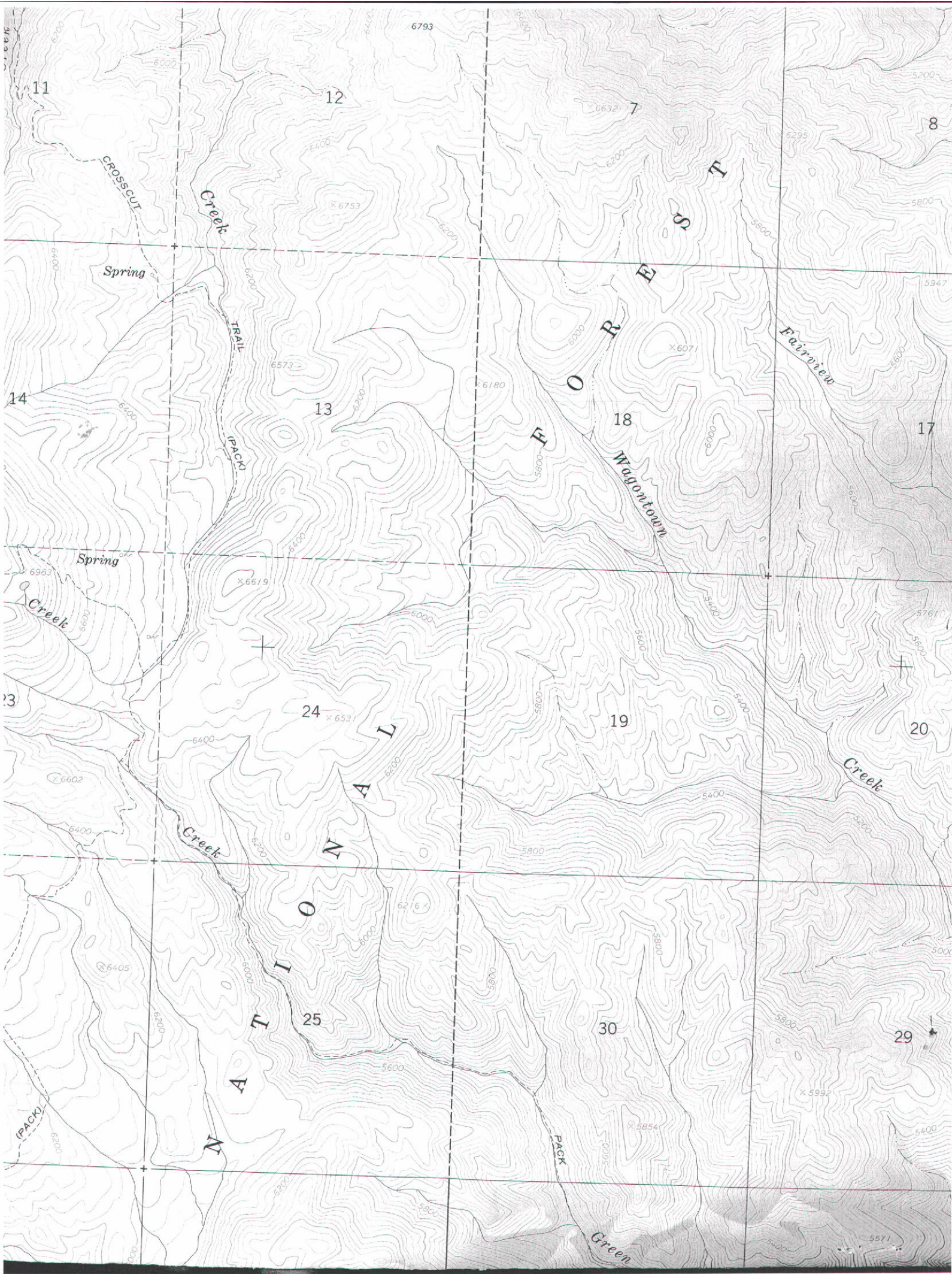
