

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-12822

Priority: December 17, 1987

Minimum Instream Flow:

1400.00 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 December 17, 1987; and
has submitted Proof of Beneficial Use on March 22, 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	06/18 to 10/12	1400.00 CFS
MINIMUM INSTREAM FLOW	10/13 to 03/15	106.00 CFS
MINIMUM INSTREAM FLOW	03/16 to 06/17	500.00 CFS

LOCATION OF MINIMUM STREAM FLOW REACH

Beginning of Stream Flow Reach
End of Stream Flow Reach

Sec. 31, Township 13N, Range 04E
Sec. 10, Township 11N, Range 03E
VALLEY 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 any purpose within the minimum flow watershed.
3. Use of water under this right shall not prevent or 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 12/17/1987.
4. Upon a future finding and order of the Director that gaging 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.

WATER RIGHT LICENSE

WATER RIGHT NO. 63-12822

CONDITIONS OF APPROVAL AND REMARKS

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.

This minimum stream flow is for recreation and aesthetic use and fish habitat maintenance.

This minimum stream flow begins at a point where the Caberton Road Bridge crosses the left fork of the Payette River in Lot 11 (N2SW), S31, T13N, R2E, and ends approximately 10 miles downstream at a point near the dam of the ferry in the S2E, S10, T11N, R3E.

This license is issued pursuant to the provisions of Section 43-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 23rd day of September, 1975.

W. J. BREMER, Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12840

Priority: April 5, 1988

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 (SWNE), Sec. 10, Township 11N, Range 03N
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 27, 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

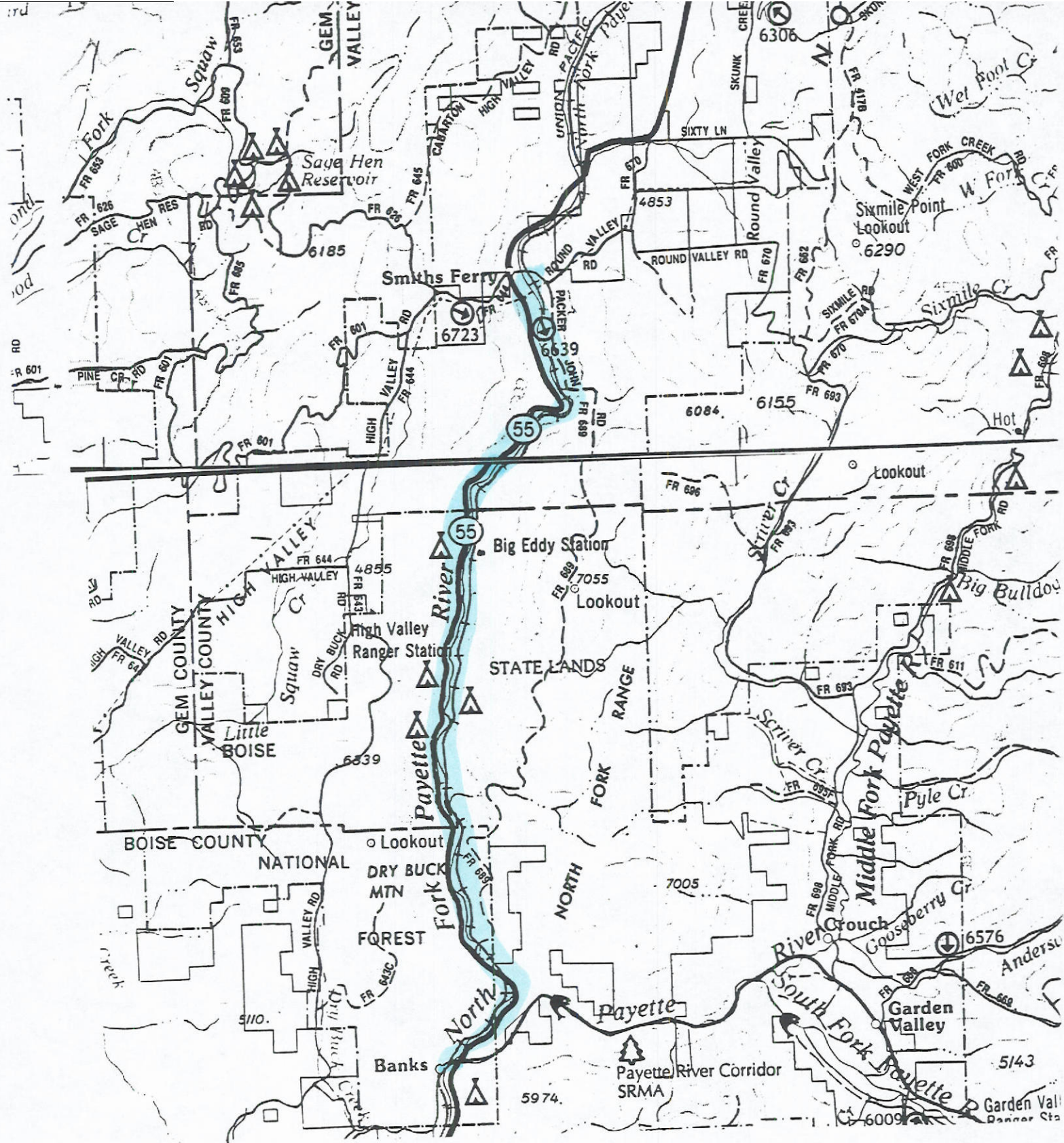
5. The Director retains jurisdiction, as described below, to review and amend any and all parameters of this right. The Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to the right. The petition must set forth any significant change in circumstances 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. -090

