

RECEIVED

MAR 05 1987

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: 72-10808

Date received \_\_\_\_\_

Receipt No: \_\_\_\_\_

Department of Water Resources

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: EDDY CREEK

From: Stream

4. Location

Description of Diversion Works:

None

Location of Point of Diversion

Meridian BOISE

T: 15 N R: 18 E S: 7 NENW Fl: B T: 15 N R: 18 E S: 7 NENW Fl:  
T: 15 N R: 18 E S: 26 NESW Fl: E

Location of Point of Use

|                            |                            |
|----------------------------|----------------------------|
| T: 15 N R: 18 E S: 5 NESW  | T: 15 N R: 18 E S: 5 NWSW  |
| T: 15 N R: 18 E S: 5 SESW  | T: 15 N R: 18 E S: 5 SWSE  |
| T: 15 N R: 18 E S: 6 NESE  | T: 15 N R: 18 E S: 6 NWSE  |
| T: 15 N R: 18 E S: 6 SWSE  | T: 15 N R: 18 E S: 7 NWNE  |
| T: 15 N R: 18 E S: 8 NENE  | T: 15 N R: 18 E S: 8 NESE  |
| T: 15 N R: 18 E S: 8 NWNE  | T: 15 N R: 18 E S: 8 SENE  |
| T: 15 N R: 18 E S: 8 SESE  | T: 15 N R: 18 E S: 9 SWSW  |
| T: 15 N R: 18 E S: 16 NENW | T: 15 N R: 18 E S: 16 NWNW |
| T: 15 N R: 18 E S: 16 NWSE | T: 15 N R: 18 E S: 16 SESE |
| T: 15 N R: 18 E S: 16 SWNE | T: 15 N R: 18 E S: 16 SWNW |
| T: 15 N R: 18 E S: 16 SWSE | T: 15 N R: 18 E S: 21 NENE |
| T: 15 N R: 18 E S: 22 NWNW | T: 15 N R: 18 E S: 22 NWSW |
| T: 15 N R: 18 E S: 22 SESW | T: 15 N R: 18 E S: 22 SWNW |
| T: 15 N R: 18 E S: 22 SWSE | T: 15 N R: 18 E S: 22 SWSW |
| T: 15 N R: 18 E S: 26 NENW | T: 15 N R: 18 E S: 26 NESW |
| T: 15 N R: 18 E S: 26 NWNW | T: 15 N R: 18 E S: 27 NENE |
| T: 15 N R: 18 E S: 27 NWNE |                            |

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 9992

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: EDDY CREEK TRIBUTARY: CHALLIS CREEK  
-----

RIGHT NUMBER: 72-10808

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

SOURCE: EDDY 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 S07 NENW (B) Within CUSTER County  
S26 NENW (E)  
~~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 |      |      |             |
|---------------|----------------|----------------------|------|------|-------------|
|               | T15N R18E S05  | NESW                 | NWSW | SESW | SWSE        |
|               | S06            | NESE                 | NWSE | SWSE |             |
|               | S07            | NWNE                 | NENW |      |             |
|               | S08            | NENE                 | NWNE | SENE | NESE        |
|               |                | SESE                 |      |      |             |
|               | S09            | SWSW                 |      |      |             |
|               | S16            | SWNE                 | NENW | NWNW | <u>SENW</u> |
|               |                | NWSE                 | SWSE | SESE |             |
|               | S21            | NENE                 |      |      |             |
|               | S22            | NWNW                 | SWNW | NWSW | SWSW        |
|               |                | SESW                 | SWSE |      |             |
|               | S26            | NENW                 | NWNW |      |             |
|               | S27            | NENE                 | NWNE |      |             |
|               | <del>S28</del> | <del>SWNW</del>      |      |      |             |
|               | <del>S29</del> | <del>NWSE</del>      |      |      |             |

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

VERIFIED BY *R. Brown*  
8-12-97

AJ5856NP

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

DATE: AUG-12-1997

PAGE: A-2

72-10808 (CONT.)

F.S. REC ID = 04 06 17060201 41 9992

CHALLIS N.F.

201 Cattle

-----  
 RIGHTS FROM: SOURCE: EDDY CREEK TRIBUTARY: CHALLIS CREEK  
 -----

RIGHT NUMBER: 72-10808

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

SOURCE: EDDY 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 S07 NENW (INSTREAM BEGINNING POINT) Within CUSTER County  
 S26 ~~NESW~~ (INSTREAM ENDING POINT)  
*NENW*

| PURPOSE AND<br>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 S05 | NESW                 | NWSW | SESW            | SWSE            |
|               | S06           | NESE                 | NWSE | SWSE            |                 |
|               | S07           | NWNE                 | NENW |                 |                 |
|               | S08           | NENE                 | NWNE | SENE            | NESE            |
|               |               | SESE                 |      |                 |                 |
|               | S09           | SWSW                 |      |                 |                 |
|               | S16           | SWNE                 | NENW | NWNW            | <del>SWNW</del> |
|               |               | NWSE                 | SWSE | SESE            | <i>SENEW</i>    |
|               | S21           | NENE                 |      |                 |                 |
|               | S22           | NWNW                 | SWNW | NWSW            | SWSW            |
|               |               | SESW                 | SWSE |                 |                 |
|               | S26           | NENW                 | NWNW | <del>NESW</del> |                 |
|               | S27           | NENE                 | NWNE |                 |                 |

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 pool/pou per  
 USFS map & file  
 RB 8-7-97*

AJ5856NP

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

DATE: AUG-5-1997  
PAGE: A-18

-----  
RIGHTS FROM: SOURCE: EDDY CREEK TRIBUTARY: CHALLIS CREEK  
-----

RIGHT NUMBER: 72-10808 (CONT)

EXPLANATORY MATERIAL: (CONT)

F.S. REC ID = 04 06 17060201 41 9992  
CHALLIS N.F.  
201 Cattle

APR-13-1997  
0028

1

RIGHT NUMBER: 72-10808

NAME AND ADDRESS:

UNITED STATES OF AMERICA ACTING THROUGH  
USDA FOREST SERVICE  
550 W FORT STREET  
~~324 237N 378E7~~  
PO BOX 33C  
BOISE ID 83724  
~~0600PM 10 04401/2394~~

SOURCE:

EDDY CREEK

TRIBUTARY: CHALLIS CREEK

QUANTITY:

0.02 CFS

PRIORITY DATE:

12/31/1882  
~~09/07/1872~~

POINT OF DIVERSION:

T15N R18E S07  
S26  
R17E 314

Within CUSTER County

(B)  
(E)  
NENW  
NESW  
NESW

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
STOCKWATER

PERIOD OF USE  
06-01 10-31

QUANTITY  
0.02 CFS

PLACE OF USE:

STOCKWATER  
T15N R18E  
S05  
S06  
S07  
S08

Within CUSTER County

NESW  
NESE  
NWNE  
NENE  
SESE  
SWSW  
SWNE  
NWSE  
NENE  
NWNW  
SESW  
NENW  
NENE

SWSE

SESW  
SWSE

NESE

SENE

SWNW

NWNW  
SESE

SWSW

NWSW  
NESW

EXPLANATORY MATERIAL:

BASIS OF CLAIM - BENEFICIAL USE  
F.S. REC ID = 04 06 17060201 41 9992  
CHALLIS N.F.  
201 Cattle

RT

AJ5809NP  
No. R72-10808

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/09/97  
PAGE: 27

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 TO: 06-01 10-31  
DIVERSION RATE: 0.02 CFS  
DIVERSION VOLUME: 0.02 CFS  
TOTAL DIVERSION: 0.02 CFS

Water Source: EDDY CREEK

Tributary to: CHALLIS CREEK

Stage: BENEFICIAL USE

CUSTER County  
CUSTER County  
CUSTER County

Point(s) of Diversion: ~~T15N R18E S07~~  
Point(s) of Beginning Stream Reach: T15N R18E S07  
Point(s) of Ending Stream Reach: T15N R18E S26

Place of use Legal Description for: STOCKWATER

|            |   | NE    |  |  | NW    |  |  | SW    |  |  | SE    |  |  |
|------------|---|-------|--|--|-------|--|--|-------|--|--|-------|--|--|
|            |   | NENE  |  |  | NENW  |  |  | NWSW  |  |  | NWSE  |  |  |
|            |   | Lt Ac |  |  | Lt Ac |  |  | Lt Ac |  |  | Lt Ac |  |  |
|            |   | S     |  |  | S     |  |  | S     |  |  | S     |  |  |
| 15N 18E 5  | : |       |  |  |       |  |  |       |  |  |       |  |  |
| 15N 18E 6  | : |       |  |  |       |  |  |       |  |  |       |  |  |
| 15N 18E 7  | : |       |  |  |       |  |  |       |  |  |       |  |  |
| 15N 18E 8  | : |       |  |  |       |  |  |       |  |  |       |  |  |
| 15N 18E 9  | : |       |  |  |       |  |  |       |  |  |       |  |  |
| 15N 18E 16 | : |       |  |  |       |  |  |       |  |  |       |  |  |
| 15N 18E 21 | : |       |  |  |       |  |  |       |  |  |       |  |  |
| 15N 18E 22 | : |       |  |  |       |  |  |       |  |  |       |  |  |
| 15N 18E 26 | : |       |  |  |       |  |  |       |  |  |       |  |  |
| 15N 18E 27 | : |       |  |  |       |  |  |       |  |  |       |  |  |

POU County: CUSTER

Non-Irrigation Uses: 201 Cattle

Dates: Exam Made Date: Verified Date: Objection Filed Date:  
Misc: Water District Number: Field Inspection Flag: Presumption Flag:

link 1  
on 15/11

EXP-1D# of al

704-10-97  
D.F. 04-11-97

DATE: 04/10/97  
PAGE: 1

## DIVERSION VOLUME

**TOTAL DIVERSION:**

CUSTER County  
CUSTER County  
CUSTER County

Field Inspection Flag:  
Presumption Flag:

