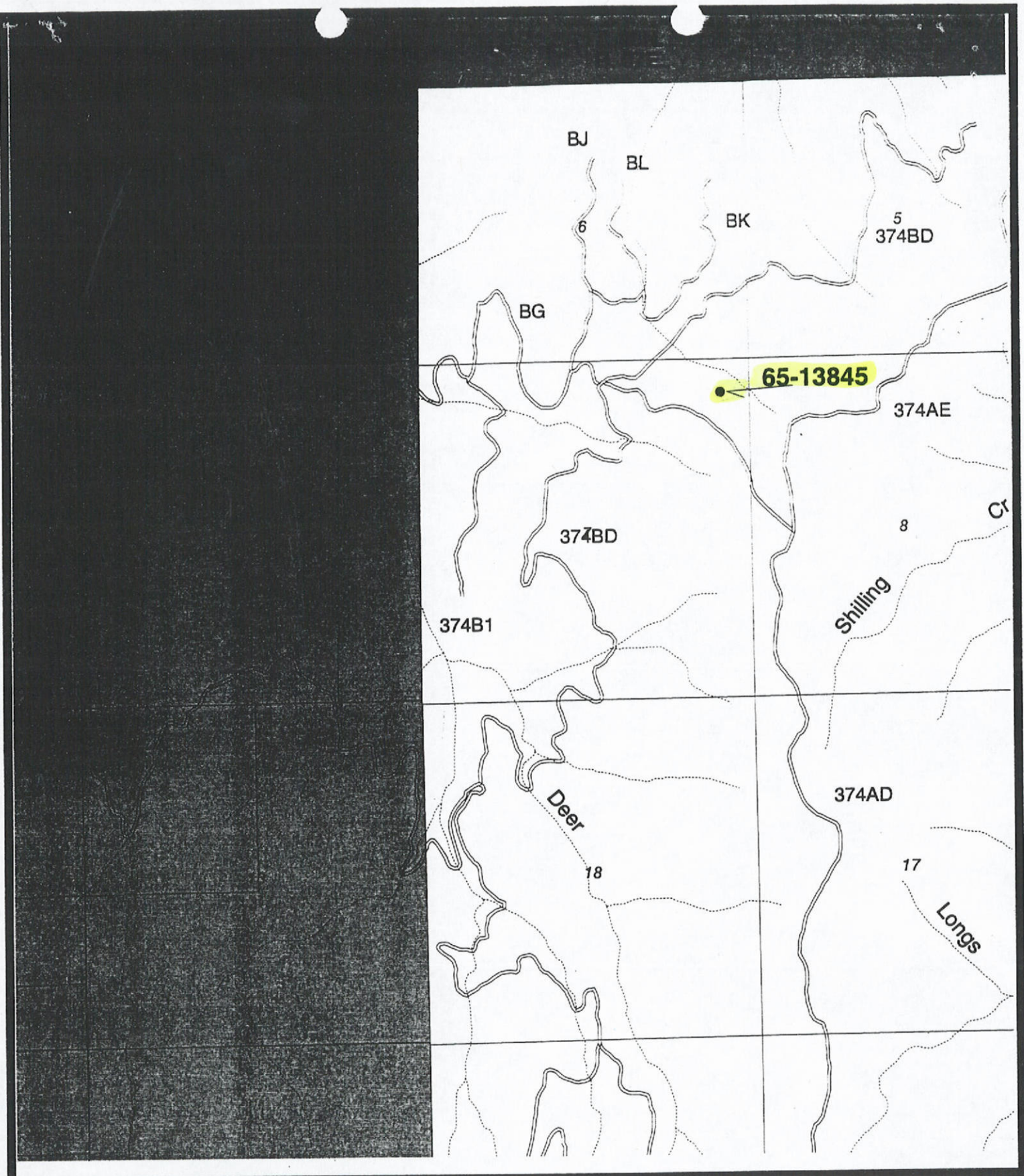




1:24000



0.5 0 0.5 1 Miles



Non-Federal Land

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: **A65-13845**
Date Received: 2/ 1/2000
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 801-625-5360
Address: USDA FOREST SERVICE
324 25TH ST
OGDEN UT 84401-2394

2. Date of Priority: MAR 23, 1999

3. Source: SPRING Trib. to: DEER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	04E	7	NE	NE	NE		BOISE

5. Description of diverting works:
HEADBOX AND TROUGH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	04E	7	NE	NE		STOCK	

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

FOREST SERVICE RECORD ID. 04 02 17050120 66 0021.

