

08/18/2006

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: September 22, 2006

Water right number: 79-7032

UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID 83724
Telephone Number: (208)387-0835

RECEIVED
SEP 25 2006
IDWR/North

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:

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

DATE: 3/20/06 SIGNATURE: Steven M. Spencer
Please print your name: Steven M. Spencer

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

79-7032

T27N R01E
Section(s) 36



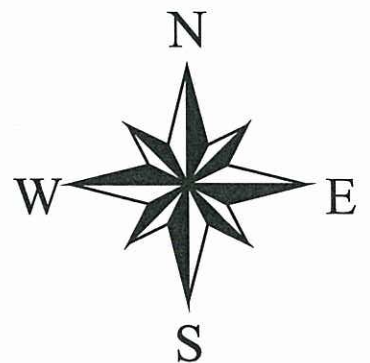
0.1 0 0.1 0.2 Miles



Place of Use



Point of Diversion



Layout prepared on April 10, 2006
By Greg Taylor
Idaho Department of Water Resources

04/10/2006

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

RIGHT NUMBER: 79-7032

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

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.300 CFS
60.000 AFY

PRIORITY DATE: 02/21/1974

POINT OF DIVERSION:

T27N R01E S36 SWNW Lot 3 Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.300 CFS 60.00 AFY

The use of water for irrigation under this right may begin as early as February 15 and may continue to as late as November 30, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than

the

date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within IDAHO County

T27N R01E S36	NENW	1.50	T27N R01E S36 Lot 1 NWNW	3.40
T27N R01E S36 Lot 3 SWNW	6.00	T27N R01E S36	SENW	4.10

15 ACRES TOTAL

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

FOREST SERVICE RECORD ID = 01171706020902XX13 00

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 - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

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 79-7032
Date Received: 3/25/1993
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

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

Phone: (208)387-0835

2. Date of Priority: 02/21/1974

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
27N	01E	36	SW NW 3	IDAHO	

5. Description of diverting works:

Pump

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.3	

7. Total Quantity Appropriated is:
0.3 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
27N	01E	36	NE	NW	IRRIGATION	1
			NW	NW	IRRIGATION	1
			SW	NW	IRRIGATION	11
			SE	NW	IRRIGATION	2
Section Acres						15
Total Acres						15

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

FOREST SERVICE RECORD ID = 01171706020902XX13 00

Slate Creek Ranger Station.