6. This minimum stream flow is for recreation and aesthetic uses and fish habitat maintenance. ✓

7. This minimum stream flow begins at Salts Ferry in the SW1/4, S10, T11N, R3E and ends at Banks in the SE1/4, S29, T9N, 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 23rd day of SEPTEMBER, 1992.

KARL J. BREWER, 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

RECEIVED

OCT 20 1995

WATER RESOURCES
WESTERN REGION

Ident. Number: A65-12840
Date Received: 7/11/1991
Receipt No: Fund Transfer/0021672
Received By: DRS
8/26/91 JS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STATE OF IDAHO 208-334-7900
Address: IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE, ID 83720

2. Date of Priority: APR 5, 1988

3. Source: PAYETTE RIVER, NORTH FORK Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
Beginning Point of Minimum Instream Flow					
11N	03E	10	SW	NE	VALLEY
Ending Point of Minimum Instream Flow					
09N	03E	29	SE	SE	VALLEY

5. Description of diverting works:
INSTREAM USES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
RECREATION	05/01	06/30	1800.000		
RECREATION	07/01	08/01	1300.000		
RECREATION	08/01	09/01	1800.000		

7. Total Quantity Appropriated is:
1800.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
RECREATION, AESTHETICS & FISH HABITAT MAINTENANCE

A65-12840

Page 1

Date: 07/11/91

MICROFILMED
OCT 21 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	03E	10	SW	NE		REC	
13N	04E	31	SE	SE		REC	

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:

ENTIRE PLACE OF USE IS REACH BETWEEN THE TWO POINTS LISTED IN PLACE OF USE FIELD.

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 RT. 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 RT. DATE EARLIER THAN 4/5/88. UPON A FUTURE FINDING & ORDER OF THE DIRECTOR THAT GAUGING STATIONS ARE REQUIRED TO MAINTAIN THE APPROVED MIN. FLOWS ON THE NORTH FORK OF THE PAYETTE RIVER, SUCH MEASURING DEVICES SHALL BE PERMANENTLY INSTALLED & MAINTAINED AS SPECIFIED BY THE DIRECTOR. 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 THE DEPT. OF WATER RESOURCES. THE BOARD, UPON RECEIVING A REQUEST, OR UPON ITS OWN INITIATIVE, MAY PETITION THE DIRECTOR FOR AN AMENDMENT TO THE PERMIT OR LICENSE. THE PETITION MUST SET FORTH ANY SIGNIFICANT CHANGE IN CIRCUMSTANCES & EVIDENCE OF THE PUBLIC INTEREST SUPPORTING THE PROPOSED AMENDMENT. THE DIRECTOR WILL NOTIFY THE GENERAL PUBLIC & SPECIFIC PERSONS OR KNOWN INTERESTED PARTIES OF THE PROPOSED CHANGE, & CONDUCT A HEARING FOR THE PURPOSE OF DETERMINING WHETHER THE PERMIT OR SUBSEQUENT LICENSE SHOULD BE AMENDED IN THE PUBLIC INTEREST. THE BURDEN OF PROOF AT THE HEARING SHALL BE UPON THE PERSON OR PARTIES SEEKING THE AMENDMENT TO ESTABLISH THAT THE AMENDMENT OF THE PERMIT OR LICENSE WOULD BE IN THE PUBLIC INTEREST. PROOF OF INSTREAM BENEFICIAL USE OF THE MIN. STREAMFLOW MAY BE SUBMITTED IMMEDIATELY FOLLOWING CONCURRENCE BY THE LEGISLATURE AS REQUIRED BY SECTION 42-1503, IDAHO CODE. THE MIN. STREAMFLOWS ARE SUBJECT & SUBORDINATE TO FUTURE APPROPRIATIONS OF WATER FROM THE

14. Remarks: Continued

NORTH FORK OF THE PAYETTE RIVER & ITS TRIBUTARIES FOR MUNICIPAL
& DOMESTIC PURPOSES WITHIN THE MIN. FLOW WATERSHED.

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.

