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DEPT. OF WATER RESOURCES

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JAN - 8 2025

By _____ Clerk

Deputy Clerk

**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

) **SPECIAL MASTER'S REPORT AND**
) **RECOMMENDATION**
)
) **ORDER DENYING UNITED STATES'**
) **POST-TRIAL REQUEST TO**
) **ADJUDICATE QUANTITY**
)
) **ORDER DENYING UNITED STATES'**
) **POST-TRIAL REQUEST TO**
) **ADJUDICATE FORFEITURE**
)
) **FINDINGS OF FACT AND**
) **CONCLUSIONS OF LAW**
)
) **FOR WATER RIGHTS 67-15263 et al.**
) **See Ex. A**

I. APPEARANCES

Norman M. Semanko and Garrett M. Kitamura, Parsons Behle & Latimer, for claimants
Keith and Karen Hood.

Mark J. Widerschein, Katherine Laubach, and Michelle Ramus, Natural Resources
Section, Environment and Natural Resources Division, U.S. Department of Justice, for objector
United States of America, Department of Interior, Bureau of Land Management.

II. PROCEDURAL BACKGROUND

The above-captioned subcases require the SRBA District Court to make a factual
determination regarding the priority date of the above-captioned water right claims, i.e. the date
these water rights were established by claimants Keith and Karen Hoods' predecessors-in-
interest by means of grazing their livestock on public grazing lands in the areas adjacent to the

claimed stream reaches. In their claims, the Hoods asserted a priority date of December 28, 1896. At trial, counsel for the Hoods modified their claimed priority date to October 15, 1900, which is the date the Hoods' predecessor-in-interest David Edwards settled upon the land pertaining to Homestead Entry No. 4486.

Each party moved for summary judgment, and on September 6, 2024, this Special Master issued a *Memorandum Decision and Order on Cross Motions for Summary Judgment*, which denied both motions for summary judgement.

A trial was held in Boise, Idaho, on October 2-3, 2024. On November 15, 2024, both parties submitted post-trial briefs and proposed findings of fact and conclusions of law. This matter is deemed fully submitted for decision on November 18, 2024.

III. ISSUES PRESENTED AT AND AFTER TRIAL

A. Issue of Quantity.

The objections filed by the United States do not include an objection to the quantity element of the Hoods' water right claims. Nevertheless, in its *Post-Trial Brief*, the United States asserts that the issue of quantity needs to be determined because the evidence in the record shows that the cattle operations of David Edwards and Charles Edwards grew over time, hence a quantity based upon the number of livestock in the early years of the Edwards' nascent cattle operations would have been smaller than in later years when the operations had grown and matured. The evidence in the record shows that by July 1935, the cattle herd owned by Charles Edwards numbered at least 250 head. Joint Ex. 308 at BLM_672. During the time period beginning on November 8, 1899 (the date that David Edwards made Homestead Entry No. 4486) and ending on November 22, 1906 (the date he filed his Homestead Proof), David Edwards cultivated 13 acres of land, fenced 30 acres, and built a stable. U.S. Ex. 16 at BLM_260-261. These improvements to his homestead indicate that he was raising some livestock, but not the 250 head that his son Charles had amassed by 1935. As correctly stated by the United States, "the number of cattle and, thus necessarily, the amount of water, increased over time." *U.S. Post-Trial Brief*, p. 27. The United States asserts that any quantities decreed should be based upon the provable number of cattle for a particular priority date and subsequent accretions to the herd size would entail a different water right for the additional quantity with a later priority date. The issues, therefore, are: 1) whether the matter of quantity was tried by the parties so as to

allow a decision to be rendered regarding the quantity element of the Hoods' water right claims; and 2) whether the quantity element for a *de minimis* instream stockwater right should be based upon and limited by a particular number of cattle.

B. Issue of Forfeiture.

As to what the United States has labeled "Category 4" and "Category 5" claims in its Post-Trial Brief,¹ the United States asserts that to the extent these water rights came into existence prior to the implementation of the Taylor Grazing Act, they were forfeited for nonuse from 1936 through 1975 and a new water right came into existence when the Horse Flat Allotment was created, at which time the Hoods' predecessor-in-interest Melvin Dotson gained authorization to graze his cattle in the areas where these "Category 4" and "Category 5" claims are located. *U.S. Post-Trial Brief* at pp. 21-24. The issue, therefore, is whether the matter of forfeiture was tried by the parties so as to allow a decision to be rendered regarding the forfeiture of these water rights.

C. Issue of Priority Date.

The only issue framed by the pleadings and litigated at trial was the issue of making a factual determination of the priority dates for each of the Hoods' 27 water right claims (i.e. the date that each of the water rights were created by the Hoods' predecessors-in-interest by means of grazing livestock in the area where the stream reaches for each of the water rights is located).

IV. ISSUE OF QUANTIFICATION

In its *Post-Trial Brief*, the United States asserts that for any of the Hoods' water right claims that may be decreed with a priority date earlier than 1931, the SRBA District Court should also determine a quantity that corresponds to the number of cattle owned by the Hoods' predecessors-in-interest as of such earlier date. The United States asserts (correctly) that the number of cattle owned by David and/or Charles Edwards increased as the Edwards grew their cattle operations and that the amount of water they used increased correspondingly. The United

¹ The United States has designated the Category 4 claims as: 67-15272, 67-15274(part), 67-15278(part), 67-15283(part), 67-15285(part), and 67-15286. The Category 5 claims are: 67-15263, 67-15264, 67-15265, 67-15266, 67-15268, 67-15271, 67-15273(part), 67-15274(part), 67-15279, 67-15280, 67-15281, 67-15282, and 67-15283(part).

States argues that any decreed quantities should be recognized as “partial claim[s] for the provable amount of use at that earlier date, and then a later claim for the larger amount.” *U.S. Post-Trial Brief*, p. 28. For the reasons set forth below, this Special Master declines to make any factual findings as to graduated increases in quantity that corresponds to increases in herd size.

A. The issue of quantity was not raised in the pleadings and was not litigated at trial.

The *Notices of Claim* filed by the Hoods assert a diversion rate (quantity) of 0.02 cfs. The *Director’s Reports* recommended the water rights as claimed (0.02 cfs). The *Director’s Reports* also recommended two standard remarks, one which states: “The quantity of water under this right shall not exceed 13,000 gallons per day.” The second states: “The quantity of water decreed for this water right is not a determination of historical beneficial use.” IDWR Exs. 201 and 202. The objections filed by the United States do not specify quantity as a contested element.

Although the record reflects David Edwards and Charles Edwards grew their cattle operations over the years, no evidence of the quantity that would have been required for each incremental step in the growth of the Edwards’ cattle operation was offered at trial. Simply put, the issue of quantity was not litigated. The determination of whether an issue has been tried (but not pled) is a matter of discretion. *Lynch v. Cheney*, 98 Idaho 238, 561 P.2d 380 (1977). In an exercise of such discretion, this Special Master determines that the issue of quantity was not tried and that the quantity recommended in the *Director’s Reports* is presumed to be correct. Therefore, findings of fact regarding quantity cannot be made, and the post-trial request by the United States to adjudicate quantity based upon the number of cattle is denied.

B. The issue of whether a water right decree for a *de minimis* instream stockwater use needs to specify the number of livestock and/or a quantity based on a specific number of livestock was resolved in Basin-Wide Issue 12.

In Basin-Wide Issue 12, the SRBA District Court determined that: “It is not necessary to include the number of cattle in *de minimis* claims.” *Memorandum Decision and Order Re: Basin-Wide Issue 12*, Subcase 00-91012 (April 25, 1997). In making this determination, the SRBA District Court adopted the recommendation of the special master, which stated:

Originally, IDWR included number of stock as a remark to purpose of use. Subsequently, IDWR proposed to include number of stock as a remark under quantity. The number of stock, along with other variables, was used to arrive at a diversion rate which attempted to recognize the actual and historic use for a particular stockwater right. During the hearing on this matter, IDWR abandoned number of stock in favor of capping stockwater uses to 13,000 gallons per day for all livestock and wildlife uses regardless of actual historic use. [internal citation omitted]. Under this method of determining quantity, the parties and IDWR agreed that it is not necessary to include the number of stock as a remark to quantity or purpose of use. The court concurs with this agreement.

Special Master's Second Amended Recommendation Re: Basin Wide Issue 12, Subcase 00-91012 (August 12, 1996). The United States was a party to Basin-Wide Issue 12.

The longstanding rule in the SRBA is that partial decrees for *de minimis* instream stockwater rights are not required to specify the number of cattle. The corollary to this rule is that such partial decrees do not need to include a quantity that would be tied to a specific number of cattle (so long as the water right is limited to 13,000 gallons per day, as is the case with the claims at issue).

This is not to say that a determination of the extent of historic beneficial use would not be necessary at some time in the future, such as may be the case if a party were to apply to transfer a *de minimis* instream stockwater right, or in the case of priority administration of hydraulically connected water rights in times of shortage. Under such circumstances, it may be necessary to determine the number of cattle and/or the quantity based on a particular number of cattle at some given time in the past. The included remark ("The quantity of water decreed for this water right is not a determination of historical beneficial use") preserves this issue.

