

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: 79-7258

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:

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

DATE: 9/20/06

SIGNATURE: Steven M. Spencer

STEVEN M. SPENCER

Please print your name: _____

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

04/10/2006

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

RIGHT NUMBER: 79-7258

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: 0.040 CFS
0.600 AFY

The quantity of water under this right shall not exceed 2,500 gallons per day.

PRIORITY DATE: 11/18/1997

POINT OF DIVERSION:

T26N R01E S23 SENENW Lot 1 Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS 0.60 AFY

PLACE OF USE: DOMESTIC Within IDAHO County

T26N R01E S23 Lot 5 NWSW

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 - License

Right No. 79-7203 is also diverted through point of diversion described above.

Forest Service Record ID: 1 17 17060209 4

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 79-7258
Date Received: 5/27/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
AUG 17 2005
IDWR/North

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: 11/18/1997

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
26N	01E	23	SE	NE	NW 1	IDAHO	

5. Description of diverting works:

pump and pipelines

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.04	0.6

7. Total Quantity Appropriated is:

0.04 C.F.S. and/or 0.6 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: 1 warehouse

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
26N	01E	23	NW SW	5	DOMESTIC	

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:

Domestic use is for 1 warehouse and does not include lawn, garden, landscape, or other types of irrigation.

Right 79-07203 is also diverted through the point of diversion described above.

The daily diversion volume for the domestic use authorized under this right shall not exceed 2,500 gallons per day.

The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.

Forest Service Record ID: 1 17 17060209 4

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: 79-07258

FILED UNDER STATE LAW

RECEIVED

MAY 27 2005

WATER RESOURCES
WESTERN REGION

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: 11/18/1997

3. Source of water: SALMON RIVER

Tributary: SNAKE RIVER

4. Location Meridian BOISE

Description of Diversion Works:

From: Stream

Location of Point of Diversion

T: 26 N R: 01 E S: 23 SENENW L: L1

Location of Place of Use

T: 26 N R: 01 E S: 23 NWSW L: L5 ac: 0

5. Quantity claimed: Period Quantity For
1/ 01 -- 12/ 31 0.04 CFS Domestic

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

0.04 CFS

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

Domestic

8. Remarks:

State Basin: 79

National Forest: Nez Perce

Forest Service Record ID: 1 17 17060209 4

Use is for Salmon River Warehouse. Used with 79-07203.

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:

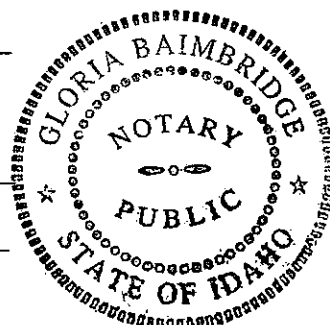
May 25, 2005
Gloria Baimbridge
Notary Republic

Residing at:

Boise, Idaho

My Commission Expires:

10-07-08



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 79-07258

Priority: November 18, 1997

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 0.6 AF

It is hereby certified that US DEPT OF AGRICULTURE
FOREST SERVICE
FEDERAL BUILDING
PO BOX 7669
MISSOULA MT 59887-7669 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated November 18, 1997; and has
submitted Proof of Beneficial Use on January 26, 2000. An examination indicates that the works have a
diversion capacity of 3.43 cfs of water from:

SOURCE

SALMON RIVER

Tributary: SNAKE RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SALMON RIVER L1 SE¼NE¼NW¼ Sec. 23, Twp 26N, Rge 01E, B.M., IDAHO County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	Totals
26N	01E	23	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
				X			
				L5			

CONDITIONS OF APPROVAL

- Domestic use is for 1 warehouse and does not include lawn, garden, landscape, or other types of irrigation.
- The daily diversion volume for the domestic use authorized under this right shall not exceed 2,500 gallons per day.
- Right 79-07203 is also diverted through the point of diversion described above.
- The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 12TH day of APRIL, 2001.

MICROFILMED
JUN 20 2001

Acting for

KARL J. DREHER
Director