15. Basis of Claim: License

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: 79-07032

FILED UNDER STATE LAW

RECEIVED
DEC 12 2005
IDWR/North

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: 02/21/1974

3. Source of water: SALMON RIVER

Tributary: SNAKE RIVER

4. Location Meridian BOISE

Description of Diversion Works: Pump

From: Stream

Location of Point of Diversion

T: 27 N R 01 E S: 36 SWNW L 3

Location of Place of Use

T: 27 N R 01 E S: 36 NENW ac: 1 T: 27 N R 01 E S: 36 NWNW L 1 ac: 1

T: 27 N R 01 E S: 36 SENW ac: 2 T: 27 N R 01 E S: 36 SWNW L 3 ac: 11

5. Quantity claimed: Period Quantity For
4/ 01 - 11/ 01 0.30 CFS Irrigation

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

0.30 CFS

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

Irrigation

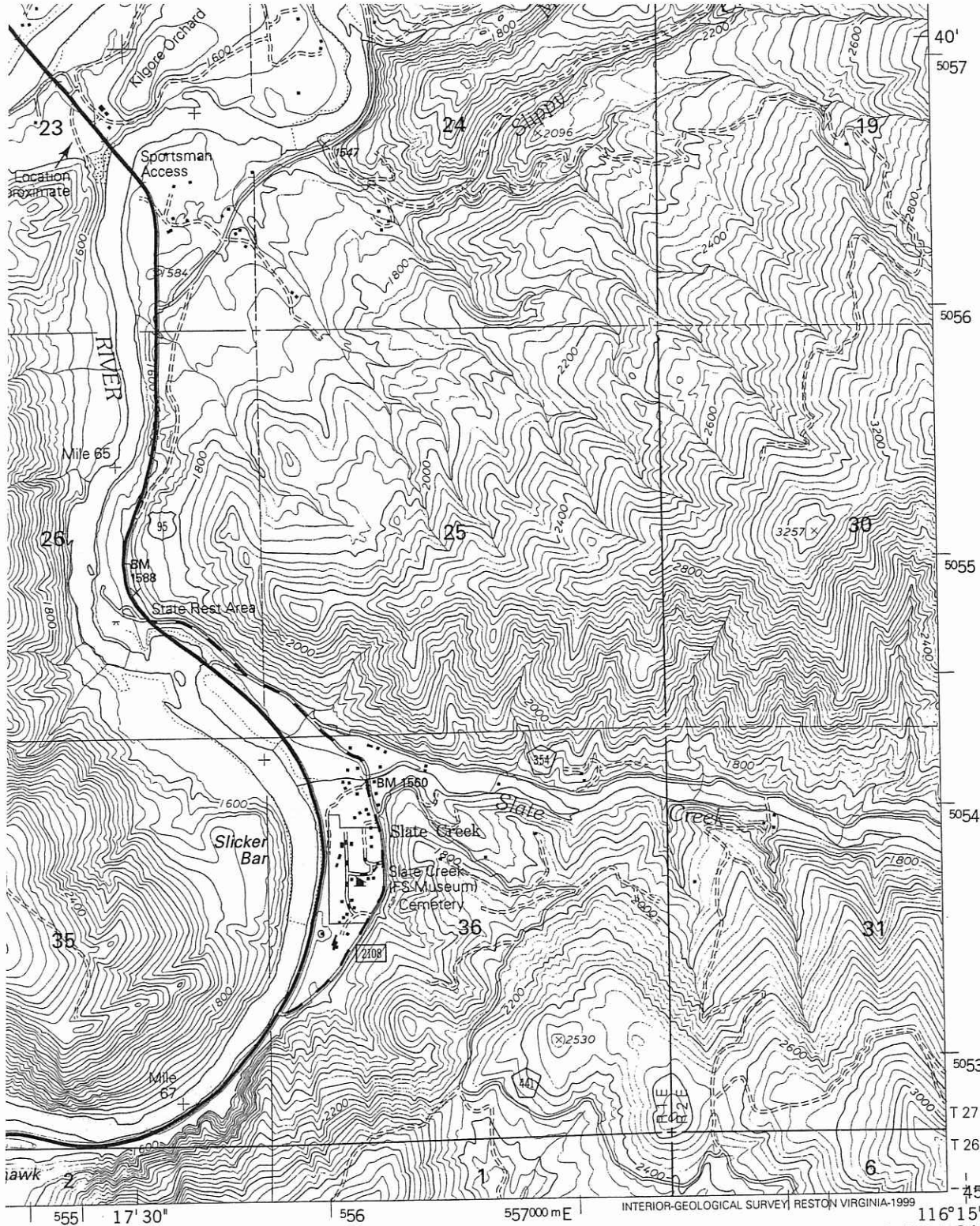
8. Remarks:

State Basin: 79

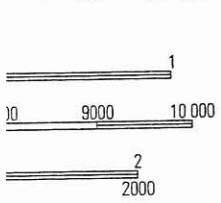
National Forest: Nez Perce

Forest Service Record ID: 1 17 17060209 2 0 XX13

Slate Creek Ranger Station



RECEIVED
DEC 12 2005
IDWR/North



1	2	3
4		5
6	7	8

- 1 Joseph
- 2 White Bird
- 3 White Bird Hill
- 4 Grave Point
- 5 McKinzie Creek
- 6 Kirkwood Creek
- 7 Lucile
- 8 John Day Mountain

ADJOINING 7.5' QUADRANGLES

- HIGHWAYS AND ROADS**
- Interstate 5
 - U. S. 101
 - State 79
 - County 6
 - National Forest, suitable for passenger cars 105
 - National Forest, suitable for high clearance vehicles 105
 - National Forest Trail 384

- Primary highway 5
- Secondary highway 101
- Light-duty road
- Paved 79
- Gravel 6
- Dirt 105
- Composition unspecified ... 4M
- Unimproved; 4 wheel drive 4M
- Trail 4M
- Gate 4M

SLATE CREEK, ID
1995

NIMA 2775 III NE - SERIES V893

RADO 80225
REQUEST

RECEIVED
DEC 12 2005
IDWR/North

0392
C

1 19.80

2 15.20

Salmon
River

760392
CIC

3/6/1953
WD to USFS
Rstd Min

3 18.30

7/31/1962
WD to USFS
Rstd Min

6/17/1967
WD to USFS
Rstd Min

1/6/1966
WD to
USFS
Rstd Min

4 30.00

SS 2/2/1998

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RECEIVED
DEC 12 2005
IDWR/North