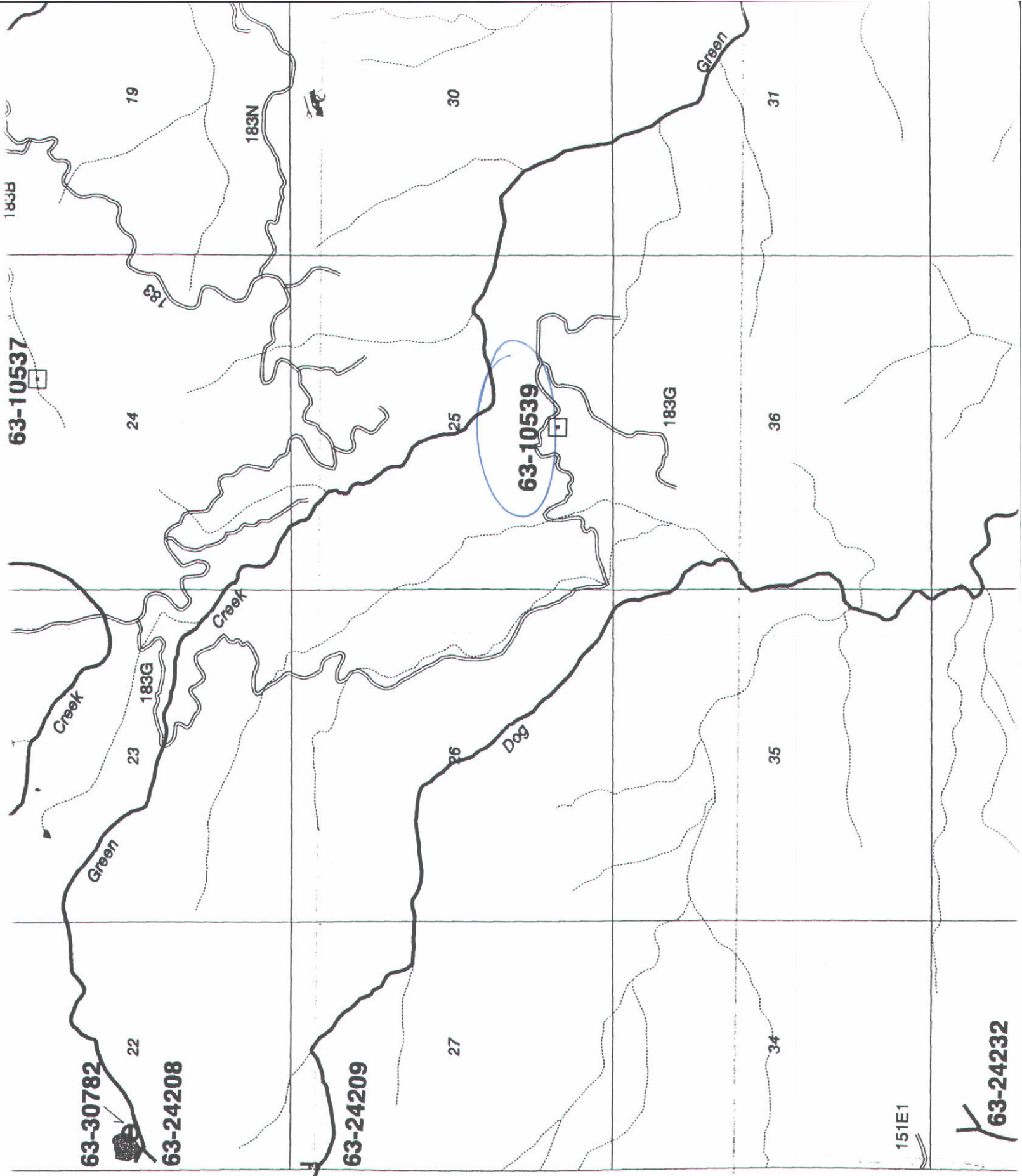






