

WATER RIGHT LICENSE

WATER RIGHT NO. 63-12822

1400.00 CFS

Priority: December 27, 1937

Minimum Instream Flow:

This is to certify, that STATE OF IDAHO

IDEAL WATER RESOURCES BOARD

STATUTES:

BOISE ID 33726

of the permit, issued pursuant to Application for Permit dated December 17, 1937, and has submitted proof of beneficial use on March 22, 1941. A minimum stream flow in

Payette River, near the tributary to Payette River.

has been established as follows:

PERIOD OF USE	RATE
06/18 to 10/12	1400.00 CFS
06/13 to 03/15	106.00 CFS
03/16 to 06/17	500.00 CFS

LOCATION OF MINIMUM STREAM FLOW: 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 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623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 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1185. 1186. 1187. 1188. 1189. 1190. 1191. 1192. 1193. 1194. 1195. 1196. 1197. 1198. 1199. 1200. 1201. 1202. 1203. 1204. 1205. 1206. 1207. 1208. 1209. 1210. 1211. 1212. 1213. 1214. 1215. 1216. 1217. 1218. 1219. 1220. 1221. 1222. 1223. 1224. 1225. 1226. 1227. 1228. 1229. 1230. 1231. 1232. 1233. 1234. 1235. 1236. 1237. 1238. 1239. 1240. 1241. 1242. 1243. 1244. 1245. 1246. 1247. 1248. 1249. 1250. 1251. 1252. 1253. 1254. 1255. 1256. 1257. 1258. 1259. 1260. 1261. 1262. 1263. 1264. 1265. 1266. 1267. 1268. 1269. 1270. 1271. 1272. 1273. 1274. 1275. 1276. 1277. 1278. 1279. 1280. 1281. 1282. 1283. 1284. 1285. 1286. 1287. 1288. 1289. 1290. 1291. 1292. 1293. 1294. 1295. 1296. 1297. 1298. 1299. 1300. 1301. 1302. 1303. 1304. 1305. 1306. 1307. 1308. 1309. 1310. 1311. 1312. 1313. 1314. 1315. 1316. 1317. 1318. 1319. 1320. 1321. 1322. 1323. 1324. 1325. 1326. 1327. 1328. 1329. 1330. 1331. 1332. 1333. 1334. 1335. 1336. 1337. 1338. 1339. 1340. 1341. 1342. 1343. 1344. 1345. 1346. 1347. 1348. 1349. 1350. 1351. 1352. 1353. 1354. 1355. 1356. 1357. 1358. 1359. 1360. 1361. 1362. 1363. 1364. 1365. 1366. 1367. 1368. 1369. 1370. 1371. 1372. 1373. 1374. 1375. 1376. 1377. 1378. 1379. 1380. 1381. 1382. 1383. 1384. 1385. 1386. 1387. 1388. 1389. 1390. 1391. 1392. 1393. 1394. 1395. 1396. 1397. 1398. 1399. 1400. 1401. 1402. 1403. 1404. 1405. 1406. 1407. 1408. 1409. 1410. 1411. 1412. 1413. 1414. 1415. 1416. 1417. 1418. 1419. 1420. 1421. 1422. 1423. 1424. 1425. 1426. 1427. 1428. 1429. 1430. 1431. 1432. 1433. 1434. 1435. 1436. 1437. 1438. 1439. 1440. 1441. 1442. 1443. 1444. 1445. 1446. 1447. 1448. 1449. 1450. 1451. 1452. 1453. 1454. 1455. 1456. 1457. 1458. 1459. 1460. 1461. 1462. 1463. 1464. 1465. 1466. 1467. 1468. 1469. 1470. 1471. 1472. 1473. 1474. 1475. 1476. 1477. 1478. 1479. 1480. 1481. 1482. 1483. 1484. 1485. 1486. 1487. 1488. 1489. 1490. 1491. 1492. 1493. 1494. 1495. 1496. 1497. 1498. 1499. 1500. 1501. 1502. 1503. 1504. 1505. 1506. 1507. 1508. 1509. 1510. 1511. 1512. 1513. 1514. 1515. 1516. 1517. 1518. 1519. 1520. 1521. 1522. 1523. 1524. 1525. 1526. 1527. 1528. 1529. 1530. 1531. 1532. 1533. 1534. 1535. 1536. 1537. 1538. 1539. 1540. 1541. 1542. 1543. 1544. 1545. 1546. 1547. 1548. 1549. 1550. 1551. 1552. 1553. 1554. 1555. 1556. 1557. 1558. 1559. 1560. 1561. 1562. 1563. 1564. 1565. 1566. 1567. 1568. 1569. 1570. 1571. 1572. 1573. 1574. 1575. 1576. 1577. 1578. 1579. 1580. 1581. 1582. 1583. 1584. 1585. 1586. 1587. 1588. 1589. 1590. 1591. 1592. 1593. 1594. 1595. 1596. 1597. 1598. 1599. 1600. 1601. 1602. 1603. 1604. 1605. 1606. 1607. 1608. 1609. 1610. 1611. 1612. 1613. 1614. 1615. 1616. 1617. 1618. 1619. 1620. 1621. 1622. 1623. 1624. 1625. 1626. 1627. 1628. 1629. 1630. 1631. 1632. 1633. 1634. 1635. 1636. 1637. 1638. 1639. 1640. 1641. 1642. 1643. 1644. 1645. 1646. 1647. 1648. 1649. 1650. 1651. 1652. 1653. 1654. 1655. 1656. 1657. 1658. 1659. 1660. 1661. 1662. 1663. 1664. 1665. 1666. 1667. 1668. 1669. 1670. 1671. 1672. 1673. 1674. 1675. 1676. 1677. 1678. 1679. 1680. 1681. 1682. 1683. 1684. 1685. 1686. 1687. 1688. 1689. 1690. 1691. 1692. 1693. 1694. 1695. 1696. 1697. 1698. 1699. 1700. 1701. 1702. 1703. 1704. 1705. 1706. 1707. 1708. 1709. 1710. 1711. 1712. 1713. 1714. 1715. 1716. 1717. 1718. 1719. 1720. 1721. 1722. 1723. 1724. 1725. 1726. 1727. 1728. 1729. 1730. 1731. 1732. 1733. 1734. 1735. 1736. 1737. 1738. 1739. 1740. 1741. 1742. 1743. 1744. 1745. 1746. 1747. 1748. 1749. 1750. 1751. 1752. 1753. 1754. 1755. 1756. 1757. 1758. 1759. 1760. 1761. 1762. 1763. 1764. 1765. 1766. 1767. 1768. 1769. 1770. 1771. 1772. 1773. 1774. 1775. 1776. 1777. 1778. 1779. 1780. 1781. 1782. 1783. 1784. 1785. 1786. 1787. 1788. 1789. 1790. 1791. 1792. 1793. 1794. 1795. 1796. 1797. 1798. 1799. 1800. 1801. 1802. 1803. 1804. 1805. 1806. 1807. 1808. 1809. 1810. 1811. 1812. 1813. 1814. 1815. 1816. 1817. 1818. 1819. 1820. 1821. 1822. 1823. 1824. 1825. 1826. 1827. 1828. 1829. 1830. 1831. 1832. 1833. 1834. 1835. 1836. 1837. 1838. 1839. 1840. 1841. 1842. 1843. 1844. 1845. 1846. 1847. 1848. 1849. 1850. 1851. 1852. 1853. 1854. 1855. 1856. 1857. 1858. 1859. 1860. 1861. 1862. 1863. 1864. 1865. 1866. 1867. 1868. 1869. 1870. 1871. 1872. 1873. 1874. 1875. 1876. 1877. 1878. 1879. 1880. 1881. 1882. 1883. 1884. 1885. 1886. 1887. 1888. 1889. 1890. 1891. 1892. 1893. 1894. 1895. 1896. 1897. 1898. 1899. 1900. 1901. 1902. 1903. 1904. 1905. 1906. 1907. 1908. 1909. 1910. 1911. 1912. 1913. 1914. 1915. 1916. 1917. 1918. 1919. 1920. 1921. 1922. 1923. 1924. 1925. 1926. 1927. 1928. 1929. 1930. 1931. 1932. 1933. 1934. 1935. 1936. 1937. 1938. 1939. 1940. 1941. 1942. 1943. 1944. 1945. 1946. 1947. 1948. 1949. 1950. 1951. 1952. 1953. 1954. 1955. 1956. 1957. 1958. 1959. 1960. 1961. 1962. 1963. 1964. 1965. 1966. 1967. 1968. 1969. 1970. 1971. 1972. 1973. 1974. 1975. 1976. 1977. 1978. 1979. 1980. 1981. 1982. 1983. 1984. 1985. 1986. 1987. 1988. 1989. 1990. 1991. 1992. 1993. 1994. 1995. 1996. 1997. 1998. 1999. 2000. 2001. 2002. 2003. 2004. 2005. 2006. 2007. 2008. 2009. 2010. 2011. 2012. 2013. 2014. 2015. 2016. 2017. 2018. 2019. 2020. 2021. 2022. 2023. 2024. 2025. 2026. 2027. 2028. 2029. 2030. 2031. 2032. 2033. 2034. 2035. 2036. 2037. 2038. 2039. 2040. 2041. 2042. 2043. 2044. 2045. 2046. 2047. 2048. 2049. 2050. 2051. 2052. 2053. 2054. 2055. 2056. 2057. 2058. 2059. 2060. 2061. 2062. 2063. 2064. 2065. 2066. 2067. 2068. 2069. 2070. 2071. 2072. 2073. 2074. 2075. 2076. 2077. 2078. 2079. 2080. 2081. 2082. 2083. 2084. 2085. 2086. 2087. 2088. 2089. 2090. 2091. 2092. 2093. 2094. 2095. 2096. 2097. 2098. 2099. 2100. 2101. 2102. 2103. 2104. 2105. 2106. 2107. 2108. 2109. 2110. 2111. 2112. 2113. 2114. 2115. 21

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-12822

CONDITIONS OF APPROVAL AND REVISION

The Director retains jurisdiction, as described herein, to review and amend any and all parameters of this right. The Board, upon receiving a request or upon its own initiative, may petition the Director for an amendment to the right. 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 right 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 right would be in the public interest. This minimum stream flow is for recreation and aesthetic uses and fish habitat maintenance. This minimum stream flow begins at a point where the Caberton Road bridge crosses the left bank of the Payette River in Lot 10 (N25N) 7, E31E, T13N, R6E, which is approximately 10 miles downstream at a point near the town of the ferry in the S2NE, E10, T13N.

