

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 BEAR RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 79576

Claim ID: 11-4175Date Received: 10-20-23

Receipt No: _____

Claim Fee: exempt By: MB

RECEIVED

OCT 20 2023

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

IDWR/Preston

Please type or print clearly

- Name of claimant(s) United States of America on behalf of USDA Forest Service Phone (801) 625-5809
Mailing address 550 West Fort Street, MSC 033, Boise, Idaho Zip 83724
Street or Box City State
Email address (optional) _____
- Date of priority: (Only one per claim) 06/01/1934 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water () or Other (X) (a) Spring
which is tributary to (b) South Elbow Hollow Creek
- Location of point of diversion is: Township 13S, Range 45E, Section 03,
NE 1/4 of SE 1/4, or Govt. Lot _____ BM, County of Bear Lake
Parcel no. _____
Additional points of diversion, if any: _____
If available, GPS coordinates: Latitude: 42.320886; Longitude: -111.172158
- Description of diverting works (wells, pumps, spring boxes, pipelines, 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.
Spring box is a corrugated metal pipe inside of a small wooden fence enclosure next to the hill side. The source feeds down to a trough on the hill side of the draw.
- Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)

	Month/Day	Month/Day	cfs (X) or AFY ()
For <u>Stockwater</u> purposes from <u>06/01</u> to <u>09/30</u> amount <u>0.02</u>			
For _____ purposes from _____ to _____ amount _____			
- Total quantity claimed 0.02 cfs (X) or AFY ()
- Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)
Cattle within the Montpelier-Elk Valley allotment.

Name of claimant(s) _____ Claim ID _____

9. Location of use(s):

NE _____ 1/4 of SE _____ 1/4, Govt. Lot _____ BM, Parcel no. _____
If different than shown in Item 4

for (check one) Domestic () Stock (X) Domestic and Stock ()

DISTRICT COURT - BRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
JAN 17 2023	
By _____	Clerk
_____	Deputy Clerk

Todd Kim
Assistant Attorney General
R. Lee Leininger
Katharine Laubach
Mark Widerschein
 Natural Resources Section
 Environment and Natural Resources Division
 U.S. Department of Justice
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Attorneys for the United States

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

In Re BRBA

Case No. 79576

**United States'
 Notice of Appearance**

PLEASE TAKE NOTICE that R. Lee Leininger, Katharine Laubach, and Mark Widerschein enter their appearances on behalf of the United States in the above titled action and in the subcases resulting from this action. Undersigned counsel enter their appearances under the direction of the Attorney General of the United States and pursuant to 28 U.S.C. §§516 through 519, which authorizes Department of Justice attorneys to conduct litigation on behalf of the United States in any suit before any state court.

All attorneys listed will accept service of papers by regular U.S. Mail at the following address:

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, Idaho, 83724

All overnight or hand deliveries should be made to the following street address¹:

United States Department of Justice
Environment and Natural Resources Division (ENRD)
c/o United States Attorney's Office
1290 West Myrtle Street, Suite 500
Boise, ID 83702
(208)334-1211

Dated January 17, 2023

Respectfully submitted,



Todd Kim
Assistant Attorney General
R. Lee Leiningger
Katharine Laubach
Mark Widerschein
Natural Resources Section
Environment and Natural Resources Division
United States Department of Justice

¹ The court modified SRBA Administrative Order 1 Rules of Procedure on March 31, 2021 with respect to service on the United States
<http://164.165.134.61/Images/2021-03/0039576xx09277.pdf>

CERTIFICATE OF SERVICE

I certify that on 17 January, 2023, I served true and correct copies of the foregoing

UNITED STATES' NOTICE OF APPEARANCE as follows:

Original via fax (208) 736-2121:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
Twin Falls, ID 83303-2707

Copies via First Class U.S. Mail, pre-paid:

DIRECTOR OF IDWR
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0010



Matthew Smith