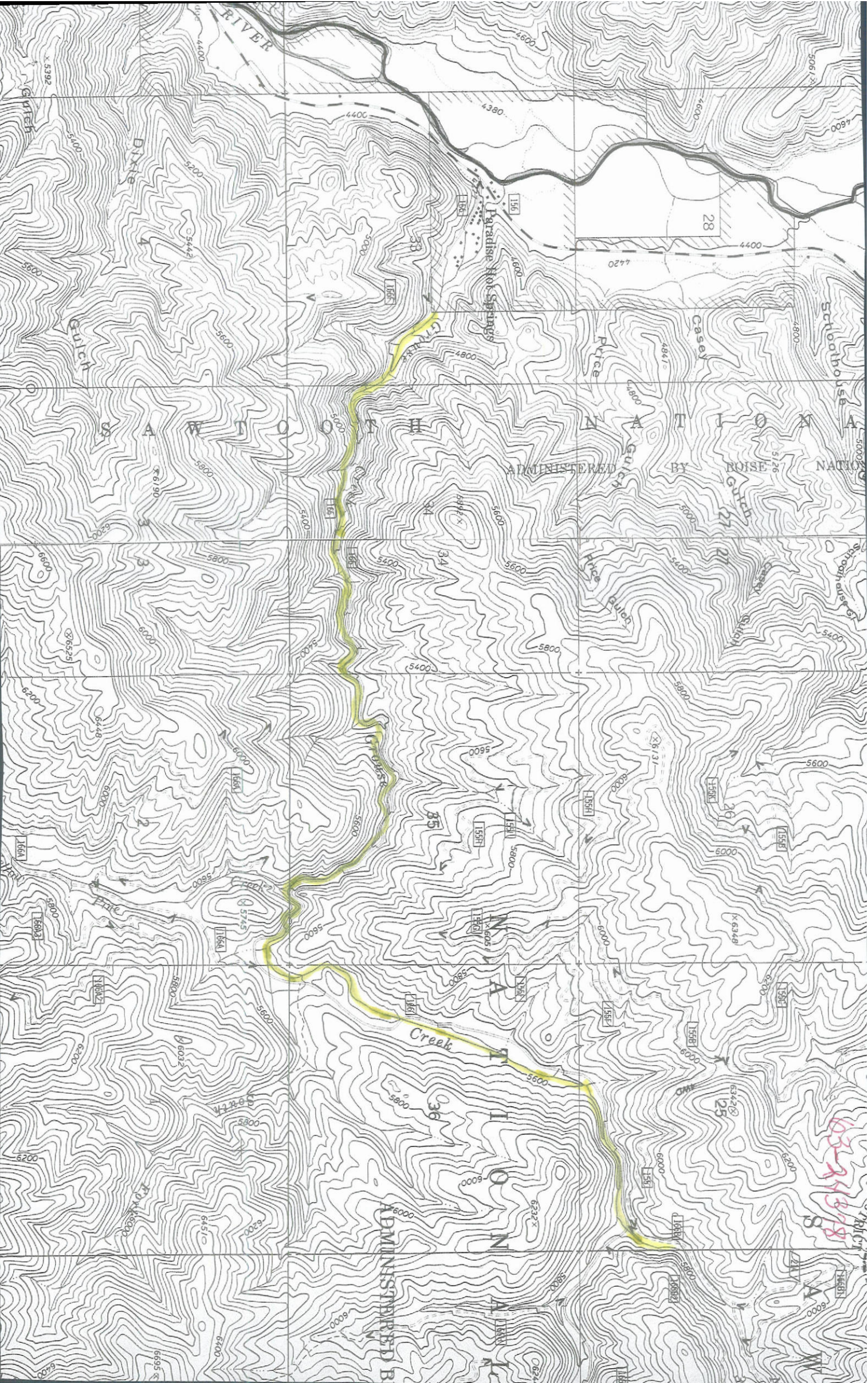




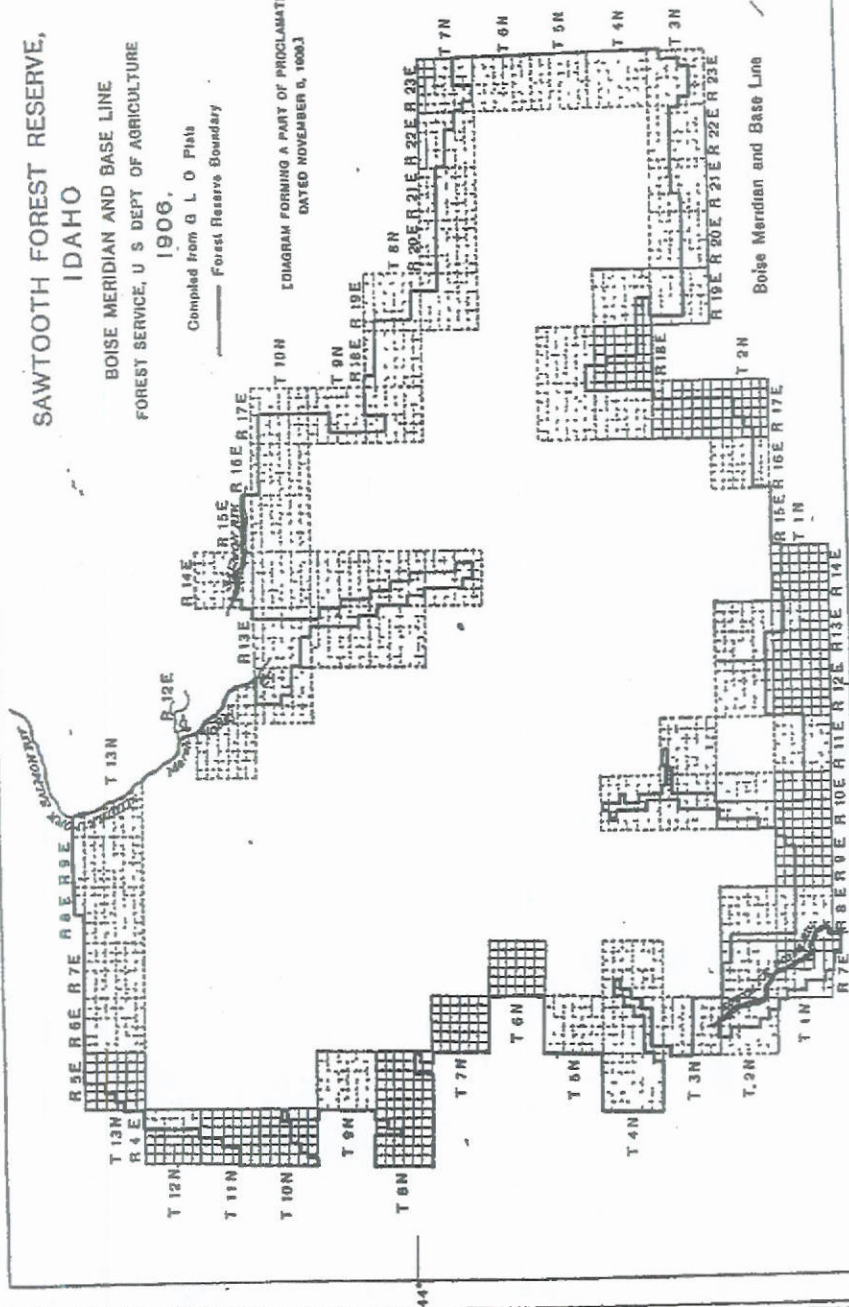
SAWTOOTH FOREST RESERVE,
IDAHO

BOISE MERIDIAN AND BASE LINE
FOREST SERVICE, U S DEPT OF AGRICULTURE
1906.

Compiled from G L O Plats

Forest Reserve Boundary

DIAGRAM FORMING A PART OF PROCLAMATION
DATED NOVEMBER 6, 1906



38° Longitude West from Washington

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 63-24378
Date Received: 3/25/1993
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: 06/01/1887

3. Source: GROUSE CREEK Trib. to: BOISE RIVER SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	10E	33	SE NE	ELMORE	Beginning Point
03N	10E	25	NE SE	ELMORE	Ending Point

5. Description of diverting works:

None

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	06/01	10/31	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
03N	10E	1	NW NW	STOCKWATER	

03N	10E	2	NE NW	NE NE	STOCKWATER STOCKWATER
03N	10E	25	NE SE SW SE	SE ✓ SW SE SE	STOCKWATER STOCKWATER STOCKWATER STOCKWATER
03N	10E	33	SE NE	NE SE	STOCKWATER STOCKWATER
03N	10E	34	NW SW SE SW SE	SW SW SW SE SE	STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER
03N	10E	35	NW SW NW NE SW SE	SW SW SE SW SE SE	STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER
03N	10E	36	NE SW SE NW SW	NW NW NW SW SW	STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER

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:

14. Remarks:

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: A63-24378
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: 01/01/1865

3. Source: GROUSE CREEK Trib. to: SF BOISE R

4. Point of Diversion:

Township	Range	Section	Tract	Lot	County
3 N	10 E	25	SESE		ELMORE

5. Description of diverting works: NO DEVELOPMENT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.	(or)	Elevation/ Well Depth
STOCKWATER/WILDLIFE	Jun.1	Oct.31	0.03		0.00		0

7. Total Quantity Appropriated is: 0.03 C.F.S. / 0.00 A.F.A.

8. Total consumptive use is: de minimus

9. Non-irrigation uses: CATTLE Livestock Numbers: 1502

10. Place of Use:

Township	Range	Section	Tract	Lot	County
3 N	10 E	33	SENE		ELMORE

Purpose of use: STOCKWATER/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: 00/00/

15. Basis of Claim: BENEFICIAL USE/APPLICATION

Reference Information:

National Forest: BOISE

Priority Dates: BOISE NATIONAL FOREST LIVESTOCK HISTORY

Forest Service Record ID: 04 02 17050113 70 0502 0

IDWR Water State Filing No.: 63-24378

Allotment No.: 204

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.

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: 63-24378

FILED UNDER STATE LAW

RECEIVED
AUG 08 2001
WATER RESOURCES
WESTERN REGION

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: 06/01/1887

3. Source of water: GROUSE CREEK

Tributary: BOISE RIVER, SOUTH FORK

4. Location Meridian BOISE

Description of Diversion Works: None

From: Stream

Location of Point of Diversion

T: 03 N R: 10 E S: 25 NESE B T: 03 N R: 10 E S: 33 SENE E

Location of Point of Use

T: 03	N R: 10	E S: 25	NESE	ac:	0	T: 03	N R: 10	E S: 25	SESW	ac:	0
T: 03	N R: 10	E S: 25	SWSE	ac:	0	T: 03	N R: 10	E S: 25	SESE	ac:	0
T: 03	N R: 10	E S: 36	NENW	ac:	0	T: 03	N R: 10	E S: 36	SWNW	ac:	0 ✓
T: 03	N R: 10	E S: 36	SENW	ac:	0	T: 03	N R: 10	E S: 36	NWSW	ac:	0 ✓
T: 03	N R: 10	E S: 36	SWSW	ac:	0	T: 03	N R: 10	E S: 1	NWNW	ac:	0 ✓
T: 03	N R: 10	E S: 2	NENE	ac:	0	T: 03	N R: 10	E S: 2	NWNE	ac:	0
T: 03	N R: 10	E S: 35	NWSE	ac:	0	T: 03	N R: 10	E S: 35	NESW	ac:	0 ✓
T: 03	N R: 10	E S: 35	NWSW	ac:	0	T: 03	N R: 10	E S: 35	SWSW	ac:	0 ✓
T: 03	N R: 10	E S: 35	SWSE	ac:	0	T: 03	N R: 10	E S: 35	SESE	ac:	0
T: 03	N R: 10	E S: 34	NWSW	ac:	0	T: 03	N R: 10	E S: 34	SWSW	ac:	0 ✓
T: 03	N R: 10	E S: 34	SESW	ac:	0	T: 03	N R: 10	E S: 34	SWSE	ac:	0 ✓
T: 03	N R: 10	E S: 34	SESE	ac:	0	T: 03	N R: 10	E S: 33	SENE	ac:	0 ✓
T: 03	N R: 10	E S: 33	NESE	ac:	0						

5. Quantity claimed: Period Quantity For
6/ 01 -- 10/ 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: 63

National Forest: Boise

Forest Service Record ID: 4200

Forest Service ID No. 04021705011370 502

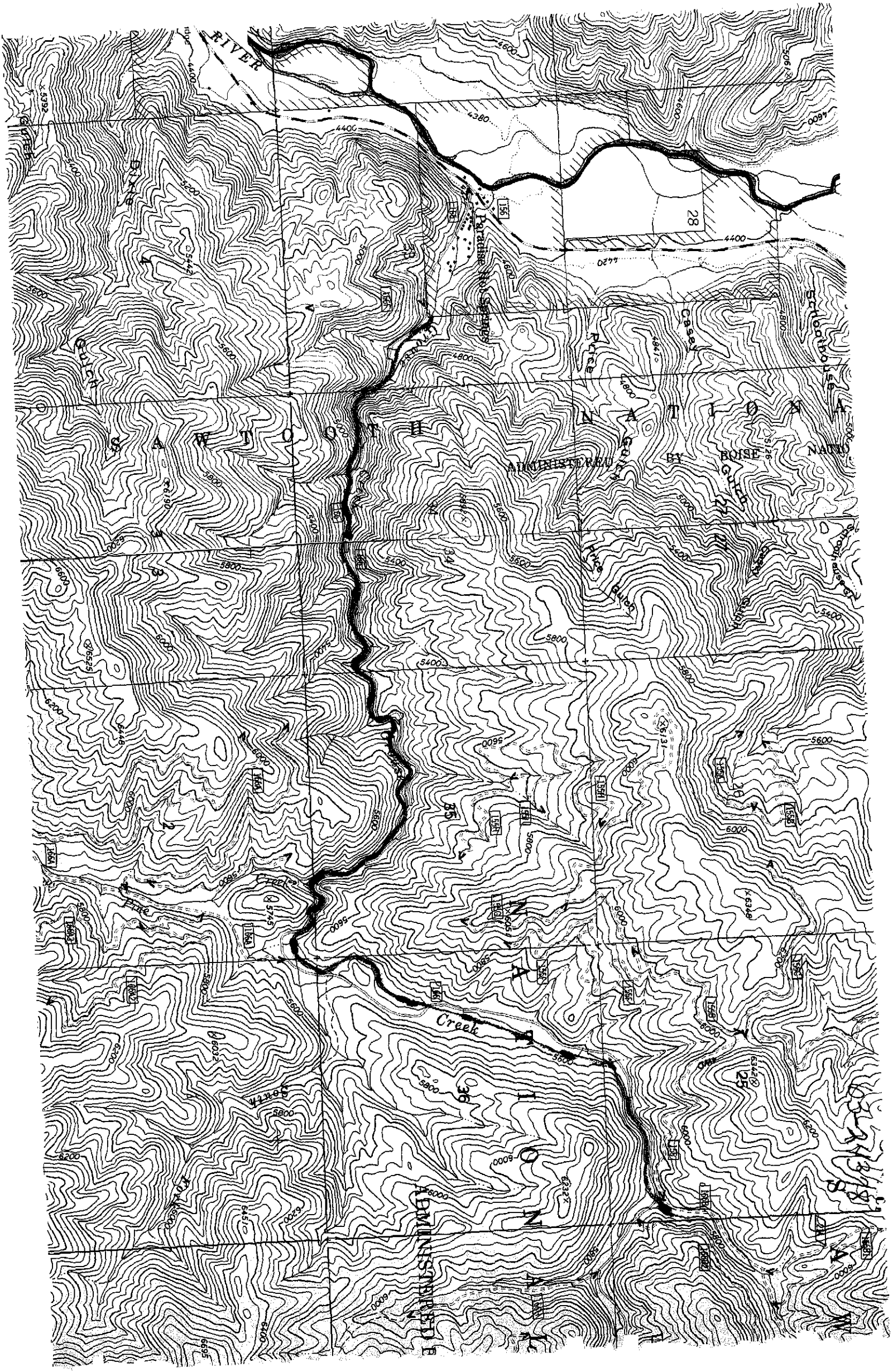
10. Describe any other water rights used at the same place and for the same purposes as described above: None

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 30 2003

Department of Water Resources

COPY

**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 Number: 63-24378

(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: State of Idaho, Department of Lands
Address: 700 W. Jefferson, Room 210
P.O. Box 44449
Boise, Idaho 83711-4449
Daytime Phone: (208) 334-2400

Name and Address of Attorney, if any:

Attorney Name: LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER
Deputy Attorney General
Attorney Address: Office of the Attorney General
700 W. Jefferson, Room 210
P.O. Box 44449
Boise, ID 83711-4449
Attorney Phone No. (208) 334-2400
Idaho State Bar # 2597

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

Name: United States of America
USDA Forest Service
Address: 550 W. Fort Street, 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)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☒ **Priority Date**
Should be: May 29, 1905 for those lands reserved on that date,
November 6, 1906 for those lands reserved on that date, and
October 1, 1981, for those lands acquired on that date.
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 above.

E. REASONS SUPPORTING OBJECTION(S):

4. Priority Date

The beginning and ending points of this instream flow are within Township 3 North, Range 10 East, Boise Meridian. The land in this township was reserved as a forest reservation by the Proclamations dated May 29, 1905 and November 6, 1906. The place of use described as section 1 and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 2 of Township 2 North, Range 10 East, Boise Meridian, was reserved by Proclamation dated November 6, 1906. The claimant acquired the place of use described as the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 2, Township 2 North, Range 10 East Boise Meridian, on October 1, 1981, from the State of Idaho. Copies of the two Proclamations dated May 29, 1905 and November 6, 1906 are attached as Attachments I and II, respectively. A copy of the deed dated October 1, 1981 from the State of Idaho to the claimant is attached as Attachment III. The claimant could not claim a water right for the claimed purposes until it began to manage the land as a forest reservation on the dates of May 29, 1905, November 6, 1906, and October 1, 1981, as the case may be.

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F.

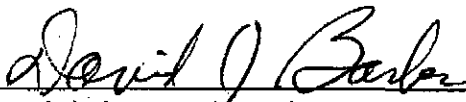
VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

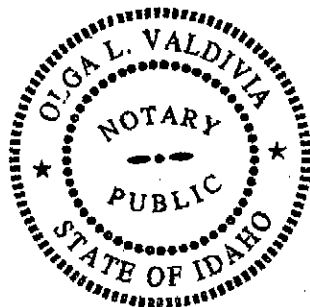
DAVID J. BARBER, Deputy Attorney General, duly sworn, upon oath, deposes and says:

That the State of Idaho, Department of Lands, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Lands which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on: 1-29-03
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/8/06

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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 29, 2003, I caused the original and the copies of this objection, including all attachments, to be served on the following persons by the method designated:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

U.S. Mail

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

United States of America
USDA Forest Service
550 W. Fort Street, MSC 033
Boise, ID 83724

U.S. MAIL

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

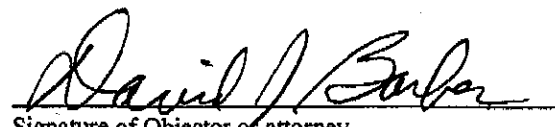
STATEHOUSE MAIL

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

(not applicable)

United States Department of Justice
Environment and Natural Resource Division
550 W. Fort Street, MSC 033
Boise, ID 83724

U.S. MAIL


Signature of Objector or attorney
Mailing on Objector's behalf

ATTACHMENT/S

Name.

The reservation hereby established shall be known as The Wouser Forest Reserve.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 25th day of May, in the year of our Lord one thousand nine hundred and five, and of [SEAL.] the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT

By the President:

FRANCIS B. LOOMIS

Acting Secretary of State.

May 29, 1905

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

The Sawtooth
Forest Reserve,
Idaho.
Preamble
Vol 28, p 1103
Post, p 3280.

WHEREAS, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes"; That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof;

And whereas, the public lands in the State of Idaho, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Forest reserve,
Idaho.

Now, therefore, I, Theodore Roosevelt, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of Idaho, and within the boundaries particularly described as follows:

Description

Beginning at the north-west corner of Section three (3), Township thirteen (13) North, Range five (5) East, Boise Base and Meridian, Idaho; thence easterly to the north-east corner of Section four (4), Township thirteen (13) North, Range eight (8) East; thence southerly to the south-west corner of Section fifteen (15), Township twelve (12) North, Range eight (8) East; thence easterly to the north-east corner of Section twenty-four (24), Township twelve (12) North, Range nine (9) East; thence southerly to the south-west corner of Section thirty (30), Township twelve (12) North, Range ten (10) East; thence easterly to the north-east corner of Section thirty-six (36), said township; thence southerly to the south-west corner of Township twelve (12) North, Range eleven (11) East; thence easterly to the north-east corner of Section five (5), Township eleven (11) North, Range eleven (11) East; thence southerly to the south-west corner of Section twenty-one (21), said township; thence easterly to the north-east corner of Section twenty-nine (29), Township eleven (11) North, Range twelve (12) East; thence southerly to the south-west corner of Section sixteen (16), Township ten (10) North, Range twelve (12) East; thence easterly to the north-east corner of Section

twenty-one (21), said township; thence southerly to the south-west corner of Section twenty-two (22), said township; thence easterly to the north-east corner of Section twenty-five (25), said township; thence southerly to the south-west corner of Section thirty (30), Township ten (10) North, Range thirteen (13) East; thence easterly to the north-east corner of Section thirty-three (33), said township; thence southerly to the south-west corner of Section thirty-four (34), said township; thence easterly to the north-east corner of Section three (3), Township nine (9) North, Range thirteen (13) East; thence southerly to the south-west corner of Section twenty-six (26), said township; thence easterly to the north-east corner of Section thirty-five (35), said township; thence southerly to the south-west corner of Section one (1), Township eight (8) North, Range thirteen (13) East; thence easterly to the north-east corner of Section twelve (12), said township; thence southerly to the south-west corner of Section nineteen (19), Township eight (8) North, Range fourteen (14) East; thence easterly to the north-east corner of Section thirty (30), said township; thence southerly to the south-west corner of Section thirty-two (32), said township; thence easterly to the north-east corner of Section five (5), Township seven (7) North, Range fourteen (14) East; thence southerly to the south-east corner of Section twenty-nine (29), said township; thence westerly to the north-west corner of Section thirty-one (31), said township; thence southerly to the south-east corner of Township seven (7) North, Range thirteen (13) East; thence westerly to the north-west corner of Section one (1), Township six (6) North, Range thirteen (13) East; thence southerly to the south-east corner of Section eleven (11), said township; thence westerly to the north-west corner of Section fourteen (14), said township; thence southerly to the south-west corner of Section twenty-three (23), said township; thence easterly to the north-east corner of Section thirty (30), Township six (6) North, Range fourteen (14) East; thence southerly to the south-west corner of Section twenty-nine (29), said township; thence easterly to the north-east corner of Section thirty-three (33), Township six (6) North, Range fifteen (15) East; thence southerly, allowing for the proper offset on the First (1st) Standard Parallel North, to the south-west corner of Section fifteen (15), Township four (4) North, Range fifteen (15) East; thence easterly to the north-east corner of Section twenty-two (22), said township; thence southerly to the south-east corner of Section thirty-four (34), said township; thence westerly to the north-west corner of Township three (3) North, Range fifteen (15) East; thence southerly to the south-east corner of Section one (1), Township three (3) North, Range fourteen (14) East; thence westerly to the north-west corner of Section nine (9), said township; thence southerly to the south-east corner of Section thirty-two (32), said township; thence westerly to the south-west corner of Section thirty-five (35), Township three (3) North, Range ten (10) East; thence northerly to the north-west corner of the south-west quarter of Section eleven (11), said township; thence easterly to the south-east corner of the north-east quarter of Section seven (7), Township three (3) North, Range eleven (11) East; thence northerly to the north-west corner of Section eight (8), said township; thence easterly to the south-east corner of Section four (4), said township; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of Section five (5), said township; thence southerly to the south-west corner of the north-west quarter of said section; thence westerly to the south-west corner of the north-west quarter of Section one (1), Township three (3) North, Range ten (10) East; thence northerly to the north-east corner of Section two (2), said township; thence westerly to the south-west

Sawtooth Forest
Reserve—Continued.