This license is issued pursuant to the provisions of Section 43-219, Idaho Code, and the seal and signature of the Director are placed hereon this 22nd day of September, 1953.

W. J. JENSEN, Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12840
Minimum Instream Flow: 1800.00 CFS

Priority: April 5, 1988

This is to certify, that STATE OF IDAHO
IDAHO WATER RESOURCE BOARD

STATEHOUSE

BOISE ID 83720

has compiled with the terms and conditions
of the permit, issued pursuant to application for permit dated April 5, 1988; and
has submitted proof of beneficial use on November 10, 1991. A minimum stream flow in

PAYETTE RIVER, NORTH FORK TRIBUTARY TO PAYETTE RIVER

has been established as follows:

PERMIT OR USE	DATE
MINIMUM INSTREAM FLOW	1800.00 CFS
MINIMUM INSTREAM FLOW	1300.00 CFS
MINIMUM INSTREAM FLOW	1800.00 CFS

LOCATION OF MINIMUM INSTREAM FLOW MEASUREMENT

Beginning of Stream Flow Reach Lot 4 (SW/4), Sec. 10, Township 11N, Range 03E
End of Stream Flow Reach Lot 21 (SW/4), Sec. 29, Township 09N, Range 03E
BOISE COUNTY

CONDITIONS OF APPROVAL AND REPAIRS

1. Use of water under this right shall be non-consumptive.
2. This minimum streamflow is subject and subordinate to future appropriations of water from the North Fork of the Payette River and its tributaries for municipal and domestic purposes within the minimum flow watershed.
3. Use of water under this right shall recognize and allow the continued beneficial diversion of water for irrigation or other purposes under any pre-existing water right established by permit or license on file and issued by the Director under the provisions of Chapter 23, Title 42, Idaho Code, with a priority date earlier than 4/5/1988.
4. Upon a future finding and order of the Director that gauging stations are required to maintain the approved minimum flows on the North Fork of the Payette River, such measuring devices shall be permanently installed and maintained as specified by the Director.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12860

CONDITIONS OF APPROVAL AND REMARKS

5. The Director retains jurisdiction, as described below, to review and amend any and all parameters of this right. The Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to the right. 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 right 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 right would be in the public interest.
6. This minimum stream flow is for recreation and aesthetic uses and fish habitat maintenance.
7. This minimum stream flow begins at Smiths Ferry in the SW/4, S10, T11N, R3E and ends at Banks in the SE/4, S29, R3N, R3E.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 22nd day of SEPTEMBER, 1982.

For _____
acting for _____, Director

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: A65-12733
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: APR 26, 1985
3. Source: PAYETTE RIVER, SOUTH FORK Trib. to: PAYETTE RIVER
PAYETTE RIVER SNAKE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
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Beginning Point of Minimum Instream Flow

09N	04E	20	NE	NE		BOISE
09N	07E	31				BOISE
09N	07E	31	NE	SE		BOISE
09N	07E	32	NE	NW		BOISE
09N	11E	2				CUSTER

Ending Point of Minimum Instream Flow

09N	03E	28	SW	SW		BOISE
09N	04E	20	NE	NE		BOISE
09N	07E	32				BOISE
09N	07E	32	NE	NW		BOISE
09N	07E	32	SW	NW		BOISE

5. Description of diverting works:
INSTREAM FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
MINIMUM INSTREAM FLOW	01/01	04/14	212.000		
MINIMUM INSTREAM FLOW	04/15	08/31	1350.000		

6. Water is used for the following purposes: Continued

Purpose	From	To	C.F.S (and/or)	A.F.A.
MINIMUM INSTREAM FLOW	09/01	12/31	212.000	

7. Total Quantity Appropriated is:
1350.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
RECREATIONAL BOATING/FISHING & OTHER WTR. DEPENDENT RECREATION

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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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:

USE OF WATER UNDER THIS PERMIT SHALL RECOGNIZE & ALLOW THE CONTINUED BENEFICIAL DIVERSION OF WATER FOR IRRIGATION OR OTHER PURPOSES UNDER ANY PRIOR EXISTING WATER RIGHT ESTABLISHED BY DIVERSION & 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 OF WATER RIGHT DATE EARLIER THAN 4/26/1985, THE PRIORITY DATE OF THIS PERMIT. UPON A FUTURE FINDING & ORDER OF THE DIRECTOR THAT GAUGING STATIONS ARE REQUIRED TO MAINTAIN THE APPROVED MINIMUM FLOW ON THE SOUTH FORK & MAIN STEM, PAYETTE RIVER, 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. PRIOR TO UNDERTAKING A REVIEW OF THE WATER RIGHT, THE DIRECTOR SHALL IDENTIFY THE REASONS FOR EXERCISING RETAINED JURISDICTION UNDER THIS CONDITION, & GIVE NOTICE THEREOF TO THE PUBLIC GENERALLY & TO SPECIFIC PERSONS OR PARTIES KNOWN BY THE DIRECTOR TO BE INTERESTED. THE DIRECTOR SHALL THEREAFTER CONDUCT A HEARING FOR THE PURPOSE OF DETERMINING WHETHER THE MINIMUM STREAMFLOW SHOULD BE MODIFIED OR AMENDED IN THE PUBLIC INTEREST. BURDEN OF PROOF AT THE HEARING SHALL BE UPON THE PERSON OR PARTY SEEKING TO ESTABLISH THAT A PARTICULAR PARAMETER OF THE WATER RIGHT SHOULD BE MODIFIED OR AMENDED TO SATISFY THE PUBLIC INTEREST. THE MINIMUM STREAMFLOW IS SUBORDINATE & SUBJECT TO FUTURE APPROPRIATIONS OF WATER FROM THE SOUTH FORK & MAIN STEM OF THE PAYETTE RIVER FOR MUNICIPAL &

14. Remarks: Continued

DOMESTIC PURPOSES WITHIN THE MINIMUM FLOW WATERSHED.

FOR ITEMS 4, 5, 6 & 7, THIS CLAIM HAS FIVE (5) PARTS AND REACHES:

REACH A - 212 CFS FROM 1/1 TO 4/18, 1,100 CFS FROM 4/19 TO 7/15, AND 212 CFS FROM 6/16 TO 12/31, BEGINNING AT THE BOUNDARY OF THE SAWTOOTH WILDERNESS AREA IN THE UNSURVEYED S. 2, T 9N, R11E, CUSTER CO, IDAHO TO THE CONFLUENCE OF THE DEADWOOD AND SOUTH FORK PAYETTE RIVERS IN NE1/4NW1/4, S.32, T 9N, R 7E, BOISE CO., IDAHO.

REACH B - 337 CFS FROM 1/1 TO 4/14, 1,100 CFS FROM 4/15 TO 8/31, AND 337 CFS FROM 9/1 TO 12/31, BEGINNING AT THE CONFLUENCE OF THE DEADWOOD AND SOUTH FORK PAYETTE RIVERS TO THE UPSTREAM END OF THE OXBOW BEND, APPROXIMATELY 1,056 YARDS DOWNSTREAM FROM THE CONFLUENCE OF THE DEADWOOD AND SOUTH FORK PAYETTE RIVERS IN SW1/4NW1/4, S.32, T 9N, R 7E, BOISE CO., IDAHO.

REACH C - 337 CFS FROM 1/1 TO 4/14, 337 CFS FROM MONDAY THROUGH THURSDAY AND 400 CFS FROM FRIDAY THROUGH SUNDAY FROM 4/15 TO 8/31, AND 337 CFS FROM 9/1 TO 12/31 FROM THE UPSTREAM END OF THE OXBOW BEND TO A POINT IN NE1/4SE1/4, S.31 APPROXIMATELY 200 YARDS DOWNSTREAM FROM THE SECTION LINE BETWEEN S.31 AND S.32, T 9N, R 7E, BOISE CO., IDAHO.

REACH D - 337 CFS FROM 1/1 TO 4/14, 1,100 CFS FROM 4/15 TO 8/31, AND 337 CFS FROM 9/1 TO 12/31 FROM THE POINT 200 YARDS DOWNSTREAM FROM THE SECTION LINE BETWEEN S.31 AND S.32, T 9N, R 7E, BOISE CO., TO THE CONFLUENCE OF THE SOUTH FORK PAYETTE AND THE MIDDLE FORK PAYETTE RIVERS IN NE1/4NE1/4, S.20, T 9N, R 4E, BOISE CO., IDAHO.

REACH E - 407 CFS FROM 1/1 TO 4/14, 1,350 CFS FROM 4/15 TO 8/31, AND 407 FROM 9/1 TO 12/31 ON THE PAYETTE RIVER, FROM THE CONFLUENCE OF THE SOUTH FORK PAYETTE AND THE MIDDLE FORK PAYETTE RIVERS TO THE CONFLUENCE OF THE PAYETTE AND NORTH FORK PAYETTE RIVERS IN SW1/4SW1/4, S.28, T 9N, R 3E, BOISE CO., IDAHO.

