

RECEIVED

MAR 05 1997

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources

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: **72-10575**

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: MORGAN CREEK

From: Stream

4. Location

Description of Diversion Works: None

Location of Point of Diversion

Meridian BOISE

T: 16 N R: 19 E S: 18 SWSW Fl: E T: 18 N R: 19 E S: 31 NESE Fl: B
T: 18 N R: 19 E S: 31 NESE Fl:

Location of Point of Use

T: 16 N R: 19 E S: 6 NENE	T: 16 N R: 19 E S: 6 NWSE
T: 16 N R: 19 E S: 6 SESW	T: 16 N R: 19 E S: 6 SWNE
T: 16 N R: 19 E S: 6 SWSE	T: 16 N R: 19 E S: 7 NENW
T: 16 N R: 19 E S: 7 SENW	T: 16 N R: 19 E S: 18 NWSW
T: 16 N R: 19 E S: 18 SWNW	T: 16 N R: 19 E S: 18 SWSW
T: 17 N R: 19 E S: 5 SWNW	T: 17 N R: 19 E S: 6 NENE
T: 17 N R: 19 E S: 6 NESE	T: 17 N R: 19 E S: 6 SENE
T: 17 N R: 19 E S: 6 SWSE	T: 17 N R: 19 E S: 7 NENE
T: 17 N R: 19 E S: 7 NESE	T: 17 N R: 19 E S: 7 SENE
T: 17 N R: 19 E S: 7 SESE	T: 17 N R: 19 E S: 7 SWSE
T: 17 N R: 19 E S: 18 NESE	T: 17 N R: 19 E S: 18 NWNE
T: 17 N R: 19 E S: 18 NWSE	T: 17 N R: 19 E S: 18 SWNE
T: 17 N R: 19 E S: 20 NESW	T: 17 N R: 19 E S: 20 NWSW
T: 17 N R: 19 E S: 20 SESW	T: 17 N R: 19 E S: 29 NENW
T: 17 N R: 19 E S: 31 SESE	T: 18 N R: 19 E S: 31 SESE
T: 18 N R: 19 E S: 32 SWSW	

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 42 9991

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.

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

DATE: AUG-12-1997

PAGE: A-1

RIGHTS FROM: SOURCE: MORGAN CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-10575

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

SOURCE: MORGAN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 12/31/1882

POINT OF DIVERSION: T16N R19E S18 SWSW (E) Within CUSTER County
T18N R19E S31 NESE (B)

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		
	T16N R19E S06	NENE	SWNE	SESW
		SWSE		NWSE
	S07	NENW	SENW	
	S18	SWNW	NWSW	SWSW
	T17N R19E S05	SWNW		
	S06	NENE	SENE	NESE
	S07	NENE	SENE	NESE
		SESE		SESE
	S18	NWNE	SWNE	NESE
	S20	NESW	NWSW	SESW
	S29	NENW		
	S31	SESE		
	T18N R19E	NESE	SESE	
	S32	SWSW		
	~~T17N R19E S06~~	~~SWSE~~		

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

R. Brown
VERIFIED BY 8-12-97

AJ5856NP

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

DATE: AUG-12-1997

PAGE: A-2

72-10575 (CONT.)

FOREST SERVICE RECORD ID = 04 06 17060201 42 9991
1541 CATTLE

AJ5856NP

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

DATE: AUG-5-1997

PAGE: A-54

 RIGHTS FROM: SOURCE: MORGAN CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-10575

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

SOURCE: MORGAN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 12/31/1882

POINT OF DIVERSION: T18N R19E S31 NESE (INSTREAM BEGINNING POINT) Within CUSTER County
 T16N R19E S18 SWSW (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			
	T16N R19E S06	NENE	SWNE	SESW	NWSE
		SWSE			
	S07	NENW	SENW		
	S18	SWNW	NWSW	SWSW	
	T17N R19E S05	SWNW			
	S06	NENE	SENE	NESE	SESE
	S07	NENE	SENE	NESE	SWSE
		SESE			
	S18	NWNE	SWNE	NESE	NWSE
	S20	NESW	NWSW	SESW	
	S29	NENW			
	S31	SESE			
	T18N R19E S31	NESE	SESE		
	S32	SWSW			

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

*Change POU per
 USFS file & topo.
 RB 8-7-97*

AJ5856NP

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

DATE: AUG-5-1997

PAGE: A-55

RIGHTS FROM: SOURCE: MORGAN CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-10575 (CONT)

EXPLANATORY MATERIAL: (CONT)

FOREST SERVICE RECORD ID = 04 06 17060201 42 9991
1541 CATTLE

APR-08-1997
0005

1

RIGHT NUMBER: 72-10575

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: MORGAN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.02 CFS
0.03 CFS

