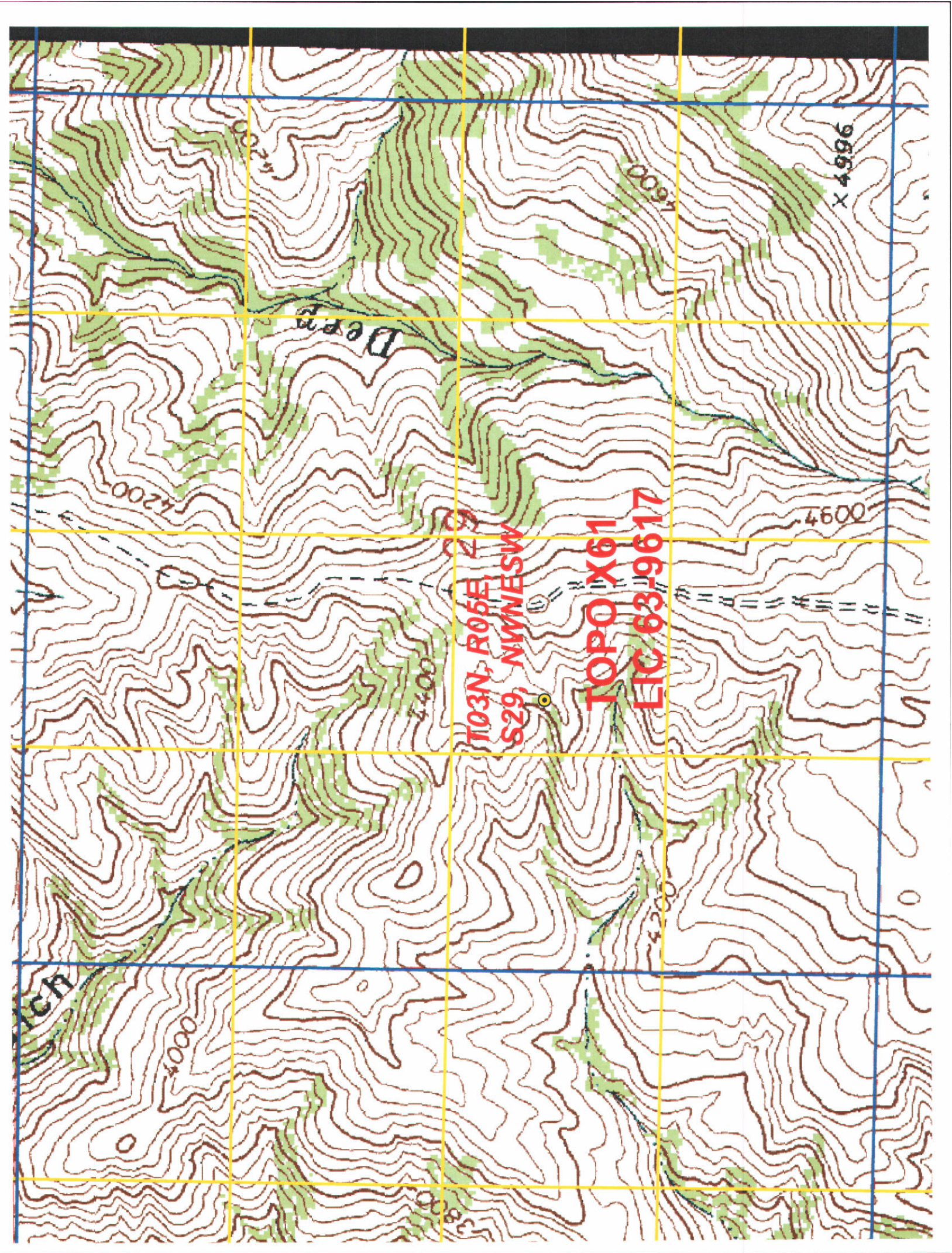




T03N, R05E, Z9
S29, NWNESW

TOPO X61
LIC 63-9617

Deep

X 4996

4600

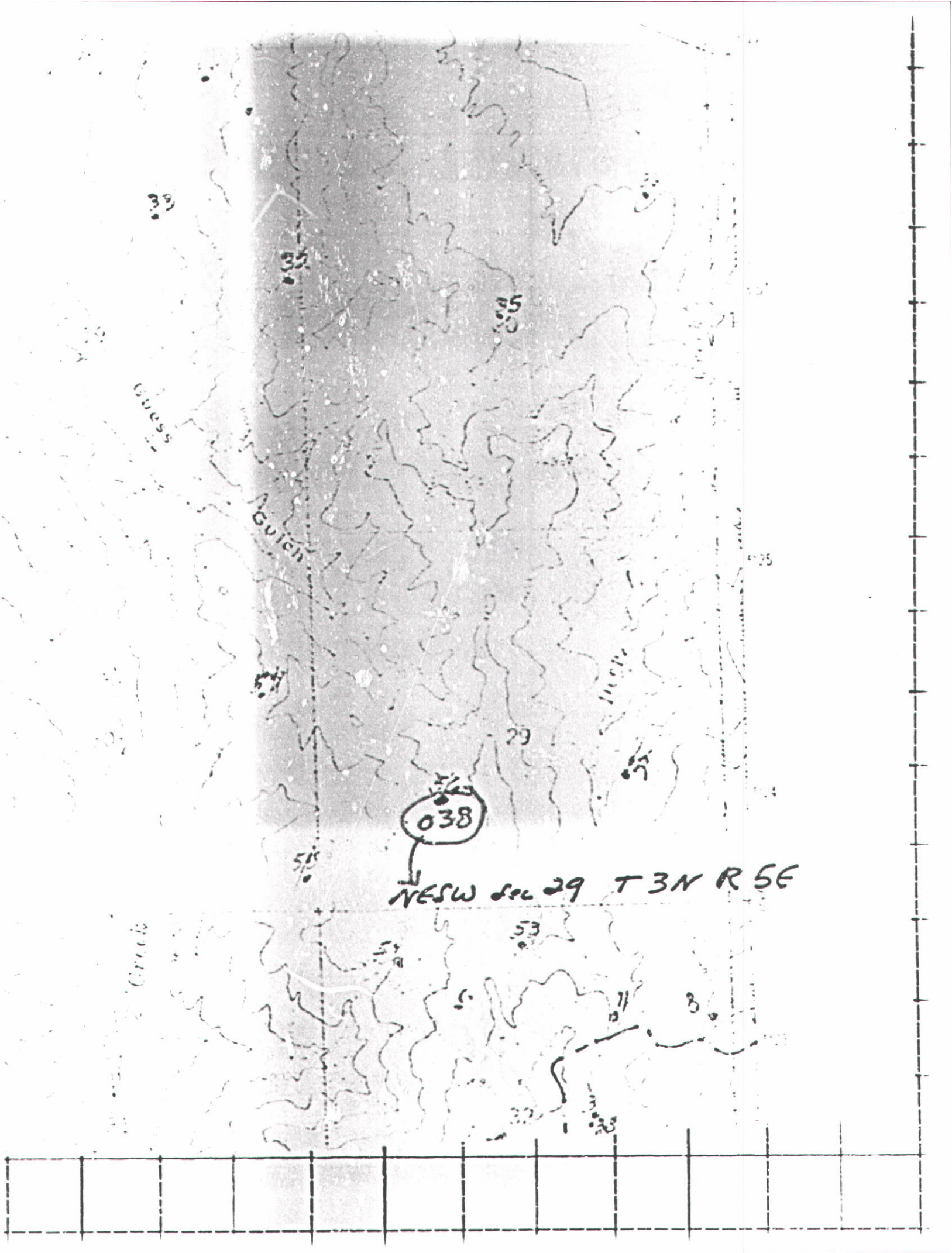
4000

4400

4200

4600

4400



038

NE SW Sec 29 T 3 N R 5 E

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: A63-09617
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: 324 25th Street Phone (801) 625-5360
Ogden, Utah 84401

2. Date of Priority: 01/01/1865

3. Source: GROUSE CREEK 56 Trib. to: GROUSE CR

4. Point of Diversion:

Township	Range	Section	Tract	Lot	County
-----	-----	-----	-----	---	-----
3 N	5 E	29	NESW		ELMORE

5. Description of diverting works: COMBINATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.	(or)	Elevation/ Well Depth
-----	----	--	-----	----	-----	-----	-----
STOCKWATER	Jun.1	Oct.31	0.01		0.10		0