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
Notary Public

Seal

Residing at Emmett
My Commission Expires 5/30/92

Scott - These
are the
Water Resource
Board claims.
I put a pro-
file rpt for
each of Lou's
recommendations.
Pg. file with
your R-II stuff. JMK

Do NOT

MICROFILM

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: A65-12733A
Date Received: 7/26/1990
Receipt No: _____
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: APR 26, 1985

3. Source: PAYETTE RIVER, SOUTH FORK Trib. to: PAYETTE RIVER
PAYETTE RIVER SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
Beginning Point of Minimum Instream Flow					
09N	11E	2			CUSTER
Ending Point of Minimum Instream Flow					
09N	07E	32	NE	NW	BOISE

5. Description of diverting works:
INSTREAM FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MINIMUM INSTREAM FLOW	01/01	04/18	212.000		
MINIMUM INSTREAM FLOW	04/19	07/15	1100.000		
MINIMUM INSTREAM FLOW	07/16	12/31	212.000		

7. Total Quantity Appropriated is:
1100.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
RECREATIONAL BOATING/FISHING & OTHER WTR. DEPENDENT RECREATION

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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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:

USE OF WATER UNDER THIS PERMIT SHALL RECOGNIZE & ALLOW THE CONTINUED BENEFICIAL DIVERSION OF WATER FOR IRRIGATION OR OTHER PURPOSES UNDER ANY PRIOR EXISTING WATER RIGHT ESTABLISHED BY DIVERSION & 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 OF WATER RIGHT DATE EARLIER THAN 4/26/1985, THE PRIORITY DATE OF THIS PERMIT. UPON A FUTURE FINDING & ORDER OF THE DIRECTOR THAT GAUGING STATIONS ARE REQUIRED TO MAINTAIN THE APPROVED MINIMUM FLOW ON THE SOUTH FORK & MAIN STEM, PAYETTE RIVER, 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. PRIOR TO UNDERTAKING A REVIEW OF THE WATER RIGHT, THE DIRECTOR SHALL IDENTIFY THE REASONS FOR EXERCISING RETAINED JURISDICTION UNDER THIS CONDITION, & GIVE NOTICE THEREOF TO THE PUBLIC GENERALLY & TO SPECIFIC PERSONS OR PARTIES KNOWN BY THE DIRECTOR TO BE INTERESTED. THE DIRECTOR SHALL THEREAFTER CONDUCT A HEARING FOR THE PURPOSE OF DETERMINING WHETHER THE MINIMUM STREAMFLOW SHOULD BE MODIFIED OR AMENDED IN THE PUBLIC INTEREST. BURDEN OF PROOF AT THE HEARING SHALL BE UPON THE PERSON OR PARTY SEEKING TO ESTABLISH THAT A PARTICULAR PARAMETER OF THE WATER RIGHT SHOULD BE MODIFIED OR AMENDED TO SATISFY THE PUBLIC INTEREST. THE MINIMUM STREAMFLOW IS SUBORDINATE & SUBJECT TO FUTURE APPROPRIATIONS OF WATER FROM THE SOUTH FORK & MAIN STEM OF THE PAYETTE RIVER FOR MUNICIPAL & DOMESTIC PURPOSES WITHIN THE MINIMUM FLOW WATERSHED. PROOF OF INSTREAM BENEFICIAL USE OF THE MINIMUM STREAMFLOW APPROPRIATED SHALL BE SUBMITTED TO THE DEPT. WITHIN FIVE (5) YEARS AFTER THE PERMIT APPROVAL IS FINALLY EFFECTIVE. PROOF MAY BE SUBMITTED IMMEDIATELY FOLLOWING LEGISLATIVE APPROVAL OF THE PERMIT.

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 _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A65-12733B
Date Received: 7/26/1990
Receipt No: _____
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: APR 26, 1985

3. Source: PAYETTE RIVER, SOUTH FORK Trib. to: PAYETTE RIVER
PAYETTE RIVER SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
Beginning Point of Minimum Instream Flow					
09N	07E	32	NE	NW	BOISE
Ending Point of Minimum Instream Flow					
09N	07E	32	SW	NW	BOISE

5. Description of diverting works:
INSTREAM FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MINIMUM INSTREAM FLOW	01/01	04/14	337.000		
MINIMUM INSTREAM FLOW	04/15	08/31	1100.000		
MINIMUM INSTREAM FLOW	09/01	12/31	337.000		

7. Total Quantity Appropriated is:
1100.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
RECREATIONAL BOATING/FISHING & OTHER WTR. DEPENDENT RECREATION

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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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:

USE OF WATER UNDER THIS PERMIT SHALL RECOGNIZE & ALLOW THE CONTINUED BENEFICIAL DIVERSION OF WATER FOR IRRIGATION OR OTHER PURPOSES UNDER ANY PRIOR EXISTING WATER RIGHT ESTABLISHED BY DIVERSION & 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 OF WATER RIGHT DATE EARLIER THAN 4/26/1985, THE PRIORITY DATE OF THIS PERMIT. UPON A FUTURE FINDING & ORDER OF THE DIRECTOR THAT GAUGING STATIONS ARE REQUIRED TO MAINTAIN THE APPROVED MINIMUM FLOW ON THE SOUTH FORK & MAIN STEM, PAYETTE RIVER, 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. PRIOR TO UNDERTAKING A REVIEW OF THE WATER RIGHT, THE DIRECTOR SHALL IDENTIFY THE REASONS FOR EXERCISING RETAINED JURISDICTION UNDER THIS CONDITION, & GIVE NOTICE THEREOF TO THE PUBLIC GENERALLY & TO SPECIFIC PERSONS OR PARTIES KNOWN BY THE DIRECTOR TO BE INTERESTED. THE DIRECTOR SHALL THEREAFTER CONDUCT A HEARING FOR THE PURPOSE OF DETERMINING WHETHER THE MINIMUM STREAMFLOW SHOULD BE MODIFIED OR AMENDED IN THE PUBLIC INTEREST. BURDEN OF PROOF AT THE HEARING SHALL BE UPON THE PERSON OR PARTY SEEKING TO ESTABLISH THAT A PARTICULAR PARAMETER OF THE WATER RIGHT SHOULD BE MODIFIED OR AMENDED TO SATISFY THE PUBLIC INTEREST. THE MINIMUM STREAMFLOW IS SUBORDINATE & SUBJECT TO FUTURE APPROPRIATIONS OF WATER FROM THE SOUTH FORK & MAIN STEM OF THE PAYETTE RIVER FOR MUNICIPAL & DOMESTIC PURPOSES WITHIN THE MINIMUM FLOW WATERSHED. PROOF OF INSTREAM BENEFICIAL USE OF THE MINIMUM STREAMFLOW APPROPRIATED SHALL BE SUBMITTED TO THE DEPT. WITHIN FIVE (5) YEARS AFTER THE PERMIT APPROVAL IS FINALLY EFFECTIVE. PROOF MAY BE SUBMITTED IMMEDIATELY FOLLOWING LEGISLATIVE APPROVAL OF THE PERMIT.

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 _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____, and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A65-12733C
Date Received: 7/26/1990
Receipt No: _____
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: APR 26, 1985

3. Source: PAYETTE RIVER, SOUTH FORK Trib. to: PAYETTE RIVER
PAYETTE RIVER SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
Beginning Point of Minimum Instream Flow					
09N	07E	31	NE	SE	BOISE
Ending Point of Minimum Instream Flow					
09N	07E	32			BOISE

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	04/14	337.000		
MINIMUM INSTREAM FLOW	04/15	08/31	400.000		
MINIMUM INSTREAM FLOW	09/01	12/31	337.000		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

RECREATIONAL BOATING/FISHING & OTHER WTR. DEPENDENT RECREATION

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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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:

USE OF WATER UNDER THIS PERMIT SHALL RECOGNIZE & ALLOW THE CONTINUED BENEFICIAL DIVERSION OF WATER FOR IRRIGATION OR OTHER PURPOSES UNDER ANY PRIOR EXISTING WATER RIGHT ESTABLISHED BY DIVERSION & 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 OF WATER RIGHT DATE EARLIER THAN 4/26/1985, THE PRIORITY DATE OF THIS PERMIT. UPON A FUTURE FINDING & ORDER OF THE DIRECTOR THAT GAUGING STATIONS ARE REQUIRED TO MAINTAIN THE APPROVED MINIMUM FLOW ON THE SOUTH FORK & MAIN STEM, PAYETTE RIVER, 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. PRIOR TO UNDERTAKING A REVIEW OF THE WATER RIGHT, THE DIRECTOR SHALL IDENTIFY THE REASONS FOR EXERCISING RETAINED JURISDICTION UNDER THIS CONDITION, & GIVE NOTICE THEREOF TO THE PUBLIC GENERALLY & TO SPECIFIC PERSONS OR PARTIES KNOWN BY THE DIRECTOR TO BE INTERESTED. THE DIRECTOR SHALL THEREAFTER CONDUCT A HEARING FOR THE PURPOSE OF DETERMINING WHETHER THE MINIMUM STREAMFLOW SHOULD BE MODIFIED OR AMENDED IN THE PUBLIC INTEREST. BURDEN OF PROOF AT THE HEARING SHALL BE UPON THE PERSON OR PARTY SEEKING TO ESTABLISH THAT A PARTICULAR PARAMETER OF THE WATER RIGHT SHOULD BE MODIFIED OR AMENDED TO SATISFY THE PUBLIC INTEREST. THE MINIMUM STREAMFLOW IS SUBORDINATE & SUBJECT TO FUTURE APPROPRIATIONS OF WATER FROM THE SOUTH FORK & MAIN STEM OF THE PAYETTE RIVER FOR MUNICIPAL & DOMESTIC PURPOSES WITHIN THE MINIMUM FLOW WATERSHED. PROOF OF INSTREAM BENEFICIAL USE OF THE MINIMUM STREAMFLOW APPROPRIATED SHALL BE SUBMITTED TO THE DEPT. WITHIN FIVE (5) YEARS AFTER THE PERMIT APPROVAL IS FINALLY EFFECTIVE. PROOF MAY BE SUBMITTED IMMEDIATELY FOLLOWING LEGISLATIVE APPROVAL OF THE PERMIT.

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 _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A65-12733D
Date Received: 7/26/1990
Receipt No: _____
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: APR 26, 1985

3. Source: PAYETTE RIVER, SOUTH FORK Trib. to: PAYETTE RIVER
PAYETTE RIVER SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
Beginning Point of Minimum Instream Flow					
09N	07E	31			BOISE
Ending Point of Minimum Instream Flow					
09N	04E	20	NE	NE	BOISE

5. Description of diverting works:
INSTREAM FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MINIMUM INSTREAM FLOW	01/01	04/14	337.000		
MINIMUM INSTREAM FLOW	04/15	08/31	1100.000		
MINIMUM INSTREAM FLOW	09/01	12/31	337.000		

7. Total Quantity Appropriated is:
1100.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
RECREATIONAL BOATING/FISHING & OTHER WTR. DEPENDENT RECREATION

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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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:

USE OF WATER UNDER THIS PERMIT SHALL RECOGNIZE & ALLOW THE CONTINUED BENEFICIAL DIVERSION OF WATER FOR IRRIGATION OR OTHER PURPOSES UNDER ANY PRIOR EXISTING WATER RIGHT ESTABLISHED BY DIVERSION & 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 OF WATER RIGHT DATE EARLIER THAN 4/26/1985, THE PRIORITY DATE OF THIS PERMIT. UPON A FUTURE FINDING & ORDER OF THE DIRECTOR THAT GAUGING STATIONS ARE REQUIRED TO MAINTAIN THE APPROVED MINIMUM FLOW ON THE SOUTH FORK & MAIN STEM, PAYETTE RIVER, 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. PRIOR TO UNDERTAKING A REVIEW OF THE WATER RIGHT, THE DIRECTOR SHALL IDENTIFY THE REASONS FOR EXERCISING RETAINED JURISDICTION UNDER THIS CONDITION, & GIVE NOTICE THEREOF TO THE PUBLIC GENERALLY & TO SPECIFIC PERSONS OR PARTIES KNOWN BY THE DIRECTOR TO BE INTERESTED. THE DIRECTOR SHALL THEREAFTER CONDUCT A HEARING FOR THE PURPOSE OF DETERMINING WHETHER THE MINIMUM STREAMFLOW SHOULD BE MODIFIED OR AMENDED IN THE PUBLIC INTEREST. BURDEN OF PROOF AT THE HEARING SHALL BE UPON THE PERSON OR PARTY SEEKING TO ESTABLISH THAT A PARTICULAR PARAMETER OF THE WATER RIGHT SHOULD BE MODIFIED OR AMENDED TO SATISFY THE PUBLIC INTEREST. THE MINIMUM STREAMFLOW IS SUBORDINATE & SUBJECT TO FUTURE APPROPRIATIONS OF WATER FROM THE SOUTH FORK & MAIN STEM OF THE PAYETTE RIVER FOR MUNICIPAL & DOMESTIC PURPOSES WITHIN THE MINIMUM FLOW WATERSHED. PROOF OF INSTREAM BENEFICIAL USE OF THE MINIMUM STREAMFLOW APPROPRIATED SHALL BE SUBMITTED TO THE DEPT. WITHIN FIVE (5) YEARS AFTER THE PERMIT APPROVAL IS FINALLY EFFECTIVE. PROOF MAY BE SUBMITTED IMMEDIATELY FOLLOWING LEGISLATIVE APPROVAL OF THE PERMIT.

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 _____ of
_____, that I have signed the foregoing
document in the space below as _____ of
_____ and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A65-12733E
Date Received: 7/26/1990
Receipt No: _____
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: APR 26, 1985

3. Source: PAYETTE RIVER, SOUTH FORK Trib. to: PAYETTE RIVER
PAYETTE RIVER SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
Beginning Point of Minimum Instream Flow					
09N	04E	20	NE	NE	BOISE
Ending Point of Minimum Instream Flow					
09N	03E	28	SW	SW	BOISE

5. Description of diverting works:
INSTREAM FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MINIMUM INSTREAM FLOW	01/01	04/14	407.000		
MINIMUM INSTREAM FLOW	04/15	08/31	1350.000		
MINIMUM INSTREAM FLOW	09/01	12/31	407.000		

7. Total Quantity Appropriated is:
1350.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
RECREATIONAL BOATING/FISHING & OTHER WTR. DEPENDENT RECREATION

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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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:

USE OF WATER UNDER THIS PERMIT SHALL RECOGNIZE & ALLOW THE CONTINUED BENEFICIAL DIVERSION OF WATER FOR IRRIGATION OR OTHER PURPOSES UNDER ANY PRIOR EXISTING WATER RIGHT ESTABLISHED BY DIVERSION & 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 OF WATER RIGHT DATE EARLIER THAN 4/26/1985, THE PRIORITY DATE OF THIS PERMIT. UPON A FUTURE FINDING & ORDER OF THE DIRECTOR THAT GAUGING STATIONS ARE REQUIRED TO MAINTAIN THE APPROVED MINIMUM FLOW ON THE SOUTH FORK & MAIN STEM, PAYETTE RIVER, 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. PRIOR TO UNDERTAKING A REVIEW OF THE WATER RIGHT, THE DIRECTOR SHALL IDENTIFY THE REASONS FOR EXERCISING RETAINED JURISDICTION UNDER THIS CONDITION, & GIVE NOTICE THEREOF TO THE PUBLIC GENERALLY & TO SPECIFIC PERSONS OR PARTIES KNOWN BY THE DIRECTOR TO BE INTERESTED. THE DIRECTOR SHALL THEREAFTER CONDUCT A HEARING FOR THE PURPOSE OF DETERMINING WHETHER THE MINIMUM STREAMFLOW SHOULD BE MODIFIED OR AMENDED IN THE PUBLIC INTEREST. BURDEN OF PROOF AT THE HEARING SHALL BE UPON THE PERSON OR PARTY SEEKING TO ESTABLISH THAT A PARTICULAR PARAMETER OF THE WATER RIGHT SHOULD BE MODIFIED OR AMENDED TO SATISFY THE PUBLIC INTEREST. THE MINIMUM STREAMFLOW IS SUBORDINATE & SUBJECT TO FUTURE APPROPRIATIONS OF WATER FROM THE SOUTH FORK & MAIN STEM OF THE PAYETTE RIVER FOR MUNICIPAL & DOMESTIC PURPOSES WITHIN THE MINIMUM FLOW WATERSHED. PROOF OF INSTREAM BENEFICIAL USE OF THE MINIMUM STREAMFLOW APPROPRIATED SHALL BE SUBMITTED TO THE DEPT. WITHIN FIVE (5) YEARS AFTER THE PERMIT APPROVAL IS FINALLY EFFECTIVE. PROOF MAY BE SUBMITTED IMMEDIATELY FOLLOWING LEGISLATIVE APPROVAL OF THE PERMIT.

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 _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

April 5, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Clarence Parr, Chairman
Idaho Water Resource Board
Statehouse
Boise, Idaho 83720

Re: 65-12733 65-13060

Dear Mr. Parr,

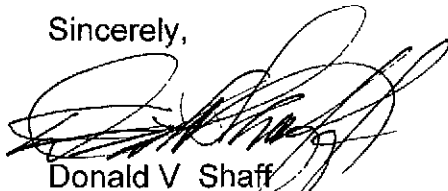
This letter is in response to the Notice of Error form you submitted for each of the two water rights described in the Preliminary Director's Report earlier this year. Each of the water rights following the Board's Notice is enclosed for you to review.

The changes you sought for 65-12733 were basically incorporated into the enclosed description. The detail for the rates of flow were moved to the Purpose and Period of Use, and the Quantity remark you suggested changed accordingly. I am confident you will find no omissions from the changes. Contact me if you do.

The change you requested for 65-13060 was technically problematic and could not be made. You will notice the water use and period of use for the two flows are identical. The current computer system prohibits this duplicity. I would ask you to rely on the remark in the Quantity section of the water right to define the water right flows.

The director will be submitting the Director's Report containing these two water rights to the SRBA Court early next week. If you wish to discuss these water rights further before the Director's Report, I would ask you do so before Friday, April 7th. Thank you for participating in the preliminary procedure to avoid the Court subcase activity.

Sincerely,



Donald V. Shaff
Technical Section Manager

Enclosures

February 3, 2000

**NOTICE OF ERROR
REPLY**

RECEIVED
FEB - 7 2000
Department of Water Resources

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 3, 2000

Water right number 65-12733

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE ID 83720

RECEIVED
OCT 16 2003
WATER RESOURCES
WESTERN REGION

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Purpose and Period of Use

Quantity

Place of Use

Point of Diversion

2. Describe the changes you wish to make in the proposed recommendation:

Please see Attachment A

3. Give a brief explanation as to why you disagree with these portions:

Consistency and clarity.

____ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 3-6-00

SIGNATURE:

Please print your name:

Clarence Parr

Attachment A

2. Purpose and period of use: Add: "The rates of flow for this minimum stream flow are described in detail in the Quantity portion of the water right." This will be consistent with minimum stream flow right 65-13060.

Remove last minimum stream flow rate (01-01 through 04-14 337.00 cfs. The first three flow rates listed are for stream reach A; the fourth flow rate is for stream reach B.

Elimination of the reference to one of Reach B's rates of flow may reduce confusion in the future. The comment described above alerts the reader that additional flow rate information is contained in other sections of the water right description.

Quantity: Add "The rates of diversion are more fully described as ...(rates for each time period for each (A-E) as now described in the Place of Use portion.) This will be consistent with minimum stream flow right 65-13060.

Place of Use: Move Rates of Flow to Quantity portion of the water right. This format will be consistent with minimum stream flow right 65-13060.

Point of Diversion: Identify stream reaches (A-E) for each beginning and ending point.

AJ5809NP
No. R65-12733

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/28/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STATE OF IDAHO IDAHO WATER RESOURCE BOARD STATEHOUSE BOISE ID 837200000	04/26/1985	MINIMUM STREAM FLOW MINIMUM STREAM FLOW MINIMUM STREAM FLOW MINIMUM STREAM FLOW	01-01 04-18 04-19 07-15 07-16 12-31 01-01 04-14	212.000 CFS 1100.000 CFS 212.000 CFS 337.000 CFS	
TOTAL DIVERSION:					1350.000 CFS	

Water Source: PAYETTE RIVER, SOUTH FORK
PAYETTE RIVER

Tributary to: PAYETTE RIVER
SNAKE RIVER

Stage: LICENSE

Point(s) of Beginning Stream Reach:	T09N R04E S20	NENE		BOISE County
	R07E S31	NESE		BOISE County
	S32	NENW	SWNW	BOISE County
	R11E S02			BOISE County
Point(s) of Ending Stream Reach:	T09N R03E S28	SWSW		BOISE County
	R04E S20	NENE		BOISE County
	R07E S31	NESE		BOISE County
	S32	NENW	SWNW	BOISE County

POU County:

Conditions of Approval:

- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
 - ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
 - DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
 - ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks: PRI THIS MINIMUM STREAM FLOW IS SUBORDINATE AND SUBJECT TO FUTURE APPROPRIATIONS OF WATER FROM THE SOUTH FORK AND MAIN STEM OF THE PAYETTE RIVER FOR MUNICIPAL AND DOMESTIC PURPOSES WITHIN THE MINIMUM FLOW WATERSHED.

USE THIS MINIMUM STREAM FLOW IS FOR THE PRESERVATION OF SCENIC, RECREATIONAL AND AESTHETIC VALUES AND FOR THE MAINTENANCE OF FISH AND WILDLIFE HABITAT.

POU DESCRIPTION OF REACHES & FLOWS:
REACH A - 212 CFS (1/1 - 4/18), 1100 CFS (4/19 - 7/15), 212 CFS (7/16/- 12/31); BEGINNING AT THE BOUNDARY OF THE SAWTOOTH WILDERNESS AREA IN UNSURVEYED SECTION 2, T9N, R11E, TO THE CONFLUENCE OF THE DEADWOOD & SOUTH FORK PAYETTE RIVERS IN NENW, S32, T9N, R7E, BOISE CO.
REACH B - 337 CFS (1/1 - 4/14), 1100 CFS (4/15 - 8/31) 337 CFS (9/1 - 12/31); BEGINNING AT END OF REACH A TO THE UPSTREAM END OF THE OXBOW BEND, APPROXIMATELY 1056 YARDS DOWNSTREAM FROM THE CONFLUENCE OF THE DEADWOOD & SOUTH FORK PAYETTE RIVERS IN THE SWNW, S32, T9N, R7E, BOISE CO.

