

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576 Department of Water Resources

Ident. Number: 72-10635

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: DARLING CREEK

From: Stream

4. Location

Description of Diversion Works: None

Location of Point of Diversion

Meridian BOISE

T: 15 N R: 18 E S: 11 SESE Fl: E T: 16 N R: 18 E S: 32 SENE Fl: B

T: 16 N R: 18 E S: 32 SENE Fl:

Location of Point of Use

T: 15 N R: 18 E S: 2 NESW

T: 15 N R: 18 E S: 2 NWNW

T: 15 N R: 18 E S: 2 NWSW

T: 15 N R: 18 E S: 2 SESW

T: 15 N R: 18 E S: 2 SWNW

T: 15 N R: 18 E S: 2 SWSE

T: 15 N R: 18 E S: 3 NENE

T: 15 N R: 18 E S: 11 NESE

T: 15 N R: 18 E S: 11 NWNE

T: 15 N R: 18 E S: 11 SENE

T: 15 N R: 18 E S: 11 SESE

T: 15 N R: 18 E S: 11 SWNE

T: 16 N R: 18 E S: 33 NESE

T: 16 N R: 18 E S: 33 NESW

T: 16 N R: 18 E S: 33 NWSE

T: 16 N R: 18 E S: 33 NWSW

T: 16 N R: 18 E S: 33 SWNW

T: 16 N R: 18 E S: 34 NESW

T: 16 N R: 18 E S: 34 NWSE

T: 16 N R: 18 E S: 34 NWSW

T: 16 N R: 18 E S: 34 SESE

T: 16 N R: 18 E S: 34 SESW

T: 16 N R: 18 E S: 34 SWSE

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 41 9993

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: DARLING CREEK TRIBUTARY: CHALLIS CREEK

RIGHT NUMBER: 72-10635

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

SOURCE: DARLING CREEK TRIBUTARY: CHALLIS CREEK

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: T15N R18E S11 SESE (E) Within CUSTER County
T16N R18E S32 SENE (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		
	T15N R18E S02	NWNW	SWNW	NESW NWSW
		SESW	SWSE	
	S03	NENE		
	S11	NWNE	SWNE	SENE NESE
		SESE		
	T16N R18E S32	SENE		
	S33	SWNW	NESW	NWSW NESE
		NWSE		
	S34	NESW	NWSW	NWSE SWSE
		SESE	~~SESW~~	

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
FOREST SERVICE RECORD ID = 04 06 17060201 41 9993
1541 CATTLEVERIFIED BY *R. Brown*
8-12-97

AJ5856NP

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

DATE: AUG-5-1997

PAGE: A-14

RIGHTS FROM: SOURCE: DARLING CREEK TRIBUTARY: CHALLIS CREEK

RIGHT NUMBER: 72-10635

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

SOURCE: DARLING CREEK TRIBUTARY: CHALLIS CREEK

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 R18E S32 SENE (INSTREAM BEGINNING POINT) Within CUSTER County
T15N R18E S11 SESE (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			
	T15N R18E S02	NWNW	SWNW	NESW	NWSW
		SESW	SWSE		
	S03	NENE			
	S11	NWNE	SWNE	SENE	NESE
		SESE			
	T16N R18E S32	SENE			
	S33	SWNW	NESW	NWSW	NESE
		NWSE			
	S34	NESW	NWSW	~~SESW~~	NWSE
		SWSE	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
FOREST SERVICE RECORD ID = 04 06 17060201 41 9993
1541 CATTLE*Remove POH per USFS
file info.
RB 8-7-97*

OWNER
CODE

NAME & ADDRESS

PRIORITY
DATE

WATER USE

USE PERIOD
FROM TO

DIVERSION
RATE

DIVERSION
VOLUME

C UNITED STATES OF AMERICA ACTING THROUGH

12/31/1882 STOCKWATER

06-01 10-31

0.02 CFS

0.02 CFS

TOTAL DIVERSION:

Water Source: DARLING CREEK

Tributary to: CHALLIS CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T16N R18E S32

Point(s) of Ending Stream Reach: T15N R18E S11

SENE
SESE

CUSTER County

CUSTER County

Place of Use Legal Description for: STOCKWATER									
NE									
NW									
SW									
SE									
T R S									
15N 18E 2									
15N 18E 3									
15N 18E 11									
16N 18E 32									
16N 18E 33									
16N 18E 34									

POU County: CUSTER

Remarks: EXP FOREST SERVICE RECORD ID = 04 06 17060201 41 9993
1541 CATTLE

Dates: Exam Made Date: Verified Date: 04/08/1997 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

VERIFIED BY *[Signature]* 4/18/97

OWNER CODE: C NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 550 W FORT STREET PO BOX 33C BOISE ID 83724 PRIORITY DATE: 12/31/1882 WATER USE: STOCKWATER USE PERIOD FROM: 06-01 TO: 10-31 DIVERSION RATE: 0.02 CFS DIVERSION VOLUME: 0.02 CFS TOTAL DIVERSION: 0.02 CFS

Water Source: DARLING CREEK Tributary to: CHALLIS CREEK Stage: BENEFICIAL USE Point(s) of Diversion: T16N R18E S32 Point(s) of Beginning Stream Reach: T16N R18E S32 Point(s) of Ending Stream Reach: T15N R18E S11

Place of use Legal Description for: STOCKWATER									
NE									
NW									
SW									
SE									
T	R	S	NE	NW	SW	SE	NE	NW	SW
15N	18E	2	Lt	Ac	Lt	Ac	Lt	Ac	Lt
15N	18E	3	Lt	Ac	Lt	Ac	Lt	Ac	Lt
15N	18E	11	Lt	Ac	Lt	Ac	Lt	Ac	Lt
16N	18E	33	Lt	Ac	Lt	Ac	Lt	Ac	Lt
16N	18E	34	Lt	Ac	Lt	Ac	Lt	Ac	Lt
POU County: CUSTER									

Non-Irrigation Uses: 1541 Cattle Exam Made Date: Verified Date: Objection Filed Date: Dates: Misc: Water District Number: Field Inspection Flag: Presumption Flag: Audit: 03/19/97 AJCTR

AP 4/8/97

EXP added FS ID# to EXP

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

05/01/1872 STOCKWATER

06-01 10-31

0.03 CFS

0.03 CFS

TOTAL DIVERSION:

0.03 CFS

WATER SOURCE: DARLING CREEK

TRIBUTARY TO: CHALLIS CREEK

STAGE: BENEFICIAL USE

POINT(S) OF DIVERSION:

T16N R18E S33
15N 18E 11

~~SESE SWNW-8~~
SESE-6

CUSTER COUNTY

PLACE OF USE LEGAL DESCRIPTION FOR: STOCKWATER									
NE NW SW SE									
T	R	S	LT	AC	LT	AC	LT	AC	LT
15N	18E	11	SE	SE	SE	SE	SE	SE	SE
2	3	5	5	5	5	5	5	5	5
POU COUNTY: CUSTER									

NON-IRRIGATION USES: 1541

CATTLE

REMARKS:

FOREST SERVICE RECORD ID = 040617060201419993 00

DATES:

EXAM MADE DATE:

VERIFIED DATE:

MISC:

WATER DISTRICT NUMBER:

FIELD INSPECTION FLAG:

PRESUMPTION FLAG:

Darling Creek

Challis N.F.

43

DATA ENTRY

ENTERED 3-13-94 BS

CHECKED 5-8-94

Verified By:

Tono Map/Crit-PQ

ASCS Map

Watermaster Records

NAPP Photos

Field Exam

Clerk (Geo Remarks)

County Records

Witness Statement

Project Records

IDWR Records

VERIFIED

FEB 14 1993

CERTIFIED

FEB 19 1994

WATER EXAMINER