F. Don Gydaly
Signature of Authorized Agent

CHAIRMAN IDAHO WATER RESOURCE BOARD
Title and Organization

7-11-91

Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 11th day

of July 19 91

Naam Smith
Notary Public

Seal

Residing at BOISE IDAHO

My Commission Expires DEC 5, 1991

AJ0749NP
No. R65-12840

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 09/24/99
PAGE: 1

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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 837202237 (208) 334-7900	04/05/1988	MINIMUM STREAM FLOW MINIMUM STREAM FLOW MINIMUM STREAM FLOW	05-01 06-30 07-01 08-01 08-01 09-01	1800.000 CFS 1300.000 CFS 1800.000 CFS	
TOTAL DIVERSION:					1800.000 CFS	

Water Source: PAYETTE RIVER, NORTH FORK

Tributary to: PAYETTE RIVER

Stage: LICENSE

Point(s) of Beginning Stream Reach: T11N R03E S10

SWNE

VALLEY County

Point(s) of Ending Stream Reach: T09N R03E S29

SESE

VALLEY County

POU County:

Other Rights: NONE

Remarks: PRI THIS MINIMUM STREAM FLOW 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.

POD THIS MINIMUM STREAM FLOW BEGINS AT SMITHS FERRY BRIDGE IN LOT 4 (SWNE), S10, T11N, R3E AND ENDS AT THE CONFLUENCE WITH THE PAYETTE RIVER AT BANKS IN LOT 2 (SESE), S29, T9N, R3E.

USE THIS MINIMUM STREAM FLOW IS FOR RECREATION AND AESTHETIC USES AND FISH HABITAT MAINTENANCE.

GEN 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. 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:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

AJ0749NP
No. R65-12840

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 09/24/99
PAGE: 2

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Comments: Date: 09/08/1999 User-ID: DSMITH Subject: ADDRESS CORRECTION
ADDED ZIP CODE EXTENSION

Audit: 09/24/99 LHARRIS

WR5809NP
No. 65-12840

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/13/99
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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 83720 (208) 334-7900	04/05/1988	MINIMUM INSTREAM FLOW MINIMUM INSTREAM FLOW MINIMUM INSTREAM FLOW	05/01 06/30 07/01 07/31 08/01 09/01	1800.000 CFS 1300.000 CFS 1800.000 CFS	
TOTAL DIVERSION:					1800.000 CFS	

Water Source: PAYETTE RIVER, NORTH FORK

Tributary to: PAYETTE RIVER

Point(s) of Beginning Stream Reach: T11N R03E S10 Lot 04(SWNE)

Point(s) of Ending Stream Reach: T09N R03E S29 Lot 02(SESE)

Stage: LICENSE

VALLEY County
BOISE County

Point of Diversion Name(s):

Name

Rate

Number

Pou County:

Conditions of Approval:

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

Remarks: GEN

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.

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 4/5/1988.

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.

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

0021672

9-5-91

WR5809NP
No. 65-12840

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/13/99
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Remarks:

in the public interest.

USE This minimum stream flow is for recreation and aesthetic uses
and fish habitat maintenance.

POU This minimum stream flow begins at Smiths Ferry Bridge in Lot 4
(SWNE), S10, T11N, R3E and ends at the confluence with the
Payette River at Banks in Lot 2 (SESE), S29, T9N, R3E.

Dates: App. Received: 04/05/1988 Priority Date: 04/05/1988 (Priority Date Advanced.)
Proof Due Date: 05/01/1991 Proof Made Date: 11/14/1991 (Proof Received Late.)
Exam Made Date: 10/29/1993 Exam Sent to S.O.:
Licensed Date: 09/23/1995

Misc: Water District Number: Field Exam Fee:

AJ5809NP
No. A65-12840

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/13/99
PAGE: 7

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 83720 (208) 334-7900	04/05/1988	RECREATION RECREATION RECREATION	05-01 06-30 07-01 08-01 08-01 09-01	1800.000 CFS 1300.000 CFS 1800.000 CFS	
TOTAL DIVERSION:					1800.000 CFS	

Water Source: PAYETTE RIVER, NORTH FORK

Tributary to: PAYETTE RIVER

Stage: PERMIT

Point(s) of Beginning Stream Reach: T11N R03E S10
Point(s) of Ending Stream Reach: T09N R03E S29

SWNE
SESE

VALLEY County
VALLEY County

Place of use Legal Description for: RECREATION

				NE				NW				SW				SE							
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
11N	03E	10	:				R	:					:					:					:
13N	04E	31	:					:					:					:				R	:

Place of use Legal Description for: RECREATION

				NE				NW				SW				SE							
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
11N	03E	10	:				R	:					:					:					:
13N	04E	31	:					:					:					:				R	:

Place of use Legal Description for: RECREATION

				NE				NW				SW				SE							
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
11N	03E	10	:				R	:					:					:					:
13N	04E	31	:					:					:					:				R	:

POU County: VALLEY

Non-Irrigation Uses: RECREATION, AESTHETICS & FISH HABITAT MAINTENANCE

Other Rights: NONE

Conditions of Approval:

- 027 - Use of water under this right shall be non-consumptive.
- 016 - See remarks for additional conditions of approval.

Remarks: GEN ENTIRE PLACE OF USE IS REACH BETWEEN THE TWO POINTS LISTED IN
PLACE OF USE FIELD.
USE OF WATER UNDER THIS PERMIT SHALL RECOGNIZE & ALLOW THE

*Change to
license -
See attached
proof report.*

Remarks:

CONTINUED BENEFICIAL DIVERSION OF WATER FOR IRRIGATION OR OTHER PURPOSES UNDER ANY PRIOR EXISTING WATER RT. 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 RT. DATE EARLIER THAN 4/5/88. UPON A FUTURE FINDING & ORDER OF THE DIRECTOR THAT GAUGING STATIONS ARE REQUIRED TO MAINTAIN THE APPROVED MIN. FLOWS ON THE NORTH FORK OF THE PAYETTE RIVER, SUCH MEASURING DEVICES SHALL BE PERMANENTLY INSTALLED & MAINTAINED AS SPECIFIED BY THE DIRECTOR. 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 THE DEPT. OF WATER RESOURCES. THE BOARD, UPON RECEIVING A REQUEST, OR UPON ITS OWN INITIATIVE, MAY PETITION THE DIRECTOR FOR AN AMENDMENT TO THE PERMIT OR LICENSE. THE PETITION MUST SET FORTH ANY SIGNIFICANT CHANGE IN CIRCUMSTANCES & EVIDENCE OF THE PUBLIC INTEREST SUPPORTING THE PROPOSED AMENDMENT. THE DIRECTOR WILL NOTIFY THE GENERAL PUBLIC & SPECIFIC PERSONS OR KNOWN INTERESTED PARTIES OF THE PROPOSED CHANGE, & CONDUCT A HEARING FOR THE PURPOSE OF DETERMINING WHETHER THE PERMIT OR SUBSEQUENT LICENSE SHOULD BE AMENDED IN THE PUBLIC INTEREST. THE BURDEN OF PROOF AT THE HEARING SHALL BE UPON THE PERSON OR PARTIES SEEKING THE AMENDMENT TO ESTABLISH THAT THE AMENDMENT OF THE PERMIT OR LICENSE WOULD BE IN THE PUBLIC INTEREST. PROOF OF INSTREAM BENEFICIAL USE OF THE MIN. STREAMFLOW MAY BE SUBMITTED IMMEDIATELY FOLLOWING CONCURRENCE BY THE LEGISLATURE AS REQUIRED BY SECTION 42-1503, IDAHO CODE. THE MIN. STREAMFLOWS ARE SUBJECT & SUBORDINATE TO FUTURE APPROPRIATIONS OF WATER FROM THE NORTH FORK OF THE PAYETTE RIVER & ITS TRIBUTARIES FOR MUNICIPAL & DOMESTIC PURPOSES WITHIN THE MIN. FLOW WATERSHED.

*

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*

*** The purpose of use for this right is shown as RECREATIONAL,

*** however, is should probably be INSTREAM FLOW.

*** Claim reviewer check original application file. DBS 8/19/92

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:

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 your 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: 01/16/1990

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

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 REMARK 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:

<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
End of Stream Flow Reach

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

RECORDED

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

RECEIVED
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 4.5m B7, not 34

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

CONDITION TEXT/

NUMBER STG/STS CODE

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

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. 63-12822

Priority: December 17, 1957

Minimum Instream Flow:

1400.00 CFS

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

BOISE ID 83720

has compiled with the terms and conditions
of the permit, issued pursuant to Application for Permit dated December 17, 1957; and
has submitted Proof of Beneficial Use on March 22, 1991. A minimum stream flow in

PAYETTE RIVER, NORTH FORK

tributary to PAYETTE RIVER

has been established as follows:

PERIOD OF USE	DATE	DATE	DATE
MINIMUM INSTREAM FLOW	06/18	10/12	
MINIMUM INSTREAM FLOW	08/13	03/15	
MINIMUM INSTREAM FLOW	03/16	06/17	

DATE	DATE	DATE
1400.00 CFS	104.00 CFS	500.00 CFS

LOCATION OF MINIMUM STREAM FLOW MEASUREMENT

Beginning of Stream Flow Reach
End of Stream Flow Reach

Sec. 32, Township 13N, Range 04E
Sec. 10, Township 11N, Range 03E
Valley County

CONDITIONS OF OPERATION AND REMARKS

- Use of water under this right shall be non-consumptive.
 - This minimum streamflow is subject to future appropriations of water from the North Fork of the Payette River and its tributaries for beneficial purposes within the minimum flow water right.
 - Use of water under this right shall not allow the continued beneficial diversion of water for irrigation or other purposes under any prior existing water right established by permit or license or filed or issued by the Director under the provisions of Chapter 7, Title 42, Idaho Code with a priority date earlier than 12/17/1957.
- Upon 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.

WATER RIGHT LICENSE

WATER RIGHT NO. 63-12822

CONDITIONS OF APPROVAL AND REMARKS

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.

