

October 1, 2004

Diana Delaney
Case Administrator of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, Idaho 83303-2707

Re: Corrections to Attachments to the *Stipulation and Joint Motion for Order Approving Stipulation and Entry of Partial Decrees*, and *Standard Form(s) 4- Motions to File Late Claims*, Hells Canyon National Recreation Area, Subcase Number 79-13597 (encompassing 79-14054 through 79-14079 and to further encompass and be consolidated with Subcases 78-12200 through 78-12205).

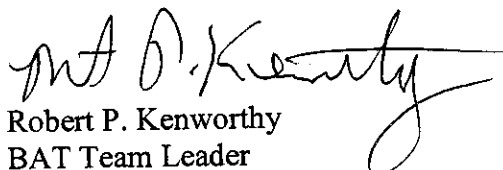
Dear Diana:

Enclosed are corrected attachments to the *Stipulation and Joint Motion for Order Approving Stipulation and Entry of Partial Decrees* for the Hells Canyon National Recreation Area that the United States filed on August 20, 2004. Included are corrected proposed partial decrees for the lakes (Attachments 15 through 32), and 6 corrected late claims for the *Standard Form(s) 4 - Motions to File Late Claims* (78-12200 through 78-12205). Also enclosed are the corrected late claims for Attachments 33 through 38 (copies of the SF4's).

The correction is to the datum associated with the GPS coordinates (UTMs) for the bench marks associated with each lake level.. It should be NAD 27 rather than NAD 83.

Please feel free to give me a call (208-331-5905) if you have any questions.

Sincerely,


Robert P. Kenworthy
BAT Team Leader
USDA Forest Service

cc: Parties listed on the certificate of mailing for HCNRA Claims

Enclosure(s)

CORRECTIONS TO
ATTACHMENTS 33 THROUGH 38

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
Ident. Number: 78-12200
(To be consolidated with Subcase
79-13597)
Date received:
Receipt No:

NOTICE OF CLAIM TO A WATER RIGHT
RESERVED UNDER FEDERAL LAW

1. Name and address of owner: UNITED STATES OF AMERICA, on behalf of the
U.S.D.A. Forest Service
550 W. Fort Street, MSC033
Boise, ID 83724
2. Priority date: December 31, 1975
3. Source of water: Black Lake
4. Location of point of diversion:
 - a. Point of diversion at lake outlet:
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T21N, R2W, Boise Meridian
 - b. Description of diversion works: lake level maintenance
 - c. Location of place of use:

TWP	RGE	SEC	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
21N	02W	3			LOT 9	X									LOT 14	LOT 13		X

The lake level claimed herein will be applied to beneficial use throughout the lake as identified above.

5. Period of use: 01/01 to 12/31

6 Quantity claimed:

a. This water right establishes the lake level of Black Lake at 98.22 feet referenced to Black BM1 (Elevation 100 feet) located at X=534802, Y=5003966 (UTM Zone 11 North NAD 27).

b. This water right precludes any diversion of water out of the watershed of Black Lake upstream from the point of diversion, except for transfers of point of diversion from above the lake to below the lake.

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

This lake level claim is nonconsumptive (other than evaporation and evapotranspiration which may take place from the lake).

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

To fulfill the purposes of the Hells Canyon National Recreation Area Act, Pub.L. 94-199, 89 Stat. 1117, Dec. 31, 1975 (codified at 16 U.S.C. § 460gg).

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

The Hells Canyon National Recreation Area Act reserved the entire Hells Canyon National Recreation Area for the purposes of the Act. The legal description of the Hells Canyon National Recreation Area is filed with and is available for inspection and copying at the Idaho Department of Water Resources. The place of use of this water right is shown on the map attached hereto as Attachment A.

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

Hells Canyon National Recreation Area Act, Pub.L. 94-199, 89 Stat. 1117, Dec. 31, 1975 (codified at 16 U.S.C. § 460gg).

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

None

12. Counties within the reservation:

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:

Bruce Bernard
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 Standard Form 4 – Stipulated Motion to File Late Notice of Claim by the United States. The signature and affirmation on such Motion constitutes the required signature of the authorized agent representing the United States.

Attachment A – Location for Black Lake – 78-12200

