

11/15/2006

NOTICE OF ERROR
REPLY

RECEIVED

DEC 08 2006

DEPARTMENT OF
WATER RESOURCES

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: December 8, 2006

Water right number: 78-7203

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: 12/6/06 SIGNATURE: Steven M. Spencer
Please print your name: STEVEN M. SPENCER

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

07/31/2006

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

RIGHT NUMBER: 78-7203

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.500 CFS
0.200 AFY

PRIORITY DATE: 10/15/1981

POINT OF DIVERSION:

T18N R02E S1 SENW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

11/01 05/31

0.500 CFS
0.20 AFY

Domestic use is at the Little Payette Ski Hill Lodge.

PLACE OF USE: DOMESTIC Within ADAMS County

T18N R02E S01 SENW

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

Forest Service Record ID = 0412 17060210 37 0403

07/31/2006

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

RIGHT NUMBER: 78-4001

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

SOURCE: LITTLE SKIHILL SPRING TRIBUTARY: SINKS

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1938

POINT OF DIVERSION:

T18N R02E S1 SENW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.020 CFS
Domestic use is at the Little Payette Ski Hill Lodge.		

PLACE OF USE: DOMESTIC Within ADAMS County

T18N R02E S01 SENW

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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 - Beneficial Use

Forest Service Record ID = 041217060210370404 00

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 78-07203

Priority: October 15, 1981 Amount: 0.15 CFS 0.2 AFA

This is to certify, that U.S. DEPT. OF AGRI.

FOREST SERVICE

FEDERAL BLDG.

324 25TH ST.

OGDEN, UT 84401

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated October 15, 1981, and has submitted proof to the Department of Water Resources on May 2, 1983, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .500 cfs of water from a **GROUNDWATER** source and that a water right has been established as follow:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
DOMESTIC	11/01 to 05/31	0.50 CFS	0.2 AFA

LOCATION OF POINT OF DIVERSION(S): SENW , Sec. 1, Township 18N, Range 02E
ADAMS County

PLACE OF USE: DOMESTIC

TWN RGE SEC

18N 02E 1 SENW

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for lodge at Little Payette Lakes ski hill.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 14th
day of June, 1988.

MICROFILMED

JUL 08 1988

Director

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: A78-07203
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: 10/15/1981

3. Source: LTL SKIHIL WELL Trib. to: GROUNDWATER

4. Point of Diversion:

Township	Range	Section	Tract	Lot	County
-----	-----	-----	-----	---	-----
18 N	2 E	01	SEnw		ADAMS

5. Description of diverting works: WELLS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.	(or)	Elevation/ Well Depth
-----	----	--	-----	----	-----	-----	-----
DOMESTIC	Jan.1	Dec.31	0.50		0.20		0

7. Total Quantity Appropriated is: 0.50 C.F.S. / 0.20 A.F.A.

8. Total consumptive use is: de minimus

9. Non-irrigation uses: OTHER Livestock Numbers: 0

10. Place of Use:

Township	Range	Section	Tract	Lot	County
-----	-----	-----	-----	---	-----
18 N	2 E	01	SEnw		ADAMS

Purpose of use: DOMESTIC Acres Irrigated:

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used: NONE

14. Remarks: Quad No. 311-2

LTL SKIHIL WELL

APPLICATION DATE: 10/15/1981

15. Basis of Claim: LICENSE

Reference Information:

National Forest: PAYETTE

Forest Service Record ID: 04 12 17060210 37 0 0403 0

IDWR Water State Filing No.: 78-07203

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 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.

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: **78-07203**

FILED UNDER STATE LAW

RECEIVED
OCT 01 1998
Department of Water Resources

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: 10/15/1981
3. Source of water: GROUNDWATER Tributary:
4. Location Meridian BOISE
Description of Diversion Works: Wells From: Groundwater
Location of Point of Diversion
T: 18 N R: 02 E S: 1 SENW
Location of Point of Use
T: 18 N R: 02 E S: 1 SENW
5. Quantity claimed Period Quantity For
1/ 01 -- 12/ 31 0.50 CFS Domestic
6. Total Consumptive Use Claimed for Present and Future Use is:
0.50 CFS
7. Present and future uses to which the water is or will be used:
Domestic
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: 78
National Forest: Payette
Forest Service Record ID: 04 12 17060210 37 0 0403
LOCALLY KNOWN AS LITTLE SKI HILL WELL.
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.

HOLD - FOR LODGE AT LITTLE SKI HILL
COMMERCIAL USE!

AJ0749NP
No. R78-07203

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/12/99
PAGE: 1

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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 550 W FORT ST MSC 033 BOISE ID 83724	10/15/1981	DOMESTIC	11-01 05-31	0.15 CFS	0.20 AFA
TOTAL DIVERSION:					0.15 CFS	0.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T18N R02E S01 NWSNW

ADAMS County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
---	---	---	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
18N	02E	1	:					:				D	:					:						:	

POU County: ADAMS

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N06 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 2,500 GALLONS PER DAY.

Remarks: USE DOMESTIC USE IS FOR LODGE AT LITTLE PAYETTE SKI HILL.

EXP FOREST SERVICE RECORD ID = 0412 17060210 37 0403

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 02/12/99 CWALKER

AJ5809NP
No. R78-07203

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/01/98
PAGE: 53

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 550 W FORT ST MSC 033 BOISE ID 83724	10/15/1981	DOMESTIC	01-01-12-31 11-01-5-31	0.15 0.50 CFS 0.02 CFS 0.15	0.20 AFA 0.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: ~~BENEFICIAL USE~~
LICENSE
ADAMS County

Point(s) of Diversion: T18N R02E S01 **NW SENW**

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE						
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
18N	02E	1	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: ADAMS

Non-Irrigation Uses: 0

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A78-04001 A78-07203

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- ~~N15~~ - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

NPG

Remarks: EXP FOREST SERVICE RECORD ID = 0412 17060210 37 0403

USE: DOMESTIC USE IS FOR LODGE AT LITTLE PAYETTE LAKES SKI HILL.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 11/18/98 AJCTR 12/01/98 AJU3-JSH

Delux
1/4/99

WR5809NP
No. 78-07203

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/21/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF AGRICULTURE FOREST SERVICE FEDERAL BLDG 324 25TH ST OGDEN UT 84401	10/15/1981	DOMESTIC	11/01 05/31	0.150 CFS	0.20 AFA
TOTAL DIVERSION:					0.150 CFS	0.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.500 CFS

Point(s) of Diversion: T18N R02E S01 SENW

ADAMS County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
18N	02E	1	:																	:
								D												

Pou County: ADAMS

Remarks: GEN Domestic use is for lodge at Little Payette Lakes ski hill.

Dates:	App. Received:	10/15/1981	Priority Date:	10/15/1981
	Proof Due Date:	06/01/1983	Proof Made Date:	05/02/1983
	Exam Made Date:	06/14/1984	Exam Sent to S.O.:	
	Licensed Date:	06/14/1988		

Misc: Water District Number: Field Exam Fee: