

736-15396

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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER
FROM THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1971-06-01
IDWR WATER RIGHT NO. 3602480014
BLM NUMBER: 3602480014
BASIS OF CLAIM: BENEFICIAL USE CLAIM
BASIN NO.: 36

SOURCE

UNNAMED STREAM

TRIBUTARY TO

SINKS

DESCRIPTION OF DIVERSION WORKS

RESERVOIR

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
STOCKWATER	0.000	0.20	0401	1231
WILDLIFE STORAGE	0.000	0.10	0101	1231
TOTAL:	0.000 CFS	0.30 AF		

NON-IRRIGATION USES

15,000 RANGE SHEEP VARIOUS WILDLIFE

TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
05S	24E	25		SW	SW	00	MINIDOKA

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	IRRIGATED ACRES
05S	24E	25	SW	SW	00	MINIDOKA	YES	0.0

TOTAL ACRES IRRIGATED 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

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OCT 20 1994

OTHER WATER RIGHTS

NONE

REMARKS

100-100000-100000
FEB 09 1993
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OCT 20 1994

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
in case follow-up is needed.

STEVE DAVIS

BLM - BURLEY

678-5514 ext 6626

2. SUBJECT OF INQUIRY:

THEY RECENTLY SENT A LETTER TO SOUTHERN ADJUDICATION
STAFF. MADE THE CLARIFICATION BY PHONE THAT IN FIRST
PARAGRAPH AT THE SENTENCE "IN ORDER TO AVOID ...",
THEY ARE NOT ASKING US (IDWR) TO CHANGE THE
DIRECTOR'S REPORT BUT MAY BE TO AGREE ON SOME
PRE-LITIGATION RESOLUTIONS BETWEEN PARTIES.

LETTER # 7250

3. RESPONSE TO INQUIRY:

I TOLD STEVE THAT THIS PROCESS WAS
HANDLED AT OUR BOISE OFFICE BY NICK SPENCER.
SOME PRELIMINARY FOOT WORK WILL BE DONE AT THIS
OFFICE THEN THE INFORMATION WOULD BE FORWARDED
TO NICK S. IN BOISE

I AGREED TO WRITE THIS MEMO AND FORWARD IT
TO NICK ALONG WITH THEIR PACKAGE AND LETTER # 7250.

4. IDWR STAFF AND DATE:

Print name and initial

WATER RIGHT CLAIM (Nos.):

Steve Clelland

8-18-93

STEVE CLELLAND sc

A36-2783 & A36-15396

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OCT 20 1994

A36-15391

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
in case follow-up is needed.

STEVE DAVIS

BLM

RT3 Box 1

BURLEY ID 83318

2. SUBJECT OF INQUIRY:

678-5514 EXT 6626

He Called 1-26-93 asking why the claims weren't allowed.
(see memo dated 1-26-93)

3. RESPONSE TO INQUIRY:

I called Him Back this day 1:30 pm.
I explained the reasons for the claims being listed
as incomplete. A36-15391 - source not verified
and conflict with other water right claim A36-14201
by Union Pacific RR. A36-15393 - source not verified
and no other sources found. I spent time explaining
why we view this situation as "source not verified".
I reminded him that A36-15396 was in
violation of the Permit Statutes.

4. IDWR STAFF AND DATE:

Print name and initial

WATER RIGHT CLAIM (Nos.):

Steve Clelland

1-27-93

STEVE CLELLAND

Sc

A36-15391

A36-15393

MICROFILMED

OCT 20 1994

A36-15396

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
in case follow-up is needed.

STEVE DAVIS

BLM - BURLEY

678-5514 EXT 6626

2. SUBJECT OF INQUIRY:

BLM

RT3 BOX 1

BURLEY

Mr. Davis called and asked for
the BLM numbers for these files
that were not allowed in the Basin 36 Director's Report.
36-15391, 36-15393 & 36-15396

3. RESPONSE TO INQUIRY:

the BLM numbers are listed in Comments:

claim incomplete 36-15391 = 3602480005

claim incomplete 36-15393 = 3602480011

no lawful approp. 36-15396 = 3602480014

I explained what was listed in the Remarks of each.

He then asked if I could further explain why they
were not allowed. I told him I would call back
on 1-27-93

4. IDWR STAFF AND DATE:

Steve Clelland

1-26-93

Print name and initial

STEVE CLELLAND

Su

WATER RIGHT CLAIM (Nos.):

A36-15391

A36-15393

A36-15396

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OCT 20 1994

APR 30 1993

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
Department of Water Resources
 Adjudication Bureau

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re the General Adjudication
 of Rights to the Use of Water
 from the Snake River Basin
 Water System

Case No. 36-15396
 (You must insert the
 water right number you
 are objecting to)

The State of Idaho, ex rel.
 R. Keith Higginson in his
 official capacity as Director
 of the Idaho Department of
 Water Resources,

OBJECTION

Petitioner,

vs.

The United States; the State
 of Idaho; and all Claimants to
 the use of water from the Snake
 River Basin Water System,

Respondents.

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

(Over)

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By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: United States of America
Bureau of Land Management
U. S. Department of the Interior
Idaho State Office
Address: 3380 Americana Terrace
Boise, ID 83706

Briefly describe your interest in this water right:

The United States of America, through the
Bureau of Land Management (BLM), has a
valid water right which Idaho Department
of Water Resources (IDWR) has recommended
be disallowed. Also, this claim, as sub-
mitted to IDWR, requires correction(s).

2. Owner of the water right:

Name: United States of America
Bureau of Land Management
Address: U. S. Department of the Interior
Idaho State Office
3380 Americana Terrace
Boise, ID 83706

3. If this objection is filed by an attorney:

Attorney Name: K. Jack Haugrud
Daria J. Zane
Attorney Address: U.S. Department of Justice
550 West Fort Street
Box 33
Boise, ID 83734
Attorney Phone No.: (202) 272-4134; (202) 272-8351

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☒ Quantity: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☒ the total quantity of water stored in acre-feet per year; or
 - c. ☒ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☒ Priority Date: I object to the priority date.
5. ☒ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☒ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☒ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I object to:
 - a. ☒ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☐ Remarks: I object to the "remarks" listed with the water right.