V. ISSUE OF FORFEITURE

The United States asserts, in regard to a subset of the above-captioned water rights, that the Hoods' predecessor-in-interest (Charles Edwards) could not have legally run his cattle on the land where the stream reaches for these water rights are located from a period beginning with the 1936 grazing season and ending with the 1974 grazing season. Therefore, the United States asserts, any water rights that may have been established by David and/or Charles Edwards prior to the 1936 grazing season "would not have been able to be maintained." *U.S. Post-Trial Brief* p. 24, citing ***Memorandum Decision and Order on Challenge; Order of Partial Decrees***,

Subcases 55-10288B et al. p. 27 (“*LUI*”). The United States further asserts that the earliest priority date that the Hoods would be entitled to is April 1, 1975, which is when the Hoods’ predecessor-in-interest Melvin Dotson was given authorization to graze his cattle on the entirety of the Horse Flat Allotment.

Both the *Memorandum Decision* in *LUI* and the United States’ *Post-Trial Brief* use the phrase “*would not have been able to be maintained*” in reference to water rights that may have been established before the passage of the Taylor Grazing Act (TGA) when there was an implied license to graze on federal land, but after the implementation of the TGA, no license was issued to the livestock owner for continued use of that land. Although not expressly stated in either the *LUI Memorandum Decision* or by the United States in its *Post-Trial Brief*, it appears that the words “*not maintained*” is a reference to statutory forfeiture pursuant to I.C. § 42-222. Accordingly, this Special Master will analyze this issue relative to the law of water right forfeiture.

Here, the relevant basics of the law of water right forfeiture in Idaho are: 1) A water right is subject to forfeiture upon failure of the right holder to use the water for a term of five years (I.C. § 42-222(2)). 2) Forfeitures are disfavored. *Barnes v. Jackson*, 163 Idaho 194, 198 (2018) citing *Aberdeen-Springfield Canal Co. v. Peiper*, 133 Idaho 82, 87 (1999). 3) The party asserting forfeiture bears the burden of proof by clear and convincing evidence. I.C. § 42-222(2). 4) A forfeiture defense that could be relevant in these subcases is the “no-control” exception codified in I.C. § 42-223(6). 5) Another forfeiture defense that could be relevant in these subcases is the resumption-of-use doctrine, which states that forfeiture is not effective if, subsequent to a five-year period of non-use, the owner of the right resumes use prior to a claim of right by a third party. *Barnes v. Jackson*, 163 Idaho 194, 198, citing *Sagewillow, Inc. v. IDWR*, 138 Idaho 831, 836.

As to what the United States has styled the “Category 4” and “Category 5” claims, the record demonstrates that the United States is correct in its assertion that the Hoods’ predecessors-in-interest Charles Edwards and Melvin Dotson were not authorized to use the grazing land associated with such water right claims during the period of 1936 through 1974. However, this does not necessarily mean that any water rights on such grazing land established by David and/or Charles Edwards prior to 1936 were forfeited for non-use. The record in these subcases is insufficient for purposes of demonstrating clear and convincing evidence of disfavored

forfeiture. This issue of forfeiture was not raised on summary judgement, nor was it pled in the objections. At trial, the only substantive mention of forfeiture and possible defenses thereto was in the following colloquy between the Hoods' lawyer Mr. Semanko and IDWR witness Craig Saxton:

Q. So let's talk about that scenario.

Let's just assume that there was water use in all of the 1975 areas, all within the Horse Flat Allotment as of 1900. Let's just assume that.

A. Okay. Okay

Q. And that was all done before the Taylor Grazing Act. So as soon as the beneficial use was made, a water right was created; correct?

A. Correct. Yep.

Q. So what happens 35 years later when the BLM says, Nope, sorry. You can't have that whole township range. You can only have these. What happens to that water right? Does it still exist or not?

A. Well, if it's – if it stopped being used, then it makes the right subject to be forfeited.

Q. Is that true if it's for circumstances beyond the control of the applicant? In other words, he wasn't allowed to go out there anymore? He couldn't access his water right. He didn't do anything affirmatively to forfeit. He was prevented from doing it. Would that not be a defense?

A. So then we're moving into the territory of defenses to forfeiture, and I don't think I can speak directly to those.

Q. Fair enough. But you can spot the issue?

A. Yeah, I see what you're saying.

Q. And in that case, if the right was unused because of inability to access the federal land when the right to access the federal land happened, whenever it happened – let's say it's 1975. If there was a defense, the water right would still be there; correct?

A. It's possible it could be resumed.

Tr. pp. 86:3-87:11. Although the record reflects that Charles Edwards or his successors-in-interest were unable to use the "Category 4" and "Category 5" water rights during the grazing seasons from 1936 through 1974, this does not mean that such water rights were automatically forfeited. Forfeiture is not self-executing. The record in these subcases is devoid of any facts, argument, or analysis as to whether Melvin Doston's water use beginning in 1975 was a resumption of the water rights established by David and/or Charles Edwards prior to 1936, or whether Melvin Dotson's use created a new water right in 1975. There is also no indication of

whether there was an intervening claim of right by the United States, whereby the United States relied upon the water that remained unused by Charles Edwards (or his successors-in-interest) from 1936 to 1974. Simply put, the record in these “Category 4” and “Category 5” subcases is insufficiently developed to clearly and convincingly demonstrate forfeiture. Accordingly, factual findings regarding forfeiture will not be made, and the United States’ post-trial request for such is denied.

VI. FINDINGS OF FACT AND CONCLUSIONS OF LAW RE: PRIORITY DATE

A trial was held in Boise, Idaho, on October 2-3, 2024. The Special Master, having heard the testimony of the witnesses and having reviewed other evidence produced at trial and having considered the closing arguments of the parties and the post-trial briefing and the proposed findings of fact and conclusions of law of the parties, makes the following findings of fact and conclusions of law.

A. The Base Property and the Horse Flat Allotment.

1. Claimants Keith and Karen Hood are the owners of certain real property located at 3101 Rush Creek R., Cambridge Idaho 83610. This Base Property is 640 acres in T15N, R03W, comprising the SWSW of Section 21; the NENE, NWNE, SWNE, SENE, NENW, NWNW, SWNW, SENW, NESW, NWSW, NESE, and NWSE of Section 28; and the NENE, SENE, and NESE of Section 29 (“Base Property”). Joint Exs. 319, 322, and 324.

2. Through a series of land patents issued between 1908 and 1920, the United States conveyed the Base Property into private ownership. Joint Exs. 301-306; Tr. 264:14-264:22.

3. By December 14, 1934, the Hoods’ predecessor-in-interest Charles Edwards had acquired ownership of all the parcels that constitute the 640-acre Base Property. Tr. 264:23-265:8.

4. Prior to the effective date of the Taylor Grazing Act (June 28, 1934), the land that is presently denominated as the “Horse Flat Allotment” was public domain land available for public grazing use.

5. On April 8, 1935, the Secretary of the Interior established the Idaho Grazing District No. 1, which included the land that later became known as the Horse Flat Allotment. *See* 6 Fed. Reg. 5657 (Nov. 7, 1941).

6. The first date (post-TGA) that any single individual was authorized to graze livestock on the entirety of the modern-day Horse Flat Allotment was April 1, 1975.

7. The Hoods are currently Bureau of Land Management grazing permittees on the Horse Flat Allotment. Joint Ex. 319.

B. The Hoods' Water Right Claims.

8. The points of diversion and places of use for all the Hoods' water right claims at issue herein are located on the Horse Flat Allotment. IDWR Exs. 201 and 202.

9. The points of diversion and places of use for the subject water right claims are located within T15N R03W, Boise Meridian. U.S Ex. 33.

10. The priority date claimed by the Hoods was December 28, 1896.

11. The *Director's Report* recommended water rights with the priority date as claimed.

12. The United States filed objections to the water right claims, specifically objecting to the element of priority date.

13. The United States asserts that the priority dates of the Hoods' water right claims should be June 28, 1931, April 1, 1943, and April 1, 1975, based upon the Hoods' predecessors-in-interests' first authorizations to graze on the relevant portions of the federal land. *U.S. Post-Trial Brief*, p. 2.

14. The Hoods currently assert a priority date of October 15, 1900, for all their claims. *Hoods' Post-Trial Brief*, p. 20.

C. The applications for grazing license by Charles Edwards and Elmo Edwards and issuance of a Grazing License for the 1936 grazing season.

15. On June 28, 1934, the Taylor Grazing Act was signed into law. *See* 43 USC § 315 *et seq.* The TGA created a "new permit system [that] granted grazing privileges by preference to ranchers who had actually used a grazing district's land during a priority period before 1934." Laurence A. Clement Jr., "Taylor Grazing Act," *Encyclopedia of the Great Plains*, UNIVERSITY OF NEBRASKA-LINCOLN <http://plainshumanities.unl.edu/encyclopedia/doc/egp.ag.071>.

16. On March 2, 1936, the Secretary of the Interior issued Rules for Administration of Grazing Districts (1936 Federal Range Code) which provided the Division of Grazing with

instructions for issuing permits under the TGA. U.S. Ex. 27 at BLM_2251-2262. The Rules identified Class 1 Grazing Licenses (i.e., the highest preference grazing licenses) as “Qualified applicants with dependent commensurate property with priority of use.” *Id.* at BLM_2252. “Priority of use” was defined in the Rules as “such use of the public range before June 28, 1934, as local custom recognized and acknowledged as a proper use of both the public range and the lands or water used in connection therewith.” *Id.*

17. On July 27, 1935, Charles Edwards submitted an Application for Grazing Permit to the Division of Grazing, seeking a permit to graze 250 cattle on land within the Idaho Number One Grazing District (hereon July 1935 Application). Joint Ex. 308 at BLM_672-675.

18. A particularized description of the land being applied for is shown in a plat prepared by Charles Edwards and attached to the July 1935 Application. The plat shows that Charles Edwards was seeking a grazing permit for land adjacent to his deeded property in sections 20, 21, 29, and 33 of T15N, R03W, Boise Meridian (640 acres in section 20; 600 acres in section 21; 520 acres in section 29; and 640 acres in section 33). The July 1935 Application was for the 1936 grazing season.

19. On December 13, 1935, Charles Edwards and his son Elmo Edwards filed another Application for Grazing Permit for the 1936 grazing season (hereon December 1935 Application). Joint Ex. 309 at BLM_668. The December 1935 Application was similar to the July 1935 Application (i.e. it sought to graze 250 cattle), but it was quite different in the description of the land sought to be grazed. Rather than seeking authorization for the relatively small area described in the July 1935 Application, the December 1935 Application sought to graze the same 250 cattle anywhere within T15N R03W, 04W, and 05W, and 16N R02W, 03W, and 04W, Boise Meridian.

20. The deeded property owned by Charles Edwards and David Edwards is “near” to the lands that now constitute the Horse Flat Allotment and is “near” to the lands listed by Charles Edwards and/or Elmo Edwards in both the July 1935 and December 1935 Applications. The term “near” is defined in the 1936 Federal Range Code as “[private] property [that is] close enough to be used in connection with the public range in usual and customary livestock operations.” U.S. Ex. 27 at BLM_2252.

D. Date of Issuance of the Grazing License for the 1936 Grazing Season.

On October 5, 1936, the Division of Grazing issued a Class 1 License to Charles Edward & Son (hereon 1936 License). Joint Ex. 312. In its *Post-Trial Brief*, the United States asserts that the 1936 License was issued on Saturday, October 5, 1935, not on Monday, October 5, 1936. The significance of this discrepancy is that the United States argues that the December 1935 Application becomes an “historical nullity” if it was submitted by Charles and Elmo Edwards after the license for the 1936 grazing season had already been issued on October 5, 1935, as is alleged by the United States. *U.S. Post Trial Brief*, p. 18. At trial, witness Fred Price was asked: “And how can you tell that this [1936 License] is dated 1935 and not late 1936?” Tr. 292:25-293:1. Mr. Price responded: “Oh, it can’t be ’36 because it’s for ’36 grazing season starting April 1.” Tr. 293:2-293:2. The following findings of fact support the finding that the 1936 License was issued *ex post facto* on October 5, 1936. The date of issuance is important, because if the 1936 License was issued on October 5, 1936, an inference can be made as to why Charles and Elmo Edwards submitted a second Application in December 1935. On the other hand, if the United States is correct that the 1936 License was issued on October 5, 1935, then the December 1935 Application does appear to be an anomalous “historical nullity” as is asserted by the United States. Based upon the following findings of facts, this Special Master finds that the 1936 License was issued on Monday, October 5, 1936.

21. The last numeral in the date at the top of the 1936 License looks like a six, and not a five. Approximately one-half inch to the left of the six in the year is an example of a five imprinted by the same typewriter at the same time that the six was imprinted, so there is a good exemplar for comparison. Even though the edges of the numerals are fuzzy, one can clearly see the flat top of the five, compared to the rounded top of the six. The year reads “1936” not “1935.”

22. The last page of the 1936 License (as provided in Joint Ex. 312) is a billing statement for the 1936 grazing season, dated November 27, 1936. The statement shows a debit to Charles Edwards & Son in the amount of \$7.69. This amount is derived as follows:

250 cattle x \$0.05 per head x 22/30 month x 59.2% =	\$5.42
100 cattle x \$0.05 per head x 23/30 month x 59.2% =	\$2.27
TOTAL	\$7.69

This total amount of \$7.69 has been transferred to the first page of the 1936 License. The number of days is also shown on the first page of the 1936 License where it specifies: “250 cattle, from April 15 to May 7, 1936 [22 days]; 100 cattle, from May 7 to June 1, 1936 [23 days].” Joint Ex. 312. These dates of usage (April 15 to May 7; and May 7 to June 1) are a reflection of the dates that Charles and Elmo actually had their cattle on the public domain range, determined retrospectively, before they moved their cattle onto the summer range on the Forest Reserve. The billing was not determined prospectively. Pursuant to the March 21, 1936, Temporary License, Charles Edwards and Son were authorized to have their 250 cattle on the range from April 1 to June 15, 1936, a period of 75 days; however, they were not billed for 75 days, meaning that they were billed in arrears for actual use.

23. On February 21, 1936, Charles Edwards & Son submitted to the Division of Grazing a completed informational form with the header “TO ALL APPLICANTS FOR 1936 GRAZING PRIVILEGES . . .” (hereon 1936 Informational Form). The 1936 Informational Form states: “In order to determine your grazing privileges for the year 1936 it is necessary that you file the following information at your earliest convenience” Joint Ex. 310 at BLM_664.

24. The 1936 Informational Form would be rendered nonsensical if the 1936 License had already been issued in 1935, but it makes perfect sense if the 1936 License had yet to be issued. The 1936 Informational Form states: “In order to determine your grazing privileges for the year 1936” If the 1936 License had already been issued in October 1935, the grazing privileges for 1936 would have already been determined.

25. On March 21, 1936, the Division of Grazing sent correspondence to Charles Edwards & Son notifying them that “the Advisory Board of the Idaho No. 1 Grazing District has recommended allowance of your application for a temporary license to graze 250 cattle [on particularly described land] from April 1 to June 15.” (hereon March 21, 1936, Temporary License). Joint Ex. 311 at BLM_613.

26. The March 21, 1936, Temporary License sent to Charles Edwards & Son notified them that the Advisory Board of the Grazing District had recommended allowance of a temporary license. This correspondence makes no sense if the 1936 License had already been issued several months earlier on October 5, 1935. However, if the 1936 License had yet to be issued, this correspondence is not nonsensical.

27. On October 1, 1936, the Division of Grazing sent correspondence to Charles Edwards & Son notifying them that the Advisory Board of Idaho Grazing District No. 1 had recommended issuance of a "Class 1 License for 250 cattle from April 15 to May 7, 1936, and 100 cattle from May 7 to June 1, 1936" Joint Ex. 307 at BLM_611. The lands recommended to be authorized for grazing therein were jointly allotted lands in Sections 9, 15, 20, 21, 22, 28, 29 and individually allotted lands in sections 28 and 33, all in T15N, R03W.

28. On October 5, 1936, the Division of Grazing issued a Class 1 License to Charles Edward & Son permitting the grazing of 250 cattle on jointly allotted lands in Sections 9, 15, 20, 21, 22, and 29 and individually allotted lands in sections 28 and 33, all in T15N, R03W during a prescribed time period during the year 1936. Joint Ex. 312. This 1936 License was issued *ex post facto*, meaning that by the time the 1936 License was issued on October 5, 1936, the time period for which it was authorizing had already come and gone.

29. Consistent with the 1936 Federal Range Code, the margins of the October 1, 1936, correspondence and the 1936 License contain the following statement: "On Public Domain that has been used in connection with your dependent commensurate property for a period of three years prior to June 28, 1934."

30. A chronological summary of this timeline is as follows:

July 27, 1935 – Charles Edwards submits an Application for Grazing Permit.

December 13, 1935 – Charles Edwards & Son submit a second Application for Grazing Permit.

February 21, 1936 – Charles Edwards & Son submit the completed 1936 Informational Form.

March 2, 1936 – The Secretary of the Interior issues the 1936 Federal Range Code.

March 21, 1936 – The Division of Grazing notifies Charles Edwards & Son of the recommended allowance of a temporary license.

April 15 to May 7, 1936 – Charles Edwards & Son graze 250 cattle on the authorized land for 22 days.

May 7 to June 1, 1936 – Charles Edwards & Son graze 100 cattle on the authorized land for 23 days.

October 1, 1936 - The Division of Grazing sends correspondence to Charles Edwards & Son notifying them that the Advisory Board of Idaho Grazing District No. 1 had recommended issuance of a Class 1 License.