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Salmon
River

2 16.20

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Rstd Min

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6/17/1967
WD to USFS
Rstd Min

7/31/1962
WD to USFS
Rstd Min

1/6/1966
WD to
USFS
Rstd Min

SG 2/2/1998

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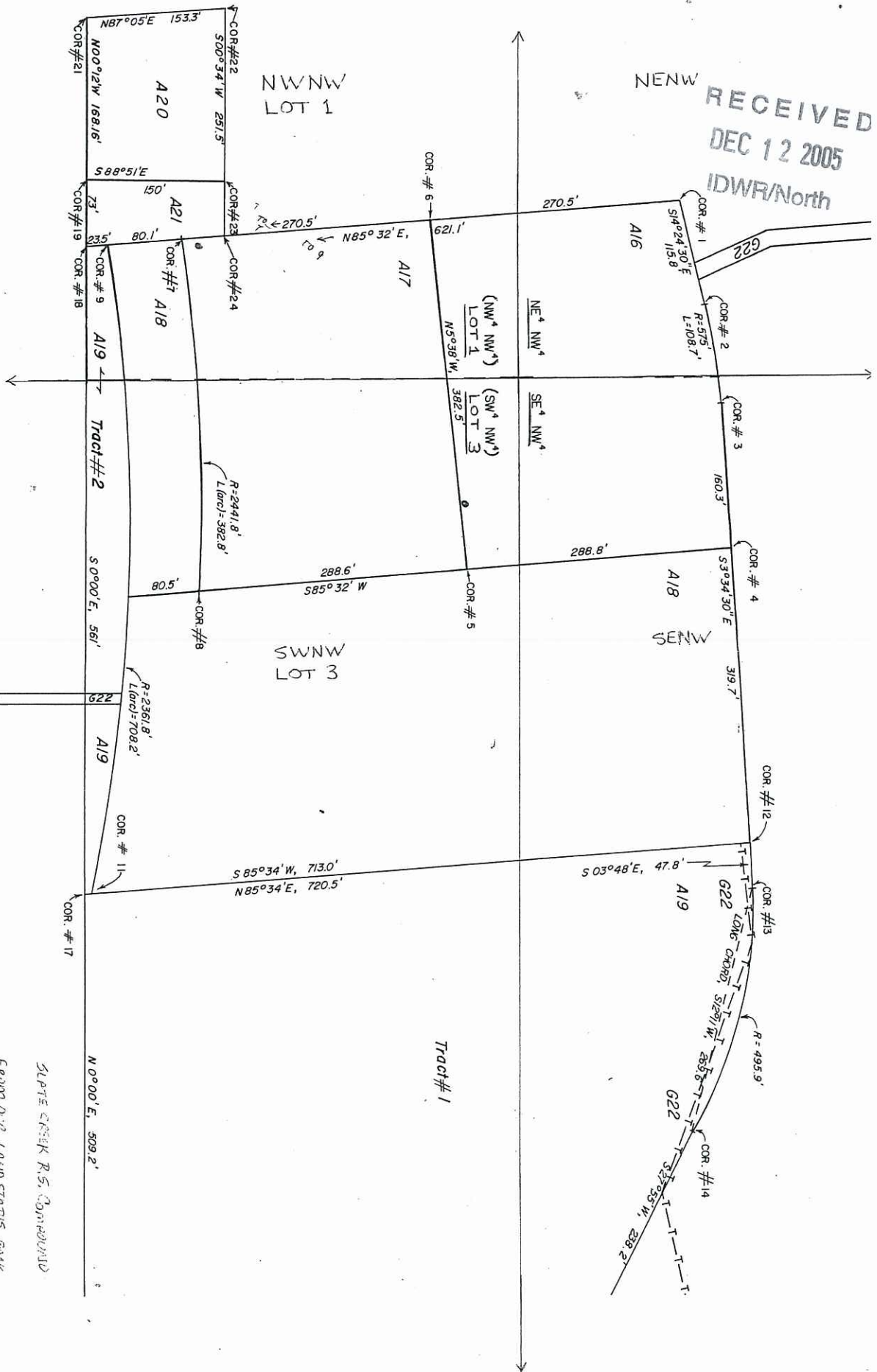
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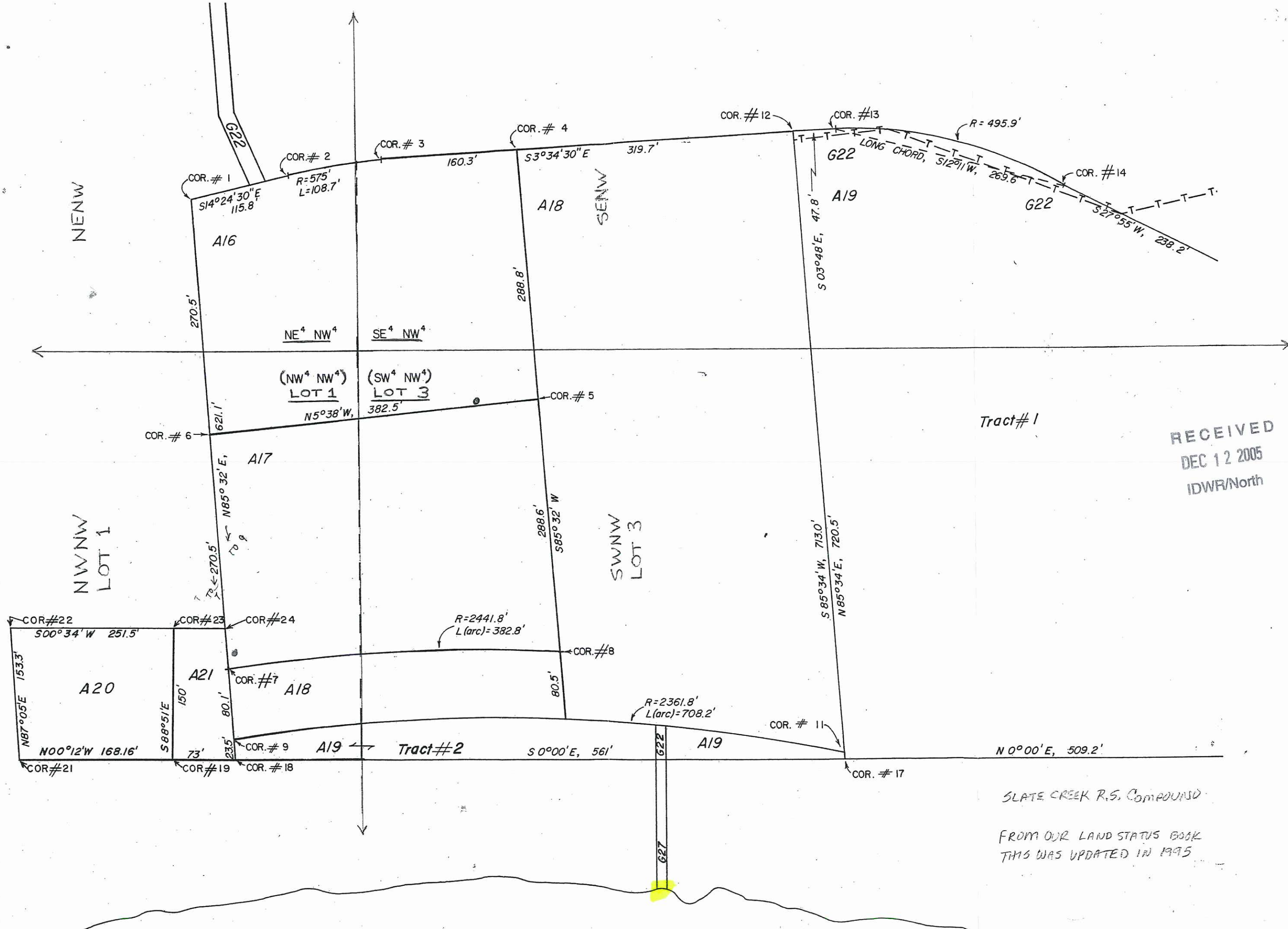
33217
buried