(Over)

12. ☒ Water Right Recommendation: I object to:
- a. ☐ this water right being recommended at all; or
- b. ☒ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☒ Other: I object to: Basis Of Claim
- _____
- _____
- _____
- _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

Boxes 3, 4, 5, 7, 8, 9, and 14 have been checked because corrections are needed concerning quantity, priority date, point of diversion, purpose of use, period of year, place of use, and basis of claim. Since initially filing this SRBA claim (number 36-15396), a "License And Certificate Of Water Right" [issued to BLM by the State of Idaho and assigned the IDWR number 36-02886 (originally number D2427)] has been discovered. License 36-02886 should have been used for the basis of claiming the water claimed by SRBA claim 36-15396. The total quantity of water stored, priority date, point of diversion, place of use, and basis of claim, are incorrect on SRBA claim 36-15396 (copy attached) and correct on license 3602886 (copy attached). Box 12 has also been checked because this claim should be recommended--especially in light of the corrections requested.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

The Director's Report should be changed to recommend allowance of this claim and incorporate the corrections needed. These corrections are shown on the attachment entitled "Correction(s) Needed".

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary. "Corrections Needed"

(1); copy of BLM's SRBA claim (2); "Map of Correct POD and POU" (1); "License And Certificate Of Water Right" No. 36-02886 (also includes "Application For Permit" and "Permit")
(2)

VERIFICATION (Must be Completed)

State of Idaho

County of Cassia

Gerald L. Quinn, Burley District Manager, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

Maurice R. Bayley for Gerald L. Quinn
Signature of person filing objection

By: _____
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 23rd day of April,
1993.

Dorothy Sommer
Notary Public for State of Idaho
Residing at: Cassia County
My Commission expires: March 1, 1998

(Over)

OBJECTION - 5

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INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the _____ day of _____, 199____, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

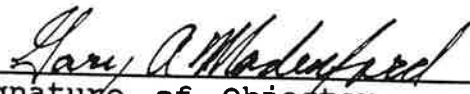
Owner name:	<u>United States of America</u>
	<u>Bureau of Land Management</u>
	<u>U. S. Department of the Interior</u>
	<u>Idaho State Office</u>
Owner's address:	<u>3380 Americana Terrace</u>
	<u>Boise, ID 83706</u>

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Objector or attorney
mailing on Objector's behalf

36-15396

Corrections Needed

BOXES 3 and 7 (Quantity and Purpose(s) of Use):

<u>As Presently Recorded</u>	<u>After Change Made</u>
Stockwater: 0.20 AFY	<u>Stockwater Storage: 0.70 AFY</u>
	<u>Stockwater From Storage: 0.70 AFY</u>
Wildlife Storage: 0.10 AFY	<u>Wildlife Storage: 0.10 AFY</u>
	<u>Wildlife From Storage: 0.10 AFY</u>
Total Volume: 0.30 AFY	Total Volume: <u>0.80 AFY</u>

BOX 4 (Priority Date):

Change from 06/01/1971 to 02/19/1971.

BOX 5 (Point Of Diversion):

Change from T05S R24E S25 SWSW to T05S R24E S27 SWSW.

BOX 8 (Period Of Year):

Change from "04-01 to 12-31" for stockwater to "01-01 to 12-31" for stockwater storage and stockwater from storage.

BOX 9 (Place Of Use):

Change from T05S R24E S25 SWSW to T05S R24E S27 SWSW.

BOX 14 (Other -- Basis Of Claim)

Change from "Beneficial Use " to "License".

(Over)

OBJECTION - 7

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OCT 20 1994

136-15396

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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER
FROM THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1971-06-01
IOWR WATER RIGHT NO. 3602480014
BLM NUMBER: 3602480014
BASIS OF CLAIM: BENEFICIAL USE CLAIM
BASIN NO.: 36

SOURCE

UNNAMED STREAM

TRIBUTARY TO

SINKS

DESCRIPTION OF DIVERSION WORKS

RESERVOIR

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
STOCKWATER	0.000	0.20	0401	1231
WILDLIFE STORAGE	0.000	0.10	0101	1231
TOTAL:	0.000 CFS	0.30 AF		

NON-IRRIGATION USES

15,000 RANGE SHEEP VARIOUS WILDLIFE

TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
05S	24E	25		SW	SW	00	MINIDOKA

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	IRRIGATED ACRES
05S	24E	25	SW	SW	00	MINIDOKA		0.0

TOTAL ACRES IRRIGATED 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OCT 20 1994