October 5, 1936 – The Division of Grazing issues the 1936 License to Charles Edwards & Son.

November 27, 1936 – The Division of Grazing issues a billing statement to Charles Edwards & Son billing them for 250 cattle for 22 days, and 100 cattle for 23 days.

E. Evidence of water use by David Edwards and Charles Edwards found in the July 1935 Application, the December 1935 Application, and the December 1955 correspondence.

31. Question No. 8 of the July 1935 Application form asks: “Have you previously used the lands covered by this application for grazing permit?” Answer by Charles Edwards: “Yes.” The form further asks: “If so, how many years and what is the usual period of use each year?” Answer: “For past 40 years.” Joint Ex. 308 at BLM_673.

32. In the July 1935 Application, the “lands covered by this application” are the same as the “lands wished to graze on” indicated on the attached plat.

33. The statement by Charles Edwards in the July 1935 Application is reliable and credible evidence that Charles Edwards and/or David Edwards had been grazing livestock on public domain lands located near their deeded property for the time period so stated.

34. The December 1935 Application contains the same statement by Charles Edwards & Son that the lands “covered by this application” had been used for the past 40 years. In the December 1935 Application, the lands “covered” are set forth on the first page of the Application as: T15N R03W, T15N R04W, T15N R05W, T16N R02W, T16N R03W, and T16N R04W, Boise Meridian. All the Hoods’ water right claims are located in the first township listed on the December 1935 Application, i.e. T15N R03W.

35. The statement by Charles Edwards & Son in the December 1935 Application is reliable and credible evidence that Charles Edwards, Elmo Edwards, and/or David Edwards had been grazing livestock on public domain lands located near their deeded property for the time period so stated.

36. The July 1935 Application sought grazing privileges on a relatively small amount of land located adjacent to Charles Edwards' deeded property. By mid-December 1935, with the 1936 grazing season rapidly approaching and no license having yet been issued, it can be inferred that Charles and Elmo were getting concerned about how they were going to feed their cattle in the spring. The December 1935 Application is their attempt to resolve this problem by providing the Division of Grazing with some acceptable alternatives should their preferred lands set forth in the July 1935 Application not be available. So, they described a much larger area of land, indicating their willingness to accept any subset thereof that could feed 250 cattle. In this context, the December 1935 Application makes logical sense. It is not an "historical nullity."

37. In the December 1935 Application, Charles and Elmo Edwards were not seeking an individual allotment of the entirety of the six Townships listed on the first page of the Application. They were seeking use of a sufficient amount of that land to provide forage for 250 cattle, in common with other users.

38. Prior to the passage of the TGA in 1934 and its subsequent implementation, stockgrowers who used federal public domain land as a source of forage in their livestock operations were not relegated to use the same areas of land each grazing season. Depending on a number of factors, including spring rainfall locations and amounts, snowmelt timing, grass growth, competition and/or cooperation with other users, and customary use, a stockgrower would have had some options each year. Each of the six townships listed in the December 1935 Application are proximately located to the Edwards' fee-owned property, and the Edwards' livestock could have been moved on/off each of these townships within a few days, based upon a rate of travel of six miles per day.

39. When Charles Edwards listed these six townships in his December 1935 Application, he was not just randomly listing out areas of land that he was not familiar with. To the contrary, because the continuation of his cattle operation depended on being granted usable and accessible grazing land, there can be no question that he listed lands that he knew met his criteria. The most likely explanation of how he came to be familiar with the areas of land he listed is that he had grazed cattle there in past years, just like he said.

40. In a letter dated December 28, 1955, sent by Charles Edwards & Son to the Bureau of Land Management, Charles Edwards states: "This is for the Taylor land which we have used

continuously for sixty years on exactly the same lands and have never missed a year of use”
Joint Ex. 316.

F. Proof of livestock ownership by David Edwards.

41. On November 8, 1899, David Edwards filed Homestead Entry No. 4486 at the Boise Land Office. U.S. Ex. 16 at BLM_260.

42. On November 22, 1906, David Edwards filed a *Homestead Proof - Testimony of Claimant* with the U.S. General Land Office regarding Homestead Entry No. 4486. U.S. Ex. 16 at BLM_260-261.

43. David Edwards settled upon the land pertaining to Homestead Entry No. 4486 on or about October 15, 1900. U.S. Ex. 16 at BLM_253.

44. The standard form used for the *Testimony of Claimant* asks: “Ques. 4.- When was your house built on the land and when did you establish actual residence therein? (Describe said house and other improvements which you have placed on the land, giving total value thereof.)” Part of David Edwards’ answer to this question was that the improvements he had placed on the land included “stable” and “30 acres fenced.” *Id.* at BLM_260.

45. In a handwritten affidavit dated March 15, 1907, David Edwards states that he has 14 acres of land under cultivation and that he has a corral worth \$25. *Id.* at BLM_231.

46. The existence of a corral, a stable, cultivation of 14 acres, and fencing of 30 acres of land are indicative of livestock ownership by David Edwards.

47. Also in the *Testimony of Claimant*, there is a question which asks: “Ques. 9.- What is the character of the land? Is it timber, mountainous, prairie, grazing, or ordinary agricultural land? State its kind and quality and for what purpose is it most valuable.” To which David Edwards answered: “Partly agricultural, but chiefly grazing.” *Id.*

48. A homestead entry and settlement on land that is chiefly grazing in character is indicative of livestock ownership by the entryman.

49. The United States issued Patent No. 2762 to David Edwards on May 26, 1908. Joint Ex. 305 at BLM_018.

G. Proof of livestock ownership by Charles Edwards.

50. On November 11, 1903, Charles Edwards filed Homestead Entry No. 6928, and Homestead Entry No. 8681. U.S. Ex. 21 at BLM_187.

51. Charles Edwards established actual residence upon the land in November 1904. U.S. Ex. 21 at BLM_187.

52. On January 3, 1911, Charles Edwards submitted his *Homestead Entry Final Proof* (Testimony of Claimant) for Homestead Entry No. 6928. U.S. Ex 21 at BLM_187-190.

Question No. 7 of the *Final Proof* form asks:

Question 7. State by subdivisions the number of acres cultivated, kind of crop planted, and amount harvested, each year. How many acres of the claim are now cleared, or broken, and under cultivation? If used for grazing only, state the number and kind of stock grazed each year and by whom owned.

Id. at BLM_188.

53. Charles Edwards answers:

The year 1905, I cultivated two acres, and planted wheat that year, and had a crop of about one ton to the acre of hay. Each year I added to the acreage and cultivation of my homestead and now I have 22 acres cultivated in all. I . . . had a crop of about two tons to the acre of grain-hay this year.

Id.

54. In the 1910 growing season, Charles Edwards harvested approximately 44 tons of hay.

55. In the July 1935 Application, Charles Edwards states that he feeds his cattle on his ranch for four months during the winter, utilizing 1 ½ tons per head of cattle. Joint Ex. 308 at BLM_673.

56. Dispensed at a rate of 1 ½ tons per head, 44 tons of hay would have allowed Charles Edwards to feed 29 head of cattle over the winter of 1910-1911.

57. Also in his *Final Proof*, in answer to Question No. 8 regarding the amount and kind of improvements, Charles Edwards answered that he had a barn with dimensions of 30'x48', and two quarter-quarters fully fenced. U.S. Ex. 21 at BLM_188.

58. The existence of two quarter-quarters being fenced, a barn, and the raising of hay crops are indicative of livestock ownership by Charles Edwards.

59. According to an obituary published in the Idaho Statesman on Sunday, December 17, 1961, Charles Edwards died on Saturday, December 16, 1961. Joint Ex. 320 (“Charles R. Edwards . . . died Saturday morning. . .”). The obituary states that Charles “came to the Salubria Valley in 1895 where he was engaged in farming and stock raising his entire lifetime.”

60. The United States issued Patent No. 222034 to Charles Edwards on August 24, 1911. Joint Ex. 304.

H. Edwards’ use of the Forest Reserve for grazing, and the Stock Driveway.

61. The Horse Flat Allotment abuts the modern-day Payette National Forest, which includes land formerly designated as the Weiser National Forest. The Weiser National Forest was created on May 25, 1905. *See* Richard C. Davis, *National Forests of the United States*, THE FOREST HISTORY SOCIETY (September 29, 2005).

62. In a 1914 U.S. Forest Service application for grazing permit, Charles Edwards averred that he owns 28 head of cattle and 5 horses and that he sought a permit to graze 20 head of cattle in the U.S. National Forest lands. Joint Ex No. 325 at BLM_2302-2303.