Remarks: REACH C - 337 CFS (1/1 - 4/14), 337 CFS MONDAY - THURSDAY AND 400 CFS FRIDAY - SUNDAY (4/15 - 8/31), 337 CFS (9/1 - 12/31); BEGINNING AT THE END OF REACH B TO A POINT IN THE NESE, S31, APPROXIMATELY 200 YARDS DOWNSTREAM FROM THE SECTION LINE BETWEEN SECTION 31 AND 32, T9N, R7E, BOISE CO.
REACH D - 337 CFS (1/1 - 4/14), 1100 CFS (4/15 - 8/31), 337 CFS (9/1 - 12/31); BEGINNING AT THE END OF REACH C TO THE CONFLUENCE OF THE SOUTH FORK PAYETTE RIVER AND THE MIDDLE FORK PAYETTE RIVER IN THE NENE, S20, T9N, R4E, BOISE CO.
REACH E - 407 CFS (1/1 - 4/14), 1350 CFS (4/15 - 8/31), 407 CFS (9/1 - 12/31); BEGINNING AT THE END OF REACH D TO THE CONFLUENCE OF THE PAYETTE RIVER AND NORTH FORK PAYETTE RIVER IN THE SWSW, S28, T9N, R3E, BOISE CO.

GEN UPON A FUTURE FINDING AND ORDER OF THE DIRECTOR THAT GAUGING STATIONS ARE REQUIRED TO MAINTAIN THE APPROVED MINIMUM FLOW ON THE SOUTH FORK AND MAIN STEM, PAYETTE RIVER, SUCH MEASURING DEVICES SHALL BE PERMANENTLY INSTALLED AND MAINTAINED AS SPECIFIED BY THE DEPARTMENT.

THE DIRECTOR RETAINS JURISDICTION, AS DESCRIBED BELOW, TO REVIEW AND AMEND ANY AND ALL PARAMETERS OF THIS RIGHT. THE BOARD, UPON RECEIVING A REQUEST, OR UPON ITS OWN INITIATIVE, MAY PETITION THE DIRECTOR FOR AN AMENDMENT TO THE RIGHT. 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 RIGHT 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 RIGHT WOULD BE IN THE PUBLIC INTEREST.

Dates: Exam Made Date: 11/06/1992 Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 02/01/2000 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Audit: 08/18/99 LHARRIS 01/31/00 AJU10-JS 02/02/00 DSHAFF

Memorandum

To: J. Shurte
From: D. Shaff 
Date: July 28, 1999
Subject: IWRB Minimum Flow Claims

RECEIVED

JUL 29 1999

WATER RESOURCES
WESTERN REGION

I presume a quick answer is preferable to a delayed response. I hope you find the attached material useful and on point. Today this method is the quickest for me. In a week I could be specific for Basin 65. The licenses did not FAX too well.

Foremost, Norm wants the water use code to equal 87 (Minimum Stream Flow) and changed from 34 (Minimum Instream Flow).

Otherwise, I have attached the recommendations for Basin 41 along with the licenses and the remarks/cond. Codes from recommendations in Basin 36 as examples. You'll see between these two basins the remark description for the point of diversion is in some cases in the POD and others EXP. Exercise your professional judgement on which one to use in any given situation. With these materials I think you can work you're way through the Board's Basin 65 claims.

Thanks for catching these. Those in Basin 41 were an embarrassment for me when the rights slipped out in the Preliminary changed little from the permits

A65-12822 ✓
12840 ✓
12839 ✓
13059 ✓
13060 ✓
12733 ✓

RIGHT NUMBER 41-07046

NAME AND ADDRESS: STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE ID 83720

SOURCE: ROCK CREEK, EAST FORK TRIBUTARY: ROCK CREEK

QUANTITY: 11.00 CFS

PRIORITY-DATE: 01/16/1980

POINT OF DIVERSION T10S R31E S12 SWSW (B) Within POWER County
S04 SWSW (E)

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM INSTREAM FLOW	01-01 12-31	11.00 CFS

THE WATER USE(S) FOR THIS RIGHT HAVE NO ANNUAL VOLUME OF CONSUMPTIVE USE.

PLACE OF USE. MINIMUM INSTREAM FLOW Within POWER County
T10S R31E S04 SWSW

EXPLANATORY MATERIAL. BASIS OF CLAIM - LICENSE

← Why no supplemental material?

DON, IT INITIALLY LOOKS TO ME THAT THE FOLLOWING CONDITIONS/REMARKS FROM THE LICENSE SHOULD BE PULLED OVER INTO THE RECOMMENDATION:

1. DELETE
2. PROBABLY DELETE (EXCEPT WHY THE REPHRASED REMARKS UNDER THE PERIOD OF USE ELEMENT ABOVE? HAVE WE DONE IT THIS WAY ON OTHER IWRB RECS?)
3. DELETE
4. RETAIN UNDER THE "OTHER PROVISIONS NECESSARY..." SECTION OF THE RECOMMENDATION
5. DITTO
6. RETAIN IN EXPLANATORY MATERIAL
7. DITTO

WHAT ARE YOUR THOUGHTS?

MBS

AJ5809NP
No. R41-07046

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/28/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STATE OF IDAHO	01/16/1980	MINIMUM STREAM FLOW	01-01 12-31	11.000 CFS	
TOTAL DIVERSION:					11.000 CFS	

Water Source: ROCK CREEK, EAST FORK

Tributary to: ROCK CREEK

Stage: LICENSE

Point(s) of Beginning Stream Reach: T10S R31E S12

SWSW

POWER County

Point(s) of Ending Stream Reach: T10S R31E S04

SWSW

POWER County

POU County:

Other Rights: 41-7074.

Remarks: USE THE PURPOSE OF THIS MINIMUM STREAM FLOW IS TO MAINTAIN TROUT HABITAT.

GEN UPON THE FUTURE FINDING AND ORDER OF THE DIRECTOR THAT GAUGING STATIONS ARE REQUIRED TO MAINTAIN THE APPROVED MINIMUM FLOW ON THE EAST FORK OF ROCK CREEK, SUCH DEVICES SHALL BE INSTALLED AND MAINTAINED AS SPECIFIED BY THE DEPARTMENT.

THE DIRECTOR RETAINS JURISDICTION TO REVIEW AND AMEND ANY AND ALL PARAMETERS OF THE WATER RIGHT. THE DIRECTOR SHALL IDENTIFY THE REASONS FOR EXERCISING RETAINED JURISDICTION UNDER THIS CONDITION AND GIVE NOTICE THEREOF TO THE PUBLIC GENERALLY AND TO SPECIFIC PERSONS OR PARTIES KNOWN BY THE DIRECTOR TO BE INTERESTED. THE DIRECTOR SHALL THEREAFTER CONDUCT A HEARING FOR THE PURPOSE OF DETERMINING WHETHER THE MINIMUM STREAM FLOW SHOULD BE AMENDED IN THE PUBLIC INTEREST. THE BURDEN OF PROOF AT THE HEARING SHALL BE UPON THE PERSON OR PARTY SEEKING TO ESTABLISH THAT A PARTICULAR PARAMETER OF THE WATER RIGHT SHOULD BE MODIFIED OR AMENDED TO SATISFY THE PUBLIC INTEREST. REVIEW OF THE WATER RIGHT UNDER THIS CONDITION MAY NOT OCCUR PRIOR TO SEPTEMBER 15, 2010.

EXP THIS MINIMUM STREAM FLOW BEGINS AT THE USGS MEASURING STATION IN T10S, R31E, S12, SWSW, AND ENDS AT THE COUNTY BRIDGE LOCATED IN T10S, R31E, S04, SWSW.

Dates: Exam Made Date: Verified Date: 07/27/1999 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 41-07046

Priority: January 16, 1980

Minimum Instream Flow:

11.00 CFS

This is to certify, that STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

STATEHOUSE

BOISE ID 83720

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 16, 1980; and has submitted Proof of Beneficial Use on April 28, 1992. A minimum stream flow in

ROCK CREEK, EAST FORK

tributary to ROCK CREEK

has been established as follows:

BENEFICIAL USE

MINIMUM INSTREAM FLOW

PERIOD OF USE

01/01 to 12/31

RATE

11.00 CFS

LOCATION OF MINIMUM STREAM FLOW REACH:

Beginning of Stream Flow Reach

SWSW , Sec. 12, Township 10S, Range 31E

End of Stream Flow Reach

SWSW , Sec. 4, Township 10S, Range 31E

POWER County

CONDITIONS OF APPROVAL AND REMARKS

1. The use of water under this right is subject to all prior water rights.
2. Use of water under this right shall be non-consumptive.
3. Pending a general adjudication of the Rock Creek stream system, the use of water under this right shall recognize and allow the continued beneficial diversion, both within and upstream from the minimum flow reach, of water for irrigation and other purposes under any prior existing water right established by diversion and application to a 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 of water right date earlier than 1/16/1980.
4. Upon the future finding and order of the Director that gauging stations are required to maintain the approved minimum flow on Rock Creek, East Fork, such devices shall be installed and maintained as specified by the Department.

RECEIVED
OCT 04 1995

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 41-07046

CONDITIONS OF APPROVAL AND REMARKS

5. The Director retains jurisdiction to review and amend any and all parameters of the water right. The Director shall identify the reasons for exercising retained jurisdiction under this condition and give notice thereof to the public generally and to specific persons or parties known by the Director to be interested. The Director shall thereafter conduct a hearing for the purpose of determining whether the minimum stream flow should be amended in the public interest. The burden of proof at the hearing shall be upon the person or party seeking to establish that a particular parameter of the water right should be modified or amended to satisfy the public interest. Review of the water right under this condition may not occur prior to 15 years after issuance of the license.
6. This minimum stream flow begins at the USGS measuring station in the SWSW, S12, T10S, R31E, and ends at the county bridge located in the SWSW, S4, T10S, R31E.
7. The purpose of this minimum stream flow is to maintain trout habitat.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 15th day of SEPTEMBER, 1985.

