

10/24/2005

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

RIGHT NUMBER: 21-4069

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

SOURCE: PINEVIEW SPRING

TRIBUTARY: WARM RIVER

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 06/01/1950

POINT OF DIVERSION:

T11N R44E S18 NWNW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

RECREATION

5/01 10/31

0.020 CFS

PLACE OF USE:

RECREATION Within FREMONT County

T11N R44E S18

NWNW

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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 - Beneficial Use

FOREST SERVICE RECORD ID = 041517040202120012 00

10/24/2005

**NOTICE OF ERROR
REPLY**

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

Return this 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 its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 21-4069

UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID 83724
Telephone Number: (208)387-0835

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

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

Can Pineview Recreation Site be added to the explanatory material?

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

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

DATE: 11/10/05

SIGNATURE: Steven M. Spencer

Please print your name: STEVEN M. SPENCER

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILED

SCANNED
NOV 17 2005

RECEIVED
NOV 15 2005
Department of Water Resource:
Eastern Region

KMT
11/16

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: 21-04069

RECEIVED
JUN 16 1998

Department of Water Resources

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: 06/01/1950
3. Source of water: PINEVIEW SPRING Tributary: WARM RIVER
4. Location Meridian BOISE
Description of Diversion Works: None From: Spring
Location of Point of Diversion
T: 11 N R: 44 E S: 18 NWNW
Location of Point of Use
T: 11 N R: 44 E S: 18 NWNW
5. Quantity claimed: Period Quantity For
5/ 01 -- 10/ 31 0.02 CFS Recreation
6. Total Consumptive Use Claimed for Present and Future Use is:
0.02 CFS
7. Present and future uses to which the water is or will be used:
Recreation
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 12 0 0012
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.

SCANNED

JAN 10 2005

PROFILED