

12/13/2005

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

RIGHT NUMBER: 21-7380

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: 0.050 CFS
1.400 AFY

PRIORITY DATE: 06/06/1988

POINT OF DIVERSION: T12N R43E S20 SENWNW Lot 3 Within FREMONT County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC		

PLACE OF USE: DOMESTIC Within FREMONT County
T12N R43E S20 NWNW

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

Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

FOREST SERVICE RECORD ID = 041517040202110066 00

Last Chance Recreation Site

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return the 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 it's recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 21-7380

Daytime Telephone Number: (208) 331-5944 or (208) 331-5942

Evening Telephone Number: Same as above for voice mail.

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Period of Use

2. Describe the changes you wish to make in the proposed recommendation:

Please change the period of use to : 4/01 to 11/01

Change purpose to Domestic

3. Give a brief explanation as to why you disagree with these portions:

RECEIVED

DEC 01 2005

Department of Water Resources
Eastern Region

Please add to explanatory material: Last Chance Recreation Site

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: 11/24/05

SIGNATURE: Steven M. Spencer

Please print your name: Steven M. Spencer

IDWR Eastern Regional Office, 900 N. Skyline Drive, Suite A, Idaho Falls, ID 83402-1718, (208) 525-7161

SCANNED

DEC 05 2005

KMS
12/1

RECEIVED

JUN 16 1998

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: 21-07380

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 MSC033
Boise ID 83724
2. Date of Priority: 06/06/1988
3. Source of water: GROUNDWATER Tributary:
4. Location Meridian BOISE
Description of Diversion Works: Wells From: Groundwater
Location of Point of Diversion
T: 12 N R: 43 E S: 20 NWNW
Location of Point of Use
T: 12 N R: 43 E S: 20 NWNW
5. Quantity claimed: Period Quantity For
4/ 01 -- 11/ 01 0.04 CFS Domestic
6. Total Consumptive Use Claimed for Present and Future Use is:
0.04 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: 21
National Forest: Targhee
Forest Service Record ID: 04 15 17040202 11 0 0066
Locally known as Last Chance DUA.
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.

PROFILED

SCANNED

JAN 10 2005

State of Idaho
Department of Water Resources

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DEC 22 1994

WATER RIGHT LICENSE

WATER RIGHT NO. 21-07380

Department of Water Resources
Eastern District Office

Priority: June 6, 1988

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 1.4 AF

This is to certify, that US DEPT OF AGRICULTURE
FOREST SERVICE
TARGHEE NATIONAL FOREST
PO BOX 208

ST ANTHONY ID 83445-0208 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated June 6, 1988; and
has submitted Proof of Beneficial Use on August 14, 1990. An examination indicates
that the works have a diversion capacity of .100 cfs of water from a GROUNDWATER
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	04/01 to 11/01	0.04 CFS	1.4 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 3(NWNW), Sec. 20, Township 12N, Range 43E
FREMONT County

PLACE OF USE: DOMESTIC
TWN RGE SEC
12N 43E 20 Lot 3(NWNW)

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for the Last Chance Recreation Development.

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 8TH
day of DECEMBER, 1994.

Acting for  R. Keith Higginson, Director