

01/05/2004

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

RIGHT NUMBER: 23-7025

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: 0.680 CFS

PRIORITY DATE: 08/08/1977

POINT OF DIVERSION:

T03S R46E S8 SWNW Within BONNEVILLE County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
DOMESTIC

PERIOD OF USE  
1/01 12/31

QUANTITY  
0.680 CFS

PLACE OF USE: DOMESTIC Within BONNEVILLE County

|               |      |               |      |
|---------------|------|---------------|------|
| T03S R46E S05 | SWSW | T03S R46E S08 | NWNE |
| T03S R46E S08 | SWNE | T03S R46E S08 | NENW |
| T03S R46E S08 | SENW | T03S R46E S08 | NWSE |

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

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

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: Permit

SCANNED  
AUG 04 2004

# US Forest Service

23-7025

Permit

I. Do RECOMMENDATION w/ 29-4012.

How DOES IT RELATE - OR DOES IT NOW THAT 29-4012 IS  
A USFS WR? So is THIS ONE - SEE % ATTACHED

Lic.  
EXAM  
⇒

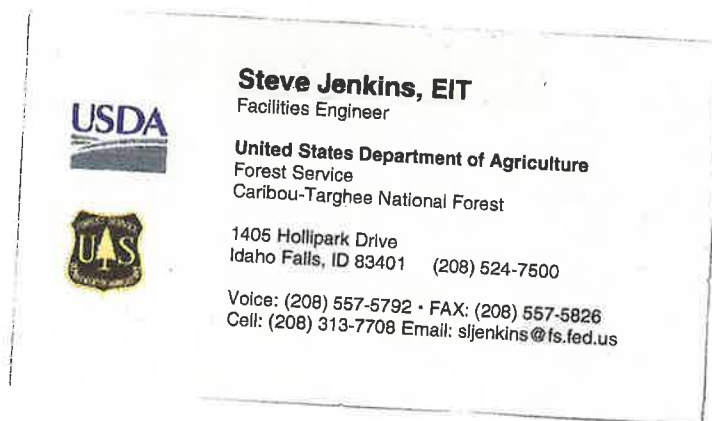
II. This CLAIM NEEDS A LICENSE EXAM.

d. POD FROM PERMIT TO LICENSE IS DISCREPANT. Done  
\* SEE AMMENDMENT TO PERMIT ATTACHED. Amend Permit?

b. Any change to # OF HOMES FROM 34? 32 HOMES

c. Per claims as Permitted.

11/25/03 Met w/ Mike GUSADA AND Steve Jenkins TO DISCUSS THOSE  
CLAIMS AND LOCATE SPRINGS AND WELL BY MAP.



SCANNED

AUG 04 2004

557-5792 STEVE Jenkins-ENG.

523-1412 Ron Dickamores-Dist. Ranger

CONTACT: Steve Robinson 373-3890 (Pocatello)

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 23-7025

WATER RIGHT NUMBER: 23-7025

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                    |
|-------------------|------------------------------------------------------------------------------------------------------------|
| Current Owner     | US DEPT OF AGRICULTURE<br>FOREST SERVICE<br>324 25TH ST<br><br>OGDEN, UT 84401<br>(801)625-5360            |
| Original Owner    | HOFFMAN SUMMER HOME ASSN INC<br>C/O JAMES M MUNDEN<br>665 AMY LN<br>IDAHO FALLS, ID 83406<br>(208)523-2125 |

Priority Date: 08/08/1977

Basis:

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| DOMESTIC              | 1/01 to 12/31           | 0.680 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.680 CFS             |                      |

Location of Point(s) of Diversion

|                   |            |                                |
|-------------------|------------|--------------------------------|
| GROUND WATER      | NW1/4SE1/4 | Sec. 8, Twp 03S, Rge 46E, B.M. |
| BONNEVILLE County |            |                                |

Place of UseDOMESTIC Within BONNEVILLE County

|               |      |               |      |
|---------------|------|---------------|------|
| T03S R46E S05 | SWSW | T03S R46E S08 | NWNE |
| T03S R46E S08 | SWNE | T03S R46E S08 | NENW |
| T03S R46E S08 | SENW | T03S R46E S08 | NWSE |

Conditions of Approval:

- 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Remarks:

- General Domestic use is for 34 vacation homes.  
The change in the point of diversion authorized by this amendment shall be accomplished within one (1) year of the date of this approval.

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 23-7025

Comments:

1. SCURTIS 12/8/1997 AMENDMENT OF PERMIT

Comment: An application for amendment was filed 10/96 to change the point of diversion under this right.