Footprint 11/12

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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: A63-10539  
Date received: \_\_\_\_\_  
Receipt No: \_\_\_\_\_  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: UNITED STATES OF AMERICA (USDA-Forest Service)  
Address: 324 25th Street Phone (801) 625-5360  
Ogden, Utah 84401

2. Date of Priority: 10/05/1987

3. Source: GREEN'S CREEK Trib. to: GREEN'S CR

4. Point of Diversion:

| Township | Range | Section | Tract | Lot | County |
|----------|-------|---------|-------|-----|--------|
| 3 N      | 9 E   | 25      | SWSE  |     | ELMORE |

5. Description of diverting works: RESERVOIR

6. Water is used for the following purposes:

| Purpose  | From  | To     | C.F.S. | (or) | A.F.A. | (or) | Elevation/<br>Well Depth |
|----------|-------|--------|--------|------|--------|------|--------------------------|
| WILDLIFE | Apr.1 | Nov.30 | 0.02   |      | 0.10   |      | 0                        |

7. Total Quantity Appropriated is: 0.02 C.F.S. / 0.10 A.F.A.

8. Total consumptive use is: de minimus

9. Non-irrigation uses: OTHER Livestock Numbers:

10. Place of Use:

| Township | Range | Section | Tract | Lot | County |
|----------|-------|---------|-------|-----|--------|
| 3 N      | 9 E   | 25      | SWSE  |     | ELMORE |

Purpose of use: WILDLIFE Acres Irrigated:

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used: NONE

14. Remarks: Quad No. 95

APPLICATION DATE: 10/05/1987

15. Basis of Claim: BENEFICIAL USE/APPLICATION

Reference Information:

National Forest: BOISE

Forest Service Record ID: 04 02 17050113 4 0 0002 0

IDWR Water State Filing No.: 63-10539

Allotment No.:

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:

Jack Haugrud  
Geoffrey Garver  
Daria J. Zane  
U.S. Department of Justice  
Environment and Natural Resources Division  
General Litigation Section  
P.O. Box 663  
Washington, D.C. 20044-0663  
202-272-4134

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.

03/01/2002

RECEIVED

APR 10 2002

WATER RESOURCES  
WESTERN REGION

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 5, 2002

Water right number: 63-10539

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):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 4-8-2002 SIGNATURE: Linda R. Moore SMS  
Please print your name: Linda R. Moore

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

02/14/2002

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

RIGHT NUMBER: 63-10539

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

SOURCE: SPRING

TRIBUTARY: GREEN CREEK

QUANTITY: 0.1 AFY

PRIORITY DATE: 10/05/1987

POINT OF DIVERSION:

T03N R09E S25 SWSE Within ELMORE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| WILDLIFE STORAGE      | 04/01 11/30          | 0.10 AFY        |
| WILDLIFE FROM STORAGE | 04/01 11/30          | 0.10 AFY        |

PLACE OF USE: WILDLIFE STORAGE Within ELMORE County

T03N R09E S25 SWSE

WILDLIFE FROM STORAGE Within ELMORE County

T03N R09E S25 SWSE

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

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: License

FOREST SERVICE RECORD ID = 0402 17050113 04 0002

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-10539

WATER RIGHT NUMBER: 63-10539

Owner Type                      Name and Address  
 Current Owner                  US DEPT OF AGRICULTURE  
                                          BOISE NATIONAL FOREST  
                                          1249 S VINNELL WAY #200  
                                          BOISE, ID 83709

Priority Date: 10/05/1987

Basis: License

Status: Active

Source                                              Tributary  
 UNNAMED STREAM                              GREEN CREEK

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| WILDLIFE FROM STORAGE | 4/01 to 11/30           |                       | 0.10 AF              |
| WILDLIFE STORAGE      | 4/01 to 11/30           |                       | 0.10 AF              |
|                       | <u>Total Diversion:</u> |                       | 0.10 AF              |

