

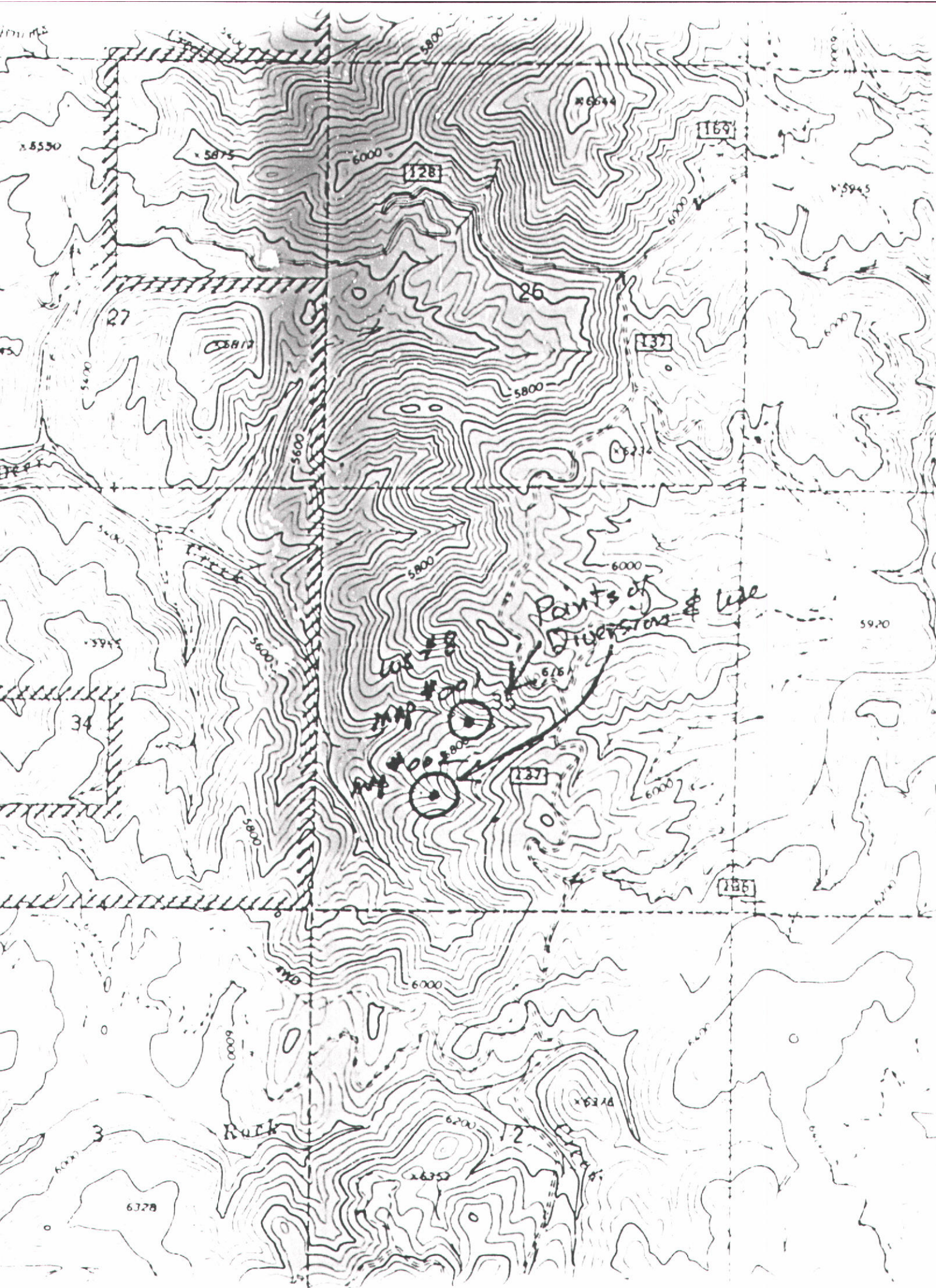
TOPO Y15
LIC 63-9952

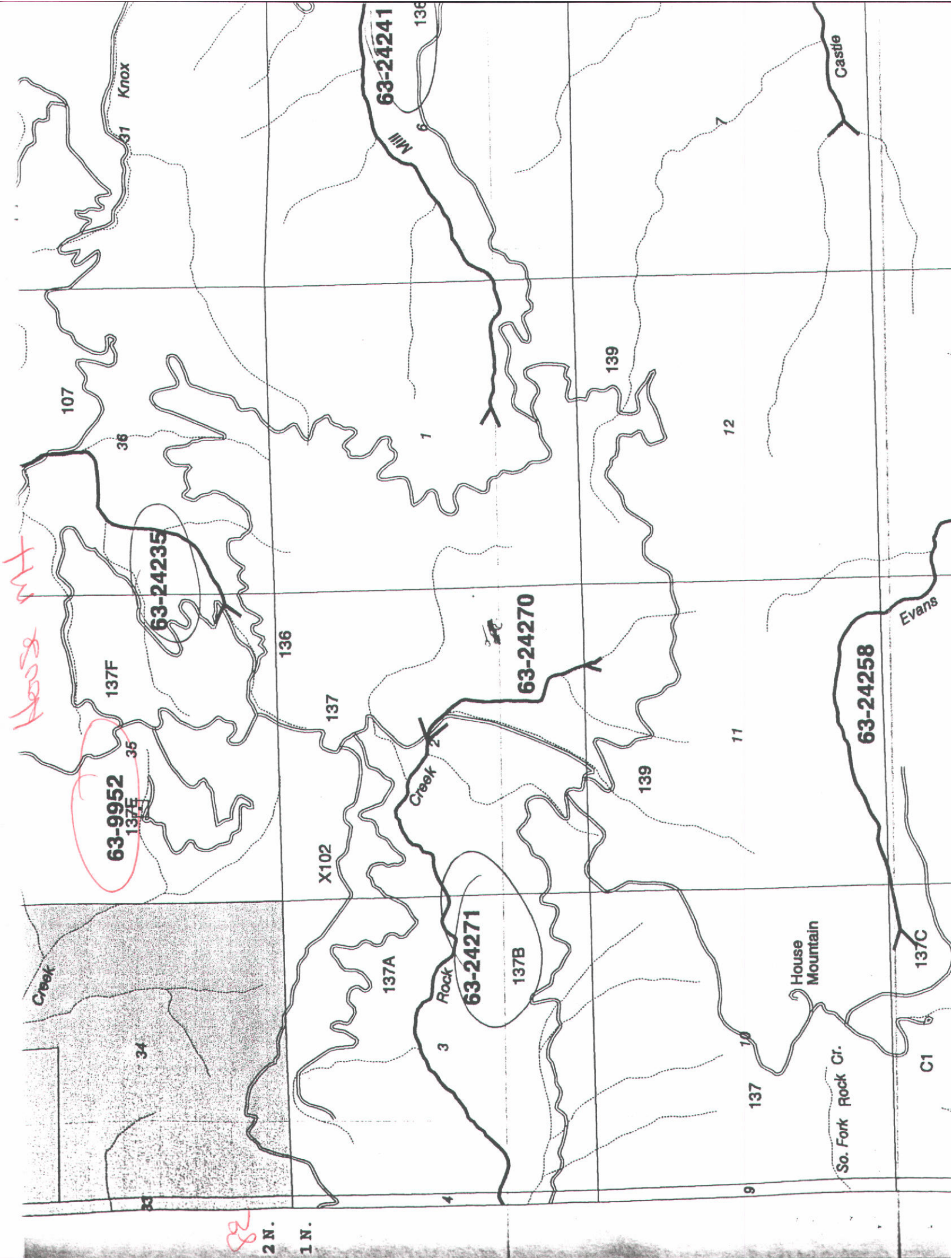
T02N, R08E
S35, NWNESW

T02N, R08E
S35, SWNESW

Creek

Creek





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: A63-09952
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: 10/21/1982

3. Source: DEER CREEK 1 Trib. to: DEER CREEK
DEER CREEK 2 DEER CREEK

4. Point of Diversion:

Township	Range	Section	Tract	Lot	County
-----	-----	-----	-----	---	-----
2 N	8 E	35	NESW		ELMORE

5. Description of diverting works: HEADBOX

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.	(or)	Elevation/ Well Depth
-----	----	--	-----	----	-----	-----	-----
WILDLIFE	Apr.1	Dec.31	0.01		2.00		0