This minimum stream flow is for recreation and aesthetic use 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 12 (N1/4, S1/4, T12N, R12E), about 10 miles downstream at a point near the town of the ferry in the SW1/4, S10, T12N, R12E.

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 23rd day of September, 1963.

WR
J. J. JENNINGS, Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12840

Priority: April 5, 1988

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

FARETTE RIVER, NORTH FORK tributary to FAYETTE 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 (SWNE), Sec. 10, Township 11N, Range 03N
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 Fayette 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 22, 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 Fayette River, such measuring devices shall be permanently installed and maintained as specified by the Director.

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12840

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 Raiths Ferry in the SW¹/₄, S10, T12N, R3E and ends at Banks in the E¹/₂SE, S29, T30N, 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, 1993.


Acting for CARL J. BREMER, Director

AJ0749NP
No. R65-12840

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/02/99
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 83720 (208) 334-7900	04/05/1988	MINIMUM INSTREAM FLOW MINIMUM INSTREAM FLOW MINIMUM INSTREAM FLOW	05-01 06-30 07-01 08-01 08-01 09-01	1800.00 CFS 1300.00 CFS 1800.00 CFS	
TOTAL DIVERSION:					1800.00 CFS	

Water Source: PAYETTE RIVER, NORTH FORK

Tributary to: PAYETTE RIVER

Stage: LICENSE

Point(s) of Beginning Stream Reach: T11N R03E S10

SWNE

VALLEY County

Point(s) of Ending Stream Reach: T09N R03E S29

SESE

VALLEY County

Place of use Legal Description for: MINIMUM INSTREAM FLOW

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
11N	03E	10	:																	:
13N	04E	31	:																	:

POU County: VALLEY

Other Rights: NONE

Conditions of Approval:

- 027 - Use of water under this right shall be non-consumptive.
- 090 - The Director retains jurisdiction 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 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 of the Dept. of Water Resources. 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.
- 091 - Use of water under this right shall recognize and allow the continued beneficial diversion of water 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

AJ0749NP
No. R65-12840

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/02/99
PAGE: 2

=====

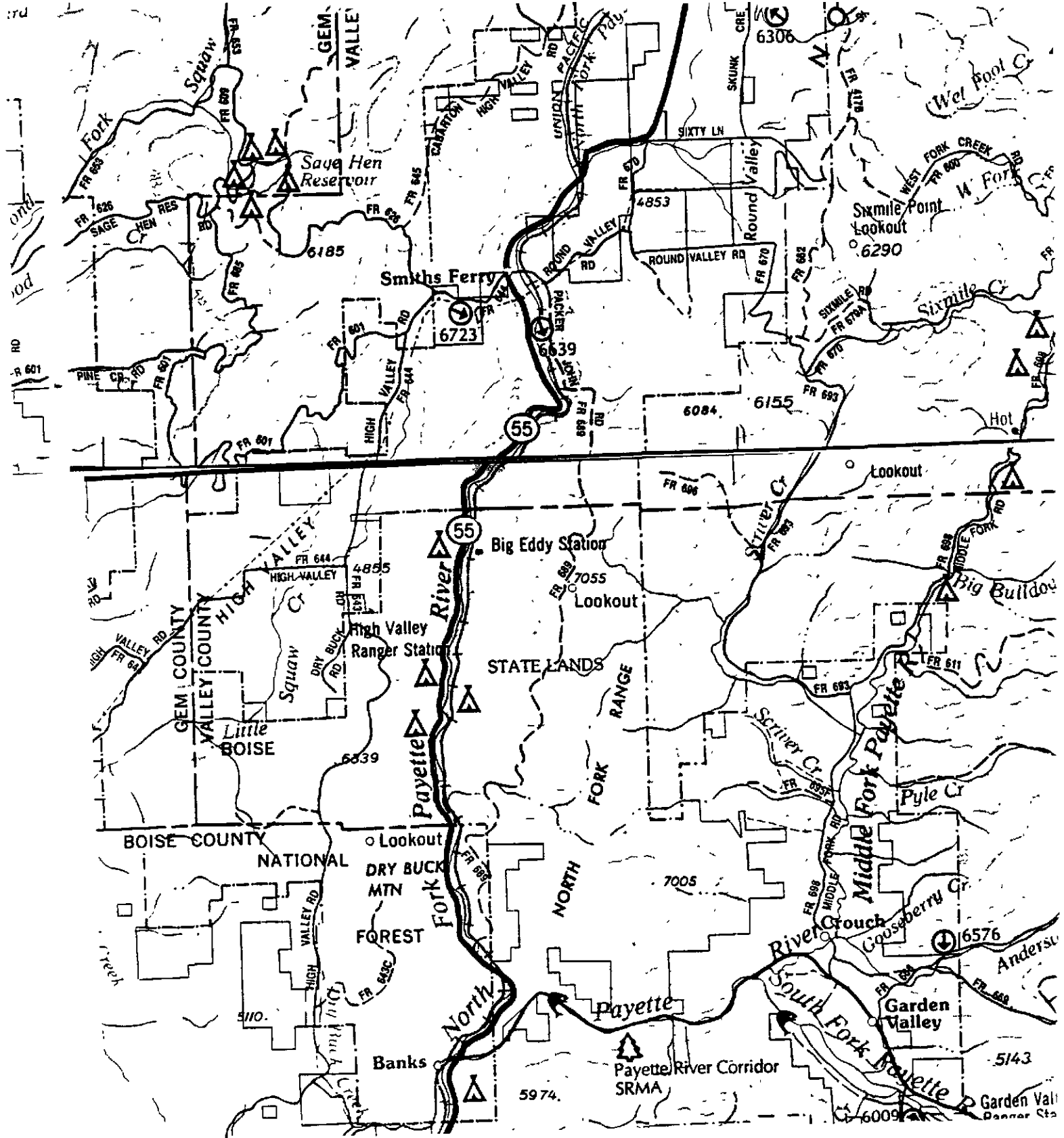
Conditions of Approval:

- than the date of priority of this right.
- 092 - Upon further finding and order of the director that gauging
- stations are required to maintain the approved minimum flows
- under this right, such measuring devices shall be permanently
- installed and maintained as specified by the director.

Remarks: GEN THIS MINIMUM STREAM FLOW 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.
THIS MINIMUM STREAM FLOW IS FOR RECREATION AND AESTHETIC USES
AND FISH HABITAT MAINTENANCE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:02:25
05/12/99

PAGE: 1
GENERAL INFORMATION

953
CLAIM NUMBER: A65-12840

LAST: STATE OF IDAHO FIRST:
ADDRESS: IDAHO WATER RESOURCE BOARD
STATEHOUSE
CITY: BOISE STATE: ID ZIP: 83720
PHONE NUMBER: 208-334-7900

OWNER CODE: C

LAST: WATER FIRST:
ADDRESS:
CITY: X STATE: ID ZIP: 0
PHONE NUMBER: 208-000-0000

OWNER CODE: K

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN ENTIRE PLACE OF USE IS REACH BETWEEN THE TWO POINTS LISTED IN PLACE OF USE FIELD.
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 RT. 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 RT. DATE EARLIER THAN 4/5/88. UPON A FUTURE FINDING & ORDER OF THE DIRECTOR THAT GAUGING STATIONS ARE REQUIRED TO MAINTAIN THE APPROVED MIN. FLOWS ON THE NORTH FORK OF THE PAYETTE RIVER, SUCH MEASURING DEVICES SHALL BE PERMANENTLY INSTALLED & MAINTAINED AS SPECIFIED BY THE DIRECTOR. 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 THE DEPT. OF WATER RESOURCES. THE BOARD, UPON RECEIVING A REQUEST, OR UPON ITS OWN INITIATIVE, MAY PETITION THE DIRECTOR FOR AN AMENDMENT TO THE PERMIT OR LICENSE. THE PETITION MUST SET FORTH ANY SIGNIFICANT CHANGE IN CIRCUMSTANCES & EVIDENCE OF THE PUBLIC INTEREST SUPPORTING THE PROPOSED AMENDMENT. THE DIRECTOR WILL NOTIFY THE GENERAL PUBLIC & SPECIFIC PERSONS OR KNOWN INTERESTED PARTIES OF THE PROPOSED CHANGE, & CONDUCT A HEARING FOR THE

CLAIM REMARKS (CONT'D):

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 PARTIES SEEKING THE AMENDMENT TO ESTABLISH THAT THE AMENDMENT OF THE PERMIT OR LICENSE WOULD BE IN THE PUBLIC INTEREST. PROOF OF INSTREAM BENEFICIAL USE OF THE MIN. STREAMFLOW MAY BE SUBMITTED IMMEDIATELY FOLLOWING CONCURRENCE BY THE LEGISLATURE AS REQUIRED BY SECTION 42-1503, IDAHO CODE. THE MIN. STREAMFLOWS ARE SUBJECT & SUBORDINATE TO FUTURE APPROPRIATIONS OF WATER FROM THE NORTH FORK OF THE PAYETTE RIVER & ITS TRIBUTARIES FOR MUNICIPAL & DOMESTIC PURPOSES WITHIN THE MIN. FLOW WATERSHED.