Acting for

KARL J. DREHER, Director

OCT 04 1985

AJ5809NP
No. R41-07074

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/28/99
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STATE OF IDAHO	09/12/1984	MINIMUM STREAM FLOW	01-01 12-31	11.000 CFS	
TOTAL DIVERSION:					11.000 CFS	

Water Source: ROCK CREEK, EAST FORK

Tributary to: ROCK CREEK

Stage: LICENSE

Point(s) of Diversion: T10S R31E S12 SWSW
R32E S18 Lot01(NWNW)

POWER County
POWER County

POU County:

Other Rights: 41-7046

Remarks: USE THE PURPOSE OF THIS MINIMUM STREAM FLOW IS TO MAINTAIN TROUT HABITAT.

GEN UPON THE FUTURE FINDING AND ORDER OF THE DIRECTOR THAT GAUGING STATIONS ARE REQUIRED TO MAINTAIN THE APPROVED MINIMUM FLOW ON THE EAST FORK OF ROCK CREEK, SUCH DEVICES SHALL BE INSTALLED AND MAINTAINED AS SPECIFIED BY THE DEPARTMENT.

THE DIRECTOR RETAINS JURISDICTION TO REVIEW AND AMEND ANY AND ALL PARAMETERS OF THE WATER RIGHT. THE DIRECTOR SHALL IDENTIFY THE REASONS FOR EXERCISING RETAINED JURISDICTION UNDER THIS CONDITION AND GIVE NOTICE THEREOF TO THE PUBLIC GENERALLY AND TO SPECIFIC PERSONS OR PARTIES KNOWN BY THE DIRECTOR TO BE INTERESTED. THE DIRECTOR SHALL THEREAFTER CONDUCT A HEARING FOR THE PURPOSE OF DETERMINING WHETHER THE MINIMUM STREAM FLOW SHOULD BE AMENDED IN THE PUBLIC INTEREST. THE BURDEN OF PROOF AT THE HEARING SHALL BE UPON THE PERSON OR PARTY SEEKING TO ESTABLISH THAT A PARTICULAR PARAMETER OF THE WATER RIGHT SHOULD BE MODIFIED OR AMENDED TO SATISFY THE PUBLIC INTEREST. REVIEW OF THE WATER RIGHT UNDER THIS CONDITION MAY NOT OCCUR PRIOR TO SEPTEMBER 15, 2010.

EXP THIS MINIMUM STREAM FLOW BEGINS IN T10S, R32E, S18, LOT 1 (NWNW) AND ENDS AT THE USGS MEASURING STATION IN T10S, R31E, S12, SWSW, WHICH IS THE LOCATION OF THE BEGINNING OF THE MINIMUM STREAM FLOW FOR RIGHT 41-07046.

Dates: Exam Made Date: Verified Date: 07/27/1999 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 41-07074

Priority: September 12, 1984 Minimum Instream Flow: 11.00 CFS

This is to certify, that STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

STATEHOUSE

BOISE ID 83720

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 12, 1984; and has submitted Proof of Beneficial Use on April 28, 1992. A minimum stream flow in

ROCK CREEK, EAST FORK tributary to ROCK CREEK

has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE</u>
MINIMUM INSTREAM FLOW	01/01 to 12/31	11.00 CFS

LOCATION OF MINIMUM STREAM FLOW REACH:

Beginning of Stream Flow Reach Lot 1 (NWNW), Sec. 18, Township 10S, Range 32E
End of Stream Flow Reach SWSW, Sec. 12, Township 10S, Range 31E
POWER County

CONDITIONS OF APPROVAL AND REMARKS

1. The use of water under this right is subject to all prior water rights.
2. Use of water under this right shall be non-consumptive.
3. Pending a general adjudication of the Rock Creek stream system, the use of water under this right shall recognize and allow the continued beneficial diversion, both within and upstream from the minimum flow reach, of water for irrigation and other purposes under any prior existing water right established by diversion and application to a 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 of water right date earlier than 9/12/1984.
4. Upon the future finding and order of the Director that gauging stations are required to maintain the approved minimum flow on Rock Creek, East Fork, such devices shall be installed and maintained as specified by the Department.

RECEIVED

OCT 04 1995

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 41-07074

CONDITIONS OF APPROVAL AND REMARKS

5. The Director retains jurisdiction to review and amend any and all parameters of the water right. The Director shall identify the reasons for exercising retained jurisdiction under this condition and give notice thereof to the public generally and to specific persons or parties known by the Director to be interested. The Director shall thereafter conduct a hearing for the purpose of determining whether the minimum stream flow should be amended in the public interest. The burden of proof at the hearing shall be upon the person or party seeking to establish that a particular parameter of the water right should be modified or amended to satisfy the public interest. Review of the water right under this condition may not occur prior to 15 years after issuance of the license.
6. This minimum stream flow begins in Lot 1 (NWNW), S18, T10S, R32E, and ends at the USGS measuring station in the SWSW, S12, T10S, R31E, which is the location of the beginning of minimum stream flow Right No. 41-07046.
7. The purpose of this minimum stream flow is to maintain trout habitat.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 15th
day of SEPTEMBER, 1995.

Acting for

KARL J. DREHER, Director

RECORDED
OCT 04 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way, Boise, Idaho 83705

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.state.id.us/idwr/idwrhome.htm

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 7-27-99

Norm wants 4500 B7, not 74

TO: Don Staff

FROM: Jan Shurtle

DOCUMENT DESCRIPTION: *I am not sure which conditions to leave on or take off of these two. Since they are the Board's min. streamflow, I thought either you or the legal staff should review. Thanks Jan*

TOTAL PAGES SENT: 4 + COVER SHEET

CONTACT: Scott's claim

P.S. *If these don't come through OK - at least the originals are there. These are the best we have.*

SELECTION FILE: DSHAFF-1609358

WATER RIGHT			CONDITION TEXT/
NUMBER	STG/STS	CODE	REMARKS
36-07818	D/		WATER USES: 34
	GEN		THIS RIGHT FOR MINIMUM STREAMFLOW SHALL BE JUNIOR AND SUBORDINATE TO ALL CONSUMPTIVE USE RIGHTS DIVERTED FROM GROUNDWATER WITHIN THE SNAKE RIVER MAIN AQUIFER TRIBUTARY TO VINYARD CREEK HELD IN TRUST BY THE STATE OF IDAHO, WHICH MAY BE APPROVED OR DIVERTED LATER IN TIME THAN THE PRIORITY OF THIS RIGHT. APPROVAL OF THIS RIGHT SHALL NOT GIVE RISE TO ANY RIGHT OR CLAIM AGAINST ANY FUTURE RIGHTS TO THE CONSUMPTIVE USE OF GROUNDWATER HELD IN TRUST BY THE STATE OF IDAHO INITIATED LATER IN TIME THAN THE PROPOSED PRIORITY OF THIS RIGHT TO THE EXTENT THAT SUCH USES ARE WITHIN THE LIMITS ESTABLISHED PURSUANT TO THE SWAN FALLS AGREEMENT, THE IDAHO STATE WATER PLAN, AND CHAPTER 2, TITLE 42, IDAHO CODE.
36-07820	D/		WATER USES: 87
	PRI		THIS MINIMUM STREAMFLOW SHALL BE JUNIOR AND SUBORDINATE TO ALL CONSUMPTIVE USE RIGHTS DIVERTED FROM GROUNDWATER WITHIN THE SNAKE RIVER PLAIN AQUIFER TRIBUTARY TO BLIND CANYON SPRINGS, HELD IN TRUST BY THE STATE OF IDAHO, WHICH MAY BE APPROVED OR DIVERTED LATER IN TIME THAN THE PRIORITY OF THIS RIGHT. DECREE OF THIS RIGHT SHALL NOT GIVE RISE TO ANY RIGHT OR CLAIM AGAINST ANY FUTURE RIGHTS TO THE CONSUMPTIVE USE OF GROUNDWATER HELD IN TRUST BY THE STATE OF IDAHO INITIATED LATER IN TIME THAN THE PRIORITY OF THIS RIGHT AND ANY SUBSEQUENT LICENSE TO THE EXTENT SUCH USES ARE WITHIN THE LIMITS ESTABLISHED PURSUANT TO THE SWAN FALLS AGREEMENT, THE IDAHO STATE WATER PLAN, AND CHAPTER 2, TITLE 42, IDAHO CODE.
	POD		THIS MINIMUM STREAM FLOW BEGINS AT THE POINT WHERE EFFLUENT FROM THE BLIND CANYON SPRINGS HATCHERY DISCHARGES TO BLIND CANYON WITHIN T08S, R14E, S28, SWNE, AND EXTENDS DOWNSTREAM TO THE MOUTH OF BLIND CANYON AND THE SNAKE RIVER WITHIN T08S, R14E, S28, GOVT. LOT 2 (SENW).
	GEN		THE IDWR DIRECTOR HAS AUTHORITY TO REVIEW AND AMEND ANY AND ALL PARAMETERS OF THIS RIGHT. THE BOARD, UPON RECEIVING A REQUEST, OR UPON ITS OWN INITIATIVE, MAY PETITION THE DIRECTOR FOR AN AMENDMENT TO THE RIGHT. THE PETITION MUST SET FORTH ANY SIGNIFICANT CHANGE IN CIRCUMSTANCES AND EVIDENCE OF 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 RIGHT 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 RIGHT WOULD BE IN THE PUBLIC INTEREST.

SELECTION FILE: DSHAFF-1609358

WATER RIGHT NUMBER	STG/STS	CODE	CONDITION TEXT/ REMARKS
36-07872	D/		WATER USES: 34 PCD WATERS FOR THIS INSTREAM FLOW ARE TO BE MAINTAINED WITHIN THE REACH ON DEVIL'S CORRAL SPRINGS FROM ITS POINT OF CONFLUENCE WITH THE SNAKE RIVER, LOCATED WITHIN GOVERNMENT LOTS 1 & 6, SECTION 32, TOWNSHIP 9S, RANGE 18E, B.M., JEROME COUNTY, UPSTREAM TO THE SPRING SOURCES, A DISTANCE OF APPROXIMATELY ONE-HALF MILE. THE RIGHT IS SUBJECT TO FUTURE DEVELOPMENT OF DEVIL'S CORRAL SPRINGS AS DESCRIBED IN THE AGREEMENT DATED SEPTEMBER 1, 1981 BETWEEN THE BOARD AND ROBERT A. ERKINS. THIS RIGHT FOR MINIMUM STREAMFLOW SHALL BE JUNIOR AND SUBORDINATE TO ALL CONSUMPTIVE USE RIGHTS DIVERTED FROM GROUNDWATER WITHIN THE SNAKE RIVER MAIN AQUIFER TRIBUTARY TO DEVIL'S CORRAL SPRING HELD IN TRUST BY THE STATE OF IDAHO, WHICH MAY BE APPROVED OR DIVERTED LATER IN TIME THAN THE PRIORITY OF THIS RIGHT. APPROVAL OF THIS RIGHT SHALL NOT GIVE RISE TO ANY RIGHT OR CLAIM AGAINST ANY FUTURE RIGHTS TO THE CONSUMPTIVE USE OF GROUNDWATER HELD IN TRUST BY THE STATE OF IDAHO INITIATED LATER IN TIME THAN THE PROPOSED PRIORITY OF THIS RIGHT TO THE EXTENT THAT SUCH USES ARE WITHIN THE LIMITS ESTABLISHED PURSUANT TO THE SWAN FALLS AGREEMENT, THE IDAHO STATE WATER PLAN, AND CHAPTER 2, TITLE 42, IDAHO CODE.
36-08307	D/		WATER USES: 87 PRI THIS MINIMUM STREAMFLOW SHALL BE JUNIOR AND SUBORDINATE TO ALL CONSUMPTIVE USE RIGHTS DIVERTED FROM GROUNDWATER WITHIN THE SNAKE RIVER AQUIFER TRIBUTARY TO MINNIE MILLER SPRINGS, HELD IN TRUST BY THE STATE OF IDAHO, WHICH MAY BE APPROVED OR DIVERTED LATER IN TIME THAN THE PRIORITY OF THIS RIGHT. DECREE OF THIS RIGHT SHALL NOT GIVE RISE TO ANY RIGHT OR CLAIM AGAINST ANY FUTURE RIGHTS TO THE CONSUMPTIVE USE OF GROUNDWATER HELD IN TRUST BY THE STATE OF IDAHO INITIATED LATER IN TIME THAN THE PRIORITY OF THIS RIGHT TO THE EXTENT SUCH USES ARE WITHIN THE LIMITS ESTABLISHED PURSUANT TO THE SWAN FALLS AGREEMENT, THE IDAHO STATE WATER PLAN, AND CHAPTER 2, TITLE 42, IDAHO CODE. USE THIS RIGHT IS FOR A MINIMUM FLOW OF 180.0 CFS IN THE SPRINGS REACH FROM A POINT IN GOVT. LOT 3 (NESW) AND ENDING IN GOVT. LOT 2 (SWNW), AND 360.0 CFS THROUGH THE OUTFLOW ESTUARY FROM A POINT IN GOVT. LOT 3 (NESW) AND ENDING AT A POINT IN GOVT. LOT 1 (NWNW), ALL WITHIN T08S, R14E, S08. THIS MINIMUM STREAMFLOW IS FOR THE PRESERVATION OF SCENIC, RECREATIONAL AND AESTHETIC VALUES, AND FOR PRESERVATION OF FISH AND WILDLIFE HABITAT. GEN THE IDWR DIRECTOR HAS AUTHORITY TO REVIEW AND AMEND ANY AND ALL PARAMETERS OF THIS RIGHT. ANY PERSON SEEKING REVIEW AND AMENDMENT OF THE RIGHT SHALL FILE A REQUEST WITH THE BOARD, WHICH

SELECTION FILE: DSHAFF-1609358

WATER RIGHT

CONDITION TEXT/

NUMBER STG/STS CODE

REMARKS

REQUEST SHALL DESCRIBE THE AMENDMENT SOUGHT, THE REASONS FOR THE PROPOSED AMENDMENT, AND A STATEMENT OF THE CHANGE IN CIRCUMSTANCES SINCE THE RIGHT WAS LAST REVIEWED THAT MERIT A REVIEW OF THE RIGHT. A COPY OF THE PETITION SHALL BE SERVED UPON THE DIRECTOR. THE BOARD, UPON RECEIVING A REQUEST, OR UPON ITS OWN INITIATIVE, MAY PETITION THE DIRECTOR FOR AN AMENDMENT TO THE RIGHT. THE PETITION MUST SET FORTH ANY SIGNIFICANT CHANGE IN CIRCUMSTANCES AND EVIDENCE OF 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 RIGHT SHOULD BE AMENDED IN THE PUBLIC INTEREST. THE BURDEN OF PROOF AT THE HEARING SHALL BE UPON THE PERSON OR PARTY SEEKING THE AMENDMENT.

36-08337 D/

WATER USES: 87

PRI THIS MINIMUM STREAM FLOW RIGHT SHALL BE JUNIOR AND SUBORDINATE TO ALL CONSUMPTIVE USE RIGHTS DIVERTED FROM GROUNDWATER WITHIN THE SNAKE RIVER PLAIN AQUIFER TRIBUTARY TO BOX CANYON CREEK, HELD IN TRUST BY THE STATE OF IDAHO, WHICH MAY BE APPROVED OR DIVERTED LATER IN TIME THAN THE PRIORITY OF THIS RIGHT. ISSUANCE OF THIS DECREE SHALL NOT GIVE RISE TO ANY RIGHT OR CLAIM AGAINST ANY FUTURE RIGHTS TO THE CONSUMPTIVE USE OF GROUNDWATER HELD IN TRUST BY THE STATE OF IDAHO INITIATED LATER IN TIME THAN THE PRIORITY OF THIS RIGHT TO THE EXTENT SUCH USES ARE WITHIN THE LIMITS ESTABLISHED PURSUANT TO THE SWAN FALLS AGREEMENT, THE IDAHO STATE WATER PLAN, AND CHAPTER 2, TITLE 42, IDAHO CODE.

POD THE REACH OF THIS MINIMUM STREAM FLOW BEGINS APPROXIMATELY 300 FEET DOWNSTREAM OF A POINT WHERE BOX CANYON CREEK ENTERS T08S, R14E, S28, GOVT LOT 1 (NENW), AND EXTENDS APPROXIMATELY ONE QUARTER (1/4) MILE DOWNSTREAM TO THE CONFLUENCE OF BOX CANYON CREEK AND THE SNAKE RIVER, LOCATED IN T08S, R14E, S28, GOVT LOT 2 (SENE).

USE THIS MINIMUM STREAM FLOW IS A VARIABLE FLOW BEGINNING WITH 75.0 CFS AT THE UPSTREAM END OF THE REACH AND INCREASING IN FLOW TO 162.0 CFS AT THE DOWNSTREAM END OF THE REACH. DIFFUSE GROUNDWATER DISCHARGE INTO BOX CANYON CREEK CONTRIBUTES 87.0 CFS TO THE 75.0 CFS THAT ENTERS THE MINIMUM STREAM FLOW REACH, FOR A TOTAL OF 162.0 CFS AT THE CONFLUENCE OF BOX CANYON CREEK AND THE SNAKE RIVER.

GEN THE IDWR DIRECTOR HAS AUTHORITY TO REVIEW AND AMEND ANY AND ALL PARAMETERS OF THIS RIGHT. THE BOARD, UPON RECEIVING A REQUEST, OR UPON ITS OWN INITIATIVE, MAY PETITION THE DIRECTOR FOR AN AMENDMENT TO THE RIGHT. THE PETITION MUST SET FORTH ANY SIGNIFICANT CHANGE IN CIRCUMSTANCES AND EVIDENCE OF PUBLIC INTEREST SUPPORTING THE PROPOSED AMENDMENT. THE DIRECTOR WILL

AJ5820NP

IDAHO DEPARTMENT OF WATER RESOURCES
CONDITION CODE/REMARKS LISTING

DATE: 07/27/99
TIME: 16:09:40
PAGE: 4

SELECTION FILE: DSHAFF-1609358

WATER RIGHT

CONDITION TEXT/

NUMBER STG/STS CODE

REMARKS

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 RIGHT SHOULD BE
AMENDED IN THE PUBLIC INTEREST. THE BURDEN OF PROOF AT THE
HEARING SHALL BE UPON THE PERSON OR PARTIES SEEKING THE AMENDMENT
TO ESTABLISH THE AMENDMENT OF THE RIGHT WOULD BE IN THE PUBLIC
INTEREST.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-23823

Priority: December 17, 1987

Minimum Duration: 71m

1400.00 CFS

It is to certify that this is the

MINIMUM WITH RESERVE FLOW

POINT ID 8370

has complied with the terms and conditions of the permit, issued pursuant to application for permit dated December 17, 1987, and has submitted proof of beneficial use on March 22, 1991, a minimum stream flow is

MINIMUM STREAM FLOW

MINIMUM STREAM FLOW

has been established as

MINIMUM STREAM FLOW

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CREDIT TO THE STATE

Use of water under this license is subject to the provisions of the

this minimum stream flow is subject to the provisions of the

apportionment of water to the State of Idaho by the Payette River

and its tributaries, and the provisions of the Idaho Water

the minimum flow set forth in the license, and the provisions of the

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the minimum flow set forth in the license, and the provisions of the

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER PLANT NO. 63-15022

CHOCOLATE & NUTS

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12848

Priority: April 5, 1908

Minimum Instream Flow:

1800.00 CFS

This is to certify, that STATE OF IDAHO
IDaho WATER RESOURCE BOARD
STATEHOUSE

BOISE ID 83720

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated April 5, 1988; and
has submitted Proof of Beneficial Use on November 14, 1991. A minimum stream flow in

PAYETTE RIVER, NORTH FORK tributary to PAYETTE RIVER

has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE
MINIMUM INSTREAM FLOW	05/01 to 06/30	1800.00 CFS
MINIMUM INSTREAM FLOW	07/01 to 07/31	1300.00 CFS
MINIMUM INSTREAM FLOW	08/01 to 09/01	1800.00 CFS

LOCATION OF MINIMUM STREAM FLOW REACH:

Beginning of Stream Flow Reach Lot 4 (SESE), Sec. 10, Township 11N, Range 03N
A VALLEY County
End of Stream Flow Reach Lot 2 (SESE), Sec. 29, Township 09N, Range 03N
BOISE County

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this right shall be non-consumptive.
2. This minimum streamflow is subject and subordinate to future appropriations of water from the North Fork of the Payette River and its tributaries for municipal and domestic purposes within the minimum flow watershed.
3. Use of water under this right shall recognize and allow the continued beneficial diversion of water for irrigation or other purposes under any prior 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 date earlier than 4/5/1908.
4. Upon a future finding and order of the Director that gauging stations are required to maintain the approved minimum flows on the North Fork of the Payette River, such measuring devices shall be permanently installed and maintained as specified by the Director.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12860

CONDITIONS OF APPROVAL AND REVIEW

5. The Director retains jurisdiction, as described below, to review and amend any and all parameters of this right. The board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to the right. 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 right 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 right would be in the public interest.
6. This minimum stream flow is for recreation and aesthetic uses and fish habitat maintenance.
7. This minimum stream flow begins at Switch Ferry in the SW/4, S10, T11N, R3E and ends at Snake in the NE/4, S3, T9N, R3E.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code, witness the seal and signature of the Director, attested at Boise, this 28th day of September, 1993.

