

RECEIVED

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: **71-10284**

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: 4TH OF JULY CREEK

From: Stream

4. Location

Description of Diversion Works: None

Location of Point of Diversion Meridian BOISE

T: 08 N R: 14 E S: 10 SWSE Fl: E T: 08 N R: 14 E S: 12 NENE Fl: B

T: 08 N R: 14 E S: 12 NENE Fl:

Location of Point of Use

T: 08 N R: 14 E S: 10 SESE	T: 08 N R: 14 E S: 10 SWSE
T: 08 N R: 14 E S: 11 NESW	T: 08 N R: 14 E S: 11 NWSE
T: 08 N R: 14 E S: 11 NWSW	T: 08 N R: 14 E S: 11 SENE
T: 08 N R: 14 E S: 11 SWNE	T: 08 N R: 14 E S: 12 NENW
T: 08 N R: 14 E S: 12 NWNE	T: 08 N R: 14 E S: 12 NWNW
T: 08 N R: 14 E S: 12 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 49 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.

APR-11-1997
0015

1

RIGHT NUMBER:
71-10284

NAME AND ADDRESS:
UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT STREET
PO BOX 33C
BOISE ID 83724

SOURCE:
FOURTH OF JULY CREEK
~~4TH OF JULY CREEK~~ TRIBUTARY: SALMON RIVER
SALMON RIVER

QUANTITY:
0.02 CFS

PRIORITY DATE:
12/31/1885
~~06/01/1906~~

POINT OF DIVERSION:
T08N R14E S10 (E) Within CUSTER County
S12 (B)
~~S12~~ ~~S12~~

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

PLACE OF USE:
STOCKWATER
T08N R14E S10
S11
S12
Within CUSTER County
SESE
SENE
SWSE
SWNE
NWSE
NENE
NNW
NWSW
NNW

EXPLANATORY MATERIAL:
BASIS OF CLAIM - BENEFICIAL USE
FOREST SERVICE RECORD ID = 041417060201490004 00
OBSIDIAN
SAWTOOTH N.F.
STOCKWATER, 1900 SHEEP

✓ 17

AJ5809NP
No. R71-10284

Audit:	02/28/94	DUNN1	03/05/94	DUNN1	09/01/95	DSMITH
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AJ5809NP
NO. A71-10284

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/04/93
PAGE: 90

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 324 25TH STREET OGDEN UT 844012394 (801) 625-5360	06/01/1906	STOCKWATER	06-01 10-31	0.02 CFS	0.02 CFS
TOTAL DIVERSION:					0.02 CFS	

WATER SOURCE: 4TH OF JULY CREEK

TRIBUTARY TO: SALMON RIVER

STAGE: BENEFICIAL USE

POINT(S) OF DIVERSION:

T08N R14E S12
10

NESE
SWSE

PLACE OF USE LEGAL DESCRIPTION FOR: STOCKWATER

		NE		NW		SW		SE				
T	R	S	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC
08N	14E	10	:	:	:	:	:	:	:	:	:	:

POU COUNTY: CUSTER

NON-IRRIGATION USES: 1900 SHEEP

REMARKS: FOREST SERVICE RECORD ID = 041417060201490004 00

DATES: EXAM MADE DATE:

VERIFIED DATE:

MISC: WATER DISTRICT NUMBER:

FIELD INSPECTION FLAG:
PRESUMPTION FLAG:

Obsidian
Antelope P.K.

DATA ENTRY

ENTERED 3-5-94
CHECKED 4-30-94

Verified By:
Topo Map/Ortho-PQ
AUG Map
Watermaster Records
NIP Photos
Field Exam
C. (in Remarks)
C. (in Remarks)
Witness Statement
Field Records
IDWR Records

VERIFIED
FEB 17 1993

DATA ENTRY
ENTERED
CHECKED

CERTIFIED
FEB 20 1994

WATER EXAMINER

MICROFILMED

OCT 28 1994

MICROFILMED
OCT 28 1994

State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 25, 1997

A71-10284

NOTE AJQZ AND WRQZ PRINTOUTS

Andrew Lawler
Sawtooth Valley Ranch
H.C. 64
Box 9945
Stanley, ID 83278

WERE INCLUDED WITH THIS LETTER.
COMMENTS REGARDING RECOMMENDATIONS
FOR DISALLOWED RIGHTS, COMBINATION
LIMITS, AND CONVEYANCE LOSS LIMITS
WERE INCLUDED ON THESE PRINTOUTS.
THIS INFORMATION WAS OBTAINED
FROM THE EXISTING "R" RECORDS.

Dear Mr. Lawler:

C. SKINNER

Pursuant to your recent request, I have researched the Department's records concerning water rights and claims for water out of Fourth of July Creek. I have included computer printouts that list the old original water right decrees, licenses, and statutory claims with their respective owners and amounts. In addition, I have enclosed computer printouts that list the various Snake River Basin Adjudication claims that have been filed, along with the claimant and the amount of water claimed.

I have attempted to clarify some of the information on the computer printouts regarding the Snake River Basin Adjudication claims. For example, the initial adjudication claims have all been highlighted in pink. These particular claims are the statements filed by the claimants describing their water right.

As part of the Snake River Basin Adjudication, our Department is required to review all of these initial adjudication claims. Upon the Snake River Basin Adjudication court's request, and after reviewing these claims, our Department will make a recommendation to the court on these adjudication claims. If no objections to the recommendation(s) are made, the court will eventually decree the water right(s). However, if objections are made to the recommendation(s) by the claimant or other parties, and the objections can not be resolved, the court will eventually make a decision and then decree the water right.

July 25, 1997

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Representative(s) from our Department have started the review process on the adjudication claims filed on the water out of Fourth of July Creek. Based on the Department's initial review process, enough information has been gathered to create some preliminary recommendations on these adjudication claims. I have highlighted these preliminary recommendations in blue on the enclosed computer printouts. It should be noted that these preliminary recommendations may be subject to additional revision(s) before final Department recommendations are filed with the Snake River Basin Adjudication court.

Final recommendations to the court have been made on some of the claims for water out of Fourth of July Creek. These final recommendations are highlighted in green on the enclosed computer printouts.

Please note that I have written several comments regarding some of the claims and preliminary recommendations on the enclosed computer printouts.

If you have any questions, or if I can be of any further assistance, feel free to contact me at your convenience.

Sincerely,

A handwritten signature in cursive script, appearing to read "Corey Skinner".

Corey Skinner, EIT
Dam Safety Section

Enclosures