Sawtooth Forest
Reserve—Continued

corner of Section thirty-five (35), Township four (4) North, Range ten (10) East; thence northerly to the north-east corner of Section twenty-seven (27), said township; thence westerly to the south-west corner of Section twenty-two (22), said township; thence northerly to the north-west corner of said section; thence easterly to the south-east corner of Section fifteen (15), said township; thence northerly to the north-east corner of said section; thence westerly to the south-west corner of Section ten (10), said township; thence northerly to the north-east corner of Section four (4), said township; thence westerly to the north-west corner of said section; thence southerly to the south-east corner of Section five (5), said township; thence westerly to the north-west corner of Section eight (8), said township; thence southerly to the south-west corner of said section; thence easterly to the north-east corner of Section seventeen (17), said township; thence southerly to the south-west corner of Section twenty-eight (28), said township; thence easterly to the north-east corner of Section thirty-three (33), said township; thence southerly to the south-east corner of Section nine (9), Township three (3) North, Range ten (10) East; thence westerly to the north-west corner of Section sixteen (16), said township; thence southerly to the south-east corner of Section thirty-two (32), said township; thence westerly to the south-west corner of Township three (3) North, Range seven (7) East; thence northerly to the north-east corner of Section twenty-four (24), Township three (3) North, Range six (6) East; thence westerly to the south-west corner of Section eighteen (18), said township; thence northerly to the north-west corner of Section seven (7), said township; thence easterly to the south-east corner of Section six (6), said township; thence northerly to the north-west corner of Section thirty-two (32), Township four (4) North, Range six (6) East; thence easterly to the south-east corner of Section twenty-six (26), said township; thence northerly to the north-west corner of Section twenty-five (25), said township; thence easterly to the south-east corner of Section twenty-four (24), said township; thence northerly to the north-west corner of Section nineteen (19), Township four (4) North, Range seven (7) East; thence easterly to the south-east corner of Section eighteen (18), said township; thence northerly to the north-west corner of Section seventeen (17), said township; thence easterly to the south-east corner of Section eight (8), said township; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of Section seven (7), said township; thence southerly to the south-east corner of Section twelve (12), Township four (4) North, Range six (6) East; thence westerly to the north-west corner of Section thirteen (13), said township; thence southerly to the south-east corner of Section fourteen (14), said township; thence westerly to the north-west corner of Section twenty-three (23), said township; thence southerly to the south-east corner of Section twenty-two (22), said township; thence westerly to the north-west corner of Section thirty (30), said township; thence southerly to the south-east corner of Section twenty-five (25), Township four (4) North, Range five (5) East; thence westerly to the north-west corner of Section thirty-six (36), said township; thence southerly to the south-east corner of Section thirty-five (35), said township; thence westerly to the south-west corner of said township; thence northerly to the north-west corner of Township five (5) North, Range five (5) East; thence northerly to the north-west corner of Township five (5) North, Range six (6) East; thence easterly to the south-east corner of Township six (6) North, Range six (6) East; thence northerly to the north-east corner of said township; thence westerly to the south-west corner of Township seven (7) North, Range six (6) East; thence northerly to the south-east corner

of Township eight (8) North, Range five (5) East; thence westerly to the south-west corner of Section thirty-six (36), said township; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence northerly to the north-east corner of Section twenty-five (25), said township; thence westerly to the north-west corner of the north-east quarter of Section twenty-seven (27), said township; thence southerly to the south-east corner of the south-west quarter of Section thirty-four (34), said township; thence westerly to the south-west corner of Township eight (8) North, Range four (4) East; thence northerly to the north-west corner of said township; thence easterly to the north-east corner of Section four (4), said township; thence southerly to the south-west corner of Section fifteen (15), said township; thence easterly to the south-east corner of said section; thence northerly to the north-west corner of the south-west quarter of Section eleven (11), said township; thence easterly to the south-east corner of the north-east quarter of said section; thence northerly to the north-west corner of Section one (1), said township; thence easterly to the south-east corner of Township nine (9) North, Range four (4) East; thence northerly to the north-east corner of said township; thence westerly to the south-west corner of Section thirty-six (36), Township ten (10) North, Range four (4) East; thence northerly to the south-west corner of Section thirteen (13), said township; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of the north-east quarter of Section fourteen (14), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence westerly to the north-west corner of Section twenty-one (21), said township; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of Section twenty-nine (29), said township; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of the north-east quarter of Section thirty-one (31), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence westerly to the south-west corner of said township; thence northerly to the north-west corner of Section thirty (30), Township eleven (11) North, Range four (4) East; thence easterly to the south-east corner of Section twenty (20), said township; thence northerly to the north-west corner of Section sixteen (16), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section three (3), said township; thence easterly to the south-east corner of Section thirty-four (34), Township twelve (12) North, Range four (4) East; thence northerly to the north-west corner of Section two (2), said township; thence easterly to the south-west corner of Township thirteen (13) North, Range five (5) East; thence northerly to the north-west corner of Section thirty (30), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section twenty (20), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section sixteen (16), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section three (3), said township, the place of beginning; such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal

Sawtooth Forest
Reserve—Continued

Lands excepted.

entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired. *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Reserved from
settlement

Name

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as The Sawtooth Forest Reserve.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed

Done at the City of Washington this 29th day of May, in the year of our Lord one thousand nine hundred and five, and of [SEAL] the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT

By the President.

FRANCIS B. LOOMIS

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

June 2, 1905

Game preserve,
Wichita Forest Re-
serve, Okla.
Preamble
Vol 82, p 614
Post, p 6207.

Vol 82, p 1978

WHEREAS, it is provided by the Act of Congress, approved January twenty-fourth, nineteen hundred and five, entitled, "An Act for the protection of wild animals and birds in the Wichita Forest Reserve", That the President of the United States is hereby authorized to designate such areas in the Wichita Forest Reserve as should, in his opinion, be set aside for the protection of game animals and birds and be recognized as a breeding place therefor.

"Sec. 2. That when such areas have been designated as provided for in section one of this Act, hunting, trapping, killing, or capturing of game animals and birds upon the lands of the United States within the limits of said areas shall be unlawful, except under such regulations as may be prescribed from time to time, by the Secretary of Agriculture; and any person violating such regulations or the provisions of this Act shall be deemed guilty of a misdemeanor, and shall, upon conviction in any United States court of competent jurisdiction, be fined in a sum not exceeding one thousand dollars or be imprisoned for a period not exceeding one year, or shall suffer both fine and imprisonment, in the discretion of the court.

"Sec. 3. That it is the purpose of this Act to protect from trespass the public lands of the United States and the game animals and birds which may be thereon, and not to interfere with the operation of the local game laws as affecting private, State, or Territorial lands";

And whereas, for the purpose of giving this Act effect, it appears desirable that the entire Wichita Forest Reserve be declared a Game Preserve;

Now, therefore, I, Theodore Roosevelt, President of the United States, by virtue of the power in me vested by the aforesaid Act of Congress, do hereby make known and proclaim that the Wichita Forest Reserve, in the Territory of Oklahoma, is designated and set aside for the protection of game animals and birds, and shall be rec-

Wichita Forest
Reserve, Okla., set
apart as a game
preserve

November 6, 1906

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Lolo Forest Re-
serve, Mont
Preamble
AWC, p 3234

WHEREAS, the Lolo Forest Reserve, in the State of Montana, was established by proclamation dated September twentieth, nineteen hundred and six;

And whereas, it appears that the public good would be promoted by adding to the said forest reserve certain lands, within the State of Montana, which are in part covered with timber;

Vol 30, p. 36

And whereas, it is provided by the Act of Congress, approved June fourth, eighteen hundred and ninety-seven, entitled, "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes," that "The President is hereby authorized at any time to modify any Executive order that has been or may hereafter be made establishing any forest reserve, and by such modification may reduce the area or change the boundary lines of such reserve, or may vacate altogether any order creating such reserve";

Boundaries en-
larged

Now, therefore, I, Theodore Roosevelt, President of the United States of America, by virtue of the power in me vested by the said act of Congress, do proclaim that the aforesaid Lolo Forest Reserve is hereby enlarged to include the said additional lands, and that the boundaries of the reserve are now as shown on the diagram forming a part hereof.

Lands excepted

This proclamation will not take effect upon any lands withdrawn or reserved, at this date, from settlement, entry, or other appropriation, for any purpose other than forest uses, or which may be covered by any prior valid claim, so long as the withdrawal, reservation, or claim exists.

Reserved from
settlement

Warning is hereby given to all persons not to make settlement upon the lands reserved by this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 6th day of November, in the year of our Lord one thousand nine hundred and six,
[SEAL.] and of the Independence of the United States the one hundred and thirty-first.

THEODORE ROOSEVELT

By the President:

ROBERT BACON

Acting Secretary of State.

November 6, 1906

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Sawtooth Forest
Reserve, Idaho
Preamble
AWC, p 3058

WHEREAS, the Sawtooth Forest Reserve, in the State of Idaho, was established by proclamation dated May twenty-ninth, nineteen hundred and five;

And whereas, it appears that the public good would be promoted by adding to the said forest reserve certain lands, within the State of Idaho, which are in part covered with timber;

Vol 30, p. 36

And whereas, it is provided by the Act of Congress, approved June fourth, eighteen hundred and ninety-seven, entitled, "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight,

and for other purposes," that "The President is hereby authorized at any time to modify any Executive order that has been or may hereafter be made establishing any forest reserve, and by such modification may reduce the area or change the boundary lines of such reserve, or may vacate altogether any order creating such reserve;"

Now, therefore, I, Theodore Roosevelt, President of the United States of America, by virtue of the power in me vested by the said act of Congress, do proclaim that the aforesaid Sawtooth Forest Reserve is hereby enlarged to include the said additional lands, and that the boundaries of the reserve are now as shown on the diagram forming a part hereof.

Boundaries enlarged

This proclamation will not take effect upon any lands withdrawn or reserved, at this date, from settlement, entry, or other appropriation, for any purpose other than forest uses, or which may be covered by any prior valid claim, so long as the withdrawal, reservation, or claim exists.

Lands excepted

Warning is hereby given to all persons not to make settlement upon the lands reserved by this proclamation.

Reserved from settlement

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 6th day of November, in the year of our Lord one thousand nine hundred and six, and
[SEAL] of the Independence of the United States the one hundred and thirty-first.

THEODORE ROOSEVELT

By the President:

ROBERT BACON

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

November 7, 1906.

A PROCLAMATION

WHEREAS, the Jemez Forest Reserve, in the Territory of New Mexico, was established by proclamation dated October twelfth, nineteen hundred and five;

Jemez Forest Reserve, N Mex
Preamble
Acts, p 3182.

And whereas, it appears that the public good would be promoted by adding to the said forest reserve certain lands, within the Territory of New Mexico, which are in part covered with timber;

And whereas, it is provided by the Act of Congress, approved June fourth, eighteen hundred and ninety-seven, entitled, "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes," that "The President is hereby authorized at any time to modify any Executive order that has been or may hereafter be made establishing any forest reserve, and by such modification may reduce the area or change the boundary lines of such reserve, or may vacate altogether any order creating such reserve;"

Vol 80, p 86

Now, therefore, I, Theodore Roosevelt, President of the United States of America, by virtue of the power in me vested by the said act of Congress, do proclaim that the aforesaid Jemez Forest Reserve is hereby enlarged to include the said additional lands, and that the boundaries of the reserve are now as shown on the diagram forming a part hereof.

Boundaries enlarged

This proclamation will not take effect upon any lands withdrawn or reserved, at this date, from settlement, entry, or other appropriation, for any purpose other than forest uses, or which may be covered

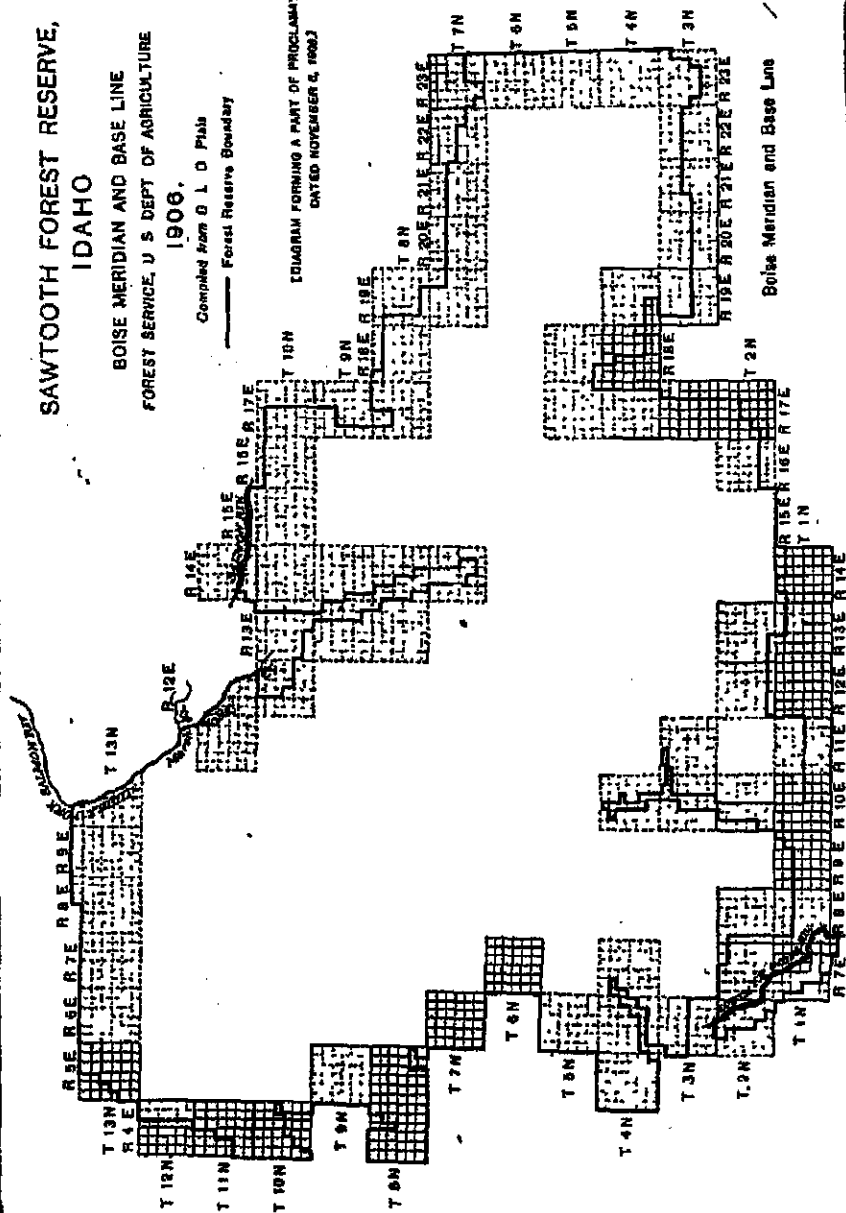
Lands excepted.

SAWTOOTH FOREST RESERVE,
IDAHO

BOISE MERIDIAN AND BASE LINE
FOREST SERVICE, U S DEPT OF AGRICULTURE
1906.

Compiled from G. L. O. Plats
— Forest Reserve Boundary

TOUAGRAM FORMING A PART OF PROCLAMATION
DATED NOVEMBER 6, 1903



38° Longitude West from Washington

I 16381

12/28/81

Deed No. 11805

STATE OF IDAHO DEED

For and in consideration of the exchange of National Forest System land by conveyance from the United States of America to the State of Idaho of certain lands, to-wit: Lot 2, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4; Lots 3, 4, 5, 6, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 6; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 9; N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15; S $\frac{1}{2}$ W $\frac{1}{2}$ Section 22; NE $\frac{1}{4}$ Section 27; S $\frac{1}{2}$ Section 33; N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 34, Township 2 North, Range 8 East, Boise Meridian; Lots 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 4, Township 1 North, Range 8 East, Boise Meridian, containing 1624.78 acres, more or less, in Elmore County, State of Idaho, under the provision of the Act of Congress of March 20, 1922, as amended (42 Stat. 465, 43 Stat. 1090, 74 Stat. 205; 16 U.S.C. 485, 486), the Act of Congress of October 21, 1976 (90 Stat. 2743; 43 U.S.C. 1716), and in accordance with Section 58-13B, Idaho Code, the STATE OF IDAHO does bargain, sell, convey, and quitclaim unto the UNITED STATES OF AMERICA and it assigns the following-described real property located in the County of Elmore, State of Idaho:

Township 3 North, Range 10 East,
SECTION 22: SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
SECTION 27: S $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$

Township 2 North, Range 10 East,
SECTION 1: NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 2: W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$
SECTION 3: N $\frac{1}{2}$ NW $\frac{1}{4}$
SECTION 11: N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$
SECTION 36: Lots 2,3,4, N $\frac{1}{2}$ S $\frac{1}{2}$, N $\frac{1}{2}$

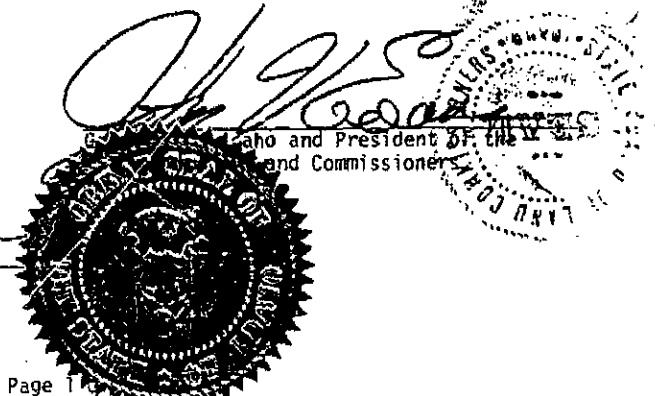
Containing 1987.37 acres, more or less. Acquiring agency is the Forest Service, Department of Agriculture.

