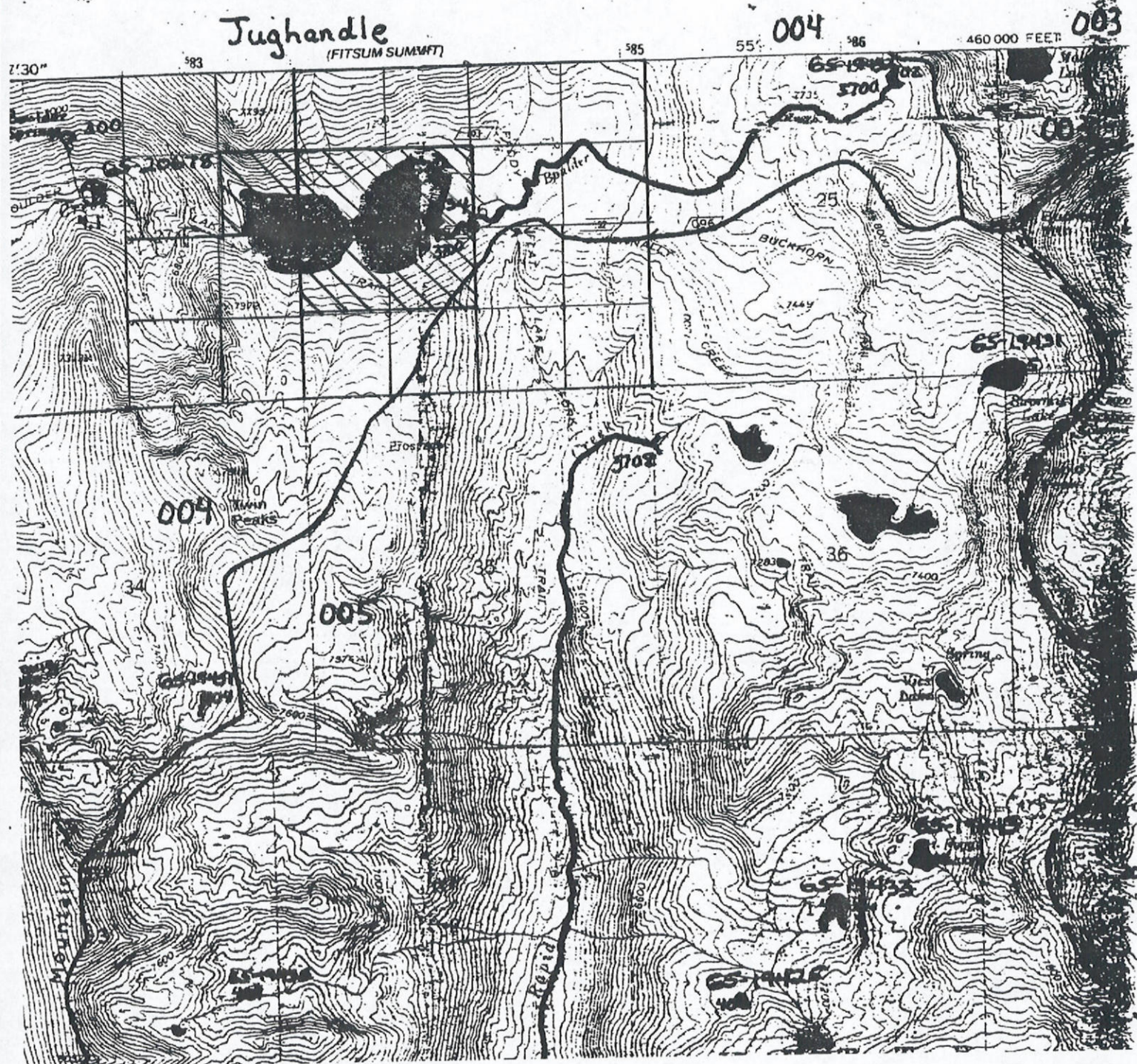


NATURAL LAKE,
NO DAM C.D.
11/12/01

● POD
 ▣ PO4

Tughandle



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: A65-22150
Date Received: 2/ 1/2000
Receipt No: X111111
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: UNITED STATES OF AMERICA ACTING THROUGH 801-625-5360
Address: USDA FOREST SERVICE
324 25TH ST
OGDEN UT 84401-2394

2. Date of Priority: JUN 1, 1888

3. Source: BOULDER LAKE Trib. to: BOULDER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	04E	27	NE	SE			VALLEY

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER STORAGE	07/01	10/31			0.15
STOCKWATER FROM STORAGE	07/01	10/31			0.15

