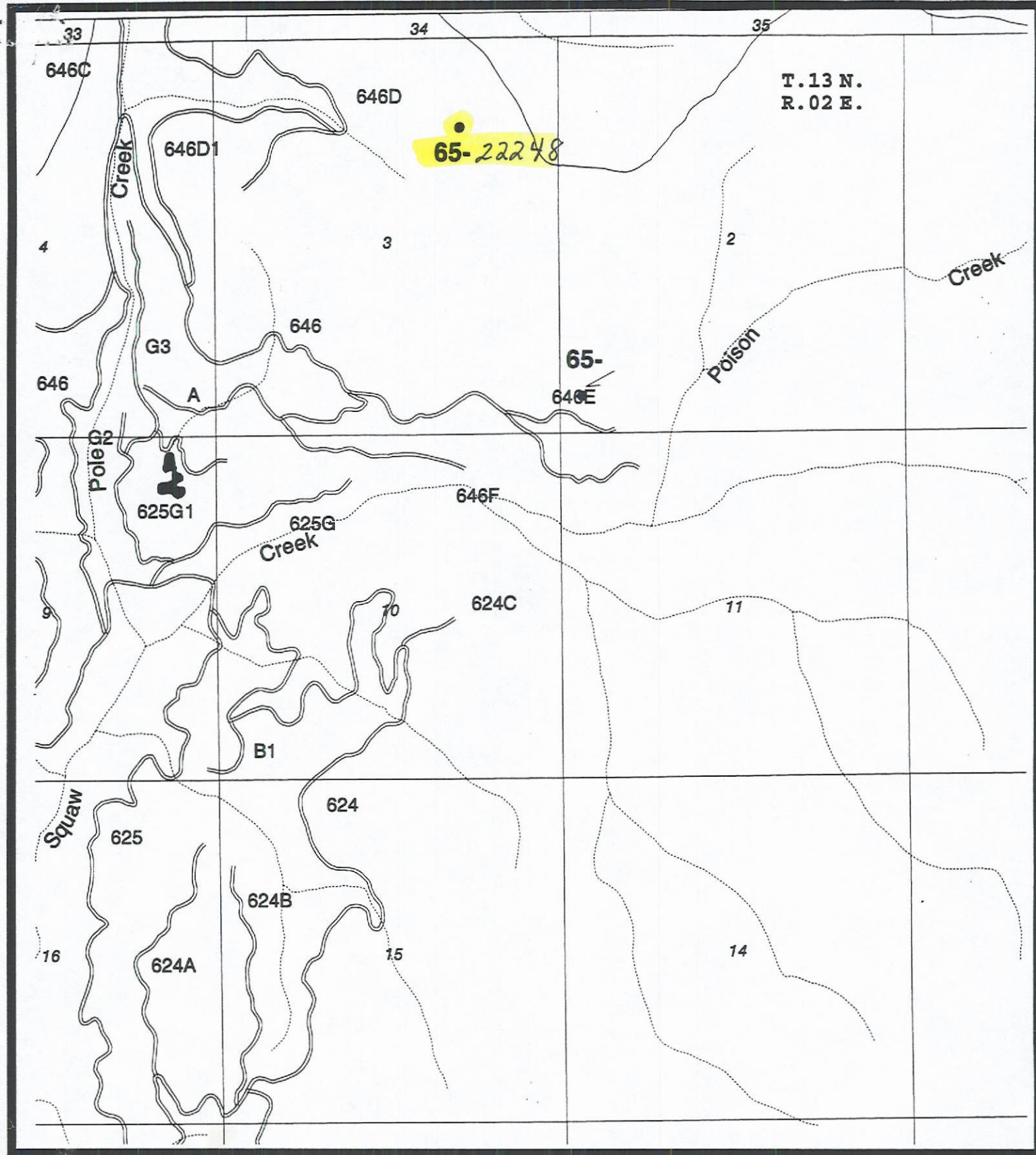
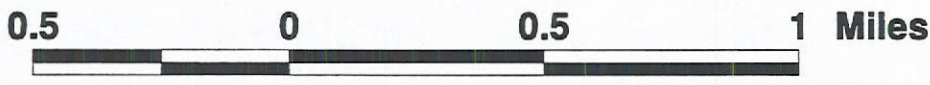


65-22248



1:24000



 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 65-22248
Date Received: 10/3/00
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: SPRING Trib. to: POLE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
13N	02E	3	NW NE	GEM

