

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: **72-10858**

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: 12/31/1885

3. Source of water: PENNAL SPRING 1

From: Spring

4. Location

Description of Diversion Works: Combo

Location of Point of Diversion

Meridian BOISE

T: 14 N R: 20 E S: 16 SENW Fl:

Location of Point of Use

T: 14 N R: 20 E S: 16 SENW

5. Quantity claimed:

Period	Quantity	For
5/ 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 43 0 0019

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.

APR-14-1997
0001

1

RIGHT NUMBER: 72-10858

NAME AND ADDRESS:

UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
324 25TH STREET
OGDEN UT 84401-2394

SOURCE:

PENNAK SPRING 1

TRIBUTARY: PENNAK BRANCH

QUANTITY:

0/02 CFS

PRIORITY DATE:

03/01/1877

12/31/1885

POINT OF DIVERSION:

714M R20E S16

Within CUSTER County

PURPOSE AND

PERIOD OF USE:

STOCKWATER 621

041114

PERIOD OF USE
03/01 10/31

QUANTITY
0/02 CFS

PLACE OF USE:

STOCKWATER
714M R20E S16

WITHIN CUSTER COUNTY
SENN

OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

FOREST SERVICE RECORD ID = 040617060201430019 00

RECOMMENDED AS RIGHT NO. 72-071248

FOREST SERVICE RECORD ID # 040617060201430019 00

EXPLANATORY MATERIAL:

BASIS OF CLAIM - DISCONTINUED
BENEFICIAL USE

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

AJ0743NP
(00-124)

Water Right Number - R72-10858 Prefix Translation: RESEARCH Old (D) Number -

+ - - - - Last Name - - - - + + - - - - First Name - - - - + + - - - - Address - - - - - +

*** A - ATTORNEY ***
HAUGRUD, JACK AND/OR GEOFFREY GARVER

1 - US DEPT OF JUSTICE
2 - ENV & NR DIV GEN LIT SEC
3 - PO BOX 663
City- WASHINGTON State- DC Zip- 200440663
Phone - 202-272-4134

*** C - CURRENT OWNER ***
AMERICA ACTING THROUGH

1 - USDA FOREST SERVICE
2 - 324 25TH STREET
3 -
City- OGDEN State- UT Zip- 844012394
Phone - 801-625-5360

*** K - ALSO KNOWN AS ***
US DEPT OF AGRICULTURE

1 - FOREST SERVICE
2 - 324 25TH STREET
3 -
City- OGDEN State- UT Zip- 844012394
Phone - 801-625-5360

1 -
2 -
3 -
City- X State- UT Zip- 0
Phone -

*** R - REPRESENTATIVE ***
BOYLE

1 - USDA FOREST SERVICE
2 - 324 25TH STREET
3 -
City- OGDEN State- UT Zip- 844012394
Phone - 801-625-5360

+ - - - Priority Date - - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/01/1877 17 SOUTHERN I - DISALLOWED

+ - - - - Source - - - - + + - - - - Tributary - - - - +
PENNAL SPRING 1 PENNAL GULCH

+ - - - - Point of Diversion - - - - +
Twn Rng Sec Tract Lot RFlg County

14N 20E 16 SE NW (37) CUSTER

+ - - - - Description Period From Period To Water Use Diversion Rate Diversion Volume
Code 05/01 10/31 0.020

04 - STOCKWATER

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.020 0.020 0.0

Water right number - R72-10858

Prefix Translation: RESEARCH

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
14N	20E	16	SE NW			04 STOCKWATER		(37) CUSTER

Total Acres:

+ - - Diversion Means - Combo

+ - - Non-Irrigation Use - 621 RANGE CATTLE

+ - - Other Rights for Same Use -

Remarks

FOREST SERVICE RECORD ID = 040617060201430019 00
RECOMMENDED AS RIGHT NO. 72-071248.
BASIS OF CLAIM - DISALLOWED

BASIS OF CLAIM - DISALLOWED

	No Old Water Right Numbers Found	Old Water Right Numbers	
+	- - - - -	- - - - -	+

P01 - NO LAWFUL APPROPRIATION SHOWN: There are a number of conditions of Approval -

- circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is PROPOSED to be disallowed because the right claimed is not within an exception to the
- mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also
- included where a claim is PROPOSED to be disallowed because the claim is to water that is not public water subject to
- appropriation. This is also included where a right was determined not to exist in a prior adjudication.

