

MAR 05 1997

Department of Water Resources

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: **72-10934**

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: 12/31/1900

3. Source of water: KELLY CREEK 3 SPRING

From: Spring

4. Location

Description of Diversion Works: Pond

Location of Point of Diversion

Meridian BOISE

T: 11 N R: 13 E S: 12 SWNW Fl:

Location of Point of Use

T: 11 N R: 13 E S: 12 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: Sawtooth

Forest Service Record ID: 04 14 17060201 58 0 0061

10. Describe any other water rights used at the same place and for the same purposes as described above:

None

II. 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.

DATE: 04/16/97  
PAGE: 1

**TOTAL DIVERSION: 0.02 CFS**

**Stage: BENEFICIAL USE**

**MNMS**

NE

1, 0, 1, 0, 1

AJ5856NP

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

DATE: APR-15-1997  
PAGE: A-36

RIGHTS FROM:

SOURCE: KELLY CREEK SPRING THREE

TRIBUTARY: SINKS

RIGHT NUMBER:

72-10934

NAME & ADDRESS:

UNITED STATES OF AMERICA ACTING THROUGH  
USDA FOREST SERVICE  
550 W FORT STREET  
PO BOX 33C  
BOISE ID 83724

SOURCE:

KELLY CREEK SPRING THREE

TRIBUTARY: SINKS

QUANTITY:

0.02 CFS

PRIORITY DATE:

12/31/1900

POINT OF DIVERSION:

T11N R13E S12

SWNW

Within CUSTER County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
STOCKWATER

PERIOD OF USE  
06-01 10-31

QUANTITY  
0.02 CFS

PLACE OF USE:

STOCKWATER  
T11N R13E S12

Within CUSTER County  
SWNW

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE  
STOCKWATER, 1499 CATTLE  
FOREST SERVICE RECORD ID 04 14 17060201 58 0 0061

| USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|-----------------------|-------------------|---------------------|
| -----                 | -----             | -----               |

06-01 10-31 0.02 CFS  
-----  
TOTAL DIVERSION: 0.02 CFS

Stage: BENEFICIAL USE  
CUSTER County

[illegible]

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• •

Non-Irrigation Uses: 1499 Cattle  $\rightarrow$  EXP

**Objection Filed Date:**

**Field Inspection Flag:**  
**Presumption Flag:**

**Audit:** 03/19/97 AJCTR

#04 14 17060301 58 0 0061

$$\frac{1}{1} \quad \frac{1}{3}$$

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

06/01/1906 STOCKWATER

06-01 10-31

0.03 CFS

0.03 CFS

TOTAL DIVERSION:  
0.03 CFS

WATER SOURCE: KELLY CREEK 3 SPRING

TRIBUTARY TO: SINKS

STAGE: BENEFICIAL USE

POINT(S) OF DIVERSION:

T11N R13E S12

CUSTER COUNTY

PLACE OF USE LEGAL DESCRIPTION FOR: STOCKWATER

NE

SE

SW

SE

T R S

11N 13E 12

11N 13E 12

11N 13E 12

NENE NWNE SWNE SENE

LT AC LT AC LT AC

LT AC LT AC LT AC

LT AC LT AC LT AC

NESE NWSE SWSE SESE

LT AC LT AC LT AC

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POU COUNTY: CUSTER

NON-IRRIGATION USES: 1499 CATTLE

REMARKS: FOREST SERVICE RECORD ID = 041417060201580061 00

DATES: EXAM MADE DATE:

MISC: WATER DISTRICT NUMBER:

FIELD INSPECTION FLAG:

PRESUMPTION FLAG:

Basin Butte  
Sawtooth N.F.

Verified By:  
Topo Map/Ortho-PQ  
1:2500 Map  
Watermaster Records  
NAIP Photos  
Field Exam  
County (See Remarks)  
Business Statement  
Flood Records  
DWR Records

DATA ENTRY

ENTERED 3-13-94 MS

CHECKED 5-10-947

VERIFIED

FEB 14 1993

CERTIFIED

FEB 19 1994

WATER EXAMINER