

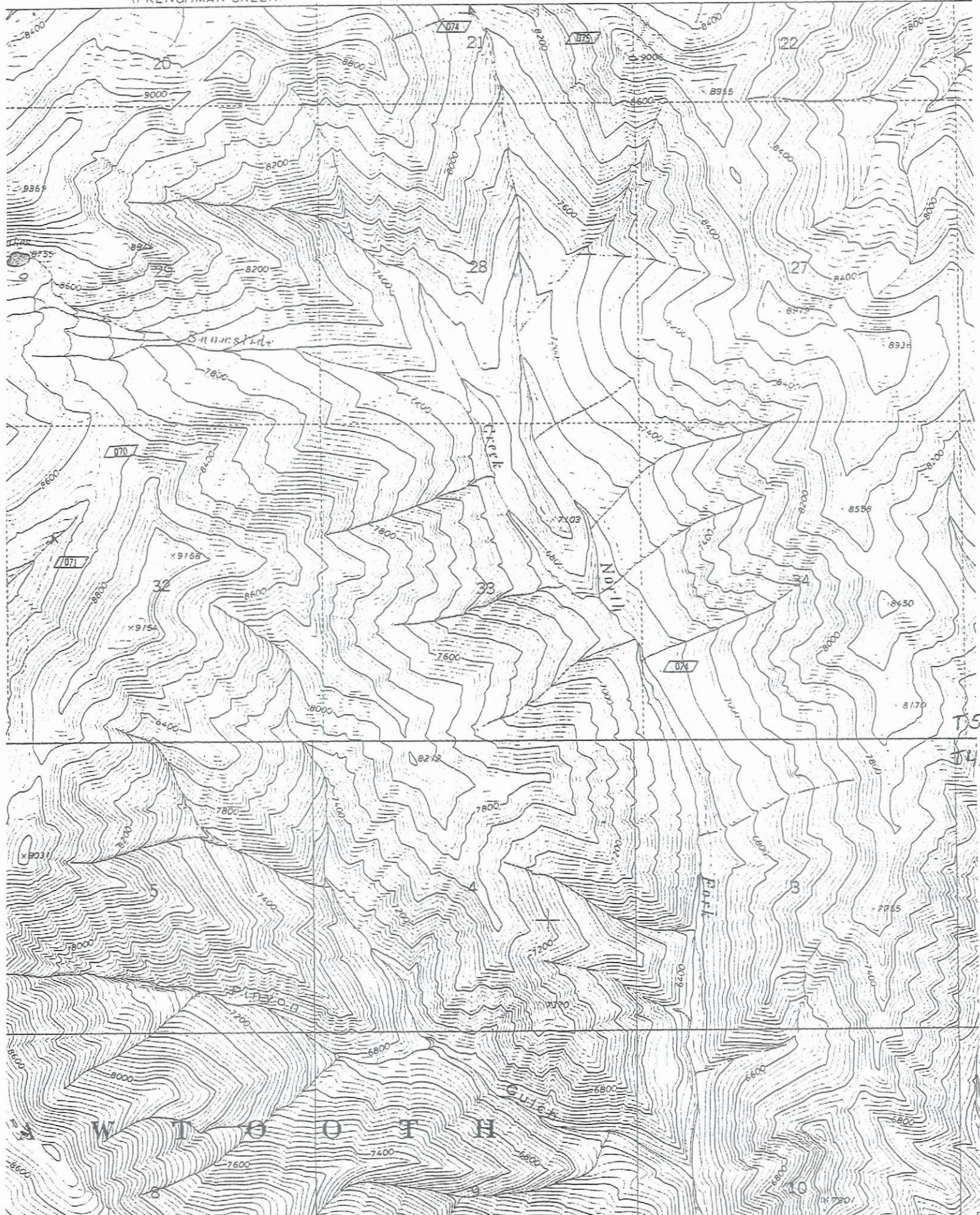
100 11111 7 0 1

677

47' 30" · 678

1679

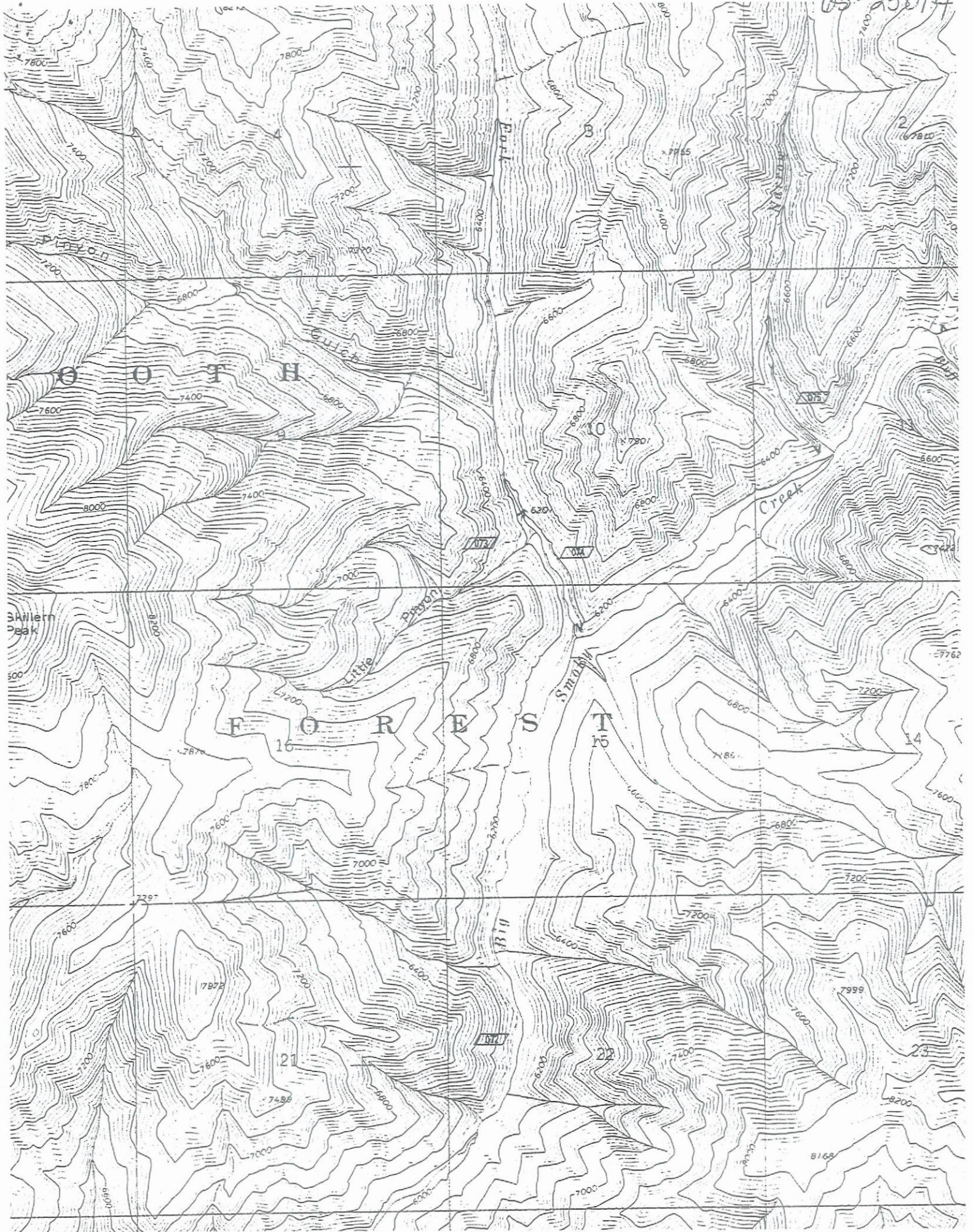