7. Total Quantity Appropriated is: 0.01 C.F.S. / 2.00 A.F.A.

8. Total consumptive use is: de minimus

9. Non-irrigation uses: OTHER Livestock Numbers:

10. Place of Use:

Township	Range	Section	Tract	Lot	County
-----	-----	-----	-----	---	-----
2 N	8 E	35	NESW		ELMORE

Purpose of use: WILDLIFE 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. 101

APPLICATION DATE: 10/21/1982

15. Basis of Claim: LICENSE

Reference Information:

National Forest: BOISE

Forest Service Record ID: 04 02 17050113 8 0 0001 1
04 02 17050113 8 0 0002 2

IDWR Water State Filing No.: 63-09952

Allotment No.:

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 and 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.

NOTICE OF ERROR
REPLY

APR 10 2002

WATER RESOURCES
WESTERN REGION

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: 63-9952

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 SMS
Please print your name: Linda R. Moore

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

IDAHO DEPARTMENT OF WATER RESOURCES 01/09/2002
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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

SOURCE: SPRINGS TRIBUTARY: DEER CREEK

QUANTITY: 0.01 CFS
2.0 AFY

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

PRIORITY DATE: 10/21/1982

POINT OF DIVERSION:

T02N R08E S35 NWNESW Within ELMORE County

T02N R08E S35 SWNESW Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
WILDLIFE	4/01 12/31	0.010 CFS 2.00 AFY

PLACE OF USE: WILDLIFE Within ELMORE County

T02N R08E S35 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 = 0402 17050113 08 0001 1
FOREST SERVICE RECORD ID = 0402 17050113 08 0002 2

SOURCE IS ALSO KNOWN AS DEER CREEK 1 & 2.

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

CLAIM NO(s). 63-9952

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.)

3. ☐ No Change — SAME SOURCE
☒ Source is different than that claimed: Boi Exp Rmk
Source found: SPRINGS AKA DEER CREEK 1 & 2

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 SW 1/4 NE 1/4 SW

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: _____

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 Rnk: FOREST SERVICE RECORD ID = 040217050113 80001 01
80002 02
SEE ATTACHED LIC MAP & TOPO Y15

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☒ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 1-9-02

FIELD EXAMINER: RON HOWERTON

Print Name

Ron Howerton

Signature

C18
N11
N13

**IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT**

OWNER	NAME & ADDRESS	PRIORITY	WATER USE	USE PERIOD	DIVERSION RATE	DIVERSION VOLUME
CODE		DATE		FROM TO		

DIVERSION RATE
DIVERSION VOLUME

DIVERSION RATE
DIVERSION VOLUME

TOTAL DIVERSION: 0.010 CFS 2.00 AFA

Water Source:	SPRINGS	Tributary to:	DEER CREEK	Stage:	LICENSE
Point of Diversion:	102N R08E S35		WESH		ELMORE County

ELMORE County

[illegible]

POW County: ELMORE

Conditions of Approval:
R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 63.

Remarks: GEN 2 P/D IN NESW, S35, T2N, R8E

Dates:	App. Received:	Priority Date:	10/21/1982
	Proof Due Date:	Proof Made Date:	01/01/1984
	Exam Made Date:	Exam Sent to S.O.:	01/01/1990
	Licensed Date:		07/17/1984

Misc:
Water District Number: 63
Field Exam Fee:

Audit:	09/11/85	05/01/88	CONVERT	04/03/89	NAMECHNG	01/26/92	POST-STD
--------	----------	----------	---------	----------	----------	----------	----------

DATE: 10/14/98
PAGE: 1

DIVERSION RATE DIVERSION VOLUME

2.00 AFA

2.00 AFA

Stage: LICENSE

ELMORE COUNTY

33

SWSE SESE :
Lt Ac Lt Ac :

14

Objection Filed Date:

How far 1846/OTHER
REPORT = WINDIFF
only - non-DEMEX.