BLM NUMBER: 3602480014

PAGE 2

OTHER WATER RIGHTS

NONE

REMARKS

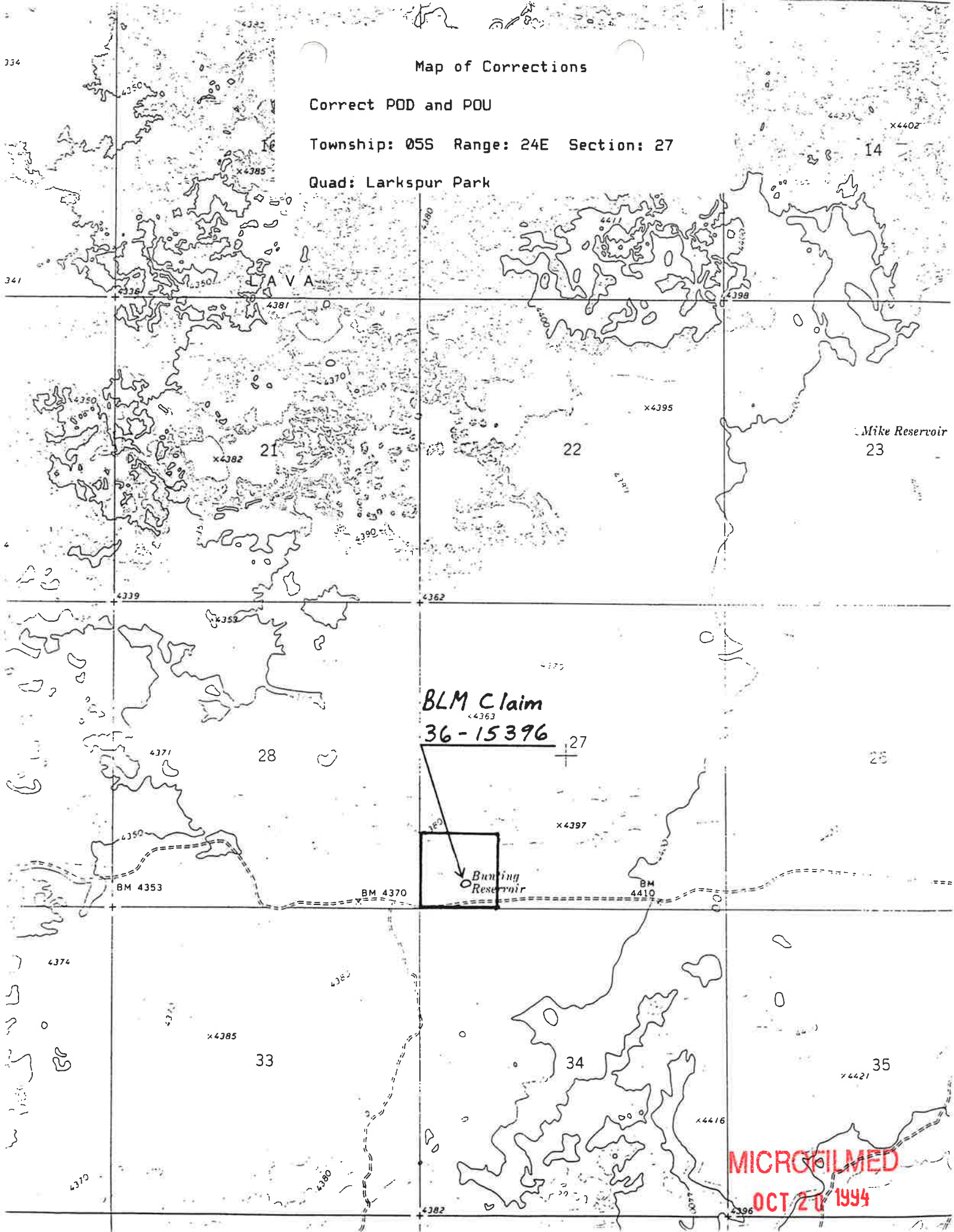
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OCT 20 1994

Map of Corrections

Correct POD and POU

Township: 05S Range: 24E Section: 27

Quad: Larkspur Park



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Bureau of Land Management

P. O. Drawer 2B, Shoshone, Idaho 83352

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO
FOR FARMSTEAD, DOMESTIC, OR STOCK WATERING PURPOSES

BY THE UNITED STATES DEPARTMENT OF THE INTERIOR

Application No. D 2427

Permit No. D 2427

District No. _____

FEB 19 1971

36-02886 → New No.

Department of Water Administration

1. Name of Applicant Bureau of Land Management (Bunting Res. 4233)
2. Post Office Address P.O. Drawer 2B, Shoshone, Idaho 83352
3. Quantity of water claimed Approximately 8 Acre Foot.
(Not to exceed 0.1 second foot or 16 acre feet)
4. Source of water supply Runoff
(Spring, well, unnamed stream, small lake, snow, or runoff)
5. Location of point of diversion 1455 feet distant from the SW corner of Section 27, Twp. 5S, Rge. 24E, B.M., and is in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27, Twp. 5S, Rge. 24E, B.M. in the County of Minidoka
6. Location of point of use (Same as Item 5) _____ feet distant from the _____ corner of Section _____, Twp. _____, Rge. _____, B.M., and in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$, Sec. _____, Twp. _____, Rge. _____
7. Water to be used for Livestock Water
8. Estimated cost of works \$300.00
9. Kind of works Reservoir
(Reservoir, dam, ditch, flume, pipe, etc.)
10. Size 120' long x 70' wide x 5' deep.
(Headgate, ditch, flume, pipe, etc.)
11. Time required to apply water to proposed use Now in Use.
12. If reservoir is used, fill in the following in addition to the above questions:
- (a) Height of dam _____ feet: Length at top _____ feet.
- (b) Material from which dam is constructed _____
(earth, concrete, timber, rock)
- (c) The outlet of the proposed reservoir is located _____ feet from the _____ corner of Section _____, Twp. _____, Rge. _____, B.M.

REMARKS: This is a pit type reservoir without a dam.

Applicant Bureau of Land Management

Agent Edward D. Savaria, Acting Dist. Mgr

[illegible]

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OCT 20 1994

POOR ORIGINAL

Approval of State Reclamation Engineer

The number of this permit is D. 2427

Recorded in Book 5 Page D. 2427 Approved February 23, 1971

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

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

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

Witness my hand this 23 day of February, 19 71


State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, _____ Governor of the State of Idaho,
and _____ Secretary of State of the State of Idaho, have caused this instrument
to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed,
this _____ day of _____, 19 _____

Countersigned:

STATE OF IDAHO

By _____
Secretary of State.

By _____
Governor.

No. D. 2427	PERMIT
Date of first receipt at office of State Reclamation Engineer	February 19, 1971
Returned to applicant for correction	
Corrected application received	
Fees \$ 1.00	
STATE OF IDAHO LICENSE AND CERTIFICATE OF WATER RIGHT	
Water License No. D. 2427	
TO Bureau of Land Management	
Source of Supply runoff	
Amount approx. 0.8 acre ft. ~~xxxxxx~~	
Place of Use SW 1/4 Sec. 27, T. 5 S., R. 24 E., B.M.	
Purpose Livestock Water	
Date of Priority February 19, 1971	
Recorded February 23, 1971	
In Book 5 of Licenses, Page 2427	

LICENSE AND CERTIFICATE OF WATER RIGHT

Water License No. D. 2427 Priority February 19, 1971 Amount approx. 0.8 acre ft.

This is to certify that Bureau of Land Management of P.O. Drawer 2B, Shoshone, Idaho
made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of
runoff under Use Permit No. D. 2427, and that said right to the use of said waters
has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of
Idaho and entered of record in Volume D. 5 of Licenses, at page D. 2427, on the 23
day of February, 19 71

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

WITNESS THE SEAL and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 23
day of February, 19 71


Reclamation Engineer.

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

In Re the General Adjudication)
of the Rights to the Use of Water)
from the Snake River Basin)
Water System)
_____)

Case No. 36-15396 -0001

The State of Idaho, ex rel.)
R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)

RESPONSE TO OBJECTION

Petitioner,)

vs.)

