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DOCUMENTS
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FILE

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)01/06/00 13:58:12
Page 1Water Right Number - R33-07206 Prefix Translation: RESEARCH Old (D) Number -
+ - - - - Last Name - - - - + + - - - - First Name - - - + + - - - - Address - - - - - +*** C - CURRENT OWNER ***
STATE OF IDAHO1 - IDAHO WATER RESOURCE BOARD
2 - STATEHOUSE
3 -
City- BOISE State- ID Zip- 83720
Phone - 208-000-0000*** K - ALSO KNOWN AS ***
WATER1 -
2 -
3 -
City- X State- ID Zip- 0
Phone - 208-000-0000+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
10/03/1991 15 EASTERN P - PERMIT+ - - Source - - - - + + - - - - Tributary - - - - - +
BADGER CREEK LITTLE LOST RIVER+ - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County09N 28E 20 NE SW B (23) BUTTE
27E 34 NW SW SE E (23) BUTTE+ - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

34 - MINIMUM INSTREAM FLOW 01/01 12/31 5.500

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
5.500 0.0+ - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - Remarks - - - - - +

GEN USE OF WATER UNDER THIS PERMIT SHALL RECOGNIZE AND ALLOW THE
CONTINUED BENEFICIAL DIVERSION OF WATER FOR IRRIGATION OR OTHER
PURPOSES UNDER ANY EXISTING WATER RIGHT ESTABLISHED BY DIVERSION

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+ - - - - - Remarks - - - - - +

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 OCTOBER 3, 1991, FOR THIS RIGHT. UPON A FUTURE FINDING AND ORDER OF THE DIRECTOR THAT GAUGING STATIONS ARE REQUIRED TO MAINTAIN THE APPROVED MINIMUM FLOWS ON BADGER CREEK, 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 PERMIT AND SUBSEQUENT LICENSE. THE BOARD, UPON RECEIVING A REQUEST, OR UPON ITS OWN INITIATIVE, MAY PETITION THE DIRECTOR FOR AN AMENDMENT TO THE PERMIT OR LICENSE. THE PETITION MUST SET FORTH ANY SIGNIFICANT CHANGE IN CIRCUMSTANCES 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 PERMIT OR SUBSEQUENT LICENSE 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 PERMIT OR LICENSE WOULD BE IN THE PUBLIC INTEREST. THIS MINIMUM STREAM FLOW REACH BEGINS AT A POINT IN THE NESW, S20, T09N, R28E AND ENDS AT A POINT IN THE NWSWSE, S34, T09N, R27E. THE MINIMUM FLOW FOR THE UPPER END OF REACH IS 5.50 CFS. THE MINIMUM FLOW FOR THE LOWER END OF REACH IS 3.0 CFS.

+ - - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +

- A01 - THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION
- IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS
 - SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY
 - IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

+ - - - - - Decree Plaintiff - - - +

+ - - - - - Decree Defendant - - - +

+ - - - - - Decree Date - - +
00/00/0000

+ - - - - - Comments - - - - - +

No Comments Found

+ - - - - - Audit Fields - - +

60/00/10 CVANDERM

Prefix Translation: RESEARCH

Water right number - R33-07206

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 08/22/1995 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - X777777 | Water District | - 01 |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

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: A33-07206

Date Received: 7/6/1995 7/21/95

Receipt No: STARS TRANSFER

Received By: *ll* 8/22/95

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STATE OF IDAHO
Address: IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE ID

83720

*Original
Sent to
court.
5-4-00*

A3307206



2. Date of Priority: OCT 3, 1991

3. Source: BADGER CREEK

Trib. to: LITTLE LOST RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 | Lot | County |
|----------|-------|---------|-------------------|-----|--------|
|----------|-------|---------|-------------------|-----|--------|

Beginning Point of Instream Flow

| | | | | | |
|-----|-----|----|----|----|-------|
| 09N | 28E | 20 | NE | SW | BUTTE |
|-----|-----|----|----|----|-------|

Ending Point of Instream Flow

| | | | | | | |
|-----|-----|----|----|----|----|-------|
| 09N | 27E | 34 | NW | SW | SE | BUTTE |
|-----|-----|----|----|----|----|-------|

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|-----------------------|-------|-------|-------|------|--------|
| MINIMUM INSTREAM FLOW | 01/01 | 12/31 | 5.500 | | |

7. Total Quantity Appropriated is:

5.500 C.F.S. (and/or) A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED
NOV 5 1995

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:

14. Remarks:

Use of water under this permit shall recognize and allow the continued beneficial diversion of water for irrigation or other purposes under any 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 October 3, 1991, for this right.

Upon a future finding and order of the Director that gauging stations are required to maintain the approved minimum flows on Badger Creek, 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 permit and subsequent license. The Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to the permit or license. The petition must set forth any significant change in circumstances 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 permit or subsequent license 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 permit or license would be in the public interest.

This minimum stream flow reach begins at a point in the NESW, S20, T09N, R28E and ends at a point in the NWSWE, S34, T09N, R27E.

The minimum flow for the upper end of reach is 5.50 cfs.

The minimum flow for the lower end of reach is 3.0 cfs.

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.

Clarence Pan
Signature of Authorized Agent

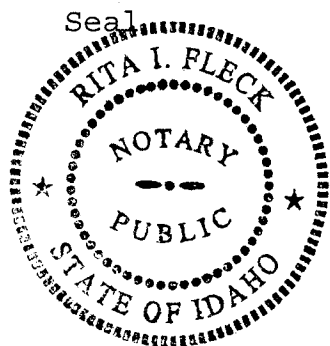
Chairman, Idaho Water Resource Board
Title and Organization

July 21, 1995
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of July 19 95

Rita I. Fleck
(Notary Public)



Residing at Boise, Idaho

My Commission Expires 1/26/2000