Dates and Other Information:

Permit Proof Due Date: 10/1/1982

Permit Proof Made Date: 9/9/1982

Permit Approved Date: 10/13/1977

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Field Exam Date:

Date Sent to State Office:

Date Received at State Office:

State or Federal:

Owner Name Connector:

Water District Number: 01

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:Status

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|
|----------------|---------------------------|-----------------|---------------------------|-----------------|

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u> |
|----------------|------------------------|-----------------|-----------------|
|----------------|------------------------|-----------------|-----------------|

STATEMENT OF CONSENT

I, Fon Cobbley as the duly authorized representative of the Hoffman Summer Home Association, transfer the ownership of Water Right #23-07025 including the Snake River Basin Adjudication Claim # A23-07025 to:

United States of America, acting through  
USDA Forest Service  
324 25th Street  
Ogden, UT 84401-2394  
(801) 625-5605

Fon Cobbley 3/20/98  
NAME DATE

Assoc Pres  
TITLE

SUBSCRIBED and SWORN to before me this 20 day of March 1998

R.W. Benedict  
NOTARY PUBLIC FOR STATE OF IDAHO  
Residing at IDAHO FALLS  
My Commission Expires 4/20/98

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES  
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.  
Incomplete forms will be returned.

1. Water Right Number(s) 23-07025 RECEIVED  
Adjudication Claim Number(s) A23-07025 MAR 20 1998
2. The following REQUIRED information must be submitted with this form. Department of Water Resources  
Eastern Region
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.  
AND  
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)  
OR  
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked
3. Name and Address of Former Owner/Claimant(s) Hoffman Summer Homes Association  
1325-S Presto Idaho Falls, ID 83402
4. New Owner/Claimant(s) United States of America acting through  
Name connector (Check one): ☐ AND ☐ OR ☐ AND/OR  
New Mailing Address USDA Forest Service 324 25<sup>th</sup> Street  
City, State and ZIP Code Ogden, Utah 84401-2394  
New Telephone Number (801) 625-5605
5. Date you acquired the property not applicable
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres actually irrigated 0.5 Number and type of stock none  
Diversion rate in CFS 0.68 Number of homes 32 Other uses \_\_\_\_\_  
cubic feet per second
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) [Signature] Date 3-20-98  
for/ USDA Forest Service  
Targhee National Forest Date \_\_\_\_\_
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)  
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

State of Idaho )  
County of Bonneville )

ss

A.D. BENEDICK

On this 20<sup>th</sup> day of March, in the year of  
19 98, before me Stuart L. Carlson, personally appeared  
Stuart L. Carlson, proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) is(are)  
subscribed to the within instrument, and acknowledged that  
he(~~she~~)(~~they~~) executed the same.

A.D. Benedick

Notary Public

My Commission Expires On:

4/20/98



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

April 2, 1998

UNITED STATES OF AMERICA ACTING THROUGH  
USDA FOREST SERVICE  
324 25TH ST  
OGDEN UT 84491-2394

RE: CHANGE IN OWNERSHIP FOR A23-04012, A23-07025

Dear Sirs:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jennifer Hoagland  
Technical Records Specialist

Enclosure: Notice(s) of Claim

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 23-7025

WATER RIGHT NUMBER: 23-7025

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                    |
|-------------------|------------------------------------------------------------------------------------------------------------|
| Current Owner     | US DEPT OF AGRICULTURE<br>FOREST SERVICE<br>324 25TH ST<br><br>OGDEN, UT 84401<br>(801)625-5360            |
| Original Owner    | HOFFMAN SUMMER HOME ASSN INC<br>C/O JAMES M MUNDEN<br>665 AMY LN<br>IDAHO FALLS, ID 83406<br>(208)523-2125 |

Priority Date: 08/08/1977 *OK*Basis: PERMIT *OK*

Status: Active

| <u>Source</u>          | <u>Tributary</u> |
|------------------------|------------------|
| GROUND WATER <i>OK</i> |                  |

| <u>Beneficial Use</u>   | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-------------------------|-------------------------|-----------------------|----------------------|
| DOMESTIC                | 1/01 to 12/31 <i>OK</i> | 0.680 CFS <i>OK</i>   |                      |
| <u>Total Diversion:</u> |                         | 0.680 CFS             |                      |

Location of Point(s) of Diversion

GROUND WATER NW1/4SE1/4 Sec. 8, Twp 03S, Rge 46E, B.M.  
BONNEVILLE County

*Claims SWNW Sec. 8*Place of UseDOMESTIC Within BONNEVILLE County

|               |                |               |                |
|---------------|----------------|---------------|----------------|
| T03S R46E S05 | SWSW <i>OK</i> | T03S R46E S08 | NWNE <i>OK</i> |
| T03S R46E S08 | SWNE <i>OK</i> | T03S R46E S08 | NENW <i>OK</i> |
| T03S R46E S08 | SENW <i>OK</i> | T03S R46E S08 | NWSE <i>OK</i> |

Conditions of Approval:

- 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Remarks:

- General Domestic use is for 34 vacation homes.  
The change in the point of diversion authorized by this amendment shall be accomplished within one (1) year of the date of this approval.

