

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: A22-07370
Date Received: 7/26/1990
Receipt No: C018452
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: JUN 19, 1981

3. Source: BITCH CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
Beginning Point of Minimum Instream Flow					
07N	44E	20	NW	NE	TETON
Ending Point of Minimum Instream Flow					
07N	45E	17	NW	NW	TETON

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	28.000		

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

8. Total consumptive use is Acre Feet Per Annum.

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

A2207370



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	44E	20	NW NE		MIF	

11. Place of use in counties: TETON

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

13. Other Water Rights Used:

14. Remarks:

USE OF WATER UNDER THIS PERMIT SHALL RECOGNIZE & ALLOW THE CONTINUED BENEFICIAL DIVERSION OF WATER UNDER ANY PRIOR EXISTING WATER RT. ESTABLISHED BY DECREE, DIVERSION & APPLICATION TO BENEFICIAL USE, OR BY AN APPLICATION, PERMIT OR LICENSE ON FILE ISSUED BY THE DIRECTOR UNDER PROVISIONS OF CHAPTER 2, TITLE 42, I.C., WITH THE PRIORITY OF THE WATER RT. DATED EARLIER THAN 6/19/81, THE PRIORITY DATE OF THIS PERMIT. UPON THE FUTURE FINDING & ORDER OF THE DIRECTOR THAT GAUGING STATIONS ARE REQUIRED TO MONITOR THE APPROVED MIN. FLOW ON BITCH CREEK, SUCH MEAS. 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 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. THIS MIN. FLOW IS SUBJECT TO THE FUTURE CONSTRUCTION OF A DAM & RESERVOIR ON THE TETON RIVER UNDER PERMIT NO. 22-2290.

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 Idaho 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