680



R 14 E

Panama Park

05-25014



T4N R.14E

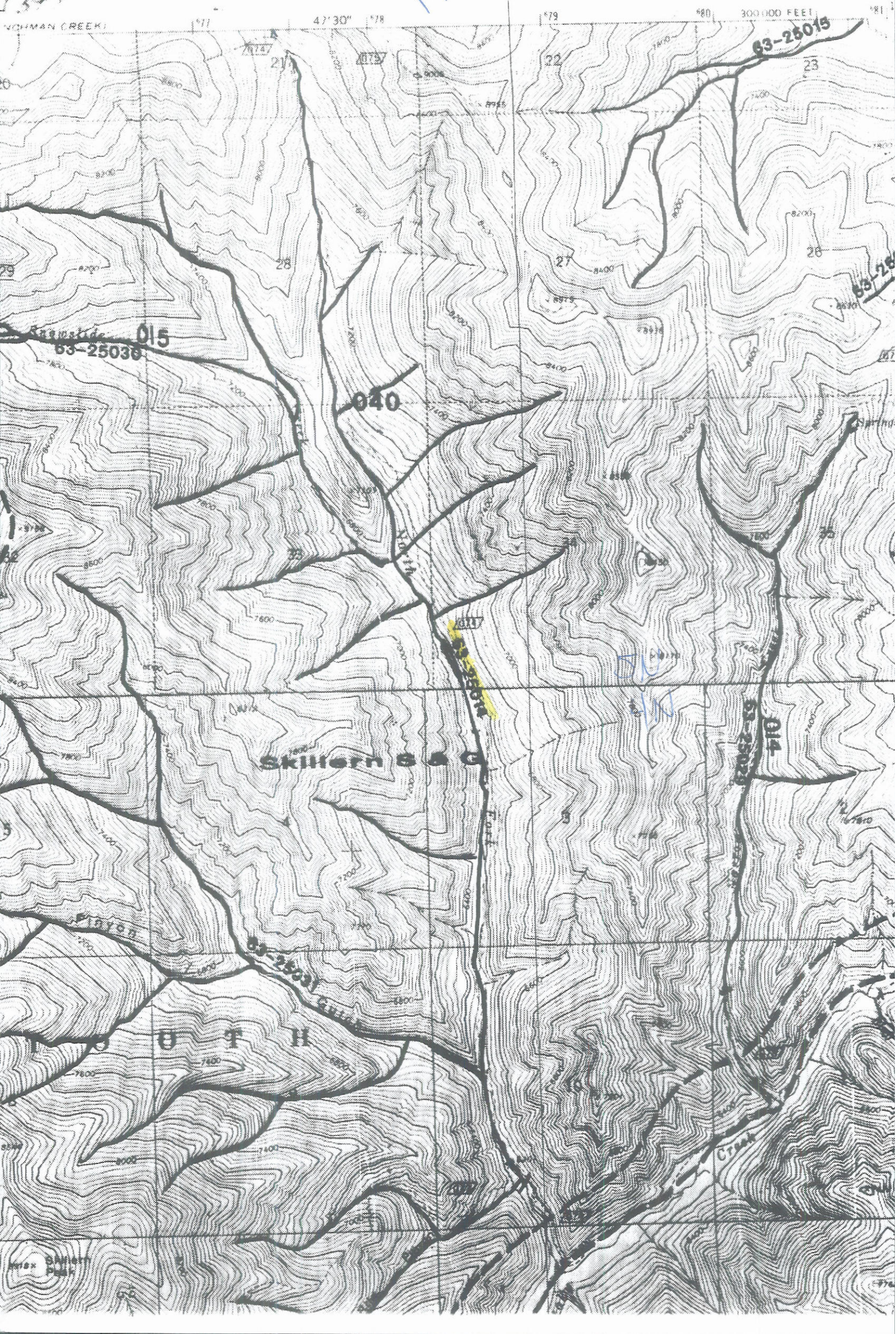
Paradise Peak

k

1341