63. The U.S. Forest Service issued a grazing permit to David Edwards dated September 24, 1915. *Id.* at BLM_2304. The permit gave David Edwards permission to graze six horses on the West Pine Creek allotment of the Weiser National Forest (i.e., the present-day Payette National Forest). *Id.*

64. The U.S. Forest Service issued a grazing permit to “David Edwards Estate” dated April 20, 1918. Joint Ex. 325 at BLM_2306. The permit gave the estate of David Edwards permission to graze seven horses on the East Pine Creek allotment of the Weiser National Forest. *Id.*

65. A U.S. Forest Service Report on Qualifications of New Applicants dated November 6, 1918, states that Charles Edwards owned 25 head of cattle and 13 horses. *Id.* at BLM_2305. The Report further states that Charles Edwards is dependent on the forest range, that his ranch is six miles from the Weiser National Forest, and that he is “a Class A owner [that] lives on his ranch[,] milks cows[,] and farms the place himself.” *Id.*

66. Notably, “Class A owners” were given the highest preference to graze on the U.S. Forest Reserve. As defined by the Forest Service’s 1905 Use Book, “Class A owners” are “Small near-by owners. Persons living in or close to the reserve whose stock have regularly

grazed upon the reserve range and who are depended on its use.” U.S. Dep’t of Agriculture, Forest Service, THE USE BOOK: REGULATIONS AND INSTRUCTIONS FOR THE USE OF THE NATIONAL FOREST RESERVES (1905), p. 22.

67. On December 29, 1916, the Stock-Raising Homestead Act was signed into law. *See* 43 U.S.C. § 29 *et seq.* (repealed). Section 10 of the SRHA states, in relevant part, that the Secretary of the Interior may reserve “lands necessary to insure [sic] access by the public to watering places . . . needed for use in the movement of stock to summer and winter ranges or to shipping points” 43 U.S.C. § 300 (repealed).

68. On May 17, 1918, pursuant to the SRHA, the U.S. Department of the Interior entered Order of Withdrawal: Stock Driveway Withdrawal No. 20 (Idaho No. 1), which reserved numerous lands for use by the general public as stock driveways. Hood Ex. 169.

69. Among other lands, the Order of Withdrawal reserved numerous portions of the modern-day Horse Flat Allotment for use as stock driveways. Relevant here, the Order reserves the following areas in T15N, R03W:

In T. 15 N., R. 3 W., W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 8, Sec. 17, SE $\frac{1}{4}$, Sec. 19, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29 E $\frac{1}{2}$, Sec. 30 ...

Id., p. 4; *see also* Hood Ex. 170.

70. In a memorandum dated March 20, 1975, Cascade Area Manager Malcolm Schnitker documented a meeting he held with grazing licensees. U.S. Ex. 11 at BLM_1823-1825. The memorandum identifies one of the principal sources of stockwater as “Spring Creek on the north.” *Id.* at BLM_1823. The memorandum notes that Elmo Edwards “indicated that livestock are normally turned out on the south end of the allotment (lower elevation) and allowed to drift north.” *Id.* Noting further that grazing was occurring on the forest allotment land north of the Horse Flat Allotment, the memorandum summarized a discussion about encouraging use of the south end of the common allotment and amending the grazing schedule. *Id.*

71. The statement that Malcolm Schnitker attributed to Elmo Edwards regarding the livestock “drifting north” indicates that the typical behavior of the livestock has been to move towards the north end of the modern-day Horse Flat Allotment without being persuaded or dissuaded by humans, which evidences water use of the stream reaches located between the deeded property on the south and the Forest Reserve on the north.

72. On July 25, 1983, the Bureau of Land Management published 43 C.F.R. Public Land Order 6436, which scheduled the stock driveway established under Order of Withdrawal: Stock Driveway Withdrawal No. 20 (Idaho No. 1) – including the affected lands in T15N, R03W – to expire on July 25, 2003.

73. The use by Charles Edwards and David Edwards of the Forest Reserve land located to the north of the modern-day Horse Flat Allotment is indicative of their pre-TGA customary use of the land that now comprises the northern portion of the modern-day Horse Flat Allotment.

I. Ultimate Findings of Fact Regarding Priority Date.

74. The evidence in the record demonstrates that David Edwards and his son Charles Edwards were engaged in the business of raising cattle in the Salubria Valley since at least the time of their settlement on their respective homestead entries (October 15, 1900, and November 1904).

75. The livestock operations of David Edwards and Charles Edwards relied upon forage from three sources: 1) cultivated, harvested, and stored forage for use during the winter months; 2) privately owned grazing land; and 3) public domain grazing land used during the spring, summer, and fall.

76. The 1936 License states: “On Public Domain that has been used in connection with your dependent commensurate property for a period of three years prior to June 28, 1934.” Joint Ex. 312.

77. The Edwards’ deeded private property and the livestock operation conducted thereon was “dependent” on the public range as that term is defined in the 1936 Federal Range Code. The 1936 Federal Range Code states that “property is ‘dependent’ is [sic] [should be “if”] public range is required to maintain its proper use.” U.S. Ex 27 at BLM_2252.

78. David Edwards and Charles Edwards started their livestock operations from scratch. As they worked and invested to make improvements to their homestead entries (including increasing acreage under cultivation and making improvements necessary for raising livestock such as fencing, barns, stables, and corrals), they also grew their herd size. By 1910, Charles Edwards was raising enough hay to overwinter approximately 29 head (44 tons ÷ 1.5 tons per head = 29 head).

79. Beginning at the time that David Edwards and Charles Edwards settled on their respective homestead entries, the business model they followed relied on forage supplied by public domain land.

80. The Grazing Permit issued to the Hoods for the term ending on February 28, 2023, for the Horse Flat Allotment authorized the Hoods “to manage livestock numbers up to 50 cattle within the [applicable] season of use.” Joint Ex. 319 at BLM_1382.

81. During the first few years of their cattle operation, the Edwards’ herd was too small to utilize the entirety of the equivalent acreage of what now constitutes the Hoods’ proportionate share of the Horse Flat Allotment. However, by the 1911 grazing season, Charles Edwards could have turned out approximately 29 head plus the additional cattle owned by David Edwards, thus utilizing the entirety of what is now known as the Horse Flat Allotment. Accordingly, this Special Master finds that the priority date for the water rights that were established by David and Charles Edwards, which are now claimed by Keith and Karen Hood, should be decreed with a priority date of April 1, 1911, which was the first day of the 1911 grazing season.

82. The evidence in the record, including the “40 years” statements made by Charles Edwards in the July 1935 Application, the December 1935 Application, and the “sixty years” statement he made in 1955, indicates that David Edwards and Charles Edwards were turning their livestock out to graze on the public domain well before April 1, 1911. However, at the time of the Hoods’ claimed priority date of October 15, 1900, the combined herd of David and Charles Edwards was too small to utilize the entirety of an area the size of the Horse Flat Allotment.

83. By the start of the 1911 grazing season, Charles and David Edwards had grown their combined herd to a size that is close to the 50 head currently authorized for use by the Hoods on the Horse Flat Allotment. Therefore, by the 1911 grazing season, it is more likely than not that Charles Edwards and David Edwards were utilizing the entirety of the grazing land associated with each of the claimed 27 stream reaches.

J. Conclusions of Law.

1. Claimants Keith and Karen Hood bear the burden of persuasion regarding the contested element of priority dates for the above-captioned water right claims.

2. While Idaho Code Section 42-1404 does not expressly identify the standard of proof claimants must meet to establish the elements of their water right claims, Idaho courts have recognized that the preponderance of the evidence standard applies in such proceedings. See *Intermountain Health Care, Inc. v. Bd. of County Comm'rs of Blaine Cnty.*, 107 Idaho 248, 251, 688 P.2d 260, 263 (Ct. App. 1984), rev'd on other grounds 109 Idaho 299, 707 P.2d 410 (1985).

3. "A 'preponderance of the evidence' means evidence which, when weighed against the evidence opposed, has the more convincing force; under the preponderance standard, when the evidence is evenly balanced then the finding must be against the party who bears the burden of persuasion." D. Craig Lewis, IDAHO TRIAL HANDBOOK, 2nd Ed. § 10:12, citing *Big Butte Ranch, Inc. v. Grasmick*, 91 Idaho 6, 415 P.2d 48 (1966).

4. Regarding assertions of forfeiture, Idaho Code Section 42-222(2) requires that "[t]he party asserting that a water right has been forfeited has the burden of proving the forfeiture by clear and convincing evidence." I.C. § 42-222(2).

5. Water rights for stockwatering established under the constitutional method require the diversion of water and application to beneficial use. *Joyce Livestock Co. v. United States*, 144 Idaho 1, 8 (2007).

6. "[F]or stockwater use on federal land, the director shall accept the date of the first grazing permit issued on the federal grazing allotment, pursuant to federal grazing authorizations, including but not limited to the Taylor Grazing Act, as prima facie evidence of the date of priority, unless the claimant produces evidence of earlier stockwater use on the federal land, which shall then establish the date of priority." I.C. § 42-1411(d).

7. Representations by a predecessor-in-interest in grazing permit applications can serve as evidence of the date of priority. *Memorandum Decision on Remand and Order of Amended Partial Decrees*, SRBA Subcase nos. 55-10288B, et al. (July 3, 2008), pp. 5-6.

