

02/03/2003

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

RIGHT NUMBER: 37-7108

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF PARKS & RECREATION
STATEHOUSE MAIL
PO BOX 83720
BOISE ID 83720-0065

SOURCE: MALAD CANYON SPRINGS

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 900.000 CFS

PRIORITY DATE: 07/12/1971

POINT OF DIVERSION:

T06S R13E S25 SESW Within GOODING County

T06S R13E S25 SWSE Within GOODING County

T06S R13E S25 SESE Within GOODING County

T06S R13E S36 NWNE Within GOODING County

T06S R13E S36 NENW Within GOODING County

T06S R13E S36 NWNW Within GOODING County

17, No physical diversion required pursuant to the Directors Order dated January 1975.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION	1/01 12/31	900.000 CFS
AESTHETIC	1/01 12/31	900.000 CFS

PLACE OF USE: RECREATION Within GOODING County

T06S R13E S25	SESW	T06S R13E S25	SWSE
T06S R13E S25	SESE	T06S R13E S36	NWNE
T06S R13E S36	NENW	T06S R13E S36	NWNW

AESTHETIC same as RECREATION

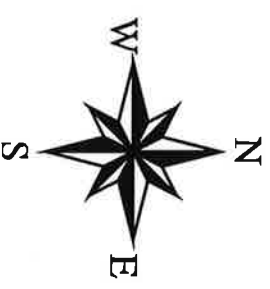
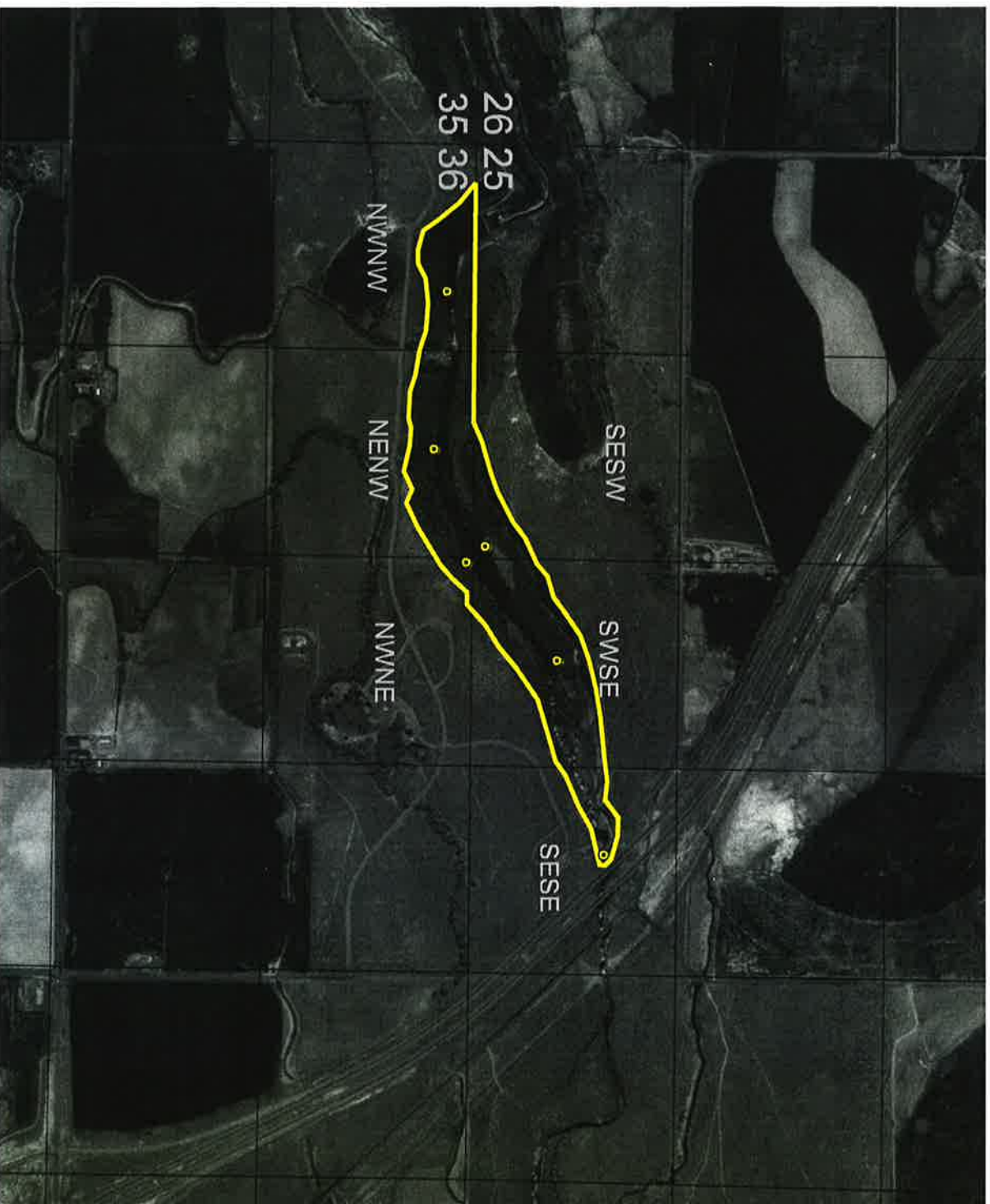
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: License

37-7108

**T06S R13E
S25 & S36**



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7108 Priority July 12, 1971 Amount 900.0 cfs