*

*

*

*** The purpose of use for this right is shown as RECREATIONAL, however, is should probably be INSTREAM FLOW.

*** Claim reviewer check original application file. DBS 8/19/92

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A65-12840 PRIORITY DATE: 04-05-1988 STAGE: P

B. WR RECORD: # 65-12840 PRIORITY DATE: 04-05-1988 STAGE: L

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW)

Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☒) Y(☐) N(☐)

LICENSE ISSUED

N/A(☒) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☒) N(☐)

NOTES:

License

=====

RECOMMENDED PRIORITY DATE:

REVIEWED BY

904

DATE

8-28-99

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-12840	09N	03E	29		SE	SE		E	VALLEY		
A65-12840	11N	03E	10		SW	NE		B	VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX

A65-01326 65-01326

A65-02879

A65-12822

A65-12839

A65-13059

WR RECORDS IN SAME 40 ACRE TRACT

65-01326

65-02879

65-12822

65-12839

65-13059

SOURCE: PAYETTE RIVER, NORTH FORK

TRIB: PAYETTE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-12840	09N	03E	29		SE	SE	2	E	BOISE		
65-12840	11N	03E	10		SW	NE	4	B	VALLEY		

OTHER WR RECORDS WITH SAME WR POD

65-13059

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

A65-07943

65-07943

A65-12839

A65-13059

SOURCE: PAYETTE RIVER, NORTH FORK

TRIB: PAYETTE RIVER

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y(____) N(____)

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y(____) N(____)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (L)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
09N	03E	29		SE	SE		E	VALLEY		
11N	03E	10		SW	NE		B	VALLEY		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: PAYETTE RIVER, NORTH FORK

TRIB: PAYETTE RIVER

REVIEWED BY: SLK

DATE: 6-29-99

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (____), SEE LICENSE FILE (____), OR SEE ATTACHMENT (____)

A. ROOT WATER RIGHT NUMBERS: A65-12840

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11N	03E	10	SW	NE		STATE OF IDAHO	A65-12840 /	- /			
			SW	NE		STATE OF IDAHO	A65-12822 /	- /			
			SW	NE		COLE, JO ANNE	A65-01326 /	65-01326 /			
			SW	NE		COLE, JO ANNE	A65-02879 /	4.0 65-02879 /			4.0
			SW	NE		COLE, JO ANNE	65-01326 /	- /			
13N	04E	31	SE	SE		STATE OF IDAHO	A65-12840 /	- /		34.0	
			SE	SE		HASBROUCK FARMS	A65-08170 /	34.0 65-08170 /		34.0	

ADDITIONAL POU FOUND

TOTAL ACRES A65-12840

34.00

POU COUNTY: VALLEY

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-02879	PAYETTE RIVER, NORTH FORK	COLE, JO ANNE	0.100	0.025	14.00	3.50
A65-08170	CLEAR CREEK	HASBROUCK FARMS	4.330	0.019	4.10	0.01

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-12840	RECREATION	STATE OF IDAHO	FROM 05-01 TO 06-30	1800.000 CFS	
A65-12840	RECREATION	STATE OF IDAHO	FROM 07-01 TO 08-01	1300.000 CFS	
A65-12840	RECREATION	STATE OF IDAHO	FROM 08-01 TO 09-01	1800.000 CFS	

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-12822	MINIMUM INSTREAM FLOW	STATE OF IDAHO	FROM 06-18 TO 10-12	1400.000 CFS	
A65-12822	MINIMUM INSTREAM FLOW	STATE OF IDAHO	FROM 10-13 TO 03-15	106.000 CFS	
A65-12822	MINIMUM INSTREAM FLOW	STATE OF IDAHO	FROM 03-16 TO 06-17	500.000 CFS	
A65-01326	DOMESTIC	COLE, JO ANNE	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-01326	DOMESTIC	COLE, JO ANNE	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

NOTES:

TOTAL ACRES: _____ N/A (✓)
REVIEWED BY: SVH DATE: 7-1-99

A. AJ CLAIMED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-12840	RECREATION	FROM 05-01 TO 06-30	1800.000 CFS	
A65-12840	RECREATION	FROM 07-01 TO 08-01	1300.000 CFS	
A65-12840	RECREATION	FROM 08-01 TO 09-01	1800.000 CFS	
TOTAL DIVERSION RATE/VOLUME			1800.000 CFS	

B. WR RECORDED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-12840	MINIMUM INSTREAM FLOW	FROM 05-01 TO 06-30	1800.000 CFS	
65-12840	MINIMUM INSTREAM FLOW	FROM 07-01 TO 07-31	1300.000 CFS	
65-12840	MINIMUM INSTREAM FLOW	FROM 08-01 TO 09-01	1800.000 CFS	
TOTAL DIVERSION RATE/VOLUME			1800.000 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

PAGE: 10

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

962

CLAIM NUMBER: A65-12840

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 1800.000 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1800.000 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

WR RECORD CONDITIONS/REMARKS:

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

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (✓)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
~~RECREATION~~ MIF	05-01	06-30	DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
~~RECREATION~~	07-01	08-01	1800.000	_____	_____	_____	0.0	_____
~~RECREATION~~	08-01	09-01	1300.000	_____	_____	_____	0.0	_____
			1800.000	_____	_____	_____	0.0	_____
_____	_____	_____		_____	_____	_____		_____
_____	_____	_____		_____	_____	_____		_____
_____	_____	_____		_____	_____	_____		_____
_____	_____	_____		_____	_____	_____		_____
TOTAL FOR THIS RIGHT				_____				_____

