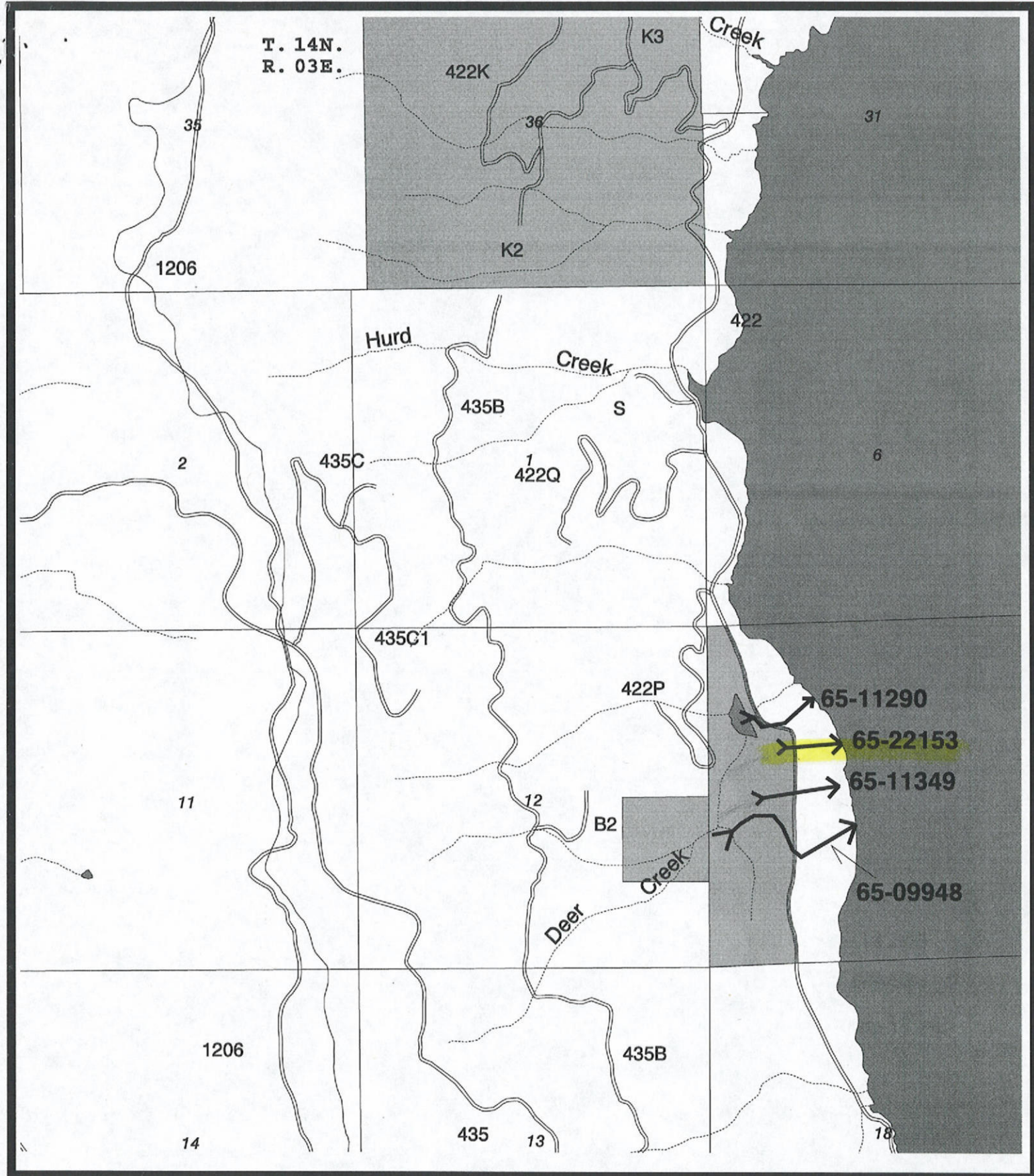