8. Prior to the passage of the Taylor Grazing Act, there was an implied license to graze on the public domain land that became the Horse Flat Allotment. See *Joyce Livestock Co. v. United States*, 144 Idaho 1 (2007) (citing *Buford v. Houtz*, 133 U.S. 320 (1890)).

9. In Basin-Wide Issue 12, the SRBA District Court held that for *de minimis* instream stockwater rights, the partial decree for such rights should not include the number of livestock. The corollary to this holding is that the quantity element for *de minimis* instream stockwater rights does not need to be calibrated to a particular number of livestock.

10. The Hoods' water right claims should be decreed with a priority date of April 1, 1911.

VII. RECOMMENDATION

In accordance with the foregoing, IT IS RECOMMENDED that the water rights listed on the attached Exhibit A be **decreed** with the elements as set forth in the attached

Recommendations for Partial Decree Pursuant to I.R.C.P. 54(b).

Dated _____



Theodore R. Booth
Special Master
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

67-15263
67-15264
67-15265
67-15266
67-15267
67-15268
67-15269
67-15270
67-15271
67-15272
67-15273
67-15274
67-15275
67-15276
67-15277
67-15278
67-15279
67-15280
67-15281
67-15282
67-15283
67-15284
67-15285
67-15286
67-15287
67-15288
67-15289

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 67-15263

RECEIVED

JAN 10 2025

DEPT. OF WATER RESOURCES

NAME AND ADDRESS: KAREN M HOOD
KEITH R HOOD
PO BOX 100
CAMBRIDGE, ID 83610-0100

SOURCE: UNNAMED STREAM TRIBUTARY: BEAVER CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T15N R03W S05 LOT 4 (NWNW) (Instream Beginning Point) Within Washington County
SESW (Instream Ending Point)

This right does not grant any right-of-way or easement across the
land of another.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

Stockwater use is for the in-stream watering of livestock.
The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal Land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.

PLACE OF USE:	Stockwater	Within Washington County
	T15N R03W S05 LOT 4 (NWNW)	SWNW
	NESW	NWSW
	SWSW	SESW

This right is appurtenant to the base property described below:
T15N, R3W, Section 21, SWSW
T15N, R3W, Section 29, NENE, SENE, and NESE
T15N, R3W, Section 28, NE1/4, NW1/4, NESW, NWSW, NESE, and NWSE.

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).

RECOMMENDATION

JAN - 8 2025

L. B. Smith
SPECIAL MASTER

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.

Eric J. Wildman
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 67-15264

RECEIVED

JAN 10 2025

DEPT. OF WATER RESOURCES

NAME AND ADDRESS: KAREN M HOOD
KEITH R HOOD
PO BOX 100
CAMBRIDGE, ID 83610-0100

SOURCE: UNNAMED STREAM TRIBUTARY: BEAVER CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T15N R03W S05 NESW (Instream Beginning Point) Within Washington County
NWSE (Instream Ending Point)

This right does not grant any right-of-way or easement across the
land of another.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

Stockwater use is for the in-stream watering of livestock.
The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal Land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.

PLACE OF USE:	Stockwater	Within Washington County
	T15N R03W S05	NESW NWSE

This right is appurtenant to the base property described below:
T15N, R3W, Section 21, SWSW
T15N, R3W, Section 29, NENE, SENE, and NESE
T15N, R3W, Section 28, NE1/4, NW1/4, NESW, NWSW, NESE, and NWSE.

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).

RECOMMENDATION

JAN - 8 2025

J. B. Booth
SPECIAL MASTER

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.

Eric J. Wildman
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 67-15265

RECEIVED

JAN 10 2025

DEPT. OF WATER RESOURCES

NAME AND ADDRESS: KAREN M HOOD
KEITH R HOOD
PO BOX 100
CAMBRIDGE, ID 83610-0100

SOURCE: UNNAMED STREAM TRIBUTARY: BEAVER CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T15N R03W S05 NWSE (Instream Beginning Point) Within Washington County
NWSE (Instream Ending Point)

This right does not grant any right-of-way or easement across the
land of another.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

Stockwater use is for the in-stream watering of livestock.
The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal Land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.

PLACE OF USE: Stockwater Within Washington County
T15N R03W S05 NWSE

This right is appurtenant to the base property described below:
T15N, R3W, Section 21, SWSW
T15N, R3W, Section 29, NENE, SENE, and NESE
T15N, R3W, Section 28, NE1/4, NW1/4, NESW, NWSW, NESE, and NWSE.

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).

RECOMMENDATION

JAN - 8 2025

[Signature]
SPECIAL MASTER

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.

Eric J. Wildman
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 67-15266

RECEIVED

JAN 10 2025

DEPT. OF WATER RESOURCES

NAME AND ADDRESS: KAREN M HOOD
KEITH R HOOD
PO BOX 100
CAMBRIDGE, ID 83610-0100

SOURCE: SPRING CREEK TRIBUTARY: CAMP CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T15N R03W S08 SWNW (Instream Beginning Point) Within Washington County
S17 SESE (Instream Ending Point)

This right does not grant any right-of-way or easement across the
land of another.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

Stockwater use is for the in-stream watering of livestock.
The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal Land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.

PLACE OF USE:	Stockwater	Within Washington County
	T15N R03W S08	NWSW
		SWSW
	S17	SWNE
		NENW
		NWNW
		SENE
		SESE
		NWSE

This right is appurtenant to the base property described below:
T15N, R3W, Section 21, SWSW
T15N, R3W, Section 29, NENE, SENE, and NESE
T15N, R3W, Section 28, NE1/4, NW1/4, NESW, NWSW, NESE, and NWSE.

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)

RECOMMENDATION

JAN - 8 2025

SPECIAL MASTER

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.

Eric J. Wildman
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 67-15267

RECEIVED
JAN 10 2025
DEPT. OF WATER RESOURCES

NAME AND ADDRESS: KAREN M HOOD
KEITH R HOOD
PO BOX 100
CAMBRIDGE, ID 83610-0100

SOURCE: UNNAMED STREAM TRIBUTARY: BEAVER CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T15N R03W S09 NWSW (Instream Beginning Point) Within Washington County
NWSE (Instream Ending Point)

This right does not grant any right-of-way or easement across the
land of another.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

Stockwater use is for the in-stream watering of livestock.
The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal Land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.

PLACE OF USE:	Stockwater	Within Washington County
	T15N R03W S09	NWSW
	NESW	NWSE

This right is appurtenant to the base property described below:
T15N, R3W, Section 21, SWSW
T15N, R3W, Section 29, NENE, SENE, and NESE
T15N, R3W, Section 28, NE1/4, NW1/4, NESW, NWSW, NESE, and NWSE.

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 42-14(2)(6).

RECOMMENDATION

JAN - 8 2025

SPECIAL MASTER

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.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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.

Eric J. Wildman
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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 67-15269

RECEIVED
JAN 10 2025
DEPT. OF WATER RESOURCES

NAME AND ADDRESS: KAREN M HOOD
KEITH R HOOD
PO BOX 100
CAMBRIDGE, ID 83610-0100

SOURCE: CAMP CREEK TRIBUTARY: WEISER RIVER

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T15N R03W S29 NESW (Instream Ending Point) Within Washington County
NESW (Instream Beginning Point)

This right does not grant any right-of-way or easement across the
land of another.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

Stockwater use is for the in-stream watering of livestock.
The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal Land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.

PLACE OF USE: Stockwater Within Washington County
T15N R03W S29 NESW

This right is appurtenant to the base property described below:
T15N, R3W, Section 21, SWSW
T15N, R3W, Section 29, NENE, SENE, and NESE
T15N, R3W, Section 28, NE1/4, NW1/4, NESW, NWSW, NESE, and NWSE.

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).

RECOMMENDATION

JAN - 8 2025

Les B. Booth
SPECIAL MASTER

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.

Eric J. Wildman
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 67-15270

RECEIVED
JAN 10 2025
DEPT. OF WATER RESOURCES

NAME AND ADDRESS: KAREN M HOOD
KEITH R HOOD
PO BOX 100
CAMBRIDGE, ID 83610-0100

SOURCE: CAMP CREEK TRIBUTARY: WEISER RIVER

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T15N R03W S29 SWSE (Instream Beginning Point) Within Washington County
SESE (Instream Ending Point)

This right does not grant any right-of-way or easement across the
land of another.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

Stockwater use is for the in-stream watering of livestock.
The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal Land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.

PLACE OF USE:	Stockwater	Within Washington County
	T15N R03W S29 SWSE	SESE

This right is appurtenant to the base property described below:
T15N, R3W, Section 21, SWSW
T15N, R3W, Section 29, NENE, SENE, and NESE
T15N, R3W, Section 28, NE1/4, NW1/4, NESW, NWSW, NESE, and NWSE.

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).

RECOMMENDATION

JAN - 8 2025

David R. Booth
SPECIAL MASTER

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.