PRIORITY DATE: 12/31/1882
03/01/1879

POINT OF DIVERSION: T16N R19E S18 SWSW (E) Within CUSTER County
T18N S31 NESE (B)
~~SWSW~~

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	<u>STOCKWATER</u>	06-01 10-31	<u>0.02</u> <u>CFS</u>
	~~STOCKWATER 1941~~ ~~Callie~~		~~0.03~~ ~~CFS~~

PLACE OF USE:	STOCKWATER	Within CUSTER County		
	<u>T16N R19E S06</u>	<u>NENE</u>	<u>SWNE</u>	<u>SESW</u> <u>NWSE</u>
		<u>SWSE</u>		
	<u>S07</u>	<u>NENW</u>	<u>SENW</u>	
	<u>S18</u>	<u>SWNW</u>	<u>NWSW</u>	<u>SWSW</u>
	<u>T17N R19E S05</u>	<u>SWNW</u>		
	<u>S06</u>	<u>NENE</u>	<u>SENE</u>	<u>NESE</u> <u>SWSE</u>
	<u>S07</u>	<u>NENE</u>	<u>SENE</u>	<u>NESE</u> <u>SWSE</u>
		<u>SESE</u>		
	<u>S18</u>	<u>NWNE</u>	<u>SWNE</u>	<u>NESE</u> <u>NWSE</u>
	<u>S20</u>	<u>NESW</u>	<u>NWSW</u>	<u>SESW</u>
	<u>S29</u>	<u>NENW</u>		
	<u>S31</u>	<u>SESE</u>		
	<u>T18N R19E</u>	<u>NESE</u>	<u>SESE</u>	
	<u>S32</u>	<u>SWSW</u>		

VERIFIED BY: KKC
4-8-97

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

APR-08-1997
0006

2

72-10575 CONTINUED

FOREST SERVICE RECORD ID = 04 06 17060201 42 9991
1541 CATTLE

AJ5809NP
No. R72-10575

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/05/97
PAGE: 5

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: MORGAN CREEK

Tributary to: SALMON RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: ~~T18N R19E S31~~ NESE
Point(s) of Beginning Stream Reach: T18N R19E S31 NESE
Point(s) of Ending Stream Reach: T16N R19E S18 SWSW

CUSTER County
CUSTER County
CUSTER County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE			
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac									
16N	19E	6	: S	: S	: S	: S									
16N	19E	7	: S	: S	: S	: S									
16N	19E	18	: S	: S	: S	: S									
17N	19E	5	: S	: S	: S	: S									
17N	19E	6	: S	: S	: S	: S									
17N	19E	7	: S	: S	: S	: S									
17N	19E	18	: S	: S	: S	: S									
17N	19E	20	: S	: S	: S	: S									
17N	19E	29	: S	: S	: S	: S									
17N	19E	31	: S	: S	: S	: S									
18N	19E	31	: S	: S	: S	: S									
18N	19E	32	: S	: S	: S	: S									

add
accept res as claimed

POU County: CUSTER

Non-Irrigation Uses: 1541 Cattle

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 03/19/97 AJCTR

efp

04 06

42 999/
updated
4-7-97
KKC

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

05/01/1879

STOCKWATER

06-01 10-31

0.03 CFS

0.03 CFS

TOTAL DIVERSION:

0.03 CFS

WATER SOURCE: MORGAN CREEK

TRIBUTARY TO: SALMON RIVER

STAGE: BENEFICIAL USE

POINT(S) OF DIVERSION:

T18N R19E S31

NESE

SWSW-E

PLACE OF USE LEGAL DESCRIPTION FOR: STOCKWATER

		NE		NW		SW		SE	
T	R S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW
---	---	LT AC	LT AC	LT AC	LT AC	LT AC	LT AC	LT AC	LT AC
16N 19E 18 :	---	---	---	---	---	---	---	---	---
16N 19E 18 :	---	---	---	---	---	---	---	---	---

POU COUNTY: CUSTER

NON-IRRIGATION USES: 1541 CATTLE

REMARKS: FOREST SERVICE RECORD ID = 040617060201429991 00

DATES: 17N 19E 5

EXAM MADE DATE: 17N 19E 5

VERIFIED DATE: 17N 19E 5

MISC: 6

WATER DISTRICT NUMBER: 6

FIELD INSPECTION FLAG: 6

PRESUMPTION FLAG: 6

Black's Mountain
Lwin Peaks N.E.
Wards Butte
Charles N.E.

17	S	S	S	S	S
18	S	S	S	S	S
20	S	S	S	S	S
29	S	S	S	S	S
31	S	S	S	S	S

DATA ENTRY

ENTERED 3-12-94

CHECKED 5-8-94

VERIFIED

FEB 14 1993

CERTIFIED

FEB 14 1994

WATER EXAMINER