7. Total Quantity Appropriated is:
C.F.S. (and/or) 0.15 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	04E	26	SW	NW		STO FS	
			SE	NW		STO FS	
			NE	SW		STO FS	

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	04E	26	NW	SW		STO FS	
		27	SE	NE		STO FS	

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

NONE

14. Remarks:

FOREST SERVICE RECORD ID. 4 12 17050123 4 0401

15. Basis of Claim: BENEFICIAL USE

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: 65-22150

RECEIVED
FEB 01 2000

WATER RESOURCES
WESTERN REGION

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: 06/01/1888

3. Source of water: BOULDER LAKE

Tributary: BOULDER CREEK

4. Location Meridian BOISE

Description of Diversion Works: None

From: Lake

Location of Point of Diversion

T: 18 N R: 04 E S: 27 NESE

Location of Point of Use

T: 18 N R: 04 E S: 26 NESW

T: 18 N R: 04 E S: 26 SENW

T: 18 N R: 04 E S: 27 SENE ac: 0

T: 18 N R: 04 E S: 26 SWNW ac: 0

T: 18 N R: 04 E S: 26 NWSW ac: 0

5. Quantity claimed:

Period

Quantity

For

7/ 01 -- 10/ 31

0.15 AF

Stockwater From Storage

7/ 01 -- 10/ 31

0.15 AF

Stockwater Storage

6. Total Consumptive Use Claimed for Present and Future Use is:

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

Stockwater From Storage

Stockwater Storage

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: Payette

Forest Service Record ID: 4 12 17050123 4 0401

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 below:

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.

RECEIVED

JAN 24 2002

WATER RESOURCES
WESTERN REGION

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

A. Subcase 65-22150

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100

Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234

Daytime Phone: (208) 678-0461 (Dala Walton)

Name & Address of Attorney, if any:

David W. Gehlert (303 312-7352)

Trial Attorney, General Litigation Section

Environment and Natural Resource Division

U.S. Department of Justice

999 18th Street, Suite N 945

Denver, CO 80202

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: USA Acting Through USDA Forest Service

Address: 550 W. Fort St. MSC 033
Boise, ID 83724

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

- ☒ **General Provision Basin 65 Irrigation & Other Part III (3) Separate Streams**
1. ☐ **Name and Address**
Should be:
 2. ☐ **Source**
Should be:
 3. ☐ **Quantity**
Should be:
 4. ☐ **Priority Date**
Should be:
 5. ☐ **Point(s) of Diversion**
Should be:
 6. ☐ **Instream Flow Description**
Should be:
 7. ☐ **Purpose(s) of Use**
Should be:
 8. ☐ **Period of Year**
Should be:
 9. ☐ **Place of Use**
Should be:
 11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

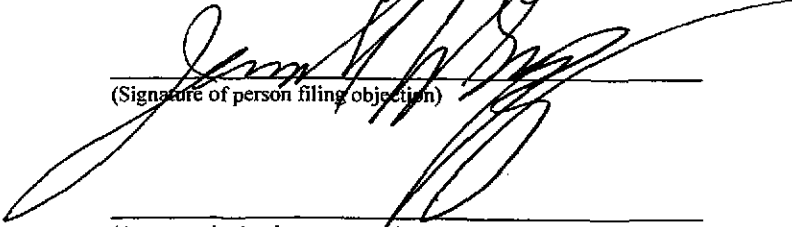
The Bureau of Reclamation objects to the separate stream provision of the Director's Report for Basin 65, Part III. These streams should be administered as part of the Payette River System in order to adequately protect water rights in the Payette River subbasin.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

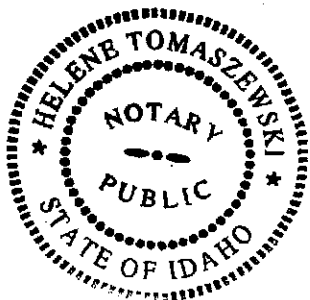
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

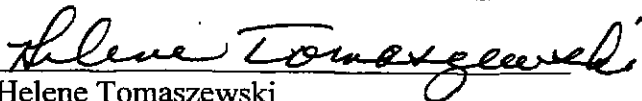

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 9, 2002




Helene Tomaszewski
Notary Public for: Idaho
Residing at: Meridian
My Commission Expires: 01-16-2002

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 17, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or 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, ID. 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: USA Acting Through USDA Forest Service