Location of Point(s) of Diversion

UNNAMED STREAM                      SW1/4SE1/4                      Sec. 25, Twp 03N, Rge 09E, B.M.  
 ELMORE County

Place of Use

WILDLIFE STORAGE

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N | 09E | 25  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |        |

WILDLIFE FROM STORAGE same as WILDLIFE STORAGEConditions of Approval:

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

Remarks:Comments:Dates and Other Information:

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: 63-10539

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: 10/05/1987

3. Source of water: UNNAMED STREAM

Tributary: GREENS CREEK

4. Location Meridian BOISE

Description of Diversion Works: Pond

From: Non-tributary flows (surf

Location of Point of Diversion

T: 03 N R: 09 E S: 25 SWSE

Location of Point of Use

T: 03 N R: 09 E S: 25 SWSE

| 5. Quantity claimed: | Period          | Quantity | For                   |
|----------------------|-----------------|----------|-----------------------|
|                      | 4/ 01 -- 11/ 30 | 0.10 AF  | Wildlife From Storage |
|                      | 4/ 01 -- 11/ 30 | 0.10 AF  | Wildlife 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:

Wildlife From Storage

Wildlife 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: 63

National Forest: Boise

Forest Service Record ID: 4 2 17050113 4 0 0002

LOCALLY KNOWN AS GREENS CREEK POND

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

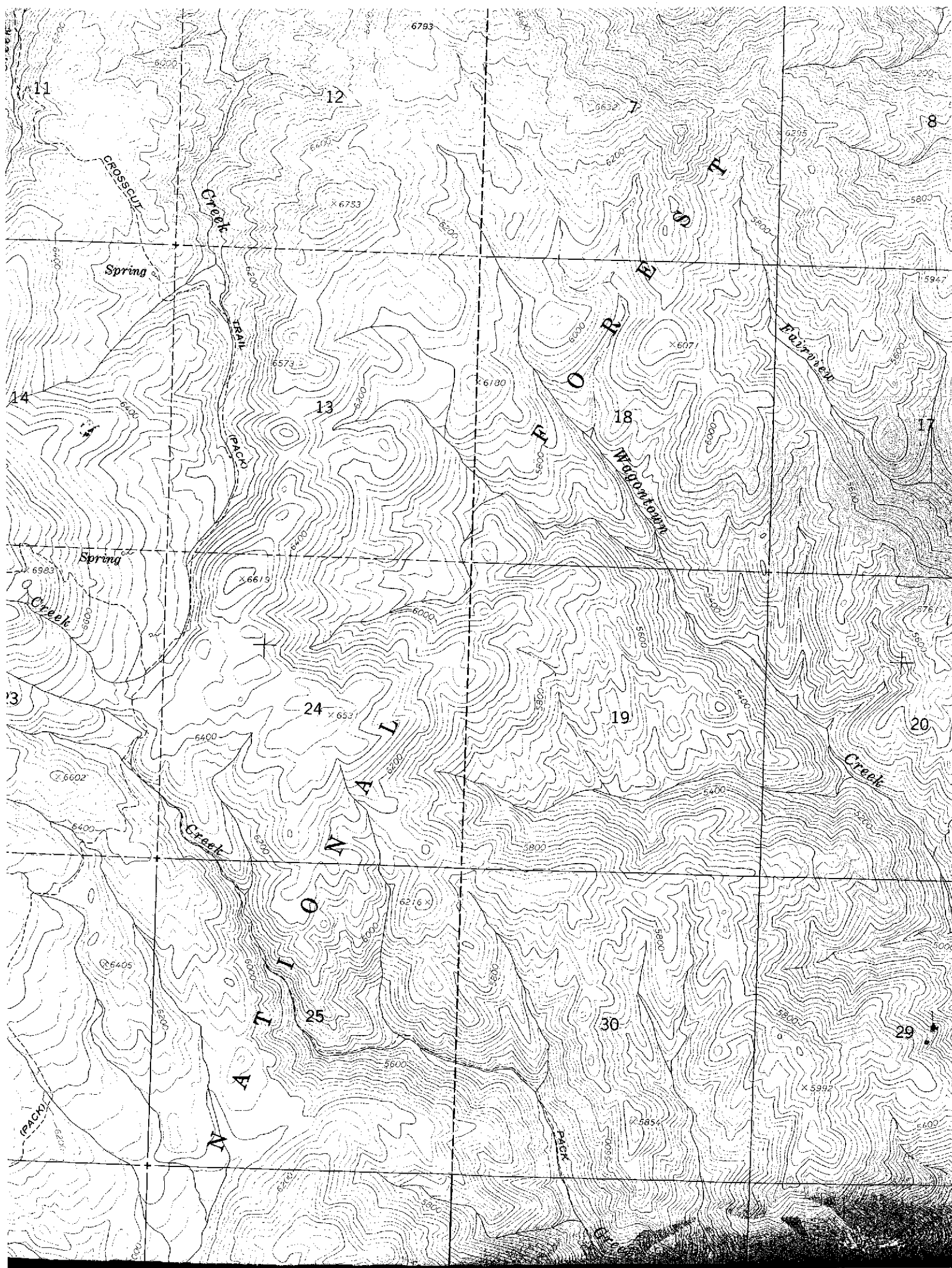
U.S. Department of Justice

Environment and Natural Resources Division

550 W. Fort Street, Box 33

Boise, ID 83724

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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: 63-10539

RECEIVED

JUL 16 1988

FILED UNDER STATE LAW

Department of Water Resources

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: 10/05/1987

3. Source of water: SINK

Tributary: GREENS CREEK

4. Location Meridian BOISE

Description of Diversion Works: Pond

From: Non-tributary flows (surf

Location of Point of Diversion

T: 03 N R: 09 E S: 25 SWSE

Location of Point of Use

T: 03 N R: 09 E S: 25 SWSE

5. Quantity claimed: Period Quantity For  
4/ 01 -- 11/ 30 0.02 CFS Wildlife

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:  
Wildlife

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: 63

National Forest: Boise

Forest Service Record ID: 04 02 17050113 04 0 0002

LOCALLY KNOWN AS GREENS CREEK POND

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HOLD FOR IRRIG/ OTHER  
REPORT - NON-DEM.  
WILDLIFE  
ONLY  
LICENSE

| OWNER<br>CODE | NAME & ADDRESS                                                                                            | PRIORITY<br>DATE | WATER USE | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|-----------------------------------------------------------------------------------------------------------|------------------|-----------|-----------------------|-------------------|---------------------|
| C             | UNITED STATES OF AMERICA ACTING THROUGH<br>USDA FOREST SERVICE<br>550 W FORT ST MSC 033<br>BOISE ID 83724 | 10/05/1987       | WILDLIFE  | 04-01 11-30           | 0.02 CFS          |                     |
|               |                                                                                                           |                  |           | TOTAL DIVERSION:      | 0.02 CFS          |                     |