2554

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DEC 12 2005
IDWR/North



SLATE CREEK R.S. COMPOUND
FROM OIL LAND SURVEY 634K
THIS WAS UPDATED IN 1975



SALMON

RIVER

①

②

③

John Hoene Implement Co.
Take 1.84Ac.
Remainder Lt. 0.00Ac.
Remainder Rt. 0.00Ac.
S89°E93.9'E

Ronald R. & Ethel M. Aiken
Take 1.29Ac.
Remainder Lt. 0.00Ac.
Remainder Rt. 0.00Ac.
(Mean High Water)

Take
State
Ts. 11
S. 0.
R. 28
Δ. 299
Δ. 59.5

79 7032

Remainder Lt. 0.00Ac.
Remainder Rt. 0.00Ac.
N89°59'44"E

Remainder Lt. 0.00Ac.
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Remainder Lt. 0.00Ac.
Remainder Rt. 0.00Ac.

Remainder Lt. 0.00Ac.
Remainder Rt. 0.00Ac.

Foundation

883+50 - W=28'
Right of Future
Access Granted

36 Lot S 22.25

U.S. Forest Service

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Ranger Station

B67+00 - Cont
Appr. 1/12/28

Garage

Ranger Station

Weather
Station

388+75 - W=28'
Right of Future
Access Granted

890+2.40

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IN THE

L DISTRICT OF THE STATE OF IDAHO,
OF TWIN FALLS

IN RE THE G
OF RIGHTS TO
THE SNAKE R

CIVIL CASE NUMBER: 39576

Ident. Number 79-7032
Date Received: 3/25/1993
Receipt No: X999999
Received By:

RECEIVED

AUG 17 2005

WATER RIGHT
ATE LAW

RECEIVED

AUG 17 2005

IDWR/North

Greg,
You should already have
files for 79-10717 &
79-10718. Steve Spencer
at USFS was checking
on priority dates, etc.,
but I have not heard
anything yet.

AUG 17 2005

Lori IDWR/North
331-5944 SPENCER

1. Name of

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: 02/21/1974

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
27N	01E	36	SW NW	IDAHO	

5. Description of diverting works:

Pump

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.3	

7. Total Quantity Appropriated is:
0.3 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
27N	01E	36	SW	NW	IRRIGATION	15
Section Acres						15
Total Acres						15

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

FOREST SERVICE RECORD ID = 01171706020902XX13 00

15. Basis of Claim: Beneficial Use

RECEIVED
MAY 27 2005
WATER RESOURCES
WESTERN REGION

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: 79-07032

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: 02/21/1974
3. Source of water: SALMON RIVER Tributary: SNAKE RIVER
4. Location Meridian BOISE
Description of Diversion Works: Pump From: Stream
Location of Point of Diversion
T: 27 N R: 01 E S: 36 SWNW
Location of Place of Use
T: 27 N R: 01 E S: 36 SWNW ac: 15
5. Quantity claimed: Period Quantity For
4/ 01 -- 10/ 31 0.30 CFS Irrigation
6. Total Consumptive Use Claimed for Present and Future Use is:
0.30 CFS
7. Present and future uses to which the water is or will be used:
Irrigation
8. Remarks:
State Basin: 79
National Forest: Nez Perce
Forest Service Record ID: 1 17 17060209 2 0 XX13
Slate Creek Ranger Station

I verify to the best of my knowledge the statements contained in this document are true and correct.

Steven M. Spencer
STEVEN M. SPENCER
Consumptive Use Water Specialist

Subscribed and sworn to before me on:

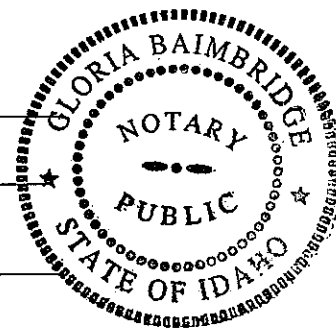
May 25, 2005
Gloria Baimbridge
Notary Republic

Residing at:

Boise, Idaho

My Commission Expires:

10-07-08



WATER RIGHT LICENSE

THIS IS TO CERTIFY, that U.S. FOREST SERVICE, SLATE CREEK RANGER STATION
of Whitebird, Idaho, has complied with the terms and conditions of Permit
No. 79-7032 issued pursuant to Application for Permit dated February 21, 1974,
and has submitted proof to the Department of Water Resources on March 1, 1979,
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 0.37 cfs of water from Salmon River,
tributary to Snake River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Subject, however, to the condition that no more than 0.30 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 60 acre feet per year, said waters to be diverted within the SW¹/₄ NW¹/₄, Sec. 36, Twp. 27N., Rge. 1E, B.M. _____ in the County of Idaho

Description and location of place of use:

Twp.	Range	NEW	NW¼	SW¼	Totals
27N	1E	36	15		15

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 24 day of July, 19 79.

Director