DATE: 09/30/98
PAGE: 1

Audit: 09/30/98 CVALKER

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT**

Horse Mountain

NAME & ADDRESS

**PRIORITY
DATE**

WATER USE

USE PERIOD
FROM TO

DIVERSION RATE

DIVERSION
VOLUME

C UNITED STATES OF AMER
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID 83724

10/21/1982 WILDLIFE

04-01 12-31

0.01 CFS

20 AFA

550 W FORT ST MSC 033
BOISE ID 83724

TOTAL DIVERSION:

~~0.02-658~~

2044A

Water Source: DEER CREEK SPRING 1

Tributary to: DEER CREEK

Point(s) of Diversion:

T02N R08E S35

MS3N

Tributary to: DEER CREEK

Stage: **BENEF**
ELMORE County

Place of use Legal Description for: WILDLIFE
NE

三

三

T	R	S	:	Lt	AC	Lt	Ac	Lt	Ac	Lt	Ac
---	---	---	---	---	---	---	---	---	---	---	---
02N	08E	3S	:								

NW	SWNW	SENI
AC	Lt AC	Lt AC
--	--	--

MSAN		MSAN	
17	AC	17	AC
17	AC	17	AC

ES

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: NESE NWSE SWSE SESE
: Lt AC Lt AC Lt AC Lt AC
: -----
:
:

```

02N 08E 35

POU County: ELMORE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A63-09952

Remarks: EXP FOREST SERVICE RECORD ID = 0402 17050113 08 0001

Dates: _____ **Exam Made Date:** _____

Verified Date:

Objection Filed Date:

Misc:

Field Inspection Flag:
Presumption Flag:

Audit: 07/28/98 AJCTR

WR5809NP
No. 63-09952

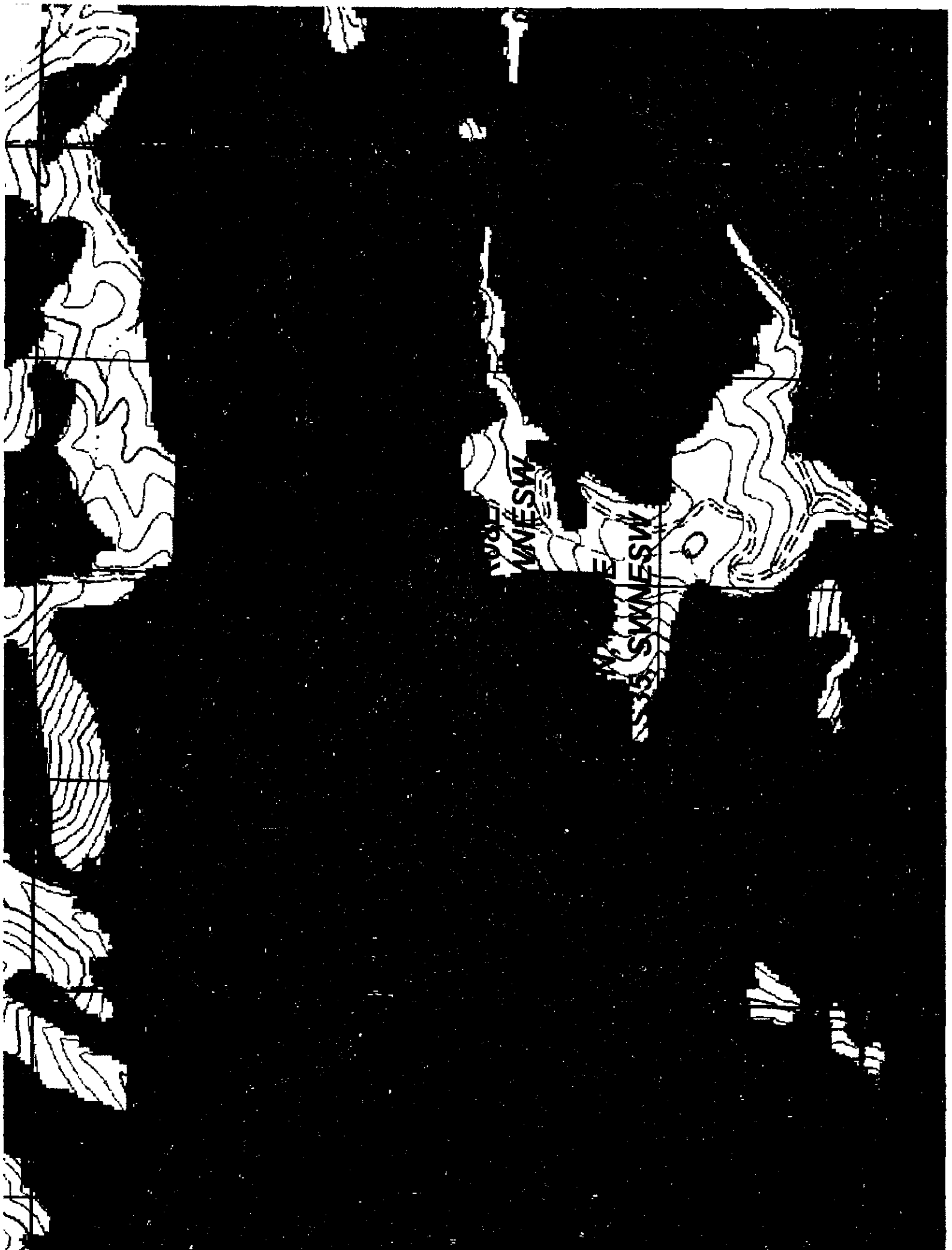
OGDEN UT 84401

[illegible]

Polu County: ELMORE

Conditions of Approval:
 R04 - Use of water under this water right will be regulated by the