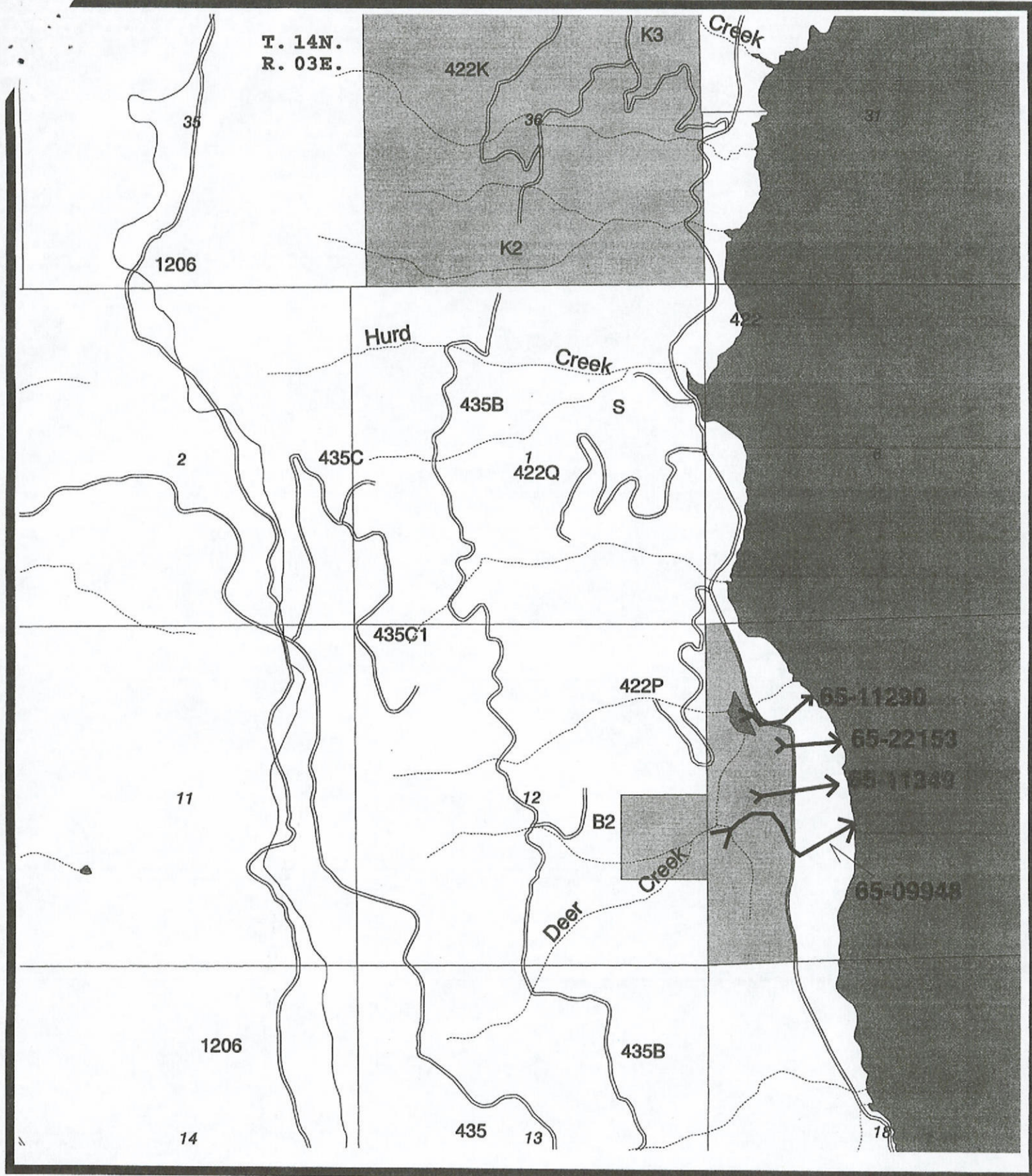