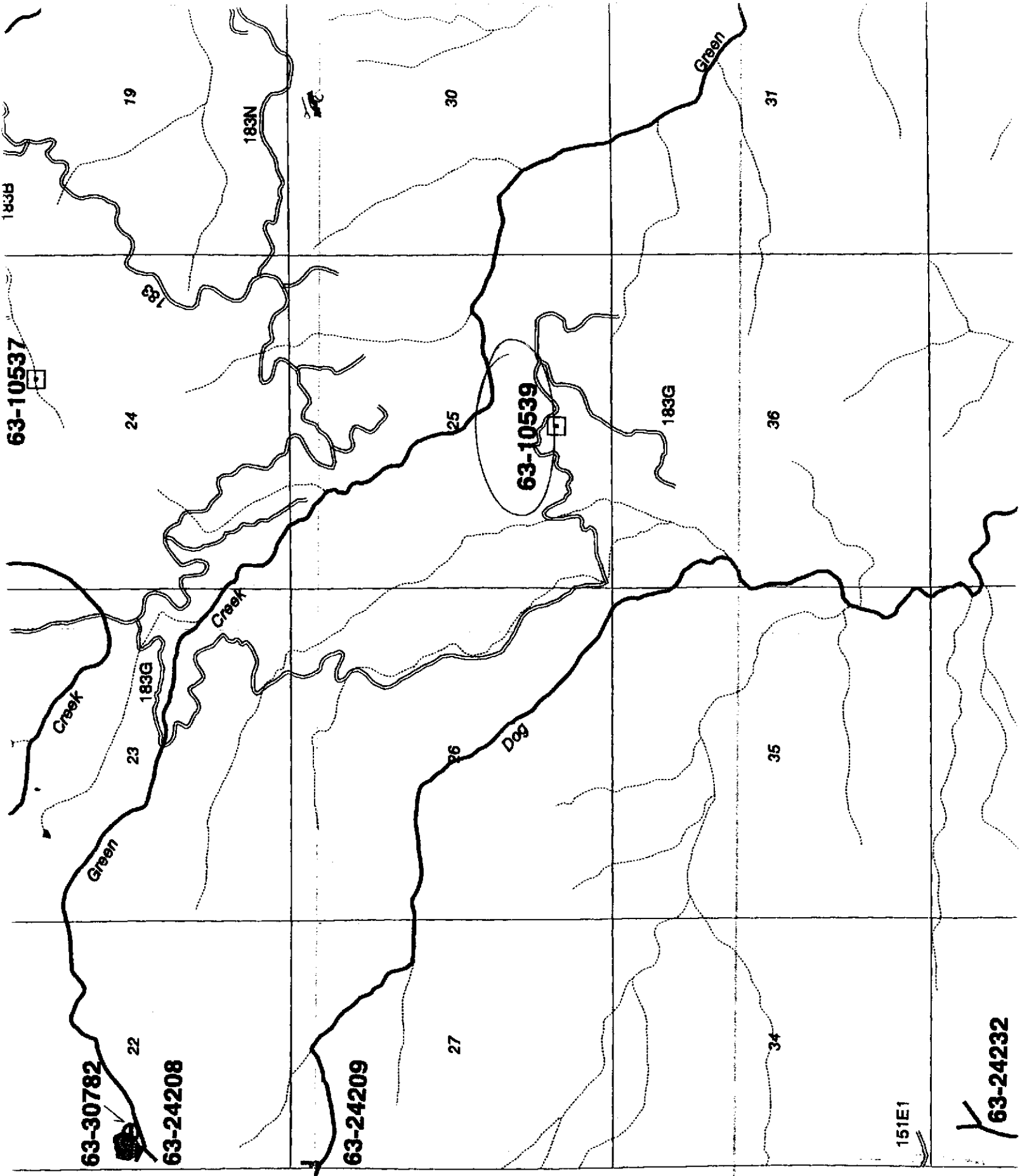
Water Source: SPRING  
 Point(s) of Diversion: T03N R09E S25  
 Place of use Legal Description for: WILDLIFE

Tributary to: GREEN CREEK  
 Stage: BENEFICIAL USE  
 ELMORE County

POU County: ELMORE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
 A63-10539

|          |                        |                                                  |                       |
|----------|------------------------|--------------------------------------------------|-----------------------|
| Remarks: | EXP                    | FOREST SERVICE RECORD ID = 0402 17050113 04 0002 | Objection Filed Date: |
| Dates:   | Exam Made Date:        | Verified Date:                                   |                       |
| Misc:    | Water District Number: | Field Inspection Flag:                           |                       |
|          |                        | Presumption Flag:                                |                       |
| Audit:   | 07/28/98               | AJCTR                                            |                       |



For 11/12

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