

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: **A85-04474**
Date Received: 12/27/1991
Receipt No: X111111
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: UNITED STATES OF AMERICA, ACTING THROUGH 303-221-8301
Address: USDI NATIONAL PARK SERVICE
WATER RESOURCES DIVISION
301 S HOWES ST ROOM 353
FORT COLLINS CO 80521

2. Date of Priority: JAN 1, 1935

3. Source: CLEARWATER RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
36N	04W	22		SE	NE		NEZ PERCE

5. Description of diverting works:
30 HP PUMP IN RIVER, 4" PIPELINE FROM RIVER TO SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.320		

7. Total Quantity Appropriated is:
0.320 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 48.0 Acre Feet Per Annum.

9. Non-irrigation uses:
FIRE PROTECTION.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
36N	04W	22	SE	NE		IRR	16.0

10. Place of Use: Continued

Section Acres 16.0

Total Acres 16.0

11. Place of use in counties: NEZ PERCE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE.

14. Remarks:

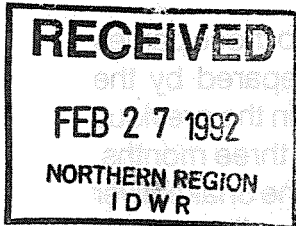
THIS CLAIM IS BASED ON USE BY THE STATE OF IDAHO WHICH DEVELOPED
THIS ARBORETUM IN 1935 AS SPALDING MEMORIAL STATE PARK AND
MAINTAINED IT AS SUCH UNTIL 1965 WHEN THE NATIONAL PARK SERVICE
(NPS) - NEZ PERCE N.H.P. ACQUIRED THE PARK FROM THE STATE. THE
NPS HAS CONTINUED TO MAINTAIN THE PARK IN THE SAME MANNER AS
THE IDAHO STATE PARKS DEPARTMENT.

15. Basis of Claim: BENEFICIAL USE

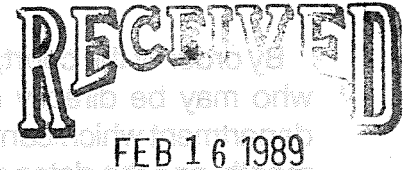
**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

**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 85-4474 **A 85-04474**
Date Received _____
Receipt Number _____



**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**



Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) United States of America
National Park Service Phone (303) 221-8301
Mailing Address Water Resources Division
301 S. Howes St. Room 353, Fort Collins, CO Zip 80521

2. Date of Priority (Only one (1) per claim) 1935

3. Source of water supply (a) Clearwater River
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 36N Range 4W Section 22,
1/4 of SE 1/4 of NE 1/4, Govt. Lot, B.M., County of Nez Perce

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____
1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

30 HP pump in river, 4" pipeline from river to sprinkler system.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 0.32 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.32 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 48 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Fire protection

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic)

in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
36N	4W	22				16													16

Total number of acres irrigated 16

11. In which county (ies) are lands listed above as place of use located? Nez Perce

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

14. Remarks:

This claim is based on use by the State of Idaho which developed this
arboretum in 1935 as Spalding Memorial State Park and maintained it

as such until 1965 when the National Park Service (NPS) - Nez Perce N.H.P.
acquired the park from the State. The NPS has continued to maintain the
park in the same manner as the Idaho State Parks Department.

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____
For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Chief _____
Title _____

of Water Rights Branch (WRB), Water Resources Division (WRD), that I have signed the foregoing
National Park Service Organization (NPS)

document in the space below as _____ Chief _____ of _____ WRB, WRD, NPS
Title _____ Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent *J. R. Williams*

Title and Organization _____ Chief, WRB, WRD, NPS _____ Date 1/20/89

State of Idaho/or Colorado)
County of Larimer) SS.

Subscribed and sworn (or affirmed) before me this 20th day of January 19 89

SEAL

Notary Public *Dana B. Bowden*

Residing at 205 W. Oak, Ft. Collins, CO 80521

My Commission Expires 9-29-91

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Peter C. Monson will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature *Peter C. Monson*
U.S. Dept. of Justice - Land + Natural Resources Division - Indian Resources Section

Address P.O. Box 44378 Washington D.C. 20026-4378

Date 2/1/89

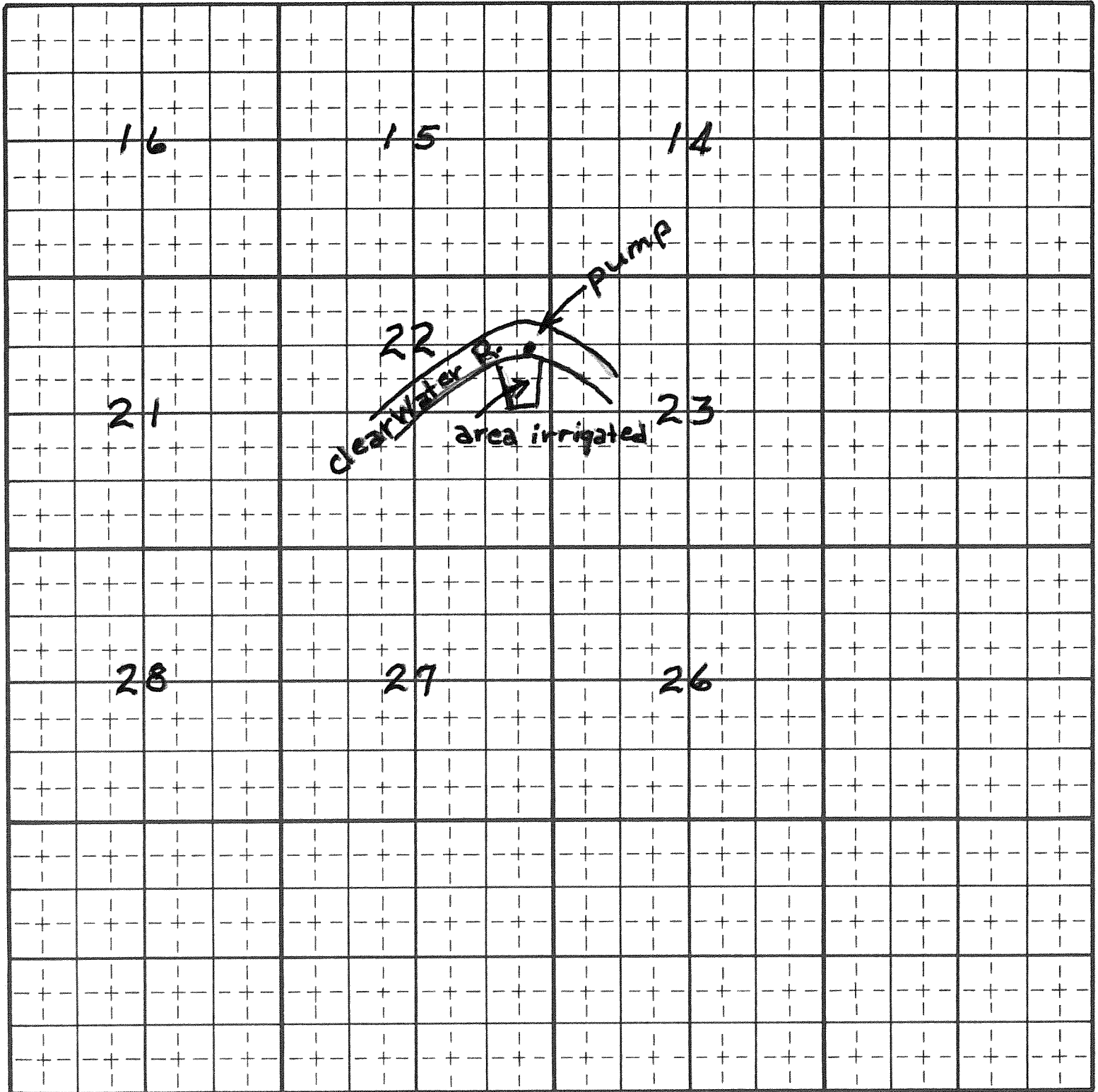
Last Name USA - National Park Service Ident. Number 85-4474

Copies White-State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

Township 36 North Range 4 West



Last Name USA - National Park Service Ident No. 85-4474

Copies: White-State, Yellow-Claimant