1:24000

T. 14N.
R. 03E.



N

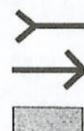
0.5

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0.5

1 Miles

1:24000



Beginning of Reach

End of Reach

OPTIONAL FORM 38 (1-90)

Confidential: Attorney-Client
and Work Product Privileged

FAX TRANSMITTAL

of pages > 1

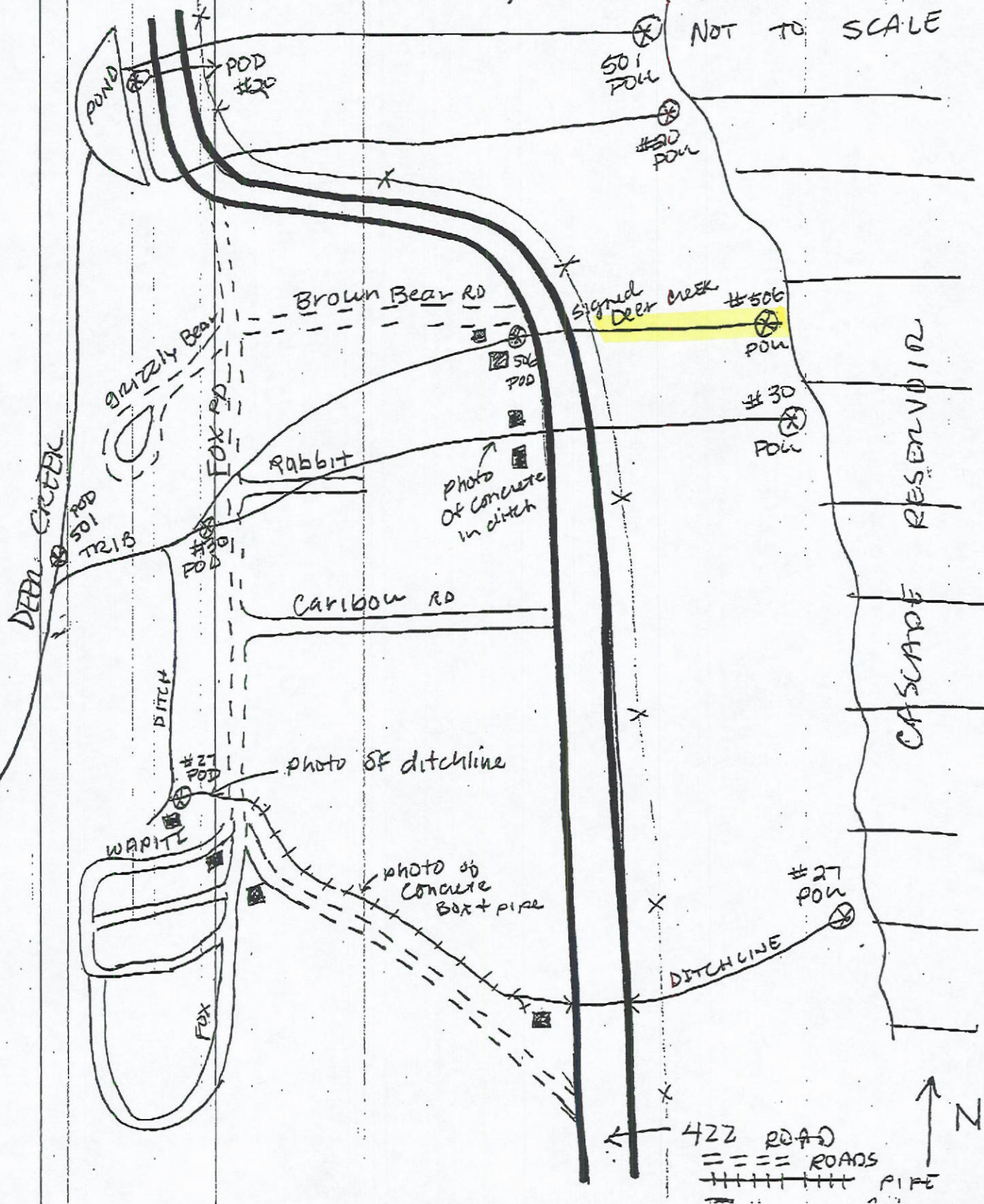
To: <u>Steve Spencer</u>	From: <u>Jennie Fischer</u>
Dept./Agency: <u>BAT</u>	Phone #: <u>208 382-7452</u>
Fax #: <u>208 382-0842</u>	Fax #: <u>208 382-7400</u>
NSN 7540-01-317-7368 5099-101 GENERAL SERVICES ADMINISTRATION	

