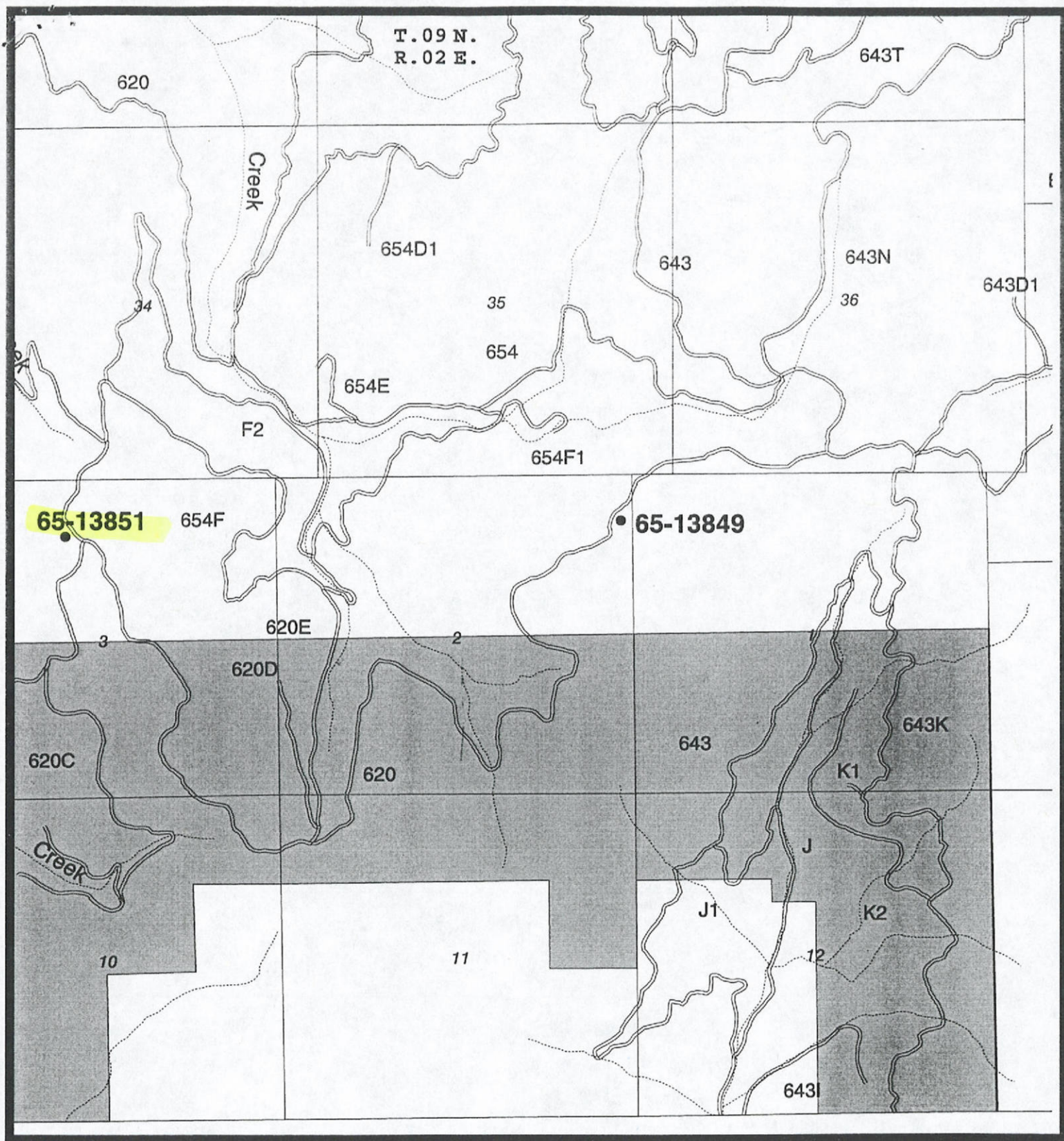
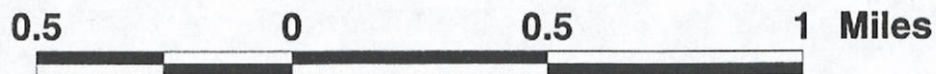


65-13851



1:24000



Non-Federal Land

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 65-13851
Date Received: 10/3/00
Receipt No: X111111
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

