

11/30/2006

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

RIGHT NUMBER: 67-7579

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

SOURCE: CASCADE ROAD SPRING TRIBUTARY: MILL CREEK

QUANTITY: 0.020 CFS
6.100 AFY

PRIORITY DATE: 06/28/1982

POINT OF DIVERSION:
T17N R01E S28 SENW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	06/01 10/31	0.020 CFS 6.10 AFY
WILDLIFE	01/01 12/31	0.020 CFS 6.10 AFY

PLACE OF USE: STOCKWATER in ADAMS County

T17N R01E S28 SENW

WILDLIFE in ADAMS County

T17N R01E S28 SENW

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

Forest Service Record ID: 041217050124440133 00.

Place of use is also known as Council Mountain Allotment.

Stockwater use is for 1,300 range cattle.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-7579

WATER RIGHT NUMBER: 67-7579 ✓

Owner Type

Current Owner

Name and Address

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

Priority Date: ~~06/01/1883~~

Basis:

License ✓

Status:

Active

Source

CASCADE ROAD SPRING ✓

TributaryMill ~~SHINGLE~~ CREEKBeneficial Use

STOCKWATER ✓

WILDLIFE ✓

From To

6/01 to 10/31 ✓

~~6/01 to 10/31~~

01/01 - 12/31

Diversion Rate0.02 ~~0.030~~ CFS0.02 ~~0.030~~ CFSTotal Diversion: ~~0.030~~ CFS

0.02

Annual Volume

6.10 AF ✓

6.10 AF ✓

6.10 AF ✓

Location of Point(s) of Diversion

CASCADE ROAD SPRING

ADAMS County ✓

NE1/4NW1/4

8E

Sec. 28, Twp 17N, Rge 01E, B.M. ✓

Place of Use

STOCKWATER ✓

Twp	Rge	Sec	NE				NW				SW				SE				Totals
✓ 17N	01E	28	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							X			X									

WILDLIFE same as STOCKWATER ✓Conditions of Approval:

- FOREST SERVICE RECORD ID = 041217050124440133 00

Remarks:Comments:

ADD X02 - Stockwater use is for 1,300 range cattle.

@
 "Council Mountain Allotment"

Comments - Cascade Road Spring Development (Payette Nat'l. Forest)
 (*) Recommended as licensed. Quad. No. 312-4

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 67-7579

11/30/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
7579	Claim	17N	01E	28	NE	NW		STOCKWATER		UNITED STATES OF AMERICA ACTING THROUGH
14174	Water Right	17N	01E	28	NE	NW		STOCKWATER		UNITED STATES OF AMERICA ACTING THROUGH

IDAHO DEPARTMENT OF WATER RESOURCES
 ADJUDICATION CLAIM POD REVIEW REPORT
 ADJUDICATION CLAIM NUMBER: 67-7579

11/30/2006

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
67-7579	Claim	17N	01E	28	NE	NW		CASCADE ROAD SPRING SHINGLE CREEK	UNITED STATES OF AMERICA ACTIN THROUGH
67-14174	Claim	17N	01E	28	NE	NW		SPRING SHINGLE CREEK	UNITED STATES OF AMERICA ACTIN THROUGH
67-14174	Water Right	17N	01E	28	NE	NW		SPRING SHINGLE CREEK	UNITED STATES OF AMERICA ACTIN THROUGH

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-7579

Priority: June 28, 1982 Amount: .02 CFS 6.1 AFA

This is to certify, that U.S. DEPT. OF AGRI.

FOREST SERVICE

FEDERAL BLDG.

324 25TH ST.

OGDEN, UT 84401

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated June 28, 1982, and has submitted proof to the Department of Water Resources on May 2, 1983, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .02 cfs of water from;

CASCADE ROAD SPRING

tributary to MILL CREEK

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Stockwater	06/01 to 10/31	.02 cfs	6.1 afa
Wildlife	01/01 to 12/31	.02 cfs	6.1 afa
Totals		.02 CFS	6.1 AFA

LOCATION OF POINT OF DIVERSION(S):

SENW , Sec. 28, Township 17N, Range 1E
Adams County

PLACE OF USE: Stockwater

TWN RGE SEC

17N 1E 28 SENW

PLACE OF USE: Wildlife, same as Stockwater use

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this license is subject to control by the watermaster of State Water District No. 67 .
5. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.

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111 09 1987

State of Idaho
Department of Water Resources

PAGE 2

WATER RIGHT LICENSE

WATER RIGHT NO. 67-7579

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 26TH day of JUNE, 1987.

Acting for the Director

Norman C. Young

MICROFILMED

JUL 09 1987

Ident. No. _____

STATE OF IDAHO

APPLICATION FOR AMENDMENT
(For Licensing Purposes)

APPROVED

Comes now U.S. Dept. of Agri., Forest Service Phone _____
of (address) Federal Bldg. 324 25th St. Ogden, UT 84401, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the
State of Idaho No. 67-7579, and requests that the permit be changed as follows:

1a. Point of diversion: SE 1/4 NW 1/4, Section 28, Township 17N, Range 1E,
B.M., County of Adams. Other points of diversion: _____

1b. Source: Cascade Road Spring tributary to Mill Creek

2a. Period and nature of use:

Amount 0.02 for Stockwater purposes from 6/1 to 10/31 (both dates inclusive)

(cfs or acre feet per annum)

Amount 0.02 for Wildlife purposes from 1/1 to 12/31 (both dates inclusive)

(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

(cfs or acre feet per annum)

2b. The maximum quantity diverted shall not exceed 0.02 cfs or 6.1 acre feet
per year.

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
17N	1E	28								X									

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JUL 09 1981

Total number of acres to be irrigated = _____

4. Date of priority: June 28, 1982

5. Conditions (if any):

Use of water under this license is subject to control by the watermaster of State Water District No. 67, Weiser River.

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Ogden, Utah, this 16th day of July, 1986.
United States of America - Forest Service
Randall K. Hall
(Signature)
(for) J. S. TIXIER, Regional Forester

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$20.00 Received by ccw Date 6-12-87 #42550

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby Approve the above Application for Amendment for Permit No. 67-7579.

Witness my hand this 26th day of June, 1987.

Acting for the Director

Norman C. Gung

MICROFILMED

JUL 09 1987

Sim

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

033
047-040

To appropriate the public waters of the State of Idaho

1. Name of applicant US Dept of Agric Forest Service Phone 801-625-5360
Post office address 324 25th Street Ogden Ut 84401

2. Source of water supply Cascade Road Spring which is a tributary of Mill Creek

3. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28 Township 18N
Range 1E B.M. Adams County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.02 cfs for Stockwater purposes from 6/1 to 10/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 cfs for wildlife purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.02 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Steel Culvert spring box w/
60' of 1" pipe leading to 200 gallon tank & trough

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is 1 years (minimum 1 year - maximum 5 years). (Development completed in 1979)

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28 Township 18N
Range 1E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered Council Mountain
Allotment (1300 cow/calf pairs)

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. NONE

9. a. Who owns the property at the point of diversion US Govt - Payette Nat'l Forest

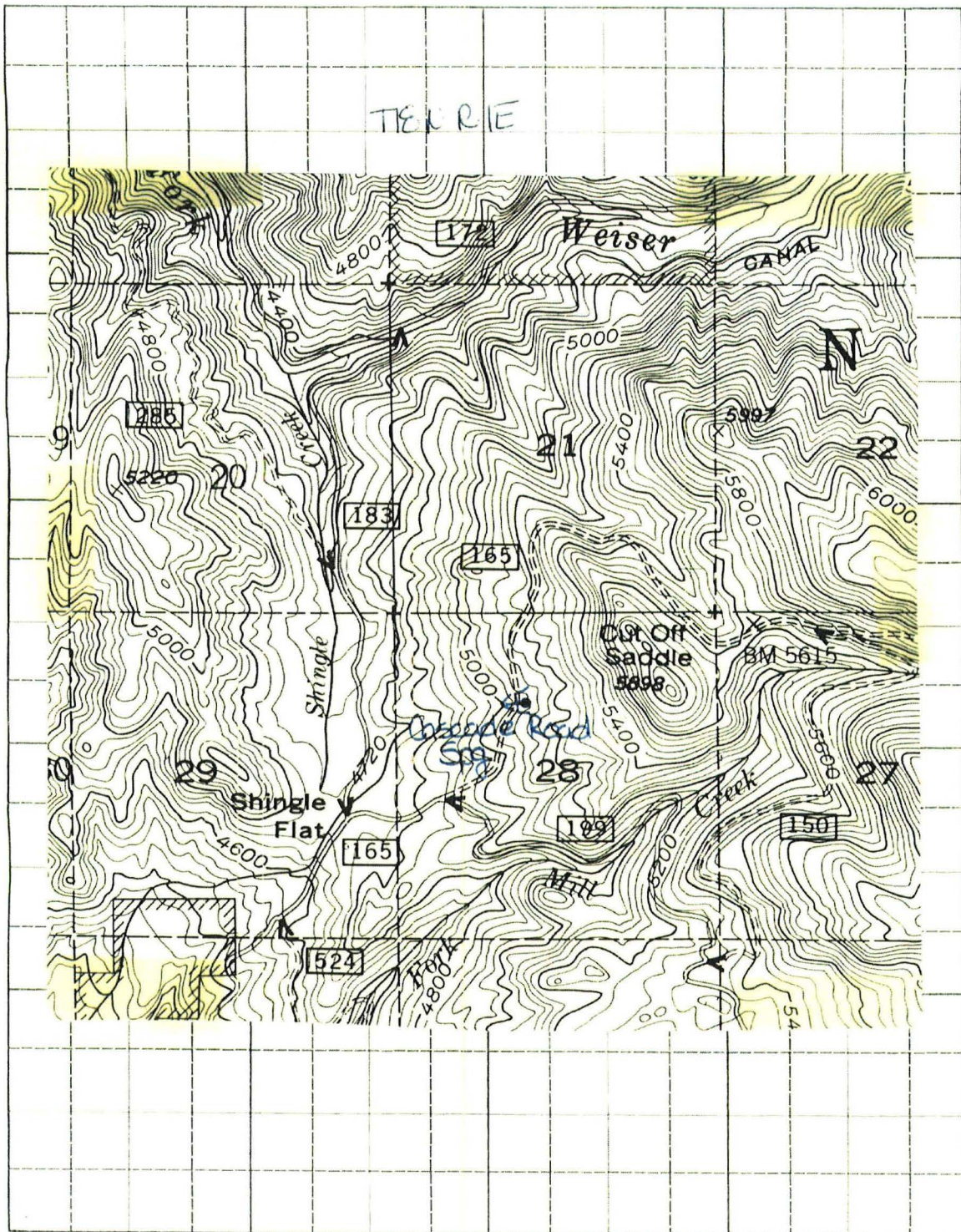
b. Who owns the land to be irrigated or place of use " "

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks Cascade Road Spring Development

APR 10 2007

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth. United States of America - Forest Service

Richard F. Sanders
(for) L. KENT MAYS, JR (Applicant) DRF, Resources

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

U. S. F. S.
SENLW - 28-84-14
.02 - STKW.
.02 - WLF.

RECEIVED

67-7579
Permit No.

CONTACT WITH PERMIT HOLDER

DATE INITIALS DEC 3 1985 REMARKS

☐ Appointment letter mailed:

☒ Telephone call made
(List Telephone No. used)

☒ Appointment scheduled for:
(Date, time, location)

6/12/84
684-8151

6/14/84

USFS - No Call

Department of Water Resources

EXAMINATION

Date 6/14/84 Accompanied by PHIL JAHN Total Q measured .02 cfs

Source CASCADE RD. SPR. Tributary to MILL CREEK Supp. annubar measurement sheet used?

If source is surface water, estimate total flow of source

Methods of measurement estimated Meets permit requirements? yes

Measurement calculations:

$$1300 \text{ gal.} \times .0134 = 17.42 \text{ gpa} > .02 \text{ cfs} \times 1.98 \times 153 \text{ dia} = 6.1 \text{ afa} \checkmark$$

7.30'

WELL/DIV. NO.*	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS
			N/A					

System Description Spring headbox w/60' of pipeline to 200 gallon trough.

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = AFA/Acre

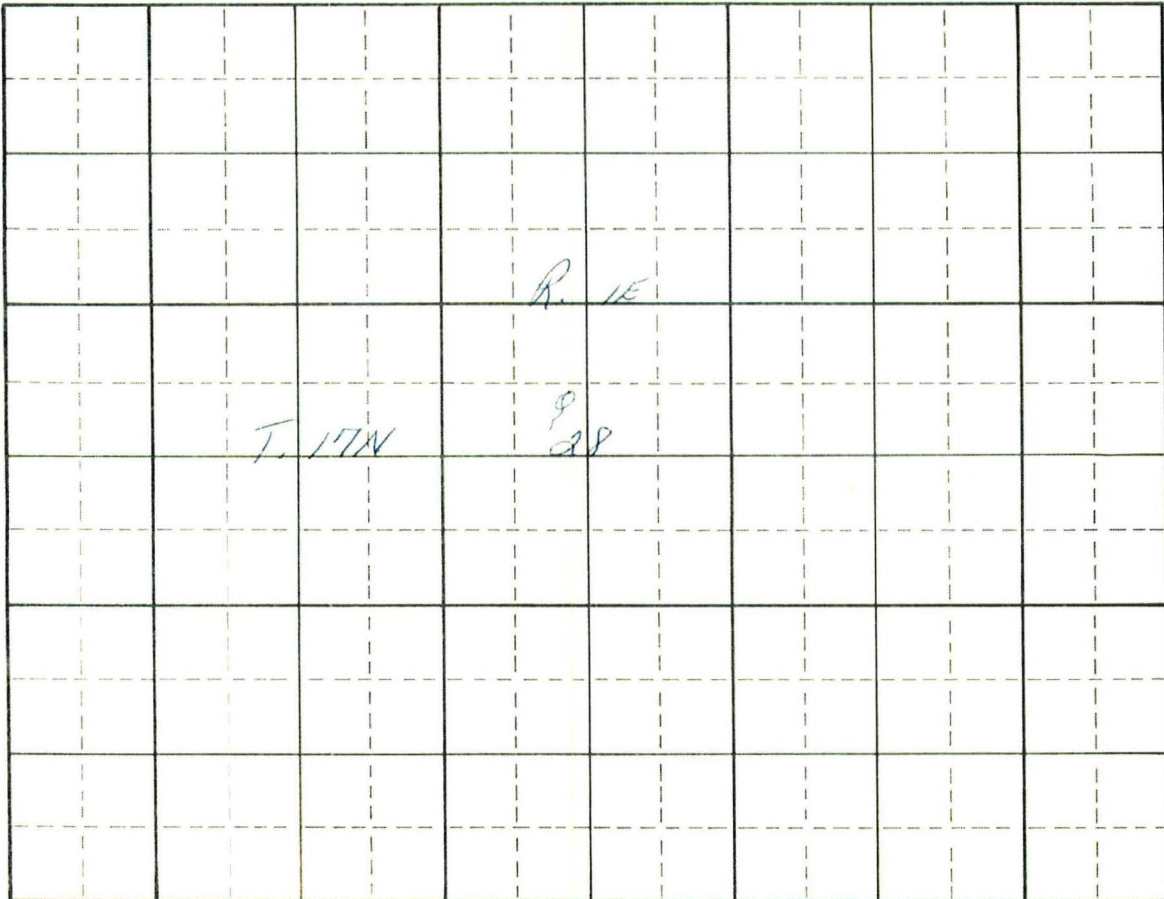
USE	Q (cfs)	V (afa)	FROM	TO
Stockwater - 1300 gal. ✓	.02 cfs ✓	6.1 afa ✓	6-1 ✓	10-31 ✓
Wildlife - misc. ✓	.02 cfs ✓	6.1 afa ✓	1-1 ✓	12-31 ✓
Total	.02 cfs ✓	6.1 afa ✓		

Remarks

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JUL 09 1987

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SE NW, S. 28, T. 17N, R. 1E

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
17N	1E	28																	

Recommended Amendments:

- ☒ Change P.D. as reflected above
☒ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☐ None
☐ Other

MICROFILMED

JUL 09 1967

Examiner's Signature

Checked by

Approved by

Jan Grover
625
Ray Walker

Date 3/14/85

Date 11/29/85

Date 6/18/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

OCTOBER 14, 1983

U.S. DEPT. OF AGRI.
FOREST SERVICE
324 25TH ST.
OGDEN UT 84401

RE: Permit No. 67-7579

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 334-2190 or in person in the third floor State Towers Building, 450 West State Street, Boise.

Sincerely,
s/Judy Pense
Secretary

MICROFILMED

JUL 09 1987

UNITED STATES DEPARTMENT OF AGRICULTURE

FOREST SERVICE
324 25th Street
Ogden, UT 84401

2540

April 29, 1983



Mr. A. Kenneth Dunn
Director
Idaho Department of Water Resources
Towers Building, 3rd Floor
Boise, ID 83720

Dear Mr. Dunn:

Enclosed are thirteen (13) completed Statements of Beneficial Use cards.

These water developments are all located on the Payette National Forest.

Sincerely,

for Richard L. Sanders
T.A. ROEDERER
Deputy Regional Forester
Resources

Enclosures (13)

DEPARTMENT OF AGRICULTURE
MAY 2 1983
RECEIVED

RECEIVED

PLACE
TEN CENT
STAMP
HERE

RECEIVED

MAY 2 1983

Director of State Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

047-033

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 67-2579.

Name(s) of Permit Holder: United States of America - Forest Service

Post Office Address: Federal Building, 324 25th Street

Ogden, Utah 84401

Tel. No. (801) 625-5360

Source of Water: Cascade Road Spg

Extent of Use:

- ☐ Domestic (number of households)
☒ Stockwater 300 cow half pairs (number and type of stock)
☐ Irrigation (acres)
☒ Other wildlife

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed. (for) Deputy Regional Forester, Resources

April 29, 1983
Date

Richard J. Sanders
Signature of Permit Holder

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

U.S. DEPT. OF AGRI.
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401

SEPTEMBER 28, 1982

RE: PERMIT NO. 67-7577 through 67-7587, and 72-7195

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

SINCERELY,

DAVID R. TUTTILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

RECEIVED
SEP 29 1982
MTC

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Jan Glover

APPLICATION NUMBER: 67-7579

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee. PURCHASE ORDER
☒ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☒ Idaho State Health Department. Copies sent by: _____ Date: _____
☒ Idaho Fish and Game Department. _____
☒ Idaho Department of Lands. _____
☒ U.S. Bureau of Land Management. _____
☒ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 8/10/82
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 8/10/82
☒ Application published correctly. If not, record action taken:
☒ Fee amount, receipt date & number, recorded on application. 30/24134
☒ Publication dates and paper, recorded on application. 7/29 & 8/5/82 Adams County
☒ Protests, dates, withdrawal, etc., recorded on application. Looney
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 67
6/28/82 Date of priority recommended.
☒ Special conditions of approval or cover letter. 05

By: 665

Date: 9/8/82

STATE OFFICE REVIEW:

SLW/second 05 (67 Weber)

☐ See attached sheet for more information.

By: Relay

Date: 9/15/82

RECEIVED
SEP 13 1982

[illegible]

IDAHO STREAM CODE INDEX

IDAHO STREAM CODE INDEX

IDAHO STREAM CODE INDEX

IDAHO STREAM CODE INDEX

IDAHO STREAM CODE INDEX

THE
NEW
BOOKS
FOR
YOU
IN
THE
LIBRARY

6Z-7579.

U.S. DEPT. OF AGRIC.

FOREST SERVICE, FEDERAL BLDG., 324 25TH ST., OGDEN, UT 84401

Source: CASCADE ROAD SPRING tributary to MILL CREEK

Date Filed: 06/28/1982

Amount: 0.02 CFS

Diversion Point: SENW Sec 28 T 18N R 01E, ADAMS Co.

Use: STOCKWATER	(0.02 CFS)	from 06/01 to 10/31
WILDLIFE	(0.02 CFS)	from 01/01 to 12/31

Place of Use: SENW Sec 28 T 18N R 01E

Diversion Means: SPRING BOX, PIPE & TROUGH

RECEIVED
JUN 29 1982

IDENT. NO. 67-7579

WATER RIGHT
DATA ENTRY LOG

[illegible]

RECEIVED

AUG 25 2005

DEPARTMENT OF
WATER RESOURCES



Steven M
Spencer/R4/USDAFS
08/24/2005 11:49 AM

To "Shaff, Don" <Don.Shaff@idwr.idaho.gov>
cc "Saxton, Craig" <Craig.Saxton@idwr.idaho.gov>
bcc
Subject RE: 67-12002

Don, on the way to you in the US Mail today is an amended claim for 67-12002. It turns out this it is a stream segment for stockwater with the beginning and ending points and all quarter-quarters in between identified as POU's. That may explain the cryptic electronic data you received from us back in 1993 with such distant POD and POU locations. It seems to fit the pattern of the data during those early years. The priority date is now the forest reservation date rather than the earliest historic beneficial use known.

In addition there are 4 federal reserved claims for guard stations in Basin 77 also enclosed.

If you or Craig have any questions about these claims, please contact me. Thank you.

Steve Spencer (208) 331-5944
Boise Adjudication Team (208) 387-0842 FAX
161 E. Mallard, Suite 110 e-mail: sspencer@fs.fed.us
Boise, ID 83706
"Shaff, Don" <Don.Shaff@idwr.idaho.gov>



"Shaff, Don"
<Don.Shaff@idwr.idaho.gov>

08/22/2005 02:40 PM

To "Steven M Spencer" <sspencer@fs.fed.us>
cc "Saxton, Craig" <Craig.Saxton@idwr.idaho.gov>
Subject RE: 67-12002

IDWR received the data for the 1993 claim and loaded the data into its computer on 14/23/1994. The irony is the data shows the diversion from Granite Creek in the NWNW of 18 but the use miles downstream where Granite Creek intersects the Middle Fork of the Weiser River in NWNW S 9; maybe but doubtful. At some unknown date the claim data was changed to Withdrawn. I cannot tell you what IDWR received to warrant the change to withdrawn. I don't think we received the paper for the claim to go with the data. Like 67-11995 that is an instream stock claim on the Middle Fork, perhaps 65-12002 was intended to cover instream use on Granite Creek from an upper point in Sec 18 to the mouth in Sec 9. If that so, an amendment to the claim would be justified. Until you come back to us with a claim, IDWR will leave the claim data record in the withdrawn category and neither investigate nor report a recommendation for the number 67-12002.

Don Shaff
(208) 287-4921
don.shaff@idwr.idaho.gov

-----Original Message-----

From: Steven M Spencer [mailto:sspencer@fs.fed.us]
Sent: Monday, August 22, 2005 1:26 PM
To: don.shaff@idwr.idaho.gov
Subject: 67-12002

I'm wrestling with a problem with an FS claim, 67-12002. My basic question is whether or not we've sent the Department anything on it in the past, either electronically or on paper, so that you already have a record of it,

SCANNED

AUG 30 2005

or do I have all the information and whatever I might send over to you would be new to the Department. I don't see anything available for it on the web site, so I'm anticipating that I have the record and you have nothing. But I do have a copy of the claim in my file in the format of the original claims the FS filed back in about 1993. So, I don't know exactly where I am with this claim. What do you know?

Steve Spencer
Boise Adjudication Team
161 E. Mallard, Suite 110
Boise, ID 83706

(208) 331-5944
(208) 387-0842 FAX
e-mail: sspencer@fs.fed.us

SCANNED

AUG 20 2005

AUG 25 2005

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSDepartment of Water Resources
Adjudication BureauIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number: 67-12002

FILED UNDER STATE LAW

1. Name of Claimant: UNITED STATES OF AMERICA on behalf of the
Address: 550 W. Fort Street MSC033
Boise ID 83724

2. Date of Priority: 05/25/1905

3. Source of water: GRANITE CREEK

4. Location Meridian BOISE

Description of Diversion Works: None

From: Stream

Location of Point of Diversion

T: 16 N R 02 E S: 18 SWSE

B

T: 16 N R 02 E S: 9 NWNW

E

Location of Place of Use

T: 16 N R 02 E S: 7 SESE ✓

ac: 0

T: 16 N R 02 E S: 8 NENE ✓

ac: 0

T: 16 N R 02 E S: 8 SENE ✓

ac: 0

T: 16 N R 02 E S: 8 SWNE ✓

ac: 0

T: 16 N R 02 E S: 8 NWSE ✓

ac: 0

T: 16 N R 02 E S: 8 NESW ✓

ac: 0

T: 16 N R 02 E S: 8 SESW ✓

ac: 0

T: 16 N R 02 E S: 8 SWSW ✓

ac: 0

T: 16 N R 02 E S: 9 NWNW ✓

ac: 0

T: 16 N R 02 E S: 18 NENE ✓

ac: 0

T: 16 N R 02 E S: 18 SENE ✓

ac: 0

T: 16 N R 02 E S: 18 SWNE ✓

ac: 0

T: 16 N R 02 E S: 18 NESW ✓

ac: 0

T: 16 N R 02 E S: 18 NWSE ✓

ac: 0

T: 16 N R 02 E S: 18 SWSE ✓

ac: 0

5. Quantity claimed:

Period

Quantity

For

6 / 01 -- 10 / 31

0.02 CFS

Stockwater

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:

Stockwater

8. Remarks:

State Basin: 67

National Forest: Payette

Forest Service Record ID: 4 12 17050124 47 1707

I verify to the best of my knowledge the statements contained in this document are true and correct.