15. Basis of Claim: PERMIT

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: 65-13845

RECEIVED

FEB 01 2000

WATER RESOURCES
WESTERN REGION

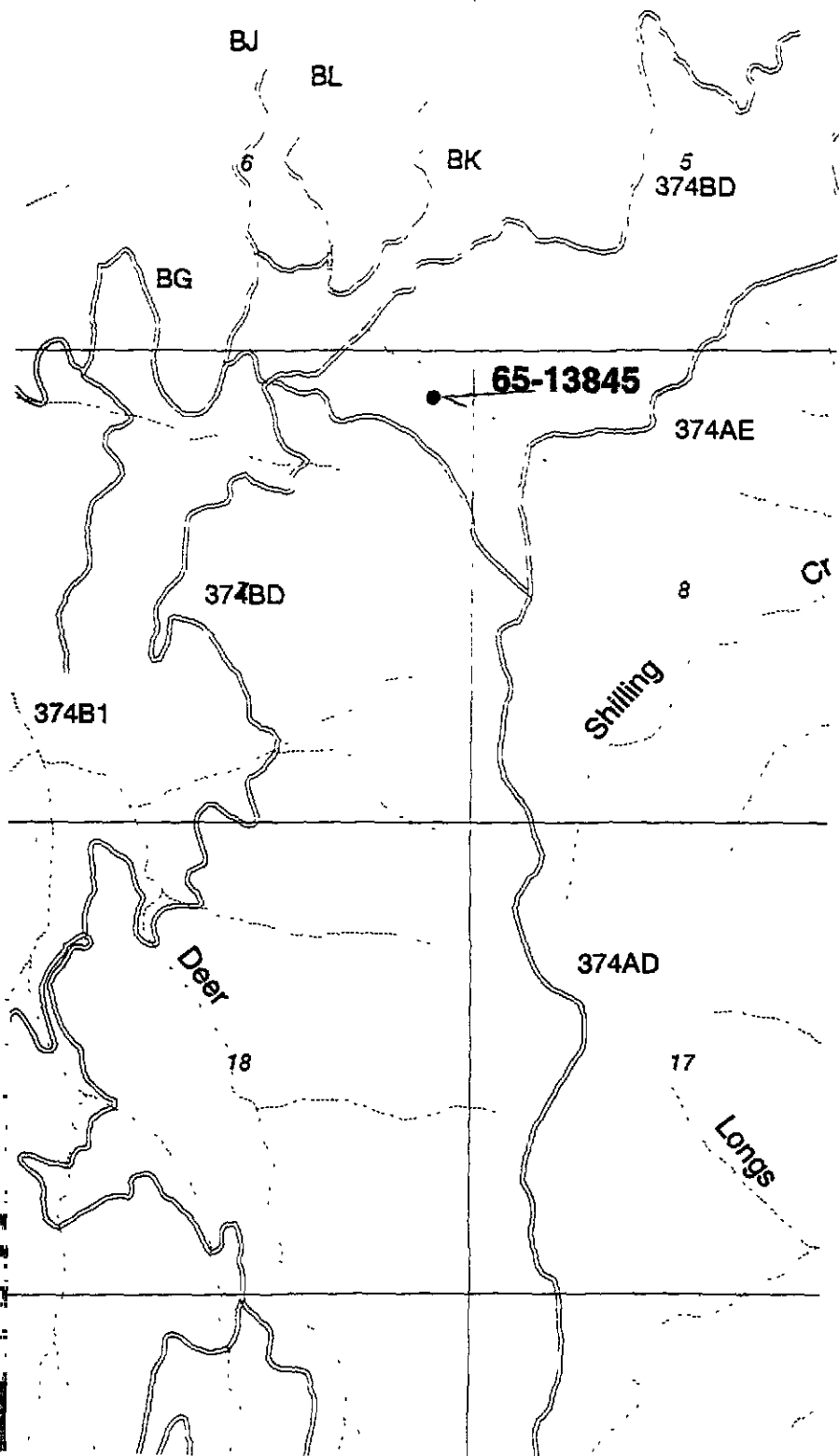
FILED UNDER STATE LAW

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: 03/23/1999
3. Source of water: SPRING Tributary: DEER CREEK
4. Location Meridian BOISE
Description of Diversion Works: Combo From: Spring
Location of Point of Diversion
T: 08 N R: 04 E S: 7 NENENE
Location of Point of Use
T: 08 N R: 04 E S: 7 NENE
5. Quantity claimed: Period Quantity For
1/ 01 -- 12/ 31 0.02 CFS Stockwater
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:
Stockwater
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: 65
National Forest: Boise
Forest Service Record ID: 04 02 17050120 66 0021
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.



1:24000



Non-Federal Land

09/13/2000

**IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW**

RIGHT NUMBER: 65-13845

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
324 25TH ST
OGDEN, ID 844012394

SOURCE: SPRING **TRIBUTARY:** Deer Creek

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 03/23/1999

POINT OF DIVERSION: T08N R04E S7 NENENE Within BOISE County

**PURPOSE AND
PERIOD OF USE:**

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1-01 12-31	0.02 CFS

PLACE OF USE:

STOCKWATER Within BOISE County
T08N R04E S7 NENE

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

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

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.

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Permit

**FOREST SERVICE RECORD ID = 04 02 17050120 66 0021
STOCKWATER, 700 RANGE CATTLE
SOURCE IS ALSO KNOWN AS ON-THE-WAY-UP SPRING**

**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: April 13, 2001

Water right number: 65-13845

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

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:

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

DATE: 4/13/01 SIGNATURE: Steven M. Spence

Please print your name: _____

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208)334-2190

AJ0749NP
No. R65-13845

