

APR-08-1997
0012

1

RIGHT NUMBER: 72-07303

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT STREET
~~324 23TH STREET~~
PO BOX 33C
BOISE ID 83724
~~BOISE ID 84401/2394~~

SOURCE: SAGEBRUSH SPRING TRIBUTARY: SAGEBRUSH CREEK
~~SAGEBRUSH CREEK~~

QUANTITY: 0.02 CFS

PRIORITY DATE: 12/31/1882
~~03/01/1882~~

POINT OF DIVERSION: T09N R18E S25 SWSE Within CUSTER County
~~NESE~~
~~SESE~~

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
T09N R18E S25 NESE ~~SESE~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
FOREST SERVICE RECORD ID = 04 06 17060201 35 0005
385 CATTLE

VERIFIED BY KKC
4-8-97

AJ5809NP
No. R72-07303

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/04/97
PAGE: 12

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 550 W FORT STREET PO BOX 33C BOISE ID 83724	12/31/1882	STOCKWATER	06-01 10-31	0.02 CFS	
TOTAL DIVERSION:					0.02 CFS	

Water Source: SAGEBRUSH SPRING

Tributary to: SAGEBRUSH CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T09N R18E S25

SWSE

CUSTER County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
09N	18E	25	:					:					:					:	S				:

POU County: CUSTER

Non-Irrigation Uses: 385 Cattle

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 03/19/97 AJCTR

04 06 — 35 00005

updated
4-7-97
KKE

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: **72-07303**

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: 12/31/1882

3. Source of water: SAGEBRUSH SPRING

From: Spring

4. Location

Description of Diversion Works: Combo

Location of Point of Diversion

Meridian BOISE

T: 09 N R: 18 E S: 25 SWSE Fl:

Location of Point of Use

T: 09 N R: 18 E S: 25 NESE

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: 72

National Forest: Challis

Forest Service Record ID: 04 06 17060201 35 0 0005

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.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 7, 1995

RECEIVED

FEB 09 1995

Department of Water Resources
Southern Region

TODD HANSEN
REGIONAL MANAGER
EQUITABLE AGRI-BUSINESS INC
3203 W MARCH LN STE 110
STOCKTON CA 95219

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #A72-07303

Dear Mr. Hansen:

In response to your letter of January 17, 1995, a copy of which was forwarded to me, our records show the U.S. Forest Service as the current owner of this water right. We cannot change our records to show Equitable Agri-Business as having a secured interest in this right without legal documents changing ownership of the right.

If you have any questions, please contact me.

Sincerely,

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

CLF:ss:state

EQUITABLE AGRI-BUSINESS, INC.



3203 West March Lane, Suite 110
Stockton, CA 95219
(209) 951-4980
(209) 951-3038 (Fax)

2-7-95
from Cindy Zimmerman

RECEIVED

JAN 23 1995

Department of Water Resources

Steven A. Parker
Vice President - Western Region

J.L. Rasmussen
Assistant Regional Vice President

Charles T. McElligott
Assistant Regional Vice President

Todd D. Hansen
Regional Manager

January 17, 1995

Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: Water Permit No. 72-07303
Our Loan No. F-199084
Johnston, James S.

To Whom It May Concern:

This letter is intended to provide you notice that The Equitable Life Assurance Society of the United States now has a security interest in the above referenced water permit. Mr. Johnston has pledged real estate to secure our loan in addition to the water permit, however it is a requirement that Mr. Johnston continue the process in order to have the permit changed to a License. Please provide us notice of any action taken pertaining to the permit no. 72-07303.

If you have any questions, please contact this office.

Sincerely,

Todd Hansen
Regional Manager

TH:ln

cc: Robb Steinke
Area Investment Manager