

RECEIVED

MAR 05 1997

Department of Water Resources

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: **71-10268**

Date received _____

Receipt No: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT

AMENDED

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, Box 33
Boise, ID 83724

2. Date of Priority: 07/01/1965

3. Source of water: UNNAMED STREAM

From: Stream

4. Location

Description of Diversion Works: Pipe

Location of Point of Diversion

Meridian BOISE

T: 07 N R: 14 E S: 7 SENW Fl:

Location of Point of Use

T: 07 N R: 14 E S: 7 SENW

5. Quantity claimed:

Period	Quantity	For
6/ 01 -- 8/ 31	0.02 CFS	Domestic

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

De Minimus

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: 71

National Forest: Sawtooth

Forest Service Record ID: 04 14 17060201 47 0 0051

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 below:

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.

APR-11-1997
0001

RIGHT NUMBER:

71-10268

NAME AND ADDRESS:

UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT STREET
PO BOX 33C
BOISE ID 83724

SOURCE:

UNNAMED STREAM

TRIBUTARY: VAT CREEK

QUANTITY:

0.02 CFS

PRIORITY DATE:

07/01/1965

POINT OF DIVERSION:

T07N R14E S07

SENW

Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE
06-01 08-31

QUANTITY
0.02 CFS

PLACE OF USE:

DOMESTIC
T07N R14E S07

Within BLAINE County
SENW

EXPLANATORY MATERIAL:

BASIS OF CLAIM - BENEFICIAL USE
FS REC ID # 04 14 17060201 47 0 0051

✓

OWNER
CODE

NAME & ADDRESS

PRIORITY
DATE

WATER USE

USE PERIOD
FROM TO

DIVERSION
RATE

DIVERSION
VOLUME

C UNITED STATES OF AMERICA ACTING THROUGH 07/01/1965 DOMESTIC 06-01 08-31 0.02 CFS

TOTAL DIVERSION: 0.02 CFS

Water Source: UNNAMED STREAM

Tributary to: VAT CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T07N R14E S07 SENW BLAINE County

Place of use Legal Description for: DOMESTIC

		NE		NW		SW		SE		
NENE NWNE SENE		NENW NWNW SENW		NESW NWSW SWSW		NESE NWSE SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
---	---	---	---	---	---	---	---	---	---	---
07N	14E	7	:	:	:	:	:	:	:	:

POU County: BLAINE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes ALL Sources):

A71-07100	A71-07126	A71-10228	A71-10232	A71-10233	A71-10234	A71-10235	A71-10236	A71-10237	A71-10238
A71-10239	A71-10240	A71-10268	A71-10270	A71-10859	R71-07100	R71-10228	R71-10232	R71-10233	R71-10234
R71-10236	R71-10237	R71-10238	R71-10239	R71-10240	R71-10241	R71-10859			

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

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

Audit: 03/18/97 AJCTR

EXP

RG

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Douglas Jones

DATE:

May 7, 1997 9:24am

CUSTOMER:

David Duncan

SUBJECT: R72-10028, Disallowal
phone call (X) walk-in ()

Received fax from Danni on 5/5 about contact from Duncan inquiring about above referenced claim. I called Duncan twice on 5/6, the first time leaving message with wife to have him call me, then following up on it later in the day.

I explained that his was disallowed because there was a competing claim filed by USFS for same property*. I also described the Fed claim amounts and season. He wondered how they could be adjusted and I told him he may be able to talk with the USFS and have them amend claim, but he couldn't changed their right. Duncan seemed ok with the result that his claim was disallowed in favor of the USFS claim - the landowner.

I did not discuss objection avenue with Duncan, as he did not bring up the subject.

*71-10268