7. Total Quantity Appropriated is: 0.01 C.F.S. / 0.10 A.F.A.

8. Total consumptive use is: de minimus

9. Non-irrigation uses: CATTLE Livestock Numbers: 1502

10. Place of Use:

Township	Range	Section	Tract	Lot	County
-----	-----	-----	-----	---	-----
3 N	5 E	29	NESW		ELMORE

Purpose of use: STOCKWATER Acres Irrigated:

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used: NONE

14. Remarks: Quad No. 90

APPLICATION DATE: 09/29/1980

15. Basis of Claim: LICENSE

Reference Information:

National Forest: BOISE

Priority Dates: BOISE NATIONAL FOREST LIVESTOCK HISTORY

Forest Service Record ID: 04 02 17050112 37 0 0038 0

IDWR Water State Filing No.: 63-09617

Allotment No.: 204

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:

Jack Haugrud
Geoffrey Garver
Daria J. 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

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.

03/01/2002

RECEIVED

APR 10 2002

WATER RESOURCES
WESTERN REGION

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 5, 2002

Water right number: 63-9617

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: 4-8-2002 SIGNATURE: Linda R Moore *Sm*
Please print your name: Linda R. Moore

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

02/22/2002

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

RIGHT NUMBER: 63-9617

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

SOURCE: SPRING

TRIBUTARY: GROUSE CREEK

QUANTITY: 0.01 CFS
0.1 APY

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

PRIORITY DATE: 09/29/1980

POINT OF DIVERSION:

T03N R05E S29 NWNESW Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

6/01 10/31

0.010 CFS

0.10 APY

PLACE OF USE: STOCKWATER Within ELMORE County

T03N R05E S29 NESW

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: License

FOREST SERVICE RECORD ID = 04021705112370038 00
STOCKWATER USE IS FOR RANGE CATTLE.
SOURCE IS ALSO KNOWN AS GROUSE CREEK 56.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 63-9617

1. ☒ No Change NAME IS SAME

☐ NEW OWNER: _____

☐ No Change ADDRESS

☐ NEW ADDRESS: _____

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted

☒ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

LIC DOP IS : 9-29-1980 (NOT CLAIMED CORRECTLY)

3. ☐ No Change — SAME SOURCE

☒ Source is different than that claimed: Exp Rmk B01

Source found: SPRING AKA GROUSE CREEK 56

4. ☐ No Change — POINT OF DIVERSION

☐ Point of diversion is different than the claim and/or new P/D's: CLARIFIED TO 10 ACRE TRACT

Township _____ Range _____ Section _____ 1/4 NW 1/4 NE 1/4 SW

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: USE RMK, STOCKWATER USE IS FOR RANGE CATTLE

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____

Remarks: (Comments pertinent to field examination) See additional attachment

EXP REMARK - FOREST SERVICE RECORD ID = 040217050112370038 00

SEE ATTACHED LIC MAP AND X 61 TOPO

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☒ CHECK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 01-09-02

FIELD EXAMINER: RON HOWERTON

Print Name

Ron Howerton

Signature

C18
N11
N13

OWNER CODE C US DEPT OF AGRICULTURE FOREST SERVICE FEDERAL BLDG 324 25TH ST OGDEN UT 84401

PRIORITY DATE 09/29/1980 STOCKWATER

WATER USE

USE PERIOD FROM 06/01 10/31 TO

DIVERSION RATE 0.010 CFS

DIVERSION VOLUME 0.10 AFA

TOTAL DIVERSION: 0.010 CFS 0.10 AFA

Water Source: SPRING Tributary to: GROUSE CREEK Stage: LICENSE

Point(s) of Diversion: T03N R05E S29 NESW ELMORE County

Place of use Legal Description for: STOCKWATER

NE	SW	SE
ENE NENE SWNE SENE : NENW NWNW SWNW SENW : NESW NWSW SWSW SESW : NESE NWSE SWE SESE :	Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac :	
T R S : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac :		
03N 05E 29 :	: S	:

Pou County: ELMORE

Conditions of Approval:

R05 - The rate of diversion of water for irrigation under this

- license and all other water rights on the same land shall not

- exceed 0.02 cubic feet per second for each acre of land.