NON-IRRIGATION USES CLAIMED: RECREATION, AESTHETICS & FISH HABITAT MAINTENANCE *Remarks*

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: SVH

DATE: 7-1-99

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

027
090 091 092

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-12840

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1800.000

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-12840	1800.000	-		65-12840	1800.000
TOTAL CFS		1800.000				1800.000

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE
Y
FIELD
EXAMINER
Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
(☒) TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
(☒) NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
(☒) WATER RIGHT LICENSE	DATE LICENSE SIGNED <u>9-23-95</u>	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:02:25
05/12/99

PAGE: 16
QUICKLOOK INFORMATION

968
CLAIM NUMBER: A65-12840

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y							
POINT OF DIV								
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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05/12/99
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PROFILE REPORT

CLAIM NUMBER: A65-12840

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STATE OF IDAHO	04/05/1988	RECREATION	05-01 06-30	1800.00 CFS	
			RECREATION	07-01 08-01	1300.00 CFS	
			RECREATION	08-01 09-01	1800.00 CFS	
TOTAL DIVERSION:					1800.00 CFS	

Water Source: PAYETTE RIVER, NORTH FORK

Tributary to: PAYETTE RIVER

Stage: ~~PERMIT~~ L

Point(s) of Beginning Stream Reach: T11N R03E S10
Point(s) of Ending Stream Reach: T09N R03E S29

SWNE
SESE

VALLEY County
VALLEY County

Place of use Legal Description for: ~~RECREATION~~ *new flow*

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
11N	03E	10	:			R	:												
13N	04E	31	:				:											R	:

Place of use Legal Description for: ~~RECREATION~~ *new flow*

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
11N	03E	10	:			R	:												
13N	04E	31	:				:											R	:

Place of use Legal Description for: ~~RECREATION~~ *new flow*

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
11N	03E	10	:			R	:												
13N	04E	31	:				:											R	:

POU County: VALLEY

Non-Irrigation Uses: RECREATION, AESTHETICS & FISH HABITAT MAINTENANCE

Other Rights: NONE

Conditions of Approval:

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

~~016 - See remarks for additional conditions of approval.~~

Remarks: GEN ENTIRE PLACE OF USE IS REACH BETWEEN THE TWO POINTS LISTED IN

*should be a
115 - 120 ft*
091 092 090

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
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PROFILE REPORT CONTINUED

CLAIM NUMBER: A65-12840

Remarks:

PLACE OF USE FIELD.

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 RT. 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 RT. DATE EARLIER THAN 4/5/88. UPON A FUTURE FINDING & ORDER OF THE DIRECTOR THAT GAUGING STATIONS ARE REQUIRED TO MAINTAIN THE APPROVED MIN. FLOWS ON THE NORTH FORK OF THE PAYETTE RIVER, SUCH MEASURING DEVICES SHALL BE PERMANENTLY INSTALLED & MAINTAINED AS SPECIFIED BY THE DIRECTOR. 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 THE DEPT. OF WATER RESOURCES. THE BOARD, UPON RECEIVING A REQUEST, OR UPON ITS OWN INITIATIVE, MAY PETITION THE DIRECTOR FOR AN AMENDMENT TO THE PERMIT OR LICENSE. THE PETITION MUST SET FORTH ANY SIGNIFICANT CHANGE IN CIRCUMSTANCES & EVIDENCE OF THE PUBLIC INTEREST SUPPORTING THE PROPOSED AMENDMENT. THE DIRECTOR WILL NOTIFY THE GENERAL PUBLIC & SPECIFIC PERSONS OR KNOWN INTERESTED PARTIES OF THE PROPOSED CHANGE, & CONDUCT A HEARING FOR THE PURPOSE OF DETERMINING WHETHER THE PERMIT OR SUBSEQUENT LICENSE SHOULD BE AMENDED IN THE PUBLIC INTEREST. THE BURDEN OF PROOF AT THE HEARING SHALL BE UPON THE PERSON OR PARTIES SEEKING THE AMENDMENT TO ESTABLISH THAT THE AMENDMENT OF THE PERMIT OR LICENSE WOULD BE IN THE PUBLIC INTEREST. PROOF OF INSTREAM BENEFICIAL USE OF THE MIN. STREAMFLOW MAY BE SUBMITTED IMMEDIATELY FOLLOWING CONCURRENCE BY THE LEGISLATURE AS REQUIRED BY SECTION 42-1503, IDAHO CODE. THE MIN. STREAMFLOWS ARE SUBJECT & SUBORDINATE TO FUTURE APPROPRIATIONS OF WATER FROM THE NORTH FORK OF THE PAYETTE RIVER & ITS TRIBUTARIES FOR MUNICIPAL & DOMESTIC PURPOSES WITHIN THE MIN. FLOW WATERSHED.

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*** The purpose of use for this right is shown as RECREATIONAL,
*** however, is should probably be INSTREAM FLOW.

*** Claim reviewer check original application file. DBS 8/19/92

note to counsel

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag: