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(303) 312-7319

Counsel for the United States of America

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

IN RE: SRBA	)	Consolidated Subcase No. 75-13316
	)	Wild and Scenic Rivers Act Claims;
	)	(Encompassing Subcases 75-13316, 77-11941, 77-13844,
	)	78-11961, 81-10472, 81-10513, and 81-10625)
	)	
	)	Quantification Proceedings
CASE NO. 39576	)	General Notice of United States' Claims
	)	
	)	

General Remarks for All United States Claims

1. The claims filed with this notice are submitted by the United States of America on behalf of the United States Department of Agriculture, Forest Service ("United States"). Copies of the Amended Notices of Claims are attached hereto. Regardless of the precise wording of each claim, the listed owner of each claim should be the United States of America.

2. The assertions and remarks made in this General Notice supplement the information provided in the claim forms and should be considered a part of each claim.
3. Attached to the General Notice are the copies of the Verification of Claims.
4. By filing these claims, the United States does not waive its right to defer adjudication of de minimus claims as authorized by Court Order dated January 17, 1989.
5. By submitting these claims, neither the United States nor any agency or its personnel waives any immunities, privileges, rights, or presumptions, whether based on federal, state or other applicable law, except as clearly and unambiguously required by act of Congress.

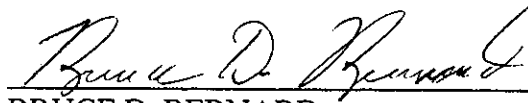
Notice of Appearance

Notice is hereby given that Bruce D. Bernard, David W. Gehlert and David L. Negri will be acting as attorneys of record on behalf of claimant, the United States of America on behalf of the United States Department of Agriculture, Forest Service, and that all notices required by law to be mailed by the director to claimant should be mailed to it at the address listed below:

United States Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 W. Fort Street MSC033
Boise, Idaho 83724

Dated this 4th day of February, 2002.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Bruce D. Bernard", is written over a horizontal line.

BRUCE D. BERNARD

DAVID W. GEHLERT

DAVID L. NEGRI

Trial Attorneys, General Litigation Section

Environment and Natural Resources Division

U.S. Department of Justice

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Denver, Colorado 80202

(303) 312-7319

Attorneys for the United States of America

Verification of United States (USDA-Forest Service) Claims

As the Regional Forester for the Intermountain Region of the USDA-Forest Service, or his authorized designee, being first duly sworn, upon oath, deposes and says:

That I am the party/claimant filing these claims and to the best of my knowledge and belief that the statements made in this document and in the claims filed herewith on behalf of the USDA-Forest Service are true and correct.

Executed on 02/05/02



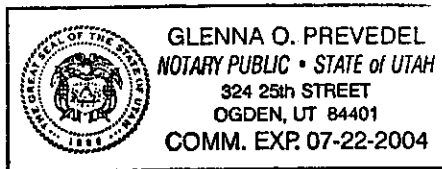
Jack G. Troyer
Acting Regional Forester
USDA Forest Service
324 25th Street
Ogden, Utah 84401

SWORN TO AND SUBSCRIBED BEFORE ME this 5th day of February, 2002.



NOTARY PUBLIC FOR: Utah
Residing at: Ogden, Ut.
My Commission Expires 7/22/2004

seal

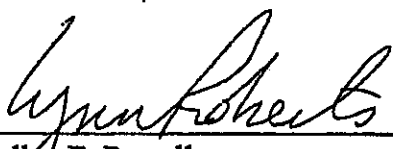


Verification of United States (USDA-Forest Service) Claims

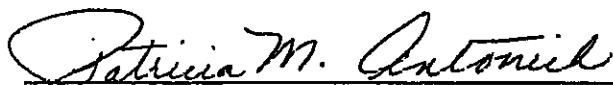
As the Regional Forester for the Northern Region of the USDA-Forest Service, or his authorized designee, being first duly sworn, upon oath, deposes and says:

That I am the party/claimant filing these claims and to the best of my knowledge and believe that the statements made in this document and in the claims filed herewith on behalf of the USDA-Forest Service are true and correct.

Executed on 5 February 2002

for 
Bradley E. Powell
Regional Forester
USDA Forest Service
Federal Building
P.O. Box 7669
Missoula, MT 59807

SWORN TO AND SUBSCRIBED BEFORE ME this 5th day of February, 2002.


NOTARY PUBLIC FOR: MONTANA
Residing at: Missoula, MT
My Commission Expires August 10, 2004

seal

CERTIFICATE OF MAILING

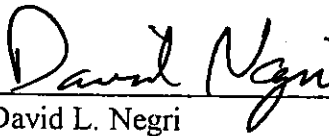
I HEREBY CERTIFY that on this 6th day of February, 2002, I served a true and correct copy of the foregoing **General Notice of United States' Claims** by depositing a copy thereof in the U.S. Mail, postage prepaid, or by Overnight Mail, as indicated upon the following:

By Overnight Mail to:

Clerk of the District Court
Snake River Basin Adjudication
253 3rd Ave. No.
Twin Falls, Idaho 83301

By United States Mail, postage prepaid to:

All parties indicated on the attached CERTIFICATE OF MAILING FOR WILD AND SCENIC RIVERS ACT CLAIMS dated February 6, 2002.



David L. Negri

Certificate of Mailing for Wild and Scenic River Claims (75-13316)

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SRBA Report Index

SRBA Home Page

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

CIVIL CASE NUMBER: 39576
Consolidated Case Number: 75-13316
Ident. Number: 78-11961
Date received:
Receipt No:

AMENDED
NOTICE OF CLAIM TO A WATER RIGHT
RESERVED UNDER FEDERAL LAW

1. Name of Claimant: United States of America,
on behalf of the USDA Forest Service.

Address: 550 W. Fort Street, MSC 33
Boise, ID 83724
2. Date of Priority: December 31, 1975.
3. Source of Water: **Rapid River, West Fork Rapid River.**
4. a. Location of point of diversion: There is no diversion associated with this claim. The quantification reference point is:

USDA Forest Service Stream Gage:
T23N, R1W, Sec. 12, NENE, Boise Meridian.
Latitude/Longitude: N 45° 21' 7.1", W 116° 23' 49.5".

- b. Description of diversion works: Instream flow:

Location of beginning point:

Headwaters of main stem Rapid River and West Fork from intersection with
Wilderness Boundary:

Main Stem

T21N, R1W, Sec. 31, NESW, Boise Meridian.
Lat./Long. N 45° 6' 49.0", W 116° 30' 23.2".

West Fork

T22N R2W, Sec 1, NWSW, Boise Meridian.
Lat./Long. N 45° 16' 19.1", W 116° 32' 1.4".

Location of ending point:

Main stem at the National Forest Boundary:

T23N, R1W, Sec. 12, NENE, Boise Meridian.
Latitude/Longitude: N 45° 21' 14.0", W 116° 23' 31.8".

The streamflow claimed herein will be applied to beneficial use throughout the stream segment identified above.

5. Quantity claimed:

When the streamflow is less than 625 cfs, the United States claims the following flows:

Period of Use	Discharge (cfs)	Period of Use	Discharge (cfs)
January 1-15	73	July 1-15	281
January 16-31	73	July 16-31	175
February 1-15	66	August 1-15	160
February 16-28(29)	63	August 16-31	136
March 1-15	75	September 1-15	124
March 16-31	99	September 16-30	118
April 1-15	109	October 1-15	108
April 16-30	160	October 16-31	97
May 1-15	249	November 1-15	87
May 16-31	403	November 16-30	88
June 1-15	524	December 1-15	73
June 16-30	432	December 16-31	78

When the streamflow is greater than or equal to 625 cfs (as adjusted by upstream junior depletions), the United States claims the streamflow.

6. Total consumptive use claimed for present and future use is:

The claim is non-consumptive.

7. Present and future uses to which the water is or will be used:

The streamflow applied for under this claim will be used non-consumptively to fulfill the purposes of the Wild and Scenic Rivers Act, 16 U.S.C. § 1271, *et seq.* The uses include, but are not limited to, providing fish and wildlife habitat, recreational opportunities, scenic values, and maintaining the river in its free-flowing condition. The water claimed herein will be put to use throughout the claimed segment. All streamflow will remain available for use downstream of the ending point of this claim.

8. Attach the legal description of the reservation, and maps showing for each use the existing and proposed place of use.

See Attachment A.

9. Remarks: (include a list of document(s) creating the federal reservation and/or negotiated agreement). Land and water was reserved pursuant to:

Wild and Scenic Rivers Act, Pub. L. 90-542, 82 Stat. 906, Oct. 2, 1968 (codified as amended at 16 U.S.C. §§ 1271, *et seq.*);

Hells Canyon National Recreation Area Act, Pub. L. No. 94-199, 89 Stat. 1117, Dec. 31, 1975 (codified as amended at 16 U.S.C. §§ 460gg-460gg-13).

See Attachment B.

10. Describe any other water rights used at the same place and for the same purposes as described above:

None.

11. Counties within the reservation:

Idaho and Adams.

Notice is hereby given that the United States Department of Justice will represent the United States Department of Agriculture, Forest Service, in all matters pertaining to the Snake River Basin Adjudication.

All notices required by law should be mailed to the individuals at the address below:

David Gehlert
Bruce Bernard
David Negri
US Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, MSC 33
Boise, ID 83724

This form is an attachment to a general Notice of United States' claims. The signature and affirmation on such Notice constitutes the required signature of the authorized agent representing the United States.