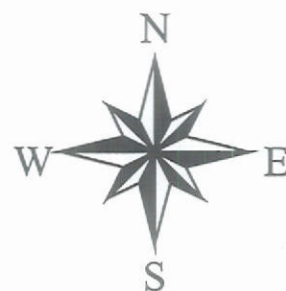
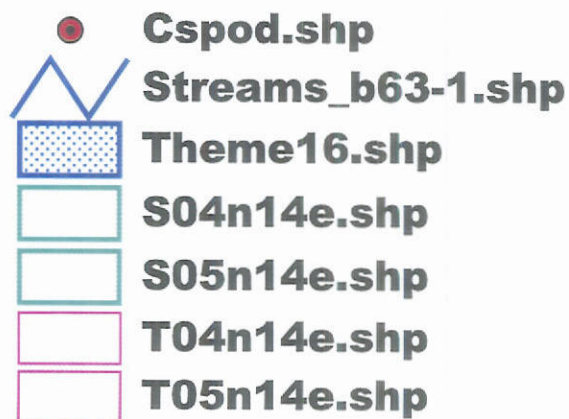
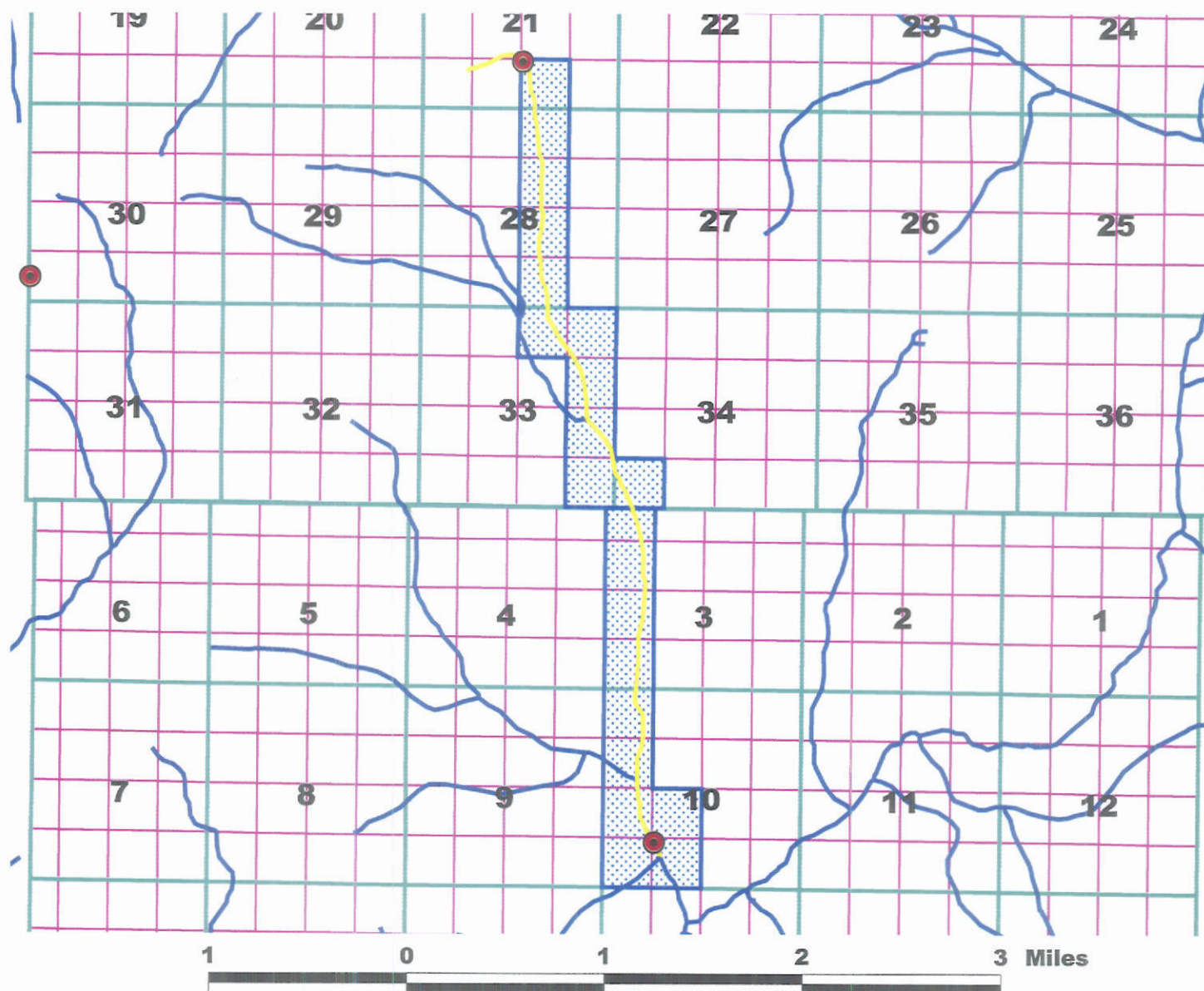
149

PARADISE PEAK QUADRANGLE
IDAHO CAMAS CO.
7.5 MINUTE SERIES



Instream Stock POU Map

USFS 63-25014



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: A63-25014
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: 05/29/1905

3. Source: NF BIG SMOKY CR Trib. to: BIG SMKY CR

4. Point of Diversion:

Township	Range	Section	Tract	Lot	County
-----	-----	-----	-----	---	-----
5 N	14 E	21	SWSE		CAMAS

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	Jun.1	Oct.31	0.02		0.00	0

7. Total Quantity Appropriated is: 0.02 C.F.S. / 0.00 A.F.A.

8. Total consumptive use is: de minimus

9. Non-irrigation uses: SHEEP Livestock Numbers: 1800

10. Place of Use:

Township	Range	Section	Tract	Lot	County
-----	-----	-----	-----	---	-----
4 N	14 E	10	SESW		CAMAS

Purpose of use: STOCKWATER Acres Irrigated:

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used: NONE

14. Remarks: Quad No. 45

INCLUDES LIVESTOCK USE ON ALL TRIBUTARIES

APPLICATION DATE: 00/00/

15. Basis of Claim: BENEFICIAL USE/APPLICATION

Reference Information:

National Forest: SAWTOOTH

Priority Dates: SAWTOOTH NATIONAL FOREST LIVESTOCK HISTORY

Forest Service Record ID: 04 14 17050113 38 0040 0

IDWR Water State Filing No.: 63-25014

Allotment No.: 5009

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 63-25014
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: 05/01/1863

3. Source: BIG SMOKY CREEK NORTH FORK^{ok} Trib. to: BIG SMOKY CREEK^{ok}

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	14E	10	NW SE SW	CAMAS	Ending Point
05N	14E	21	NW SW SE	CAMAS	Beginning 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 ok	6/01	10/31	0.02 ok	

7. Total Quantity Appropriated is:

0.02 C.F.S. ok

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	14E	3	SW	NW ✓	STOCKWATER	
			SW	SW ✓	STOCKWATER	
			NW	NW ✓	STOCKWATER	
			NW	SW ✓	STOCKWATER	
04N	14E	10	SW	NW ✓	STOCKWATER	
			NW	SW ✓	STOCKWATER	
			SW	SW ✓	STOCKWATER	
			NW	NW ✓	STOCKWATER	
			NE	SW ✓	STOCKWATER	
			SE	SW ✓	STOCKWATER	
05N	14E	21	SW	SE ✓	STOCKWATER	
05N	14E	28	SW	SE ✓	STOCKWATER	
			NW	NE ✓	STOCKWATER	
			NW	SE ✓	STOCKWATER	
			SW	NE ✓	STOCKWATER	
05N	14E	33	NE	NE ✓	STOCKWATER	
			NW	NE ✓	STOCKWATER	
			NE	SE ✓	STOCKWATER	
			SE	SE ✓	STOCKWATER	
			SE	NE ✓	STOCKWATER	
05N	14E	34	SW	SW ✓	STOCKWATER	

11. Place of use in counties: CAMAS 0 16

12. Do you own the property listed above as place of use? Yes 0 16

13. Other Water Rights Used:

14. Remarks:

Claim amended per claimant 1/16/02.

FOREST SERVICE RECORD ID = 041417050113380040 00

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 63-25014
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: 05/01/1863

3. Source: BIG SMOKY CREEK NORTH FORK Trib. to: BIG SMOKY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	14E	10	SE SW	CAMAS	Ending Point
05N	14E	21	SW SE	CAMAS	Beginning 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	6/01	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
04N	14E	3	SW	NW		STOCKWATER	
			SW	SW		STOCKWATER	
			NW	NW		STOCKWATER	
			NW	SW		STOCKWATER	
04N	14E	10	SW	NW		STOCKWATER	
			NW	SW		STOCKWATER	
			SW	SW		STOCKWATER	
			NW	NW		STOCKWATER	
			NE	SW		STOCKWATER	
			SE	SW		STOCKWATER	
05N	14E	21	SW	SE		STOCKWATER	
05N	14E	28	SW	SE		STOCKWATER	
			NW	NE		STOCKWATER	
			NW	SE		STOCKWATER	
			SW	NE		STOCKWATER	
05N	14E	33	NE	NE		STOCKWATER	
			NW	NE		STOCKWATER	
			NE	SE		STOCKWATER	
			SE	SE		STOCKWATER	
			SE	NE		STOCKWATER	
05N	14E	34	SW	SW		STOCKWATER	

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

14. Remarks:

Claim amended per claimant 1/16/02.

FOREST SERVICE RECORD ID = 041417050113380040 00

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: 63-25014

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: 05/01/1863
3. Source of water: BIG SMOKY CREEK, NORTH FORK Tributary: BIG SMOKY CREEK
4. Location Meridian BOISE
Description of Diversion Works: None From: Stream
Location of Point of Diversion
T: 04 N R: 14 E S: 10 SESW E T: 05 N R: 14 E S: 21 SWSE B
Location of Point of Use
T: 05 N R: 14 E S: 33 NENE ✓ T: 05 N R: 14 E S: 33 NWNE ✓
T: 05 N R: 14 E S: 28 SWSE ✓ T: 05 N R: 14 E S: 28 NWSE ✓
T: 05 N R: 14 E S: 33 SENE ✓ T: 05 N R: 14 E S: 28 SWNE ✓
T: 05 N R: 14 E S: 28 NWNE ✓ T: 05 N R: 14 E S: 33 NESE ✓
T: 05 N R: 14 E S: 34 SWSW ✓ T: 05 N R: 14 E S: 33 SESE ✓
T: 04 N R: 14 E S: 10 SWNW ✓ T: 04 N R: 14 E S: 10 NWNW ✓
T: 04 N R: 14 E S: 10 NWSW ✓ T: 04 N R: 14 E S: 10 NESW ✓
T: 04 N R: 14 E S: 10 SWSW ✓ T: 04 N R: 14 E S: 3 NWNW ✓
T: 04 N R: 14 E S: 3 SWNW ✓ T: 04 N R: 14 E S: 3 NWSW ✓
T: 04 N R: 14 E S: 3 SWSW ✓ T: 04 N R: 14 E S: 10 SESW ✓
T: 05 N R: 14 E S: 21 SWSE ✓
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: Sawtooth
Forest Service Record ID: 4 14 17050113 38 0040
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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1677

47' 30" .678

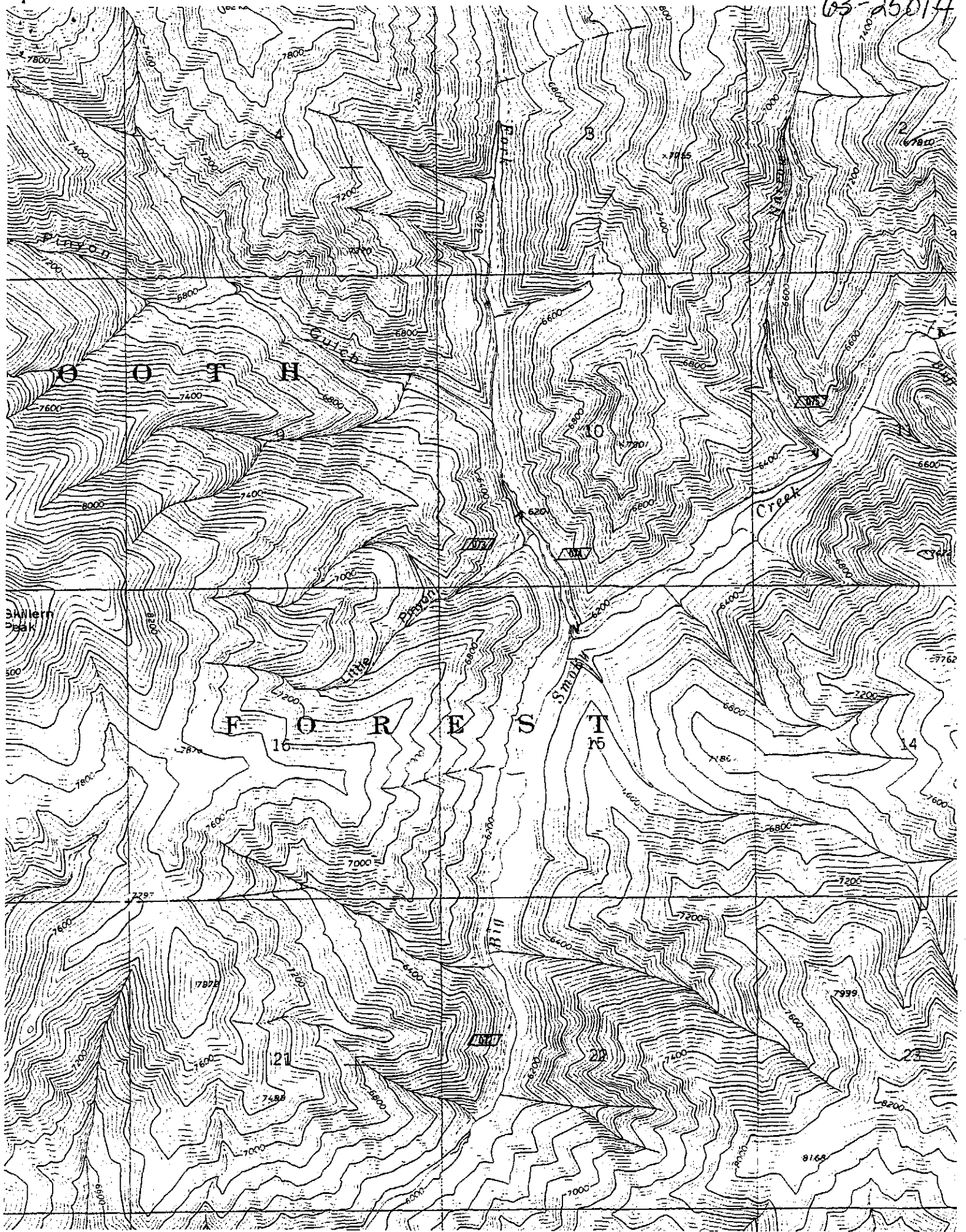
1679

680



Pandino Park

65-25014



T4N R.14E

Paradise Peak

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: 63-25014

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: 05/01/1863
3. Source of water: BIG SMOKY CREEK, NORTH FORK Tributary: BIG SMOKY CREEK
4. Location Meridian BOISE
Description of Diversion Works: None From: Stream
Location of Point of Diversion
T: 04 N R: 14 E S: 10 SESW E T: 05 N R: 14 E S: 21 SWSE B
Location of Point of Use
T: 05 N R: 14 E S: 33 NENE T: 05 N R: 14 E S: 33 NWNE
T: 05 N R: 14 E S: 28 SWSE T: 05 N R: 14 E S: 28 NWSE
T: 05 N R: 14 E S: 33 SENE T: 05 N R: 14 E S: 28 SWNE
T: 05 N R: 14 E S: 28 NWNE T: 05 N R: 14 E S: 33 NESE
T: 05 N R: 14 E S: 34 SWSW T: 05 N R: 14 E S: 33 SESE
T: 04 N R: 14 E S: 10 SWNW T: 04 N R: 14 E S: 10 NWNW
T: 04 N R: 14 E S: 10 NWSW T: 04 N R: 14 E S: 10 NESW
T: 04 N R: 14 E S: 10 SWSW T: 04 N R: 14 E S: 3 NWNW
T: 04 N R: 14 E S: 3 SWNW T: 04 N R: 14 E S: 3 NWSW
T: 04 N R: 14 E S: 3 SWSW T: 04 N R: 14 E S: 10 SESW
T: 05 N R: 14 E S: 21 SWSE
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: Sawtooth
Forest Service Record ID: 4 14 17050113 38 0040
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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AJ5809NP
No. R63-25014

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/24/98
PAGE: 263

OWNER CODE NAME & ADDRESS PRIORITY DATE WATER USE USE PERIOD FROM TO DIVERSION RATE DIVERSION VOLUME
C UNITED STATES OF AMERICA ACTING THROUGH 05/01/1863 STOCKWATER 06-01 10-31 0.02 CFS
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID 83724 TOTAL DIVERSION: 0.02 CFS

Water Source: BIG SMOKY CREEK, NORTH FORK Tributary to: BIG SMOKY CREEK Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T05N R14E S21
Point(s) of Ending Stream Reach: T04N R14E S10
SWSE
SESW
CAMAS County
CAMAS County

Place of use Legal Description for: STOCKWATER

NE												SW												SE																							
NENE				NWNE				SWNE				SENE				NNW				NWNW				SNW				SENW				NENE				NWSE				SWSE				SESE			
Lt Ac				Lt Ac				Lt Ac				Lt Ac				Lt Ac				Lt Ac				Lt Ac				Lt Ac				Lt Ac				Lt Ac				Lt Ac				Lt Ac			
04N	14E	3																																													
04N	14E	4																																													
04N	14E	9																																													
04N	14E	10																																													
04N	14E	15																																													
04N	14E	16																																													
05N	14E	21																																													
05N	14E	27																																													
05N	14E	28																																													
05N	14E	33																																													
05N	14E	34																																													

POU County: CAMAS

Non-Irrigation Uses: 1800 Sheep

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP FOREST SERVICE RECORD ID = 0414 17050113 38 0040

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

Audit: 07/28/98 AJCTR 08/28/98 AJU3-JSH

Hand dated
6-1-98
10-1-98



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

10-07-98

TO: STEVE SPENCER

FROM: JAN SHURTE

These are the claims requested to have the places of use changed to the main stream being claimed. Thanks again!

63-24848
63-24851
63-25014
63-25016
63-25025
63-25026
63-25027
63-25044
63-25048
63-25050
63-25058
63-25076
63-25081
63-25090
63-25096
63-25099
63-25100
63-25109
63-25124

11-2-98

Item called - said to hold for
later report. J

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: 63-25014

FILED UNDER STATE LAW

RECEIVED
JUL 16 1998
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: 05/01/1863

