

04/26/2004

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

RIGHT NUMBER: 23-2077

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: 0.090 CFS
1.500 AFY

PRIORITY DATE: 12/30/1964

POINT OF DIVERSION:

T01N R43E S11 SWNE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

05/15 10/15

0.090 CFS
1.50 AFY

PLACE OF USE: DOMESTIC Within BONNEVILLE County

T01N R43E S11

SWNE

T01N R43E S11

NENW

T01N R43E S11

SENE

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: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

NOTICE OF ERROR
REPLY

RECEIVED

APR 26 2004

Department of Water Resources
Eastern Region

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: **23-02077**

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):

The place of use description is missing.

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

The place of use is T01N R43E S11 SWNE, SENW, NENW

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

The place of use is a necessary element of the water right claim.

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

DATE: 4/15/04

SIGNATURE: Steven M. Spencer

Please print your name: STEVEN M. SPENCER

23-2077 LICENSE

I. SEASON OF USE:

A. LICENSED AS: 5/15 TO 10/15

B. CLAIMS 5/01 TO 10/31 No!

II. Qi LICENSED AS 1.50AF

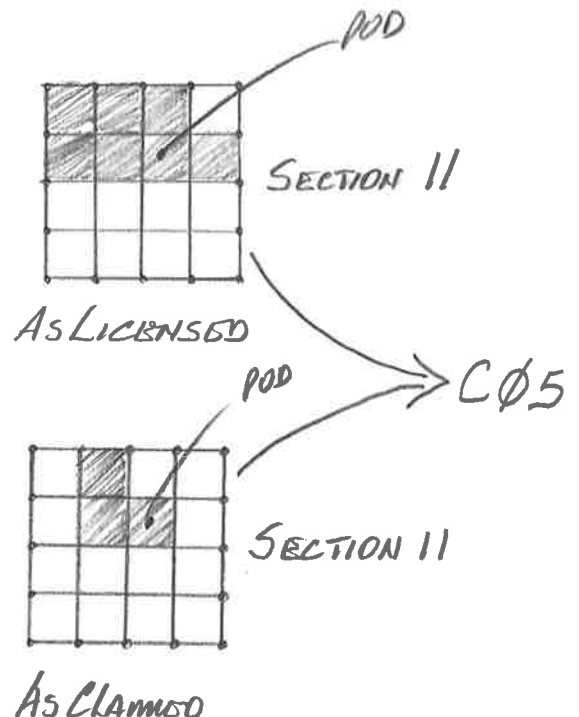
AF NOT CLAIMED ADD TO RECOMM

III. POU LICENSED AS (SEE DIAGRAM): 7 QO's

CLAIMS (SEE DIAGRAM): 3 QO's

CØ5

RECOMMENDED AS LICENSED.



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: 23-02077

RECEIVED

FILED UNDER STATE LAW

1. Name of Claimant: UNITED STATES OF AMERICA on behalf of the U.S.D.A. Forest Service MAR 18 1998

Address: 550 W. Fort Street MSC033

Boise

ID 83724

Department of Water Resources

2. Date of Priority: 12/30/1964

3. Source of water: WELL

Tributary:

4. Location Meridian BOISE

Description of Diversion Works: Wells

From: Groundwater

Location of Point of Diversion

T: 01 N R: 43 E S: 11 SWNE

Location of Point of Use

T: 01 N R: 43 E S: 11 NENW

T: 01 N R: 43 E S: 11 SENW

T: 01 N R: 43 E S: 11 SWNE

5. Quantity claimed: Period Quantity
5/ 01 -- 10/ 31 0.09 CFS

For
Domestic

1.50 AF

6. Total Consumptive Use Claimed for Present and Future Use is:
0.09 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: 23

National Forest: Targhee

Forest Service Record ID: 04 15 17040104 38 0 0129

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.