

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

Ident. Number: **72-10698**

Department of Water Resources

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: GARDEN CREEK

From: Stream

4. Location

Description of Diversion Works:

None

Location of Point of Diversion

Meridian BOISE

T: 13 N R: 17 E S: 23 NESW Fl: B T: 13 N R: 17 E S: 23 NESW Fl:

T: 13 N R: 18 E S: 15 NENW Fl: E

Location of Point of Use

T: 13 N R: 17 E S: 23 NESE

T: 13 N R: 17 E S: 23 NWSE

T: 13 N R: 17 E S: 24 NESE

T: 13 N R: 17 E S: 24 NESW

T: 13 N R: 17 E S: 24 NWSE

T: 13 N R: 17 E S: 24 NWSW

T: 13 N R: 17 E S: 24 SENW

T: 13 N R: 17 E S: 24 SWNW

T: 13 N R: 18 E S: 15 NENW

T: 13 N R: 18 E S: 15 NWNW

T: 13 N R: 18 E S: 15 SWNW

T: 13 N R: 18 E S: 16 NESE

T: 13 N R: 18 E S: 16 NESW

T: 13 N R: 18 E S: 16 NWSE

T: 13 N R: 18 E S: 16 NWSW

T: 13 N R: 18 E S: 16 SENE

T: 13 N R: 18 E S: 16 SWSW

T: 13 N R: 18 E S: 17 SESE

T: 13 N R: 18 E S: 17 SESW

T: 13 N R: 18 E S: 17 SWSE

T: 13 N R: 18 E S: 17 SWSW

T: 13 N R: 18 E S: 18 SESE

T: 13 N R: 18 E S: 18 SWSE

T: 13 N R: 18 E S: 19 NENW

T: 13 N R: 18 E S: 19 NWNE

T: 13 N R: 18 E S: 19 NWSW

T: 13 N R: 18 E S: 19 SENW

T: 13 N R: 18 E S: 19 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: 72

National Forest: Challis

Forest Service Record ID: 04 06 17060201 40 9990

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: GARDEN CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-10698

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

SOURCE: GARDEN 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: T13N R17E S23 NESW (B) Within CUSTER County
R18E S15 NENW (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

T13N R17E S23	NESW	<u>SESW</u>	NESE	NWSE
	<u>SWSE</u>	<u>SESE</u>		
S24	SWNW	SENW	NESW	NWSW
	NESE	NWSE		
R18E S15	NENW	NWNW	SWNW	
S16	SENE	NESW	NWSW	SWSW
	NESE	NWSE		
S17	SWSW	SESW	SWSE	SESE
S18	SWSE	SESE		
S19	NWNE	NENW	SWNW	SENW
	NWSW			

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 40 9990
445 CATTLE

VERIFIED BY R. Brown
8-13-97

 RIGHTS FROM: SOURCE: GARDEN CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-10698

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

SOURCE: GARDEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 12/31/1882

POINT OF DIVERSION: T13N R17E S23 NESW (INSTREAM BEGINNING POINT) Within CUSTER County
 R18E S15 NENW (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			
T13N R17E S23	NESW	NESE	<i>SESE</i>	NWSE	<i>SESW SWSW</i>
S24	SWNW	SENE		NESW	NWSW
	NESE	NWSE			
R18E S15	NENW	NWNW		SWNW	
S16	SENE	NESW		NWSW	SWSW
	NESE	NWSE			
S17	SWSW	SESW		SWSE	SESE
S18	SWSE	SESE			
S19	NWNE	NENW		SWNW	SENE
	NWSW				

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
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 445 CATTLE

*Add Poll per USFS
 map & file
 RB 8-7-97*

DATE: 04/17/97
PAGE: 53

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP
No. R72-10698

OWNER NAME & ADDRESS
C UNITED STATES OF AMERICA ACTING THROUGH 12/31/1882 STOCKWATER
PRIORITY DATE
USE PERIOD FROM TO
06-01 10-31
DIVERSION RATE
0.02 CFS
DIVERSION VOLUME
0.02 CFS
TOTAL DIVERSION:

Stage: BENEFICIAL USE

Water Source: GARDEN CREEK Tributary to: SALMON RIVER

CUSTER County
CUSTER County

Point(s) of Beginning Stream Reach: T13N R17E S23
Point(s) of Ending Stream Reach: T13N R18E S15

Place of use Legal Description for: STOCKWATER

		NE				NW				SW				SE			
		NENE		NUNE		NENE		NUNE		NENE		NUNE		NENE		NUNE	
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac	
T	R S	:		:		:		:		:		:		:		:	
13N	17E 23	:		:		:		:		:		:		:		:	
13N	17E 24	:		:		:		:		:		:		:		:	
13N	18E 15	:		:		:		:		:		:		:		:	
13N	18E 16	:		:		:		:		:		:		:		:	
13N	18E 17	:		:		:		:		:		:		:		:	
13N	18E 18	:		:		:		:		:		:		:		:	
13N	18E 19	:		:		:		:		:		:		:		:	

POU County: CUSTER

Remarks: EXP FOREST SERVICE RECORD ID = 04 06 17060201 40 9990
445 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 NAME & ADDRESS PRIORITY DATE WATER USE STOCKWATER USE PERIOD FROM TO DIVERSION RATE DIVERSION VOLUME C UNITED STATES OF AMERICA ACTING THROUGH 12/31/1882 06-01 10-31 0.02 CFS USDA FOREST SERVICE 550 W FORT STREET PO BOX 33C BOISE ID 83724 TOTAL DIVERSION: 0.02 CFS

Water Source: GARDEN CREEK Tributary to: SALMON RIVER Stage: BENEFICIAL USE Point(s) of Diversion: T13N R17E S23 NESW CUSTER County Point(s) of Beginning Stream Reach: T13N R17E S23 NESW CUSTER County Point(s) of Ending Stream Reach: T13N R18E S15 NENW CUSTER County

Place of use Legal Description for: STOCKWATER																							
NE						NW				SW				SE									
NENE		NWNE		SWNE		SENE		NENW		MNW		SWNW		SENW		NENE		NWSE		SWSE		SESE	
Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac	
T	R	S	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
13N	17E	23	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
13N	17E	24	:	:	:	:	:	:	:	S	S	:	:	:	:	:	:	:	:	S	S	:	:
13N	18E	15	:	:	:	:	:	:	:	S	S	:	:	:	:	:	:	:	:	:	:	:	:
13N	18E	16	:	:	:	:	:	:	S	:	:	S	S	:	:	:	:	:	:	S	S	:	:
13N	18E	17	:	:	:	:	:	:	:	:	S	S	S	:	:	:	:	:	:	:	:	:	:
13N	18E	18	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
13N	18E	19	:	:	:	:	:	:	S	:	:	S	S	:	:	:	:	:	:	S	S	:	:

POU County: CUSTER Non-Irrigation Uses: 445 Cattle EXP added FSI 0# to EXP

Dates: Exam Made Date: Verified Date: Objection Filed Date: Misc: Water District Number: Field Inspection Flag: Presumption Flag: Audit: 03/19/97 AJCTR

84/8/97