The United States; the State)
of Idaho; and all Claimants to)
the use of water from the Snake)
River Basin Water System,)

Respondents.)
_____)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

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OCT 20 1994

2. Person who filed objection:

Name: US BUREAU OF LAND MANAGEMENT
Address: DEPT OF INTERIOR
3380 AMERICANA TERRACE
BOISE ID 83706

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER

Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

3. |X| Quantity: I respond to the objection concerning:
- 3b. |X| The total quantity of water stored in acre feet per year.
- 3c. |X| The total quantity of water reserved for each and every purpose, including all present and future uses.
4. |X| Priority Date: I respond to the objection concerning the priority date.
5. |X| Points of Diversion: I respond to the objection concerning the legal description of the point(s) of diversion.
7. |X| Purposes of Use: I respond to the objection concerning the purpose(s) of use.
8. |X| Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.

9. ☒ Place of Use: I respond to the objection concerning:
- 9a. ☒ The legal description of the place of use.
12. ☒ Water Right Recommendation: I respond to the objection concerning:
- 12b. ☒ This water right not being recommended.
14. ☒ Other: I respond to the objection concerning:

BASIS OF CLAIM

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 3, 3b., 3c., 4, 5, 7, 8, 9, 9a., 12, 12b., and 14. and all allegations of the objection regarding these items IDWR responds as follows: This notice of claim was recommended for disallowal because the claimed priority date is after the May 20, 1971, mandatory permit requirement date for the appropriation of water from a surface water source. Idaho Code section 42-201. The United States also seeks a description of elements of the right different than stated on their notice of claim. The United States improperly seeks to use the objection process to amend its notice of claim. IDWR believes that a claimant must obtain leave of the court to amend a claim after the director's report is filed, just as a party must obtain leave of the court to file a late claim after the director's report is filed. Once leave of the court is granted, IDWR can investigate the amended claim and make an appropriate recommendation to the court. IDWR therefore denies the objection and all allegations of the objection.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

- ☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

(Over)

No. of
Pages

Notice of Claim No. A36-15396

2

CERTIFICATE OF MAILING

I hereby certify that on the 24TH day of AUGUST, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

See No. 3

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: US DEPT OF JUSTICE
Address: ENVT & NAT RESOURCES DIV
550 WEST FORT ST BOX 33
BOISE ID 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

David B. Shaw, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



Signature of person filing response

By: 
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 23rd day of August,
1993.


Notary Public for Idaho
Residing at: _____
My Commission expires: _____

Danni Smith, Notary Public
Residing at Boise, Idaho
My Commission Expires December 5, 1994

(Over)

736-15396

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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER
FROM THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1971-06-01
IDWR WATER RIGHT NO. 3602480014
BLM NUMBER: 3602480014
BASIS OF CLAIM: BENEFICIAL USE CLAIM
BASIN NO.: 36

SOURCE	TRIBUTARY TO
UNNAMED STREAM	SINKS

DESCRIPTION OF DIVERSION WORKS

RESERVOIR

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
STOCKWATER	0.000	0.20	0401	1231
WILDLIFE STORAGE	0.000	0.10	0101	1231
TOTAL:	0.000 CFS	0.30 AF		

NON-IRRIGATION USES

15,000 RANGE SHEEP VARIOUS WILDLIFE

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
05S	24E	25		SW	SW	00	MINIDOKA

PLACE OF USE								OWNED	IRRIGATED ACRES
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY			
05S	24E	25	SW	SW	00	MINIDOKA	YES		0.0

TOTAL ACRES IRRIGATED 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OCT 20 1994

OTHER WATER RIGHTS

NONE

REMARKS

MICROFILMED
FEB 09 1993
MICROFILMED
OCT 20 1994



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Burley District Office

Route 3, Box 1

Burley, Idaho 83318

August 16, 1993



IN REPLY REFER TO:

7250

RECEIVED

AUG 18 1993

Department of Water Resources
Southern Region Office

Idaho Department Of Water Resources
Attn: Adjudication Section
222 Shoshone Street East
Twin Falls, Idaho 83301

Dear Sirs:

Attached are copies of three objections BLM submitted for three SRBA claims (36-02783, 36-15393, and 36-15396) prepared by our office. Attached to each of these objections is a sheet entitled "Corrections Needed", which gives a detailed explanation of the specific changes needed in the "Director's Report" due to oversights at the time the claims were prepared by our office. In order to avoid time consuming litigation, we are proposing resolutions to these objections by changing the "Director's Report" in accordance with these "Corrections Needed" attachments.

SRBA claims 36-02783 and 36-15396 require a little further explanation as follows:

36-02783 -- It was discovered during the objection phase that mistakes were made by BLM when the original "Application For Permit" was filed in 1947.

36-15396 -- When this claim was prepared and submitted, it was not known that BLM had an Idaho water right license (36-02886) for this source; this license was found during the objection phase, resulting in the discovery that corrections were needed for this SRBA claim. (See "Reasons Supporting Each Box Checked" in the objection for the parameters needing changes due to the discovery of this license.)

Would you please review and respond to the proposed resolutions. If there are any questions, contact Steve Davis at (208) 678-5514, extension 6626.

Sincerely,

Gerald L. Quinn
District Manager

cc: ISO (931)
Enclosures

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OCT 20 1994

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
in case follow-up is needed.

STEVE DAVIS

BLM - Burley

678-5514 ext 6626

2. SUBJECT OF INQUIRY:

THEY RECENTLY SENT A LETTER TO SOUTHERN ADJUDICATION STAFF. MADE THE CLARIFICATION BY PHONE THAT IN FIRST PARAGRAPH AT THE SENTENCE "IN ORDER TO AVOID ...", THEY ARE NOT ASKING US (IDWR) TO CHANGE THE DIRECTOR'S REPORT BUT MAY BE TO AGREE ON SOME PRE-LITIGATION RESOLUTIONS BETWEEN PARTIES.

LETTER # 7250

3. RESPONSE TO INQUIRY:

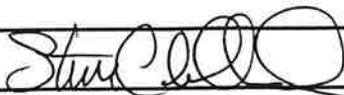
I TOLD STEVE THAT THIS PROCESS WAS HANDLED AT OUR BOISE OFFICE BY NICK SPENCER. SOME PRELIMINARY FOOT WORK WILL BE DONE AT THIS OFFICE THEN THE INFORMATION WOULD BE FORWARDED TO NICK S. IN BOISE

I AGREED TO WRITE THIS MEMO AND FORWARD IT TO NICK ALONG WITH THEIR PACKAGE AND LETTER # 7250.

