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DEPARTMENT OF  
WATER RESOURCES

Law Offices

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September 8, 2004

Bill Graham  
Idaho Department of Water Resources  
1301 North Orchard Street  
Boise, Idaho 83706

74-14993  
85-7583  
86-7318  
86-7345

**Re: SRBA Claims**

Dear Mr. Graham:

Enclosed please find the original claims which have been signed by Jerry and notarized. Please see his note.

If you have any questions or concerns, please feel free to give our office a call.

Sincerely yours,

*Jodi L. Thurber*

Jodi L. Thurber  
Assistant to Jerry R. Rigby

/jt

Enclosures  
F:\WP6\SB\SRBA.L23

SEP 10 2004

DEPARTMENT OF  
WATER RESOURCES

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 85-7583

Date Received:

Receipt No:

Received By:

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

## 1. Name of Claimant(s)

STATE OF IDAHO Phone: (208)327-7900

IDAHO WATER RESOURCE BOARD  
STATEHOUSE MAIL  
PO BOX 83720  
BOISE ID USA 83720-0098

## 2. Date of Priority: 07/30/1992

## 3. Source: CLEARWATER RIVER Trib. to: SNAKE RIVER

## 4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot |    |    |       | County                  | Type |
|----------|-------|---------|-----------------------|----|----|-------|-------------------------|------|
| 32N      | 04E   | 5       | SW                    | NE | 7  | IDAHO | Beginning Point         |      |
| 37N      | 01E   | 33      | NW                    | SE | SE | 8     | CLEARWATER Ending Point |      |

## 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 | 12/01 | 7/31  | 3515   |            |
| MINIMUM INSTREAM FLOW | 8/01  | 11/30 | 1836   |            |

7. Total Quantity Appropriated is:  
3515 C.F.S.

## 8. Total consumptive use:

## 9. Non-irrigation uses:

## 10. Place of use:

Within the reach between the points of diversion described above.

11. Place of use in counties: Idaho and Clearwater counties
12. Do you own the property listed above as place of use? No
13. Other Water Rights Used:
14. Remarks:

Approval of this minimum stream flow shall not prevent approval of applications for consumptive uses from ground water if the wells are located and constructed to prevent an immediate impact on the river, as determined by the Director.

The approved minimum stream flow shall be subordinate to future domestic, stockwater, municipal, commercial, and industrial development from the Clearwater River and its tributaries, including ground water, for use within the Clearwater River Basin where the domestic and stockwater uses are within the limitations of Section 42-111, Idaho Code.

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 and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or known interested parties of the proposed change, and 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 persons or parties seeking the amendment to establish that the amendment of the permit or license would be in the public interest. An amendment cannot increase the flow rate.

Use of water under this right shall recognize and allow the continued beneficial diversion of water under any existing water right established by diversion and application to beneficial use or by an application, permit, or license on file or issued by the Director under the provisions of Chapter 2, Title 42, Idaho Code, with a priority earlier than July 30, 1992.

Use of water under this right shall be non-consumptive.

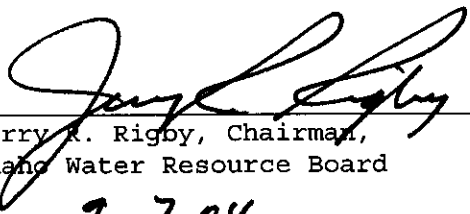
Upon further finding and order of the Director that gaging stations are required to maintain the approved minimum flow on the Clearwater River, such measuring devices shall be permanently installed and maintained by the Board as specified by the Director.

The reach of this minimum stream flow begins at the confluence of the South Fork Clearwater and the Middle Fork Clearwater River in Lot 7 (SWNE), Section 5, T32N, R4E, B.M. and extends downstream approximately 34 miles to the confluence with North Fork Clearwater River in Lot 8 (NWSESE), Section 33, T37N, R1E, B.M.

15. Basis of Claim: Permit

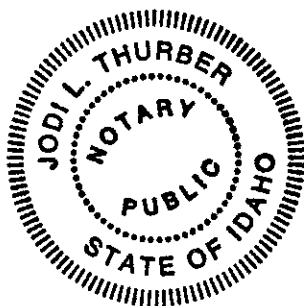
For Organizations:

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

  
Jerry R. Rigby, Chairman,  
Idaho Water Resource Board  
9-7-04  
Date

State of Idaho                    )  
                                          ) SS.  
County of MADISON )

Subscribed and sworn (or affirmed) before me this 7TH day of SEPTEMBER  
2004.



  
Notary Public  
Residing at REXBURG, IDAHO  
My commission Expires 10-26-06