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/02/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 324 25TH ST OGDEN UT 844012394 (801) 625-5360	03/23/1999	STOCKWATER	01-01 12-31	0.020 CFS	
TOTAL DIVERSION:					0.020 CFS	

Water Source: SPRING

Tributary to: DEER CREEK

Stage: PERMIT

Point(s) of Diversion:

T08N R04E S07

NENENE

BOISE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
08N	04E	7	:	S																:

POU County: BOISE

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.
- C18 - 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.
- A01 - THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

Remarks: EXP FOREST SERVICE RECORD ID = 04 02 17050120 66 0021
STOCKWATER, 700 RANGE CATTLE
SOURCE IS ALSO KNOWN AS ON-THE-WAY-UP SPRING.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

*Filed for
Part III
B65
Report
(Main Payroll
discharge)*

WR5809NP
No. 65-13845

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/02/00
PAGE: 7

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF AGRICULTURE FOREST SERVICE 380 E PARKCENTER STE 330 BOISE ID 83706 (208) 387-0835	03/23/1999	STOCKWATER	01/01 12/31	0.020 CFS	
TOTAL DIVERSION:					0.020 CFS	

Water Source: SPRING

Tributary to: DEER CREEK

Stage: PERMIT

Point(s) of Diversion:

T08N R04E S07

NENENE

BOISE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
08N	04E	7	:	S																:

Pou County: BOISE

Conditions of Approval:

- 26A - Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
- 01P - Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
- R37 - This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.

Remarks: GEN Water shall not be diverted under this right when flows in the Payette River are below established minimum stream flows.
Source is locally known as On-the-Way-Up Spring.
Place of use is located within USFS #04 02 17050120 66 0021.
Stockwater use is for 700 range cattle.

Dates: App. Received: 03/23/1999 Priority Date: 03/23/1999
Proof Due Date: 07/01/2004 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

WR5809NP
No. 65-13845

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/02/00
PAGE: 8

=====

Audit:	04/14/99 STAYLOR	04/15/99 SLESTER	04/19/99 SCURTIS	05/04/99 SCURTIS
	07/09/99 CZIMMERM			