4. IDWR STAFF AND DATE:

Print name and initial

WATER RIGHT CLAIM (Nos.):



8-18-93

STEVE CLELLAND

sc

A36-2783 & A36-15396 A36-15393

MICROFILMED

OCT 20 1994

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

In Re the General Adjudication
of Rights to the Use of Water
from the Snake River Basin
Water System

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

Case No. 36-15396

(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

AUG 18 1993

Department of Water Resources
Southern Region Office

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

(Over)

OBJECTION - 1

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OCT 20 1994

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: United States of America
Bureau of Land Management
U. S. Department of the Interior
Idaho State Office
Address: 3380 Americana Terrace
Boise, ID 83706

Briefly describe your interest in this water right:

The United States of America, through the
Bureau of Land Management (BLM), has a
valid water right which Idaho Department
of Water Resources (IDWR) has recommended
be disallowed. Also, this claim, as sub-
mitted to IDWR, requires correction(s).

2. Owner of the water right:

Name: United States of America
Bureau of Land Management
Address: U. S. Department of the Interior
Idaho State Office
3380 Americana Terrace
Boise, ID 83706

3. If this objection is filed by an attorney:

Attorney Name: K. Jack Haugrud
Daria J. Zane
Attorney Address: U.S. Department of Justice
550 West Fort Street
Box 33
Boise, ID 83734
Attorney Phone No.: (202) 272-4134; (202) 272-8351

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☒ Quantity: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☒ the total quantity of water stored in acre-feet per year; or
 - c. ☒ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☒ Priority Date: I object to the priority date.
5. ☒ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☒ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☒ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I object to:
 - a. ☒ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☐ Remarks: I object to the "remarks" listed with the water right.

(Over)

OBJECTION - 3

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OCT 20 1994

12. ☒ Water Right Recommendation: I object to:
- a. ☐ this water right being recommended at all; or
- b. ☒ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☒ Other: I object to: Basis Of Claim
- _____
- _____
- _____
- _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

Boxes 3, 4, 5, 7, 8, 9, and 14 have been checked because corrections are needed concerning quantity, priority date, point of diversion, purpose of use, period of year, place of use, and basis of claim. Since initially filing this SRBA claim (number 36-15396), a "License And Certificate Of Water Right" [issued to BLM by the State of Idaho and assigned the IDWR number 36-02886 (originally number D2427)] has been discovered. License 36-02886 should have been used for the basis of claiming the water claimed by SRBA claim 36-15396. The total quantity of water stored, priority date, point of diversion, place of use, and basis of claim, are incorrect on SRBA claim 36-15396 (copy attached) and correct on license 3602886 (copy attached). Box 12 has also been checked because this claim should be recommended--especially in light of the corrections requested.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.
The Director's Report should be changed to recommend allowance of this claim and incorporate the corrections needed. These corrections are shown on the attachment entitled "Correction(s) Needed".

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary. "Corrections Needed"

(1); copy of BLM's SRBA claim (2); "Map of Correct POD and POU" (1); "License And Certificate Of Water Right" No. 36-02886 (also includes "Application For Permit" and "Permit")
(2)

VERIFICATION (Must be Completed)

State of Idaho

County of Cassia

Gerald L. Quinn, Burley District Manager, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

Martin R. Bayley for Gerald L. Quinn
Signature of person filing objection

By: _____

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 22nd day of April,
1993.

Dorothy Sommer
Notary Public for State of Idaho
Residing at: Cassia County
My Commission expires: March 1, 1998

(Over)

OBJECTION - 5

MICROFILMED
OCT 20 1994

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the _____ day of _____, 199____, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Owner name: United States of America
Bureau of Land Management
U. S. Department of the Interior
Idaho State Office
Owner's address: 3380 Americana Terrace
Boise, ID 83706

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734

Signature of Objector or attorney
mailing on Objector's behalf

OBJECTION - 6

MICROFILMED
OCT 20 1994

36-15396

Corrections Needed

BOXES 3 and 7 (Quantity and Purpose(s) of Use):

<u>As Presently Recorded</u>	<u>After Change Made</u>
Stockwater: 0.20 AFY	<u>Stockwater Storage: 0.70 AFY</u>
Wildlife Storage: 0.10 AFY	<u>Stockwater From Storage: 0.70 AFY</u>
	<u>Wildlife Storage: 0.10 AFY</u>
	<u>Wildlife From Storage: 0.10 AFY</u>
Total Volume: 0.30 AFY	Total Volume: <u>0.80 AFY</u>

BOX 4 (Priority Date):

Change from 06/01/1971 to 02/19/1971.

BOX 5 (Point Of Diversion):

Change from T05S R24E S25 SWSW to T05S R24E S27 SWSW.

BOX 8 (Period Of Year):

Change from "04-01 to 12-31" for stockwater to "01-01 to 12-31" for stockwater storage and stockwater from storage.

BOX 9 (Place Of Use):

Change from T05S R24E S25 SWSW to T05S R24E S27 SWSW.

BOX 14 (Other -- Basis Of Claim)

Change from "Beneficial Use " to "License".

(Over)

OBJECTION - 7

MICROFILMED
OCT 20 1994

136-15396

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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER
FROM THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1971-06-01
IDWR WATER RIGHT NO. 3602480014
BLM NUMBER: 3602480014
BASIS OF CLAIM: BENEFICIAL USE CLAIM
BASIN NO.: 36

SOURCE	TRIBUTARY TO
UNNAMED STREAM	SINKS

DESCRIPTION OF DIVERSION WORKS

RESERVOIR

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF FROM	TO
STOCKWATER	0.000	0.20	0401	1231
WILDLIFE STORAGE	0.000	0.10	0101	1231
TOTAL:	0.000 CFS	0.30 AF		

NON-IRRIGATION USES

15,000 RANGE SHEEP VARIOUS WILDLIFE

TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
053	24E	25		SW	SW	00	MINIDOKA

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	IRRIGATED ACRES
053	24E	25	SW	SW	00	MINIDOKA		0.0

TOTAL ACRES IRRIGATED 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

MICROFILMED

OCT 20 1994

BLM NUMBER: 3602480014

PAGE 2

OTHER WATER RIGHTS

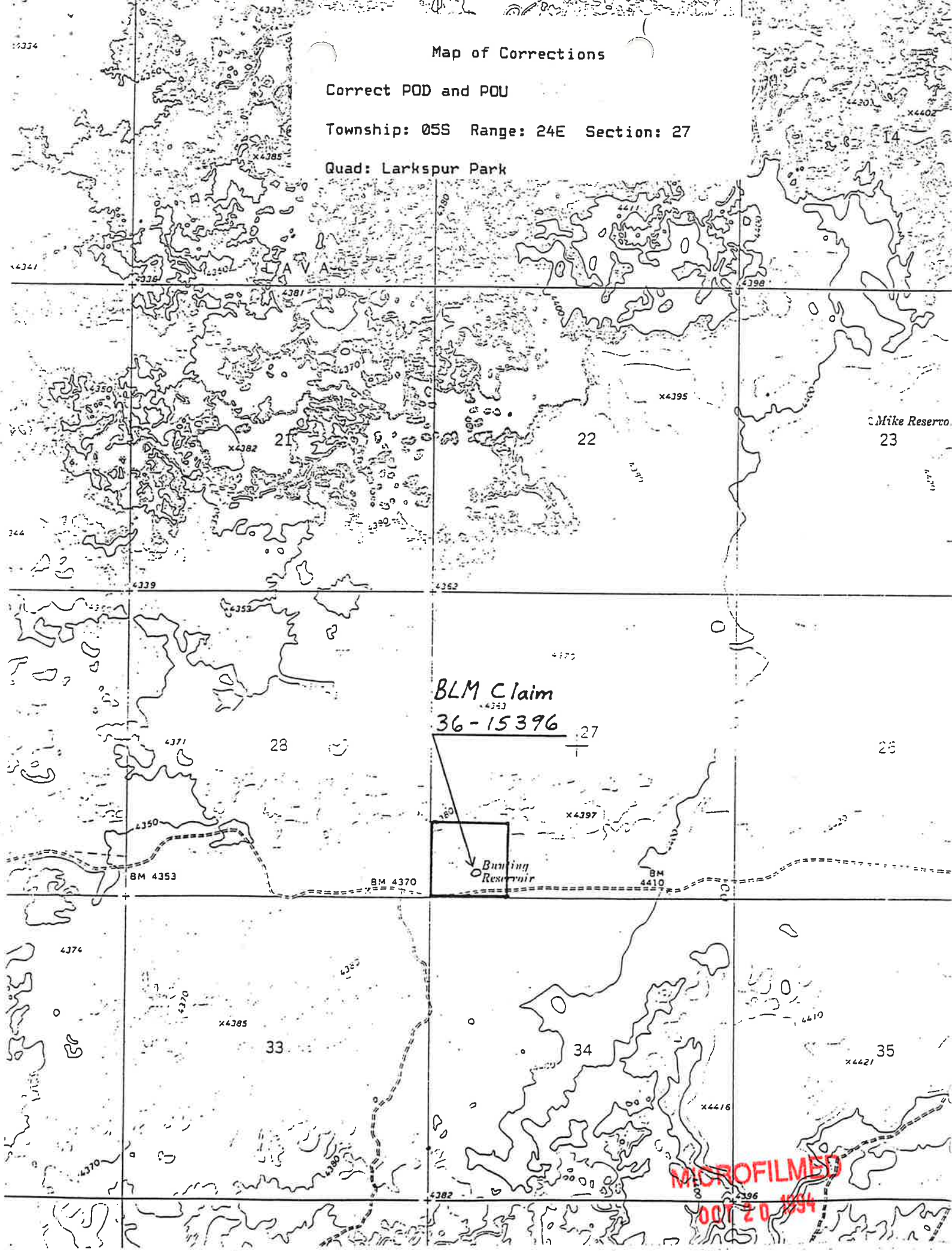
NONEREMARKS
-----MICROFILMED
FEB 09 1993MICROFILMED
OCT 20 1994

Map of Corrections

Correct POD and POU

Township: 05S Range: 24E Section: 27

Quad: Larkspur Park



MICROFILMED

001 20 1994

APR 30 1993

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
Department of Water Resources
 Adjudication Bureau

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re the General Adjudication
 of Rights to the Use of Water
 from the Snake River Basin
 Water System

Case No. 36-15396
 (You must insert the
 water right number you
 are objecting to)

The State of Idaho, ex rel.
 R. Keith Higginson in his
 official capacity as Director
 of the Idaho Department of
 Water Resources,

OBJECTION

Petitioner,

36-15396 -0001/
 93-04-0492

vs.

The United States; the State
 of Idaho; and all Claimants to
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(Over)

OBJECTION - 1

MICROFILMED
 OCT 20 1994

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U. S. Department of the Interior
Idaho State Office
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mitted to IDWR, requires correction(s).

2. Owner of the water right:

Name: United States of America
Bureau of Land Management
Address: U. S. Department of the Interior
Idaho State Office
3380 Americana Terrace
Boise, ID 83706

3. If this objection is filed by an attorney:

Attorney Name: K. Jack Haugrud
Daria J. Zane
Attorney Address: U.S. Department of Justice
550 West Fort Street
Box 33
Boise, ID 83734
Attorney Phone No.: (202) 272-4134; (202) 272-8351

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(Over)

INSTRUCTIONS FOR MAILING

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CERTIFICATE OF MAILING

I hereby certify that on the _____ day of _____, 199____, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

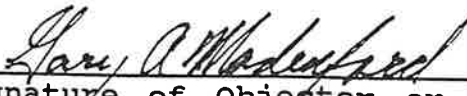
Owner name:	<u>United States of America</u>
	<u>Bureau of Land Management</u>
	<u>U. S. Department of the Interior</u>
	<u>Idaho State Office</u>
Owner's address:	<u>3380 Americana Terrace</u>
	<u>Boise, ID 83706</u>

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Objector or attorney
mailing on Objector's behalf

36-15396

Corrections Needed

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<u>As Presently Recorded</u>	<u>After Change Made</u>
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Change from T05S R24E S25 SWSW to T05S R24E S27 SWSW.

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BOX 14 (Other -- Basis Of Claim)

Change from "Beneficial Use " to "License".

