

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:

PERIOD OF USE	RATE
06/18 to 10/12	1400.00 CFS
06/13 to 03/15	104.00 CFS
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 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 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.
- 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.

WATER RIGHT LICENSE

WATER LIGHT NO. 63-12022

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.

in the public interest. This minimum standard is for recreation and aesthetic use and fish habitat maintenance.

and fish habitat maintenance. This minimum stream flow begins at a point where the Cabarton Road Bridge crosses the northern fork of the Payette River in Lot 11 (NWSW), S31, T12N, R4E and ends approximately 10 miles downstream at a point near the town of the Ferry in the SESE, S10, T12N, R1E.

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, 1955.

WILLIAM J. BRENNER, 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 as 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 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.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12840

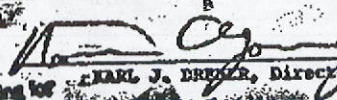
CONDITIONS OF APPROVAL AND REMARKS

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 Smiths Ferry in the SWSE, S10, T11N, R3E and ends at Banks in the SESE, 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 22ND day of SEPTEMBER, 1972.

Acting for  KARL J. BREMER, 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: A65-13059
Date Received: 7/ 8/1993
Receipt No: BATCH STARS PAYMENT
Received By: DL 8/31/93

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: MAY 1, 1989

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 Instream Flow							
11N	03E	10	SW	NE	4		VALLEY
Ending Point of Instream Flow							
09N	03E	29	SE	SE	2		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	09/02	04/30	400.000		

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:
RECREATION, AESTHETICS, FISHERIES MAINTENANCE

MICROFILMED

AUG 04 1994

10. Place of Use:

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

11. Place of use in counties:

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

NONE

14. Remarks:

FISHERIES INCLUDES SPAWNING AND EGG INCUBATION.

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. Dave Rydalch
Signature of Authorized Agent
F. DAVE RYDALCH, Chairman
Idaho Water Resource Board
Title and Organization

July 29, 1993

Date

MICROFILMED

AUG 04 1994

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of July 19 93

Dally W. W. W.
Notary Public

Seal

Residing at Bise ID

My Commission Expires 11-14-1998

MICROFILMED

AUG 04 1994

AJ0749NP
No. R65-13059

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

DATE: 09/24/99
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 STATEHOSUE BOISE ID 837202237 (208) 327-7900	05/01/1989	MINIMUM STREAM FLOW	09-02 04-30	400.000 CFS	
TOTAL DIVERSION:					400.000 CFS	

Water Source: PAYETTE RIVER, NORTH FORK

Tributary to: PAYETTE RIVER

Stage: LICENSE

Point(s) of Beginning Stream Reach: T11N R03E S10 Lot04(SWNE)
Point(s) of Ending Stream Reach: T09N R03E S28 SWSW

VALLEY County
BOISE 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 IN THE SWSW, S28, T9N, R3E. THIS RIGHT SHOULD NOT BE USED AS A BASIS FOR ACQUIRING STORAGE WATER FROM CASCADE RESERVOIR TO ENHANCE MINIMUM STREAM FLOWS.

USE THIS MINIMUM STREAM FLOW IS FOR RECREATION AND AESTHETIC USES, FISHERY MAINTENANCE, SPAWNING AND EGG INCUBATION.

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:
Presumption Flag:

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

Audit: 09/24/99 LHARRIS

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13059

CONDITIONS OF APPROVAL AND REMARKS

- c90
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. The approval of this right should not be used as a basis for acquiring storage water from Cascade Reservoir to enhance minimum stream flows.
7. This minimum stream flow is for recreation and aesthetic uses, fishery maintenance, spawning and egg incubation.
- E-8. 8. 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 in the SWNE, S22, 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 29th day of SEPTEMBER, 1975.

Karl J. Dreher
KARL J. DREHER, Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13059

Priority: May 1, 1989

Minimum Instream Flow:

400.00 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 May 1, 1989; and
has submitted Proof of Beneficial Use on March 2, 1994. A minimum stream flow in

PAYETTE RIVER, NORTH FORK tributary to PAYETTE RIVER

has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE</u>
MINIMUM INSTREAM FLOW	09/02 to 04/30	400.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

Beginning of Stream Flow Reach Lot 4 (SWNE), Sec. 10, Township 11N, Range 03E
VALLEY County
End of Stream Flow Reach SWSW, Sec. 28, Township 09N, Range 03E
BOISE County

CONDITIONS OF APPROVAL AND REMARKS

- USE 091
1. Use of water under this right shall be non-consumptive.
 2. Use of water under this permit 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 May 1, 1989.
 - 092 3. 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.
 4. 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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:55:28
08/11/99

PAGE: 1
GENERAL INFORMATION

16
CLAIM NUMBER: A65-13059

LAST: STATE OF IDAHO
ADDRESS: IDAHO WATER RESOURCE BOARD
STATEHOUSE
CITY: BOISE
PHONE NUMBER: 208-327-7900

FIRST:

STATE: ID ZIP: 83720

OWNER CODE: C

LAST: WATER
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000

FIRST:

STATE: ID ZIP: 0

OWNER CODE: K

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN FISHERIES INCLUDES SPAWNING AND EGG INCUBATION.

