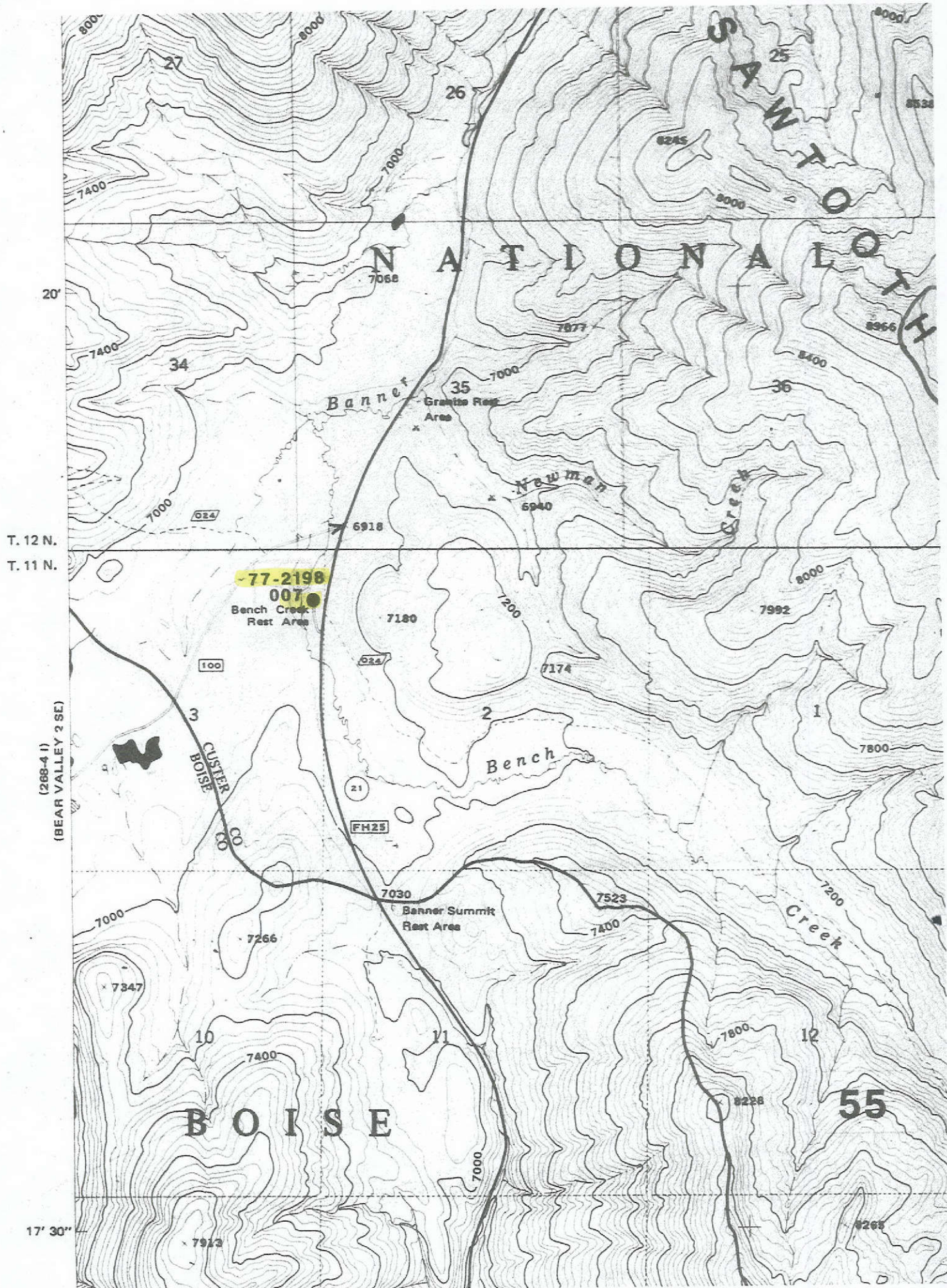


77-2198



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: A77-02198  
Date received: \_\_\_\_\_  
Receipt No: \_\_\_\_\_  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: 10/05/1965

3. Source: BENCH WELL Trib. to: GROUNDWATER

4. Point of Diversion:

| Township | Range | Section | Tract | Lot | County |
|----------|-------|---------|-------|-----|--------|
| 11 N     | 10 E  | 3       | NENE  |     | CUSTER |

5. Description of diverting works: WELLS

6. Water is used for the following purposes:

| Purpose  | From  | To     | C.F.S. | (or) | A.F.A. | (or) | Elevation/<br>Well Depth |
|----------|-------|--------|--------|------|--------|------|--------------------------|
| DOMESTIC | Jan.1 | Dec.31 | 0.02   |      | 0.57   |      | 42                       |

7. Total Quantity Appropriated is: 0.02 C.F.S. / 0.57 A.F.A.

8. Total consumptive use is: de minimus

9. Non-irrigation uses: OTHER Livestock Numbers:

10. Place of Use:

| Township | Range | Section | Tract | Lot | County |
|----------|-------|---------|-------|-----|--------|
| 11 N     | 10 E  | 3       | NENE  |     | CUSTER |

Purpose of use: DOMESTIC Acres Irrigated:

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used: NONE

14. Remarks: Quad No.

BANNER SUMMIT QUAD/HAND PUMP/5 CAMPSITES

APPLICATION DATE: 10/05/1965

15. Basis of Claim: LICENSE

Reference Information:

National Forest: CHALLIS

Forest Service Record ID: 04 06 17060205 55 0007 0

IDWR Water State Filing No.: 77-02198

Allotment No.:

Notice is hereby given that the United States Department of Justice will represent the Department of Agriculture, Forest Service, in all matters pertaining to the Snake River Basin Adjudication. All notices required by law to be mailed by the Director to the Claimant should be mailed to the individuals at the address below:

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

This form is an attachment to a letter forwarding the claims of the U.S. Department of Agriculture, Forest Service. The signature and affirmation on such letter constitutes the signature of the authorized agent representing the United States of America required for each such claim.

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: 77-02198

RECEIVED  
OCT 01 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: 10/05/1965
3. Source of water: GROUNDWATER Tributary:
4. Location Meridian BOISE  
Description of Diversion Works: Wells From: Groundwater  
Location of Point of Diversion  
T: 11 N R: 10 E S: 3 NENE  
Location of Point of Use  
T: 11 N R: 10 E S: 3 NENE Ac:  
5. Quantity claimed: Period Quantity For  
1/ 01 - 12/ 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. 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: 77  
National Forest: Challis  
Forest Service Record ID: 04 06 17060205 55 0007  
Bench Creek Wayside Well.  
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

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.

AJ0749NP  
No. R77-02198

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

DATE: 02/14/99  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                                                            | PRIORITY<br>DATE | WATER USE | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-----------------------------------------------------------------------------------------------------------|------------------|-----------|-----------------------|-------------------|---------------------|
| C                | UNITED STATES OF AMERICA ACTING THROUGH<br>USDA FOREST SERVICE<br>550 W FORT ST MSC 033<br>BOISE ID 83724 | 10/05/1965       | DOMESTIC  | 01-01 12-31           | 0.02 CFS          | 0.57 AFA            |
| TOTAL DIVERSION: |                                                                                                           |                  |           |                       | 0.02 CFS          | 0.57 AFA            |

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T11N R10E S03

NENE

CUSTER County

Place of use Legal Description for: DOMESTIC

|     |     |   |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |    |    |    |    |    |    |    |    |   |
|-----|-----|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|---|
| T   | R   | S | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : |
| 11N | 10E | 3 | : | D  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : |

POU County: CUSTER

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: USE DOMESTIC USE AT BENCH CREEK WAYSIDE AREA

EXP FOREST SERVICE RECORD ID = 0406 17060205 55 0007

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:  
Presumption Flag:

Audit: 02/14/99 KWATERS

AJ0749NP  
No. R77-02198

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

DATE: 01/19/99  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                                                            | PRIORITY<br>DATE | WATER USE | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-----------------------------------------------------------------------------------------------------------|------------------|-----------|-----------------------|-------------------|---------------------|
| C                | UNITED STATES OF AMERICA ACTING THROUGH<br>USDA FOREST SERVICE<br>550 W FORT ST MSC 033<br>BOISE ID 83724 | 10/05/1965       | DOMESTIC  | 01-01 12-31           | 0.02 CFS          | 0.57 AFA            |
| TOTAL DIVERSION: |                                                                                                           |                  |           |                       | 0.02 CFS          | 0.57 AFA            |

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T11N R10E S03

NENE

CUSTER County

Place of use Legal Description for: DOMESTIC

|     |     |   |   | NE   |      |      |      | NW |    |    |    | SW   |      |      |      | SE |    |    |   |      |      |      |      |    |    |   |    |      |      |      |      |    |   |  |  |
|-----|-----|---|---|------|------|------|------|----|----|----|----|------|------|------|------|----|----|----|---|------|------|------|------|----|----|---|----|------|------|------|------|----|---|--|--|
|     |     |   |   | NENE | NWNE | SWNE | SENE | :  |    |    |    | NENW | NWNW | SWNW | SENW | :  |    |    |   | NESW | NWSW | SWSW | SESW | :  |    |   |    | NESE | NWSE | SWSE | SESE | :  |   |  |  |
| T   | R   | S | : | Lt   | Ac   | Lt   | Ac   | Lt | Ac | Lt | Ac | :    | Lt   | Ac   | Lt   | Ac | Lt | Ac | : | Lt   | Ac   | Lt   | Ac   | Lt | Ac | : | Lt | Ac   | Lt   | Ac   | Lt   | Ac | : |  |  |
| 11N | 10E | 3 | : | D    |      |      |      |    |    |    |    | :    |      |      |      |    |    |    | : |      |      |      |      |    |    | : |    |      |      |      |      | :  |   |  |  |

POU County: CUSTER

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 *use Domestic use at Bench Creek Whypide area*  
FOREST SERVICE RECORD ID = 0406 17060205 55 0007

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:  
Presumption Flag:

Audit: 01/19/99 CHALKER

AJ5809NP  
No. R77-02198

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/02/98  
PAGE: 10

| OWNER<br>CODE | NAME & ADDRESS                                                                                            | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO           | DIVERSION<br>RATE    | DIVERSION<br>VOLUME |
|---------------|-----------------------------------------------------------------------------------------------------------|------------------|------------|---------------------------------|----------------------|---------------------|
| C             | UNITED STATES OF AMERICA ACTING THROUGH<br>USDA FOREST SERVICE<br>550 W FORT ST MSC 033<br>BOISE ID 83724 | 10/05/1965 ✓     | DOMESTIC ✓ | 01-01 12-31<br>TOTAL DIVERSION: | 0.02 CFS<br>0.02 CFS | .57 AFA<br>.57 AFA  |

Water Source: GROUNDWATER ✓

Tributary to:

Stage: ~~BENEFICIAL USE~~ L

Point(s) of Diversion: T11N R10E S03 NENE ✓

CUSTER County

Place of use Legal Description for: DOMESTIC

| NE  |     |   |   | NW |    |    |    | SW |    |    |    | SE |    |    |    |    |    |   |
|-----|-----|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|---|
| T   | R   | S | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : |
| 11N | 10E | 3 | : | D  |    |    |    |    |    |    |    |    |    |    |    |    |    | : |

POU County: CUSTER

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
A77-02198

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 = 0406 17060205 55 0007

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

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

Audit: 11/18/98 AJCTR 12/02/98 AJU3-JSH

WR5809NP  
No. 77-02198

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 12/24/98  
PAGE: 20

| OWNER<br>CODE    | NAME & ADDRESS                                                                            | PRIORITY<br>DATE | WATER USE | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-------------------------------------------------------------------------------------------|------------------|-----------|-----------------------|-------------------|---------------------|
| C                | US DEPT OF AGRICULTURE<br>FOREST SERVICE<br>FEDERAL BLDG<br>324 25TH ST<br>OGDEN UT 84401 | 10/05/1965       | DOMESTIC  | 01/01 12/31           | 0.020 CFS         | 0.57 AFA            |
| TOTAL DIVERSION: |                                                                                           |                  |           |                       | 0.020 CFS         | 0.57 AFA            |

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T11N R10E S02 NW

CUSTER County

Place of use Legal Description for: DOMESTIC

|     |     |   |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |
|-----|-----|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| T   | R   | S | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac |
| 11N | 10E | 2 | : |    |    |    |    |    |    | D  |    |    |    |    |    |    |    |    |    |

Pou County: CUSTER

Remarks: GEN BENCH CR. WAYSIDE AREA.

|        |                 |                    |            |
|--------|-----------------|--------------------|------------|
| Dates: | App. Received:  | Priority Date:     | 10/05/1965 |
|        | Proof Due Date: | Proof Made Date:   |            |
|        | Exam Made Date: | Exam Sent to S.O.: |            |
|        | Licensed Date:  | 10/10/1979         |            |

|       |                        |                 |
|-------|------------------------|-----------------|
| Misc: | Water District Number: | Field Exam Fee: |
|-------|------------------------|-----------------|

77-2198

