

# SRBA

## DIRECTORS REPORT 43-11113

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IWT072

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS RESERVED UNDER FEDERAL LAW

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Right Number: 43-11113

Name and Address: UNITED STATES OF AMERICA ACTIN  
USDI NATIONAL PARK SERVICE  
WATER RESOURCES DIVISION  
1201 OAK RIDGE DR STE 250  
FORT COLLINS, CO 80525

Source: GROUND WATER

Quantity: .003 CFS  
1.21 AFY

Priority Date: 11-05-1906

Loc.Instream Flow: T15S R23E S26 NWNESE Within Cassia County

|                               |                            |                                 |                                  |
|-------------------------------|----------------------------|---------------------------------|----------------------------------|
| Purpose and<br>Period of Use: | Purpose of Use<br>Domestic | Period of Use<br>01-01 TO 12-31 | Quantity<br>.003 CFS<br>1.21 AFY |
|-------------------------------|----------------------------|---------------------------------|----------------------------------|

PRESENT AND FUTURE USES: DOMESTIC

Place of Use: Domestic Within Cassia County  
T15S R23E S26 NESE

Other Provisions Necessary for Definition / Administration of this Water Right:

LAND WAS RESERVED PURSUANT TO PRESIDENTIAL PROCLAMATION,  
NOVEMBER 5, 1906 (34 STAT. 3247). THE ARIZONA-IDAHO  
CONSERVATION ACT OF 1988 (PUBLIC LAW 100-696, 102 STAT. 4571).  
NATIONAL PARK SERVICE UNIT: CITY OF ROCKS NATIONAL RESERVE

Explanatory Material: Basis of Claim - Reserved

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City of Rocks Reserved Rt  
43-11113



2. The original federal reserved right claim for Reporting Area 7, Basin 43, (the "Director's Report") was filed by IDWR with the SRBA District Court on September 28, 2001.

3. A Notice of Filing Federal Reserved Rights Claims in Reporting Area 7, Basin 43, a copy of which is attached as Exhibit 1, was prepared by IDWR pursuant to Idaho Code § 42-1411(6) and orders of this Court. In this affidavit I will refer to this document as the "Notice."

4. The Notice was served on each of the persons on the mailing list, attached as Exhibit 3 to the Affidavit of Service: Notice of Filing Director's Report, Reporting Area 7, Basin 43 for Irrigation and Other Water Rights and incorporated by this reference, by deposit into the United States Postal Service before 5:00 p.m., on September 28, 2001. Exhibit 3 lists the name and last known address of all the claimants or their attorneys, if any, whose rights are recommended in the Director's Report as of the mailing date.

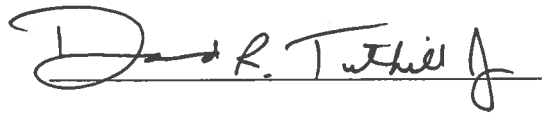
5. The Notice and a complete copy of the federal reserved right claim on compact disc were mailed to IDWR's Western, Eastern, Southern, and Northern Regional Offices and IDWR's satellite offices in Lewiston and Soda Springs by deposit with the U.S. mail prior to 5:00 p.m. on or before October 2, 2001.

6. The Notice and a complete copy of the federal reserved right claim on compact disc were mailed to the Cassia, Oneida and Power County Courthouses by deposit into the U.S. Mail prior to 5:00 p.m., on or before October 2, 2001.

7. The Notice and a complete copy of the federal reserved right claim on compact disc were mailed to the Office of the Attorney General, State of Idaho, P.O. Box 44449, Boise, ID 83711-4449 on or before October 2, 2001.

8. The Notice and a complete copy of the federal reserved right claim on compact disc were hand-delivered to the U.S. Department of Justice, Environment & Natural Resources Division, 550 West Fort Street, MSC Box 033, Boise, ID 83706 on September 28, 2001.

DATED this 27<sup>th</sup> day of November, 2001.



David R. Tuthill, Jr.  
Chief, Adjudication Bureau  
Idaho Department of Water Resources

SUBSCRIBED AND SWORN before me this 27<sup>th</sup> day of November, 2001.



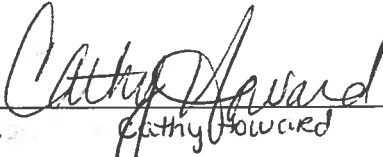
NOTARY PUBLIC FOR IDAHO  
Residing at:  
My commission expires:

CERTIFICATE OF SERVICE

I hereby certify that on the 28 day of November, 2001, I served a true and correct copy of this affidavit of service on the following persons by mailing in the U.S. Mail, with correct postage affixed thereto.

U.S. Department of Justice  
Environment and Natural Resources Division  
550 West Fort Street  
Box 033  
Boise, ID 83706

Chief, Nat'l Resources Division  
Office of the Attorney General  
State of Idaho  
P.O. Box 44449  
Boise, ID 83711-4449

  
Cathy Howard

**NOTICE OF FILING  
FEDERAL RESERVED RIGHTS CLAIMS  
IN BASIN 43**

**INTRODUCTION**

The United States of America (USA) has filed with the Snake River Basin Adjudication (SRBA) District Court claim 43-11113 to a federal reserved right in Basin 43.

Complete copies of the claim to a federal reserved right in Basin 43 are available at the SRBA courthouse in Twin Falls and the locations listed at the end of this notice. You may review the claim to a federal reserved right at those locations. Copies of the claim can be made, but you may be charged for copying and mailing.

**INSTRUCTIONS FOR TAKING A CLAIM TO COURT**

***What do I do if I disagree with a federal reserved water right claim?***

If you disagree with any element of the claim to a federal reserved water right in Basin 43 and want to be heard in court, file an objection with the SRBA Court. Objections must be made on the standard objection form available from any IDWR office or from the SRBA Court. You may also download a copy of the objection form from the SRBA Web Site at [www.srba.state.id.us](http://www.srba.state.id.us).

Your **objection** to the federal reserved water right in Basin 43 must be **received** by the SRBA Court on or before **February 8, 2002**.

***What do I do if I want to participate in the court case on a claim to a federal reserved right?***

If you want to be involved in the court case on the claim to a federal reserved right, you must file either an objection or a response by the dates provided in this notice. You may also download a copy of the response form from the SRBA Web Site at [www.srba.state.id.us](http://www.srba.state.id.us).

Your **responses** must be **received** by the SRBA Court on or before **April 12, 2002**.

***What happens if there are no objections to the federal reserved water right claim?***

An evidentiary hearing on the uncontested federal reserved water right in Basin 43 will be held. Partial decrees will be issued following this hearing.

***How will I know about the proceedings on claims to federal reserved water rights to which objections were filed?***

A notice will be mailed to you for court dates on those claims where you filed an objection or a response. You will not receive notice of court dates on any other claims to federal reserved rights for which you did not file an objection or response.

Additional information regarding federal reserved water right claims can be found on the SRBA Web Site at [www.srba.state.id.us](http://www.srba.state.id.us).

*Note:* The SRBA Court publishes a monthly Docket Sheet listing all objections and responses filed. It does not list court dates for individual water right cases, but provides general information helpful to all participants in the SRBA.

The Docket Sheet is available at your county courthouse and all IDWR offices, or you may subscribe by contacting the SRBA Court or IDWR. The annual subscription fee is \$7.50. The Docket Sheet is also available on the SRBA Web Site at [www.srba.state.id.us](http://www.srba.state.id.us).



## **ADDITIONAL INFORMATION**

If you have questions about the SRBA, public information brochures are available at any IDWR office. You may also want to consider contacting an attorney to assist you if you have questions regarding water rights claimed under federal law.

## **LOCATION OF COPIES OF FEDERAL CLAIMS IN BASIN 43 FOR REVIEW**

### **SNAKE RIVER BASIN ADJUDICATION**

#### ***District Court***

253 Third Avenue North  
P.O. Box 2707  
Twin Falls, Idaho 83303-2707  
(208) 736-3011

### **Idaho Department of Water Resources**

1301 North Orchard  
Box 83720  
Boise, Idaho 83720-0098  
(208) 327-7906  
(800) 451-4129

### **Idaho Department of Water Resources**

#### ***Western Region***

2735 Airport Way  
Boise, Idaho 83705-5082  
(208) 334-2190

### **Idaho Department of Water Resources**

#### ***Northern Region***

1910 Northwest Blvd., Suite 210  
Coeur d'Alene, Idaho 83814-2615  
(208) 769-1450

### **Idaho Department of Water Resources**

#### ***Southern Region***

1341 Fillmore, Suite 200  
Twin Falls, Idaho 83301-3380  
(208) 736-3033

### **Idaho Department of Water Resources**

#### ***Eastern Region***

900 North Skyline, Suite A  
Idaho Falls, Idaho 83402-1718  
(208) 525-7161

### **Idaho Department of Water Resources**

Attn: Greg Taylor  
1118 F. Street  
Lewiston, Idaho 83501  
(208) 743-0301

### **Idaho Department of Water Resources**

15 W. Center Street  
Soda Springs, Idaho 83276  
(208) 547-3993

### **Cassia County Courthouse**

1459 Overland Ave.  
Burley, Idaho 83318

### **Oneida County Courthouse**

10 Court St.  
Malad, Idaho 83252

### **Power County Courthouse**

543 Bannock St.  
American Falls, Idaho 83211