Dates:

App. Received: 09/29/1980

Proof Due Date: 12/01/1981

Exam Made Date: 07/05/1983

Priority Date: 09/29/1980

Proof Made Date: 01/01/1990

Exam Sent to S.O.:

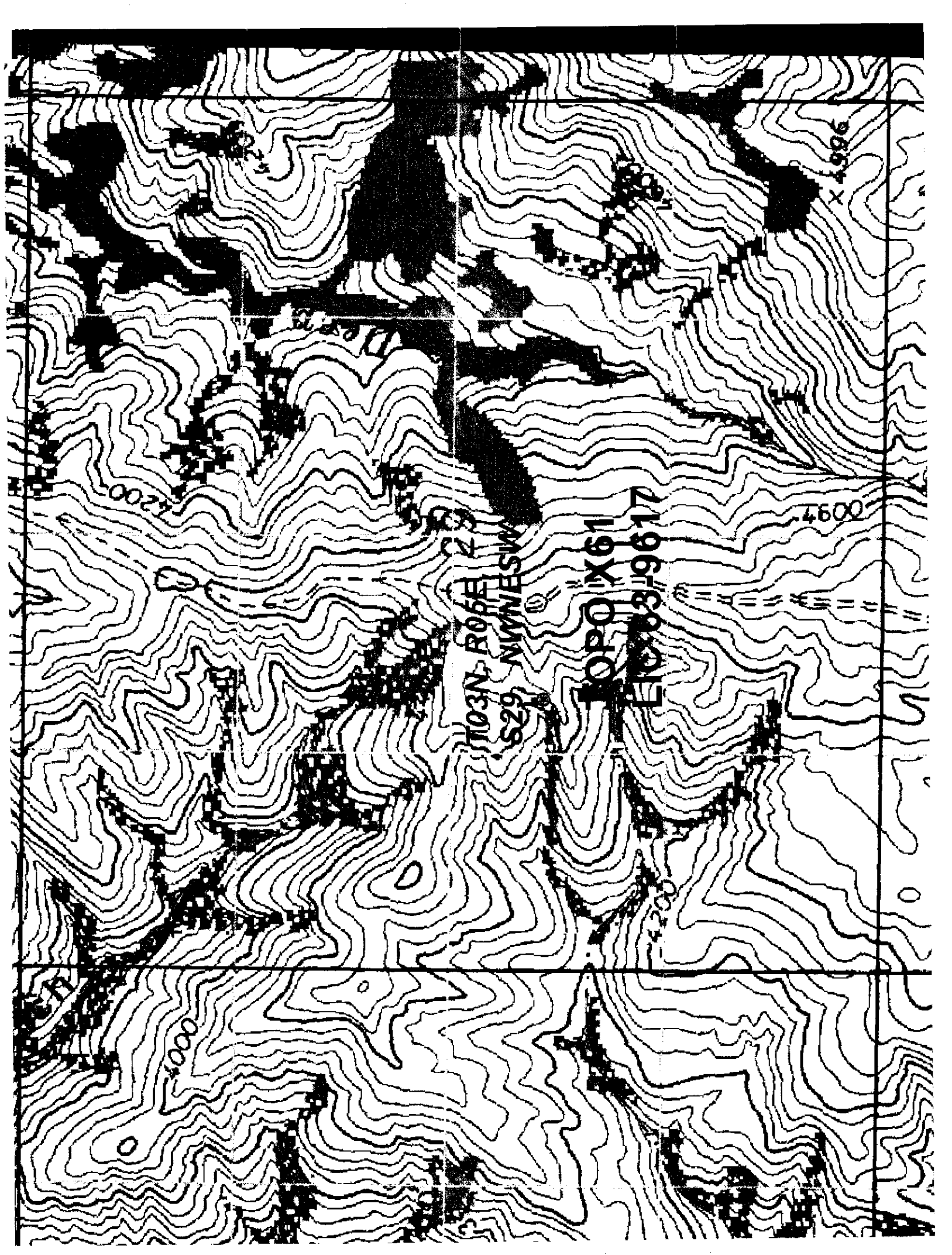
Misc:

Water District Number: 63

Field Exam Fee:

Audit:

03/26/85 05/01/88 CONVERT 04/03/89 NAMECHNG 01/26/92 POST-STD



103N R06E 23
S29, NW/4ESW

4600
4800
5000
5031
4600
4800
5000

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-9617 Priority September 29, 1980 Amount 0.01 cfs

