

RECEIVED

FEB 17 2000

Department of Water Resources

2000 FEB 15 PM 12:44

FILED
TWIN FALLS, IDAHO
DISTRICT SRBA

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

) ORDER OF PARTIAL DECREE

Case No. 39576

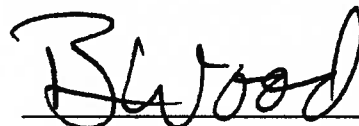
) For Water Right 03-10155

On November 15, 1999, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 03-10155 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED FEB 15 2000.



BARRY WOOD

Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

2000 FEB 15 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 03-10155

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 03-10155 was mailed
on February 15, 2000, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

USDA FOREST SERVICE
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

DIANA DELANEY
Chief Deputy Clerk

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 03-10155

200 FEB 15 PM 12:44

FILED
TWIN FALLS CO., IDAHO
CLERK

NAME AND ADDRESS: USDA FOREST SERVICE
550 W FORT ST, MSC D33
BOISE, ID 83724

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/01/1902

POINT OF DIVERSION: T24N R02W S30 NWSE (Instream Beginning Point) Within Idaho County
T25N R02W S01 SWSW (Instream Ending Point)

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Stockwater 01-01 TO 12-31 0.02 CFS

PLACE OF USE: Stockwater T24N R02W S03 LOT 03 (NENW) Within Idaho County
S04 SENE SESW
NESE NWSE
SWSE
S09 NENW SENW
NESW SESW
S16 NENW NWNW
SNNW NWSW
SWSW
S20 NENE NWNE
SWNE SENW
NESW NWSW
SWSW
S30 NENE SWNE
SENE NWSE
T25N R02W S01 SWSW
S11 NENE SENE
NESE NWSE
SWSE
S12 NWNW
S14 NWNE NENW
SNNW SENW
NWSW SWSW
S23 NWNW SNNW
NWSW SWSW
S26 NWSW SWSW
S27 NENE SENE
NESE
S34 SENE NESE
NWSE SWSE
S35 NWNW SNNW
NWSW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A

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: 79-10630

RENUMBERED TO
A03-10155

FILED UNDER STATE LAW

RECEIVED

OCT 01 1998

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

Department of Water Resources

2. Date of Priority: 05/01/1902

Tributary: COLUMBIA RIVER

3. Source of water: SNAKE RIVER

4. Location Meridian BOISE

From: Stream

Description of Diversion Works: Combo

Location of Point of Diversion

T: 24 N R: 02 W S: 30 NWSE ✓

Location of Point of Use

T: 24 N R: 02 W S: 3 NENW ✓

T: 24 N R: 02 W S: 3 SWNW ✓

T: 24 N R: 02 W S: 4 NWSE ✓

T: 24 N R: 02 W S: 4 SESW ✓

T: 24 N R: 02 W S: 9 NENW ✓

T: 24 N R: 02 W S: 9 SENW ✓

T: 24 N R: 02 W S: 9 SWSW ✓

T: 24 N R: 02 W S: 16 NWSW ✓

T: 24 N R: 02 W S: 16 SWSW ✓

T: 24 N R: 02 W S: 20 NESW ✓

T: 24 N R: 02 W S: 20 NWSW ✓

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T: 24 N R: 02 W S: 30 SENE ✓

T: 25 N R: 02 W S: 1 SWSW ✓

T: 25 N R: 02 W S: 11 NESE ✓

T: 25 N R: 02 W S: 11 SENE ✓

T: 25 N R: 02 W S: 12 NWNW ✓

T: 25 N R: 02 W S: 14 NWNE ✓

T: 25 N R: 02 W S: 14 SENW ✓

T: 25 N R: 02 W S: 14 SWSW ✓

T: 25 N R: 02 W S: 23 NWSW ✓

T: 25 N R: 02 W S: 23 SWSW ✓

T: 25 N R: 02 W S: 26 SWSW ✓

T: 25 N R: 02 W S: 27 NESE ✓

T: 25 N R: 02 W S: 34 NESE ✓

T: 25 N R: 02 W S: 34 SESW ✓

T: 25 N R: 02 W S: 35 NWNW ✓

T: 25 N R: 02 W S: 35 SWNW ✓

B

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NWSW ✓

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NENE ✓

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SENE ✓

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N R: 02

W S: 34

NWSE ✓

T: 25

N R: 02

W S: 34

SWSE ✓

T: 25

N R: 02

W S: 35

NWSW ✓

5. Quantity claimed:

Period

1 / 01 - 12 / 31

Quantity

0.02 CFS

For

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: 79

National Forest: Nez Perce

Forest Service Record ID: 01 17 17060101 91 0 9951

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:

RECEIVED
OCT 01 1998

Bruce Bernard
U.S. Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, Box 33
Boise, ID 83724

