

12/13/2004

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

RIGHT NUMBER: 25-13715  
NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH  
USDI FISH AND WILDLIFE SERVICE  
DIVISION OF ENGINEERING  
911 N E 11TH AVE  
PORTLAND OR 97232-4181

SOURCE: GROUND WATER TRIBUTARY:  
QUANTITY: 0.130 CFS  
5.900 AFY

PRIORITY DATE: 04/10/1969

POINT OF DIVERSION:

T04S R43E S35 SENE Within BONNEVILLE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>       |
|-----------------------|----------------------|-----------------------|
| FIRE PROTECTION       | 01/01 12/31          | 0.040 CFS<br>1.00 AFY |
| IRRIGATION            | 04/15 10/15          | 0.030 CFS<br>3.50 AFY |
| STOCKWATER            | 01/01 12/31          | 0.020 CFS<br>0.20 AFY |
| DOMESTIC              | 01/01 12/31          | 0.040 CFS<br>1.20 AFY |

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T04S R43E S35 SENE 1.0

STOCKWATER Within BONNEVILLE County

T04S R43E S35 SENE T04S R43E S35 NESE

DOMESTIC Within BONNEVILLE County

T04S R43E S35 SENE T04S R43E S35 NESE

FIRE PROTECTION same as IRRIGATION

1 ACRES TOTAL

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

For the legal description of reservations see Public Land Order No. 4596  
(Attachment 1) establishing the Grays Lake NWR Administrative Site.

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.

*Omitted*  
*1-12-05*  
~~The quantity of water decreed for this water right is not a determination  
of historical beneficial use.~~

EXPLANATORY MATERIAL: Reserved

## 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: 25-13715

UNITED STATES OF AMERICA ACTING THROUGH  
USDI FISH AND WILDLIFE SERVICE  
DIVISION OF ENGINEERING  
911 N E 11TH AVE  
PORTLAND OR 972324181  
Telephone Number: (503)231-6145

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

Place of use

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

Place of use: Change from Section 25 to Section 35

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

Place of use: The place of use in Section 25 described in the preliminary recommendation apparently was a typographical error. Both the place of use and point of diversion are in Section 35.

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

DATE:

11/22/2004

SIGNATURE:

David J. Longman, Agent for USFWS

Please print your name:

David J. Longman

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

SCANNED  
DEC 06 2004

PROFILED

RECEIVED  
DEC 02 2004  
Department of Water Resources  
Eastern Region

February 8, 2005

CLIFFORD STEVENS  
6423 N 25<sup>TH</sup> E  
IDAHO FALLS, ID 83401

RE: CHANGE IN OWNERSHIP FOR: A25-13715

Dear MR. Stevens:

It has come to our attention that you may have recently purchased a tract of land in Bonneville County. The property to which I am referring was most recently owned by Steve Harris. The legal description is as follows:

T04S, R43E, SEC 35 SE/NE

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

**Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.**

If you questions regarding this matter, please call 525-7161.

Respectfully submitted,

Katy Jackson  
Office Specialist 1

Enclosure(s)

**PROFILE**

**SCANNED**

**FEB 15 2005**

**FEB 15 2005**

*No Barcode Ret*

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

RECEIVED  
AUG 05 2004  
Department of Water Resources  
Eastern Region  
RECEIVED  
JUN 22 2004  
Department of Water Resources

Ident. Number: A25-13715  
Date Received: \_\_\_\_\_  
Receipt No.: \_\_\_\_\_  
Received By: \_\_\_\_\_

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: **United States of America** Phone: **503-231-6145**  
(Fish and Wildlife Service)  
Address: **Division of Engineering**  
**911 NE 11th Avenue**  
**Portland, OR 97232-4181**

2. Date of Priority: April 10, 1969

3. Source: Ground Water Trib. to: \_\_\_\_\_

4. Point of Diversion:

Township 4S Range 43E Section 35, SE1/4 of NE1/4, B.M.,  
County of Bonneville

5. Description of diverting works: **Wells, submersible pumps, pipelines.**

6. Water is claimed for the following purposes:

| Purpose                | From           | To             | C.F.S. (or) | A.F.A.     |
|------------------------|----------------|----------------|-------------|------------|
| <b>Irrigation</b>      | <b>Apr. 15</b> | <b>Oct. 15</b> | <b>0.03</b> | <b>3.5</b> |
| <b>Stockwater</b>      | <b>Jan. 1</b>  | <b>Dec. 31</b> | <b>0.02</b> | <b>0.2</b> |
| <b>Domestic</b>        | <b>Jan. 1</b>  | <b>Dec. 31</b> | <b>0.04</b> | <b>1.2</b> |
| <b>Fire Protection</b> | <b>Jan. 1</b>  | <b>Dec. 31</b> | <b>0.04</b> | <b>1.0</b> |

7. Total Quantity Claimed to be Reserved Is:

0.13 C.F.S. (And/or)

5.9 A.F.A.

United States of America  
Fish and Wildlife Service

SCANNED

JUN 22 2004

8. Non-irrigation uses: Horses and/or mules.

9. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use      | Acres |
|----------|-------|---------|------------|-----|----------|-------|
| 4S       | 43E   | 35      | SE NE      |     | Irr.,D&S | 1     |
| 4S       | 43E   | 35      | NE SE      |     | D&S      |       |

Total Number of Acres Irrigated 1

10. Legal description of reservations: **See Public Land Order No. 4596 (Attachment 1) establishing the Grays Lake NWR Administrative Site.**

