

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 23-2056

NAME AND ADDRESS:

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

SOURCE: Source: Tributary:
SPRINGS BIG ELK CREEK

QUANTITY: 0.025 CFS

PRIORITY DATE: 01/07/1955

POINT OF DIVERSION:

~~T01S R46E S18 NWNW~~ Within BONNEVILLE County
T01S R46E S18 NWSW Lot 3 Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
<u>DOMESTIC</u>	<u>06/01 09/30</u>	<u>0.025 CFS</u>
~~RECREATION~~	~~06/01 09/30~~	~~0.025 CFS~~

PLACE OF USE: DOMESTIC within BONNEVILLE County
T01S R46E S19 NWNW Lot 1

~~RECREATION~~ within BONNEVILLE County
~~T01S R46E S19 NWNW~~

ACRES TOTAL

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

PLACE OF USE IS BIG ELK CREEK CAMPGROUND.
SOURCE IS ALSO KNOWN AS THREE SPRINGS.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

) Subcase No. 23-02056
)
)

Case No. 39576

) **Standard Form 5**
)
)

) **AMENDED CLAIM**
) **FOR DOMESTIC & STOCKWATER RIGHTS**
)
_____)

This form is used to report the stipulated elements of one "domestic and/or stockwater" right acquired under state law and/or one federal reserved water right and to amend the Notice of Claim. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached Amended Claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

United States on behalf of the
USDA Forest Service

David L. Negri

Date

IDWR CONCURRENCE:

Ernest Carlson *10/27/04*

Ernest Carlson Date

Right Number: 23-02056

Name and Address: UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE, ID 83724

Source: SPRINGS Tributary: BIG ELK CREEK

Quantity: .025 CFS

Priority Date: 01-07-1955

Diversion Point: T01S R46E S18 LOT 3 ~~NWNW~~ NWSW Within Bonneville County

Purpose and			
Period of Use:	Purpose of Use	Period of Use	Quantity
	~~Recreation~~ <u>Domestic</u>	06-01 TO 09-30	.025 CFS

Place of Use:	Recreation	Within Bonneville County
	T01S R46E S19 <u>LOT 1</u> NWNW	

Other Provisions Necessary for Definition / 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 POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
PLACE OF USE IS BIG ELK CREEK CAMPGROUND.
SOURCE IS ALSO KNOWN AS THREE SPRINGS.

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 its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 23-02056

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):

need to change: quarter-quarter in POD
add PLS Government Lot to POD
purpose of use
add PLS Government Lot to POU

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

POD - Lot 3 (NWSW)
Purpose of use - domestic
POU - Lot 1 (NWNW)

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

Changes reflect more precise, and updated information now available to result in increased accuracy in the description of the elements of the water right to be decreed.

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

DATE: _____

SIGNATURE: Steven M. Spencer

Please print your name: Steven M. Spencer