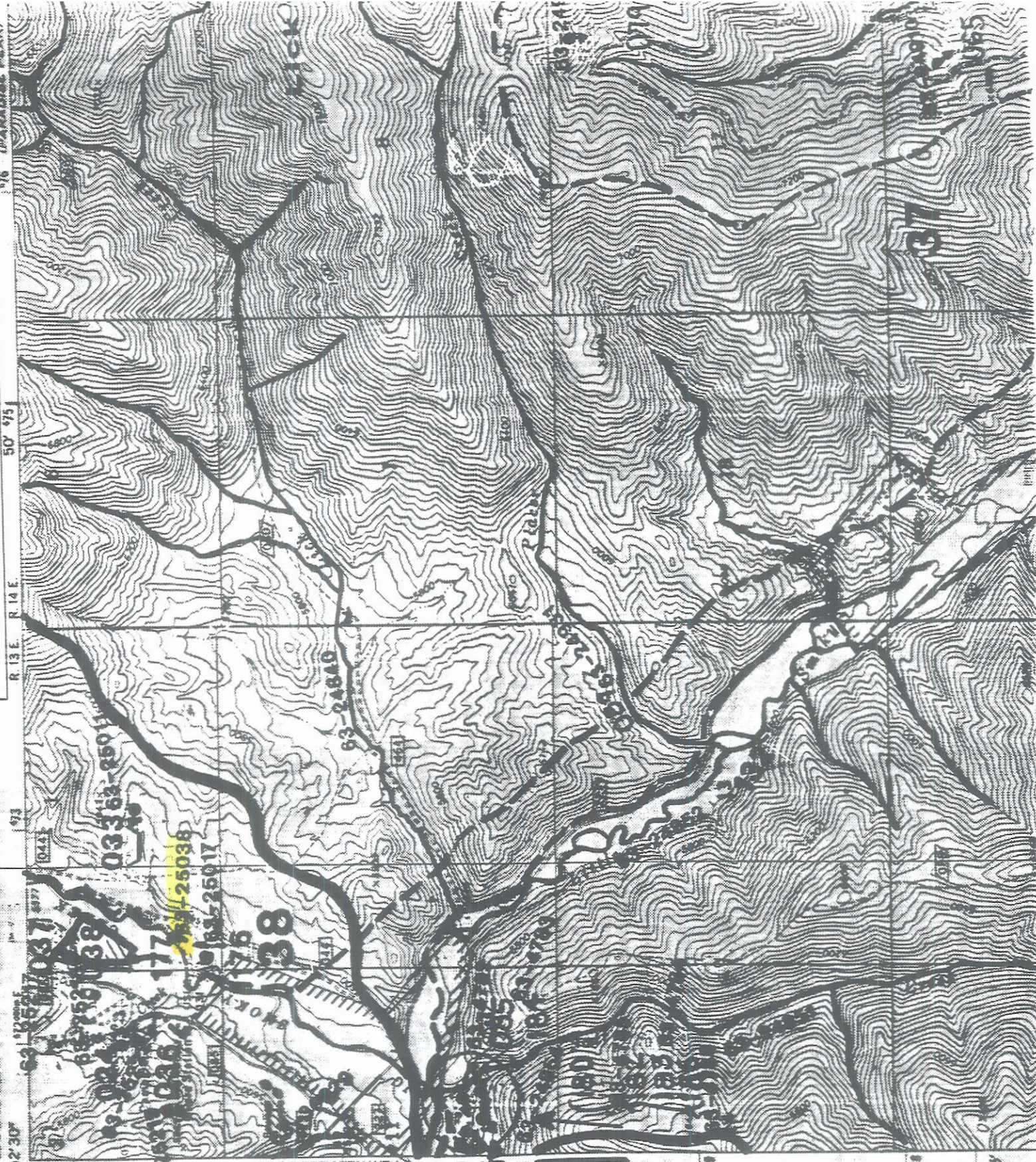


Streams claimed for stockwater

MODIFIED FOR FOREST SERVICE USE

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63-4787
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63-4786

SEE DETAIL MAP
OF BIG SMOKY
SUMMER HOMES

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Sydney Butte

114° 52' 30"

1130'

