

original
2/22/1897

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: A77-04090
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: 07/26/1982

3. Source: HRS CR HOT SPR Trib. to: HORSE CREEK

4. Point of Diversion:

Township	Range	Section	Tract	Lot	County
-----	-----	-----	-----	---	-----
25 N	17 E	15	NWNW		LEMHI

5. Description of diverting works: OTHER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.	(or)	Elevation/ Well Depth
-----	----	--	-----	----	-----	-----	-----
RECREATION	Jan.1	Dec.31	0.02		0.00		0

7. Total Quantity Appropriated is: 0.02 C.F.S. / 0.00 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
-----	-----	-----	-----	---	-----
25 N	17 E	15	NWNW		LEMHI

Purpose of use: RECREATION Acres Irrigated:

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used: NONE

14. Remarks: Quad No. 08

NON-RESERVED CLAIM; SEE 044-007 FOR MUSY ACT RESERVED CLAIM

15. Basis of Claim: BENEFICIAL USE/APPLICATION

Reference Information:

National Forest: SALMON

Forest Service Record ID: 04 13 17060207 44 0 0004 0

IDWR Water State Filing No.: 77-04090

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.

11/12/2004

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

RIGHT NUMBER: 77-4090

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

SOURCE: HORSE CREEK HOT SPRINGS

TRIBUTARY: HORSE CREEK

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 02/22/1897

POINT OF DIVERSION:

T25N R17E S15 NWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

RECREATION

1/01 12/31

0.020 CFS

PLACE OF USE: RECREATION Within LEMHI County

T25N R17E S10 SESW

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: Beneficial Use

FOREST SERVIC RECORD ID = 04 13 17060207 44 0 0004 0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that United States of America - Forest Service
(Name of Claimant)

324 25th Street, Federal Building, Ogden, Utah 84401 Telephone No. (801) 625-5360
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 02/22/1897

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Horse Creek Hot Springs tributary to Horse Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>.02 cfs</u>	Use	<u>Recreation</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____

(4)	<u>.02 cfs</u> (cfs, gpd, AFA)	TOTAL QUANTITY USED.
-----	-----------------------------------	----------------------

(5) A) Point of diversion: (Location of point where water is diverted from its source)

NW ¼ NW ¼, Sec. 15 Twp. 25N Rge. 17E B.M., County of Lemhi

Additional points of diversion:

044-004

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

--- An enclosure is built over hot springs pool,
A developed campground has been built adjacent to the hot springs.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres _____

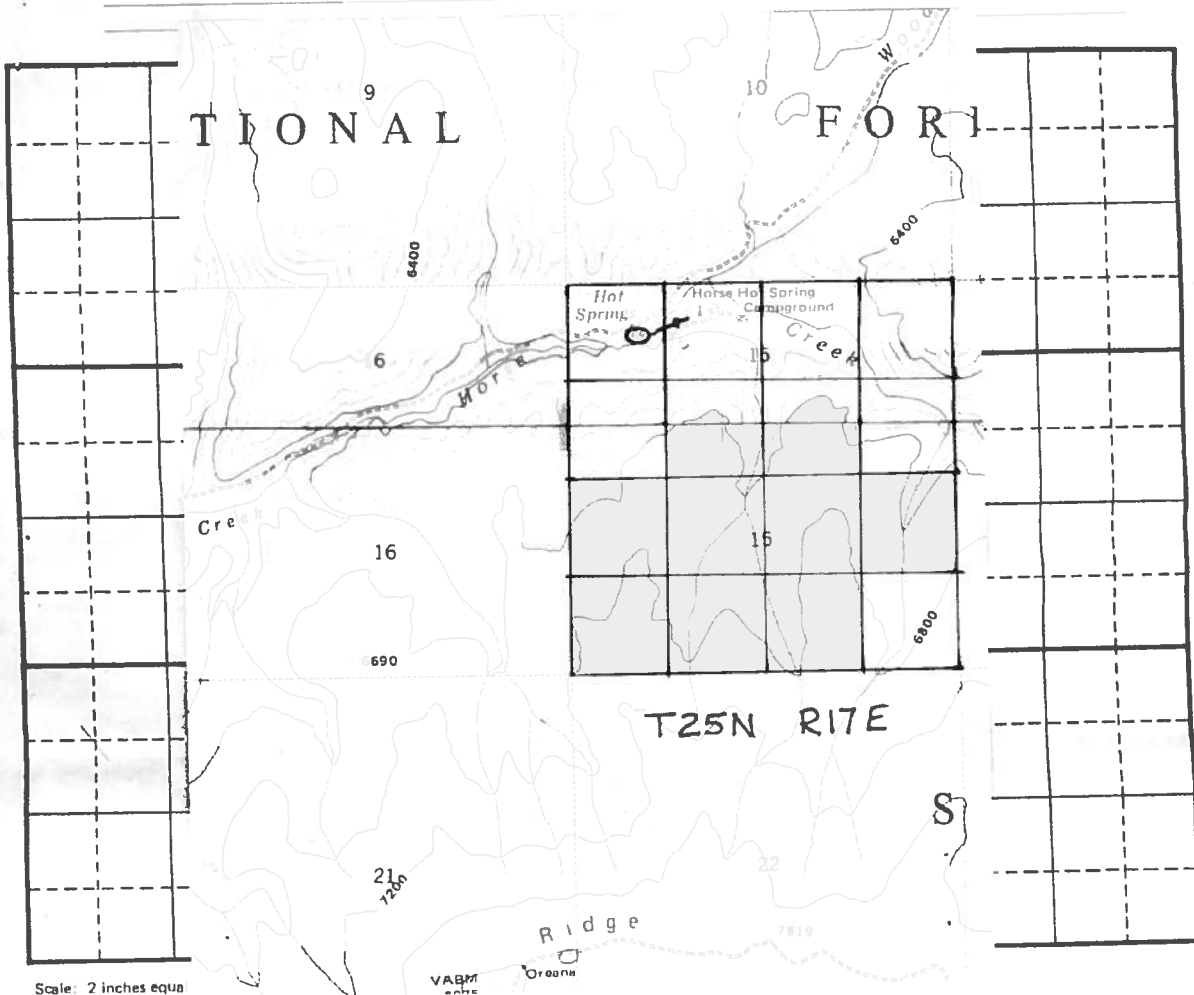
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Use is for bathing/swimming.

NOTE: Include here the type and number of stock watered:

If you are claiming water as a member of an organization, list name of organization:

(8) Remarks _____



Scale: 2 inches equal

Map should show the location of the point of diversion and the place of use of the water by 40 acre subdivisions, section, township and range of the public land survey system.

State of ~~XXXX~~ Utah

) ss.

County of Weber

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge. United States of America - Forest Service

Richard L. Sanders
(for) L. KENT MAYS, JR., Deputy Regional Forester
(Claimant) Resource

Sworn to before me this 13 day of July, 19 82

Sandra J. Carlson
Notary Public

Residing at Willard (Box Elder County) Utah

My commission expires 2-20-85

7-30-82 FOR DEPARTMENT USE ONLY

Received by OW

Date 7-26-82

Exception filed by:

Forwarded to
claimant by:

Date

Prelim. check by OW

Date 8-04-82

Date 7-22-82

\$30.00 fee received by OW

Published in Rawlston Herald

Dates 8-12-82 8-19-82