[Signature]
John J. Hughes, Director

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12733

Priority: April 26, 1985

Minimum Instream Flow:

1350.00 CFS

This is to certify, that STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE

BOISE ID 83720 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated April 26, 1985; and
has submitted Proof of Beneficial Use on November 6, 1992. A minimum stream flow in

PAYETTE RIVER, SOUTH FORK tributary to PAYETTE RIVER
PAYETTE RIVER tributary to SNAKE RIVER

has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE
Reach A:		
MINIMUM INSTREAM FLOW	01/01 to 04/18	212.00 CFS
MINIMUM INSTREAM FLOW	04/19 to 07/15	1100.00 CFS
MINIMUM INSTREAM FLOW	07/16 to 12/31	212.00 CFS
Reaches B and D:		
MINIMUM INSTREAM FLOW	01/01 to 04/14	337.00 CFS
MINIMUM INSTREAM FLOW	04/15 to 08/31	1100.00 CFS
MINIMUM INSTREAM FLOW	09/01 to 12/31	337.00 CFS
Reach C:		
MINIMUM INSTREAM FLOW	01/01 to 04/14	337.00 CFS
MINIMUM INSTREAM FLOW	04/15 to 08/31	337.00 CFS (Monday - Thursday)
		400.00 CFS (Friday - Sunday)
MINIMUM INSTREAM FLOW	09/01 to 12/31	337.00 CFS
Reach E:		
MINIMUM INSTREAM FLOW	01/01 to 04/14	407.00 CFS
MINIMUM INSTREAM FLOW	04/15 to 08/31	1350.00 CFS
MINIMUM INSTREAM FLOW	09/01 to 12/31	407.00 CFS

LOCATION OF MINIMUM STREAM FLOW REACHES:

REACH A:

Beginning of Stream Flow Reach (unsurveyed), Sec. 2, Township 09N, Range 11E
End of Stream Flow Reach NENW, Sec. 32, Township 09N, Range 07E
BOISE County

REACH B:

Beginning of Stream Flow Reach NENW, Sec. 32, Township 09N, Range 07E
End of Stream Flow Reach SWNW, Sec. 32, Township 09N, Range 07E
BOISE County

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12733

REACH C:Beginning of Stream Flow Reach
End of Stream Flow ReachSWNW, Sec. 32, Township 09N, Range 07E
NESE, Sec. 31, Township 09N, Range 07E
BOISE County**REACH D:**Beginning of Stream Flow Reach
End of Stream Flow ReachNESE, Sec. 31, Township 09N, Range 07E
NENE, Sec. 20, Township 09N, Range 04E
BOISE County**REACH E:**Beginning of Stream Flow Reach
End of Stream Flow ReachNENE, Sec. 20, Township 09N, Range 04E
SWSW, Sec. 28, Township 09N, Range 03E
BOISE County**CONDITIONS OF APPROVAL AND REMARKS**

1. Use of water under this right shall be non-consumptive.
2. Use of water under this right shall recognize and allow the continued beneficial diversion of water for irrigation or other purposes under any prior 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 of water right date earlier than 4/26/1985.
3. Upon a future finding and order of the Director that gauging stations are required to maintain the approved minimum flow on the South Fork and Main Stem Payette River, such measuring devices shall be permanently installed and maintained as specified by the Department.
4. This minimum streamflow is subordinate and subject to future appropriations of water from the South Fork and Main Stem of the Payette River for municipal and domestic purposes within the minimum flow watershed.
5. The Director retains jurisdiction, as described below, to review and amend any and all parameters of this right. The Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to the right. 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 right 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 right would be in the public interest.

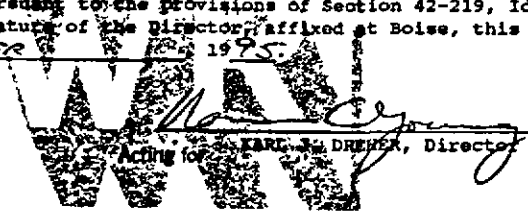
WATER RIGHT LICENSE

WATER RIGHT NO. 65-12733

CONDITIONS OF APPROVAL AND REMARKS

6. Description of Reaches:
- Reach A - beginning at the boundary of the Sawtooth Wilderness Area in unsurveyed Section 2, T9N, R11E, to the confluence of the Deadwood & South Fork Payette Rivers in NENW, S32, T9N, R7E, Boise Co.
10. Reach B - beginning at end of Reach A to the upstream end of the Oxbow Bend, approximately 1056 yards downstream from the confluence of the Deadwood & South Fork Payette Rivers in the SWNW, S32, T9N, R11E, Boise Co.
11. Reach C - beginning at the end of Reach B to a point in the NESE, S31, approximately 200 yards downstream from the section line between Section 31 and 12, T9N, R7E, Boise Co.
12. Reach D - beginning at the end of Reach C to the confluence of the South Fork Payette River and the Middle Fork Payette River in the NENE, S20, T9N, R4E, Boise Co.
13. Reach E - beginning at the end of Reach D to the confluence of the Payette River and North Fork Payette River in the SWSW, S24, T9N, R3E, Boise Co.
14. This minimum stream flow is for the preservation of scenic, recreational and aesthetic values and for the maintenance of fish and wildlife habitat.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 5th
day of OCTOBER, 1975.


Acting for EARL J. DREHER, Director

From: DWR03::DSHAFF 17-NOV-1994 14:47:48.21
To: DWR80::JSHURTE
CC: DSHAFF
Subj: RE: CLAIM NO A65-12733A-E FOR IDAHO WATER RESOURCE BOARD

No change that I know; I have seen or heard nothing yet that would change the split approach for these.

MICROFILMED

OCT 21 1996

From: DWR80::JSHURTE 17-NOV-1994 14:39:26.36
To: DWR03::DSHAFF
CC: JSHURTE
Subj: CLAIM NO A65-12733A-E FOR IDAHO WATER RESOURCE BOARD

Hi Don. I am just trying to clear up some weird ones. I received a memo from Marci Sterling way back when concerning the split of Claim No. A65-12733. She said through a conversation with you that the splits should be placed in the claim file for A65-12733. She said these claims are now in the temp file, but A65-12733 is in the Host Master and is paid under Receipt C018452. A-E should not be moved over to the Host, but at a later date we may want to move them from the temp to the region and create "R" files for them with the receipt no assigned and get rid of the A files for them. We will probably want to recommend the splits instead of 12733. That's the end of the memo. I figured the splits were due to the different reaches. Should we do something with them now - has anything changed since her memo - 1991? Thanks, Jan.

MICROFILMED
OCT 21 1996

MEMO TO SRBA CLAIM FILE NO. AW5 - 12733

CLAIMANT'S NAME: State of Idaho - Idaho Water Resource Bd DATE: 2/14/91

COUNTY: Boise

EMPLOYEE: Marci Sterling

Through conversation w/ Don Staff:

Claims AW5-12733 A, B, C, D, & E should be placed in the file for

AW5-12733. These claims are now in the Temp. file, but AW5-12733

is in the Host Master & is paid for under Receipt # C018452

A, B, C, D, & E should not be moved over to Host Master, but

at a later date we may want to move them from the
(A, B, C, D, & E)

Temp. to the Region & create 'R' files for them with the receipt

no assigned, & get rid of the A files for them. We will

probably want to recommend the splits instead of 12733.

MICROFILMED

OCT 21 1996

REACH E

1350 - 407

AUG 08 1988

MICROFILMED

REACH D

1100 - 337

REACH C

400 - 337

REACH B

1100 - 337

REACH A

1100 - 210

Middle Fork Payette

North Fork Payette

Garden Valley

Payette River

Banks

Deadwood River

Lowman

Grandjean

Sawtooth Wilderness Bdry.

Orlov Bend

South Fork Payette

GENERAL LOCATION MAP

NOT TO SCALE

MICROFILMED
OCT 21 1986

4 & 5. Reach A - 212 cfs from January 1 to April 18, 1,100 cfs from April 19 to July 15, and 212 cfs from July 16 to December 31, beginning at the boundary of the Sawtooth Wilderness Area in the unsurveyed S.2 of T.9N., R.11E., Custer County, Idaho, to the confluence of the Deadwood and South Fork Payette Rivers in NE 1/4 NW 1/4, S.32 of T.9N., R.7E., Boise County, Idaho.

Reach B - 337 cfs from January 1 to April 14, 1,100 cfs from April 15 to August 31, and 337 cfs from September 1 to December 31, beginning at the confluence of the Deadwood and South Fork Payette Rivers to the upstream end of the Oxbow Bend, approximately 1,056 yards downstream from the confluence of the Deadwood and South Fork Payette Rivers in SW NW, S.32, T.9N., R.7E., Boise County, Idaho.

Reach C - 337 cfs from January 1 to April 14, 337 cfs from Monday through Thursday and 400 cfs from Friday through Sunday from April 15 to August 31, and 337 cfs from September 1 to December 31 from the upstream end of the Oxbow Bend to a point in NE SE, Sec.31 approximately 200 yards downstream from the section line between S.31 and S.32 in T.9N., R.7E., Boise County, Idaho.

Reach D - 337 cfs from January 1 to April 14, 1,100 cfs from April 15 to August 31, and 337 cfs from September 1 to December 31 from the point 200 yards downstream from the section line between S.31 and S.32 in T.9N., R.7E., Boise County, to the confluence of the South Fork Payette and the Middle Fork Payette in NE NE, S.20, T.9N., R.4E., Boise County, Idaho.

Reach E - 407 cfs from January 1 to April 14, 1,350 cfs from April 15 to August 31, and 407 cfs from September 1 to December 31 on the Payette River, from the confluence of the South Fork Payette and the Middle Fork Payette to the confluence of the Payette River and the North Fork Payette River in SW SW, S.28, T.9N., R.3E., Boise County, Idaho.

MICROFILMED

AUG 06 1988

MICROFILMED

OCT 21 1996