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SEP 14 2018

DEPARTMENT OF
WATER RESOURCES

DARRELL G. EARLY
Deputy Attorney General
Chief, Natural Resources Division

SHANTEL M. CHAPPLE KNOWLTON (ISB # 9759)
Deputy Attorney General
Natural Resources Division
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Boise, ID 83720-0010
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Attorneys for the State of Idaho

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

In Re CSRBA

Case No. 49576

Subcase Nos. 91-8021, 91-8022, 91-8023, 91-8024, 91-8025

**AFFIDAVIT OF SHANTEL M.
CHAPPLE KNOWLTON**

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

SHANTEL M. CHAPPLE KNOWLTON, being duly sworn upon her oath, deposes and states that:

1. I am a Deputy Attorney General in the Idaho Office of the Attorney General and one of the attorneys of record for the State of Idaho in the above-entitled proceedings.
2. I am over the age of eighteen and am competent to testify to the matters contained herein.
3. The following is based upon my own personal knowledge.

4. Attached hereto as the individual exhibits identified below are true and correct copies of the following documents that I printed from the Idaho Department of Water Resource website's *Adjudication Backfile* for water right no. 91-7631. These documents are available at [http://www.idwr.idaho.gov/apps/ExtSearch/RelatedDocs.asp?Basin=91&Sequence=7631&Split](http://www.idwr.idaho.gov/apps/ExtSearch/RelatedDocs.asp?Basin=91&Sequence=7631&SplitSuffix=) Suffix=.

- a. **Exhibit A:** *Notice of Claim*, Water Right No. 91-7631 (Dec. 2, 2011)
- b. **Exhibit B:** *Notice of Error Reply*, Water Right No. 91-7631 (Nov. 24, 2014)
- c. **Exhibit C:** *Partial Decree*, CSRBA Subcase No. 91-7631 (Nov. 10, 2015).

5. Also attached hereto as **Exhibit D** is a true and correct copy of the *Director's Report* for CSRBA Subcase No. 91-7631 (Feb. 24, 2015) that I printed from the CSRBA Court's Website. The Director's Report for Basin 91 including the recommendation for water right no. 91-7631 is available at <http://www.srba.state.id.us/Forms/Basin%2091%20Recommended.pdf>.

Further your affiant sayeth naught.

DATED this 13th day of September, 2018.


SHANTEL M. CHAPPLE KNOWLTON

SUBSCRIBED AND SWORN TO before me this 13th day of September, 2018.




Victoria Wigle
Notary Public for Idaho
Residing at: Boise
My commission expires: 10/22/22

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of September, 2018, I caused to be served a true and correct copy of the foregoing document by the methods indicated:

CLERK OF THE DISTRICT COURT COEUR D' ALENE -SPOKANE RIVER BASIN ADJUDICATION 253 THIRD AVENUE NORTH P.O. BOX 2707 TWIN FALLS, ID 83303- 2707	☐ U.S. Mail, postage prepaid ☐ Hand Delivery ☒ Federal Express ☐ Facsimile: <u>(208) 736-2121</u> ☐ Statehouse Mail
IDWR DOCUMENT DEPOSITORY STATEHOUSE MAIL PO BOX 83720 BOISE, ID 83720-0098	☐ U.S. Mail, postage prepaid ☐ Hand Delivery ☐ Federal Express ☐ Facsimile: ☒ Statehouse Mail
US DEPARTMENT OF JUSTICE ENVIRONMENT & NATL' RESOURCES 550 WEST FORT STREET, MSC 033 BOISE, ID 83724	☒ U.S. Mail, postage prepaid ☐ Hand Delivery ☐ Federal Express ☐ Facsimile: ☐ Statehouse Mail


SHANTEL M. CHAPPLE KNOWLTON
Deputy Attorney General

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DEC 02 2011

DEPARTMENT OF
WATER RESOURCESIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF
WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN
WATER SYSTEMCIVIL CASE 49576
NUMBER:
Ident. Number: 91-7631
Date Received:
Receipt No.: X 999999NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s):

Name	Address	City	State	Country	Postal Code
UNITED STATES OF AMERICA ACTING ON BEHALF OF THE USDA FOREST SERVICE	550 W. FORT STREET MSC 033	BOISE	ID	USA	83724

2. Date of Priority:

Date	Explanation
7/17/1965	Date of completion of well on Well Log and Report for Permit No. 91-65-N-1, copy attached.

3. Source:

Source	Tributary	Type
GROUND WATER	TRIBUTARY NOT NEEDED	

4. Point Of Diversion:

Township	Range	Section	Gov Lot	QQ	Q	County
45N	04E	14	3	NE	NW	SHOSHONE

5. Water is used for the following purpose(s):

Water Use	Number Of Homes	Stock	Description
DOMESTIC	1	-	Avery Ranger Station.

6. Season(s) of Use:

Water Use	From Month/Day	To Month/Day
DOMESTIC	1 / 1	12 / 31

7. Quantity:

Water Use	CFS	AF	KW

EXHIBIT A

DOMESTIC | 0.070 | 0.00 | 0.0

Totals:

CFS	AF	KW
0.070	0.00	

8. Place of Use:

Water Use	Township	Range	Section	QQ	Q	County	Gov Lot	Acreage
DOMESTIC	45N	04E	11	SE	SW	SHOSHONE	3	-
DOMESTIC	45N	04E	11	SW	SW	SHOSHONE	4	-
DOMESTIC	45N	04E	14	NE	NW	SHOSHONE	3	-
DOMESTIC	45N	04E	14	NW	NW	SHOSHONE	-	-
DOMESTIC	45N	04E	14	NW	NW	SHOSHONE	3	-

9. Basis of Claim:

Basis
Beneficial Use

10. 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 Coeur d'Alene-Spokane River Basin Adjudication." (b.) I/We ☒ do not ☐ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 6

For Individuals: I/We do solemnly swear or affirm under penalty of perjury 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 under penalty of perjury that I am

Idaho Water Right Coordinator of USDA Forest Service
 Title Organization

that I have signed the foregoing document in the space below as

Idaho Water Right Coordinator of USDA Forest Service
 Title Organization

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

Signature of Authorized Agent Steven M. Spencer Date 11/18/11

Title and Organization Idaho Water Right Coordinator - USDA Forest Service

Please print name

Steven M. Spencer



026201 WELL LOG AND REPORT OF THE
STATE RECLAMATION ENGINEER OF IDAHO

RECEIVED
JUL 27 1965

Permit No. 91-65-N-1 Well No. _____ County Shoshone

Department of Reclamation
Locate well in section

Owner United States Forest Service - Avery Idaho

Address Boy's Flats Administration Site

Driller Kane Water Well Drilling

Address St. Regis - Montana

Well location $\frac{1}{4}$ $\frac{1}{4}$ Sec. 11 T. 45 N. R. 4 E. 1/4

Size of drilled hole 8 inch Id

NW 1/4	NE 1/4
SW 1/4	SE 1/4

Total depth of well 50 1/2

Give depth to standing water from the ground 33 Water temp. 40 °Fahr.

On "Pumping Test" delivery was 110 g.p.m. or _____ c.f.s. Drawdown was 8 feet.

Size of pump and motor used to make test Turbine pump - 300 H.p. - 1" pump

Length of time of test 3 hours _____ minutes.

If flowing well, give flow _____ c.f.s. or _____ g.p.m. and if shut off _____ does not apply

If flowing well, described control works does not apply

(TYPE AND SIZE OF VALVE, ETC.)

Water will be used for drinking & irrigation Weight of casing per lineal foot 24.5

Thickness of casing 5/8" Casing material Steel

(STEEL, CONCRETE, WOOD, ETC.)

Diameter, length and location of casing 8" Id x 53 1/2 feet

(CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER;
CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)

CASING RECORD

Diam. Casing	From Feet	To Feet	Length	Remarks—seals, grouting, etc.
8" Id	+ 3	50 1/2	53 1/2	

Number and size of perforations 50 - 1/4 x 5 located 37 1/2 feet to 48 1/2 feet from ground

Date of commencement of well July 12, 1965 Date of completion of well July 17, 1965

S. 11 45 N 4 E

add

WELL LOG

WELL DRILLER'S STATEMENT

Signed Base Water Well Drilling
By Engine L. Kous

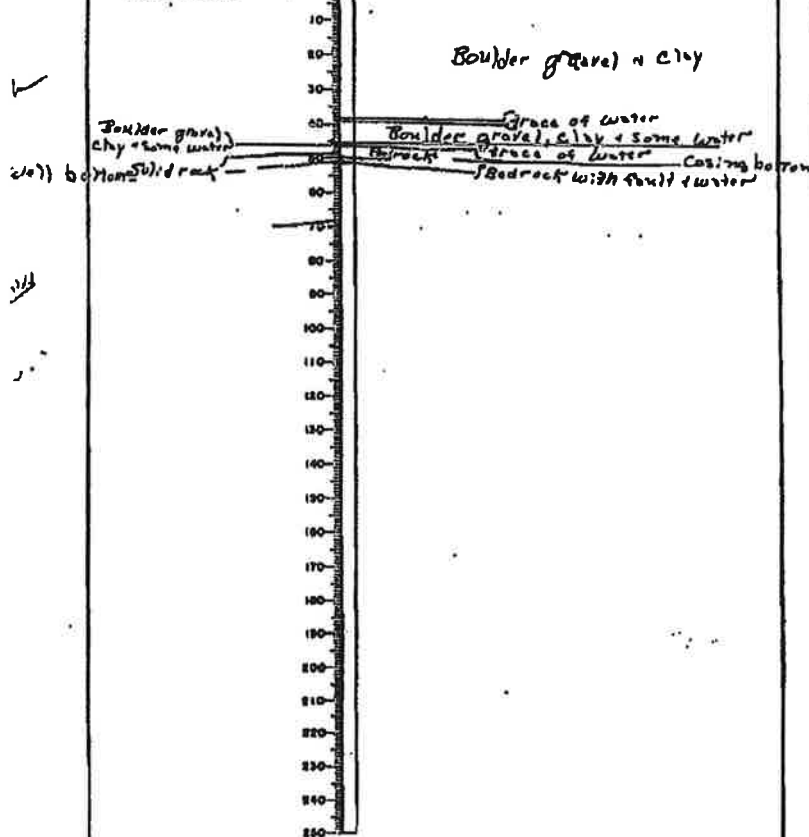
License No. 818 152

WELL LOG

Order No. FSH 8812.33

FOREST St. Louis RANGE: STRICT July 17
 LOCATION Hayt. Elms SEC. 11 T. 45N R. 4E
 CONTRACTOR John Underhill Drilling CONTRACT NO. 26-1-917
 C.O.D.R. Charles Olson DATE COMPLETED July 17-1965
 WELL SIZE 8 inch

SHOW ACTUAL DIMENSIONS
 (INCH 2-0-1)
 EXISTING GRADE



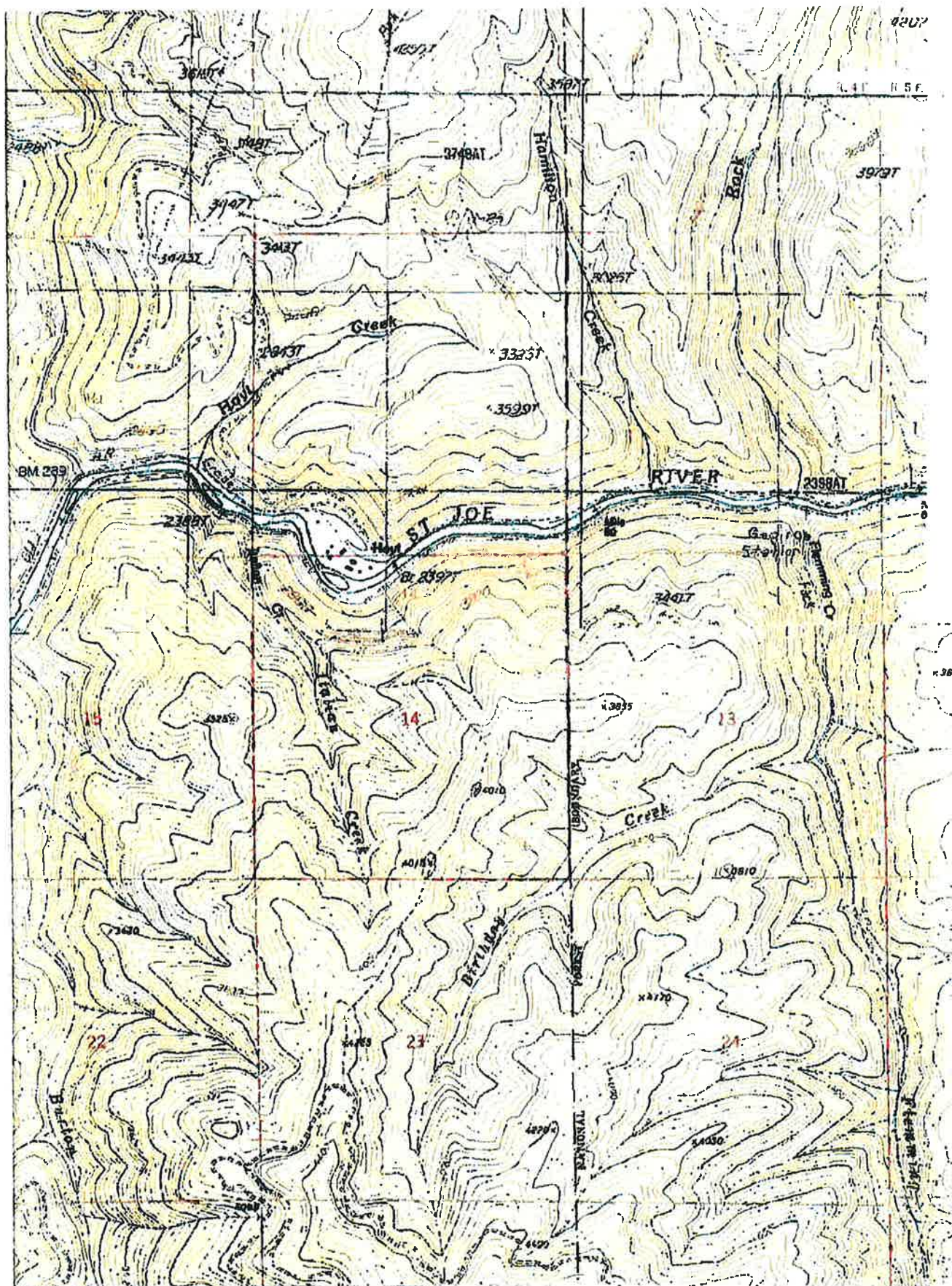
NOTE: INDICATE LEVEL AND QUANTITY OF EVERY WATER CONTACT.

DEVELOPMENT PH 10 DEVELOPMENT TIME 1 hour 20 min
 STATIC WATER LEVEL AFTER DRILLING (BEFORE DEVELOPMENT) 22
 STATIC WATER LEVEL AFTER DEVELOPMENT 23
 WATER LEVEL DURING MAXIMUM RATE OF TEST PUMPING 44 feet
 WELL SCREEN 1/2 inch CASING PERFORATED 1/2 inch FROM 27 TO 42

TEST PUMPING			
RATE G.P.M.	DURATION	DRAW DOWN	WATER CONDITION
60	1 hour	5 feet	Shallow, 1 Sec. Turbidity, then clear
110	2 "	6 feet	Clear
			Test Pump with sample
			Size to make all water for
			(50) length of 20' 4 min.

NOTE: "LEVEL" SHALL MEAN THE DEPTH BELOW EXISTING GRADE.

CLASSIFICATIONS					
SIZE INCHES	SIZE TYLER SCREEN	MATERIAL CLASSIFICATION	SIZE INCHES	SIZE TYLER SCREEN	MATERIAL CLASSIFICATION
10 OR OVER		BOULDER GRAVEL	0.0075 TO 0.001	400 TO 20 MESH	SILT
2.5 TO 10		COBBLE GRAVEL	0.0075 OR LESS	400 OR LESS	CLAY
0.15 TO 2.5	8 MESH UP TO 2.5	PEBBLE GRAVEL			
0.08 TO 0.15	8 TO 6 MESH	FINE GRAVEL			
0.04 TO 0.08	20 TO 8 MESH	VERY COARSE SAND			
0.02 TO 0.04	35 TO 20 MESH	COURSE SAND			
0.01 TO 0.02	60 TO 35 MESH	MEDIUM SAND			
0.005 TO 0.01	100 TO 60 MESH	FINE SAND			
0.0025 TO 0.005	200 TO 100 MESH	VERY FINE SAND			



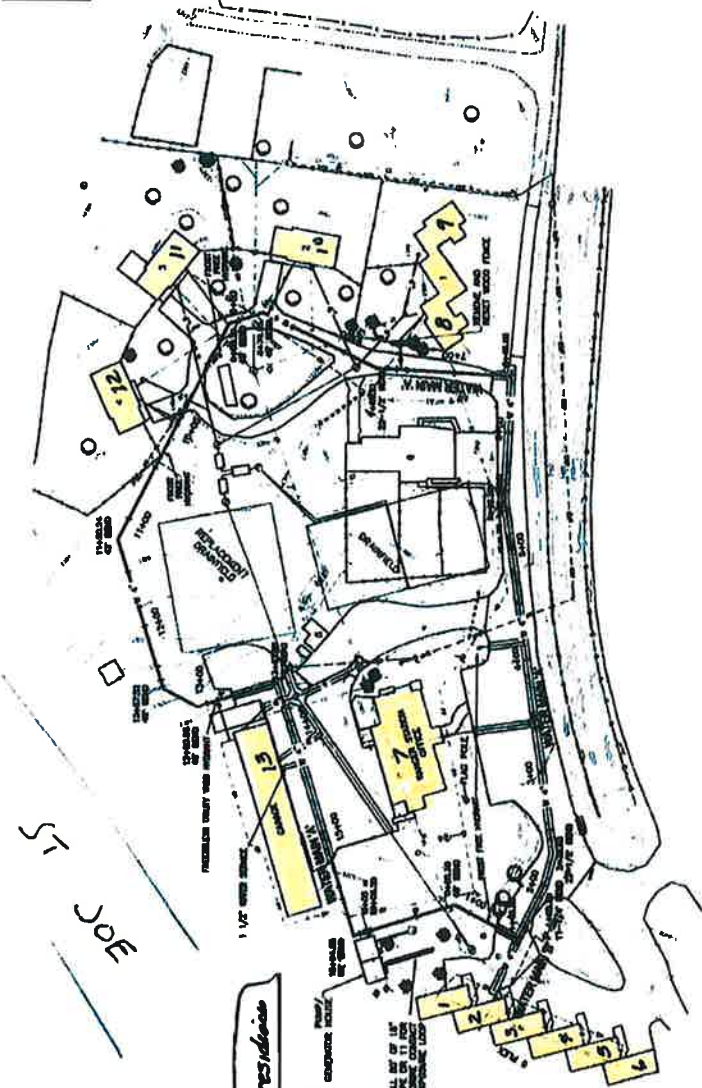


To see all the details that are visible on the screen, use the "Print" link next to the map.

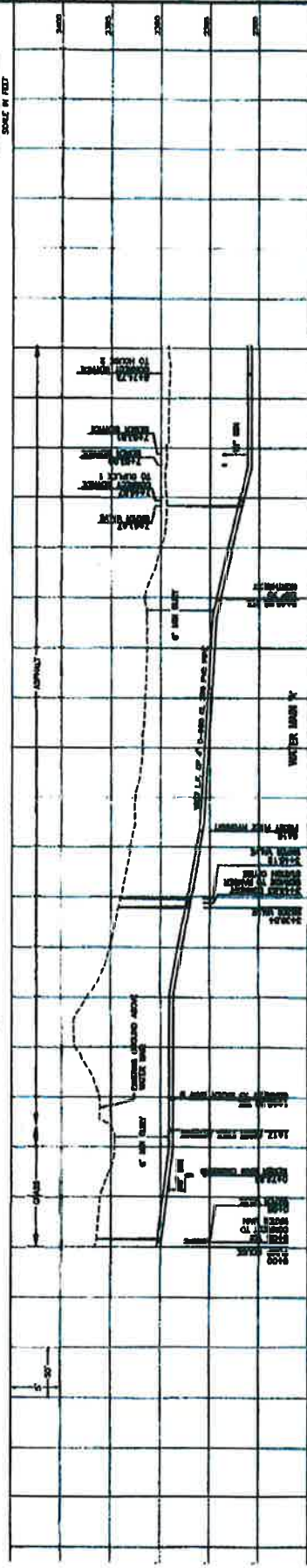


WELL
LOCATION

1. DISTANCES OF EXISTING WATER AND SEWER MAINS AND THE PROPOSED ARE SHOWN IN THE PLAN VIEW.
 2. ALL WATER DISTANCES ARE 1" UNLESS NOTED OTHERWISE ON DRAWING.



19 - 21 residence
 less than 25
 duplex - 6 people = 6.0
 residence x 2.5/residence = 7.5 - 9
 duplex x 2.5/residence = 5.0 - 6



WATER MAIN 'A' PLAN AND PROFILE STATION 0+00 TO 8+00	
AVERY RANGER STATION AVERY, IDAHO	
DRA PC	
DATE: 11/10/10 DRAWN BY: JAL CHECKED BY: JAL DESIGNED BY: JAL	SHEET 4 OF 12

09/08/2014

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: November 21, 2014

Water right number: 91-7631

UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID 83724
Telephone Number: (208)365-7055

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NOV 24 2014

DEPARTMENT OF
WATER RESOURCES

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Quantity limited to 2,500 gpd. (Compare 79-10718 for State Creek Ranger Station)
POU

2. Describe the changes you wish to make in the proposed recommendation:

Quantity limited to 13,000 gpd.
POU T4SM R4E Sec 11 SESW Lot 3
Sec 14 SWSW Lot 4
NENW Lot 3
NW1/4 Lot 3

3. Give a brief explanation as to why you disagree with these portions:

Avery Ranger Station includes an office, 3 residences, 1 duplex and a six-plex. These are numbered (10, 11, 12) (8, 9) and (1-6) on the accompanying site plat. There are also 4 Frost Free hydrants in the compound. BLM MTP shows all land north of the river in Sec 14 as Lot 3.

I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11/21/14

SIGNATURE:

Steven M. Spencer

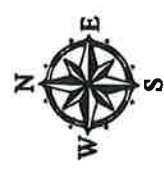
Please print your name: STEVEN M. SPENCER

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, (208) 762-2800

EXHIBIT B

Legend

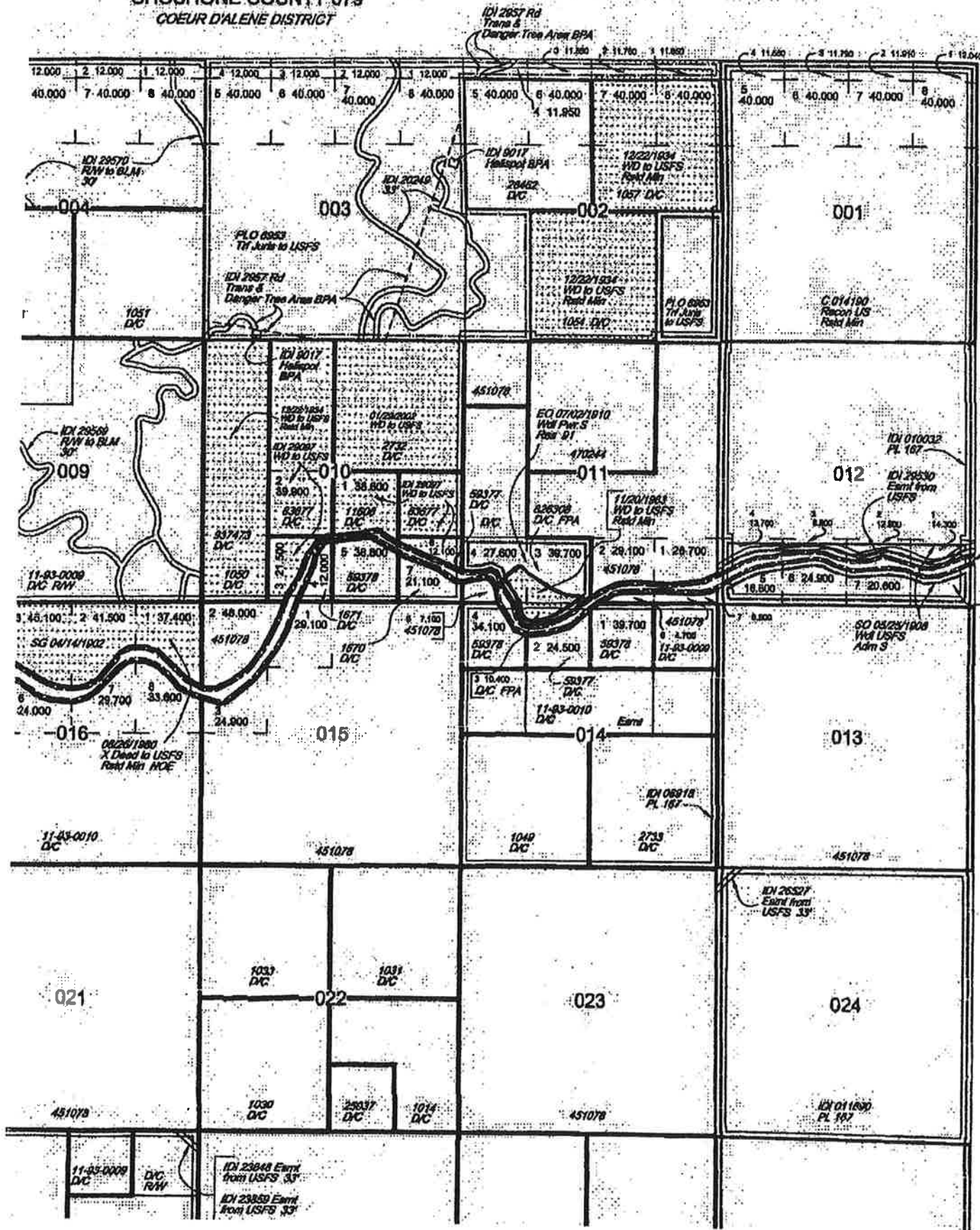
- ESPA
- GCDB Township/Range
- GCDB Section
- GCDB Quarter-Quarter
- Counties



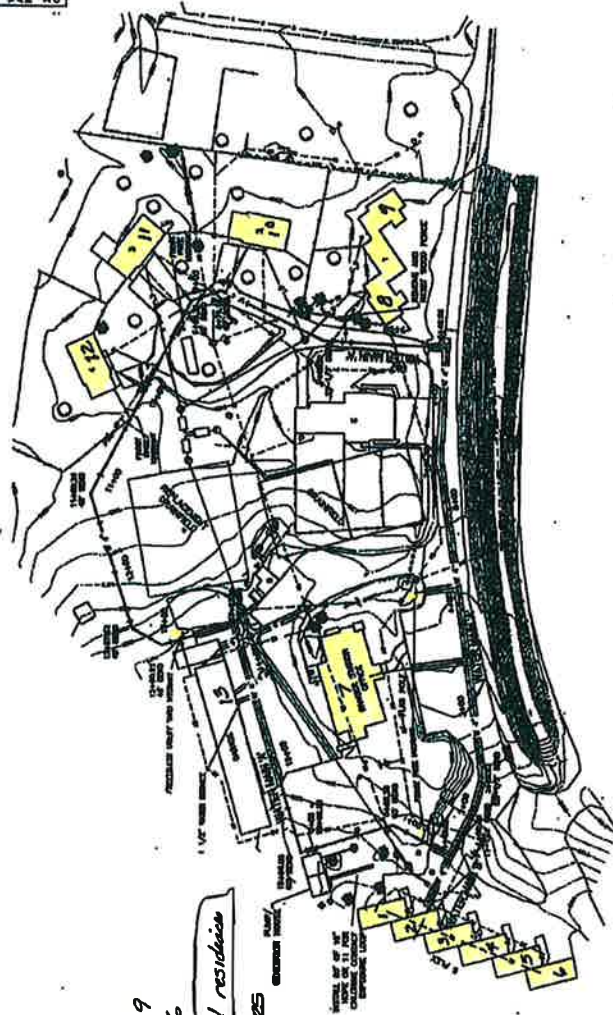
RANGE 4 EAST OF THE BOISE MERIDIAN, IDAHO

SHOSHONE COUNTY 079

COEUR D'ALENE DISTRICT



NOTES:
 1. CONTOURS OF EXISTING GRADE AND WATER MAIN SERVICE LINES ARE SHOWN IN THE PLAN VIEW.
 2. ALL WATER SERVICES ARE 1" UNLESS NOTED OTHERWISE IN EXPLANATION.



6 plots - 6 people = 6.0
 3 residences x 2.5/residence = 7.5 - 9
 1 duplex x 2.5/residence = 5.0 - 6
 19 - 21 residences
 Less the 25



WATER MAIN 'A' PLAN AND PROFILE STATION 0+00 TO 4+00		AVERY RANGER STATION AVERY, IDAHO		4 12
DESIGNER: D.A. PC CHECKED: J.E. JONES DATE: 10/1/78		PROJECT NO.: 10-100-100-100		SHEET NO.: 4

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NOV 10 2015

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54 (b) FOR

Water Right 91-07631

EXHIBIT C

02/24/2015

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

RIGHT NUMBER: 91-7631

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 2,500 gallons per day.

PRIORITY DATE: 07/17/1965

POINT OF

DIVERSION: T45N R04E S14 NENW Lot 3 Within SHOSHONE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

Domestic use is at Avery Ranger Station.

PLACE OF USE: DOMESTIC in SHOSHONE County

T45N R04E S14 Lot 3 NENW

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Parcel No. RP45N04E143000

EXHIBIT D