3. Source of water: BIG SMOKY CREEK, NORTH FORK

Tributary: BIG SMOKY CREEK

4. Location Meridian BOISE

Description of Diversion Works: None

From: Stream

Location of Point of Diversion

T: 04 N R: 14 E S: 10 SESW E T: 05 N R: 14 E S: 21 SWSE B

Location of Point of Use

T: 04	N	R: 14	E	S: 3	NWNW	T: 04	N	R: 14	E	S: 3	NWSW
T: 04	N	R: 14	E	S: 3	SWNW	T: 04	N	R: 14	E	S: 3	SWSW
T: 04	N	R: 14	E	S: 4	NESE	T: 04	N	R: 14	E	S: 4	NWSE
T: 04	N	R: 14	E	S: 4	SWNE	T: 04	N	R: 14	E	S: 9	SESE
T: 04	N	R: 14	E	S: 9	SWSE	T: 04	N	R: 14	E	S: 10	NESW
T: 04	N	R: 14	E	S: 10	NWNW	T: 04	N	R: 14	E	S: 10	NWSW
T: 04	N	R: 14	E	S: 10	SESW	T: 04	N	R: 14	E	S: 10	SWNW
T: 04	N	R: 14	E	S: 10	SWSW	T: 04	N	R: 14	E	S: 15	NWNW
T: 04	N	R: 14	E	S: 16	NENE	T: 04	N	R: 14	E	S: 16	NENW
T: 04	N	R: 14	E	S: 16	NWNE	T: 04	N	R: 14	E	S: 16	SENE
T: 04	N	R: 14	E	S: 16	SENW	T: 04	N	R: 14	E	S: 16	SWNE
T: 05	N	R: 14	E	S: 21	SWSE	T: 05	N	R: 14	E	S: 27	SESW
T: 05	N	R: 14	E	S: 28	NESE	T: 05	N	R: 14	E	S: 28	NWNE
T: 05	N	R: 14	E	S: 28	NWSE	T: 05	N	R: 14	E	S: 28	SENE
T: 05	N	R: 14	E	S: 28	SESE	T: 05	N	R: 14	E	S: 28	SWNE
T: 05	N	R: 14	E	S: 28	SWSE	T: 05	N	R: 14	E	S: 33	NENE
T: 05	N	R: 14	E	S: 33	NESE	T: 05	N	R: 14	E	S: 33	NWNE
T: 05	N	R: 14	E	S: 33	SENE	T: 05	N	R: 14	E	S: 33	SESE
T: 05	N	R: 14	E	S: 33	SWSE	T: 05	N	R: 14	E	S: 34	NENW
T: 05	N	R: 14	E	S: 34	NESW	T: 05	N	R: 14	E	S: 34	NWNW
T: 05	N	R: 14	E	S: 34	NWSW	T: 05	N	R: 14	E	S: 34	SENW
T: 05	N	R: 14	E	S: 34	SWNW	T: 05	N	R: 14	E	S: 34	SWSW

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: Sawtooth

Forest Service Record ID: 04 14 17050113 38 0040

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

RECEIVED
JUL 16 1998
Department of Water Resources

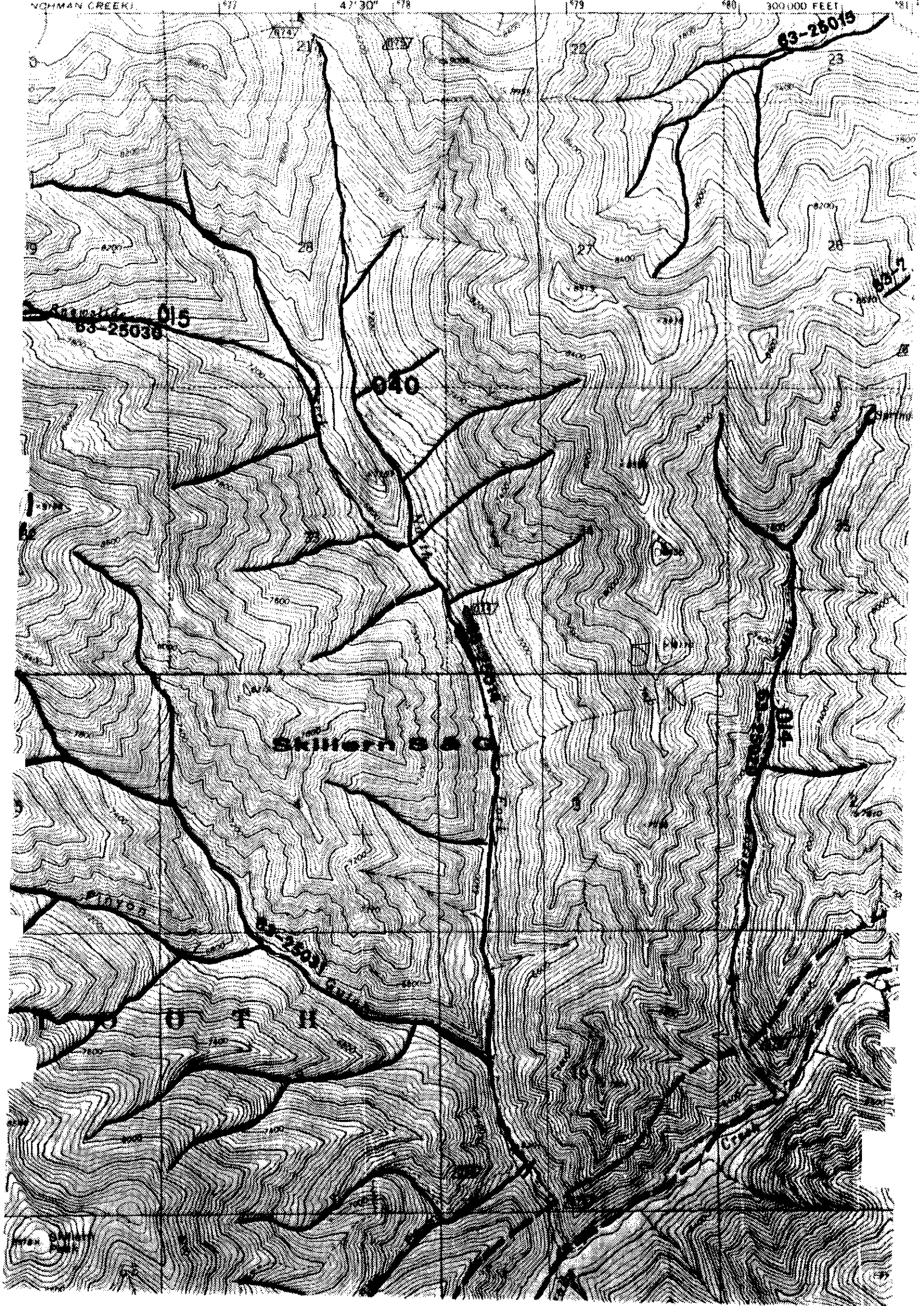
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1341