+ - - - - Decree Plaintiff - - +	+ - - - - Decree Defendant - - +	+ - Decree Date - +
		00/00/0000

+ + + + +
-Comments- + + + + +
No Comments Found

+ - - Audit Fields - - +

04/14/97 FRITCHCO

[illegible]

SD-0413

AJ2

Water Right Number: R72-10858 - DISALLOWED

Idaho Department of Water Resources

Claim Modification Selection

Date: 04/11/97

Time: 14:32:07

- Names
- Priority Date, Diverting Works, Total Diversion Rate & Volume, etc.
- Sources & Tributaries
- Point of Diversion
- Water Uses
- Non-Irrigated Uses, Other Rights, Old No., Decree Date, etc.
- Places of Use
- Remarks
- Approval Conditions
- Civil Case No., Stage, Status, Report Filing Date, etc.
- Comments
- Set Verified Date
- Audit Information
- Old Water Right Numbers

- Print Profile Report

- Print Claim Form

- Print Proof Report

(Enter=Continue) (Gold3=Go To AJRRC) (Gold5=Go To BCM1) (Gold7=CalFee)
(Gold6=Select All) (Gold8=Cancel)

DATE: 10/27/93
PAGE: 1

DIVERSION RATE
DIVERSION VOLUME

0.02 CFS

Stage: BENEFICIAL USE

CUSTER County

ES

35

```

:      NESE      NWSE      SESE
:      Lt AC    Lt AC    Lt AC
:      -----
:
:

```

L12 - THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING

- ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
- USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

FOREST SERVICE RECORD ID = 040617060201430019 00

Verified Date:

Field Inspection Flag:

Field Inspection Flag:
Presumption Flag:

DATE: 10/27/93
PAGE: 2

DIVERSION RATE

05-01 10-31
DIVERSION:
0.02 CFS
0.02 CFS

Stage: BENEFICIAL USE

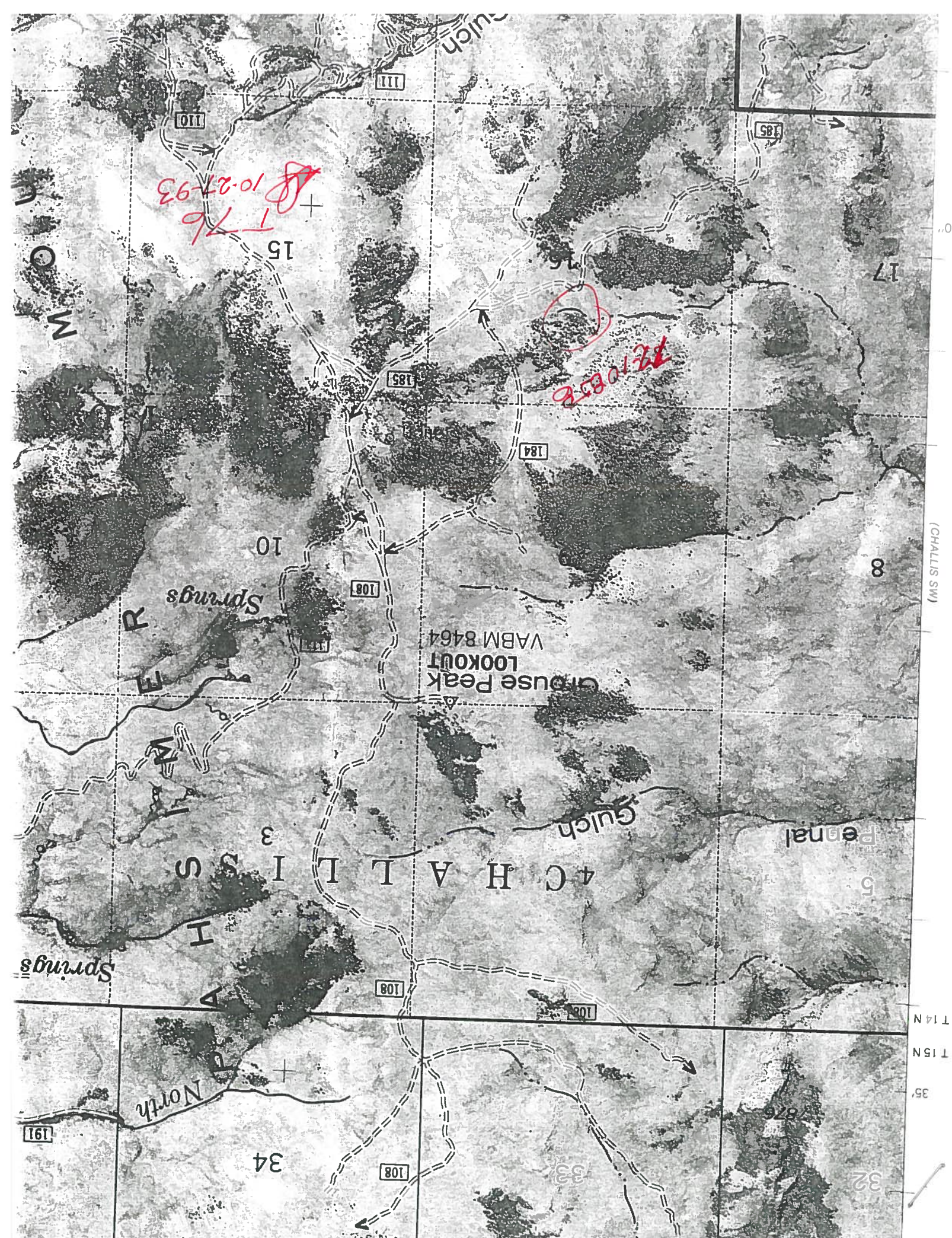
CUSTER County

[illegible]

Registration Uses: 621 - Cattle
Remarks: FOREST SERVICE RECORD ID = 040617060201430019 00

Field Inspection Flag:
Presumption Flag:

DD = 776
 USFS = CHAWS SE
 10-27-93



Water Right Number - R72-10858 Prefix Translation: RESEARCH Old (D) Number -
+ - - - - Last Name - - - - + + - - - - First Name - - - + + - - - - Address - - - - - +

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USFS

State- UT Zip- 0

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+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/01/1877 17 SOUTHERN + - - - - Tributary - - - - +
+ - - - - Source - - - - + + - - - - PENNAL GULCH - - - - +

+ - - - - Point of Diversion - - - - -
TwN Rng Sec Tract Lot RFlg County + - - - -

14N 20E 16 SE NW (37) CUSTER

+ - - - - Description Period From Period To Water Use Diversion Rate Diversion Volume + - - - -
Code + - - - - + - - - - + - - - - + - - - - + - - - - + - - - -

04 - STOCKWATER 05/01 10/31 0.020

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Consumptive Use - + + - - KW Usage - +
0.020 0.0 0.0

AJ5809NP
No. R72-10858

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/16/93
PAGE: 1

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

05/01/1877 STOCKWATER

05-01 10-31

0.02 CFS

TOTAL DIVERSION:

0.02 CFS

Water Source: PENNAL SPRING 1

Tributary to: PENNAL GULCH

Stage: ~~BENEFICIAL~~ USE

Point(s) of Diversion:

T14N R20E S16

SENE

CUSTER County

Place of use Legal Description for: STOCKWATER

NE

SW

SE

NENE N4NE S4NE : NENE NWNW S4NW SENE : NENE NWSE S4SE :

Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac

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14N 20E 16 :

S :

:

:

POU County: CUSTER

Non-Irrigation Uses: 621 RANGE CATTLE

Conditions of Approval:

~~L12~~ - THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
- ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
- USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

Remarks:

FOREST SERVICE RECORD ID = 040617060201430019 00

Dates:

Exam Made Date:

Verified Date:

10/27/1993

Misc:

Water District Number:

Field Inspection Flag:

Presumption Flag:

RON JOHNSON, USFS, SAID
11-16-93 THIS CLAIM WAS
FOR THE TROUGH OFF THE
GROUSE PEAK SPRING PIPELINE
72-07124 CLAIM BY BLM &
USFS.
REC. AS PART OF SPLIT.
11-16-93