THIS IS TO CERTIFY, that State of Idaho, Department of Parks and Recreation
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 37-7108 issued pursuant to Application for Permit dated July 12, 1971,
and has submitted proof to the Department of Water Resources on November 15, 1979,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 900.0 cfs of water from Malad Canyon Springs,
tributary to Big Wood River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Scenic beauty and recreation	from <u>January 1</u> to <u>December 31</u>	at <u>900.0</u> cfs and <u>n/a</u>	
	from _____ to _____	at _____ cfs and _____	
	from _____ to _____	at _____ cfs and _____	

(both dates inclusive)

Subject, however, to the condition that no more than 900.0 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
n/a acre feet per year, said waters to be diverted within the *S₁SW₁/₄, S₁SE₁/₄, Section 25;
N₁SW₁/₄, NW₁NE₁/₄, Section 36; Twp. 6S, Rge. 13E in the County of Gooding

Description and location of place of use:

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
6S	13E	25										X	X				X	X	
		36		X			X	X											

Total number of acres irrigated _____

*No physical diversion required pursuant to the Director's Order dated
January 17, 1975.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of
August, 19 82.

Director

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: A37-07108
Date Received: 8/10/1989
Receipt No: C016662
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

AUG 14 1990

Department of Water Resources
Southern Region Office

1. Name: STATE OF IDAHO
Address: DEPT. OF PARKS & REC.
STATEHOUSE
BOISE, ID

83720

2. Date of Priority: JUL 12, 1971

3. Source: MALAD CANYON SPRINGS Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	13E	25	SW	SW			GOODING
			SE	SW			GOODING
			SW	SE			GOODING
			SE	SE			GOODING
		36	NW	NE			GOODING
			NE	NW			GOODING
			NW	NW			GOODING

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
RECREATION	01/01	12/31	900.000		
AESTHETIC	01/01	12/31	900.000		

7. Total Quantity Appropriated is:
900.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	13E	25	SW		SW		REC	
			SE		SW		REC	
			SW		SE		REC	
			SE		SE		REC	
		36	NW		NE		REC	
			NE		NW		REC	
			NW		NW		REC	

11. Place of use in counties: GOODING

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

MALAD GORGE

GORGE SPRINGS

SOURCE KNOWN LOCALLY AS MALAD CANYON SPRINGS.

NO PHYSICAL DIVERSION REQUIRED PURSUANT TO THE DIRECTOR'S ORDER
DATED 1-17-1975.

15. Basis of Claim: LICENSE

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

ID Dept. Parks & Rec.

CLAIM IDENT. NO.

A37-07108

DATE RECEIVED

8-10-90

CK #

AMOUNT \$ 90,050 ^{applied}

YES

NO

Require Info? *

1. Is the name and address complete with zip code? ☒ ☐

2. Is a priority date entered?

Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required.

3. (a) Is a source entered?

(b) Is a tributary to entered? (if required) N/A

4. Is the legal description of the p.d. sufficient?

5. Is there a description of the diverting works?

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.

Is the period of use included?

Is a quantity claimed for each use?

7. Is a total quantity claimed entered?

8. If required is a consumptive use entered?

Is the consumptive use correct?

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.

10. Is (are) the place(s) of use and purpose(s) indicated?

11. Is (are) the county(ies) entered?

12. Is the ownership of p.u. checked?

13. Are other water rights listed or "none" indicated?

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

15. Is the basis of the claim indicated?

16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)

17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.

18. Has the claim been signed, sealed, and dated by a notary?

19. Was this claim filed on time, or was an extension granted?

20. Is the fee enclosed correct? Exempt

21. If this claim is based on an existing water right, has the identification number been entered?

22. Should this claim be data entered?

Claim checked by: RAH

Date: 8-13-90

Claim must be returned to claimant:

(Yes)

(No)

Claimant must be notified of modifications:

(Yes)

(No)

Receipt Prepared by:
Claim data entered by:
Sent to claimant by:

Date:
Date:
Date:

Checked by: RAH

Date: 8-13-90

Comments:

MICROFILMED
FEB 24 1993

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: A37-07108
Date Received: 6/16/1988 8/10/89
Receipt No: COLL 002
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
AUG 10 1989

1. Name: STATE OF IDAHO
Address: DEPT. OF PARKS & REC.
STATEHOUSE
BOISE, ID

83720

Department of Water Resources

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			NE	NW			GOODING
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A.F.A.

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Acre Feet Per Annum.

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A37-07108

Page 1

Date: 06/16/88

MICROFILMED
FEB 24 1993

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Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	13E	25	SW		SW		REC	
			SE		SW		REC	
			SW		SE		REC	
		36	SE		SE		REC	
			NW		NE		REC	
			NE		NW		REC	
			NW		NW		REC	

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SOURCE KNOWN LOCALLY AS MALAD CANYON SPRINGS.

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DATED 1-17-1975.

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Water Right Number:

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Number of attachments: 0

For Organizations:

I do solemnly swear or affirm that I am DEVELOPMENT CHIEF of IDAHO DEPT OF PARKS & REC, that I have signed the foregoing document in the space below as DEVELOPMENT CHIEF of IDPR and that the statements contained in the foregoing document are true and correct.

Small M. Jones
Signature of Authorized Agent

DEVELOPMENT CHIEF IDPR
Title and Organization

8/7/89
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 7th day of August 19 89

Richard M. Butts
Notary Public

Seal



Residing at Boise, Idaho

My Commission Expires 8-23-94

RECEIVED
FEB 24 1993