J. FISCHER

10/23/96

DEER CREEK DIVERSIONS / STOCKWATER

NOT TO SCALE



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 65-22153
Date Received: 2/1/00
Receipt No: X111111
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

UNITED STATES OF AMERICA ACTING THROUGH Phone: (208)387-0835

USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID USA 83724

2. Date of Priority: 01/01/1888

3. Source: DEER CREEK Trib. to: CASCADE RESERVOIR

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
14N	03E	7	SE NW	VALLEY
14N	03E	7	SW NW	VALLEY

5. Description of diverting works:

DITCH OR CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	06/01	10/31	0.02	

7. Total Quantity Appropriated is:

0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14N	03E	7	SE	NW	STOCKWATER	

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

14. Remarks:

FOREST SERVICE RECORD ID. 4 2 17050123 61 0506

Basis of Claim: Beneficial Use

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: **65-22153**

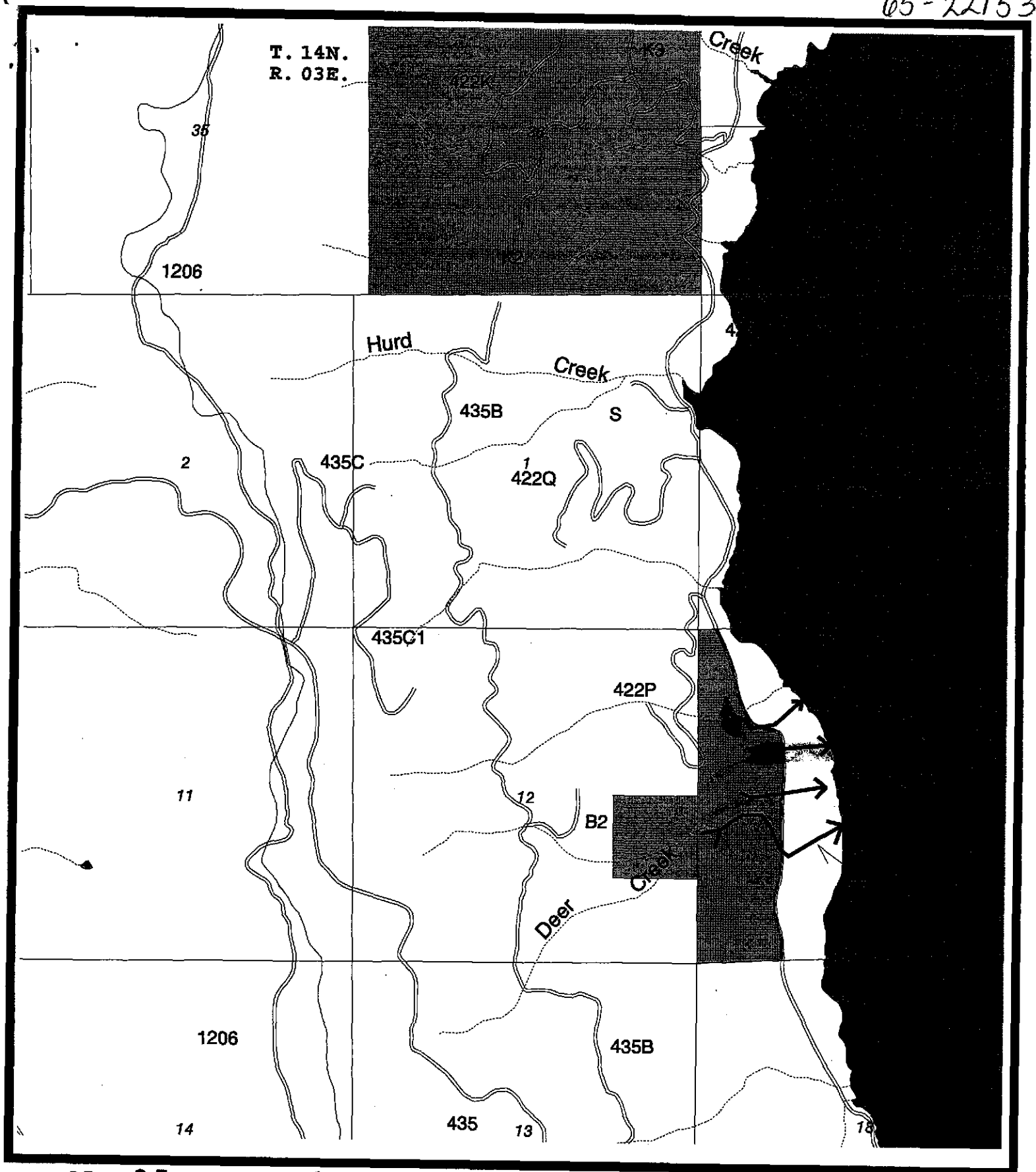
FILED UNDER STATE LAW

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: 01/01/1888
3. Source of water: DEER CREEK Tributary: CASCADE RESERVOIR
4. Location Meridian BOISE
Description of Diversion Works: Ditch or Canal From: Stream
Location of Point of Diversion
T: 14 N R: 03 E S: 7 SWNW B T: 14 N R: 03 E S: 7 SENW E
Location of Point of Use
T: 14 N R: 03 E S: 7 SENW
5. Quantity claimed: Period Quantity For
6/ 01 -- 10/ 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 17050123 61 0506
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.



0.5 0 0.5 1 Miles

1:24000

Beginning of Reach
End of Reach
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: A65-22153