THIS IS TO CERTIFY, that U. S. Dept. of Agri., Forest Service
of Ogden, Utah, has complied with the terms and conditions of Permit
No. 63-9617 issued pursuant to Application for Permit dated September 29, 1980
and has submitted proof to the Department of Water Resources on May 20, 1981
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.01 cfs of water from spring
tributary to Grouse Creek, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Stockwater	from <u>June 1</u> to <u>October 31</u>	at <u>0.01</u> cfs and	<u>0.1</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.01 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
0.1 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 29, Twp.
3N, Rge. 5E in the County of Elmore

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NW $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NW $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NW $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NW $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3N	5E	29								X									

Total number of acres irrigated _____

Use of water under this license is subject to control by the watermaster of
State Water District No. 63, Boise River.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

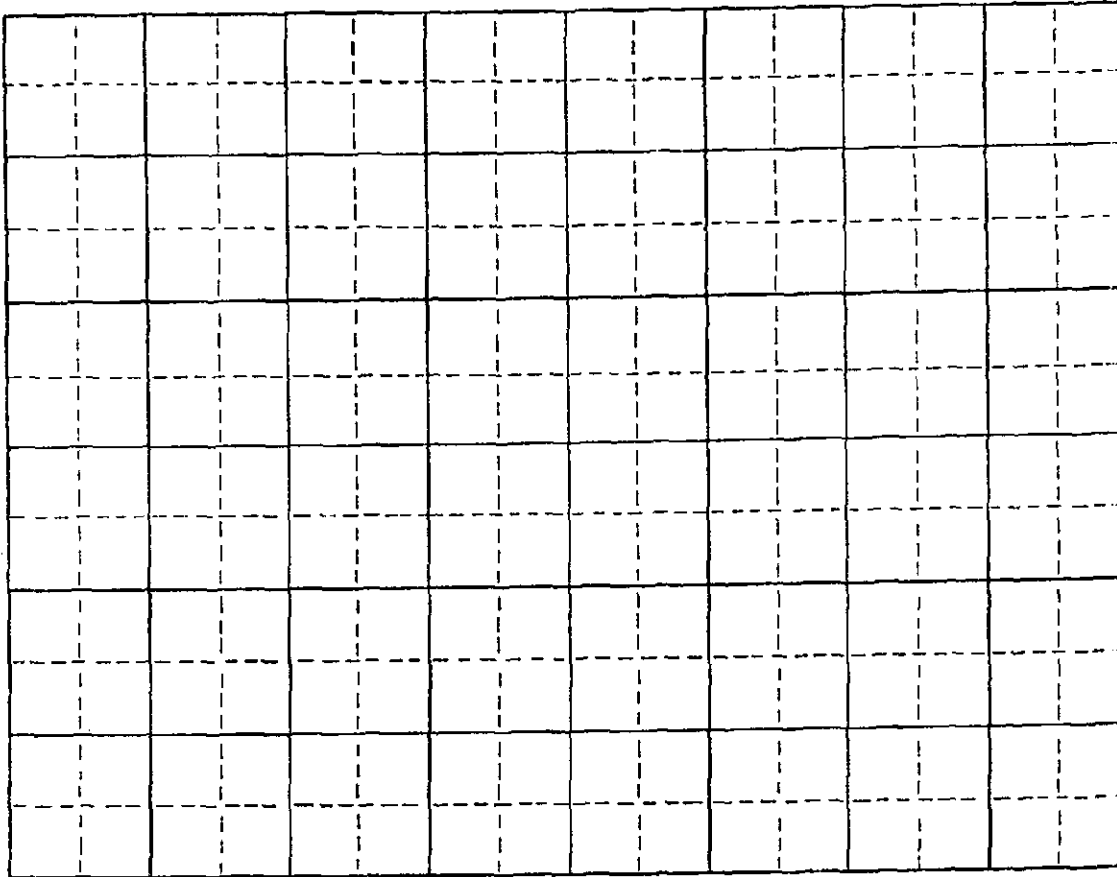
Witness the seal and signature of the Director, affixed at Boise, Idaho, this 26TH day of
July, 19 82.

for the Director

Norman C. Young

USE	Q (cfs)	V (afa)	FROM	TO
Stockwater (225)	0.01	0.1	6/1	10/3.1

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NE SW, A 29, Div. 3N, Rq. SE.

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	SE	29																	

Recommended Amendments:

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Examiner's Signature

Checked by DAS

Approved by

Date

Date

Date

4/28/82

6/18/82

7/7/82