Subscribed and sworn to before me on:

Steven M. Spencer
STEVEN M. SPENCER
Consumptive Use Water Specialist

Notary Republic

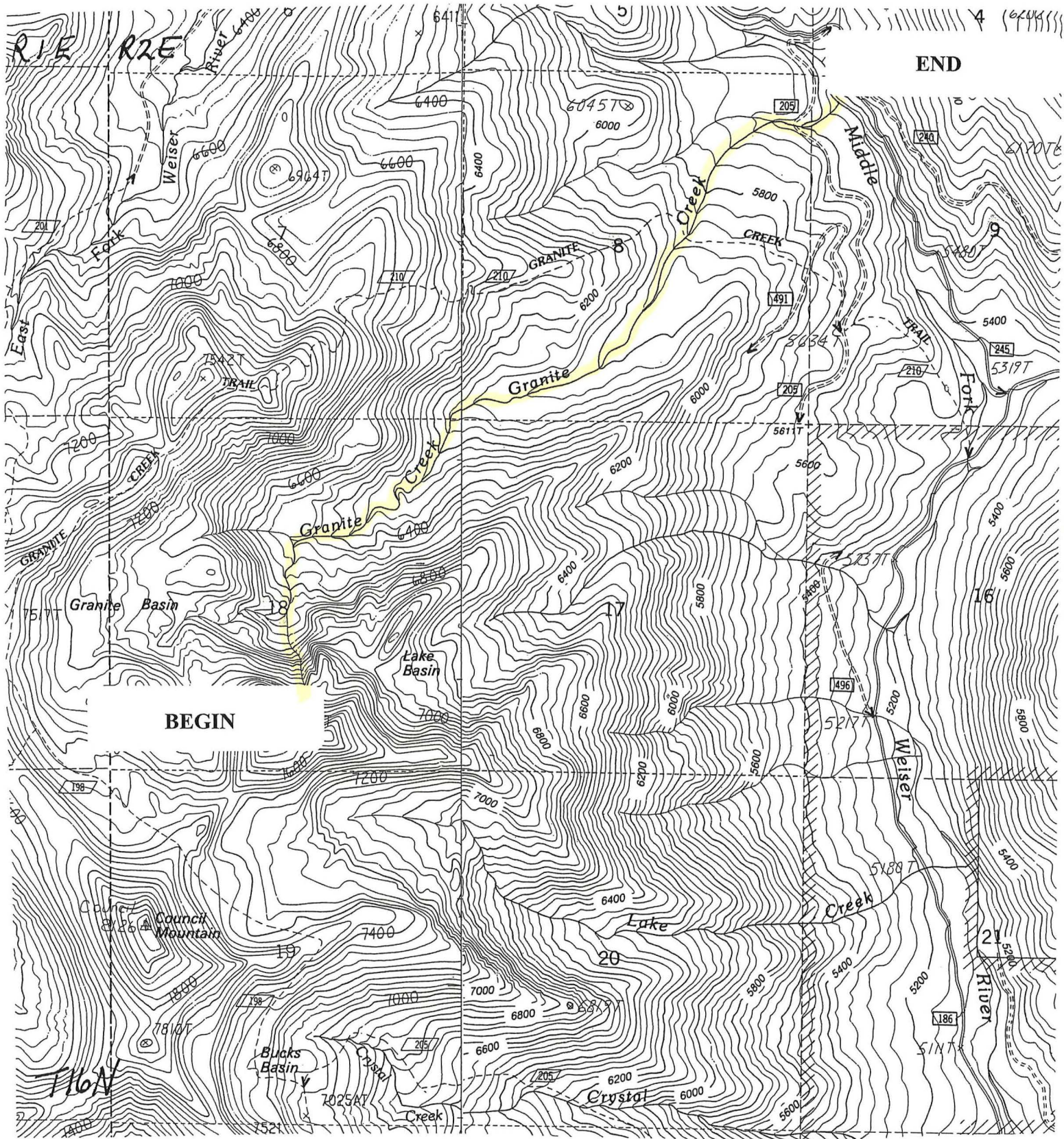
Residing at:

KUNA, IDAHO

My Commission Expires:

11-20-2010

67-12002



Council Mountain

Lone tree

SCANNED

AUG 30 2005

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Right ID</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Volume(af)</u>	<u>Source</u>
67	4443	A	Beneficial	Active	222114	1883-06-01		0.02	SPRING
67	7579		License	Active	337794	1883-06-01	0.03	6.1	CASCADE
67	7582		License	Active	332984	1883-06-01	0.03	6.1	LOST FOR
67	7832		Beneficial	Active	333009	1883-06-01	0.02		LOST TRA
67	11789		Beneficial	Active	333023	8/1/1985	0.02		GROUND
67	11798		Beneficial	Active	333032	1883-06-01	0.02		LOST VAL
67	11810		Beneficial	Active	333044	1883-06-01	0.02		WEISER R
67	11811		Beneficial	Active	333045	1883-06-01	0.02		FOURTH C
67	11824		Beneficial	Active	333058	1883-06-01	0.02		BEAR GUL
67	11856		Beneficial	Active	333090	1883-06-01	0.03		WEISER R
67	11875		Beneficial	Active	333109	1883-06-01	0.02		WEISER R
67	11878		Beneficial	Active	333112	1883-06-01	0.02		WEISER R
67	11942		Beneficial	Active	333176	1883-06-01	0.02		NORTH CA
67	11995		Beneficial	Active	333229	1883-06-01	0.03		WEISER R
67	12064		Beneficial	Active	333298	1883-06-01	0.03		LOST FOR
67	12074		Beneficial	Active	333308	1883-06-01	0.03		GRAYS CF
67	12109		Beneficial	Active	333343	1888-06-01	0.02		FAWN CRI
67	12146		Beneficial	Active	333374	7/15/1968		68	HORNET F
67	13502		Beneficial	Active	337795	1883-06-01	0.02	1	SKUNK CA
67	13503		License	Active	337796	1883-06-01	0.02	3.6	DRY CREE
67	13504		License	Active	337797	1883-06-01	0.02	5.5	ASPEN SP
67	13507		Beneficial	Active	337800	1883-06-01	0.02		BISBEE SP
67	14165		Beneficial	Active	413506		0.02		SPRING
67	14406		Beneficial	Active	565952	1883-06-01	0.02		SPRING

I have these files

Not in bar-code

Disallowed

Decreed

Can't find

RECEIVED

AUG 18 2005

Department of Water Resources

Saxton, Craig

From: Shaff, Don
Sent: Tuesday, August 16, 2005 11:40 AM
To: 'Steven M Spencer'; Saxton, Craig
Cc: Shaff, Don; Van Bussum, Monica
Subject: RE: 5 SRBA claims in B-67

A mail message on the priority date should be fine provided in a contested case where the issue is the priority date you can produce the documents. Amending the claims for a later priority date is not necessary.

Thanks,

Don Shaff

(208)287-4921

don.shaff@idwr.idaho.gov

-----Original Message-----

From: Steven M Spencer [mailto:sspencer@fs.fed.us]
Sent: Friday, August 12, 2005 12:12 PM
To: Saxton, Craig
Cc: Shaff, Don; Van Bussum, Monica
Subject: Re: 5 SRBA claims in B-67

Thanks Craig. I'll look each of these up and hopefully get back to you within a week. We have been changing all our priority dates for beneficial use stockwater claims to the forest reservation date, so I will need to confirm that on the first six and see how we want to deal with the apparently overlapping two. Will you be OK with an email reply on the priority dates, or will you want to receive an individual amended claim reflecting that change to the forest reservation date? Those reservation dates for the Payette and Weiser Forest Reserves are usually 1905 or later.

Steve Spencer	(208) 331-5944
Boise Adjudication Team	(208) 387-0842 FAX
161 E. Mallard, Suite 110	e-mail: sspencer@fs.fed.us
Boise, ID 83706	

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: 739576
Ident. Number: A67-07539
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: 06/01/1883

3. Source: CASCADE RD SPG Trib. to: SHINGLE CR

4. Point of Diversion:

Township	Range	Section	Tract	Lot	County
-----	-----	-----	-----	---	-----
17 N	1 E	28	NENW		ADAMS

5. Description of diverting works: COMBINATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.	(or)	Elevation/ Well Depth
-----	----	--	-----	----	-----	-----	-----
STOCKWATER/WILDLIFE	Jun.1	Oct.31	0.03		6.10		

7. Total Quantity Appropriated is: 0.03 C.F.S. / 6.10 A.F.A.

8. Total consumptive use is: de minimus

9. Non-irrigation uses: CATTLE Livestock Numbers: 1404

10. Place of Use:

Township	Range	Section	Tract	Lot	County
-----	-----	-----	-----	---	-----
17 N	1 E	28	NENW		ADAMS

Purpose of use: STOCKWATER/WILDLIFE Acres Irrigated:

11. Place of use in counties: ADAMS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used: NONE

14. Remarks: Quad No. 312-4

APPLICATION DATE: 06/28/1982

15. Basis of Claim: LICENSE

Reference Information:

National Forest: PAYETTE

Priority Dates: PAYETTE NATIONAL FOREST LIVESTOCK HISTORY

Forest Service Record ID: 04 12 17050124 44 0133 0

IDWR Water State Filing No.: 67-07539

Allotment No.: 104

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.