(Over)

OBJECTION - 7

MICROFILMED

OCT 20 1994

136-15396

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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER
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IDAHO STATE OFFICE
3380 AMERICANA TERRACE
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TELEPHONE: 208-334-1401

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BASIS OF CLAIM: BENEFICIAL USE CLAIM
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05S	24E	25		SW	SW	00	MINIDOKA

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	IRRIGATED ACRES
05S	24E	25	SW	SW	00	MINIDOKA		0.0

TOTAL ACRES IRRIGATED

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

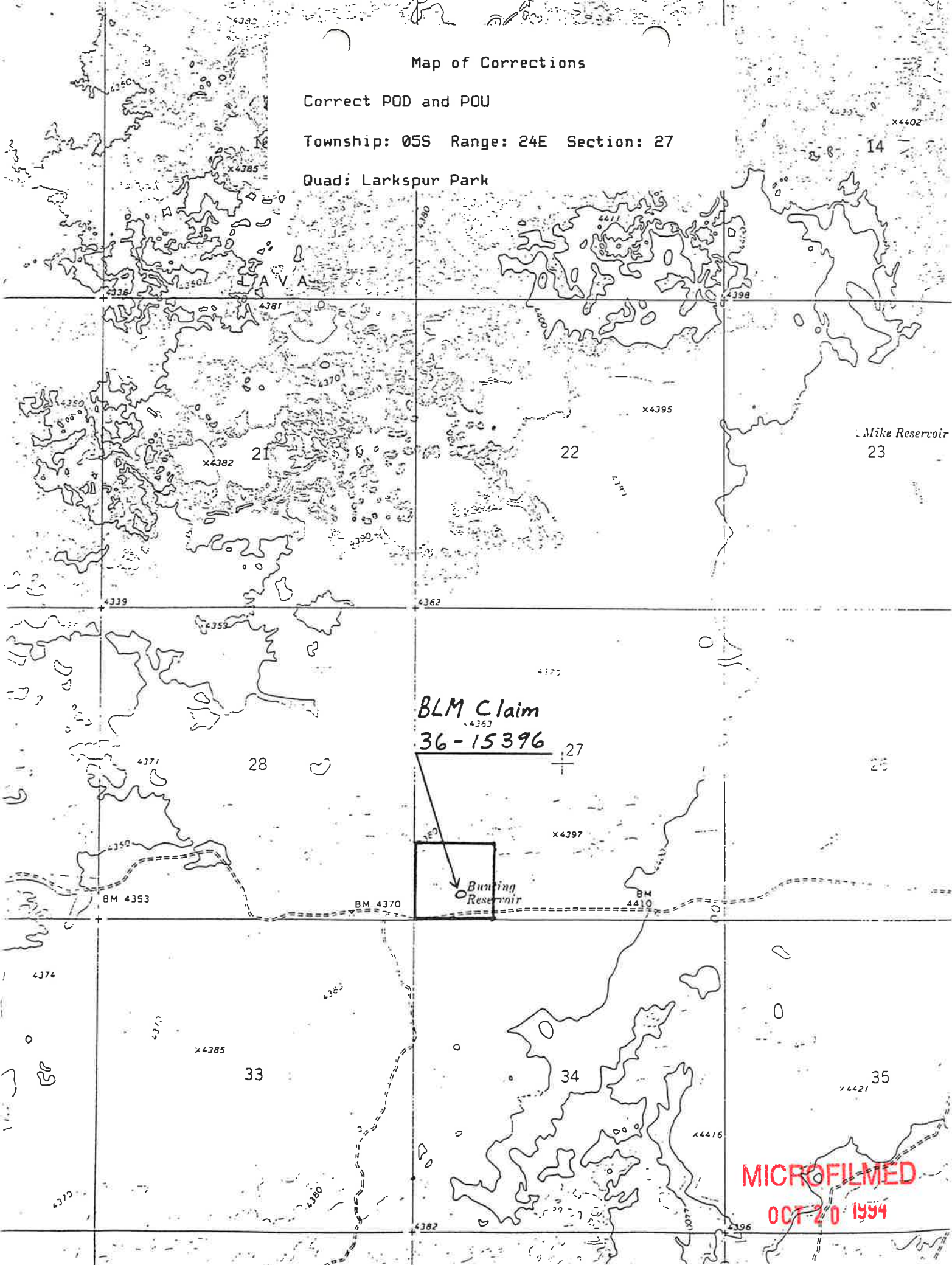
MICROFILMED
FEB 09 1993

Map of Corrections

Correct POD and POU

Township: 05S Range: 24E Section: 27

Quad: Larkspur Park



MICROFILMED
OCT 20 1994

BLM NUMBER: 3602480014

PAGE 2

OTHER WATER RIGHTS

NONE

REMARKS

MICROFILMED
FEB 09 1993

Address all communications to

Bureau of Land Management

P. O. Drawer 2B, Shoshone, Idaho 83352

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO
FOR FARMSTEAD, DOMESTIC, OR STOCK WATERING PURPOSES

BY THE UNITED STATES DEPARTMENT OF THE INTERIOR

Application No. D-2427

Permit No. D 2427

District No. _____

FEB 19 1971

36-02886 → New No.

Department of Water Administration

1. Name of Applicant Bureau of Land Management (Bunting Res. 4233)
2. Post Office Address P.O. Drawer 2B, Shoshone, Idaho 83352
3. Quantity of water claimed Approximately 8 Acre Foot.
(Not to exceed 0.1 second foot or 15 acre feet)
4. Source of water supply Runoff
(Spring, well, unnamed stream, small lake, snow, or runoff)
5. Location of point of diversion 1455 feet distant from the SW corner of Section 27, Twp 5S, Rge 24E, B.M., and is in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27, Twp 5S, Rge 24E, B.M. in the County of Minidoka
6. Location of point of use (Same as Item 5) _____ feet distant from the _____ corner of Section _____, Twp _____, Rge _____, B.M., and in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$, Sec _____, Twp _____, Rge _____
7. Water to be used for Livestock Water
8. Estimated cost of works \$300.00
9. Kind of works Reservoir
(Reservoir, dam, ditch, flume, pipe, etc.)
10. Size 120' long x 70' wide x 5' deep.
(Headgate, ditch, flume, pipe, etc.)
11. Time required to apply water to proposed use Now in Use.
12. If reservoir is used, fill in the following in addition to the above questions:
- (a) Height of dam _____ feet: Length at top _____ feet.
- (b) Material from which dam is constructed _____
(earth, concrete, timber, rock)
- (c) The outlet of the proposed reservoir is located _____ feet from the _____ corner of Section _____, Twp _____, Rge _____, B.M.

