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DEPARTMENT OF
WATER RESOURCES

**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 COEUR D'ALENE-)
SPOKANE RIVER WATER SYSTEM)
CASE NO. 49576)

NOTICE OF CLAIM

Federal Reserved Water Right 91-07624

St. Joe Wild and Scenic River

1. Name and address of claimant:

UNITED STATES OF AMERICA, on behalf of the U.S.D.A. Forest Service
550 W. Fort Street MSC 033
Boise, Idaho 83724

2. Source of water:

St. Joe River, tributary to Coeur d'Alene Lake

3. Quantity of water claimed:

a. Stream flows at the St. Joe River above the North Fork of the St. Joe River quantification site:

- (1) When the stream flow at the St. Joe River above the North Fork of the St. Joe River quantification site, as identified in Section 3.a.(3) below ("St. Joe above North Fork quantification site"), is less than 6,220 cfs, the United States claims the following flows:

Period of Use	Discharge (cfs)	Period of Use	Discharge (cfs)
January 1-15	1130	July 1-15	1950
January 16-31	1060	July 16-31	974
February 1-15	1100	August 1-15	492
February 16-28(29)	1430	August 16-31	375
March 1-15	1480	September 1-15	310
March 16-31	2010	September 16-30	324
April 1-15	3870	October 1-15	365
April 16-30	5770	October 16-31	529

May 1-15	6220	November 1-15	818
May 16-31	6220	November 16-30	1010
June 1-15	6220	December 1-15	1240
June 16-30	3870	December 16-31	1200

- (2) When the stream flow at the St. Joe above North Fork quantification site is greater than or equal to 6,220 cfs (as adjusted by accounting for upstream junior depletions), the United States claims all flows.
- (3) The quantification site for the flows identified above at the St. Joe above North Fork quantification site is the St. Joe River immediately above its confluence with the North Fork of the St. Joe River, located in Lots 5 & 6 (NW1/4NW1/4), Sec. 14, T45N, R5E, Boise Meridian; Latitude N 47° 15' 03", Longitude W 115° 47' 51" (NAD 83).

b. Stream flows at the St. Joe River at Red Ives quantification site:

- (1) When the stream flow at the St. Joe River at Red Ives quantification site, as identified in Section 3.b.(3) below ("St. Joe at Red Ives quantification site"), is less than 2,030 cfs, the United States is entitled to the following flows:

Period of Use	Discharge (cfs)	Period of Use	Discharge (cfs)
January 1-15	265	July 1-15	865
January 16-31	185	July 16-31	417
February 1-15	213	August 1-15	205
February 16-28(29)	276	August 16-31	152
March 1-15	262	September 1-15	125
March 16-31	327	September 16-30	136
April 1-15	610	October 1-15	145
April 16-30	1290	October 16-31	184
May 1-15	2030	November 1-15	225
May 16-31	2030	November 16-30	228
June 1-15	2030	December 1-15	300
June 16-30	1590	December 16-31	324

- (2) When the stream flow at the St. Joe at Red Ives quantification site is greater than or equal to 2,030 cfs (as adjusted by upstream junior depletions), the United States claims all flows.
- (3) The quantification site for the flows identified above at the St. Joe River at Red Ives quantification site is US Geological Survey stream gage 12413875 (St. Joe River at Red Ives Ranger Station), located in

NW1/4SE1/4, Sec. 20, T43N, R9E, Boise Meridian; Latitude N 47° 03' 22", Longitude W 115° 21' 11" (NAD 83).

- c. This claimed water right does not prohibit the appropriation, diversion and use of water within the St. Joe River Basin upstream from the ending point, as identified in element 5.b. below ("St. Joe Wild and Scenic River Basin"), when the stream flow at the St. Joe above North Fork quantification site exceeds the flow amount in Section 3.a.(1) and is less than 6,220 cfs, and when the stream flow at the St. Joe at Red Ives quantification site exceeds the flow amount in Section 3.b.(1) and is less than 2,030 cfs.
- d. This claimed water right precludes any diversion of water out of the watershed of the St. Joe Wild and Scenic River Basin.

4. Priority date claimed:

November 10, 1978

5. Point of diversion:

There is no diversion associated with this instream flow water right. The legal description of the beginning and ending points of the instream flow water right are as follows:

a. Location of beginning point:

Origin of the St. Joe River at St. Joe Lake:

Lot 3 (NE1/4NW1/4), Sec. 4, T42N, R11E, Boise Meridian.
Latitude N 47° 01' 07", Longitude W 115° 04' 58" (NAD 83).

b. Location of ending point:

Confluence of the St. Joe River with the North Fork of the St. Joe River:

Lots 5 & 6 (NW1/4NW1/4), Sec. 14, T45N, R5E, Boise Meridian.
Latitude N 47° 15' 03", Longitude W 115° 47' 51" (NAD 83).

6. Purpose of use:

To fulfill the purposes of the Wild and Scenic Rivers Act, Pub. L. 90-542, 82 Stat. 906, Oct. 2, 1968 (codified as amended at 16 U.S.C. §§ 1271, et seq.), and the

National Parks and Recreation Act, Pub. L. 95-625m, 92 Stat. 3467, Nov. 10, 1978 (codified at 16 U.S.C. § 1274(a)(23)).

7. Period of use:

January 1 - December 31

8. Place of use:

This instream flow water right is used throughout the designated St. Joe Wild and Scenic River from the beginning point to the ending point as identified above.

9. Annual volume of consumptive use:

This instream flow water right is non-consumptive (other than evaporation and evapotranspiration that may take place within the designated segment).

10. Remarks:

This is a federal reserved water right established pursuant to the Wild and Scenic Rivers Act, Pub. L. 90-542, 82 Stat. 906, Oct. 2, 1968 (codified as amended at 16 U.S.C. §§ 1271, et seq.), and the National Parks and Recreation Act, Pub. L. 95-625m 92 Stat. 3467, Nov. 10, 1978 (codified as amended at 16 U.S.C. § 1274(a)(23)).

11. Signatures:

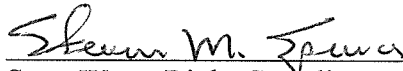
- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Steven M. Spencer, State Water Right Coordinator, U.S.D.A. Forest Service, that I have signed the foregoing document in the space below as State Water Right Coordinator, U.S.D.A. Forest Service, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Title and Organization:



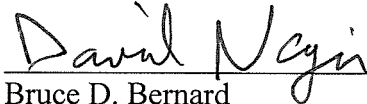
State Water Right Coordinator

U.S.D.A. Forest Service

Dated this 14th day of December, 2012.

Notice is hereby given that the United States Department of Justice will represent the United States of America, including the U.S.D.A. Forest Service in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:



Bruce D. Bernard

David L. Negri

United States Department of Justice

Environment and Natural Resources Division

Natural Resources Section

550 W. Fort Street, MSC 033

Boise, Idaho 83724

Attorneys for the United States of America

Dated this 14th day of December, 2012.