

Ruberry, Allen

From: McHugh, Candice
Sent: Monday, August 16, 2004 11:26 AM
To: Ruberry, Allen
Subject: RE: USFS Claims

Go with the licenses. Are the claims for something less than what was licensed? If so, they will need to amend their claim. As far as the database is concerned, I'm not concerned about that data being accurate so long as our recommendation ultimately is.

Candice

-----Original Message-----

From: Ruberry, Allen
Sent: Wednesday, August 11, 2004 3:38 PM
To: McHugh, Candice
Subject: FW: USFS Claims

FYI.....ADVISE, PLEASE.

-----Original Message-----

From: Steven M Spencer [mailto:sspencer@fs.fed.us]
Sent: Wednesday, August 11, 2004 3:01 PM
To: Ruberry, Allen
Subject: Re: USFS Claims

I've looked over the information you FAX'd for 22-02262 and 22-07455. We would like these to proceed in the SRBA exactly as they were licensed.

I can see your quandary with the differences with the paper claim vs the adjudication data base and the water rights data base. I've learned that the water right data base for the license is pretty accurate - and that is how we'd like to proceed with these. I can only surmise that the differences with the claim information are due to time and the FS learning over the course of time IDWR protocols in the SRBA. The adjudication database claim information was probably the original 1993 electronic information submitted by Ogden to the Department. The paper claim date stamped in to the Department in 1998 reflected our state of knowledge at that time, particularly referring to the FS learning that the states numbering system was not limited to the SRBA, but that it reflected the legal (license, statutory claim, decree or beneficial use) status and history of a water right. Ernie will remember training me on this matter because of all the things the FS didn't understand at the time.

In any event, for these two claims we would like our claim to be based on and reflect the elements of the water right as licensed. If you feel you would like to have new claims submitted for your files I can do that if you desire. Otherwise, let's go with the license terms in the SRBA. If you need more information or I've missed something on these, please let me know. I hope I'm close to being up to date on your other SRBA inquiries. Thank you.

Steve Spencer
Boise Adjudication Team
161 E. Mallard, Suite A
Boise, ID 83706

(208) 331-5944
(208) 387-0842 FAX
e-mail: sspencer@fs.fed.us

"Ruberry, Allen"
<ARuberry@idwr.state.id.us>

08/11/2004 11:10
AM

"Steve Spencer (E-mail)"
<sspencer@fs.fed.us>

To

cc

Subject

USFS Claims

Steve, I have found a couple claims that appear to need some of your expert attention. If you will send your fax I'll get them to you so you can see the problems....

Thanks..... al

Ruberry, Allen

From: Steven M Spencer [sspencer@fs.fed.us]
Sent: Wednesday, August 11, 2004 3:01 PM
To: Ruberry, Allen
Subject: Re: USFS Claims

Lefty Desk

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Boise Adjudication Team
161 E. Mallard, Suite A
Boise, ID 83706

(208) 331-5944
(208) 387-0842 FAX
e-mail: sspencer@fs.fed.us

"Ruberry, Allen"
<ARuberry@idwr.state.id.us>

08/11/2004 11:10
AM

"Steve Spencer (E-mail)"
<sspencer@fs.fed.us>

To

cc

Subject

USFS Claims

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Thanks..... al

To: CANDICE McHUGH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION
IDAHO FALLS ID
208-525-7161 - PHONE
208-525-7177 - FAX

TRANSMITTAL COVER SHEET

387-0842

OMNIFAX

TO: STAVE SPENCER FROM: A. RUSSELL

DOCUMENT DESCRIPTION: STONE - NOT SURE WHATS
GOING ON HERE - I JUST GOT THE COPIES OF
YOUR CLAIMS - THEY DON'T MATCH UP THE LICENSES
COULD BE YOU'D WANT TO AMEND YOUR RECORDS

TOTAL NUMBER OF PAGES (Including this page): 8 AL

Please advise

* * *

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* _____ *
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* No of Pages _____ Cost / Page _____ Total Charge _____ *
* _____ *

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 22-7455

WATER RIGHT NUMBER: 22-7455

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 550 W FORT ST MSC 033 BOISE, ID 83724 (208)387-0835

Priority Date: 08/16/1983

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
RECREATION	5/01 to 10/31	0.100 CFS	0.50 AF
	<u>Total Diversion:</u>	0.100 CFS	0.50 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 30, Twp 03N, Rge 46E, B.M.
TETON County		

Place of Use

RECREATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	46E	30			X														

Conditions of Approval:Remarks:

1. General FOREST SERVICE RECORD ID = 041517040204170017 00

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 22-7455

WATER RIGHT NUMBER: 22-7455

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	US DEPT OF AGRICULTURE FOREST SERVICE 1249 SOUTH VINNELL WAY STE 200 BOISE, ID 83709 (208)373-4100

Priority Date: 08/16/1983

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u> <i>ADD</i>
DOMESTIC	5/01 to 10/31	0.020 CFS	0.40 AF
	<u>Total Diversion:</u>	0.020 CFS	0.40 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 30, Twp 03N, Rge 46E, B.M.
TETON County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	46E	30			X														

Conditions of Approval:Remarks:Comments:RECOMMENDATIONS:

- ① CLAIMED AS LICENSED, RECOMMEND AS CLAIMED
ADDING 0.40 AF (SEE PAPER CLAIM)
- ② PAPER CLAIM AND DATA BASE DATA DO NOT
MATCH - RECOMMEND FOR LIC/PAPER CLAIM.
- ③ DOMESTIC USE

RECEIVED

JUN 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: **22-07455**

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: 08/16/1983
3. Source of water: GROUNDWATER Tributary:
4. Location Meridian BOISE
Description of Diversion Works: Wells From: Groundwater
Location of Point of Diversion
T: 03 N R: 46 E S: 30 SWNE
Location of Point of Use
T: 03 N R: 46 E S: 30 SWNE
5. Quantity claimed: Period Quantity For
5/ 01 -- 10/ 31 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: 22
National Forest: Targhee
Forest Service Record ID: 04 15 17040204 17 0 0017
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 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.

PROFILED

SCANNED

MAY 09 2005