 - Watermaster of State Water District No. 63.

Remarks:	GEN 2 P/D IN NESW,S35,T2N,R8E				
Dates:	App. Received:	01/01/1984	Priority Date:	10/21/1982	
	Proof Due Date:		Proof Made Date:	01/01/1990	
	Exam Made Date:		Exam Sent to S.O.:		
	Licensed Date:	07/17/1984			
Misc:	Water District Number:	63	Field Exam Fee:		



State of Idaho
Department of Water Resources



WATER RIGHT LICENSE

License No. 63-9952 Priority 10/21/1982 Amount 0.01 CFS 2.0 AF

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. 63-9952 issued pursuant to Application for Permit dated 10/21/1982, and has
submitted proof to the Department of Water Resources on 03/24/1983, that he has applied water to a
beneficial use; and examination by the Department indicates that the works have a capacity for the
diversion of 0.01 cfs of water from springs
tributary to Deer Creek, and that the permit holder has
applied to a beneficial use and established a right to use water as follows:

RATE OF DIVERSION	VOLUME	BENEFICIAL USE	PERIOD OF USE
0.01 cfs	2.0 af	Wildlife	04/01 - 12/31

Location of point of diversion: (2 pts) NE&SW¼ Section 35, Twp 2N, Rge 8E, Elmore County

Location of place of use:

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	8E	35									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 the use of water as shown on this license must be made in accordance with 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 29TH day of JUNE, 1984.