142

PARADISE PEAK QUADRANGLE
IDAHO CAMAS CO.
7.5 MINUTE SERIES

NOHMAN CREEK 177 47°30' 178 179 180 300 000 FEET 181



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: 63-25014
(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
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 and the place of use are within the lands that were reserved as a forest reservation by the Proclamation dated May 29, 1905. A copy of the Proclamation dated May 29, 1905, is attached as Attachment I. 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 date of May 29, 1905.

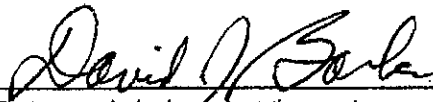
F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

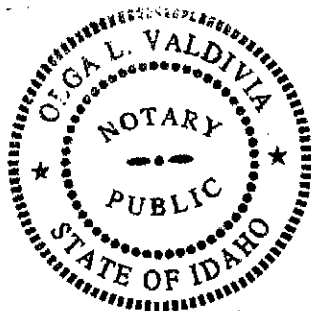
DAVID J. BARBER, Deputy Attorney General, duly sworn, upon oath, deposes and says:

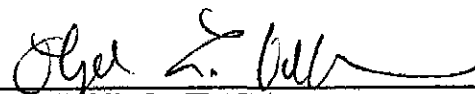
That the State of Idaho, Department of Lands, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Lands which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have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

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 Weiser 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. LOUNIE

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 1108
Post, p 2290.

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 south-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 said township; thence easterly to the south-east 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

Hawtooth Forest
Reserve—Continued

Lands excepted.

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: 63-25014

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

02/11/2002

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

RIGHT NUMBER: 63-25014

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

SOURCE: NORTH FORK BIG SMOKY CREEK TRIBUTARY: BIG SMOKY CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/01/1863

POINT OF DIVERSION:

T04N R14E S10 NWSESW End of Stream Flow Within CAMAS County

T05N R14E S21 NWSWSE Begin of Stream Flow Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	6/01 10/31	0.020 CFS

PLACE OF USE: STOCKWATER Within CAMAS County

T04N R14E S10	NWNW	T04N R14E S10	SWNW
T04N R14E S10	NESW	T04N R14E S10	NWSW
T04N R14E S10	SWSW	T04N R14E S10	SESW
T04N R14E S03	NWNW	T04N R14E S03	SWNW
T04N R14E S03	NWSW	T04N R14E S03	SWSW
T05N R14E S21	SWSE	T05N R14E S28	NWNE
T05N R14E S28	SWNE	T05N R14E S28	NWSE
T05N R14E S28	SWSE	T05N R14E S33	NENE
T05N R14E S33	NWNE	T05N R14E S33	SENE
T05N R14E S33	NESE	T05N R14E S33	SESE
T05N R14E S34	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 = 0414 17050113 38 0040

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-25014 V1

WATER RIGHT NUMBER: 63-25014 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 550 W FORT ST MSC 033 BOISE, ID 83724 (208)387-0835

Priority Date: 05/01/1863
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
NORTH FORK BIG SMOKY CREEK	BIG SMOKY CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	6/01 to 10/31	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

NORTH FORK BIG SMOKY CREEK	NW1/4SE1/4SW1/4	Sec. 10, Twp 04N, Rge 14E, B.M.
CAMAS County	(Ending of Reach)	
NORTH FORK BIG SMOKY CREEK	NW1/4SW1/4SE1/4	Sec. 21, Twp 05N, Rge 14E, B.M.
CAMAS County	(Beginning of Reach)	

Place of Use

STOCKWATER Within CAMAS County

T04N R14E S10	NWNW	T04N R14E S10	SWNW
T04N R14E S10	NESW	T04N R14E S10	NWSW
T04N R14E S10	SWSW	T04N R14E S10	SESW
T04N R14E S03	NWNW	T04N R14E S03	SWNW
T04N R14E S03	NWSW	T04N R14E S03	SWSW
T05N R14E S21	SWSE	T05N R14E S28	NWNE
T05N R14E S28	SWNE	T05N R14E S28	NWSE
T05N R14E S28	SWSE	T05N R14E S33	NENE
T05N R14E S33	NWNE	T05N R14E S33	SENE
T05N R14E S33	NESE	T05N R14E S33	SESE
T05N R14E S34	SWSW		

Conditions of Approval:

1. C18 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.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-25014 V1

Remarks:

1. Explanatory FOREST SERVICE RECORD ID = 0414 17050113 38 0040

Comments:

1. Iharris 2/11/2002 Amendment
Comment: This right amended per claimant request.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary	2/15/2002 1:56:51 PM	csaxton	2/15/2002 1:56:51 PM	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	2/15/2002 1:54:00 PM	csaxton	Edited polygons
Contacts	2/15/2002 1:48:59 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review
POD	2/15/2002 1:49:51 PM	csaxton	Edited point location
POD	2/15/2002 1:50:30 PM	csaxton	Edited point location
Summary	2/15/2002 1:56:51 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?

Instream Stock POU Map

USFS 63-25014