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: JAN 1, 1888

3. Source: DEER CREEK Trib. to: CASCADE RESERVOIR

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
Beginning Point of Instream Flow							
14N	03E	7	SW	NW			VALLEY
Ending Point of Instream Flow							
14N	03E	7	SE	NW			VALLEY

5. Description of diverting works:
DITCH OR CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	06/01	10/31	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
14N	03E	7	SE	NW		STOCK	

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:

FOREST SERVICE RECORD ID. 4 2 17050123 61 0506

15. Basis of Claim: BENEFICIAL USE

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: 65-22153

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: 01/01/1888
3. Source of water: DEER CREEK Tributary: CASCADE RESERVOIR
4. Location Meridian BOISE
Description of Diversion Works: Ditch or Canal From: Stream
Location of Point of Diversion
T: 14 N R: 03 E S: 7 SWNW B T: 14 N R: 03 E S: 7 SENW E
Location of Point of Use
T: 14 N R: 03 E S: 7 SENW
5. Quantity claimed: Period Quantity For
6/ 01 -- 10/ 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: 4 2 17050123 61 0506
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.

T. 14N.
R. 03E.

35

1206

Hurd

Creek

435B

S

2

435C

1
422Q

435C1

422P

11

B2

12

Deer

435B

1206

14

435

13

18

N

0.5

0

0.5

1

Miles

1:24000



Beginning of Reach



End of Reach



...



NOTE: 1/22/01

Disallowed based on
claim indicating ditch/canal
diversion works. Aerial photo
shows un-natural stream or
diversion work. w/o proof
from USFS of natural un-named
stream, claim is disallowed.

C.D.

1/25/01

Met w/Steve
Spencer (USFS)
and Jan. We
decided to allow
the claim base
on a unnamed
stream (natural)
flow off of
Deer Creek.

C.D.

