

02/13/2013

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

RIGHT NUMBER: 84-12270

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

SOURCE: HEYWOOD CREEK
UNNAMED STREAM

TRIBUTARY: JIM FORD CREEK
TRIBUTARY: SPACE CREEK

QUANTITY: 2.690 AFY

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 1.26 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:

T35N R05E S5 SESW Within CLEARWATER County
T36N R05E S32 SWNW Within CLEARWATER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
INDUSTRIAL FROM STORAGE	01/01 12/31	2.69 AFY
INDUSTRIAL STORAGE	01/01 12/31	2.69 AFY
FIRE PROTECTION STORAGE	01/01 12/31	2.69 AFY
FIRE PROTECTION FROM STORAGE	01/01 12/31	2.69 AFY
STOCKWATER STORAGE	01/01 12/31	2.69 AFY
STOCKWATER FROM STORAGE	01/01 12/31	2.69 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

T35N R05E S05	SESW	T36N R05E S32	SWNW
T36N R05E S32	NWSW		

INDUSTRIAL FROM STORAGE in CLEARWATER County

T35N R05E S05 Lot 1	NENE	T35N R05E S05 Lot 2	NWNE
T35N R05E S05	SWNE	T35N R05E S05	SENE
T35N R05E S05 Lot 3	NENW	T35N R05E S05 Lot 4	NWNW
T35N R05E S05	SWNW	T35N R05E S05	SENW
T35N R05E S05	NESW	T35N R05E S05	NWSW
T35N R05E S05	SWSW	T35N R05E S05	SESW
T35N R05E S05	NESE	T35N R05E S05	NWSE
T35N R05E S05	SWSE	T35N R05E S05	SESE
T36N R05E S32	NENE	T36N R05E S32	NWNE
T36N R05E S32	SWNE	T36N R05E S32	SENE
T36N R05E S32	NENW	T36N R05E S32	NWNW
T36N R05E S32	SWNW	T36N R05E S32	SENW

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T36N R05E S32	NESW	T36N R05E S32	NWSW
T36N R05E S32	SWSW	T36N R05E S32	SESW
T36N R05E S32	NESE	T36N R05E S32	NWSE
T36N R05E S32	SWSE	T36N R05E S32	SESE

FIRE PROTECTION FROM STORAGE in CLEARWATER
County

T35N R05E S05 Lot 1	NENE	T35N R05E S05 Lot 2	NWNE
T35N R05E S05	SWNE	T35N R05E S05	SENE
T35N R05E S05 Lot 3	NENW	T35N R05E S05 Lot 4	NWNW
T35N R05E S05	SWNW	T35N R05E S05	SENW
T35N R05E S05	NESW	T35N R05E S05	NWSW
T35N R05E S05	SWSW	T35N R05E S05	SESW
T35N R05E S05	NESE	T35N R05E S05	NWSE
T35N R05E S05	SWSE	T35N R05E S05	SESE
T36N R05E S32	NENE	T36N R05E S32	NWNE
T36N R05E S32	SWNE	T36N R05E S32	SENE
T36N R05E S32	NENW	T36N R05E S32	NWNW
T36N R05E S32	SWNW	T36N R05E S32	SENW
T36N R05E S32	NESW	T36N R05E S32	NWSW
T36N R05E S32	SWSW	T36N R05E S32	SESW
T36N R05E S32	NESE	T36N R05E S32	NWSE
T36N R05E S32	SWSE	T36N R05E S32	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