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: # A65-13059 PRIORITY DATE: 05-01-1989 STAGE: P
- B. WR RECORD: # 65-13059 PRIORITY DATE: 05-01-1989 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: _____

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RECOMMENDED PRIORITY DATE:

____ - ____ - ____

REVIEWED BY _____

DATE _____

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
A65-13059	09N	03E	29		SE	SE	2	E	BOISE		
A65-13059	11N	03E	10		SW	NE	4	B	VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A65-07943 65-07943
A65-12839

WR RECORDS IN SAME 40 ACRE TRACT
65-12840

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
65-13059	09N	03E	28		SW	SW		E	BOISE		
65-13059	11N	03E	10		SW	NE	4	B	VALLEY		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A65-07943 65-07943
A65-12733
A65-12839

65-02787
65-12733
65-12840

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: _____

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
09N	03E	29		SE	SE	2	E	BOISE		
11N	03E	10		SW	NE	4	B	VALLEY		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: PAYETTE RIVER, NORTH FORK TRIB: PAYETTE RIVER

REVIEWED BY: _____ DATE: _____

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

A. ROOT WATER RIGHT NUMBERS: A65-13059

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
ADDITIONAL POU FOUND											

TOTAL ACRES A65-13059

POU COUNTY:

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

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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: _____ DATE: _____

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-13059 MINIMUM INSTREAM FLOW	FROM 09-02 TO 04-30	400.000 CFS	
TOTAL DIVERSION RATE/VOLUME		400.000 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-13059 MINIMUM INSTREAM FLOW	FROM 09-02 TO 04-30	400.000 CFS	
TOTAL DIVERSION RATE/VOLUME		400.000 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()

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

23

CLAIM NUMBER: A65-13059

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 400.000 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 400.000 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	
MINIMUM INSTREAM FLOW	09-02	04-30	DATABASE 400.000	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			400.000	_____		_____	0.0	_____

NON-IRRIGATION USES CLAIMED: RECREATION, AESTHETICS, FISHERIES MAINTENANCE

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

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

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: 65-13059

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	400.000	_____	

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-13059	400.000	-		65-13059	400.000
TOTAL CFS		400.000				400.000

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	FIELD EXAMINER
Y	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 _____	_____	_____
() 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

14:55:28
08/11/99

PAGE: 14
QUICKLOOK INFORMATION

29
CLAIM NUMBER: A65-13059

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								
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:56:09
08/11/99
30

PAGE: 15
PROFILE REPORT

CLAIM NUMBER: A65-13059

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STATE OF IDAHO	05/01/1989	MINIMUM INSTREAM FLOW	09-02 04-30	400.000 CFS	
TOTAL DIVERSION:					400.000 CFS	

Water Source: PAYETTE RIVER, NORTH FORK

Tributary to: PAYETTE RIVER

Stage: PERMIT

Point(s) of Beginning Stream Reach: T11N R03E S10 Lot04(SWNE)

Point(s) of Ending Stream Reach: T09N R03E S29 Lot02(SESE)

VALLEY County

BOISE County

POU County:

Non-Irrigation Uses: RECREATION, AESTHETICS, FISHERIES MAINTENANCE

Other Rights: NONE

Remarks: GEN FISHERIES INCLUDES SPAWNING AND EGG INCUBATION.

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: 01/16/1980

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 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?

NBS

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

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.

RECORDED
OCT 04 1995

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

WATER RIGHT NO. 41-07046

CONDITIONS OF APPROVAL AND REMARKS

- 6.5. 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

6/5.

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: 2-27-99

Norm wants 4.50 E7, 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

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. 63-12822

Priority: December 17, 1987

Minimum Instream Flow:

1400.00 CFS

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

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

has been established as follows:

PERIOD OF USE	
BENEFICIAL USE	05/18 to 10/12
MINIMUM INSTREAM FLOW	10/12 to 03/15
MINIMUM INSTREAM FLOW	03/15 to 06/17

DATE	MINIMUM INSTREAM FLOW
05/18 to 10/12	1400.00 CFS
10/12 to 03/15	100.00 CFS
03/15 to 06/17	500.00 CFS

LOCATION OF MINIMUM INSTREAM FLOW

Beginning of Stream Flow: Sec. 12, Twp. 11N, Range 04N
End of Stream Flow: Sec. 10, Twp. 11N, Range 03N
Valley County

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this right shall be non-consumptive.
 2. This minimum streamflow is subject to future appropriations of water from the North Fork of the Payette River and its tributaries for domestic purposes within the minimum flow water right.
 3. 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 diversion and application for beneficial use or by an application permit or license or file or issued by the Director under the provisions of Chapter 7, Title 42, Idaho Code, with a priority date earlier than 12/17/1987.
- 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. 65-12822

CONDITIONS OF APPROVAL AND REMARKS

The Director retains jurisdiction, as described below, to revise 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 north fork of the Payette River in Lot 11 (N1/4, S31, T13N, R6E) and ends approximately 10 miles downstream at a point near the mouth of the ferry in the S31, S10, T11N, R6E.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code, and is subject to the seal and signature of the Director, affixed at Boise, this 23rd day of September, 1973.

John J. [Signature] Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12848

Priority: April 5, 1988

Minimum Instream Flow:

1000.00 CFS

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

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 16, 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	1000.00 CFS
MINIMUM INSTREAM FLOW	07/01 to 07/31	1300.00 CFS
MINIMUM INSTREAM FLOW	08/01 to 09/01	1000.00 CFS

LOCATION OF MINIMUM STREAM FLOW REACH

Beginning of Stream Flow Reach Lot 4 (SW1/4), Sec. 10, Township 11N, Range 03N
VALLEY County

End of Stream Flow Reach Lot 2 (NE1/4), 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 4/5/1988.
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.

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 SW¹/₄, S10, T12N, R3E and ends at Banks in the SE¹/₄, 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, 1995.


Acting for CARL J. DWYER, Director