

02/12/2013

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

RIGHT NUMBER: 82-12247

NAME AND ADDRESS: STATE OF IDAHO  
DEPARTMENT OF LANDS  
300 N 6TH ST, STE 103  
PO BOX 83720  
BOISE ID 83720-0050

SOURCE: SPRINGS

TRIBUTARY: SINKS

QUANTITY: 0.910 AFY

The quantity of water under this right for industrial use shall not exceed 0.20 acre-feet per day.

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

The capacity of the 2 storage reservoirs is 0.31 AF. The reservoirs may be refilled multiple times up to the total diversion volume in a single year.

PRIORITY DATE: 11/25/1969

POINT OF  
DIVERSION:

T31N R04E S36 SWNE Within IDAHO County  
T31N R04E S36 NENW Within IDAHO County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>        | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|------------------------------|----------------------|-----------------|
| INDUSTRIAL STORAGE           | 01/01 12/31          | 0.91 AFY        |
| INDUSTRIAL FROM STORAGE      | 01/01 12/31          | 0.91 AFY        |
| STOCKWATER STORAGE           | 01/01 12/31          | 0.91 AFY        |
| STOCKWATER FROM STORAGE      | 01/01 12/31          | 0.91 AFY        |
| FIRE PROTECTION STORAGE      | 01/01 12/31          | 0.91 AFY        |
| FIRE PROTECTION FROM STORAGE | 01/01 12/31          | 0.91 AFY        |

Industrial use is for forest practices and forest dust abatement as provided for by Section 42-201, Idaho Code.

PLACE OF  
USE:STOCKWATER FROM STORAGE in IDAHO County

|               |      |               |      |
|---------------|------|---------------|------|
| T31N R04E S36 | SWNE | T31N R04E S36 | NENW |
|---------------|------|---------------|------|

INDUSTRIAL FROM STORAGE in IDAHO County

|               |      |               |      |
|---------------|------|---------------|------|
| T31N R04E S36 | NENE | T31N R04E S36 | NWNE |
| T31N R04E S36 | SWNE | T31N R04E S36 | SENE |
| T31N R04E S36 | NENW | T31N R04E S36 | NWNW |
| T31N R04E S36 | SWNW | T31N R04E S36 | SENW |
| T31N R04E S36 | NESE | T31N R04E S36 | NWSE |
| T31N R04E S36 | SWSE | T31N R04E S36 | SESE |

FIRE PROTECTION FROM STORAGE in IDAHO County

|               |      |               |      |
|---------------|------|---------------|------|
| T31N R04E S36 | NENE | T31N R04E S36 | NWNE |
| T31N R04E S36 | SWNE | T31N R04E S36 | SENE |
| T31N R04E S36 | NENW | T31N R04E S36 | NWNW |
| T31N R04E S36 | SWNW | T31N R04E S36 | SENW |
| T31N R04E S36 | NESE | T31N R04E S36 | NWSE |
| T31N R04E S36 | SWSE | T31N R04E S36 | SESE |

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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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

# Idaho Department of Water Resources

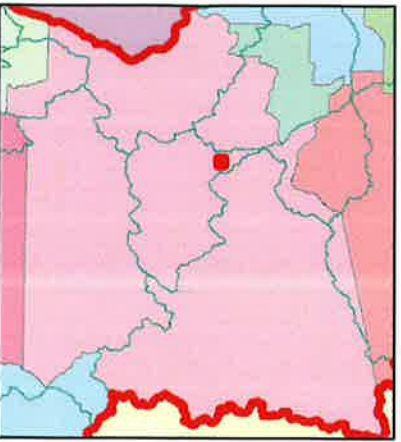


## Adjudication Recommendation

82-12247

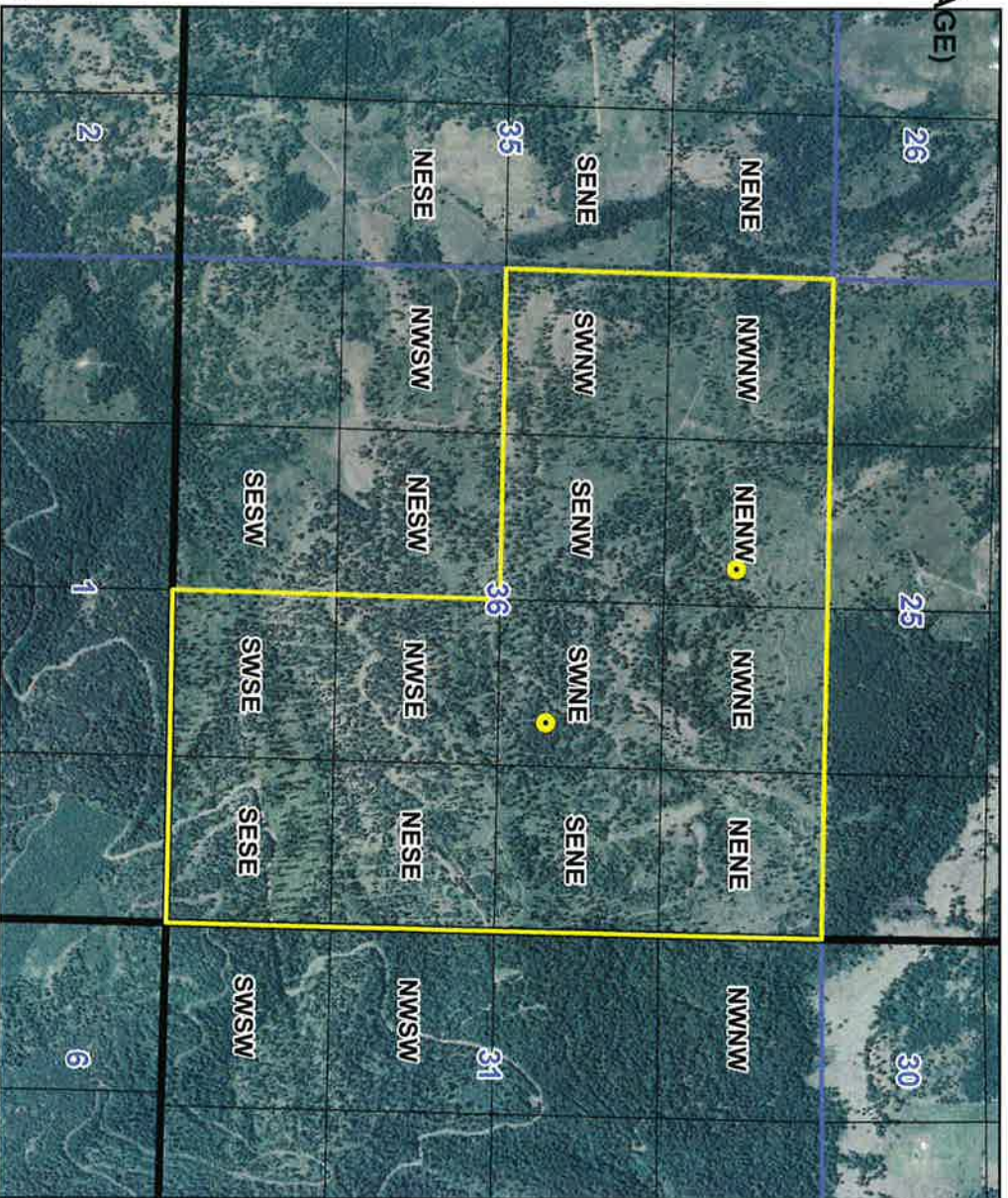
(FIRE PROTECTION FROM STORAGE)

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



30N  
04E

0 0.3 0.6 1.2 Miles



04E

05E

31N

30N

05E

04E

0 0.3 0.6

1.2

Miles

26

25

30

31

35

36

2

1

6

NENE

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# Idaho Department of Water Resources

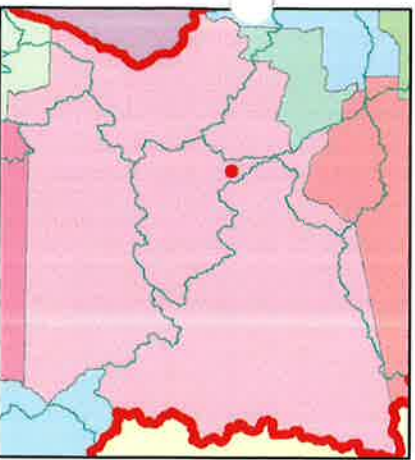


Adjudication Recommendation

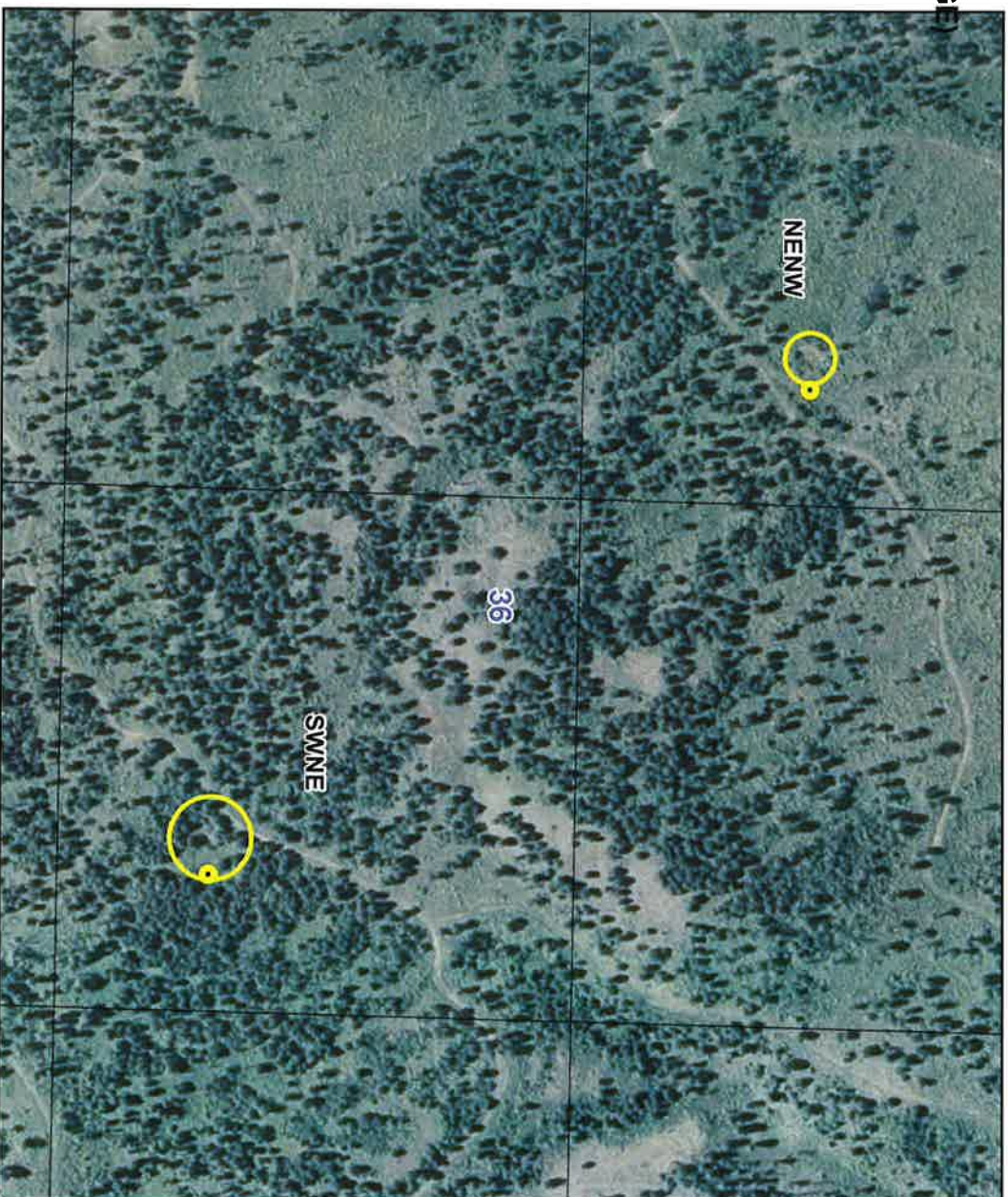
82-12247

(STOCKWATER FROM STORAGE)

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



0 0.1 0.2 0.4 Miles



Idaho County  
IDWR Basin 82

Prepared by Cieland, Steve

2009 Aerial Photography

EMAIL LIST = TYSON

Claim Nos. 81-12000 et al.

Summary of issues to resolve based on the recommendations and objections.

\*\*\*Revising the industrial use remark is common to all claims.

81-12000

- Split 81-12000 into two claims by grouping the ponds identified on the map that are separated by Maggie Creek.
- A claim will have pond nos. 42-5, 42-6, and 42-20.
- A claim will have pond no. 42-10.

82-12247

- Purpose of Use: Add industrial and industrial from storage.
- Place of Use: Add industrial and industrial from storage; the described POUs is the same as the locations for fire protection from storage.

83-11974

- Split 83-11974 into two claims by grouping the ponds identified on the map that are separated by the North Fork of the Clearwater River.
- A claim will have with pond nos. 40-26, 40-27, 40-28, 40-29, and 40-53.
- A claim will have pond nos. 40-23, 40-24, and 40-30.

84-12267

- Point of Diversion: Delete pond no. 42-44, located in SWNE of Section 19, T35N, R05E.
- Place of Use: Delete the POU in Section 19, T35N, R05E for all purposes.
- Quantity: The quantity should be reduced to 1.41 AFY. Total pond capacity should be reduced to 0.40 AF.

84-12270

- Quantity: The quantity is correct (2.69 AFY), but the total capacity of the two storage reservoirs is 1.26 AF.

84-12272

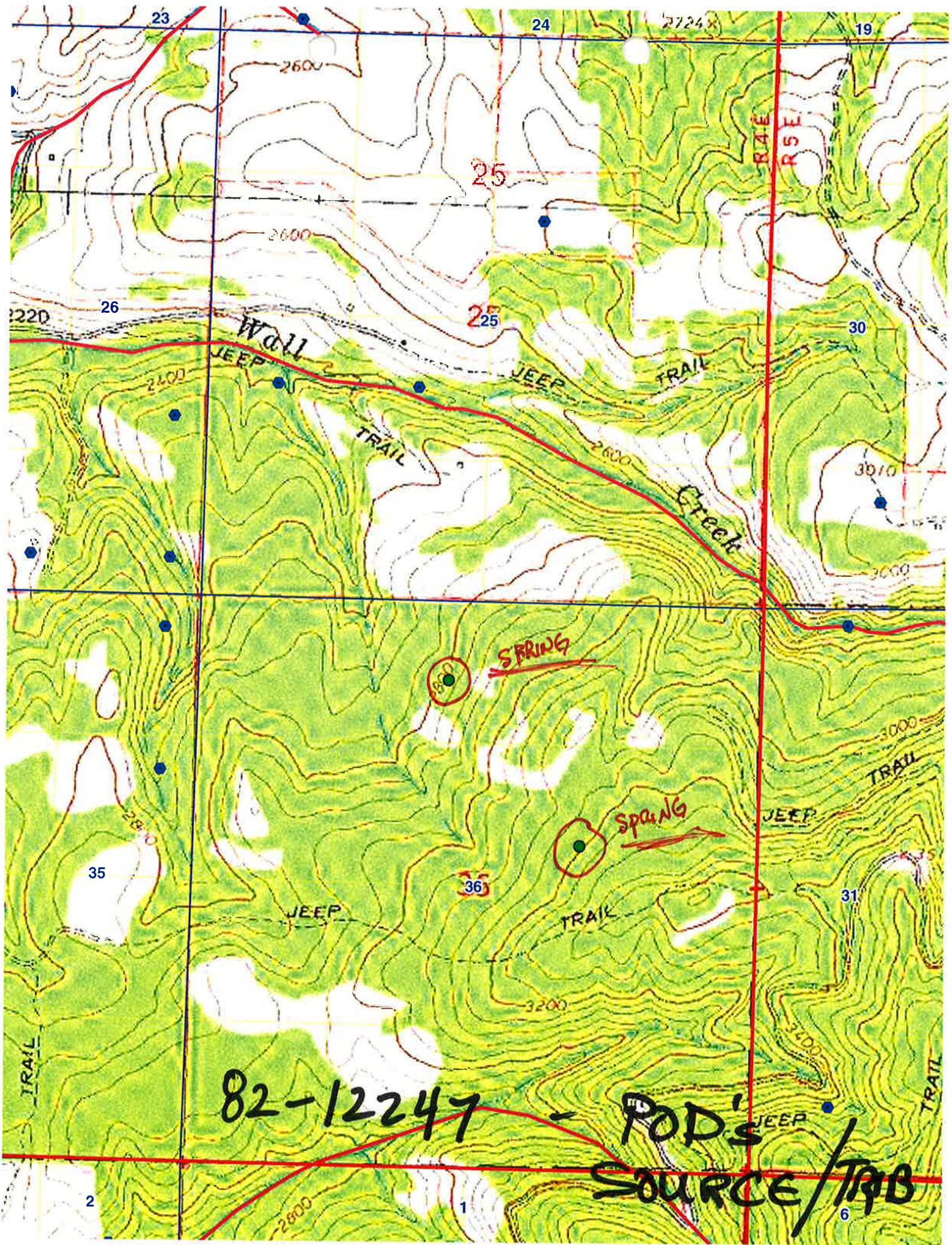
- Purpose of Use: Add stockwater.
- Place of Use: Add stockwater; the described POUs will be the same as the POD locations.

X07-  
"IND. USE / DUST"

N17-  
"Q limit 0.20 AF/dy"

Refill - 164

N105 - N108



82-12247

POD'S  
SOURCE/TAB

82-12247

5/22/12  
su

Ponds don't match up to Maps<sup>(2)</sup>  
in IDL file. Used GPS points to locate.

2 ponds:

= .31 AF

Refill =

46 ?

PRIORITY DATE: Proof is Vague.

— appears stock water use was developed  
in 1969 per Rancher Ed Folden.

NO PROOF OF OTHER USES UNDER THIS PRIORITY

Limit Rec'd to Stock use.

see 11/20/12 EARLIER TIMBER USES SHOWN IN EARLY 1950'S  
IN IDL ACTIVITY REPORT.

EXPAND USES TO THOSE CLAIMED. w/ claimed Priority D.