Division of Water Resources

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: ~~A79-10630~~ 403-10155

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: P.O. Box 7669
Missoula, Montana 59807 Phone: (406) 329-3045

2. Date of Priority: JUN 6, 1863

3. Source: SNAKE RIVER Trib. to:

4. Point of Diversion:

Township	Range	Section	Tract	Lot	County
024 N	002 W	30	NWSE		Idaho

5. Description of diverting works: NONE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.	Elevation/ Well Depth
STOCKWATER	JAN 1	DEC 31	0.0200			

7. Total Quantity Appropriated is: 0.0200 C.F.S.

8. Total consumptive use is: DE MINIMUS

9. Non-irrigation uses: Sheep Livestock Numbers: 2400

10. Place of Use:

Township	Range	Section	Tract	Lot	County
0251N	002 W	1	SWSW		Idaho

Purpose of use: STOCKWATER Acres Irrigated: 0

11. Place of use in counties: Idaho

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED: NONE

14. REMARKS:

15. BASIS OF CLAIM: BENEFICIAL USE

REFERENCE INFORMATION:

NATIONAL FOREST: Nez Perce

FOREST SERVICE RECORD ID: 01 17 17060101 91 0 9951 000

IDWR WATER STATE FILING NO.: A79-10630

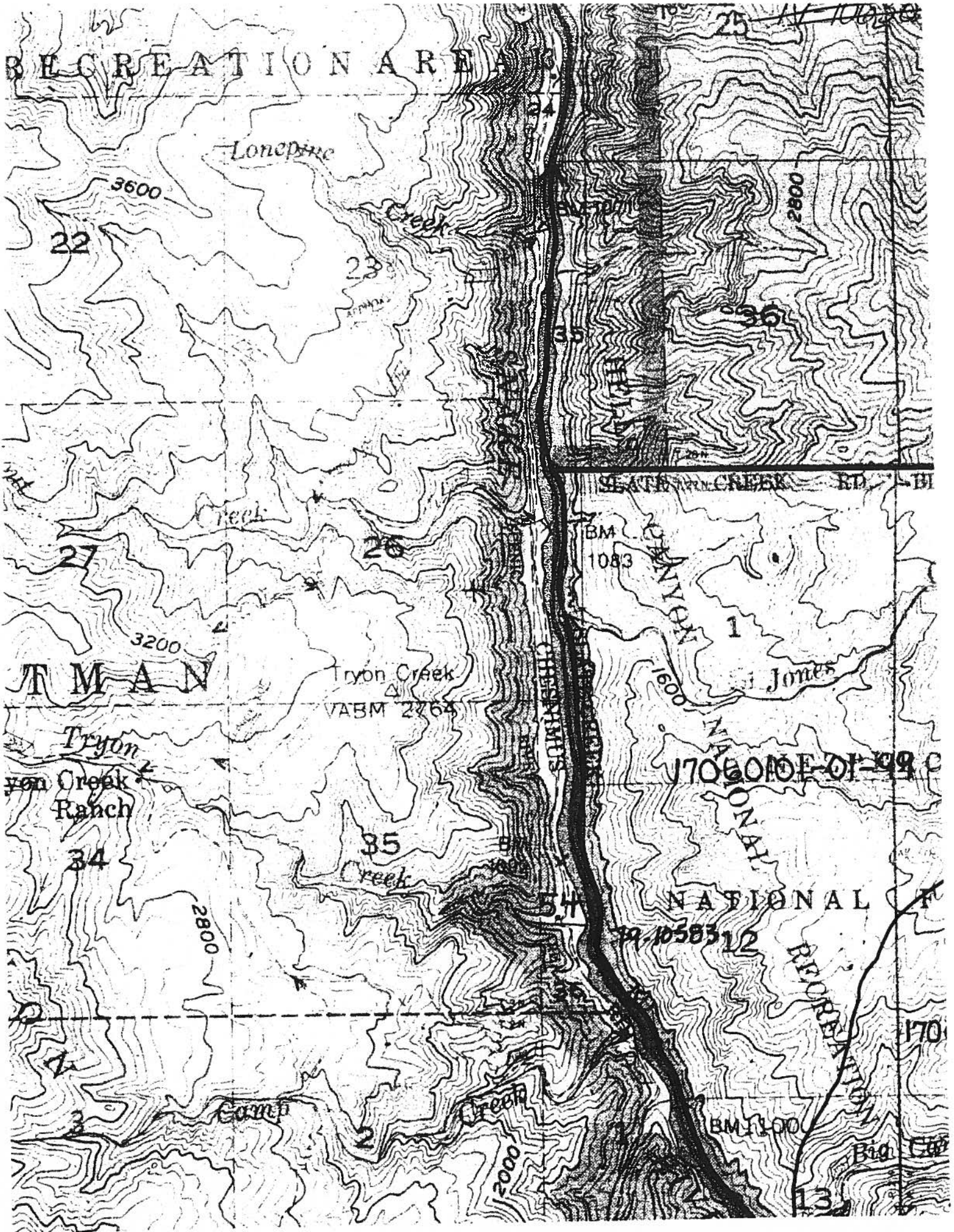
ALLOTMENT NO.: 00110

NOTICE IS HEREBY GIVEN THAT THE UNITED STATES DEPARTMENT OF JUSTICE REPRESENTS 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:

