

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 03-10164

RECEIVED

MAR 17 2000

Department of Water Resources

NAME AND ADDRESS: USDA FOREST SERVICE
550 W FORT ST, MSC 033
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: 06/01/1887

POINT OF DIVERSION: T26N R01W S09 SESW (Instream Beginning Point) Within Idaho County
T27N R02W S13 NESE (Instream Ending Point)

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

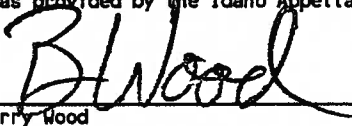
PLACE OF USE:	Stockwater		Within Idaho County
	T26N R01W S04	NWNW	SWNW
		SESW	NESW
	S09	NENW	SESW
		NESW	SESW
	T27N R01W S18	SWSW	
	S19	NWNW	SWNW
		SESW	NESW
		NWSE	SWSE
	S29	SESE	
		NWNW	SWNW
		SESW	NESW
	S32	NWNE	SWSE
		NESE	SWNE
	S33	SWSW	NWSE
	R02W S13	NESE	

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

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: 03-10164

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: 06/01/1887

3. Source of water: SNAKE RIVER

Tributary: COLUMBIA RIVER

4. Location Meridian BOISE

Description of Diversion Works: Combo

From: Stream

Location of Point of Diversion

T: 26 N R: 01 W S: 9 SESW

B

T: 27 N R: 02 W S: 13 NESE

E

Location of Point of Use

T: 26 N R: 01 W S: 4 NESW

T: 26 N R: 01 W S: 4 NWNW

T: 26 N R: 01 W S: 4 SENW

T: 26 N R: 01 W S: 4 SESW

T: 26 N R: 01 W S: 4 SWNW

T: 26 N R: 01 W S: 9 NENW

T: 26 N R: 01 W S: 9 NESW

T: 26 N R: 01 W S: 9 SENW

T: 26 N R: 01 W S: 9 SESW

T: 27 N R: 01 W S: 18 SWSW

T: 27 N R: 01 W S: 19 NESW

T: 27 N R: 01 W S: 19 NWNW

T: 27 N R: 01 W S: 19 NWSE

T: 27 N R: 01 W S: 19 SENW

T: 27 N R: 01 W S: 19 SESE

T: 27 N R: 01 W S: 19 SWNW

T: 27 N R: 01 W S: 19 SWSE

T: 27 N R: 01 W S: 29 NESW

T: 27 N R: 01 W S: 29 NWNW

T: 27 N R: 01 W S: 29 SENW

T: 27 N R: 01 W S: 29 SESW

T: 27 N R: 01 W S: 29 SWNW

T: 27 N R: 01 W S: 29 SWSE

T: 27 N R: 01 W S: 30 NENE

T: 27 N R: 01 W S: 33 NESE

T: 27 N R: 01 W S: 33 NWNE

T: 27 N R: 01 W S: 33 NWSE

T: 27 N R: 01 W S: 33 SESE

T: 27 N R: 01 W S: 33 SWNE

T: 27 N R: 01 W S: 33 SWSW

T: 27 N R: 02 W S: 13 NESE

5. Quantity claimed

Period

Quantity

For

1 / 01 - 12 / 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: 03

National Forest: Nez Perce

Forest Service Record ID: 01 17 17060101 01 0 9953

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

OCT 01 1998

Department 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.

WITHDRAWN

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: ~~A79-10582~~ A03-10148
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
026 N	001 W	9	____SESW	---	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: Cattle Livestock Numbers: 523

10. Place of Use:

Township	Range	Section	Tract	Lot	County
027 N	002 W	13	____NESE	---	Idaho

Purpose of use: STOCKWATER Acres Irrigated: 0

11. Place of use in counties: Idaho

~~A79-10582~~
A03-10148

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WITHDRAWN

Replaced with A03-10164

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 01 0 9953 000

IDWR WATER STATE FILING NO.: A79-10582

ALLOTMENT NO.: 00310

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.

~~A79-10582~~
A03-10148

DATE: 02/14/99
PAGE: 1

Audit: 02/14/99 KWATERS

AJ5809NP
No. R03-10164

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/08/99
PAGE: 1

OWNER
CODE
NAME & ADDRESS
C UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID 83724

PRIORITY
DATE
06/01/1887
WATER USE
STOCKWATER
USE PERIOD
FROM TO
01-01 12-31
DIVERSION
RATE
0.02 CFS
DIVERSION
VOLUME
0.02 CFS

TOTAL DIVERSION:

Water Source: SNAKE RIVER Tributary to: COLUMBIA RIVER Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T26N R01W S09
Point(s) of Ending Stream Reach: T27N R02W S13
IDAH0 County
IDAH0 County

Place of use Legal Description for: STOCKWATER

		NE				NW				SW				SE			
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
26N	01W	4	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
26N	01W	9	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
27N	01W	18	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
27N	01W	19	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
27N	01W	29	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
27N	01W	30	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
27N	01W	33	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
27N	02W	13	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: IDAH0

Non-Irrigation Uses: 523 Range Cattle

Remarks: EXP FOREST SERVICE RECORD ID = 0117 17060101 01 9953

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

Misc: Water District Number: Field Inspection Flag:

Presumption Flag:

Audit: 11/18/98 AJCTR

maps: Kirkwood Creek
Grave Point
Kernan Point NE

Add N13
N11