Address: 550 W. Fort St. MSC 033
Boise, ID 83724

3. Copies to:

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

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf

03/09/2001

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

RIGHT NUMBER: 65-22150
NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID 83724

SOURCE: BOULDER LAKE TRIBUTARY:

QUANTITY: 0.020 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1888

POINT OF DIVERSION:

T18N R04E S26 SWNW Within VALLEY County
T18N R04E S26 SENW Within VALLEY County
T18N R04E S26 NESW Within VALLEY County
T18N R04E S26 NWSW Within VALLEY County
T18N R04E S27 SENE Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	07/01 10/31	0.020 CFS
INSTREAM STOCKWATER		

PLACE OF USE:

STOCKWATER Within VALLEY County

T18N R04E S26	SWNW	T18N R04E S26	SENW
T18N R04E S26	NESW	T18N R04E S26	NWSW
T18N R04E S27	SENE		

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

FOREST SERVICE RECORD ID. 4 12 17050123 4 0401
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. SECTION
42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

**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: 65-22150

UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID 83724

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

FS Claim is for livestock watering from Boulder Lake. Don't understand instream stockwatering addition to FS claim of stockwater from Storage and stockwater storage.

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

Should tributary be Boulder Creek?

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

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

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

Please print your name: _____

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

STOCKWATER FROM/TO
STORAGE WAS NOT
DECREASED IN PAYETTE, AND
CAN NOT BE GIVEN.

STOCK WATER IS FROM
LAKE SHORE (IC INSTREAM
STOCKWATER RIGHT)

NATURAL LAKES ARE
NOT TRIBUTARY TO
STREAMS.

5/02/01 CD

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

RIGHT NUMBER: 65-22150
NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID 83724

SOURCE: BOULDER LAKE

TRIBUTARY: BOULDER CREEK

QUANTITY: 0.020 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1888

POINT OF DIVERSION:

T18N R04E S26 SWNE Begin of Stream Flow Within VALLEY County
T18N R04E S27 NESE End of Stream Flow Within VALLEY County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

07/01 10/31

0.020 CFS

INSTREAM STOCKWATER

PLACE OF USE:

STOCKWATER Within VALLEY County

T18N R04E S26

SWNW -

T18N R04E S26

SENW -

T18N R04E S26

NESW -

T18N R04E S26

NWSW -

T18N R04E S27

SENE -

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

FOREST SERVICE RECORD ID. 4 12 17050123 4 0401
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. SECTION
42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

STOCKWATER, RANGE CATTLE

DELETE NO-TRIB. FOR LAKES

DO NOT USE BEGINNING OR ENDING POINT FOR INSTREAM USE OF A LAKE! USE PID DESCRIPTIONS OF EACH 1/4 1/4 THAT ARE LISTED IN POW AS PIDS

AJ0749NP
No. R65-22150

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/02/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 324 25TH ST OGDEN UT 844012394 (801) 625-5360	06/01/1888	STOCKWATER ~~STORAGE~~ ~~STOCKWATER FROM STORAGE~~	07-01 10-31 ~~07-01 10-31~~	0.020 CFS	0.45 AFA ~~0.15 AFA~~
TOTAL DIVERSION:					0.020 CFS	0.45 AFA

Water Source: BOULDER LAKE

Tributary to: BOULDER CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T18N R04E S27 NESE ✓
T18N R04E S26 SW/NE ✓

VALLEY County

Place of use Legal Description for: STOCKWATER ~~FROM STORAGE~~

NE				NW				SW				SE											
T	R	S	: Lt Ac	NENE	NWNE	SWNE	SENE	: Lt Ac	NENW	NWNW	SWNW	SENW	: Lt Ac	NESW	NWSW	SWSW	SESW	: Lt Ac	NESE	NWSE	SWSE	SESE	: Lt Ac
18N	04E	26	:					:					:					:					:
18N	04E	27	:					:					:					:					:

POU County: VALLEY

Other Rights: NONE

Remarks: GEN FOREST SERVICE RECORD ID. 4 12 17050123 4 0401

EXP. REMARK Jol ✓

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 02/02/00 LHARRIS

N11 ✓
N13 ✓
C18 ✓

NOTE:

CHANGED CLAIM TO STOCKWATER USE
FROM BOULDER LAKE.

REASON, STOCK IS WATERED FROM LAKE, OTHERWISE
DIVERSION WORKS TO DELIVER WATER TO POU'S IS
IMPLIED.

C.D. 11/12/01