

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: A21-07355
Date Received: 7/26/1990
Receipt No: CO18452
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STATE OF IDAHO
Address: IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE, ID

208-327-7900

83720

2. Date of Priority: SEP 27, 1984

3. Source: WARM RIVER

Trib. to: HENRYS FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
Beginning Point of Minimum Instream Flow					
09N	43E	12	SW	SE	FREMONT
Ending Point of Minimum Instream Flow					
10N	44E	10	NW	SW	FREMONT

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
MINIMUM INSTREAM FLOW	01/01	12/31	141.000		

7. Total Quantity Appropriated is:
141.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

A2107355



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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09N	43E	12	SW SE		MIF	
10N	44E	10	NW SW		MIF	

11. Place of use in counties: FREMONT

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

14. Remarks:

P/U WITHIN REACH BETWEEN POINTS LISTED IN POINT OF DIVERSION. THE USE OF WATER UNDER THE PERMIT SHALL RECOGNIZE AND ALLOW THE CONTINUED BENEFICIAL DIVERSION OF WATER FOR IRRIGATION & OTHER PURPOSES UNDER ANY PRIOR EXISTING WATER RIGHTS ESTABLISHED BY DIVERSION & APPLICATION TO BENEFICIAL USE OR BY ANY APPLICATION, PERMIT, OR LICENSE ON FILE OR ISSUED BY THE DIRECTOR UNDER THE PROVISIONS OF CHAPTER 2, TITLE 42, I.C., WITH THE PRIORITY OF WATER RIGHT DATE EARLIER THAN 9/27/1984. UPON THE FUTURE FINDING & ORDER OF THE DIRECTOR THAT GAUGING STATIONS ARE REQUIRED TO DETERMINE THE APPROVED MIN. FLOWS ON WARM RIVER ARE BEING MAINTAINED, SUCH MEASURING DEVICES SHALL BE PERMANENTLY INSTALLED & MAINTAINED AS SPECIFIED BY THE DEPT. THE DIRECTOR RETAINS JURISDICTION TO REVIEW & AMEND ANY & ALL PARAMETERS OF THIS PERMIT & SUBSEQUENT LICENSE. ANY PERSON SEEKING REVIEW & AMENDMENT OF THE PERMIT OR LICENSE SHALL FILE A REQUEST WITH THE BOARD, WHICH REQUEST SHALL DESCRIBE THE AMENDMENT SOUGHT, THE REASONS FOR THE PROPOSED AMENDMENT, & A STATEMENT OF THE CHANGE IN CIRCUMSTANCES SINCE THE PERMIT OR LICENSE WAS ISSUED OR LAST REVIEWED THAT MERIT A REVIEW OF THE PERMIT OR LICENSE. A COPY OF THE PETITION SHALL BE SERVED UPON THE DIRECTOR OF IDWR. THE BOARD, UPON RECEIVING A REQUEST, OR UPON ITS OWN INITIATIVE, MAY PETITION THE DIRECTOR FOR AN AMENDMENT TO THE PERMIT OR LICENSE. THE PETITION MUST SET FORTH ANY SIGNIFICANT CHANGE IN CIRCUMSTANCES & EVIDENCE OF THE PUBLIC INTEREST SUPPORTING THE PROPOSED AMENDMENT. THE DIRECTOR WILL NOTIFY THE GENERAL PUBLIC & SPECIFIC PERSONS OR KNOWN INTERESTED PARTIES OF THE PROPOSED CHANGE, & CONDUCT A HEARING FOR THE PURPOSE OF DETERMINING WHETHER THE PERMIT OR SUBSEQUENT LICENSE SHOULD BE AMENDED IN THE PUBLIC INTEREST. THE BURDEN OF PROOF AT THE HEARING SHALL BE UPON THE PERSON OR PARTY SEEKING THE AMENDMENT TO ESTABLISH THAT AMENDMENT OF THE PERMIT OR LICENSE WOULD BE IN THE PUBLIC INTEREST. PROOF OF INSTREAM BENEFICIAL USE OF THE MINIMUM STREAMFLOW APPROPRIATED SHALL BE SUBMITTED IN A MANNER APPROVED BY THE DEPT. WITHIN 5 YRS. AFTER THE PERMIT APPROVAL IS FINALLY EFFECTIVE AS HEREIN PROVIDED. PROOF SHALL BE FILED IN THE FOLLOWING MANNER: SUFFICIENT PROOF HAS BEEN FILED WITH THE DEPT. REGARDING THE NEED OF A MINIMUM FLOW FOR FISH HABITAT &

14. Remarks: Continued

RECREATIONAL VALUES, & THE AVAILABILITY OF FLOWS IN WARM RIVER.
FOLLOWING AFFIRMATIVE ACTION BY THE LEGISLATURE, PROOF CAN BE
FILED.

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Chairman of
Title
Idaho Water Resource Board, that I have signed the foregoing
Organization
document in the space below as Chairman of
Title
Idaho Water Resource Board and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Chairman Id. Water Resource Board
Title and Organization

June 8/3/90
Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 3 day
of August 19 90

[Signature]
Notary Public

Seal

Residing at Emmett

My Commission Expires 5/30/92

BEFORE THE WATER RESOURCE BOARD
OF THE STATE OF IDAHO

IN THE MATTER OF THE)
SNAKE RIVER BASIN WATER)
RIGHT ADJUDICATION)

A RESOLUTION TO FILE
ADJUDICATION CLAIMS AND
PAY FILING FEES

WHEREAS, the Snake River Basin Water Right Adjudication has been commenced by order of the Court dated November 19, 1987; and,

WHEREAS, under the provisions of Chapter 15, Title 42, Idaho Code, the Idaho Water Resource Board is the holder of certain instream water rights; and,

WHEREAS, the Idaho Water Resource Board desires to file claims in the Snake River Basin Adjudication for all water right permits held by the Board as provided by Section 42-1421, Idaho Code; and,

WHEREAS, all claims filed with the Director of the Idaho Department of Water Resources as a part of the adjudication must be accompanied by the appropriate filing fee as set out in Section 42-1414, Idaho Code; and,

WHEREAS, by Resolution of June 23, 1989 the Board directed that annual budget requests be made to the Legislature for an appropriation to pay adjudication claim fees for water rights held by the Board and that upon receipt of the necessary funds the Board will file the appropriate adjudication claims; and,

WHEREAS, the Legislature did appropriate \$74,200 to be used by the Board during fiscal year 1991 to pay the first installment of the filing fees for the claims listed below.

NOW, THEREFORE BE IT RESOLVED that the Idaho Water Resource Board, through its Chairman, files the following claims to water rights as part of the Snake River Basin Adjudication and directs the fees for those claims be taken from the money appropriated for that purpose to be paid to the Department of Water Resources.

<u>Number</u>	<u>Instream Right</u>
21-07282	Henrys Fork
36-07820	Blind Canyon Springs
73-07045	Pahsimeroi River
41-07046	Rock Creek, East Fork
37-07849	Silver Creek
37-07919	Big Wood River
37-07920	Malad River (Big Wood)
22-07370	Bitch Creek
21-07283	Warm River
41-07074	Rock Creek, East Fork
21-07355	Warm River
65-12733	Payette River, SF & Main
36-08307	Minnie Miller Springs

36-08330
47-08073
36-08337
36-08374

Crystal Springs
Shoshone Creek
Box Canyon Springs
Crystal Springs

DATED this 3 day of August, 1990.


Chairman
Idaho Water Resource Board

ATTEST


Secretary

7840-224-7445
FORM DA-18 Rev. 6-86
WHITE - State Auditor
GREEN - Paying Agency
YELLOW - Billing Agency
PINK - Retain in Paying Agency
GOLDENROD - Retain in Billing Agency

State of Idaho
Office of State Auditor
INTER-AGENCY BILL

AUDITOR USE

Document No.

01637

Pre Audit

Date

AUG - 1 1990

CO 8452

FOR AGENCY USE

100	
Delivery Date	Billing Date
	8-1-90
Agency Code	
19-3002	

TO: (Paying Agency) -

WATER RESOURCES

FROM: (Billing Agency)

WATER RESOURCES

INSTRUCTIONS:

1. **BILLING AGENCY:** Prepare 5 copies of DA-18. Complete sections A and B and sign. Detach goldenrod copies and forward rest of form to receiving agency. Yellow copy will be returned to you after this transaction has been processed.
2. **PAYING AGENCY:** Upon receipt of this form, complete section C. Sign, detach pink copy for your files and forward remaining copies to office of State Auditor. Green copy will be returned to you after form has been processed.
3. **NOTE:** Inter-agency bills may be used only for charges of materials or services from one agency to another. This form may not be used for intra-agency transfers of adjustment.

A. THIS SECTION CONTAINS THE NAME, PRICE, AND DESCRIPTION OF MATERIALS OR SERVICES SUPPLIED.

Description	Unit	Quantity	Unit Price	Amount
WATER BOARD FILING FEE FOR SRBA CLAIMS (See attached list)				74,230.00
				74,230.00

B. THIS SECTION PROVIDES FOR AN INTER-AGENCY CREDIT TO THE BILLING AGENCY FOR THOSE ITEMS SHOWN ABOVE.

Line	Program	Acct.	Recpt. Class	Amount	For Agency Use
1	04-10-162	9337	6490	74,230.00	

C. THIS SECTION CHARGES THE AMOUNT SHOWN IN SECTION A TO THE PROPER ACCOUNTS INDICATED BELOW.

☐ PARTIAL ☐ FINAL		Encumbrance Reference Number:				
Agency Code	Line	Program	Acct.	Exp. Class	Amount	For Agency Use
19-3002	1	01-30-999	1101	9690	74,230.00	
TOTAL					74,230.00	

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I hereby certify that the items listed above were furnished to the state agency indicated and that the amounts billed are proper charges:

Signed

(Authorized Agent of Billing Agency)

Signed

(Authorized Agent of Paying Agency)

CALCULATION OF INTEREST AND PRINCIPAL

NAME: IWRB
 AR Acct. No. C0000
 Date Calc: 18-JUL-1990

ORIG. FEE	REC'T NO.	DATE REC	AMT RECEIVED	PRIN REC	INT. RECEIV
371,150.00	TENTATIVE	01-AUG-1990	74,230.00	74,230.00	
	PRESUMED	01-AUG-1991	103,922.00	74,230.00	29,692.00
		01-AUG-1992	96,499.00	74,230.00	22,269.00
		01-AUG-1993	89,076.00	74,230.00	14,846.00
		01-AUG-1994	81,653.00	74,230.00	7,423.00
TOTAL			445,380.00	371,150.00	74,230.00

	FY 91	FY 92	FY 93	FY 94
REM. PRIN	296,920.00	222,690.00	148,460.00	74,230.00
PRIN. DUE	74,230.00	74,230.00	74,230.00	74,230.00
BEG INT DATE	01-AUG-1990	01-AUG-1991	01-AUG-1992	01-AUG-1993
END INT DATE	01-AUG-1991	01-AUG-1992	01-AUG-1993	01-AUG-1994
DAYS IN PER.	365	365	365	365
5810 INTERES	29,692.00	22,269.00	14,846.00	7,423.00
7328 PRINCIP	74,230.00	74,230.00	74,230.00	74,230.00
BAL. DUE	103,922.00	96,499.00	89,076.00	81,653.00

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Mark -

Claims by
8/01

Please create the records & print claims below with AT/ using the attached example for name & address. Do not put in a receipt #.

MEMORANDUM

Thanks *Don*

To: Keith Higginson

From: David Shaw DBS

January 12, 1990

Subject: IWRB Instream Flow Claims/Fees

The IWRB has an existing time payment obligation to make the third of five payments for the first ten instream flow claims filed by the IWRB. This obligation is \$572,040 principal payment and about \$171,600 in interest, depending upon the time of the FY91 payment. The outstanding balance for this account is \$1,716,120 plus interest at 10% per year beginning on August 22, 1989.

The IWRB has filed a claim for Devil's Corral Springs in FY90 and paid the entire fee of \$4,850. This claim is not a part of any present or future payment plan.

The IWRB has asked for an appropriation to file the claims below during FY91. The recommendation in the Governor's budget and in our agency request is for \$74,200 to make the first of five payments for these claims. Some interest has been expressed in paying the claim fees in full from surplus and the entire fee amount is shown should that alternative be selected.

Number	Instream Right	Fee	Payment Due
21-07282 ✓	Henrys Fork	\$100,050 ✓	\$20,010
36-07820 ✓	Blind Canyon Springs	850 ✓	170
73-07045 ✓	Pahsimeroi River	12,750 7450.- ✓	2,550
41-07046 ✓	Rock Creek, East Fork	2,050 1150.- ✓	410
37-07849 ✓	Silver Creek	7,450 ✓	1,490
37-07919 ✓	Big Wood River	7,050 ✓	1,410
37-07920 ✓	Malad River (Big Wood)	3,950 ✓	790
22-07370 ✓	Bitch Creek	2,850 ✓	570
21-07283 ✓	Warm River	14,150 ✓	2,830
41-07074 ✓	Rock Creek, East Fork	1,150 ✓	230
21-07355 ✓	Warm River	14,150 ✓	2,830
65-12733 Ark ✓	Payette River, SF & Main	135,050 110,050 & 22,050 110,050 D 110,050	27,010
36-08307 ✓	Minnie Miller Springs	45,050 ✓	9,010
36-08330 ✓	Crystal Springs	5,050 ✓	1,010
47-08073 ✓	Shoshone Creek	750 ✓	150
36-08337 ✓	Box Canyon Springs	16,250 ✓	3,250
36-08374 ✓	Crystal Springs	2,550 ✓	510
		371,150 ✓	74,230

In summary, IWRB has an obligation to make a payment for the claims already filed. That payment for FY91 will be about \$743,650 with the amount varying slightly depending on the interest due. If this time payment account were to be paid out the payment would be about \$1,887,730 if paid August 21, 1990. Additionally, the IWRB is seeking an appropriation to file seventeen additional claims. The payment plan amount and the total fee amount for the seventeen claims are shown above.

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RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No:0002305

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE ID 83720

Date:08/22/88
Time:17:27:57

Received
From: DEPT OF WATER RESOURCES

Type of Payment	Program Acct	Amount
ADJUDICATION FEE	0410162 9337 6490	\$572,040.00

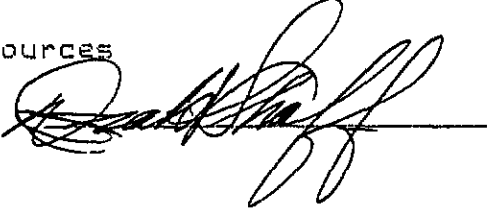
Total \$572,040.00

AR/NO C000004 Total Claim Fee \$2,860,200.00 Current Bal. \$2,288,160.00
OTHER

WR/NO: A02-00200	A02-00201	A02-00223	A02-00224	A03-00006
A03-00007	A03-00008	A37-07727	A37-07728	A36-07818
A37-07734	A37-07739			

Idaho Department of Water Resources

Region: State

Signature: 

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OCT 21 1992

State of Idaho
Office of State Auditor
INTER-AGENCY BILL

WHITE - State Auditor
GREEN - Paying Agency
YELLOW - Billing Agency
PINK - Retain in Paying Agency
GOLDENROD - Retain in Billing Agency

AUDITOR USE

Document No.

01822

Pre Audit

Date

AUG 10 1988

FOR AGENCY USE

127	
Delivery Date 3/3/88	Billing Date 2/8/83
Agency Code 13-30-02	

TO: (Paying Agency)

Dept. of Water Resources

FROM: (Billing Agency)

Dept. of Water Resources

Dave -
Here's the Water
Board money!!
da

If DA-18. Complete sections A
and forward rest of form to
be returned to you after this

If this form, complete section C.
and forward remaining copies to
it be returned to you after form

and only for charges of materials
or. This form may not be used for

A. THIS SECTION CONTAINS THE NAME, PRICE, AND DESCRIPTION OF MATERIALS OR SERVICES SUPPLIED.

Description	Unit	Quantity	Unit Price	Amount
Snake Basin Adjudications Water Right filings A02-00201; A02-00223; A02-00224; A03-00006; A02-00007; A03-00003; A36-07818; A37-07728; A37-007739; A37-07734				572,040 00
				572,040 00

B. THIS SECTION PROVIDES FOR AN INTER-AGENCY CREDIT TO THE BILLING AGENCY FOR THOSE ITEMS SHOWN ABOVE.

Line	Program	Acct.	Recpt. Class	Amount	For Agency Use
1	04 10 162	9337	64 90	572,040 00	

C. THIS SECTION CHARGES THE AMOUNT SHOWN IN SECTION A TO THE PROPER ACCOUNTS INDICATED BELOW.

☐ PARTIAL ☐ FINAL					Encumbrance Reference Number:							
Agency Code	Line	Program			Acct.	Exp. Class		% of Total		Amount		For Agency Use
193002	1	01	30	999	1101	81	90			572,040.00		
TOTAL								100%		572,040	00	MICROFILM

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OCT 21 1992

I hereby certify that the items listed above were furnished to the state agency indicated and that the amounts billed are proper charges.

Signed

(Authorized Agent of Billing Agency)

Signed

(Authorized Agent of Paying Agency)

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE)
SNAKE RIVER BASIN WATER)
RIGHT ADJUDICATION)

A RESOLUTION TO FILE
ADJUDICATION CLAIMS AND
PAY FILING FEES

WHEREAS, the Snake River Basin Water Right Adjudication has been commenced by order of the court dated November 19, 1987; and,

WHEREAS, under the provisions of the State Water Plan and Chapter 15, Title 42, Idaho Code, the Idaho Water Resource Board is the holder of certain instream water rights; and,

WHEREAS, these water rights must be claimed as a part of the Snake River Basin Adjudication; and,

WHEREAS, all claims filed with the Director of the Idaho Department of Water Resources as a part of the adjudication must be accompanied by the appropriate filing fee as set out in Section 42-1414, Idaho Code.

NOW, THEREFORE BE IT RESOLVED that the Idaho Water Resource Board, through its Chairman, files the following claims to water rights as part of the Snake River Basin Adjudication and directs the fees for those claims be taken from the money appropriated for that purpose and be paid to the Department of Water Resources.

Adjudication Claims

A02-00200
A02-00201
A02-00223
A02-00224
A03-00006
A02-00007
A03-00008
A36-07818
A37-07727
A37-07728
A37-07734
A37-07739

DATED this 1st day of July, 1988.


Chairman
Idaho Water Resource Board

ATTEST


Secretary

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