05/24/2001

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

RIGHT NUMBER: 65-22153

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

SOURCE: UNNAMED STREAM TRIBUTARY: CASCADE RESERVOIR

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 01/01/1888

POINT OF DIVERSION:	T14N R03E S7	SWNW	Beginning of Stream Flow	Within VALLEY County
	T14N R03E S7	SENW	End of Stream Flow	Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	6-01 10-31	0.02 CFS

INSTREAM STOCKWATER

PLACE OF USE:

<u>STOCKWATER Within VALLEY County</u>			
T14N R03E S7	SWNW	T14N R03E S7	SENW

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

FOREST SERVICE RECORD ID. 4 2 17050123 61 0506

**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: 65-22153

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:

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

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

Please print your name: _____

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

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

RIGHT NUMBER: 65-22153

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

SOURCE: UNNAMED STREAM

TRIBUTARY: CASCADE RESERVOIR

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 01/01/1888

POINT OF DIVERSION:

T14N R03E S7 SWNW Begin of Stream Flow Within VALLEY County
T14N R03E S7 SENW End of Stream Flow Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	6/01 10/31	0.020 CFS
INSTREAM STOCKWATER		

PLACE OF USE:

STOCKWATER Within VALLEY County

T14N R03E S07

SENW

SWNW - add

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

FOREST SERVICE RECORD ID. 4 2 17050123 61 0506
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

STOCKWATER, RANGE CATTLE

- add # of stock or delete

IDAHO DEPARTMENT OF WATER RESOURCES

REFERENCE ONLY

T14N R03E S07

WATER RIGHT(S): 65-22153
AND SURROUNDING USFS CLAIMS

PREPARED BY: Chris Duncan

16 JAN 2001

● POINT OF DIVERSION

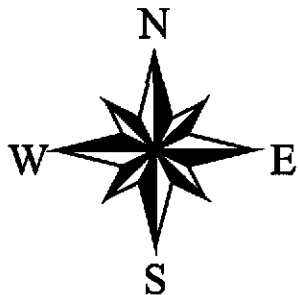
□ PLACE OF USE

□ SECTION Boundary Lines

□ QQ Boundary Lines

RED = DIVERSION WORKS

LT. BLUE = NATURAL STREAM



NAPP 1987



0 0.1 0.2 0.3 0.4 0.5 Miles



01/16/2001

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

RIGHT NUMBER: 65-9948

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

SOURCE: DEER CREEK TRIBUTARY: CASCADE RESERVOIR

QUANTITY: 0.68 CFS

PRIORITY DATE: 03/30/1900

POINT OF DIVERSION: T14N R03E S7 NWSW Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 10-15	0.68 CFS

PLACE OF USE:

<u>IRRIGATION Within VALLEY County</u>			
T14N R03E S7	NESW	18	T14N R03E S7
			SESW 16

34 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

FOREST SERVICE RECORD ID = 040217050123610027 00

01/16/2001

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

RIGHT NUMBER: 65-11290

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

SOURCE: UNNAMED STREAM TRIBUTARY: CASCADE RESERVOIR

QUANTITY: 0.12 CFS

PRIORITY DATE: 10/22/1902

POINT OF DIVERSION: T14N R03E S7 SWNW Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 10-31	0.12 CFS

PLACE OF USE:

<u>IRRIGATION Within VALLEY County</u>			
T14N R03E S7	NENW	3	T14N R03E S7
			SENEW 3

6 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

FOREST SERVICE RECORD ID = 040217050123610020 00

Confidential: Attorney-Client
and Work Product Privileged

OPTIONAL FORM NO. 10 (7-90)

FAX TRANSMITTAL

of pages 1

To: STEVE Spencer	From: Jennie Fischer
Dept./Agency: BAT	Phone #: 382-7452
Fax #: 208 382-0842	Fax #: 208 382-7400
NSN 7540-01-317-7968	5010-101 GENERAL SERVICES ADMINISTRATION

J. FISCHER

10/23/96

DEER CREEK DIVERSIONS / STOCKWATER

NOT TO SCALE