Idaho Department of Water Resources

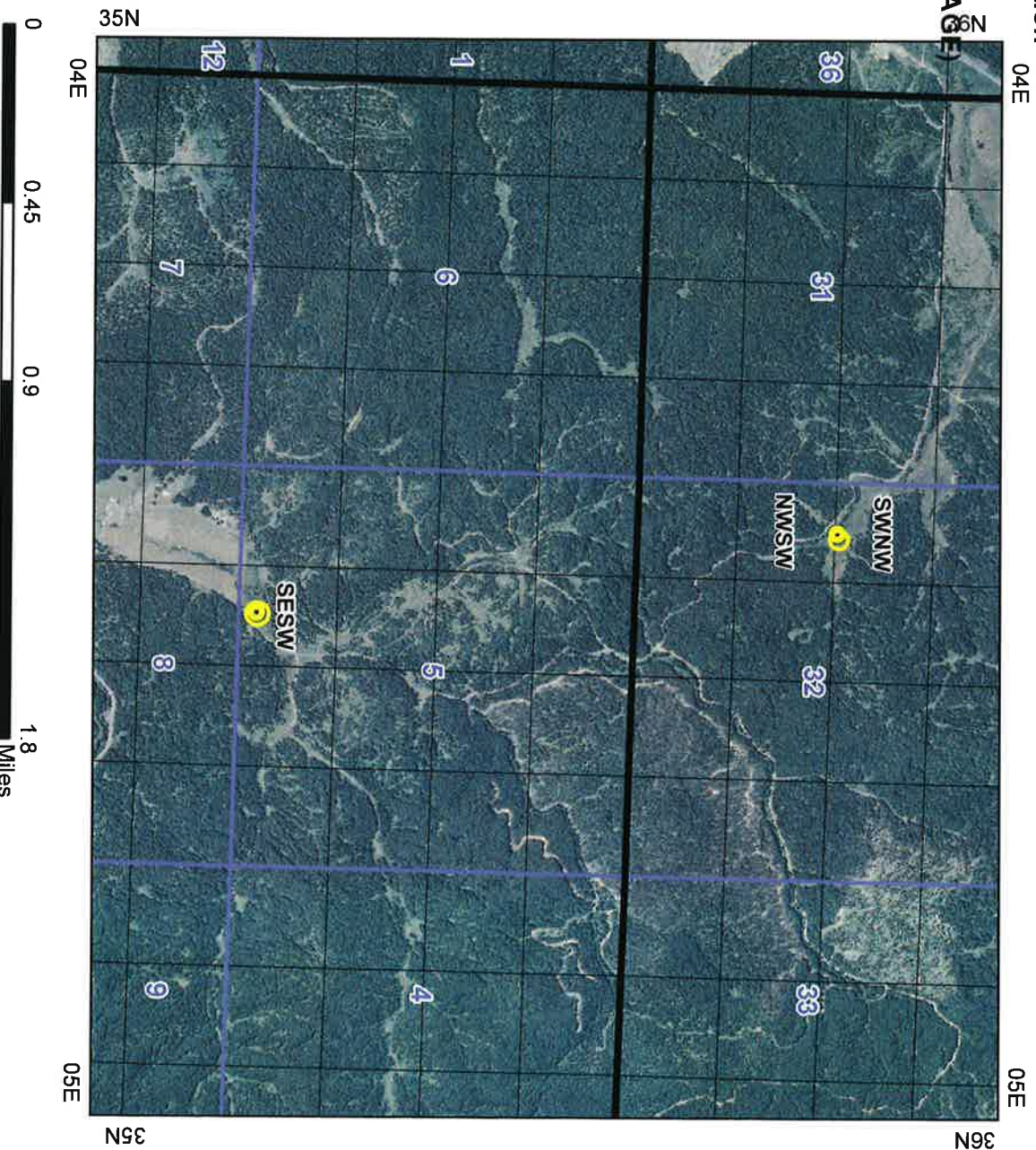
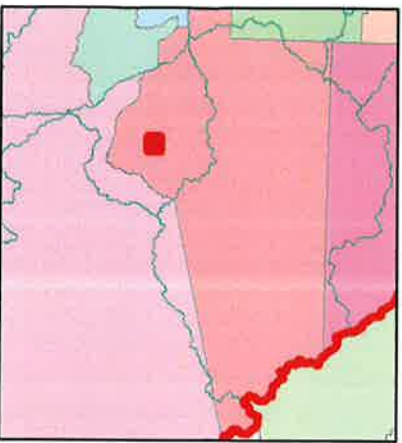


Adjudication Recommendation

84-12270

(STOCKWATER FROM STORAGE)

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



Clearwater County
IDWR Basin 84
Prepared by Clelland, Steve

2009 Aerial Photography



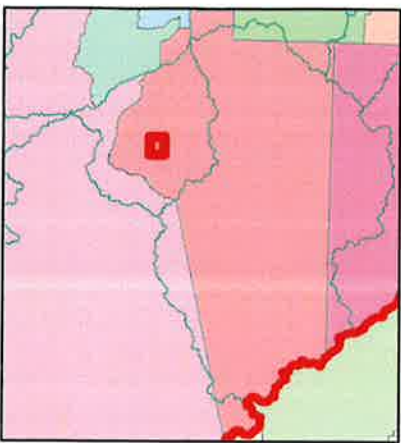
Idaho Department of Water Resources

Adjudication Recommendation

84-12270

(INDUSTRIAL FROM STORAGE)