*SD CLAIMED*

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Permit Report 23-7025

Comments:

## 1. SCURTIS 12/8/1997 AMENDMENT OF PERMIT

Comment: An application for amendment was filed 10/96 to change the point of diversion under this right.

Dates and Other Information:

Permit Proof Due Date: 10/1/1982  
Permit Proof Made Date: 9/9/1982  
Permit Approved Date: 10/13/1977  
Permit Moratorium Expiration Date:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
Field Exam Date:  
Date Sent to State Office:  
Date Received at State Office:  
State or Federal:  
Owner Name Connector:  
Water District Number: 01  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u> |
|----------------|------------------------|-----------------|-----------------|
|----------------|------------------------|-----------------|-----------------|

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

AMENDMENT OF PERMIT  
PERMIT NO. 23-07025

This is to certify, that US DEPT OF AGRICULTURE  
FOREST SERVICE  
324 25TH ST  
OGDEN UT 84401-2310

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-211, Idaho Code. The approved amendment of permit is described as follows:

SOURCE

GROUNDWATER

Priority: August 8, 1977

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.68 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 8, Township 03S, Range 46E  
BONNEVILLE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

03S 46E 5  
8

SWSW  
NWNE  
SENE

SWNE  
NWSE

N2NW

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Domestic use is for 34 vacation homes.
3. The change in the point of diversion authorized by this amendment shall be accomplished within one (1) year of the date of this approval.

Witness my hand this 10<sup>th</sup> day of December, 1977.

A. Glen Saxton  
Chief, Water Allocation Bureau

Palisades

Reservoir

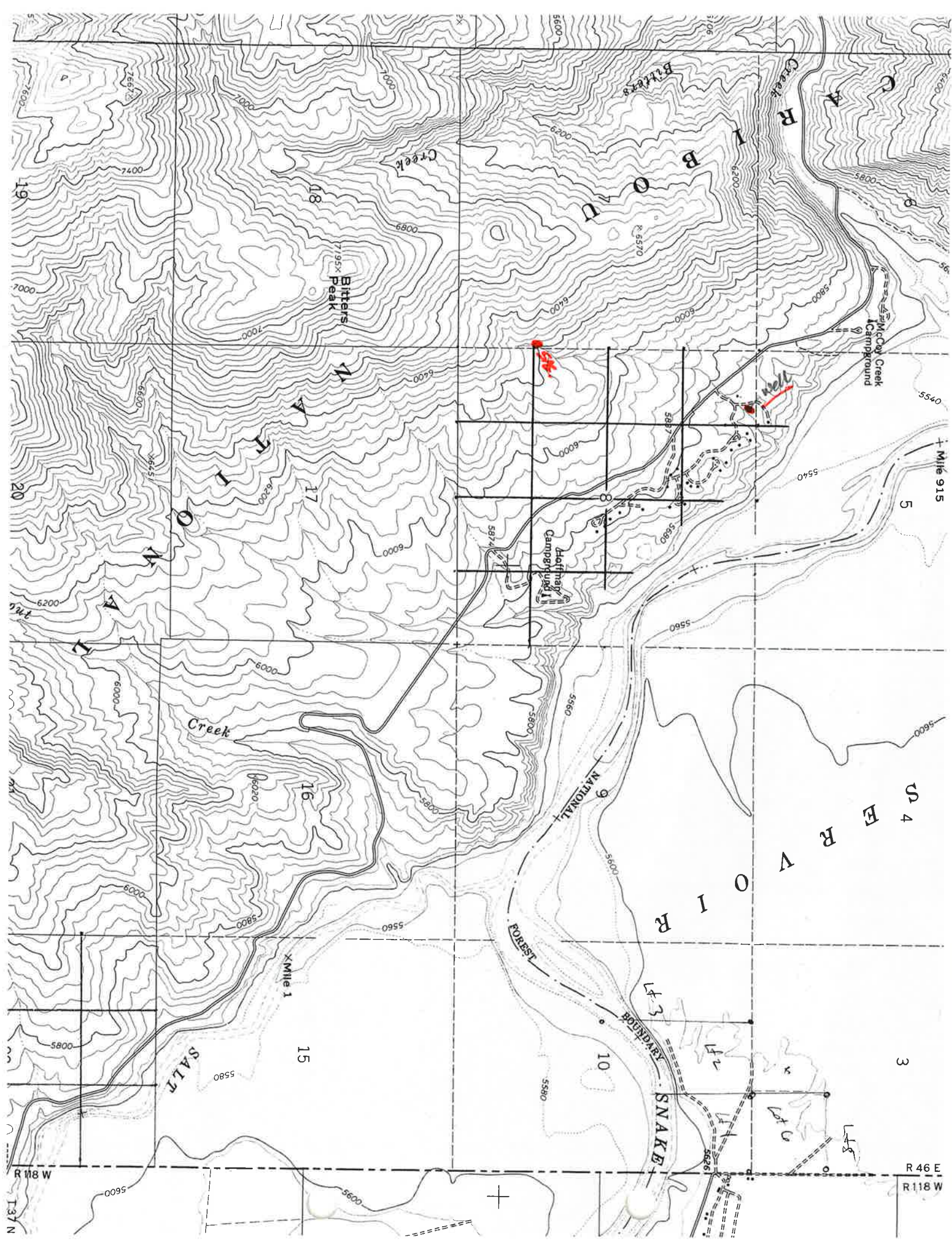
T3S, R46E

23-07025 (P)  
well

23-04012  
springs

7 8  
18 17

Hoffman Summer Homes Area, Inc.



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 23-7025  
Date Received: 2/15/1989  
Receipt No: E005791  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

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: 08/08/1977

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:  
Township Range Section 1/4 of 1/4 of 1/4 Lot County Type  
03S 46E 8 SW NW BONNEVILLE

5. Description of diverting works:  
WELL & PUMP.

6. Water is used for the following purposes:  
Purpose From To C.F.S. (or) A.F.A.  
DOMESTIC 1/01 12/31 0.68

7. Total Quantity Appropriated is:  
0.68 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:  
Township Range Section 1/4 of 1/4 Lot Use Acres  
03S 46E 5 SW SW DOMESTIC  
03S 46E 8 NW NE DOMESTIC  
SW NE DOMESTIC  
NE NW DOMESTIC  
SE NW DOMESTIC  
NW SE DOMESTIC

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

14. Remarks:

#118

due by 9/7/89

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: A23-07025  
Date Received: 1/09/1989  
Receipt No: E005791  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED

FEB 10 1989

Department of Water Resources  
Eastern District Office

208-237-0527

1. Name: HOFFMAN SUMMER HOME AREA INC.  
Address: C/O GLEN H. GRIMMETT, PRES.  
P.O. BOX 5  
PARIS, ID 83261
- OR
- Name: HOFFMAN SUMMER HOME AREA INC.  
Address: C/O LEE R. HEATH, WATERMASTER  
1283 LILAC  
POCATELLO, ID 83201

2. Date of Priority: AUG 08, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County     |
|----------|-------|---------|--------|--------|-----|-----|------------|
| 03S      | 46E   | 8       | SW     | NW     |     |     | BONNEVILLE |

5. Description of diverting works:  
WELL & PUMP.

6. Water is used for the following purposes:

| Purpose  | From  | To    | C.F.S. | (or) | A.F.A. |
|----------|-------|-------|--------|------|--------|
| DOMESTIC | 01/01 | 12/31 | 0.680  |      |        |

7. Total Quantity Appropriated is:  
0.680 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
D/34 HOMES.

A2307025

MICROFILMED  
NOV 10 1992

10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|-----|----|-----|-----|-----|-------|
| 03S      | 46E   | 5       | SW  |    | SW  |     | IRR |       |
|          |       | 8       | NW  |    | NE  |     | IRR |       |
|          |       |         | SW  |    | NE  |     | IRR |       |
|          |       |         | NE  |    | NW  |     | IRR |       |
|          |       |         | SE  |    | NW  |     | IRR |       |
|          |       |         | NW  |    | SE  |     | IRR |       |

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:  
A23-04012.

14. Remarks:  
34 VACATION HOMES.

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

WATER MASTER

I do solemnly swear or affirm that I am \_\_\_\_\_ of  
Title

HOFFMAN SUMMER HOMES, that I have signed the foregoing  
Organization

document in the space below as WATER MASTER of  
Title

HOFFMAN SUMMER HOMES and that the statements contained in the  
Organization

foregoing document are true and correct.

[Signature]  
Signature of Authorized Agent

Water Master Hoffman Summer Homes  
Title and Organization

1-9-89  
Date

State of Idaho

County of Bonneville )  
SS.

Subscribed and sworn (or affirmed) before me this 9th day

of January 19 89

Seal.

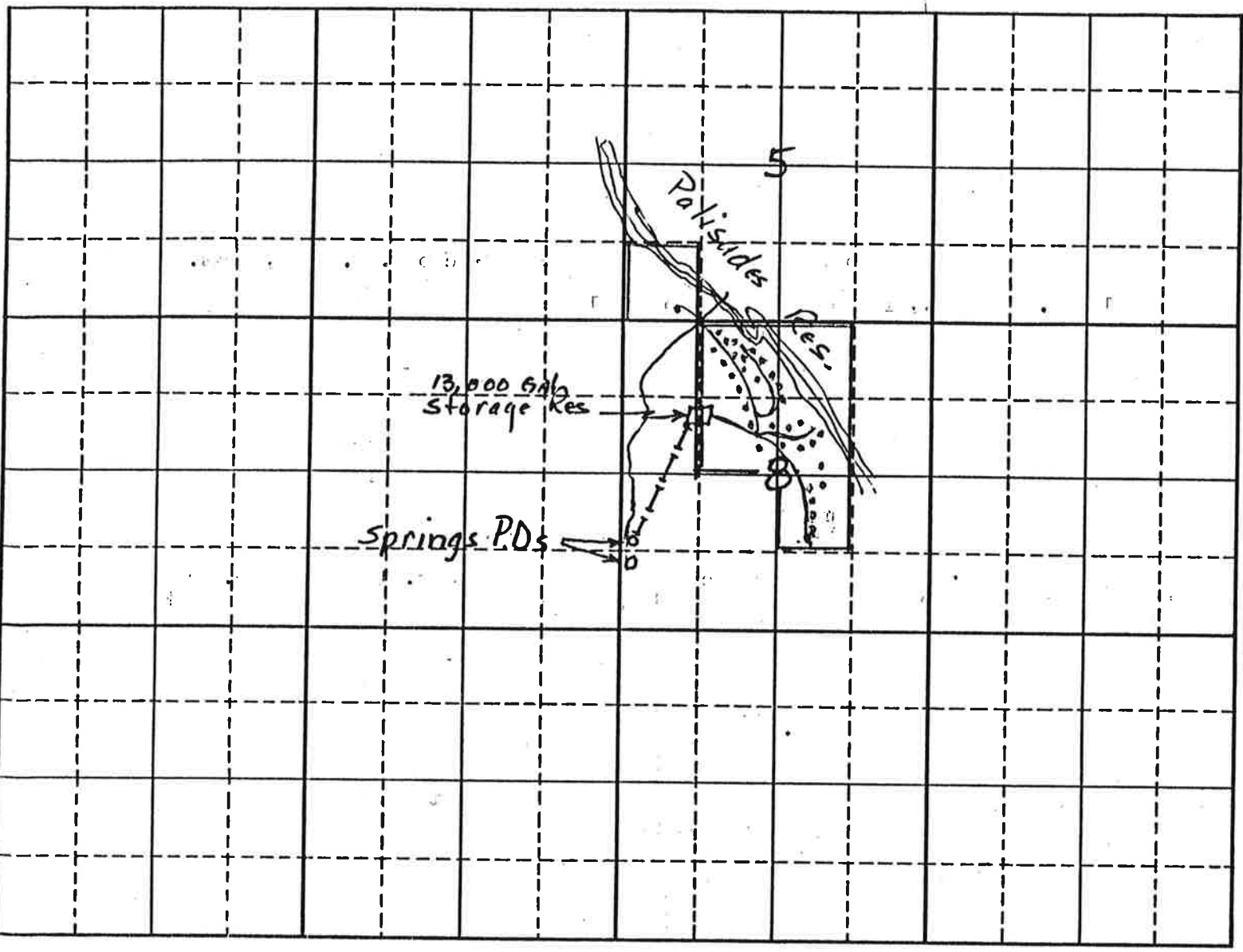
Anthony J. Olmsted  
Notary Public

Residing at Idaho Falls

My Commission Expires 9/12/1994

(8) Remarks \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Scale: 2 Inches equal 1 mile.

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 Idaho )

) ss.

County of Bonneville )

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 affiants knowledge.

Sworn to before me this 1st day of August

(Claimant)

19 77

*Richard M. Smith*

MICROFILMED  
NOV 24 1992