

04/26/2004

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

RIGHT NUMBER: 23-10691

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

SOURCE: YEAMAN CREEK TRIBUTARY: SINKS

QUANTITY: 0.020 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/15/1907

POINT OF DIVERSION:
T01S R44E S11 NESWNE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	5/01 9/30	0.020 CFS

PLACE OF USE: STOCKWATER Within BONNEVILLE County
T01S R44E S11 SWNE

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

FOREST SERVICE RECORD ID = 041517040104380126 00 1000 Sheep

NOTICE OF ERROR
REPLY

RECEIVED

APR 26 2004

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.

Department of Water Resources
Eastern Region

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: **23-10691**

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):

Priority Date

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

The priority date for this claim is January 15, 1907.

4/26/04 Done

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

The Forest Service is claiming the reservation date of the National Forest as the priority date for this water use.

 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

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: A23-10691

Date received: _____

Receipt No: _____

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: UNITED STATES OF AMERICA (USDA-Forest Service)
Address: 324 25th Street Phone (801) 625-5360
Ogden, Utah 84401

2. Date of Priority: 05/01/1879

3. Source: YEAMAN CR SPR *No Spg. by* Trib. to: SINKS

4. Point of Diversion: *USDA's Quad.*

Township	Range	Section	Tract	Lot	County
1 S	44 E	11	SWNE		BONNEVILLE

5. Description of diverting works: NO DEVELOPMENT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.	(or)	Elevation/ Well Depth
STOCKWATER	May.1	Sep.30	0.02		0.00		0

7. Total Quantity Appropriated is: 0.02 C.F.S. / 0.00 A.F.A.

8. Total consumptive use is: de minimus

9. Non-irrigation uses: SHEEP Livestock Numbers: 1000

10. Place of Use:

Township	Range	Section	Tract	Lot	County
1 S	44 E	11	SWNE		BONNEVILLE

Purpose of use: STOCKWATER Acres Irrigated:

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: NONE

14. Remarks: Quad No.

RUSSELL-VAN S&G;RED RIDGE QUAD

APPLICATION DATE: 00/00/

15. Basis of Claim: BENEFICIAL USE/APPLICATION

Reference Information:

National Forest: TARGHEE

Priority Dates: TARGHEE NATIONAL FOREST LIVESTOCK HISTORY

Forest Service Record ID: 04 15 17040104 38 0 0126 0

IDWR Water State Filing No.: 23-10691

Allotment No.: 402

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:

Jack Haugrud
Geoffrey Garver
Daria J. Zane
U.S. Department of Justice
Environment and Natural Resources Division
General Litigation Section
P.O. Box 663
Washington, D.C. 20044-0663
202-272-4134

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.