REMARKS: This is a pit type reservoir without a dam.

Applicant Bureau of Land Management

Agent Edward D. Savaria, Acting Dist. Mgr

[illegible]

MICROFILMED
OCT 20 1994

POOR ORIGINAL

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

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

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

Witness my hand this 23 day of February, 19 71


State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, _____ Governor of the State of Idaho;

and _____ Secretary of State of the State of Idaho, have caused this instrument

to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed,

this _____ day of _____, 19 _____

Countersigned:

STATE OF IDAHO

By _____
Secretary of State.

By _____
Governor.

No. D <u>2427</u>	PERMIT
Date of first receipt at office of State Reclamation Engineer <u>February 19, 1971</u>	Returned to applicant for correction
Corrected application received	
Fees \$ <u>1.00</u>	
STATE OF IDAHO LICENSE AND CERTIFICATE OF WATER RIGHT	
Water License No. D <u>2427</u>	to <u>Bureau of Land Management</u>
Source of Supply <u>runoff</u>	
Amount <u>approx. 0.8 acre ft.</u>	
Place of Use <u>SW 1/4 Sec. 27, T. 5 S., R. 24 E., B.M.</u>	
Purpose <u>Livestock Water</u>	
Date of Priority <u>February 19, 1971</u>	
Recorded <u>February 23, 1971</u>	
In Book <u>5</u> of Licenses, Page <u>2427</u>	

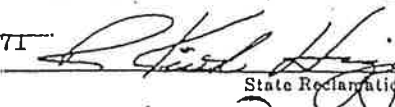
LICENSE AND CERTIFICATE OF WATER RIGHT

Water License No. D 2427 Priority February 19, 1971 Amount approx. 0.8 acre ft.

This is to certify that Bureau of Land Management of P.O. Drawer 2B, Shoshone, Idaho made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of runoff under Use Permit No. D 2427, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume D 5 of Licenses, at page D 2427, on the 23 day of February, 19 71

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

WITNESS THE SEAL and signature of the State Reclamation Engineer; affixed at Boise, Idaho, this 23 day of February, 19 71


State Reclamation Engineer.

Water Right Number - R36-15396 Prefix Translation: RESEARCH Old (D) Number -

*** A - ATTORNEY ***
HAUGRUD, JACK OR G GARVER OR D ZANE

*** C - CURRENT OWNER ***
US DEPT OF INTERIOR

*** K - ALSO KNOWN AS ***
BLM

1 - US DEPT OF JUSTICE
2 - ENV & NR DIV GEN LIT SEC
3 - PO BOX 663
City- WASHINGTON
Phone - 202-272-4134
State- DC Zip- 200440663

1 - BUREAU OF LAND MANAGEMENT
2 - IDAHO STATE OFFICE
3 - 3380 AMERICANA TERRACE
City- BOISE
Phone - 208-334-1401
State- ID Zip- 83706

+ - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
06/01/1971 17 SOUTHERN I - DISALLOWED

+ - - - Source - - - - - + + - - - Tributary - - - - - + + - - - SINKS

TwN Rng Sec Tract Lot RFlg County Point of Diversion
05S 24E 25 SW SW (67) MINIDOKA

+ - Code - - - - - Description - - - - - Period From Water Use Diversion Rate Diversion Volume
04 - STOCKWATER 04/01 12/31 0.20
17 - WILDLIFE STORAGE 01/01 12/31 0.10

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.30 0.30 0.0

+ - TwN Rng Sec Tract Lot Acres Place of Use Code Description County
05S 24E 25 SW SW 04 STOCKWATER (67) MINIDOKA

Total Acres:

+ - - Diversion Means - RESERVOIR
+ - - Non-Irrigation Use - 15,000 RANGE SHEEP VARIOUS WILDLIFE

MICROFILMED
FEB 09 1993

Civil Case Number	-
Old Case Number	-
Old Judicial District	-
Temporary Right	-
Water District	-
Federal/State Indicator	-
Presumption Flag	-
Notice of Error Flag	-

MICROFILMED
FEB 09 1993

CLAIM NO. AB6-15396

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION SHEET
FOR BLM BENEFICIAL USE RIGHTS

OVERLAPS

1. ☒ No Overlapping private claim(s)
☐ Overlapping private claim(s)
Claim No(s). _____
☐ Private Claim(s) Recommendation Changed yes ___ no ___
If no, explain _____
☐ Private Claimant Notification Letter Sent - Date _____

DATE OF PRIORITY

2. ☐ No Change - Priority date recommended per State Claim
☐ Claim shows two priority dates - State(Item #2) & Federal(in
remarks)
☐ "A" suffix claim for Federal portion of right needed & profile
report prepared *conflict with Permit Statute: disallow*

SOURCE

3. ☐ No Change
☐ Changed - Explanation: _____
☐ Tributary added or changed - Explanation: _____

POINT OF DIVERSION

4. ☐ No Change - P.D. Verified - Map attached
☐ Changed - Instream Stock - Beg & End points added - map
attached
☐ Changed - Per further information from BLM
Attach copies of information received and explain: _____
☐ Changed - Per field exam - Attach field exam information

5.N/A

WATER USES

6. ☐ No Changes
☐ Water Use Changed
a. Use Added - _____
Explanation: _____
b. Use Deleted - _____
Explanation: _____
☐ Season of Use Changed - Explanation: _____
☐ Amount of Use Changed - Explanation: _____

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FEB 09 1993

TOTAL VOLUME

7. ☐ No Change
☐ Changed - Explanation: _____

8. N/A

NON-IRRIGATION USES

9. ☐ No Change
☐ Changed per data entry standards
☐ Changed - Explanation: _____

PLACE OF USE

10. ☐ No Change - POU Verified - Map attached
☐ Changed - Instream stock - places of use added - map attached
☐ Changed - Per further information from BLM
Attach copies of information received and explain: _____
☐ Changed - Per field exam - Attach field exam information

REMARKS

☒ Remarks added - <POI>

☐ Remarks deleted - _____

COMMENTS

REVIEW COMPLETED BY:

A. McCarthy

signature

DATE:

10-16-88