Eric J. Wildman
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 67-15271

RECEIVED
JAN 10 2025
DEPT. OF WATER RESOURCES

NAME AND ADDRESS: KAREN M HOOD
KEITH R HOOD
PO BOX 100
CAMBRIDGE, ID 83610-0100

SOURCE: UNNAMED STREAM TRIBUTARY: CAMP CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T15N R03W S30 SESE (Instream Ending Point) Within Washington County
SWSE (Instream Beginning Point)

This right does not grant any right-of-way or easement across the
land of another.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

Stockwater use is for the in-stream watering of livestock.
The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal Land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.

PLACE OF USE: Stockwater Within Washington County
T15N R03W S30 SWSE SESE

This right is appurtenant to the base property described below:
T15N, R3W, Section 21, SWSW
T15N, R3W, Section 29, NENE, SENE, and NESE
T15N, R3W, Section 28, NE1/4, NW1/4, NESW, NWSW, NESE, and NWSE.

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).

RECOMMENDATION

JAN - 8 2025

Lee E. Booth
SPECIAL MASTER

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.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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.

Eric J. Wildman
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 67-15273

RECEIVED
JAN 10 2025
DEPT. OF WATER RESOURCES

NAME AND ADDRESS: KAREN M HOOD
KEITH R HOOD
PO BOX 100
CAMBRIDGE, ID 83610-0100

SOURCE: UNNAMED STREAM TRIBUTARY: SPRING CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T15N R03W S17 SENW (Instream Beginning Point) Within Washington County
S21 NWSW (Instream Ending Point)

This right does not grant any right-of-way or easement across the
land of another.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

Stockwater use is for the in-stream watering of livestock.
The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal Land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.

PLACE OF USE:	Stockwater	Within Washington County
	T15N R03W S17	SENW NESW
		NWSE SWSE
	S20	NWNE SWNE
		SENE NENW
		NESE
	S21	NWSW

This right is appurtenant to the base property described below:
T15N, R3W, Section 21, SWSW
T15N, R3W, Section 29, NENE, SENE, and NESE
T15N, R3W, Section 28, NE1/4, NW1/4, NESW, NWSW, NESE, and NWSE.

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).

RECOMMENDATION

JAN - 8 2025

Law B. Booth
SPECIAL MASTER

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.

Eric J. Wildman
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 67-15274

RECEIVED
JAN 10 2025
DEPT. OF WATER RESOURCES

NAME AND ADDRESS: KAREN M HOOD
KEITH R HOOD
PO BOX 100
CAMBRIDGE, ID 83610-0100

SOURCE: UNNAMED STREAM TRIBUTARY: SPRING CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T15N R03W S17 SESE (Instream Beginning Point) Within Washington County
S20 SENE (Instream Ending Point)

This right does not grant any right-of-way or easement across the
land of another.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

Stockwater use is for the in-stream watering of livestock.
The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal Land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.

PLACE OF USE:	Stockwater	Within Washington County
	T15N R03W S17 SESE S20 NENE	SENE

This right is appurtenant to the base property described below:
T15N, R3W, Section 21, SWSW
T15N, R3W, Section 29, NENE, SENE, and NESE
T15N, R3W, Section 28, NE1/4, NW1/4, NESW, NWSW, NESE, and NWSE.

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).

RECOMMENDATION

JAN - 8 2025

Lawrence Booth
SPECIAL MASTER

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.

Eric J. Wildman
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 67-15275

RECEIVED
JAN 10 2025
DEPT. OF WATER RESOURCES

NAME AND ADDRESS: KAREN M HOOD
KEITH R HOOD
PO BOX 100
CAMBRIDGE, ID 83610-0100

SOURCE: UNNAMED STREAM TRIBUTARY: RUSH CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T15N R03W S15 NESW (Instream Beginning Point) Within Washington County
S22 SENW (Instream Ending Point)

This right does not grant any right-of-way or easement across the
land of another.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Stockwater	01-01 TO 12-31	0.02 CFS

Stockwater use is for the in-stream watering of livestock.
The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal Land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.

PLACE OF USE:

Stockwater	Within Washington County
T15N R03W S15	SWSW
	SESW
S22	NWNW
	SENW

This right is appurtenant to the base property described below:
T15N, R3W, Section 21, SWSW
T15N, R3W, Section 29, NENE, SENE, and NESE
T15N, R3W, Section 28, NE1/4, NW1/4, NESW, NWSW, NESE, and NWSE.

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).

RECOMMENDATION

JAN - 8 2025

Les Booth
SPECIAL MASTER

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.

Eric J. Wildman
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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 67-15276

RECEIVED
JAN 10 2025
DEPT. OF WATER RESOURCES

NAME AND ADDRESS: KAREN M HOOD
KEITH R HOOD
PO BOX 100
CAMBRIDGE, ID 83610-0100

SOURCE: UNNAMED STREAM TRIBUTARY: RUSH CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T15N R03W S15 SWSW (Instream Beginning Point) Within Washington County
S22 NENW (Instream Ending Point)

This right does not grant any right-of-way or easement across the
land of another.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

Stockwater use is for the in-stream watering of livestock.
The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal Land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.

PLACE OF USE:	Stockwater	Within Washington County
	T15N R03W S15 SWSW S22 NWNW	SESW

This right is appurtenant to the base property described below:
T15N, R3W, Section 21, SWSW
T15N, R3W, Section 29, NENE, SENE, and NESE
T15N, R3W, Section 28, NE1/4, NW1/4, NESW, NWSW, NESE, and NWSE.

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).

RECOMMENDATION

JAN - 8 2025

Lawrence B. Smith
SPECIAL MASTER

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.

Eric J. Wildman
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 67-15277

RECEIVED
JAN 10 2025
DEPT. OF WATER RESOURCES

NAME AND ADDRESS: KAREN M HOOD
KEITH R HOOD
PO BOX 100
CAMBRIDGE, ID 83610-0100

SOURCE: UNNAMED STREAM TRIBUTARY: RUSH CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T15N R03W S21 NWNE (Instream Beginning Point) Within Washington County
S22 SWNW (Instream Ending Point)

This right does not grant any right-of-way or easement across the
land of another.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

Stockwater use is for the in-stream watering of livestock.
The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal Land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.

PLACE OF USE:	Stockwater	Within Washington County
	T15N R03W S21	NENE
		SENE
	S22	NWNW
		SWNW

This right is appurtenant to the base property described below:
T15N, R3W, Section 21, SWSW
T15N, R3W, Section 29, NENE, SENE, and NESE
T15N, R3W, Section 28, NE1/4, NW1/4, NESW, NWSW, NESE, and NWSE.

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).

RECOMMENDATION

JAN - 8 2025

Jan B. Smith
SPECIAL MASTER

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.

Eric J. Wildman
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 67-15278

RECEIVED

JAN 10 2025

DEPT. OF WATER RESOURCES

NAME AND ADDRESS: KAREN M HOOD
KEITH R HOOD
PO BOX 100
CAMBRIDGE, ID 83610-0100

SOURCE: UNNAMED STREAM TRIBUTARY: SPRING CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T15N R03W S20 SESE (Instream Ending Point) Within Washington County
NESW (Instream Beginning Point)

This right does not grant any right-of-way or easement across the
land of another.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

Stockwater use is for the in-stream watering of livestock.
The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal Land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.

PLACE OF USE:	Stockwater	Within Washington County
	T15N R03W S20	NESW SWSE
		NWSE SESE

This right is appurtenant to the base property described below:
T15N, R3W, Section 21, SWSW
T15N, R3W, Section 29, NENE, SENE, and NESE
T15N, R3W, Section 28, NE1/4, NW1/4, NESW, NWSW, NESE, and NWSE.

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).

RECOMMENDATION

JAN - 8 2025

Lee R. Booth
SPECIAL MASTER

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.

Eric J. Wildman
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 67-15279

RECEIVED

JAN 10 2025

DEPT. OF WATER RESOURCES

NAME AND ADDRESS: KAREN M HOOD
KEITH R HOOD
PO BOX 100
CAMBRIDGE, ID 83610-0100

SOURCE: UNNAMED STREAM TRIBUTARY: SPRING CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T15N R03W S08 NENW (Instream Beginning Point) Within Washington County
S17 NESE (Instream Ending Point)

This right does not grant any right-of-way or easement across the
land of another.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Stockwater	01-01 TO 12-31	0.02 CFS

Stockwater use is for the in-stream watering of livestock.
The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal Land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.

PLACE OF USE:

Stockwater		Within Washington County
T15N R03W S08	NENW	SENW
	NESW	SESW
	SWSE	
S17	NENE	NWNE
	SENE	NESE

This right is appurtenant to the base property described below:
T15N, R3W, Section 21, SWSW
T15N, R3W, Section 29, NENE, SENE, and NESE
T15N, R3W, Section 28, NE1/4, NW1/4, NESW, NWSW, NESE, and NWSE.

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).

RECOMMENDATION

JAN - 8 2025

David Booth
SPECIAL MASTER

Page 1

Jan-08-2025

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.