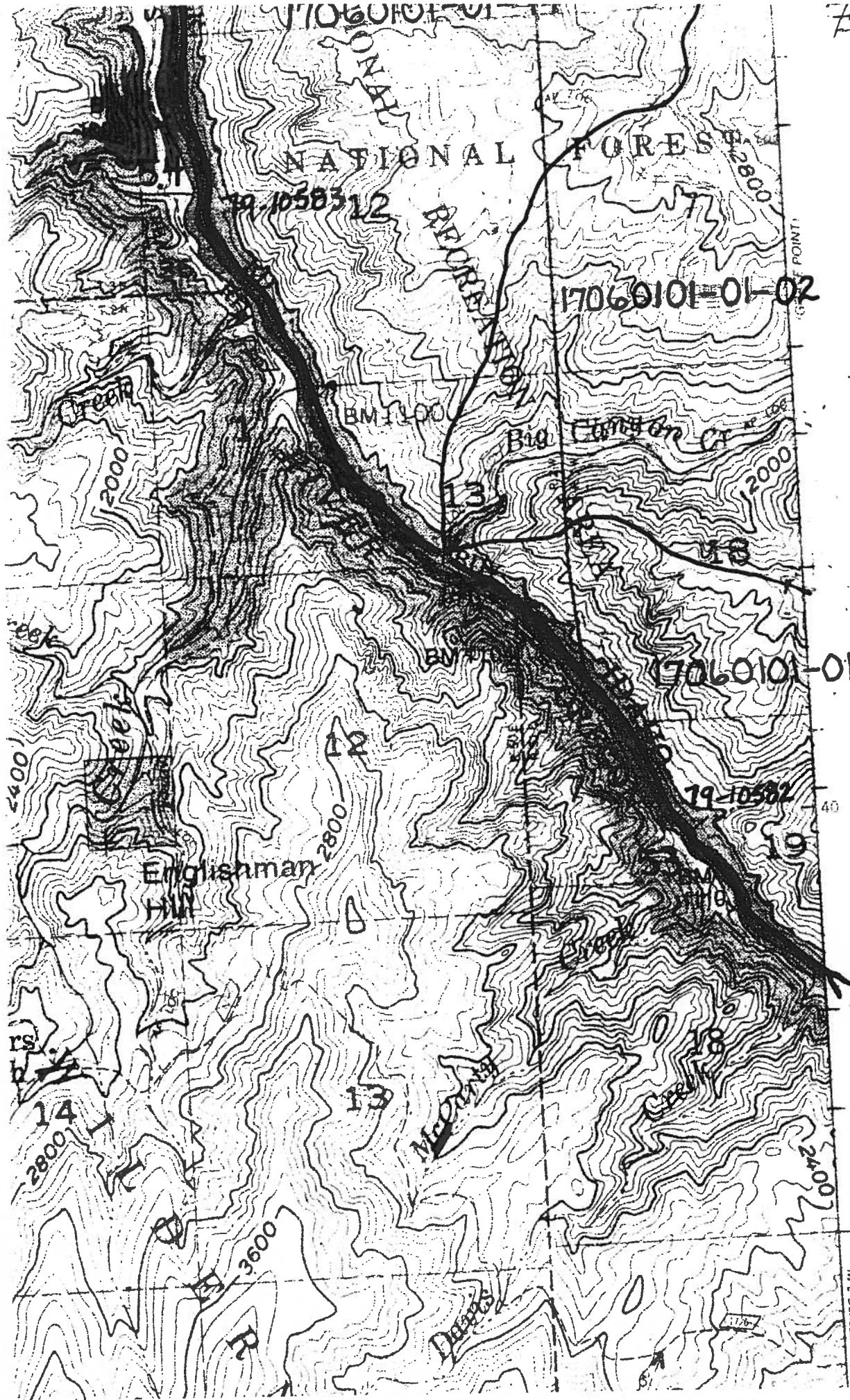
K. JACK HAUGRUD
GEOFFREY GARVER
DARIA ZANE
U.S. DEPARTMENT OF JUSTICE
ENVIRONMENT AND NATURAL RESOURCES DIVISION
GENERAL LITIGATION SECTION
P.O. BOX 663
WASHINGTON, D.C. 20044-0663
202-272-4134

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.

~~A79-10630~~
A03-10/55



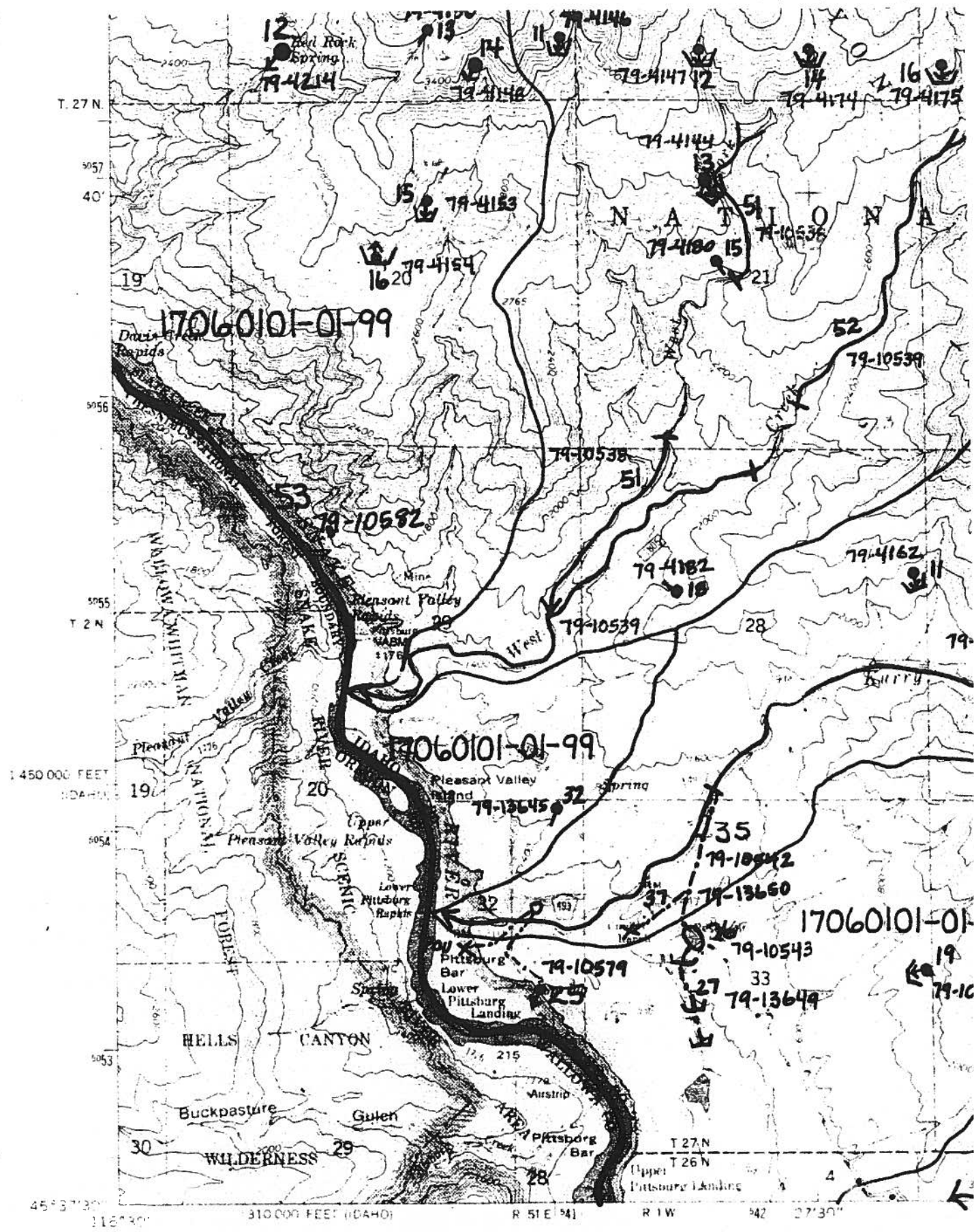
~~79-10635~~



**WATER INVENTORY
SYSTEM**

- RX Watershed Bounda
- Streams
- Pipeline/Ditch
- ∩ Trough

19-10630



Base map prepared by the U.S. Geological Survey

Control by USGS and USC&GS

Topography by photogrammetric methods from aerial photographs taken 1961 Field checked 1963

Polyconic projection 1927 North American datum
10 000 foot grids based on Idaho coordinate system west zone

0 24 18"
7 MILS 329 MILS

National Forest

IKERNAN POINT SE

5052000m. N.

APPROX

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T. 2 N

1000 FEET
(OREG.)

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Robertson
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Chloroform

17060101-99

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Riddle Lodge

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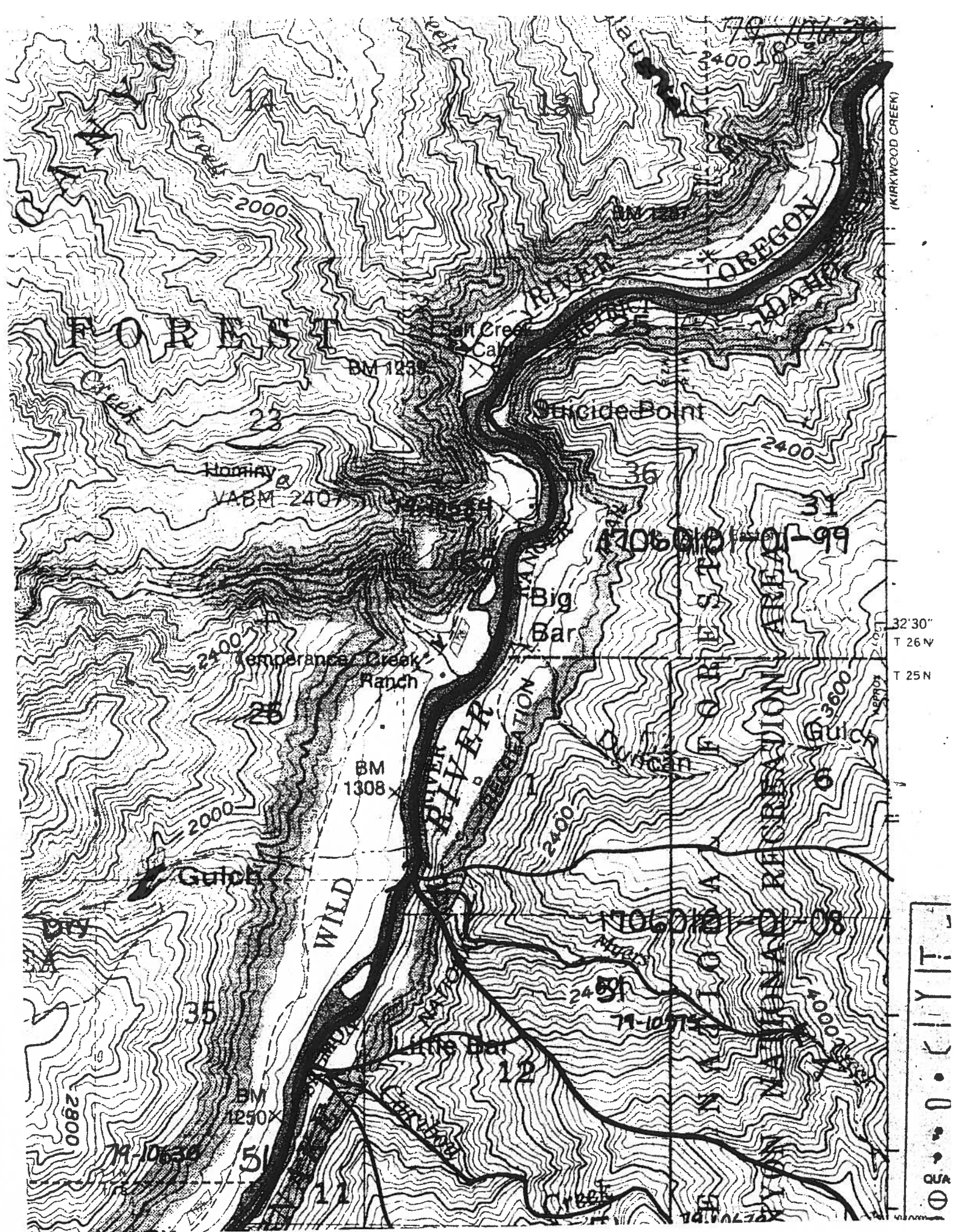
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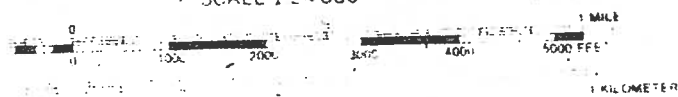
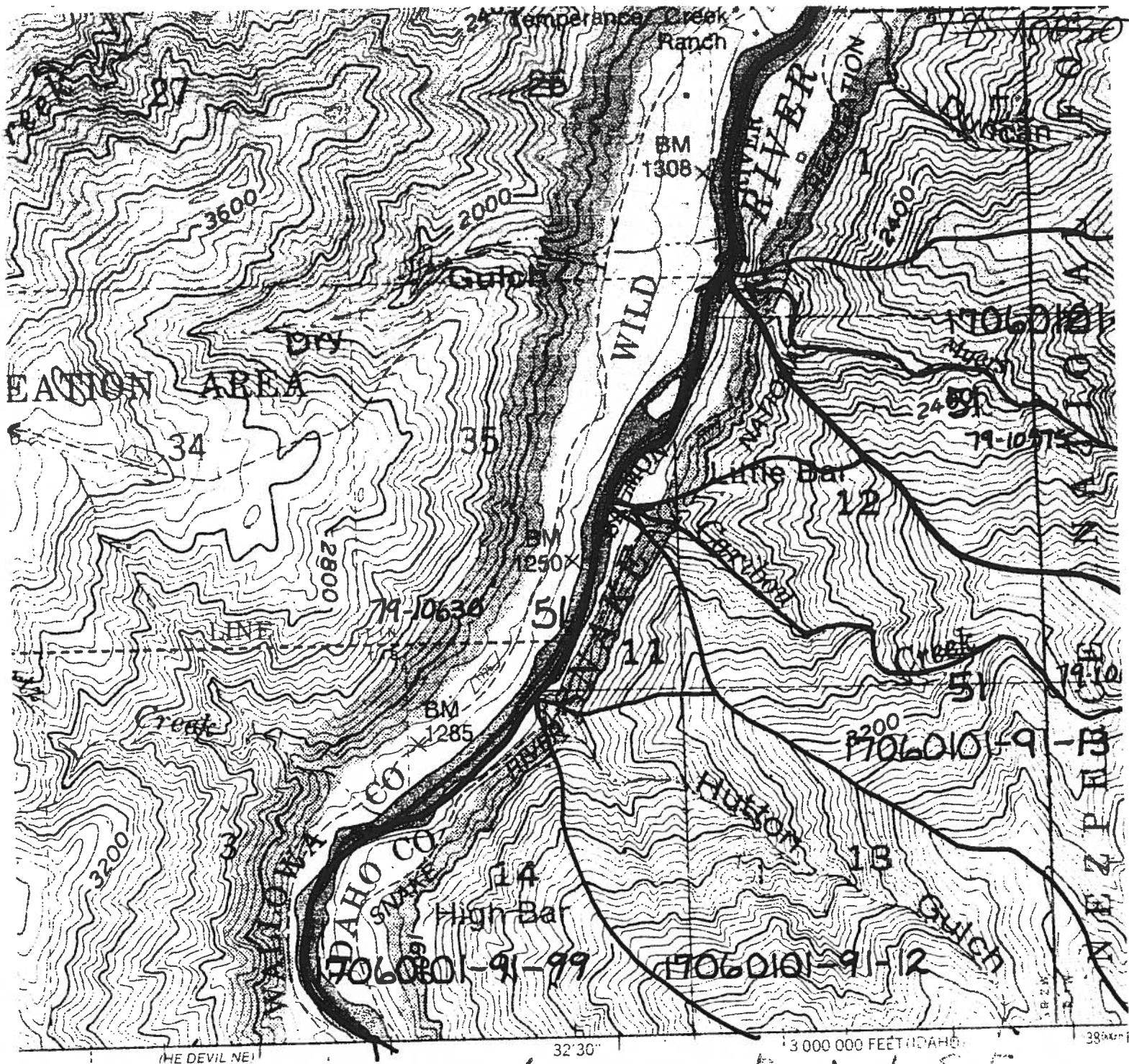
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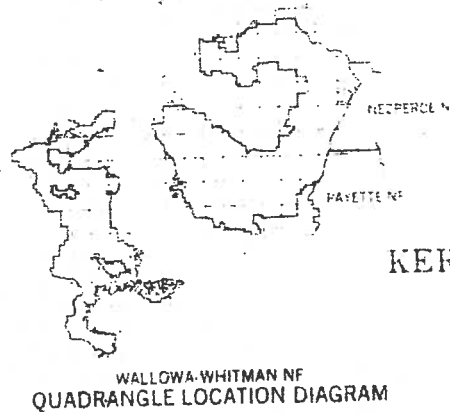
~~VABM~~





CONTOUR INTERVAL 80 FEET

Boundary	—	Primary Highway	—	Interstate Highway
Within the National as of 1986	—	Secondary Highway	—	U.S. Highway
RE CLASSIFICATION	—	Improved Road, Paved	—	State Highway
on Reliable	—	Improved Road, Gravel	—	County Road
on Approximate	—	Improved Road, Dirt	—	Primary Forest Route
raction	—	Unimproved Road, Dirt	—	Forest Road
	—	Trail	—	Forest Trail



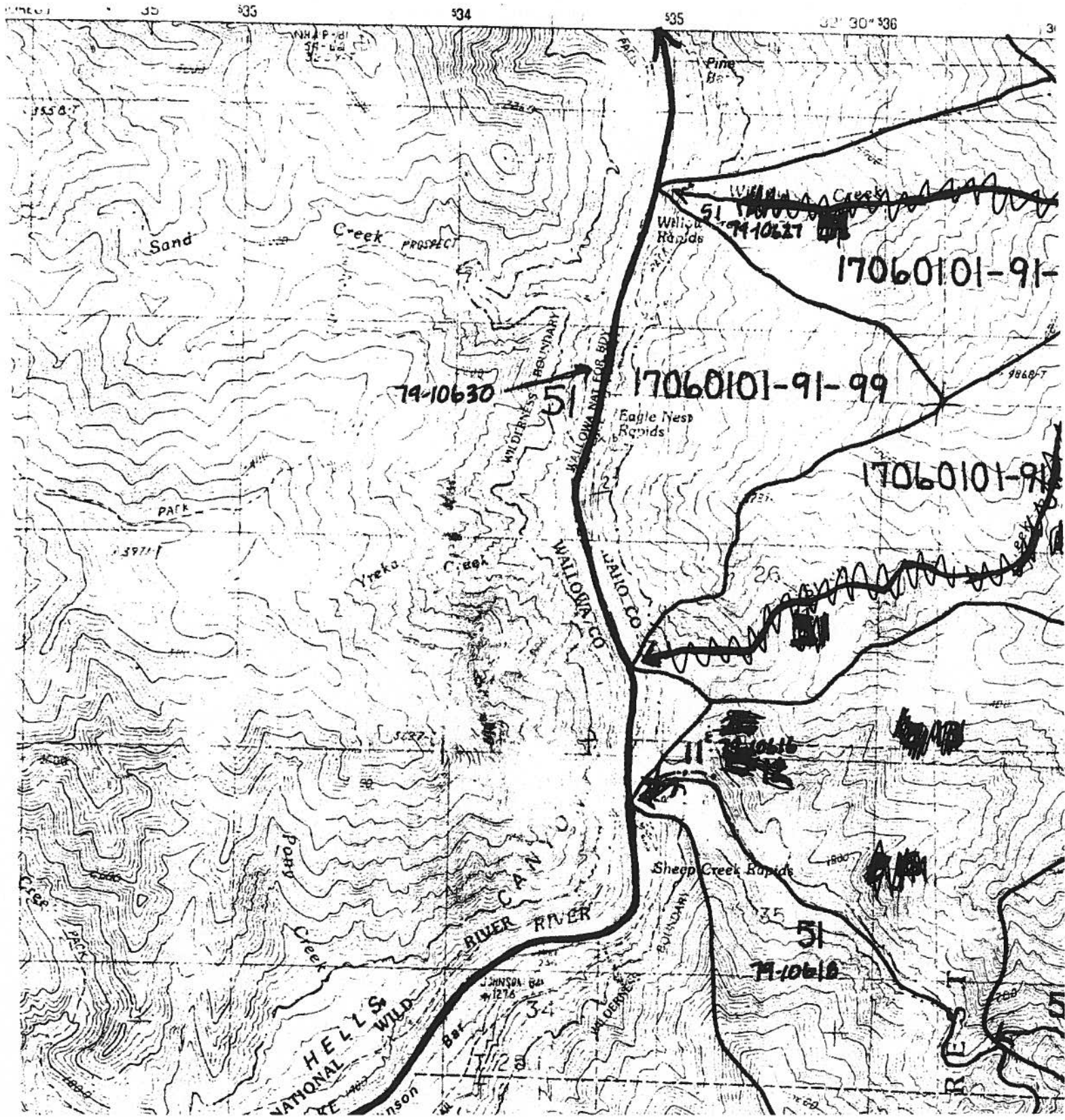
KERNAN POINT S.E.

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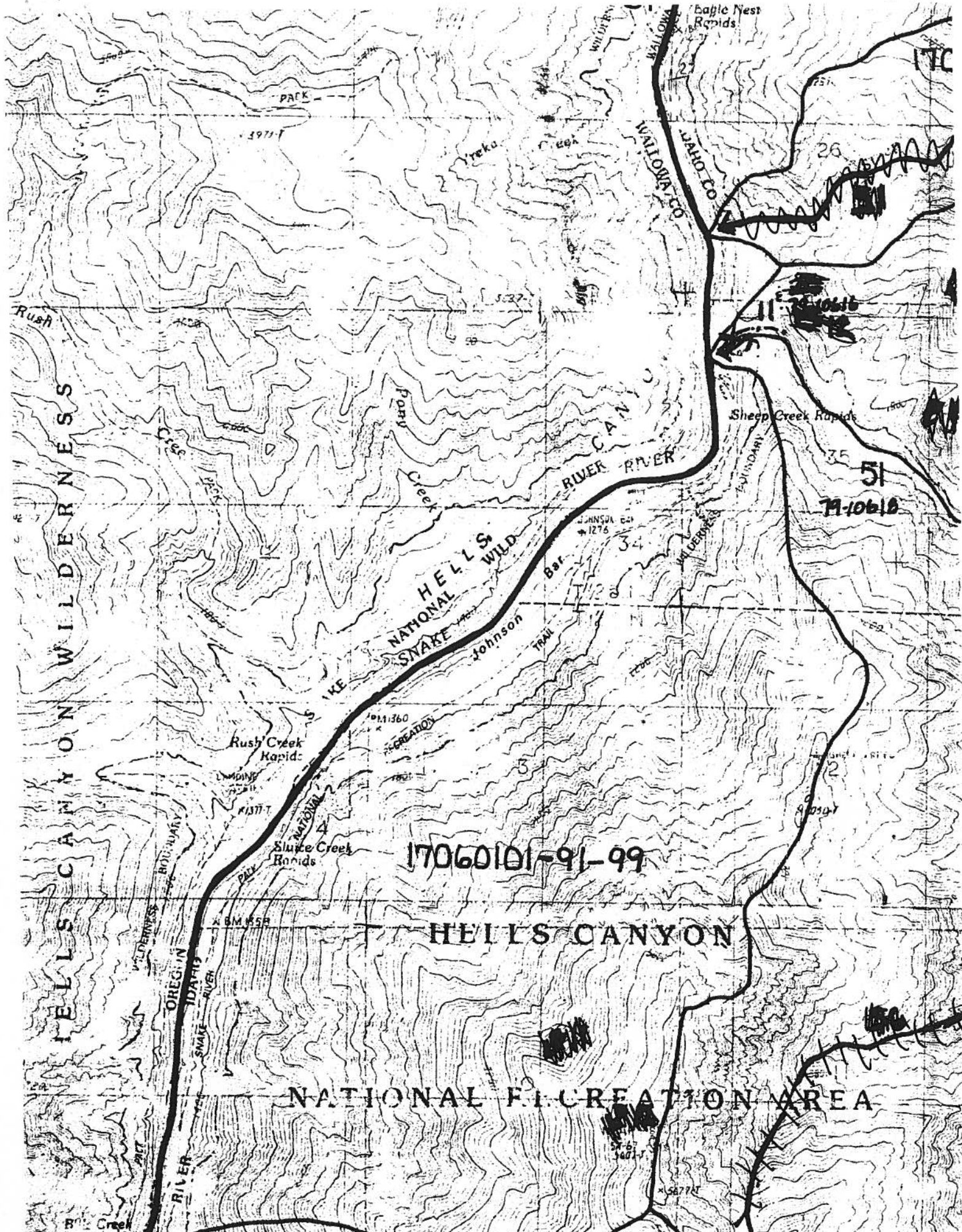
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17060101-91-99

HELLS CANYON

NATIONAL RECREATION AREA

[illegible]

AJ0749NP
No. R03-10155

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

DATE: 02/08/99
PAGE: 1

OWNER
CODE
C
NAME & ADDRESS
UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
200 E BROADWAY
MISSOULA MT 598077669
(406) 329-3233
PRIORITY
DATE
05/01/1902
WATER USE
STOCKWATER
DIVERSION
RATE
0.02 CFS
DIVERSION
VOLUME
0.02 CFS
TOTAL DIVERSION:

Water Source: SNAKE RIVER
Tributary to: COLUMBIA RIVER
Point(s) of Beginning Stream Reach: T24N R02W S30
Point(s) of Ending Stream Reach: T25N R02W S01
Stage: BENEFICIAL USE
IDAHO County
IDAHO County

Place of use Legal Description for: STOCKWATER

T	R	S	NE			NW			SW			SE		
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW
24N	02W	3	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
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25N	02W	35												

POU County: IDAHO

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 = 011717060101919951 00
STOCKWATER, 2400 SHEEP

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

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

Handwritten signature:
Kaveri
for David
Sug

AJ0749NP
No. R03-10155

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

DATE: 02/08/99
PAGE: 2

Comments: Date: 02/08/1999 User-ID: JSHURTE Subject: RENUMBERED FROM A79-10630
THIS CLAIM ORIGINALLY FILED UNDER ABOVE CLAIM NUMBER - CHANGED
DUE TO SNAKE RIVER SOURCE.

Audit: 02/08/99 JSHURTE

AJ0729NP
No. A03-10155

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT**

DATE: 01/12/99
PAGE: 1

**OWNER
CODE**

NAME & ADDRESS

**PRIORITY
DATE**

WATER USE

USE PERIOD
FROM TO

DIVERSION RATE
DIVERSION VOLUME

01-01 12-31 0.02 CFS

TOTAL DIVERSION: 0.02 CFS

STOCKWATER

ING THROUGH

3

USDA FOREST SERVICE

200 E BROADWAY

MISSOULA MT 598077669

(406) 329-3233

Water Source: SNAKE RIVER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T24N R02W S30

NWSE

IDAHO County

Place of use Legal Description for: STOCKWATER

NE

NENE NWNE SENE SENE

T R S : Lt Ac Lt Ac Lt Ac Lt Ac

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POU County: IDAHO

Non-Irrigation Uses: 2400 Sheep

Remarks: GEN FOREST SERVICE RECORD ID = 011717060101919951 00

Dates: **Exam Made Date:****Verified Date:**

Objection Filed Date:

Misc:

Field Inspection Flag:

Field Inspection
Presumption Flag:

Data enter 99-10630's Polls & Reg & Candidate.

Game JST'S #