Acting for the

Director

Norman C. Young

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE

Department of Water Resources

63-2952

FOREST SERVICE U.S. DEPT. OF AGR.
FWD SEC 25 1100 ACRES FWS 000
TERMINATION II

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☒ Telephone call made	6/1/83		
(List Telephone No. used)	582-7961		
☒ Appointment scheduled for:	6/1/83	JG	
(Date, time, location)	Boise Nat. Forest Off - Mr. Harnice		

EXAMINATION

Date 6/1/83 Accompanied by Chad Rindst Total Q measured 0.1 cfs - 204
 Source Spring Tributary to Blue Creek Supp. annubar measurement sheet used?
 If source is surface water, estimate total flow of source
 Methods of measurement estimated Meets permit requirements?

Measurement calculations:

0.1 cfs for wildlife
EST. - 10040 BIG GAME Y 50 AD SMALL - 15040 X .0134 = 204 gpm

WELL/DIV. NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS
			N/A					

System Description Headgate w/ pipelines to fire troughs

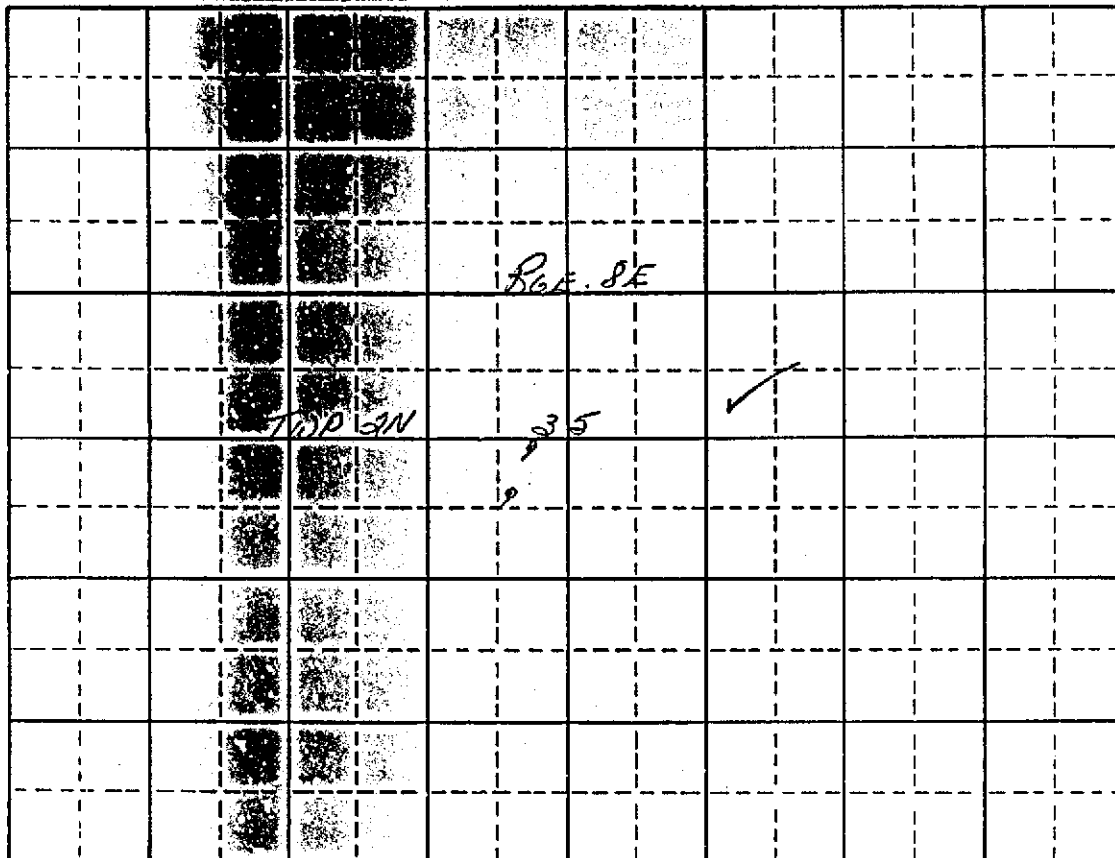
*Code with map on reverse side. D.sregard code if only one.

RECOMMENDED AMOUNTS

USE	Irrigation requirement =		AFA/Acre	
	Q (cfs)	V (afa)	FROM	TO
<u>wildlife (min)</u> ✓	<u>0.1 cfs</u>	<u>2.0 afa</u> ✓	<u>4/1</u>	<u>12/31</u>
Total	<u>0.1 cfs</u> ✓	<u>2.0 afa</u> ✓		

Remarks _____

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: (2 PTS)
NE 0.5, S. 35, T. 2N, R. 8E.

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	
