

09/27/2004

**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 26, 2004

Water right number: 81-4047

UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID 83724
Telephone Number: (208)387-0835

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

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

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

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

DATE: 11/5/04 SIGNATURE: Steven M. Spencer
Please print your name: STEVEN M. SPENCER

IDWR Regional Office, 1910 Northwest Blvd, Suite 210, Coeur D' Alene, ID 83814, 2087691450

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: A81-04047
Date received: _____
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: UNITED STATES OF AMERICA (USDA-FOREST SERVICE)
Address: P.O. Box 7669
Missoula, Montana 59807
Phone: (406) 329-3045
2. Date of Priority: JUN 16, 1958

3. Source: RACKLIFF SPRING
Trib. to: SELWAY R
4. Point of Diversion:

Township	Range	Section	Tract	Lot	County
32 N	8 E	30	SENE	---	Idaho

5. Description of diverting works: SPRING HEADBOX

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.	Elevation/ Well Depth
DOMESTIC (REC)	MAY 1	NOV 30	0.0200	---	---	---
7. Total Quantity Appropriated is:	0.0200 C.F.S.					
8. Total consumptive use is: DE MINIMUS						
9. Non-irrigation uses:	Livestock Numbers: 0					
10. Place of Use:						

Township	Range	Section	Tract	Lot	County
32 N	8 E	30	SENE	---	Idaho

Purpose of use: DOMESTIC (REC)
Acres Irrigated: 0
11. Place of use in counties: Idaho

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.

K. JACK HAUGRUD
GEOFFREY GARVER
DARIA ZANE
U.S. DEPARTMENT OF JUSTICE
ENVIRONMENT AND NATURAL RESOURCES DIVISION
GENERAL LITIGATION SECTION
P.O. BOX 663
WASHINGTON, D.C. 20044-0663
202-272-4134

NOTICE IS HEREBY GIVEN THAT THE UNITED STATES DEPARTMENT OF JUSTICE REPRESENTS 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:

ALLOTMENT NO.:

IDWR WATER STATE FILING NO.: A81-04047

FOREST SERVICE RECORD ID: 01 17 17060302 01 0 2516 000

NATIONAL FOREST: Nez Perce

REFERENCE INFORMATION:

15. BASIS OF CLAIM: BENEFICIAL USE
14. REMARKS:
13. OTHER WATER RIGHTS USED: NONE
12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

06/03/83

UNITED STATES OF AMERICA - USDA FOREST SERVICE NORTHERN REGION
PO BOX 7669 MISSOULA, MONTANA 59807
RON RUSSELL 329-3594 OR GAIL DAHL 329-3759

RIGHT NUMBER - 81-4047
STATE BASIN NO. - 81
COUNTY - IDAHO

F.S. RECORD ID - 17060302010RC0517
NATIONAL FOREST - NEZPERCE
RANGER DISTRICT - 7

PRIMARY PURPOSE OF USE - DOMEST(REC)
SECONDARY PURPOSE OF USE -

SOURCE - SPRING
RESERVOIR CAPACITY - 0.00 ACRE FEET

SOURCE NAME - UNNAMED SPRING

USE NAME - RACKLIFF CP CPG

TRIBUTARY TO - SELWAY R

POINT OF DIVERSION - SWNW SEC 29 32 N 8 E

NO. OF DIVERSION POINTS - 1
NO. OF USE POINTS - 2

MEANS OF DIVERSION - HEADBOX

POINT OF USE - SWNW SEC 29 32 N 8 E

ACRES IRRIGATED - 0
NO. OF LIVESTOCK - 0
TYPE OF LIVESTOCK -
ALLOTMENT NO. -
IMPROVEMENT NO. -
RIM NUMRER - 2107
POTABLE WATER NO. - 5904
DAM NUMBER -

PRIMARY USE RATE - .01 CFS
SECONDARY USE RATE - 0.00 AC-FT/YR
0.00 CFS
0.00 AC-FT/YR

TOTAL DIVERSION RATE - .01 CFS
0.00 AC-FT/YR

PERIOD OF USE - MAY JUN JUL AUG SEP OCT NOV
PRIORITY DATE - 19580616
BASIS FOR CLAIM - BENEFICIAL USE

ICFP

11/2-9/83

Adv. OK 11/14/83

NOTARIZED STATEMENT FOR THIS DOCUMENT SIGNED BY REGIONAL FORESTER,
NORTHERN REGION, ON TRANSMITTAL DOCUMENT.

DATE: 09/09/98
PAGE: 1

TOTAL DIVERSION: 0.01 CFS

Point(s) of Diversion: T32N R08E S30 NESENE ✓ IDAHO County

NH

POU County: IDAHO

Conditions of Approval:

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
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Misc:	Water District Number:	Field Inspection Flag:
		Presumption Flag:

9998

RECEIVED

JUL 16 1998

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: **81-04047**

FILED UNDER STATE LAW

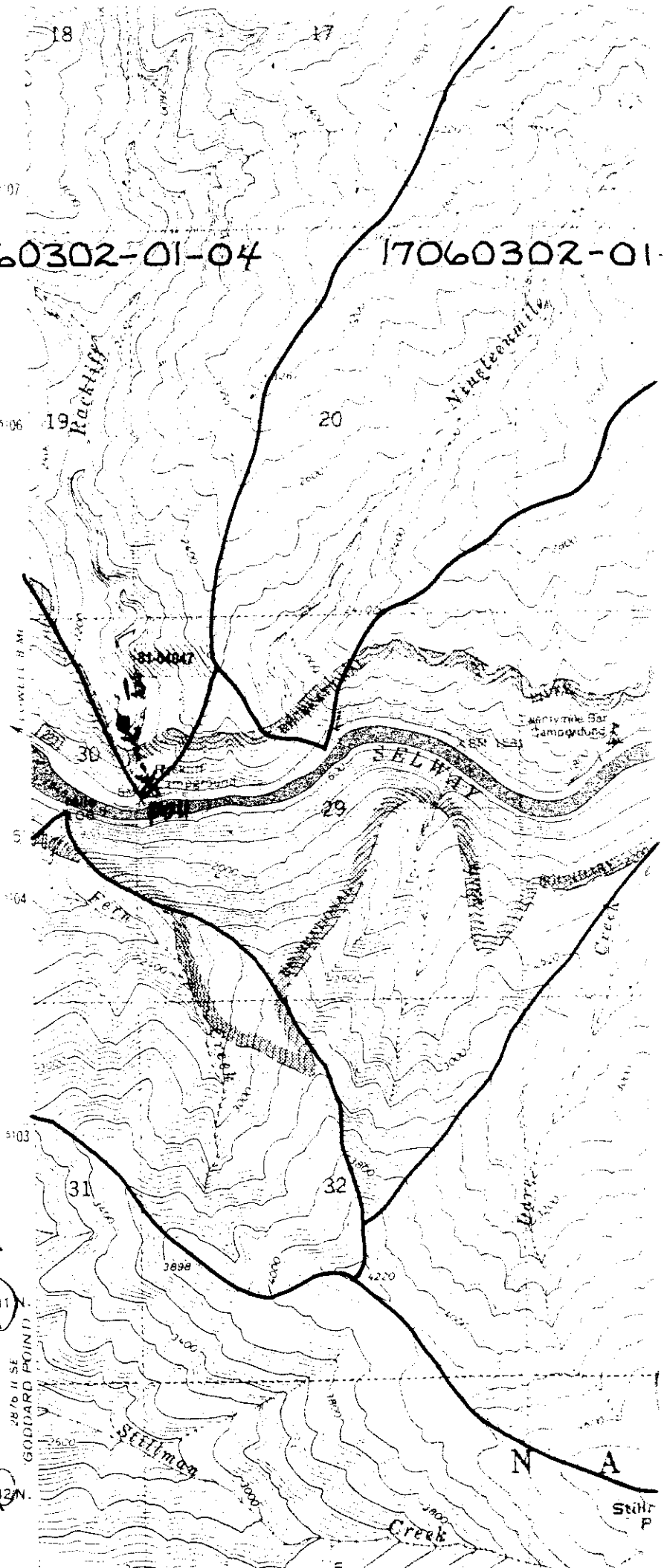
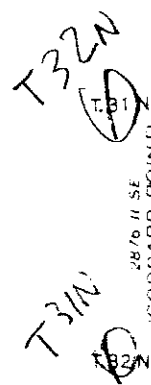
1. Name of Claimant: UNITED STATES OF AMERICA on behalf of the U.S.D.A. Forest Service
Address: 550 W. Fort Street MSC033
Boise ID 83724
2. Date of Priority: 06/16/1958
3. Source of water: RACKLIFF SPRING Tributary: SELWAY RIVER
4. Location Meridian BOISE
Description of Diversion Works: Headbox From: Spring
Location of Point of Diversion
T: **32 N R: 08 E S: 30 SENE**
Location of Point of Use
T: **32 N R: 08 E S: 29 SWNW**
5. Quantity claimed: Period Quantity For
5/ 01 -- 11/ 30 0.02 CFS Domestic
6. Total Consumptive Use Claimed for Present and Future Use is:
0.02 CFS
7. Present and future uses to which the water is or will be used:
Domestic
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: 81
National Forest: Nez Perce
Forest Service Record ID: 01 17 17060302 01 0 0411
Rackliff Creek Campground
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

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.

17060302-01



06/03/83

UNITED STATES OF AMERICA - USDA FOREST SERVICE NORTHERN REGION
PO BOX 7869 MISSOULA, MONTANA 59807
RON RUSSELL 329-3594 OR GAIL DAHL 329-3759

RIGHT NUMBER - 81-4847
STATE BASIN NO. - 81
COUNTY - IDAHO

F.S. RECORD ID - 17060302010R00517
NATIONAL FOREST - NEZPERCE
RANGER DISTRICT - 7

PRIMARY PURPOSE OF USE - DOMEST(REQ)
SECONDARY PURPOSE OF USE -

SOURCE - SPRING
RESERVOIR CAPACITY - 0.00 ACPE FEET

SOURCE NAME - UNNAMED SPRING

USE NAME - RACKLIFF CR CPG

TRIBUTARY TO - SELWAY R

POINT OF DIVERSION - SWNW SEC 29 32 N 8 E

NO. OF DIVERSION POINTS - 1
NO. OF USE POINTS - 2

MEANS OF DIVERSION - HEADECK

POINT OF USE - SWNW SEC 29 32 N 8 E

ACRES IRRIGATED - 0
NO. OF LIVESTOCK - 0
TYPE OF LIVESTOCK -
ALLOTMENT NO. -
IMPROVEMENT NO. -
RIV NUMBER - 2107
POTABLE WATER NO. - 5004
DAM NUMBER -

PRIMARY USE RATE - .01 CFS
- 0.00 AC-FT/YR
SECONDARY USE RATE - 0.00 CFS
- 0.00 AC-FT/YR

TOTAL DIVERSION RATE - .01 CFS
- 0.00 AC-FT/YR

PERIOD OF USE - MAY JUN JUL AUG SEP OCT NOV
PRIORITY DATE - 19580016
BASIS FOR CLAIM - BENEFICIAL USE

ICFP

11/2-9/83

Adv. OK 11/14/83

NOTARIZED STATEMENT FOR THIS DOCUMENT SIGNED BY REGIONAL FORESTER,
NORTHERN REGION, ON TRANSMITTAL DOCUMENT.

81-4047

UNITED STATES OF AMERICA

USDA FOREST SERVICE, FEDERAL BLDG., P.O. BOX 7669, MISSOULA, MT 59807

SOURCE: UNNAMED SPRING

PRIORITY DATE: 06/16/1958

DIVERSION PT: SWNW SEC 29 T 32 N R 8 E

USE: DOMEST(REC)

.01 CFS
CFS

AC-FT/YR
AC-FT/YR

IN: SWNW SEC 29 T 32 N R 8 E

RECEIVED
JUN 17 1958
FBI - MISSOULA