5. Description of diverting works:

None

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	06/01	10/31	0.03	

7. Total Quantity Appropriated is:
0.03 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
13N	02E	3	NW NE	STOCKWATER	

11. Place of use in counties: GEM

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 17050122 65 0 0041

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: 65-22248

FILED UNDER STATE LAW

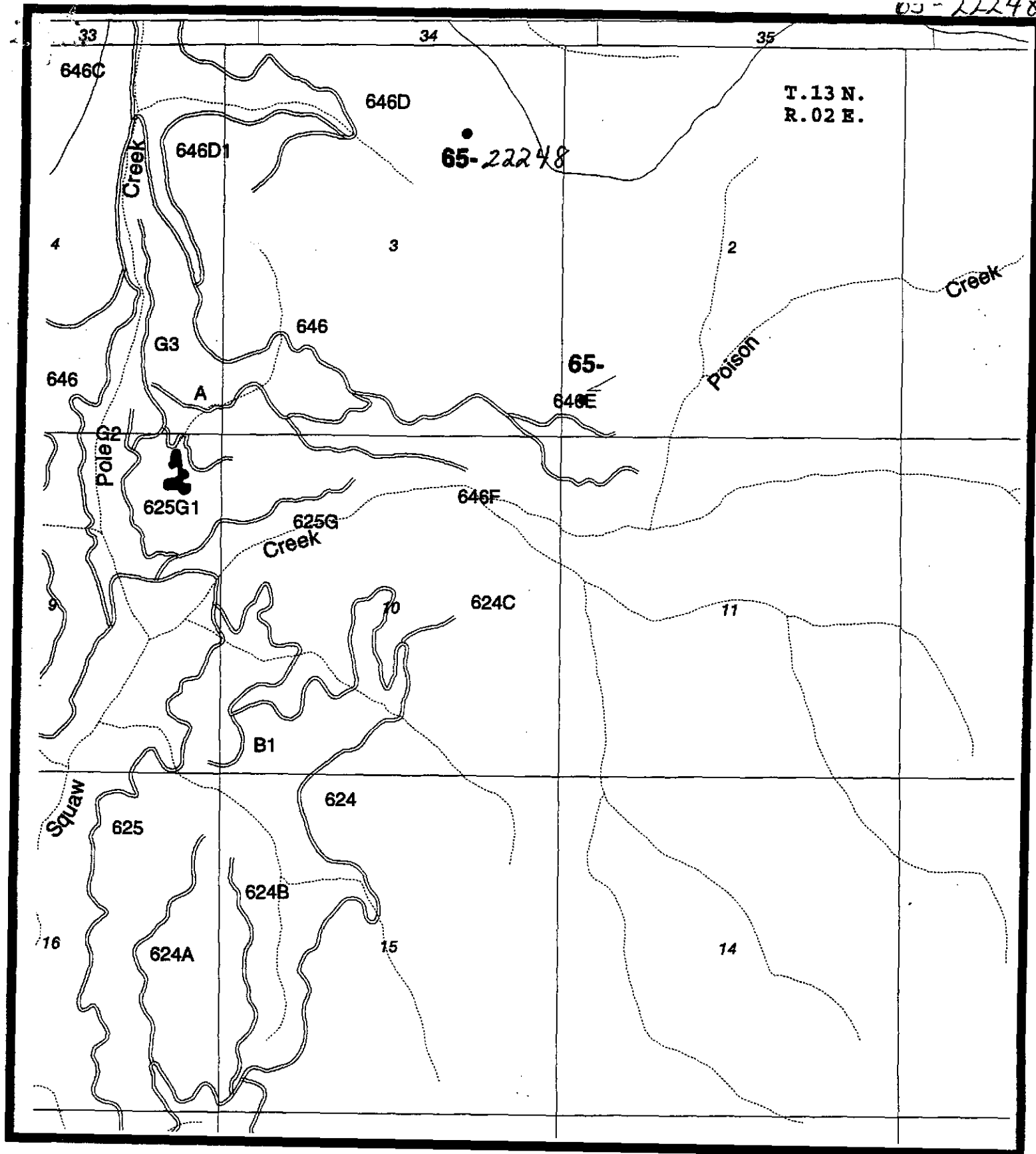
1. Name of Claimant: UNITED STATES OF AMERICA on behalf of the U.S.D.A. Forest Service
Address: 550 W. Fort Street MSC033
Boise ID 83724
2. Date of Priority: 01/01/1888
3. Source of water: SPRING Tributary: POLE CREEK
4. Location Meridian BOISE
Description of Diversion Works: None From: Spring
Location of Point of Diversion
T: 13 N R: 02 E S: 3 NWNE
Location of Point of Use
T: 13 N R: 02 E S: 3 NWNE
5. Quantity claimed: Period Quantity For
6/ 01 - 10/ 31 0.03 CFS Stockwater
6. Total Consumptive Use Claimed for Present and Future Use is:
0.03 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 17050122 65 0 0041
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.

05-22248



1:24000



 Non-Federal Land

- NO DIVERSION WORK,
RECOMMENDED
INSTREAM USE,
REDUCED QUANT. OF
- #TYPE OF STOCK
NOT LISTED

03/09/2001

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

RIGHT NUMBER: 65-22248

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

SOURCE: SPRING

TRIBUTARY: POLE CREEK

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:

T13N R02E S3 NWNE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	06/01 10/31	0.020 CFS
INSTREAM STOCK WATER		

PLACE OF USE:

STOCKWATER Within GEM County
T13N R02E S03 NWNE

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.
FOREST SERVICE RECORD ID. 4 2 17050122 65 0 0041

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

**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: 65-22248

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):

Livestock water directly from a spring. We haven't before this time seen instream stockwater included on this type of recommendation. Let's talk at your leisure about this so we understand what it proper

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

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: 4/13/01

SIGNATURE: Steven M. Spencer

Please print your name: _____

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

STOCK WATER WAS NOT
DECIDED IN PAYETTE,
THUS ONLY INSTREAM
STOCKWATER CAN BE
GIVEN W/ 1888 PRIORITY
DATE.

STOCK WATER'S FROM
NATURAL Flowing
SPRING W/ NO DIVERSION
WORKS.

5/02/01 CD

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

RIGHT NUMBER: 65-22248

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

SOURCE: SPRING

TRIBUTARY: POLE CREEK

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:

T13N R02E S3 NWNE Begin of Stream Flow Within GEM County
~~T13N R02E S3 NWNE End of Stream Flow Within GEM County~~

} No beginning and ending

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

06/01 10/31

0.020 CFS

INSTREAM STOCK WATER

PLACE OF USE:

STOCKWATER Within GEM County

T13N R02E S03

NWNE

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
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FOREST SERVICE RECORD ID. 4 2 17050122 65 0 0041

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

STOCKWATER, RANGE CATTLE - *add # or delete*