TO HAVE AND TO HOLD the above-described premises and parcels of land and granted real property unto the said United States of America and its assigns forever, subject only to the following: Rights-of-way thereon reserved to the United States for ditches and canals constructed by the authority of the United States (Act of August 30, 1890; 26 Stat. 391; 43 U.S. C. 945).

IN WITNESS WHEREOF, I John V. Evans, the Governor of the State of Idaho, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the Board of Land Commissioners to be hereunto affixed, this 1 day of October, 1981.

COUNTERSIGNED:

[Signature]
Secretary of State



State

COUNTY

STATE

County

Dr

Public

Govern

of Sta

of the

ackno



C

Ela

Reg

Time

Ddt

Bdc

Pag

By

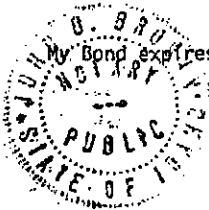
Fee

084
State of Idaho Deed No. 11805

MISSING: CDI
COUNTERSIGNED: 1
Director, Department of Lands
STATE OF IDAHO }
County of Ada } ss.
On this 1 day of October

, in the year of 1981, before me, a Notary Public in and for said State, personally appeared John V. Evans, known to me to be the Governor of the State of Idaho, and Pete T. Cenarrusa, known to me to be the Secretary of State of the State of Idaho, and Gordon C. Trombley, known to me to be the Director of the Department of Lands of the State of Idaho, who executed said instrument and acknowledged to me that such State of Idaho executed the same.

John B. Brogan
JOHN B. BROGAN, Notary Public residing at
Idaho City, Idaho



206002
ELMORE COUNTY, IDAHO, ss
Request of *Bowl National Forest*
Time *10:15* A.M.
Date *DEC 8 1981*
Book _____ of _____
Page *RAMONA YRAZABAL*
Recorder
By *Mary Mary*
Deputy
Fee *\$4.80*

02/21/2002

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

RIGHT NUMBER: 63-24378

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

SOURCE: GROUSE CREEK TRIBUTARY: SOUTH FORK BOISE RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/01/1887

POINT OF DIVERSION:

T03N R10E S25 NESE End of Stream Flow Within ELMORE County

T03N R10E S33 SENE Begin of Stream Flow Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	06/01 10/31	0.020 CFS

PLACE OF USE: STOCKWATER Within ELMORE County

T02N R10E S01	NWNW	T02N R10E S02	NENE
T02N R10E S02	NWNE	T03N R10E S25	SESW
T03N R10E S25	NESE	T03N R10E S25	SWSE
T03N R10E S25	SESE	T03N R10E S33	SENE
T03N R10E S33	NESE	T03N R10E S34	NWSW
T03N R10E S34	SWSW	T03N R10E S34	SESW
T03N R10E S34	SWSE	T03N R10E S34	SESE
T03N R10E S35	NESW	T03N R10E S35	NWSW
T03N R10E S35	SWSW	T03N R10E S35	NWSE
T03N R10E S35	SWSE	T03N R10E S35	SESE
T03N R10E S36	NENW	T03N R10E S36	SWNW
T03N R10E S36	SENW	T03N R10E S36	NWSW
T03N R10E S36	SWSW		

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.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

FOREST SERVICE RECORD ID = 040217050113700502 00
STOCKWATER USE IS FOR 1502 RANGE CATTLE.

Shurte, Jan

From: Linda R Moore/R4/USDAFS [lrmoore01@fs.fed.us]
Sent: Tuesday, July 23, 2002 3:22 PM
To: JShurte@idwr.state.id.us
Subject: Basin 63 claims

Hi Jan,
I'm working on the claims in basin 63 that you asked Steve to check on.
I will send a copy to you via Steve this week.
Hope you are having a good summer, mine has been great so far. Linda

63-25081
New claim
63-25038
Claim and map, please recommend as they are claimed.
63-25076
Claim and map, please recommend as they are claimed.
63-24378
Claim is OK

Linda R. Moore
Boise Adjudication Team
380 Parkcenter Blvd. Suite 330
Boise, ID 83706
208-331-5940
lrmoore01@fs.fed.us

Shurte, Jan

From: Shurte, Jan
Sent: Friday, July 19, 2002 4:59 PM
To: 'sspencer@fs.fed.us'
Cc: Shurte, Jan
Subject: FW: Basin 63, Part I, Upper Boise Director's Report

Hi Steve -

Are you still there? If you are, have you had a chance to look at these yet. Probably not. I am still trying to get the Director's Report done for B63 Part 1. Never made that middle of July date, but would like it to go out in the next week or two, so could you please give me a call or email me concerning these. I could clean them up or something before the report?

Thanks,
 Jan

-----Original Message-----

From: Shurte, Jan
Sent: Wednesday, June 26, 2002 11:21 AM
To: 'sspencer@fs.fed.us'
Cc: Shurte, Jan
Subject: Basin 63, Part I, Upper Boise Director's Report

Hi Steve,

Hope all is ok at your office nowadays. I'm getting the Director's Report put together for Basin 63, Part I. I had asked Linda about a few USFS claims, however, it was her last day and so I think I was supposed to get back to you.

Here's a recap:

63-25081 - We included this one in the preliminary report and then sent an email on 3-13-02 concerning the way it was claimed and if you wanted to change it. It was one of those that listed Shake Creek as the source and then listed a whole bunch of places of use that included other sources (unnamed streams). Could you look at this one and see if we can narrow it down to only Shake Creek or something and send me a new claim?

63-25038 & 63-25076 - These were not recommended in the preliminary report for some reason (my error I know) and so I just want to know if you still want these claims and if they are ok as claimed now.

63-24378 - We did recommend this one in the preliminary report and Linda had asked me to send her a copy of it for some reason. I can't remember what was wrong, but maybe you could take a look at it and let me know if something needs changed or whatever.

That's it. Thanks for looking at these - I plan on having this report ready to mail out towards the middle of July.

Jan

03/01/2002

NOTICE OF ERROR
REPLY

RECEIVED

APR 10 2002

WATER RESOURCES
WESTERN REGION

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: 63-24378

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