11. Do you own the property listed above as place of use? **Yes.**

12. Other Water Rights Used: **25-2161**

13. Include a list of documents creating the federal reservation: **Public Land Order No. 4596.**

14. Remarks: **The domestic portion of this claim has been filed in the alternative under a claim for Water Right No. 25-2161.**

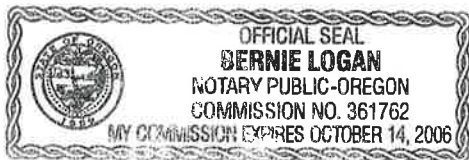
15. Basis of Claim: **Federal Reserved water right.**

State of Oregon )  
County of Multnomah )

Be it known that the undersigned, being duly sworn, deposes and says that he subscribed the forgoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Acting David Worley  
Regional Director  
U.S. Fish and Wildlife Service, Region 1

Sworn to before me this 16<sup>th</sup> day of June, 2004.



Bernie Logan  
Notary Public

Residing at: Multnomah County, Oregon

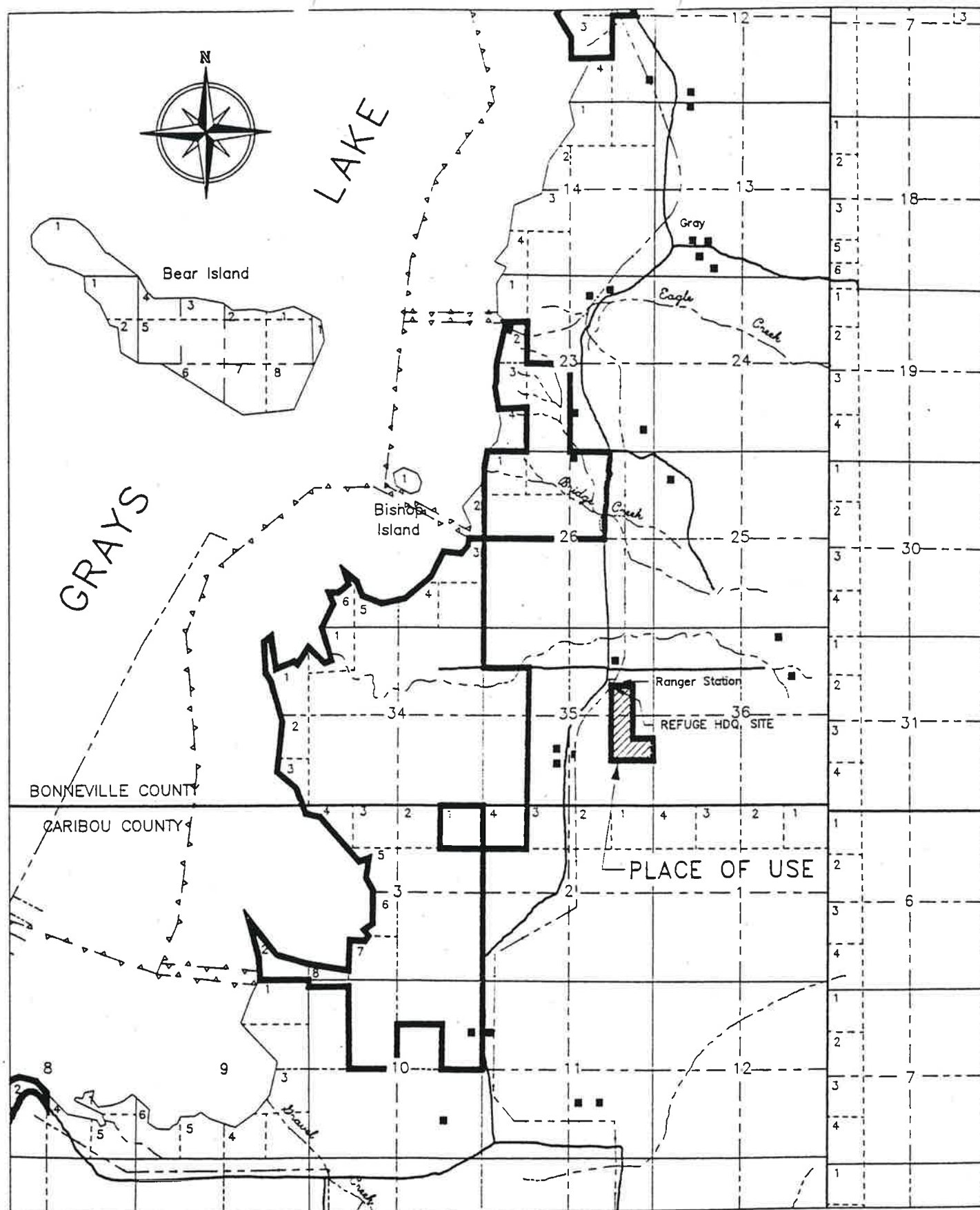
My Commission expires: 10/14/06

#### FOR DEPARTMENT USE ONLY

|                           |                |                                         |
|---------------------------|----------------|-----------------------------------------|
| Received by _____         | Date _____     | Published in _____                      |
| Prelim. check by _____    | Date _____     | Publication dates _____                 |
| Fee _____                 | Receipt# _____ | Publication checked by _____ Date _____ |
| Receipt prepared by _____ | Date _____     | Exceptions filed by _____               |

R43E

R44E

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FED. RESERVED WATER RIGHT CLAIM FOR HDQTS.

SCALE: 0 1/4 1/2 1 2 3 MILES

SCANNED

JUN 27 2006