2N	8E	35																	

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

Examiner's Signature

Checked by

Approved by

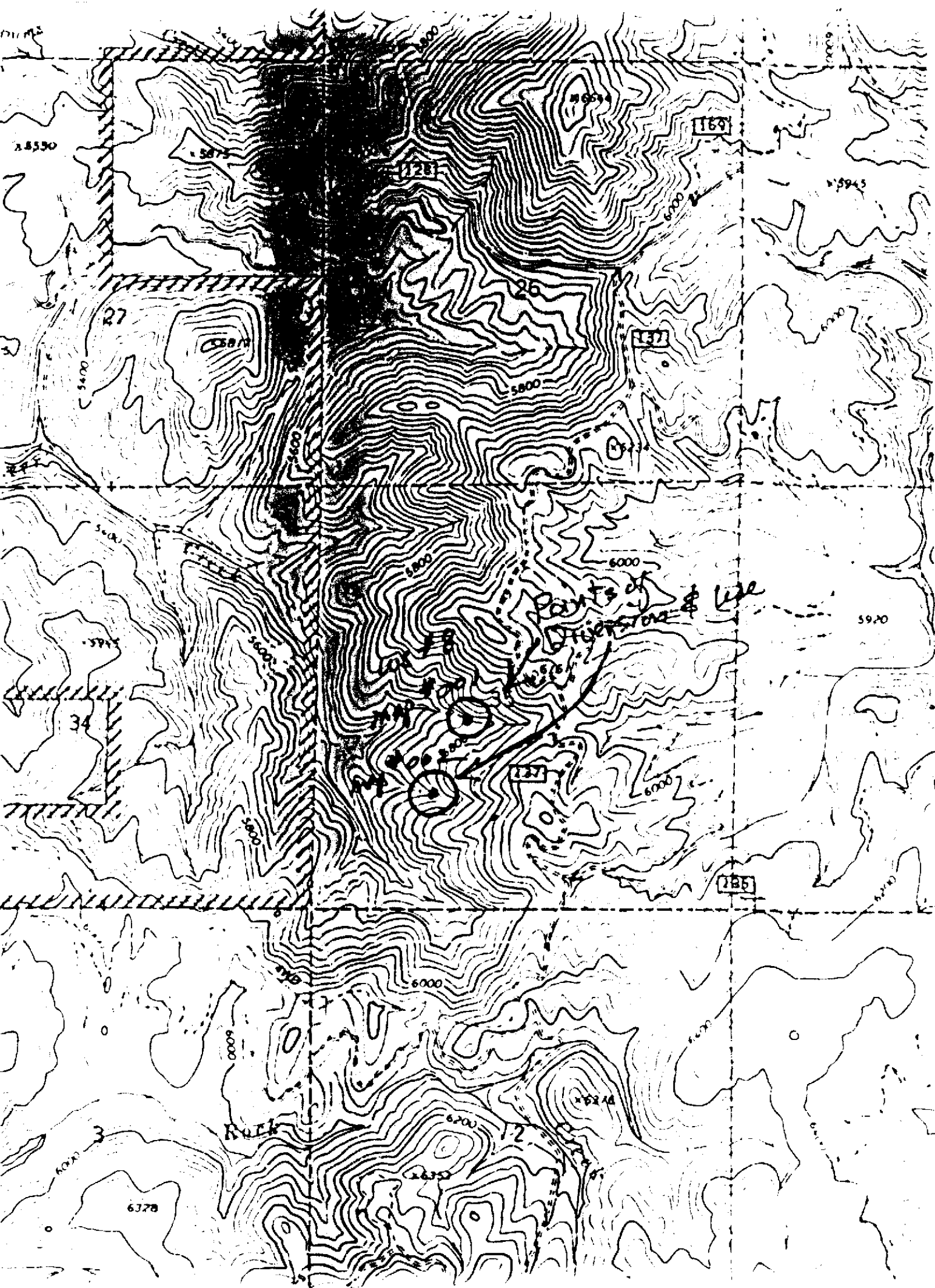
Jan Brewer
6h5
Kay Walker

Date

Date

Date

5/22/84
4/30/84
5-25-84



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: 63-09952

RECEIVED

FILED UNDER STATE LAW

JUL 16 1998

1. Name of Claimant: UNITED STATES OF AMERICA on behalf of the U.S.D.A. Forest Service Department of Water Resources

Address: 550 W. Fort Street MSC033

Boise

ID 83724

2. Date of Priority: 10/21/1982

3. Source of water: DEER CREEK 1

Tributary: DEER CREEK

4. Location Meridian BOISE

Description of Diversion Works: Headbox

From: Spring

Location of Point of Diversion

T: 02 N R: 08 E S: 35 NESW

Location of Point of Use

T: 02 N R: 08 E S: 35 NESW

5. Quantity claimed: Period Quantity For
4/ 01 - 12/ 31 0.01 CFS Wildlife

6. Total Consumptive Use Claimed for Present and Future Use is:

0.01 CFS

7. Present and future uses to which the water is or will be used:

Wildlife

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: 63

National Forest: Boise

Forest Service Record ID: 04 02 17050113 08 0 0001

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

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Bruce Bernard

U.S. Department of Justice

Environment and Natural Resources Division

550 W. Fort Street, Box 33

Boise, ID 83724

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