

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

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	104.00 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 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 permit 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 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 fork of the Payette River in Lot 11 (NW1/4), S31, T13N, R21E, and ends approximately 10 miles downstream at a point near the camp of the ferry in the SW1/4, S10, T14N, R21E.

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, 1953.

WR
J. J. JENSEN, 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 (SENE), Sec. 10, Township 11N, Range 03N
VALLEY County
End of Stream Flow Reach Lot 2 (SENE), 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. 65-12840

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, 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

Ident. Number: A65-13060
Date Received: 7/ 8/1993
Receipt No: BATCH STARS PAYMENT
Received By: DF 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 16, 1989

3. Source: PAYETTE RIVER, SOUTH 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							
09N	07E	32	SW	NW		3	BOISE
Ending Point of Instream Flow							
09N	07E	31	NE	SE		3	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	04/15	08/31	763.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
RECREATION, AESTHETICS AND AQUATIC HABITAT.

MICROFILMED
AUG 04 1994

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09N	07E	31	NE		SE	3	MIF	
			NE		SE	9	MIF	
		32	SW		NW	3	MIF	
			SW		NW	4	MIF	
			NW		SW	5	MIF	
			NW		SW	6	MIF	
			SW		SW	7	MIF	
			SW		SW	8	MIF	

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

65-12733 (SOUTH FK. & MAIN PAYETTE, FROM N. FK. TO WILDERNES

14. Remarks:

RATE OF DIVERSION FULLY DESCRIBED AS: 763 CFS, MONDAY THROUGH THURSDAY AND 700 CFS, FRIDAY THROUGH SUNDAY.

POINT OF BEGINNING ALSO INCLUDES GOVT. LOT 4 (SWNW), S32, T09N, R07E; POINT OF ENDING ALSO INCLUDES GOVT. LOT 9 (NESE), S31, T09N, R07E.

THE MINIMUM STREAMFLOWS ARE SUBJECT AND SUBORDINATE TO FUTURE APPROPRIATIONS OF WATER FROM THE SOUTH FORK OF THE PAYETTE RIVER AND ITS TRIBUTARIES FOR MUNICIPAL AND DOMESTIC PURPOSES WITHIN THE MINIMUM 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: _____

MICROFILMED

AUG 04 1994

I do solemnly swear or affirm that I am _____ of
_____ Title
_____, that I have signed the foregoing
_____ Organization
document in the space below as _____ of
_____ Title
_____, and that the statements contained in the
_____ Organization
foregoing document are true and correct. F. Dave Brubaker

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

July 29, 1993

Date _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 29th day

of July 19 93

Sally Kruger
Notary Public

Seal

Residing at Boise ID

My Commission Expires 11-14-1998

MICROFILMED

AUG 04 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

April 5, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

Re: 65-12733 (65-13060)

Dear Mr. Parr,

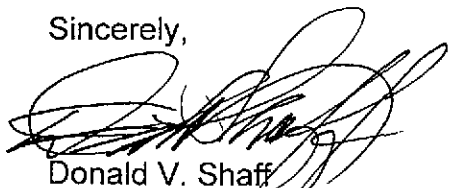
This letter is in response to the Notice of Error form you submitted for each of the two water rights described in the Preliminary Director's Report earlier this year. Each of the water rights following the Board's Notice is enclosed for you to review.

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

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

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

Sincerely,



Donald V. Shaff
Technical Section Manager

Enclosures

February 3, 2000

**NOTICE OF ERROR
REPLY**

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

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

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

Water right number: 65-13060

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE ID 83720

RECEIVED

OCT 16 2003

WATER RESOURCES
WESTERN REGION

Daytime Telephone Number:

Evening Telephone Number:

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

Purpose and Period of Use

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

Add: Minimum Stream flow 04-15 08-31 700.00 cfs

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

This addition will provide notice to users of the IDWR database that the flow rates of this water right are variable.

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

DATE: 3-6-00

SIGNATURE: _____

Please print your name: _____

Clarence Parr

Attachment A

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

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

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

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

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

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

AJ5809NP
No. R65-13060

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/28/00
PAGE: 3

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) 327-7900	05/16/1989	MINIMUM STREAM FLOW	04-15 08-31	763.000 CFS	
TOTAL DIVERSION:					763.000 CFS	

Water Source: PAYETTE RIVER, SOUTH FORK

Tributary to: PAYETTE RIVER

Stage: LICENSE

Point(s) of Beginning Stream Reach: T09N R07E S32

SWNW

BOISE County

Point(s) of Ending Stream Reach: T09N R07E S31

NESE

BOISE County

POU County:

Conditions of Approval:

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

Remarks: QNT RATE OF DIVERSION IS MORE FULLY DESCRIBED AS 763 CFS MONDAY
THROUGH THURSDAY, AND 700 CFS FRIDAY THROUGH SUNDAY.

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

USE THIS MINIMUM STREAM FLOW IS FOR RECREATION AND AESTHETIC
PURPOSES AND AQUATIC HABITAT.

POU THIS MINIMUM STREAM FLOW BEGINS AT THE UPSTREAM END OF THE
OXBOW BEND IN THE SWNW, S32, T9N, R7E, APPROXIMATELY 1,056 YARDS
DOWNSTREAM FROM THE CONFLUENCE OF THE DEADWOOD AND SOUTH FORK
PAYETTE RIVERS, EXTENDING DOWNSTREAM THROUGH THE OXBOW TO A
POINT IN THE NESE, S31, T9N, R7E, APPROXIMATELY 200 YARDS
DOWNSTREAM FROM THE SECTION LINE BETWEEN SECTIONS 31 AND 32.

GEN UPON A FUTURE FINDING AND ORDER OF THE DIRECTOR THAT GAUGING
STATIONS ARE REQUIRED TO MAINTAIN THE APPROVED MINIMUM FLOWS ON
THE SOUTH 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

AJ5809NP
No. R65-13060

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/28/00
PAGE: 4

Remarks: 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: 03/02/1994 Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Audit: 08/16/99 LHARRIS 08/17/99 LHARRIS 12/15/99 SVANHOFF 02/02/00 DSHAFF

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13060

Priority: May 16, 1989

Minimum Instream Flow:

763.00 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 16, 1989; and
has submitted Proof of Beneficial Use on March 2, 1994. A minimum stream flow in

PAYETTE RIVER, SOUTH 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	04/15 to 08/31	763.00 CFS (Monday - Thursday)
		700.00 CFS (Friday - Sunday)

LOCATION OF POINT(S) OF DIVERSION:

Beginning of Stream Flow Reach
End of Stream Flow Reach

SWNW , Sec. 32, Township 09N, Range 07E
NESE , Sec. 31, Township 09N, Range 07E
BOISE County

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this right shall be non-consumptive.
2. Use of water under this right shall recognize and allow the continued beneficial diversion of water for irrigation or other purposes under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file or issued by the Director under the provisions of Chapter 2, Title 42, Idaho Code, with a priority of water right date earlier than 5/16/1989.
3. Upon a future finding and order of the Director that gauging stations are required to maintain the approved minimum flows on the South 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 South 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

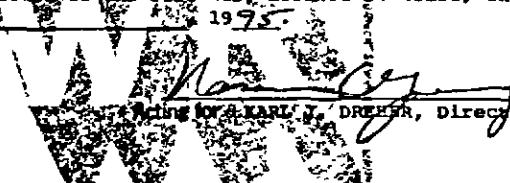
WATER RIGHT LICENSE

WATER RIGHT NO. 65-13060

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 purposes and aquatic habitat.
7. This minimum stream flow begins at the upstream end of the Oxbow Bend in the SW 1/4, S32, T9N, R7E, approximately 1,056 yards downstream from the confluence of the Deadwood and South Fork Payette Rivers, extending downstream through the Oxbow to a point in the NESE, S31, T9N, R7E, approximately 200 yards downstream from the section line between sections 31 and 32.

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


EARL J. DREHER, Director

Memorandum

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

RECEIVED

JUL 29 1999

WATER RESOURCES
WESTERN REGION

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

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

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

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

AGS-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?

ABS

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.

RECORDED

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

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 also 67, 70 & 74

TO: Don STAFF

FROM: TAN 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. stipend (hour), I thought either you or the legal staff should review. Thanks

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. Don 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, 1987

Minimum Instream Flow: 1400.00 CFS

This is to certify, that STATE OF IDAHO

IDAHO WATER RESOURCES BOARD

STATUTES

BOISE ID 83720

has compiled 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	104.00 CFS
MINIMUM INSTREAM FLOW	03/16 to 06/17	500.00 CFS

LOCATION OF MINIMUM STREAM FLOW REACH

Beginning of Stream Flow Reach: Sec. 12, Twp. 31, Range 04N

End of Stream Flow Reach: Sec. 10, Township 11N, Range 03N

Valley County

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this right shall be non-consumptive.
2. This minimum stream flow 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.
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 permit or license on file or issued by the Director under the provisions of Chapter 1, 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 of 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. 65-12922

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 use and fish habitat maintenance.

This minimum stream flow begins at a point where the Caberton Road Bridge crosses the right fork of the Payette River in Lot 11 (N1/4, S1/4, T13N, R6E) and ends approximately 10 miles downstream at a point near the town of the ferry in the S1/4, S10, T11N, R3E.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code, it bears the seal and signature of the Director, affixed at Boise, this 23rd day of September, 1975.

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
STATESBORO

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 is

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(NW1/4), Sec. 10, Township 11N, Range 03E
VALLEY County
End of Stream Flow Reach Lot 2(SE1/4), Sec. 29, Township 09N, Range 03E
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 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. 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 SWR, S10, T1N, R3E and ends at Banks in the SWR, 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 28th day of SEPTEMBER, 1992.

KARL J. HUGHES, Director