1000m

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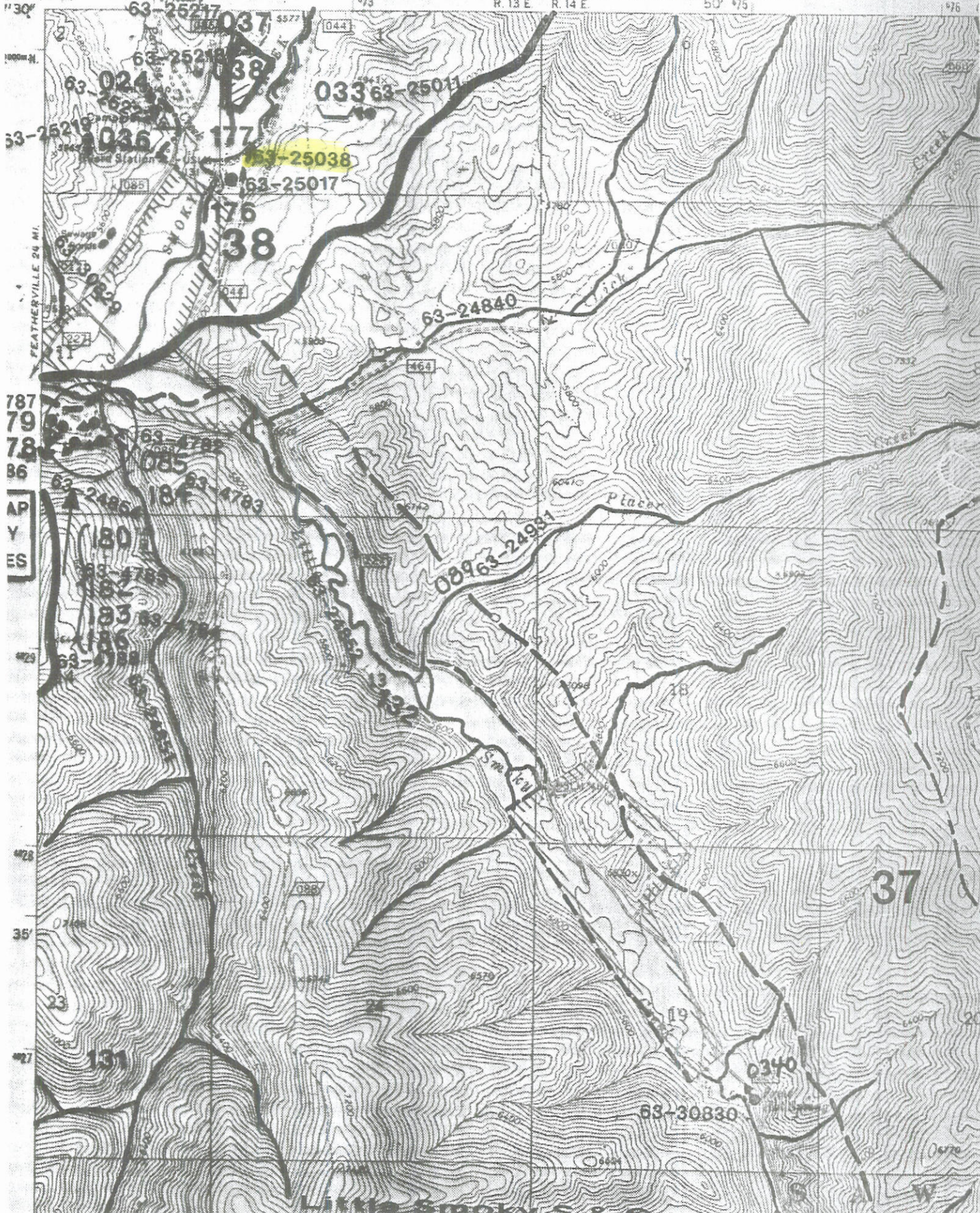
35'

427

R. 13 E R. 14 E

50' 975

976



63-25038

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 63-25038
Date Received: 3/25/1993
Receipt No: X999999
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: 06/01/1928

3. Source: BIG SMOKY 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	13E	1	SW SW	BOISE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	05/01	11/30	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	13E	1	SW SW	DOMESTIC	

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

FOREST SERVICE RECORD ID = 041417050113380177 00

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
Title

_____, that I have signed the foregoing
Organization
document in the space below as _____ of
Title

_____, and that the statements contained in the
Organization
foregoing document are true and correct. _____

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

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

T03N R13E S01 SWSW

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. Domestic use is for irrigation of recreation cabin.

FOREST SERVICE RECORD ID = 0414 17050113 38 0177

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 Basin 63 Part I. 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

DATE: 09/24/98

PAGE: 285

DIVERSION RATE
DIVERSION VOLUME

0.02 CFS

USDA FOREST SERVICE

550 W FORT ST MSC 033

BOISE ID 83724

Stage: BENEFICIAL USE

CAMAS County

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Hold for later report

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: **63-25038**

RECEIVED
JUL 16 1998

Department of Water Resources

FILED UNDER STATE LAW

1. Name of Claimant: UNITED STATES OF AMERICA on behalf of the U.S.D.A. Forest Service

Address: 550 W. Fort Street MSC033

Boise

ID 83724

2. Date of Priority: 06/01/1928

3. Source of water: BIG SMOKY CREEK

Tributary: BOISE RIVER, SOUTH FORK

4. Location Meridian BOISE

Description of Diversion Works: Ditch or Canal

From: Stream

Location of Point of Diversion

T: 03 N R: 13 E S: 1 SWSW

Location of Point of Use

T: 03 N R: 13 E S: 1 SWSW

5. Quantity claimed: Period Quantity For
5/ 01 -- 10/ 31 0.02 CFS Irrigation

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:

Irrigation

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 0 0177

Irrigation of 1/2 acre around isolated recreation cabin.

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.

Streams claimed for stockholders:

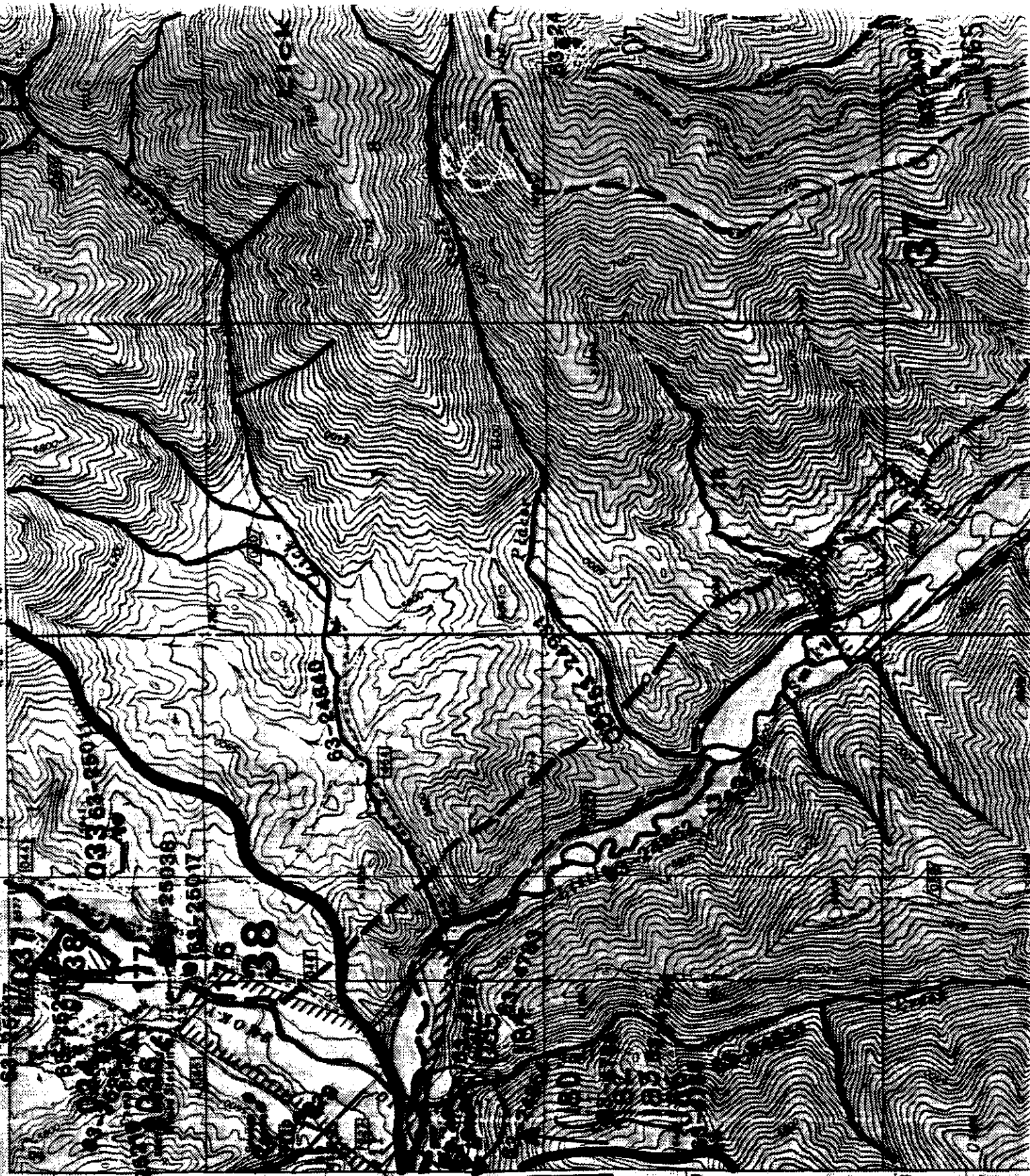
416 (PARADES PLAN) 2071 10 16

43:37:30
114:5
2

63-4786

**SEE DETAIL MAP
OF BIG SMOKY
SUMMER HOMES**

20



RECEIVED

AUG 05 2002

WATER RESOURCES
WESTERN REGION

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
IN RE THE GENERAL ADJUDICATION
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CIVIL CASE NUMBER: 39576

Ident. Number: 63-25038

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Address: 550 W. Fort Street MSC033
Boise ID 83724
2. Date of Priority: 06/01/1928
3. Source of water: BIG SMOKY CREEK Tributary: BOISE RIVER, SOUTH FORK
4. Location Meridian BOISE
Description of Diversion Works: Ditch or Canal From: Stream
Location of Point of Diversion
T: 03 N R 13 E S: 1 SWSW
Location of Place of Use
T: 03 N R 13 E S: 1 SWSW ac: 0.5
5. Quantity claimed: Period Quantity For
5 / 01 -- 10 / 31 0.02 CFS Domestic
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:
Domestic
8. Remarks:
State Basin: 63
National Forest: Sawtooth
Forest Service Record ID: 4 14 17050113 38 0 0177
Isolated recreation cabin.

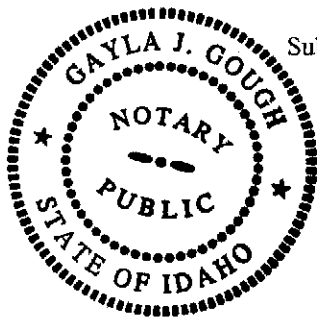
I verify that to the best of my knowledge the statements contained in this document are true and correct.

Steven M. Spencer
STEVEN M. SPENCER
Consumptive Water Use Specialist

August 5, 2002
Gayla J. Gough
Notary Public

Residing at: Kuna, Idaho

My Commission Expires: 11-17-2004



Subscribed and sworn to before me on:

Residing at:

My Commission Expires:

Shurte, Jan

From: Shurte, Jan
Sent: Friday, August 02, 2002 8:45 AM
To: 'sspencer@fs.fed.us'
Cc: Shurte, Jan
Subject: Claim No. 63-25038 - FS ID#414170501133800177

Hi Steve,

Could you help us with this one? Originally it was filed for domestic use from Big Smoky. The claim you submitted recently changed the use to irrigation for 1/2 acre. When that change took place from domestic to irrigation now we are required to get evidence of priority from you and do a field exam. If it had remained domestic use - which covers up to 1/2 acre irrigation in conjunction with a home, or recreation cabin in this case, then neither is required.

Since the use is 1/2 acre irrigation in conjunction with a cabin it wouldn't hurt to claim it as domestic. Could you amend the claim back to domestic and we can process this one asap. If not, please let me know. My dropdead deadline on B63, Prt , Upper Boise, is the 14th.

