

MAR 05 1997

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 SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number: **71-10199**

Date received _____

Receipt No: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT

AMENDED

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, Box 33
Boise, ID 83724

2. Date of Priority: 12/31/1885

3. Source of water: ELK CREEK

From: Stream

4. Location

Description of Diversion Works: None

Location of Point of Diversion Meridian BOISE

T: 11 N R: 11 E S: 36 NWNW Fl: B T: 11 N R: 11 E S: 36 NWNW Fl:

T: 11 N R: 12 E S: 11 SWSE Fl: E

Location of Point of Use

T: 11 N R: 11 E S: 25 NESE

T: 11 N R: 11 E S: 25 NWSE

T: 11 N R: 11 E S: 25 SESW

T: 11 N R: 12 E S: 11 SESW

T: 11 N R: 12 E S: 14 NENW

T: 11 N R: 12 E S: 15 NENE

T: 11 N R: 12 E S: 15 NWNE

T: 11 N R: 12 E S: 16 NENE

T: 11 N R: 12 E S: 16 NWNE

T: 11 N R: 12 E S: 16 SWNW

T: 11 N R: 12 E S: 17 NESW

T: 11 N R: 12 E S: 17 SENE

T: 11 N R: 12 E S: 17 SWNE

T: 11 N R: 12 E S: 17 SWSW

T: 11 N R: 12 E S: 19 NESE

T: 11 N R: 12 E S: 19 NWNE

T: 11 N R: 12 E S: 19 SENE

T: 11 N R: 12 E S: 19 SESE

T: 11 N R: 12 E S: 19 SWNE

T: 11 N R: 12 E S: 19 SWSW

T: 11 N R: 12 E S: 20 SWNW

T: 11 N R: 12 E S: 30 NWNW

T: 11 N R: 11 E S: 25 NESW

T: 11 N R: 11 E S: 25 NWSW

T: 11 N R: 11 E S: 25 SWSW

T: 11 N R: 12 E S: 11 SWSE

T: 11 N R: 12 E S: 14 NWNW

T: 11 N R: 12 E S: 15 NENW

T: 11 N R: 12 E S: 15 NWNW

T: 11 N R: 12 E S: 16 NENW

T: 11 N R: 12 E S: 16 NWNW

T: 11 N R: 12 E S: 17 NENE

T: 11 N R: 12 E S: 17 NWSW

T: 11 N R: 12 E S: 17 SENW

T: 11 N R: 12 E S: 17 SWNW

T: 11 N R: 12 E S: 19 NENE

T: 11 N R: 12 E S: 19 NESW

T: 11 N R: 12 E S: 19 NWSE

T: 11 N R: 12 E S: 19 SENW

T: 11 N R: 12 E S: 19 SESW

T: 11 N R: 12 E S: 19 SWSE

T: 11 N R: 12 E S: 20 NWNW

T: 11 N R: 12 E S: 30 NENW

T: 11 N R: 12 E S: 30 SWNW

5. Quantity claimed:

Period	Quantity	For
6/ 01 -- 10/ 31	0.02 CFS	Stockwater

6. Total Consumptive Use Claimed for Present and Future Use is:

De Minimus

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: 71

National Forest: Sawtooth

Forest Service Record ID: 04 14 17060201 45 0 0004

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.

RIGHTS FROM: SOURCE: ELK CREEK TRIBUTARY: VALLEY CREEK

RIGHT NUMBER: 71-10199

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID 83724

SOURCE: ELK CREEK TRIBUTARY: VALLEY CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 12/31/1885

POINT OF DIVERSION: T11N R11E S36 NWNW (B) Within CUSTER County
R12E S11 SWSE (E)

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
STOCKWATER 06-01 10-31 0.02 CFS

PLACE OF USE: STOCKWATER Within CUSTER County

T11N R11E S25	NESW	NWSW	SWSW	SESW
	NESE	NWSE		
S36	NWNW			
R12E S11	SESW	SWSE		
S14	NENW	NWNW		
S15	NENE	NWNE	NENW	NWNW
S16	NENE	NWNE	NENW	NWNW
	SWNW			
S17	NENE	SWNE	SENE	SWNW
	SESW	NESW	NWSW	SWSW
S19	NENE	NWNE	SWNE	SENE
	SESW	NESW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S20	NWNW	SWNW		
S30	NENW	NWNW	SWNW	
~~R11E S23~~	~~SESE~~			

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

VERIFIED BY *R. Brown*
8-12-97

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

1-10199 (CONT.)

FOREST SERVICE RECORD ID = 041417060201450004 00
ELK MEADOW
GRANDJEAN
BANNER SUMMIT
SAWTOOTH N.F.
STOCKWATER, 1499 CATTLE

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-5-1997

PAGE: A-19

 RIGHTS FROM: SOURCE: ELK CREEK TRIBUTARY: VALLEY CREEK

RIGHT NUMBER: 71-10199

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

SOURCE: ELK CREEK TRIBUTARY: VALLEY CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 12/31/1885

POINT OF DIVERSION: T11N R11E S36 NWNW (INSTREAM BEGINNING POINT) Within CUSTER County
 R12E S11 SWSE (INSTREAM ENDING POINT)

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	06-01 10-31	0.02 CFS

PLACE OF USE:	STOCKWATER	Within CUSTER County			
T11N R11E S25	~~SENE~~	NESW	NWSW	SWSW	
	SESW	NESE	NWSE		
S36	NWNW				
R12E S11	SESW	SWSE			
S14	NENW	NWNW			
S15	NENE	NWNE	NENW	NWNW	
S16	NENE	NWNE	NENW	NWNW	
	SWNW				
S17	NENE	SWNE	SENE	SWNW	
	SESW	NESW	NWSW	SWSW	
S19	NENE	NWNE	SWNE	SENE	
	SESW	NESW	SWSW	SESW	
	NESE	NWSE	SWSE	SESE	
S20	SWNW	NWNW			
S30	NENW	NWNW	SWNW		

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

*added NWNW to match
 USFS file & topo map
 RB 8-6-97
 removed SENE to match
 USFS file & topo map*

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-5-1997
PAGE: A-20

RIGHTS FROM: SOURCE: ELK CREEK TRIBUTARY: VALLEY CREEK

RIGHT NUMBER: 71-10199 (CONT)

EXPLANATORY MATERIAL: (CONT)

FOREST SERVICE RECORD ID = 041417060201450004 00
ELK MEADOW
GRANDJEAN
BANNER SUMMIT
SAWTOOTH N.F.
STOCKWATER, 1499 CATTLE

OWNER

NAME & ADDRESS

PRIORITY

DATE

WATER USE

USE PERIOD

DIVERSION

DIVERSION

CODE

FROM

RATE

VOLUME

C

UNITED STATES OF AMERICA ACTING THROUGH

12/31/1885

STOCKWATER

06-01 10-31

0.02 CFS

0.02 CFS

Water Source: ELK CREEK

Tributary to: VALLEY CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T11N R11E S36

Point(s) of Ending Stream Reach: T11N R12E S11

CUSTER County

CUSTER County

Place of use Legal Description for: STOCKWATER

		NE				NW				SW				SE			
		NENE		SWNE		SENE		NENW		SWNW		SENW		NWSW		SESW	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt
11N	11E	25	:														
11N	11E	36	:														
11N	12E	11	:														
11N	12E	14	:														
11N	12E	15	:														
11N	12E	16	:	S													
11N	12E	17	:	S													
11N	12E	19	:	S		S											
11N	12E	20	:	S		S											
11N	12E	30	:														

POU County: CUSTER

Conditions of Approval:

L12 - THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING

- ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY

- USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

Remarks: EXP

FOREST SERVICE RECORD ID = 041417060201450004

00

ELK MEADOW

GRANDJEAN

BANNER SUMMIT

SAWTOOTH N.F.

STOCKWATER, 1499 CATTLE

Dates:

Exam Made Date:

Verified Date:

04/07/1997

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:

Presumption Flag:

4/17/97

VERIFIED BY

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP
No. R71-10199

OWNER NAME & ADDRESS
C UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
324 25TH STREET
OGDEN UT 844012394
(801) 625-5360

PRIORITY DATE
06/01/1890 STOCKWATER
12/31/1885

USE PERIOD FROM TO
06-01 10-31

DIVERSION RATE
0.03 CPS
0.03 CFS

DIVERSION VOLUME
0.03 CFS

Water Source: ELK CREEK
Tributary to: VALLEY CREEK
Stage: BENEFICIAL USE
CUSTER County
CUSTER County

Place of use Legal Description for: STOCKWATER									
NE									
SE									
T	R	S	NENE	NWNE	SUNE	SENE	NENW	NWNW	SENE
Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac									
11N	11E	25							
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11N	12E	30							

POU County: CUSTER

Non-Irrigation Uses: STOCKWATER, 1499 CATTLE

Conditions of Approval:
L12 - THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
- ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
- USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

Remarks: FOREST SERVICE RECORD ID = 04147060201450004 00
ELK MEADOW
GRANDJEAN
BANNER SUMMIT
SAWTOOTH N.F.

Dates: Exam Made Date: Verified Date: Objection Filed Date:
Misc: Water District Number: Field Inspection Flag: Presumption Flag:

4/7/97

AJ5809NP
No. R71-10199

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/01/97
PAGE: 15

Comments: Date: 08/31/1995 User-ID: DSMITH Subject: CONDITION CODE ADDED
ADDED L12 PER CF.

Audit: 02/28/94 DUNN1 08/31/95 DSMITH

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
71-10199	UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 324 25TH STREET OGDEN UT 84401-2394	06/01/1990	STOCKWATER	06-01 10-31	0.03 CFS	BENEFICIAL USE
	NON-IRRIGATION USES: 1499 CATTLE STOCKWATER, 1499 CATTLE 1499 CATTLE					
	SOURCE: ELK CREEK POINT OF DIVERSION: T11N R11E S36				0.03 CFS	
	R12E S11 PLACE OF USE: STOCKWATER T11N R11E S25					
	S36 R12E S11 S14 S15 S16 S17					
	S19 S20 S30					
	REMARKS: FOREST SERVICE RECORD ID = 041417060201450004 00 ELK MEADOW GRANDJEAN BANNER SUMMIT SAWTOOTH N.F.					

Needs evidence

TRIBUTARY: VALLEY CREEK

NWNW (B)
SWSE
SWSE (E)

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Cond. 6-12 June 9/21/95

