

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: A73-07045
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 208-327-7900
Address: IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE, ID 83720

2. Date of Priority: DEC 19, 1979

3. Source: PAHSIMEROI RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15N	21E	8		NW	NW		CUSTER
		21		NW	NW		CUSTER
16N	20E	25		SW	NW	3	CUSTER

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	74.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
N/MAINTAIN AQUATIC HABITAT.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
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A73-07045

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Date: 07/26/90

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11. Place of use in counties:

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

13. Other Water Rights Used:

14. Remarks:

FLOW DIVIDED INTO 2 REACHES: LOWER REACH, 74 CFS FROM LOT 3, SWNW, S25, T16N, R20E TO NWNW, S8, T15N, R21E; UPPER REACH, 45 CFS FROM NWNW, S8, T15N, R21E TO NWNW, S21, T15N, R21E.

UPON THE FUTURE FINDING & ORDER OF THE DIRECTOR THAT ADDITIONAL GAUGING STATIONS ARE REQUIRED TO MAINTAIN THE APPROVED MIN. STREAM FLOWS OF THE PAHSIMEROI R. SUCH MEASURING DEVICES SHALL BE PERMANENTLY INSTALLED & MAINTAINED AS SPECIFIED BY THE DIRECTOR. THE USE OF WATER UNDER THIS PERMIT SHALL RECOGNIZE ALL REASONABLE IRR. DIV. PRACTICES ON THE PAHSIMEROI R. & TRIBUTARIES EXISTING AT THE TIME APP. 73-7045 WAS FILED (12/12/79). IN PARTICULAR, ADMIN. OF THIS PERMIT SHALL NOT PREVENT SUCH EXISTING DIVERSIONS OF EXCESS WATER IN ADDITION TO RECORDED RTS. IF ALL RECORDED RTS., EXCLUDING THE RT. UNDER THIS PERMIT, ARE THEN SATISFIED. IN THIS REGARD, THE WATERMASTER OF W.D. 73 IS NOT AUTHORIZED TO CONTROL, FOR THE PURPOSE OF DELIVERING WATER TO FILL THE RT. AUTHORIZED UNDER THIS PERMIT, THE DIV. OF WATER TO ANY LAND IRRIGATED UNDER A VALID WATER RT. FROM PAHSIMEROI R. & TRIBUTARIES PRIOR TO 12/12/79. PROOF OF INSTREAM B/U OF THE MIN. STREAM FLOW APPROPRIATED SHALL BE SUBMITTED IN A MANNER APPROVED BY THE IDWR ON OR BEFORE 2/1/89. THE PROOF SUBMITTED SHALL INCLUDE AT LEAST 3 YRS OF FLOW DATA FOR THE WATER COURSE & DATA TO DOCUMENT USAGE IN ACCORDANCE WITH THE PURPOSES PERMITTED. THE FREQUENCY OF DATA ACCUMULATION MUST BE SUBMITTED TO THE DIRECTOR FOR REVIEW & APPROVAL.

THE DIRECTOR RETAINS JURISDICTION TO REVIEW & AMEND ANY & ALL PARAMETERS OF THIS PERMIT & SUBSEQUENT LICENSE UPON HIS DETERMINATION THAT THE PUB. INTEREST IS NO LONGER SERVED BY THE MINIMUM STREAM FLOW AS ESTABLISHED. THE DIRECTOR WILL REVIEW THE PERMIT & SUBSEQUENT LICENSE 10 YRS. AFTER ISSUANCE OF THE PERMIT OR UPON PETITION OF 50% OR MORE OF THE REGISTERED VOTERS RESIDING WITHIN THE PAHSIMEROI RIVER BASIN. THE APPLICATION HEREBY APPROVED BY THE DIRECTOR SHALL BE SUBMITTED TO THE IDAHO LEGISLATURE BY THE 5TH DAY OF THE NEXT REGULAR LEGISLATIVE SESSION & THE DIRECTOR'S APPROVAL SHALL NOT BECOME FINALLY EFFECTIVE UNTIL APPROVED BY THE LEGISLATURE PURSUANT TO THE PROCEDURE PROVIDED BY SEC. 42-1503, IDAHO CODE.

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
Snake Water Resource Board, that I have signed the foregoing
Organization document in the space below as Chairman of
Snake Water Resource Board and that the statements contained in the
Organization foregoing document are true and correct.

[Signature]
Signature of Authorized Agent
Chairman Snake Water Resource Board
Title and Organization
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	Henry's 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

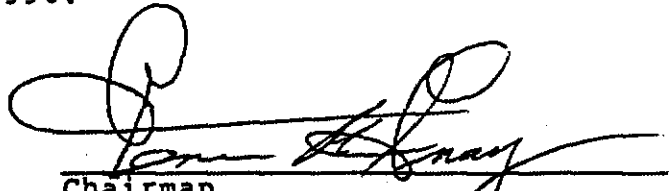
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36-08330
47-08073
36-08337
36-08374

Crystal Springs
Shoshone Creek
Box Canyon Springs
Crystal Springs

DATED this 3 day of August, 1990.


Chairman
Idaho Water Resource Board

ATTEST 
Secretary

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

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:

- 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.
- 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.
- 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	

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

Signed

(Authorized Agent of Billing Agency)

Signed

(Authorized Agent of Paying Agency)

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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
6810 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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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 8/8/88
Agency Code 19-30-02	

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
as and forward rest of form to
be returned to you after this

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	MICROFILME

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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)

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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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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} _{25,000} ^{20,050} _{110,050} ✓	27,010 ^{135,050}
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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