UNITED STATES OF AMERICA ACTING THROUGH Phone: (208)387-0835

USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID USA 83724

2. Date of Priority: 03/23/1999

3. Source: SPRING Trib. to: TIMBER GULCH

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
09N	02E	3	SE NW	BOISE

5. Description of diverting works:

Combo

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
09N	02E	3	SE NW	STOCKWATER	

11. Place of use in counties: BOISE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

Forest Service Record ID: 04 02 17050122 65 0057

15. Basis of Claim: Permit

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: **65-13851**

FILED UNDER STATE LAW

1. Name of Claimant: UNITED STATES OF AMERICA on behalf of the U.S.D.A. Forest Service
Address: 550 W. Fort Street MSC033
Boise ID 83724
2. Date of Priority: 03/23/1999
3. Source of water: SPRING Tributary: TIMBER GULCH
4. Location Meridian BOISE
Description of Diversion Works: Combo From: Spring
Location of Point of Diversion
T: 09 N R: 02 E S: 3 SENW
Location of Point of Use
T: 09 N R: 02 E S: 3 SENW
5. Quantity claimed: Period Quantity For
1/ 01 -- 12/ 31 0.02 CFS Stockwater
6. Total Consumptive Use Claimed for Present and Future Use is:
0 02 CFS
7. Present and future uses to which the water is or will be used:
Stockwater
8. Attach the legal description of the reservation, and maps showing for each consumptive use the existing and proposed place of use and existing points of diversion.
Bound separately
9. Remarks:
State Basin: 65
National Forest: Boise
Forest Service Record ID: 04 02 17050122 65 0057
Use is in the NESENW of section 3.
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: Not available

Notice is hereby given that the United States Department of Justice will represent the Department of Agriculture, Forest Service, in all matters pertaining to the Snake River Basin Adjudication. All notices required by law to be mailed by the Director to the claimant should be mailed to the individuals at the address

Bruce Bernard
U.S. Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, Box 33
Boise, ID 83724

This form is an attachment to a letter forwarding the claims of the U.S. Department of Agriculture, Forest Service. The signature and affirmation on such letter constitutes the signature of the authorized agent representing the United States of America required for each such claim.

Non-Federal Land

08/16/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-13851

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE, ID 83724

SOURCE: SPRING TRIBUTARY. TIMBER GULCH

QUANTITY: 0.02 CFS

PRIORITY DATE: 03/23/1999

POINT OF DIVERSION: T09N R02E S3 NESENW Within BOISE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
01-01 12-31

QUANTITY
0.02 CFS

PLACE OF USE:

STOCKWATER Within BOISE County
T09N R02E S3 SENW

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

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE
APPROPRIATION IN ACCORDANCE WITH THE STATUTORY
PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT
REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT
UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL
CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON
COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL. BASIS OF CLAIM - Permit

05/21/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-13851

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE, ID 83724

SOURCE: SPRING TRIBUTARY: TIMBER GULCH

QUANTITY: 0.02 CFS

PRIORITY DATE: 03/23/1999

POINT OF DIVERSION: T09N R02E S3 NESENW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01-01 12-31	0.02 CFS

PLACE OF USE:

STOCKWATER Within BOISE County
T09N R02E S3 SENW

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

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE
APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR
APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO
ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT
IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN
THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY
APPROPRIATION PROCESS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Permit

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 13, 2001

Water right number: 65-13851

UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID 83724
Telephone Number: (208)387-0835

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Point of Diversion quarter-quarter

2. Describe the changes you wish to make in the proposed recommendation:

Preliminary recommendation is NENW.
Should be SENW, same as Place of Use.

3. Give a brief explanation as to why you disagree with these portions:

IDWR Permit to appropriate also shows the
correct quarter-quarter should be SENW.

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4/13/01 SIGNATURE: Steven M. Speer

Please print your name: _____

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208)334-2190

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13851

Proposed Priority: March 23, 1999

Maximum Diversion Rate:

0.02 CFS

This is to certify, that US DEPARTMENT OF AGRICULTURE
FOREST SERVICE
380 E PARKCENTER STE 330
BOISE ID 83706

has applied for a permit to appropriate water from:
SPRING tributary of TIMBER GULCH

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	01/01 to 12/31	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION: NESENW , Sec. 3, Township 09N, Range 02E
BOISE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

09N 02E 3

SENEW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 2004.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 65A.
5. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
6. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
7. Source is known locally as Long Pine Spring.
8. Place of use is located within USFS 040217050122650057.
9. Stockwater use is for 220 range cattle.

WR5809NP
No. 65-13851

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/18/01
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF AGRICULTURE <i>BOISE</i>	03/23/1999	STOCKWATER	01/01 12/31	0.020 CFS	
TOTAL DIVERSION:					0.020 CFS	

Water Source: SPRING

Tributary to: TIMBER GULCH

Stage: PERMIT

Point(s) of Diversion:

T09N R02E S03

NESENW

BOISE County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE			
T	R	S	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
09N	02E	34													

Pou County: BOISE

Conditions of Approval:

- 26A - Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 65A.
- 01P - Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
- R37 - This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.

Remarks: GEN Source is known locally as Long Pine Spring.
Place of use is located within USFS 040217050122650057.
Stockwater use is for 220 range cattle.

Dates: App. Received: 03/23/1999 Priority Date: 03/23/1999
Proof Due Date: 07/01/2004 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65A Field Exam Fee:

Audit: 04/14/99 SCURTIS 04/15/99 SLESTER 07/08/99 SCURTIS 07/09/99 SCURTIS
07/12/99 SCURTIS

✓ A01

✓ FOREST SERVICE Record No.

4-2-17050122-65-0057

✓ STOCKWATER Exp. Remark