Eric J. Wildman
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 67-15280

RECEIVED

JAN 10 2025

DEPT. OF WATER RESOURCES

NAME AND ADDRESS: KAREN M HOOD
KEITH R HOOD
PO BOX 100
CAMBRIDGE, ID 83610-0100

SOURCE: UNNAMED STREAM TRIBUTARY: SPRING CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T15N R03W S08 SWNE (Instream Beginning Point) Within Washington County
S17 NWNE (Instream Ending Point)

This right does not grant any right-of-way or easement across the
land of another.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Stockwater	01-01 TO 12-31	0.02 CFS

Stockwater use is for the in-stream watering of livestock.
The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal Land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.

PLACE OF USE: Stockwater Within Washington County
T15N R03W S08 SWNE NESE
NWSE SESE
S17 NENE NWNE

This right is appurtenant to the base property described below:
T15N, R3W, Section 21, SWSW
T15N, R3W, Section 29, NENE, SENE, and NESE
T15N, R3W, Section 28, NE1/4, NW1/4, NESW, NWSW, NESE, and NWSE.

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).

RECOMMENDATION

JAN - 8 2025

Red B. Smith
SPECIAL MASTER

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.

Eric J. Wildman
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 67-15281

RECEIVED
JAN 10 2025

DEPT. OF WATER RESOURCES

NAME AND ADDRESS: KAREN M HOOD
KEITH R HOOD
PO BOX 100
CAMBRIDGE, ID 83610-0100

SOURCE: UNNAMED STREAM TRIBUTARY: SPRING CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T15N R03W S17 SESW (Instream Beginning Point) Within Washington County
SESW (Instream Ending Point)

This right does not grant any right-of-way or easement across the
land of another.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Stockwater	01-01 TO 12-31	0.02 CFS

Stockwater use is for the in-stream watering of livestock.
The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal Land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.

PLACE OF USE: Stockwater Within Washington County
T15N R03W S17 SESW

This right is appurtenant to the base property described below:
T15N, R3W, Section 21, SWSW
T15N, R3W, Section 29, NENE, SENE, and NESE
T15N, R3W, Section 28, NE1/4, NW1/4, NESW, NWSW, NESE, and NWSE.

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).

RECOMMENDATION

JAN - 8 2025

Red B. Booth
SPECIAL MASTER

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.

Eric J. Wildman
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 67-15282

RECEIVED

JAN 10 2025

DEPT. OF WATER RESOURCES

NAME AND ADDRESS: KAREN M HOOD
KEITH R HOOD
PO BOX 100
CAMBRIDGE, ID 83610-0100

SOURCE: UNNAMED STREAM TRIBUTARY: SPRING CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T15N R03W S17 SWSW (Instream Beginning Point) Within Washington County
SWSW (Instream Ending Point)

This right does not grant any right-of-way or easement across the
land of another.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

Stockwater use is for the in-stream watering of livestock.
The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal Land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.

PLACE OF USE: Stockwater Within Washington County
T15N R03W S17 SWSW

This right is appurtenant to the base property described below:
T15N, R3W, Section 21, SWSW
T15N, R3W, Section 29, NENE, SENE, and NESE
T15N, R3W, Section 28, NE1/4, NW1/4, NESW, NWSW, NESE, and NWSE.

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).

RECOMMENDATION

JAN - 8 2025

Lee R. Booth
SPECIAL MASTER

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.

Eric J. Wildman
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 67-15283

RECEIVED

JAN 10 2025

DEPT. OF WATER RESOURCES

NAME AND ADDRESS: KAREN M HOOD
KEITH R HOOD
PO BOX 100
CAMBRIDGE, ID 83610-0100

SOURCE: UNNAMED STREAM TRIBUTARY: CAMP CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T15N R03W S29 SESW (Instream Ending Point) Within Washington County
S30 NWNE (Instream Beginning Point)

This right does not grant any right-of-way or easement across the
land of another.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

Stockwater use is for the in-stream watering of livestock.
The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal Land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.

PLACE OF USE:	Stockwater	Within Washington County
	T15N R03W S29 SWSW	
	S30 NWNE	SWNE
	NESE	NWSE
	SESE	

This right is appurtenant to the base property described below:
T15N, R3W, Section 21, SWSW
T15N, R3W, Section 29, NENE, SENE, and NESE
T15N, R3W, Section 28, NE1/4, NW1/4, NESW, NWSW, NESE, and NWSE.

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).

RECOMMENDATION

JAN - 8 2025

Lee R. Booth
SPECIAL MASTER

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.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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.

Eric J. Wildman
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 67-15286

RECEIVED

JAN 10 2025

DEPT. OF WATER RESOURCES

NAME AND ADDRESS: KAREN M HOOD
KEITH R HOOD
PO BOX 100
CAMBRIDGE, ID 83610-0100

SOURCE: UNNAMED SPRING TRIBUTARY: SPRING CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T15N R03W S21 NENW (Instream Beginning Point) Within Washington County
NWNW (Instream Ending Point)

This right does not grant any right-of-way or easement across the
land of another.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

Stockwater use is for the in-stream watering of livestock.
The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal Land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.

PLACE OF USE:	Stockwater	Within Washington County
	T15N R03W S21	NENW NWNW

This right is appurtenant to the base property described below:
T15N, R3W, Section 21, SWSW
T15N, R3W, Section 29, NENE, SENE, and NESE
T15N, R3W, Section 28, NE1/4, NW1/4, NESW, NWSW, NESE, and NWSE.

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).

RECOMMENDATION

JAN - 8 2025

Lee B. Booth
SPECIAL MASTER

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.

Eric J. Wildman
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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 67-15287

RECEIVED

JAN 10 2025

DEPT. OF WATER RESOURCES

NAME AND ADDRESS: KAREN M HOOD
KEITH R HOOD
PO BOX 100
CAMBRIDGE, ID 83610-0100

SOURCE: UNNAMED SPRING TRIBUTARY: CAMP CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T15N R03W S21 SWSE (Instream Ending Point) Within Washington County
SENE (Instream Beginning Point)

This right does not grant any right-of-way or easement across the
land of another.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

Stockwater use is for the in-stream watering of livestock.
The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal Land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.

PLACE OF USE:	Stockwater	Within Washington County
	T15N R03W S21	SENE SWSE
		NESE SESE

This right is appurtenant to the base property described below:
T15N, R3W, Section 21, SWSW
T15N, R3W, Section 29, NENE, SENE, and NESE
T15N, R3W, Section 28, NE1/4, NW1/4, NESW, NWSW, NESE, and NWSE.

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).

RECOMMENDATION

JAN - 8 2025

Red B Booth
SPECIAL MASTER

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.

Eric J. Wildman
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 67-15288

REC

JAN 10 2025

DEPT. OF WATER RESOURCES

NAME AND ADDRESS: KAREN M HOOD
KEITH R HOOD
PO BOX 100
CAMBRIDGE, ID 83610-0100

SOURCE: UNNAMED STREAM TRIBUTARY: CAMP CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T15N R03W S21 SWNE (Instream Beginning Point) Within Washington County
SESE (Instream Ending Point)

This right does not grant any right-of-way or easement across the
land of another.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Stockwater	01-01 TO 12-31	0.02 CFS

Stockwater use is for the in-stream watering of livestock.
The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal Land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.

PLACE OF USE:

Stockwater	Within Washington County
T15N R03W S21	NWSE
SWSE	SESE

This right is appurtenant to the base property described below:
T15N, R3W, Section 21, SWSW
T15N, R3W, Section 29, NENE, SENE, and NESE
T15N, R3W, Section 28, NE1/4, NW1/4, NESW, NWSW, NESE, and NWSE.

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).

RECOMMENDATION

JAN - 8 2025

Lee B. Booth
OFFICIAL MASTER

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.

Eric J. Wildman
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 67-15289

RECEIVED

JAN 10 2025

DEPT. OF WATER RESOURCES

NAME AND ADDRESS: KAREN M HOOD
KEITH R HOOD
PO BOX 100
CAMBRIDGE, ID 83610-0100

SOURCE: UNNAMED STREAM TRIBUTARY: BEAVER CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T15N R03W S09 SWSE (Instream Beginning Point) Within Washington County
SESE (Instream Ending Point)

This right does not grant any right-of-way or easement across the
land of another.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Stockwater	01-01 TO 12-31	0.02 CFS

Stockwater use is for the in-stream watering of livestock.
The period of use under this water right is limited to the
period of use authorized by the United States for grazing on
Federal Land as described in the applicable grazing permit,
annual operating instructions, and other controlling documents.

PLACE OF USE:

Stockwater	Within Washington County
T15N R03W S09	SESE

This right is appurtenant to the base property described below:
T15N, R3W, Section 21, SWSW
T15N, R3W, Section 29, NENE, SENE, and NESE
T15N, R3W, Section 28, NE1/4, NW1/4, NESW, NWSW, NESE, and NWSE.

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).

RECOMMENDATION

JAN - 8 2025

John B. Booth
SPECIAL MASTER

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.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication