



00-00-0000: Partial Decree

PAGE 1
Nov-03-2000

NOV - 3 1999

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	)	NOTICE OF
	)	COMPLETED
Case No. 39576	)	ADMINISTRATIVE
	)	PROCEEDINGS
	)	
	)	Water Rights 85-11804,
	)	85-11805 and 85-11806

IDWR has completed the following Administrative Proceeding:

CHANGE OF ADDRESS

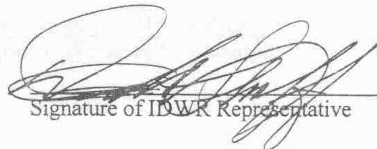
Name of Claimants:	Claimant's Water Rights:
United States of America	85-11804, 85-11805
National Park Service	and 85-11806
Water Resources Division	
1201 Oak Ridge Dr. Ste. 250	
Fort Collins, CO 80525	

IDWR certifies that it has completed its investigation into the changes to the elements of the water right listed above as set forth in the attached *Amended Director's Reports* for said water right. No other changes have been made to the elements of this water right except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding and Amended Director's Report* on the claimants and all parties in the subcase affected, if any, as reflected on the attached certificate of mailing.

DATED:

10/01/99


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 11-1-99, 1999, I mailed the original and copies of this form, to the following persons, postage prepaid and addressed as follows:

1. Original to: Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707
2. One copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449
3. One copy to:
United States Dept. Of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724
4. One copy to:
United States of America
National Park Service
Water Resources Division
1201 Oak Ridge Dr., Ste. 250
Fort Collins, CO 80525

Sandy Egbert
Signature of Person or Attorney Mailing the Form

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: AUG-11-1999
PAGE: A-44

RIGHT NUMBER: 85-11805

NAME & ADDRESS: UNITED STATES OF AMERICA
NATIONAL PARK SERVICE
WATER RESOURCES DIVISION
1201 OAK RIDGE DR STE 250
FORT COLLINS CO 80525

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 10/01/1955

POINT OF DIVERSION: T36N R04W S22 LOT 6 (NWNESE) Within NEZ PERCE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC	01-01 12-31	0.04 CFS

PROPERTY ALSO KNOWN AS NEZ PERCE NATIONAL HISTORICAL PARK

PLACE OF USE: DOMESTIC Within NEZ PERCE County
T36N R04W S22 Lot 6 (NESE)

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Form No. 42-1409 (2) b 9/88

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

Identification No. _____
Date Received _____
Receipt Number _____

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.**

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) United States of America
National Park Service Phone (303) 221-8301
Water Resources Division
Mailing Address 301 S. Howes St. Room 353 Zip 80521
Fort Collins, CO
2. Date of Priority (Only one per claim) 10-1-1955 Month/Day/Year
3. Source of water supply (Check one) (X) Groundwater or Other () (a) Ground water
Name or kind of source
which is tributary to (b) _____

4. Location of point of diversion is: Township 36N Range 4W
Section 22 , NW 1/4 of NE 1/4 of SW 1/4, Govt. Lot 6 (tract, 10M.
County of Nez Perce

Additional points of diversion if any: None

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Well with pump and pipeline to place of use.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from Month/Day 1/1 to Month/Day 12/31 amount .04 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .04 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Domestic - 1 unit

10. Place of use is: Township: _____ Range: _____

Section 22, NE 1/4 of SW 1/4, Govt. Lot _____ B.M.,County of Nez Perce for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Nez Perce12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. None (X)

14. Remarks: The water right claimed herein is used at Nez Perce National Historical Park.15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number None

16. Signature (s)

Number of Attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Chiefof Water Rights Branch (WRB), Water Resources Division (WRD) that I have signed the foregoingNational Park Service (NPS)document in the space below as Chief of WRB, WRD, NPS

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature] Date 1/20/89Title and Organization Chief, WRB, WRD, NPSState of Idaho/or Colorado)County of Larimer) SS.Subscribed and sworn (or affirmed) before me this 20th day of Jan 1989

SEAL

Notary Public Dana H. BowdenResiding at 205 W. Oak, Ft. Collins Co 805My Commission Expires 9-29-91Last Name USA- National Park Service Ident No. _____

Copies: White-State, Yellow-Claimant



United States Department of the Interior

OFFICE OF THE SOLICITOR

Pacific Northwest Region
500 N.E. Multnomah Street, Suite 607
Portland, Oregon 97232

MAY 11 1989.

NPS.PN.0329

MEMORANDUM

TO: Owen Williams, Water Resources Division, NPS

FROM: Barbara Scott-Brier, ORS

SUBJECT: In Re the General Adjudication of Rights to the Use of
Water from the Snake River Basin Water System, Civ. No.
39576 (5th Jud. Dist., Twin Falls, Id.)

Owen

Enclosed, as you requested, is a copy of the Department of Justice's February 2, 1989, cover letter to the State of Idaho and copies of the United States' filings regarding Snake River water right claims of the National Park Service.

Please let me know if you have any questions or comments.

cc w/attach:

Lynn Collins, Reg. Sol., SLC
Jack Hockberger, Boise FO, SOL
Bob Oser, Reg 1, FWS
Lou Hilderbrand, PAO, BIA



HM:PCMonson:gpt
90-6-2-63

Washington, D.C. 20530

February 2, 1989

Mr. Clive Strong
Assistant Attorney General
State of Idaho
Statehouse
Boise, Idaho 83720

Dear Clive,

Re: In re the General Adjudication of Rights to the
Use of Water from the Snake River Basin Water
System, Civ. No. 39576 (5th Jud. Dist. Twin
Falls).

Please find enclosed the claims of the United States for the Nez Perce National Historic Park and for that portion of Yellowstone National Park which is located in the Snake River Basin in Idaho. The claims for the Nez Perce National Historic Park are for state law appropriative water rights only and are described on the enclosed forms. I have enclosed both parts of each form, and would appreciate you or the Department of Water Resources assigning a number, if necessary, and acknowledging receipt of the form and returning it to me. No reserved water rights are claimed for this historic park because the land was not reserved from the public domain.

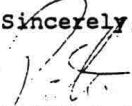
Water rights for Yellowstone are reserved rights and are described in a separate document and enclosures which include a map. I am informed by the Park Service that there are no state appropriative rights for Yellowstone in the area under adjudication.

I am informed that there are two new park units in Idaho--City of Rocks National Reserve and Hagerman Fossil Beds National Monument--which were recently established by congressional act. The Park Service is compiling claims for these two new units which will be submitted at a later date, hopefully within the next six months.

2

Once you have had an opportunity to review these claims, we will be glad to work with you in preparing one or more stipulations to be filed in Court which would be similar to the version which we have proposed for Craters of the Moon. If you have any questions, of course, do not hesitate to call me.

Sincerely,


Peter C. Monson
Attorney, Indian Resources Section
Land and Natural Resources Division
(202) 272-5749

Enclosures
cc: w/o enc.

Lynn Collins, Esquire
Barbara Scott-Brier, Esquire
John Hill, Esquire
Warren Derbidge, Esquire
Stan Ponce

Jeff Hughes
Alice Jones
Owen Williams
Stanley L. Ponce

January 20, 1989

LS4(479)
PNWR/NEPE/Water Rights

Memorandum

To: Regional Director, Pacific Northwest Region
Attention: Richard L. Winters

From: Chief, Water Resources Division

Subject: General Adjudication of Rights to the Use of Water From the Snake
River Basin Water System (5th Jud. Dist., Twin Falls, ID) on Appeal,
No's. 17267 and 17265 (Id. S. Ct.)

NOTICES OF CLAIM TO A WATER RIGHT for Nez Perce National Historical Park and a
draft letter from the Regional Director, Pacific Northwest Region, to the
Solicitor, Pacific Northwest Region are attached. To meet Court-imposed
deadlines, these claims must be received in the Solicitor's Office by
January 25, 1989.

If you have any questions, please contact Owen Williams at (303) 221-8301.

Stanley L. Ponce

Attachments

cc: NEPE - Superintendent
WASO, WRD - Williams

bcc: PNW - Ron Hyra
Barbara Scott Brier

FNP:JHUGHES:jr:221-8329:01/19/89:WANG #227

January 20, 1989

L54(479)
PNWR/NEPE/Water Rights

Memorandum

To: Solicitor, Pacific Northwest Region
Attention: Barbara Scott-Brier

From: Regional Director, Pacific Northwest Region

Subject: General Adjudication of Rights to the use of water
from the Snake River Basin Water System (5th Jud.
Dist., Twin Falls, ID) on Appeal, Nos. 17267 and
17265 (Id. S. Ct.).

NOTICES OF CLAIM TO A WATER RIGHT for Nez Perce National
Historical Park (NEPE) are enclosed. The Notices are for
appropriative water rights; no Federal reserved water right
claims were prepared since none of the park land was reserved
from public domain.

By memorandum of January 12, 1989 from the Chief, Water Rights
Branch, Water Resources Division (WRD), you were informed of two
new park units in Idaho -- City of Rocks National Reserve and
Hagerman Fossil Beds National Monument -- which were recently
established by Congressional Act. It is my understanding that
water right claims for these units are not needed by January 25,
1989, as are the NEPE claims, and that when the NEPE claims are
submitted, the State of Idaho will be informed that the United
States is developing claims to be submitted at a later date for
the two new units.

If you have any questions regarding the attached, please contact
Owen Williams of the WRD at (303) 221-8301.

Attachments

cc: NEPE - Superintendent
PNWR - Hyra
WASO,WRD - Williams

Docket Information

Number of Documents in Docket 12

Documents Dated from 10/1/1955 to 5/11/1989

Docket Compiled: 3/22/2012