Thanks,

Jan

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
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OF RIGHTS TO THE USE OF WATER FROM
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CIVIL CASE NUMBER: 39576

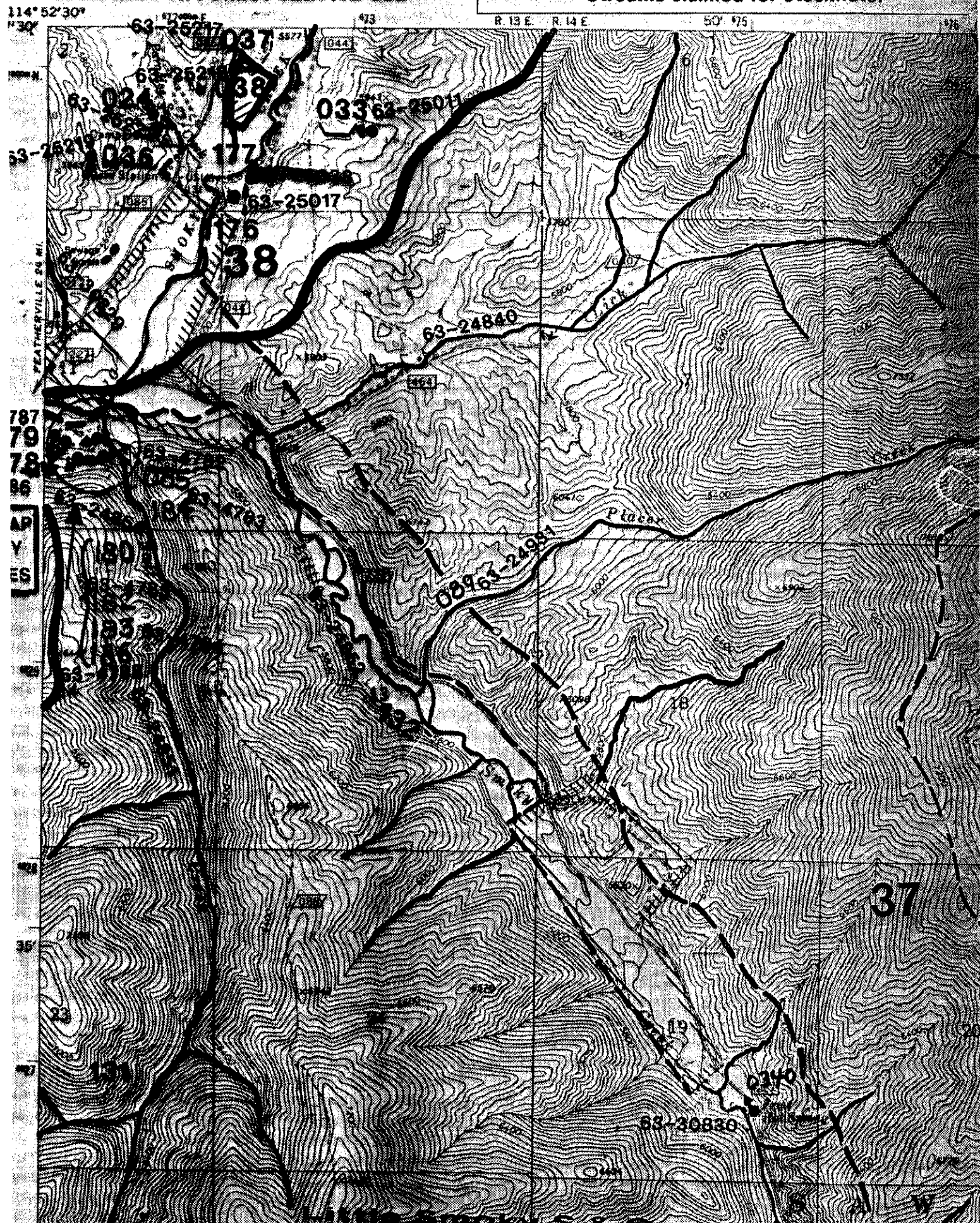
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Location of Point of Diversion
T: 03 N R 13 E S: 1 SWSW
Location of Place of Use
T: 03 N R 13 E S: 1 SWSW
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5/ 01 -- 10/ 31 0.02 CFS Irrigation
6. Total Consumptive Use Claimed for Present and Future Use is:
0.02 CFS
7. Present and future uses to which the water is or will be used:
Irrigation
8. Remarks:
State Basin: 63
National Forest: Sawtooth
Forest Service Record ID: 4 14 17050113 38 0 0177
Irrigation of 1/2 acre around isolated recreation cabin.

114° 52' 30"

R. 13 E. R. 14 E



63-25038