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

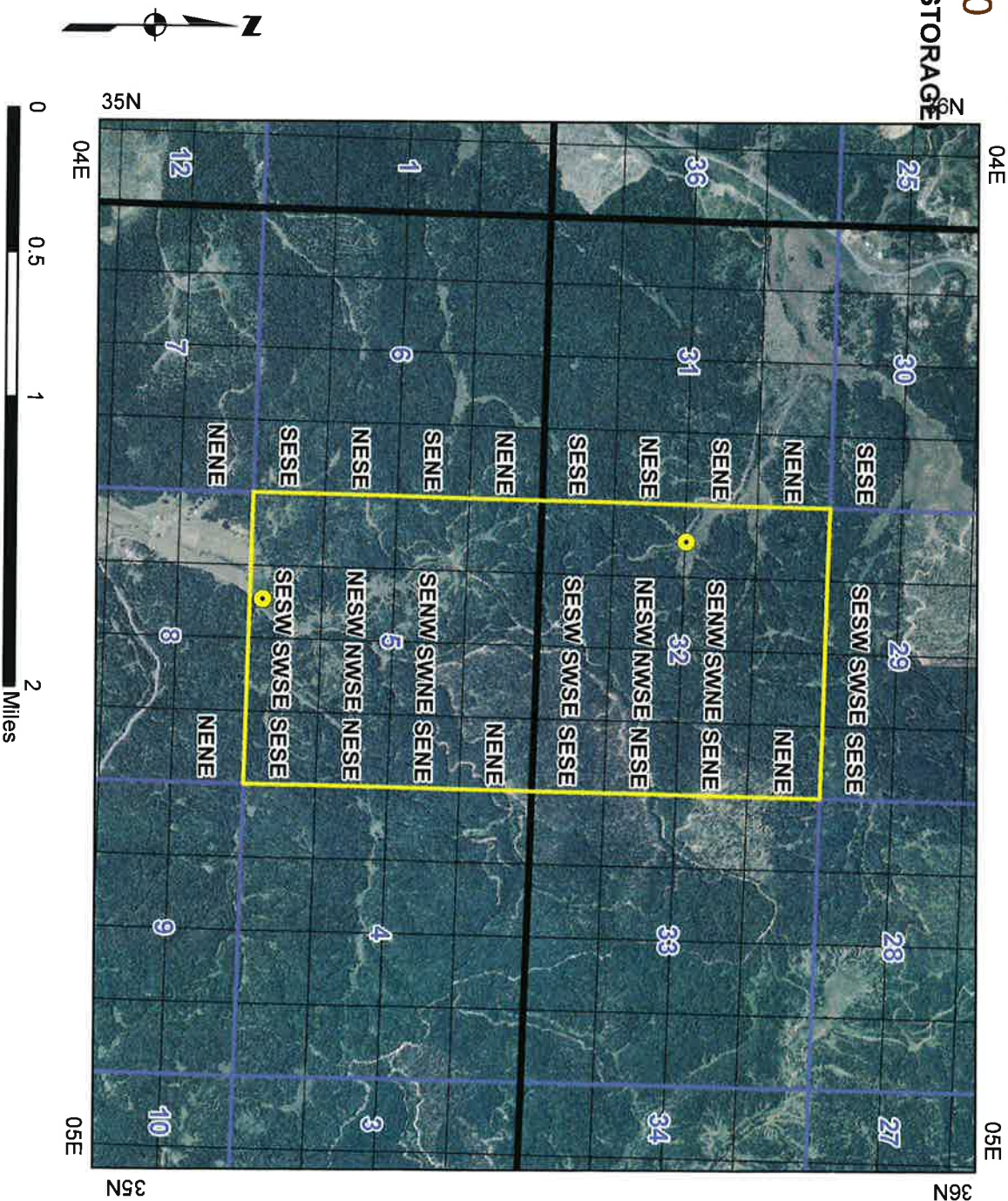


Clearwater County

IDWR Basin 84

Prepared by Clelland, 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

✓

→ 81-12005

- 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

✓

→ 83-11977

- 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

N05 - N08

**MICA SUPERVISORY
AREA**

3258 West Industrial Loop
Coeur d'Alene ID 83815
Phone (208) 769-1577
Fax (208) 769-1597



TOM SCHULTS, DIRECTOR
EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF LAND COMMISSIONERS

C.L. "Butch" Otter, Governor
Ben Ysursa, Secretary of State
Lawrence G. Wasden, Attorney General
Donna M. Jones, State Controller
Tom Luna, Sup't of Public Instruction

September 26, 2011

Idaho Department of Water Resources
Attn: Craig Saxton
Idaho Water Center
322 East Front Street
P.O. Box 83720
Boise, Idaho 83720-0098

RECEIVED
OCT 03 2011
DEPARTMENT OF
WATER RESOURCES

Re: Fee Payment for Claim No. 84-12270

Dear Mr. Saxton:

The Idaho Department of Lands ("IDL") has prepared a late Notice of Claim for the above-referenced water right claim and will file a Motion to File Late Notice of Claim in the SRBA Court. In the event the SRBA Court grants IDL's motion, IDL requests that the Idaho Department of Water Resources initiate a SA-50 Interagency Billing Statement to bill IDL for the claim filing fee and the late claim fee. *\$ 108⁰⁰cs*

If you have any questions, feel free to contact me at mdenney@idl.idaho.gov or 208-769-1577. Thank you for your assistance in this matter.

Sincerely,

Michael R. Denney
Area Manager- Mica