

03/04/2013

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

RIGHT NUMBER: 83-11977

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

SOURCE: RUNOFF TRIBUTARY: ORE CREEK
SPRING TRIBUTARY: UNNAMED CREEK
UNNAMED STREAM TRIBUTARY: CANYON CREEK

QUANTITY: 7.950 AFY

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

The capacity of the 4 storage reservoirs is 4.44 AF. The reservoirs may be refilled multiple times up to the total diversion volume in a single year.

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

PRIORITY DATE: 09/08/1968

POINT OF
DIVERSION:

T37N R02E S4 SWNE Within CLEARWATER County
T38N R02E S32 SWNE Within CLEARWATER County
T38N R02E S32 SWSE Within CLEARWATER County
T38N R02E S33 SESE Within CLEARWATER 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	7.95 AFY
FIRE PROTECTION STORAGE	01/01 12/31	7.95 AFY
FIRE PROTECTION FROM STORAGE	01/01 12/31	7.95 AFY
STOCKWATER STORAGE	01/01 12/31	7.95 AFY
STOCKWATER FROM STORAGE	01/01 12/31	7.95 AFY
INDUSTRIAL FROM STORAGE	01/01 12/31	7.95 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 CLEARWATER County

T37N R02E S04	SWNE	T38N R02E S32	SWNE
T38N R02E S32	SENE	T38N R02E S32	SWSE
T38N R02E S33	SESE		

INDUSTRIAL FROM STORAGE in CLEARWATER County

T37N R02E S04 Lot 1 NENE	T37N R02E S04 Lot 2 NWNE
T37N R02E S04 SWNE	T37N R02E S04 SENE
T38N R02E S32 NENE	T38N R02E S32 NWNE
T38N R02E S32 SWNE	T38N R02E S32 SENE
T38N R02E S32 NENW	T38N R02E S32 SWNW
T38N R02E S32 SENW	T38N R02E S32 NESW
T38N R02E S32 NWSW	T38N R02E S32 SESW
T38N R02E S32 NWSE	T38N R02E S32 SWSE
T38N R02E S33 NENE	T38N R02E S33 NWNE

03/04/2013

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

T38N R02E S33	SWNE	T38N R02E S33	SENE
T38N R02E S33	NENW	T38N R02E S33	NWNW
T38N R02E S33	SWNW	T38N R02E S33	SENW
T38N R02E S33	SESE		

FIRE PROTECTION FROM STORAGE in CLEARWATER
County

T37N R02E S04 Lot 1	NENE	T37N R02E S04 Lot 2	NWNE
T37N R02E S04	SWNE	T37N R02E S04	SENE
T38N R02E S32	NENE	T38N R02E S32	NWNE
T38N R02E S32	SWNE	T38N R02E S32	SENE
T38N R02E S32	NENW	T38N R02E S32	SWNW
T38N R02E S32	SENW	T38N R02E S32	NESW
T38N R02E S32	NWSW	T38N R02E S32	SESW
T38N R02E S32	NWSE	T38N R02E S32	SWSE
T38N R02E S33	NENE	T38N R02E S33	NWNE
T38N R02E S33	SWNE	T38N R02E S33	SENE
T38N R02E S33	NENW	T38N R02E S33	NWNW
T38N R02E S33	SWNW	T38N R02E S33	SENW
T38N R02E S33	SESE		

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

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

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is a split from former right 83-11974 .

SPLIT RIGHT: SEE RIGHT NOS. 83-11974 & 83-11977.

Idaho Department of Water Resources

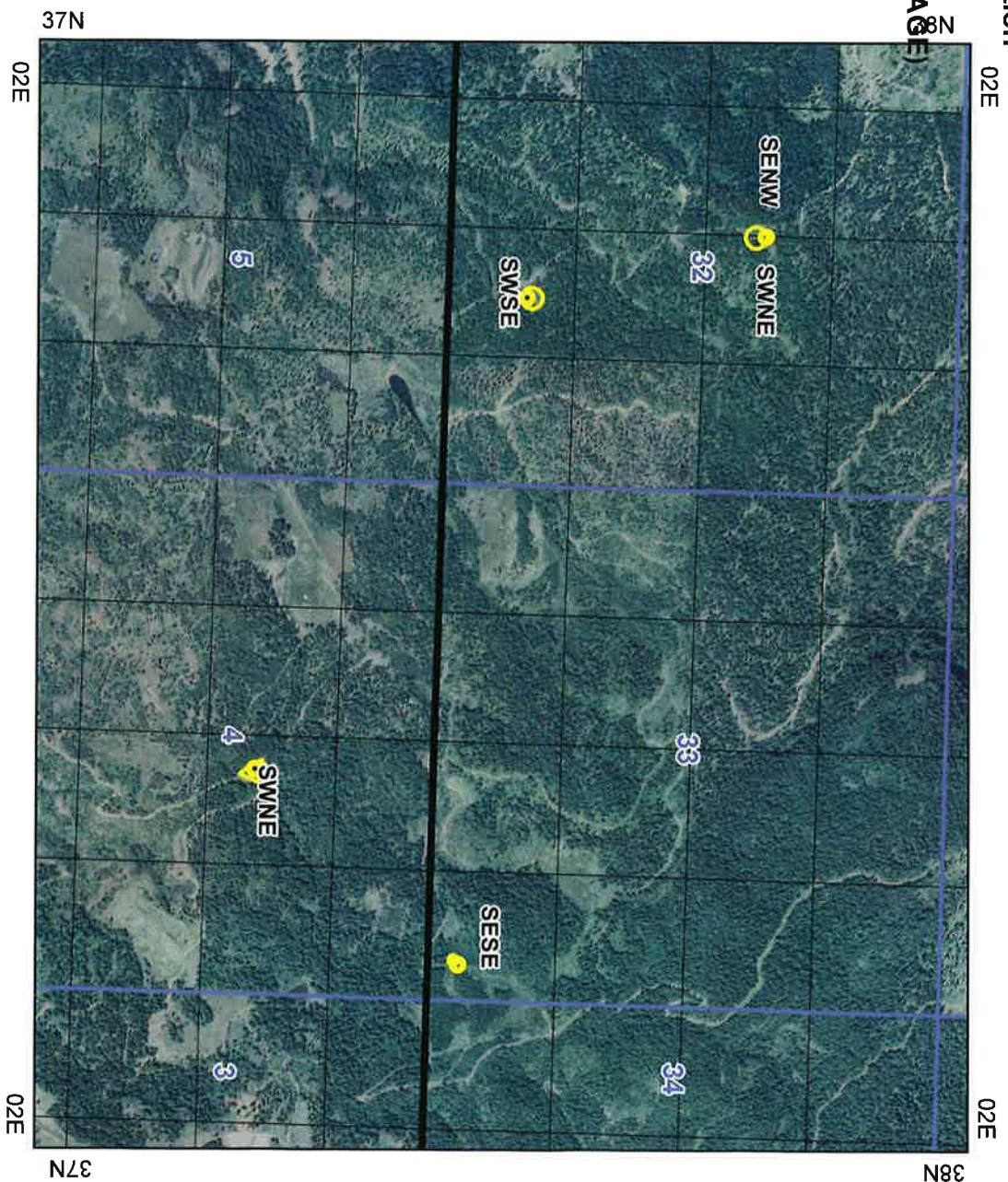
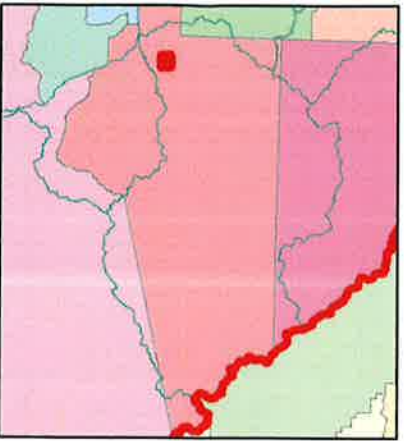


Adjudication Recommendation

83-11977

(STOCKWATER FROM STORAGE)

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



37N

02E

0

0.375

0.75

1.5

Miles

02E

37N

02E

38N

02E

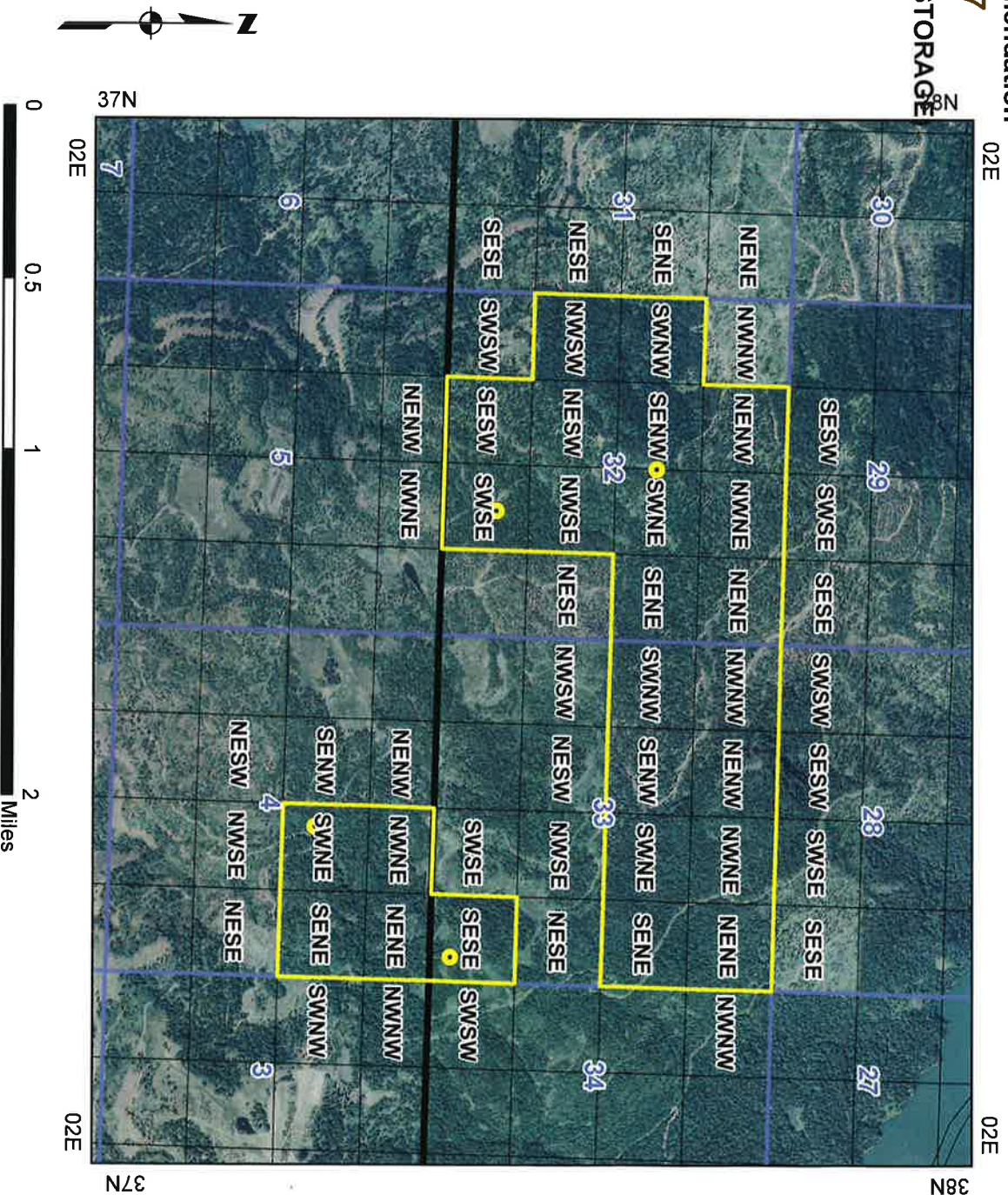
83-11977

8N

-

IDWR Basin 83

2009 Aerial Photography



5/8/12

83-11974

* 7 POUNDS * = 5.84 AF

3 ponds in North are separated from
4 ponds in the South by the North Fork
of the CLEARWATER RIVER! (Dworshak Res.)
*NOT A SINGLE system to be Claimed
in one claim.

CLAIM MUST BE SPLIT.

→ 83-11977

5/22/12 Disallow — P03 no beneficial use.
— Can't use Sources for uses on POU as
— Claim needs clarification claimed,
to uses being claimed or described.

83-11974 (3 North ponds)

3 ponds	SIZE	USE
40-23	.49	.99
40-24	.68	1.29
40-30	.23	.57
	<u>1.4</u>	<u>2.85</u>

83-11977 (4 South ponds)

	SIZE	USE
40-27	1.35	2.37
40-28	.73	1.38
40-29	1.97	3.37
40-53	.39	.83

4 ponds 4.44 7.95

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

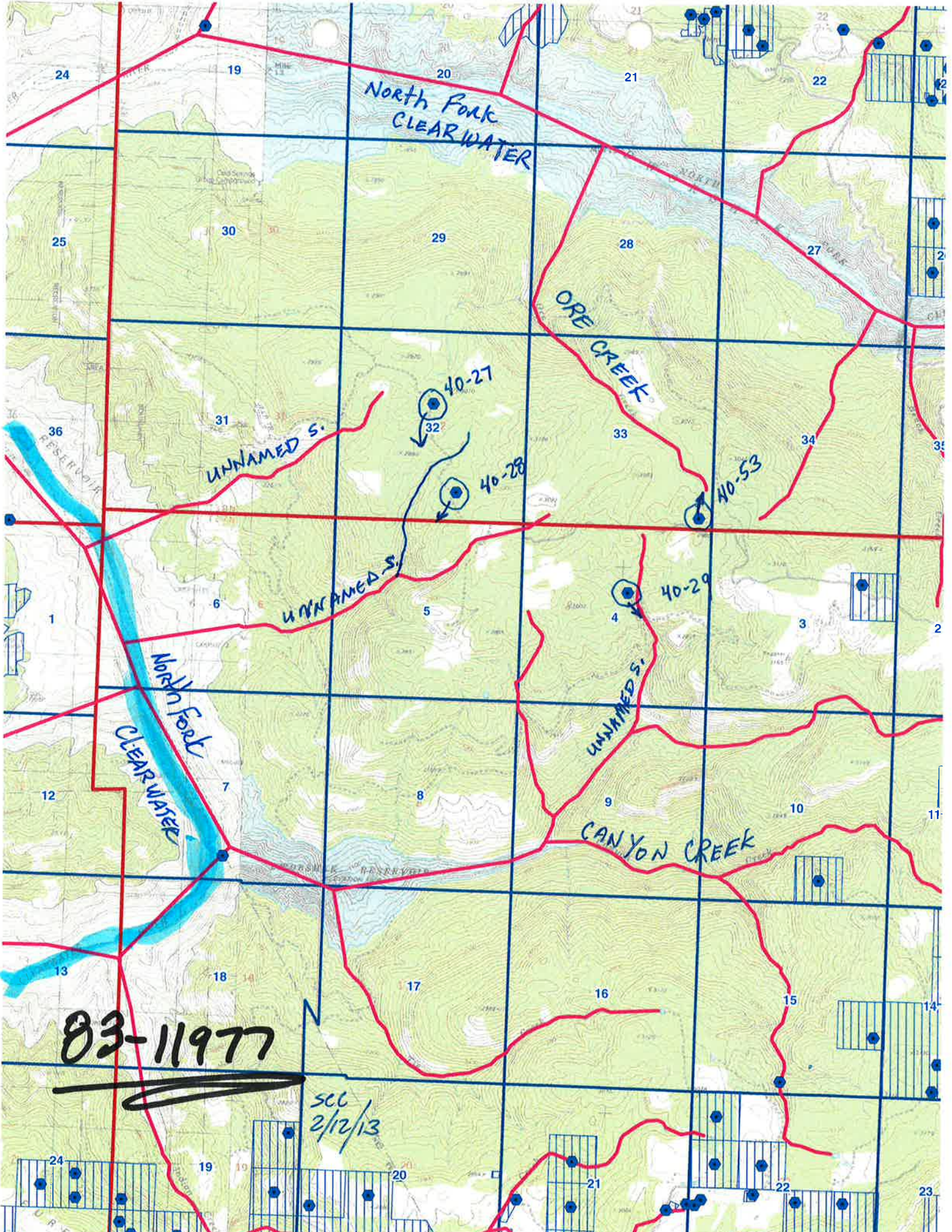
- Purpose of Use: Add stockwater.
- Place of Use: Add stockwater; the described POUs will be the same as the POD locations.

X07-
"IND. USE / DUST"

N17-
"Q limit 0.20 AF/day"

Refill - #164

N1X5 - N1X8



North Fork
CLEAR WATER

ORE CREEK

UNNAMED S.

40-27

40-28

40-53

40-29

UNNAMED S.

CANYON CREEK

North Fork
CLEAR WATER

03-11-97

2/12/13

N

ORE CREEK

83-11977

SUC
2/12/13
8

Source AS
Runoff

40-27

40-28

40-53

40-29

55

4

3

9

10

29

28

27

33

34

x 2970

x 3010

x 3126

x 2969

x 3015

x 2890

x 3083

x 3045

x 3021

x 2996

x 3002

x 2895

x 285

x 2815

2600

2600

2400

2600

2400