

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA
Case No. 39576

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)
)
)

Water Rights: 22-7369

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

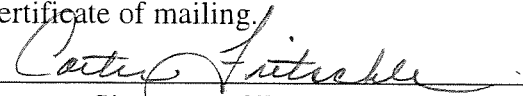
- ☐ Address change
- ☐ Substitution of Party
- ☐ IC § 42-222 transfer
 - ☐ Point of diversion ☐ Place of use
 - ☐ Period of use ☐ Nature of use
 - ☐ Split of water right ☐ Change in ownership
 - ☐ Other

XX IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 1-17-13



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on January 18, 2013, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court	☐ overnight mail
Snake River Basin Adjudication	☒ regular mail
P.O. Box 2707	☐ hand-delivered
Twin Falls, ID 83303-2707	☐ facsimile

2. Copies to:

Clive Strong	☐ overnight mail
Off ice of the Attorney General	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

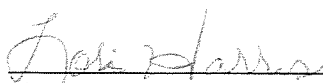
United States Dept of Justice	☐ overnight mail
Environment & Natural Resource Div	☒ regular mail
550 West Fort Street MSC 033	☐ hand-delivered
Boise ID 83724	☐ facsimile

Director of IDWR	☒ hand-delivered
PO Box 83720	
Boise ID 83720	

3. Copies to all parties to the subcase:

State of Idaho	☐ overnight mail
Idaho Water Resource Board	☐ regular mail
322 E Front St	☒ hand-delivered
PO Box 83720	☐ facsimile
Boise ID 83720-0098	

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-7369

NAME AND ADDRESS:

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

SOURCE:

Source:

TETON RIVER

Tributary:

HENRYS FORK

QUANTITY:

106.000 CFS

PRIORITY DATE:

06/19/1981

~~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.~~

POINT OF DIVERSION:

T06N R44E S23 SESW Begin of Stream Flow
Within TETON County

~~T06N R44E S23 SESW End of Stream Flow
Within TETON County~~

T07N R44E S20 NWNE End of Stream Flow
Within TETON County

~~T07N R44E S20 NWNE Begin of Stream Flow
Within TETON County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

MINIMUM STREAM FLOW

1/01 12/31

106.000 CFS

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

PLACE OF USE:

~~MINIMUM STREAM FLOW within TETON County~~
~~T07N R44E S20 NWNE~~

~~Place of use under this water right is the course of the Teton River from the Point of Beginning to the Point of Ending.~~

This right approves a minimum stream flow of 106 cfs except for that portion of the reach where flows are reduced to 20-50 cfs as a result of Fall River's hydroelectric diversions at Felt Dam, in T7N, R44E, Section 29, SWNE, at river mile 1.8.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

Use of water under this right shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use, by court decree, or by a permit or license issued by the director under the provisions of Chapter 2, Title 42, Idaho Code, with a priority date earlier than the priority date of this right.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License Permit

Upon the future finding and order of the Director that gauging stations are required to maintain the approved minimum flow on the Teton River, such measuring devices shall be permanently installed and maintained as specified by the Department.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. 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 notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

The minimum stream flow approved under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01, Snake River.

The purpose of this minimum stream flow is to maintain trout habitat.