 T. 12N R. 12E

The permits will be subject to all prior water rights.
Protests may be submitted based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public interest criteria of
Sec. 42.203C, Idaho Code. Protests must be filed with the
Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15,
Idaho Falls, Idaho, 83402 on or before May 25, 1987.

Ken Dunn

Director

Published May 7, and May 14, 1987

MICROFILMED

AUG 18 1987