

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: A36-08337

Date Received: 7/26/1990

Receipt No: C018452

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STATE OF IDAHO 208-327-7900
Address: IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE, ID 83720

2. Date of Priority: OCT 16, 1987

3. Source: BOX CANYON CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
08S	14E	28		1	GOODING
				2	GOODING

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MINIMUM INSTREAM FLOW	01/01	12/31	75.000		
MINIMUM INSTREAM FLOW	01/01	12/31	87.000		
MINIMUM INSTREAM FLOW	01/01	12/31	162.000		

7. Total Quantity Appropriated is:
162.000 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
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11. Place of use in counties:

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

14. Remarks:

MSF REACH IS WITHIN LOTS 1 & 2, EXCEPTING 300 FT. AT UPSTREAM END OF LOT 1.

75 CFS AT REACH BEGINNING; 162 CFS AT REACH END. 87 CFS INFLOW TO REACH.

USE OF WATER UNDER THIS PERMIT SHALL RECOGNIZE & ALLOW THE CONTINUED BENEFICIAL DIVERSION OF WATER UNDER ANY PRIOR EXISTING WATER RT. ESTABLISHED BY DIVERSION & APPLICATION TO BENEFICIAL USE OR BY AN APPLICATION, PERMIT, OR LICENSE ON FILE ISSUED BY THE DIRECTOR UNDER PROVISIONS OF CHAPTER 2, TITLE 42, I.C., WITH THE PRIORITY OF THE WATER RIGHT DATED EARLIER THAN 10/16/87, THE PRIORITY DATE OF THIS PERMIT. THIS PERMIT FOR MSF SHALL BE JUNIOR & SUBORDINATE TO ALL CONSUMPTIVE USE RIGHTS DIVERTED FROM GROUNDWATER WITHIN THE SNAKE RIVER PLAIN AQUIFER TRIBUTARY TO BOX CANYON CREEK, HELD IN TRUST BY THE STATE OF IDAHO, WHICH MAY BE APPROVED OR DIVERTED LATER IN TIME THAN THE PRIORITY OF THIS PERMIT. APPROVAL OF THIS PERMIT SHALL NOT GIVE RISE TO ANY RIGHT OR CLAIM AGAINST ANY FUTURE RIGHTS TO THE CONSUMPTIVE USE OF GROUNDWATER HELD IN TRUST BY THE STATE OF IDAHO INITIATED LATER IN TIME THAN THE PROPOSED PRIORITY OF THIS PERMIT & ANY SUBSEQUENT LICENSE TO THE EXTENT THAT SUCH USES ARE WITHIN THE LIMITS ESTABLISHED PURSUANT TO THE SWAN FALLS AGREEMENT, THE IDAHO STATE WATER PLAN, & CHAPTER 2, TITLE 42, I.C. UPON THE FUTURE FINDING & ORDER OF THE DIRECTOR THAT GAUGING STATIONS ARE REQUIRED TO MAINTAIN THE APPROVED MINIMUM FLOW ON BOX CANYON CREEK, SUCH MEASURING DEVICES SHALL BE PERMANENTLY INSTALLED TO MAINTAIN AS SPECIFIED BY THE DEPT. PROOF OF INSTREAM BENEFICIAL USE SHALL BE LIMITED TO SUBMITTAL OF FLOW DATA SHOWING THAT THE PERMITTED FLOWS ARE CAPABLE OF BEING MAINTAINED. THE DIRECTOR RETAINS JURISDICTION TO REVIEW & AMEND ANY & ALL PARAMETERS OF THIS PERMIT & SUBSEQUENT LICENSE. ANY PERSON SEEKING REVIEW & AMENDMENT OF THE PERMIT OR LICENSE SHALL FILE A REQUEST WITH THE BOARD, WHICH REQUEST SHALL DESCRIBE THE AMENDMENT SOUGHT, THE REASONS FOR THE PROPOSED AMENDMENT, & A STATEMENT OF THE CHANGE IN CIRCUMSTANCES SINCE THE PERMIT OR LICENSE WAS ISSUED OR LAST REVIEWED THAT MERIT A REVIEW OF THE PERMIT OR LICENSE. A COPY OF THE PETITION SHALL BE SERVED UPON THE DIRECTOR OF IDWR. THE BOARD, UPON RECEIVING A REQUEST, OR UPON ITS OWN INITIATIVE, MAY PETITION THE DIRECTOR FOR AN AMENDMENT TO THE PERMIT OR LICENSE. THE PETITION MUST SET FORTH ANY SIGNIFICANT CHANGE IN CIRCUMSTANCES & EVIDENCE OF PUBLIC INTEREST SUPPORTING THE PROPOSED AMENDMENT. THE DIRECTOR WILL NOTIFY THE GENERAL PUBLIC & SPECIFIC PERSONS OR KNOWN INTERESTED PARTIES OF THE PROPOSED CHANGE, & CONDUCT A HEARING FOR THE PURPOSE OF

14. Remarks: Continued

DETERMINING WHETHER THE PERMIT OR SUBSEQUENT LICENSE SHOULD BE AMENDED IN THE PUBLIC INTEREST. THE BURDEN OF PROOF AT THE HEARING SHALL BE UPON THE PERSON OR PARTY SEEKING THE AMENDMENT TO ESTABLISH THAT AMENDMENT OF THE PERMIT OR LICENSE WOULD BE IN THE PUBLIC INTEREST.

15. Basis of Claim: PERMIT

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 Organizations:

I do solemnly swear or affirm that I am Chairman of
Title
Idaho Water Resource Board, that I have signed the foregoing
Organization
document in the space below as Chairman of
Title
Idaho Water Resource Board and that the statements contained in the
Organization
foregoing document are true and correct.
Signature of Authorized Agent
Chairman, Idaho Water Resource Board
Title and Organization
8/3/90
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 3 day
of August 19 90
Notary Public

Seal

Residing at Ermett
My Commission Expires 5/30/92

BEFORE THE WATER RESOURCE BOARD
OF THE STATE OF IDAHO

IN THE MATTER OF THE)
SNAKE RIVER BASIN WATER)
RIGHT ADJUDICATION)

A RESOLUTION TO FILE
ADJUDICATION CLAIMS AND
PAY FILING FEES

WHEREAS, the Snake River Basin Water Right Adjudication has been commenced by order of the Court dated November 19, 1987; and,

WHEREAS, under the provisions of Chapter 15, Title 42, Idaho Code, the Idaho Water Resource Board is the holder of certain instream water rights; and,

WHEREAS, the Idaho Water Resource Board desires to file claims in the Snake River Basin Adjudication for all water right permits held by the Board as provided by Section 42-1421, Idaho Code; and,

WHEREAS, all claims filed with the Director of the Idaho Department of Water Resources as a part of the adjudication must be accompanied by the appropriate filing fee as set out in Section 42-1414, Idaho Code; and,

WHEREAS, by Resolution of June 23, 1989 the Board directed that annual budget requests be made to the Legislature for an appropriation to pay adjudication claim fees for water rights held by the Board and that upon receipt of the necessary funds the Board will file the appropriate adjudication claims; and,

WHEREAS, the Legislature did appropriate \$74,200 to be used by the Board during fiscal year 1991 to pay the first installment of the filing fees for the claims listed below.

NOW, THEREFORE BE IT RESOLVED that the Idaho Water Resource Board, through its Chairman, files the following claims to water rights as part of the Snake River Basin Adjudication and directs the fees for those claims be taken from the money appropriated for that purpose to be paid to the Department of Water Resources.

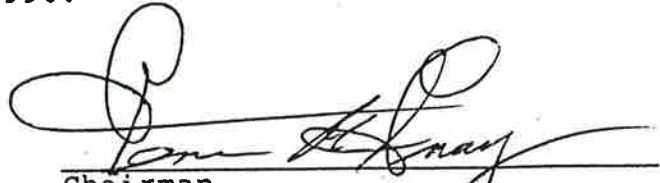
<u>Number</u>	<u>Instream Right</u>
21-07282	Henrys Fork
-36-07820	Blind Canyon Springs
73-07045	Pahsimeroi River
-41-07046	Rock Creek, East Fork
-37-07849	Silver Creek
-37-07919	Big Wood River
-37-07920	Malad River (Big Wood)
22-07370	Bitch Creek
21-07283	Warm River
-41-07074	Rock Creek, East Fork
21-07355	Warm River
65-12733	Payette River, SF & Main
-36-08307	Minnie Miller Springs

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-36-08330
-47-08073
-36-08337
-36-08374

Crystal Springs
Shoshone Creek
Box Canyon Springs
Crystal Springs

DATED this 3 day of August, 1990.


Chairman
Idaho Water Resource Board

ATTEST


Secretary

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RECEIVED

MAY 05 1998

OFFICE OF THE
ATTORNEY GENERAL

MAIL13944



RECEIVED

MAY - 7 1998

RECEIVED

Department of Water Resources
Adjudication Bureau

MAY 14 1998

WATER RESOURCES
WESTERN REGION

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

) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDING

) 36-07820, 36-08307
) & 36-08337

IDWR has completed the following Administrative Proceedings:

LICENSES ISSUED

Name of Claimant:

State of Idaho

Idaho Water Resource Board

Claimant's Water Right:

36-07820, 36-08307

& 36-08337

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 Reports* for said water rights. 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 Transfer and Amended Director's Report* on the claimant, prior claimant(s) and all parties in the subcase affected, if any, as reflected on the attached certificate of mailing.

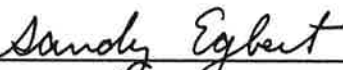
DATED: MAY 1, 1998

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on *5-4*, 1998, I mailed the original and copies of this form, to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, ID 83303-2707
2. One copy to:
Chief, Natural Resources Division
Office of the Attorney General
P. O. Box 44449
Boise, ID 83711-4449
3. One copy to:
United States Dept. Of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724
4. One copy to:
State of Idaho
Idaho Water Resource Board
Statehouse
Boise, ID 83720



Signature of person or attorney mailing the form

RIGHTS FROM: SOURCE: BOX CANYON CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 36-08337

NAME AND ADDRESS: STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE ID 83720

SOURCE: BOX CANYON CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 162.00 CFS

PRIORITY DATE: 10/16/1987

THIS MINIMUM STREAM FLOW RIGHT SHALL BE JUNIOR AND SUBORDINATE TO ALL CONSUMPTIVE USE RIGHTS DIVERTED FROM GROUNDWATER WITHIN THE SNAKE RIVER PLAIN AQUIFER TRIBUTARY TO BOX CANYON CREEK, HELD IN TRUST BY THE STATE OF IDAHO, WHICH MAY BE APPROVED OR DIVERTED LATER IN TIME THAN THE PRIORITY OF THIS RIGHT. ISSUANCE OF THIS DECREE SHALL NOT GIVE RISE TO ANY RIGHT OR CLAIM AGAINST ANY FUTURE RIGHTS TO THE CONSUMPTIVE USE OF GROUNDWATER HELD IN TRUST BY THE STATE OF IDAHO INITIATED LATER IN TIME THAN THE PRIORITY OF THIS RIGHT TO THE EXTENT SUCH USES ARE WITHIN THE LIMITS ESTABLISHED PURSUANT TO THE SWAN FALLS AGREEMENT, THE IDAHO STATE WATER PLAN, AND CHAPTER 2, TITLE 42, IDAHO CODE.

POINT OF DIVERSION: T08S R14E S28 LOT 1 (NENW) (B) Within GOODING County
LOT 2 (SENW) (E)

THE REACH OF THIS MINIMUM STREAM FLOW BEGINS APPROXIMATELY 300 FEET DOWNSTREAM OF A POINT WHERE BOX CANYON CREEK ENTERS T08S, R14E, S28, GOVT LOT 1 (NENW), AND EXTENDS APPROXIMATELY ONE QUARTER (1/4) MILE DOWNSTREAM TO THE CONFLUENCE OF BOX CANYON CREEK AND THE SNAKE RIVER, LOCATED IN T08S, R14E, S28, GOVT LOT 2 (SENE).

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	MINIMUM STREAM FLOW	01-01 12-31	162.00 CFS
	MINIMUM INSTREAM FLOW	01/01 12/31	73.00 CFS
	MINIMUM INSTREAM FLOW	01/01 12/31	87.00 CFS
	MINIMUM INSTREAM FLOW	01/01 12/31	162.00 CFS

THIS MINIMUM STREAM FLOW IS A VARIABLE FLOW BEGINNING WITH 75.0 CFS AT THE UPSTREAM END OF THE REACH AND INCREASING IN FLOW TO 162.0 CFS AT THE DOWNSTREAM END OF THE REACH. DIFFUSE GROUNDWATER DISCHARGE INTO BOX CANYON CREEK CONTRIBUTES 87.0 CFS TO THE 75.0 CFS THAT ENTERS THE MINIMUM STREAM FLOW REACH, FOR A

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: APR-29-1998
PAGE: A-2

36-08337 (CONT.)

TOTAL OF 162.0 CFS AT THE CONFLUENCE OF BOX CANYON CREEK AND THE SNAKE RIVER.

PLACE OF USE:

MINIMUM STREAM FLOW

SAME AS OTHER USEMINIMUM INSTREAM FLOW WITHIN BOODINE COUNTRY
1088 R14E S28 LOT 1 (NENN) LOT 2 (SENN)

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

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.

THE IDWR DIRECTOR HAS AUTHORITY TO REVIEW AND AMEND ANY AND ALL PARAMETERS OF THIS RIGHT. THE BOARD, UPON RECEIVING A REQUEST, OR UPON ITS OWN INITIATIVE, MAY PETITION THE DIRECTOR FOR AN AMENDMENT TO THE RIGHT. THE PETITION MUST SET FORTH ANY SIGNIFICANT CHANGE IN CIRCUMSTANCES AND EVIDENCE OF PUBLIC INTEREST SUPPORTING THE PROPOSED AMENDMENT. THE DIRECTOR WILL NOTIFY THE GENERAL PUBLIC AND SPECIFIC PERSONS OR KNOWN INTERESTED PARTIES OF THE PROPOSED CHANGE, AND CONDUCT A HEARING FOR THE PURPOSE OF DETERMINING WHETHER THE RIGHT SHOULD BE AMENDED IN THE PUBLIC INTEREST. THE BURDEN OF PROOF AT THE HEARING SHALL BE UPON THE PERSON OR PARTIES SEEKING THE AMENDMENT TO ESTABLISH THE AMENDMENT OF THE RIGHT WOULD BE IN THE PUBLIC INTEREST.

THE MINIMUM STREAMFLOW BEGINS AT A POINT 300 FEET DOWNSTREAM FROM WHERE BOX CANYON CREEK ENTERS LOT 1 (NENN), S28, T08S, R14E, AND EXTENDS DOWNSTREAM TO THE CONFLUENCE OF BOX CANYON CREEK AND THE SNAKE RIVER, LOCATED IN LOT 2 (SENN), S28, T08S, R14E.

75 CFS AT BEGINNING OF REACH DESCRIBED ABOVE; 87 CFS WITHIN THE REACH; 162 CFS AT END OF REACH.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
PERMIT

R PROOF
CVR
MAPS
PHOTOS
MISC



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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STATE OF IDAHO IDAHO WATER RESOURCE BOARD STATEHOUSE BOISE ID 83720 (208) 327-7900	10/16/1987	MINIMUM INSTREAM FLOW MINIMUM INSTREAM FLOW MINIMUM INSTREAM FLOW	01-01 12-31 01-01 12-31 01-01 12-31	75.00 CFS 87.00 CFS 162.00 CFS	
TOTAL DIVERSION:					162.00 CFS	

Water Source: BOX CANYON CREEK

Tributary to: SNAKE RIVER

Stage: PERMIT

Point(s) of Beginning Stream Reach: T08S R14E S28 Lot01(NENW)
Point(s) of Ending Stream Reach: T08S R14E S28 Lot02(SENW)

GOODING County
GOODING County

Place of use Legal Description for: MINIMUM INSTREAM FLOW

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:
08S	14E	28	:					:	01-M			02-M	:					:					:

Place of use Legal Description for: MINIMUM INSTREAM FLOW

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:
08S	14E	28	:					:	01-M			02-M	:					:					:

Place of use Legal Description for: MINIMUM INSTREAM FLOW

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:
08S	14E	28	:					:	01-M			02-M	:					:					:

POU County: GOODING

Conditions of Approval:

- A01 - 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.

Remarks:

THE MINIMUM STREAMFLOW BEGINS AT A POINT 300 FEET DOWNSTREAM
FROM WHERE BOX CANYON CREEK ENTERS LOT 1 (NENW), S28, T08S, R14E,
AND EXTENDS DOWNSTREAM TO THE CONFLUENCE OF BOX CANYON CREEK AND
THE SNAKE RIVER, LOCATED IN LOT 2 (SENE), S28, T08S, R14E.
75 CFS AT BEGINNING OF REACH DESCRIBED ABOVE; 87 CFS WITHIN
THE REACH; 162 CFS AT END OF REACH.

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IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

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Dates:          Exam Made Date:          Verified Date:

Misc:          Water District Number:      Field Inspection Flag:
                                           Presumption Flag:

Comments:      Date: 09/04/1992   User-ID: THORNTON Subject: NEW 'R' RECORD
ON THIS DAY, A NEW R RECORD WAS CREATED BY DELETING THE EXISTING
R RECORD AND COPYING A NEW R RECORD FROM THE A RECORD.  THIS WAS
DONE IN ORDER TO RECREATE THE PERMITTED USES DESCRIBING THREE
DIFFERENT DIVERSION RATES FOR THE SAME USE WITH THE SAME PERIOD
OF USE.  BECAUSE OF THE DEFAULT PROGRAMS NOW IN PLACE, IT WAS NOT
POSSIBLE TO DESCRIBE THE PERMIT IN THE R RECORD EXCEPT THROUGH
DIRECT COPYING OF MATERIAL INPUT PRIOR TO THE INSTALLATION OF
THE CURRENT DEFAULT PROGRAMS, SPECIFICALLY, THE A RECORD.

Date: 09/04/1992   User-ID: THORNTON Subject: PREVIOUS COMMENTS
THE ORIGINAL R RECORD WAS DELETED AS DISCUSSED IN THE PREVIOUS
COMMENT.
PREVIOUS COMMENTS WERE BY WORSTELL, RE COPYING OF ORIGINAL
REMARKS AND BY SCHULTZ, RE DATA ENTRY CHANGES PER LYNN K-H.

Date: 09/04/1992   User-ID: SHAFF      Subject: POD CHANGE
THE PERMIT HAS THE QTR-QTR DESCRIPTION FOR LOT 2 AS THE SENE;
HOWEVER, LOT 2 IS WITHIN WHAT WOULD BE SENW.  THE DESCRIPTION
WITHIN THIS RIGHT WAS CHANGED ACCORDINGLY.

Audit:          09/04/92 SHAFF      09/14/92 SHAFF

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Added POU to
record for consistency
with other Instream
claims of Board to present
recommendation for the Board's review
at its
Sept. mtg. 9-15-92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:36:25
05/13/91

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-08337

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				N	Permit		SW 12-3-91	
POINT OF DIV	Y			N				
SOURCE				N				
PLACE OF USE	Y			N				
DIV. AMOUNT CFS/VOLUME				Y				
CONSUMPTIVE USE				N				
PURPOSES				N				
PERIOD OF USE				N				
BASIS OF CLAIM				N				
REMARKS	Y			N				

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

A01 - Same as Permit

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:36:25
05/13/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-08337

LAST: STATE OF IDAHO
ADDRESS: IDAHO WATER RESOURCE BOARD
STATEHOUSE
CITY: BOISE
PHONE NUMBER: 208-327-7900

FIRST:

STATE: ID ZIP: 83720

OWNER CODE: C

LAST: WATER
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000

FIRST:

STATE: ID ZIP: 0

OWNER CODE: K

FIELD EXAM REQUIRED?

DATABASE FIELD
Y EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: MSF REACH IS WITHIN LOTS 1 & 2, EXCEPTING 300 FT. AT UPSTREAM END OF LOT 1.
75 CFS AT REACH BEGINNING; 162 CFS AT REACH END. 87 CFS INFLOW TO REACH.
USE OF WATER UNDER THIS PERMIT SHALL RECOGNIZE & ALLOW THE CONTINUED BENEFICIAL DIVERSION OF WATER UNDER ANY PRIOR EXISTING WATER RT. ESTABLISHED BY DIVERSION & APPLICATION TO BENEFICIAL USE OR BY AN APPLICATION, PERMIT, OR LICENSE ON FILE ISSUED BY THE DIRECTOR UNDER PROVISIONS OF CHAPTER 2, TITLE 42, I.C., WITH THE PRIORITY OF THE WATER RIGHT DATED EARLIER THAN 10/16/87, THE PRIORITY DATE OF THIS PERMIT. THIS PERMIT FOR MSF SHALL BE JUNIOR & SUBORDINATE TO ALL CONSUMPTIVE USE RIGHTS DIVERTED FROM GROUNDWATER WITHIN THE SNAKE RIVER PLAIN AQUIFER TRIBUTARY TO BOX CANYON CREEK, HELD IN TRUST BY THE STATE OF IDAHO, WHICH MAY BE APPROVED OR DIVERTED LATER IN TIME THAN THE PRIORITY OF THIS PERMIT. APPROVAL OF THIS PERMIT SHALL NOT GIVE RISE TO ANY RIGHT OR CLAIM AGAINST ANY FUTURE RIGHTS TO THE CONSUMPTIVE USE OF GROUNDWATER HELD IN TRUST BY THE STATE OF IDAHO INITIATED LATER IN TIME THAN THE PROPOSED PRIORITY OF THIS PERMIT & ANY SUBSEQUENT LICENSE TO THE EXTENT THAT SUCH USES ARE WITHIN THE LIMITS ESTABLISHED PURSUANT TO THE SWAN FALLS AGREEMENT, THE IDAHO STATE WATER PLAN, & CHAPTER 2, TITLE 42, I.C. UPON THE FUTURE FINDING & ORDER OF THE DIRECTOR THAT GAUGING STATIONS ARE REQUIRED TO MAINTAIN THE APPROVED MINIMUM FLOW ON BOX CANYON CREEK, SUCH MEASURING DEVICES SHALL BE PERMANENTLY INSTALLED TO MAINTAIN AS SPECIFIED BY THE DEPT. PROOF OF INSTREAM BENEFICIAL USE SHALL BE LIMITED TO SUBMITTAL OF FLOW DATA SHOWING THAT THE

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PERMITTED FLOWS ARE CAPABLE OF BEING MAINTAINED. THE DIRECTOR
RETAINS JURISDICTION TO REVIEW & AMEND ANY & ALL PARAMETERS OF
THIS PERMIT & SUBSEQUENT LICENSE. ANY PERSON SEEKING REVIEW &
AMENDMENT OF THE PERMIT OR LICENSE SHALL FILE A REQUEST WITH
THE BOARD, WHICH REQUEST SHALL DESCRIBE THE AMENDMENT SOUGHT,
THE REASONS FOR THE PROPOSED AMENDMENT, & A STATEMENT OF THE
CHANGE IN CIRCUMSTANCES SINCE THE PERMIT OR LICENSE WAS ISSUED
OR LAST REVIEWED THAT MERIT A REVIEW OF THE PERMIT OR LICENSE.
A COPY OF THE PETITION SHALL BE SERVED UPON THE DIRECTOR OF
IDWR. THE BOARD, UPON RECEIVING A REQUEST, OR UPON ITS OWN
INITIATIVE, MAY PETITION THE DIRECTOR FOR AN AMENDMENT TO THE
PERMIT OR LICENSE. THE PETITION MUST SET FORTH ANY SIGNIFICANT
CHANGE IN CIRCUMSTANCES & EVIDENCE OF PUBLIC INTEREST SUPPORTING
THE PROPOSED AMENDMENT. THE DIRECTOR WILL NOTIFY THE GENERAL
PUBLIC & SPECIFIC PERSONS OR KNOWN INTERESTED PARTIES OF THE
PROPOSED CHANGE, & CONDUCT A HEARING FOR THE PURPOSE OF
DETERMINING WHETHER THE PERMIT OR SUBSEQUENT LICENSE SHOULD BE
AMENDED IN THE PUBLIC INTEREST. THE BURDEN OF PROOF AT THE
HEARING SHALL BE UPON THE PERSON OR PARTY SEEKING THE AMENDMENT
TO ESTABLISH THAT AMENDMENT OF THE PERMIT OR LICENSE WOULD BE
IN THE PUBLIC INTEREST.

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FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

A. AJ CLAIM: # A36-08337 PRIORITY DATE: 10-16-1987 STAGE: P
B. WR RECORD: # 36-08337 PRIORITY DATE: 10-16-1987 STAGE: P

C. FIELD EXAM REQUIRED? DATABASE FIELD
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) N EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS: _____

=====

RECOMMENDED PRIORITY DATE:
10-16-1987

REVIEWED BY RV-2K

DATE 5/17/91

=====

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-08337	08S	14E	28	NE	SE	NW	2	GOODING
A36-08337	08S	14E	28	SE	NE	NW	1	GOODING

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: BOX CANYON CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-08337	08S	14E	28				1	GOODING
36-08337	08S	14E	28				2	GOODING

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

SOURCE: BOX CANYON CREEK

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
		Y	
		N	

REMARKS:

Inflow at Lot 1 = 75 cfs
Outflow at Lot 2 = 162 cfs
Gain from Spring = 87 cfs

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>8S</u>	<u>14E</u>	<u>28</u>	<u>NE</u>	<u>SE</u>	<u>NW</u>	<u>2</u>	<u>GOODING</u>
<u>8S</u>	<u>14E</u>	<u>28</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>1</u>	<u>"</u>

SOURCE: BOX CANYON CREEK

TRIB: SNAKE RIVER

REVIEWED BY:

DATE:

5/17/91

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A. ROOT WATER RIGHT NUMBERS: A36-08337

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
TOTAL ACRES							A36-08337				

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(☒)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
NY

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 0

REVIEWED BY: R.V. 26

DATE: 5/17/91

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A. AJ CLAIMED USES:

	PURPOSES	FROM	MONTH/DAY	TO	DIVERSION QUANTITY
A36-08337	MINIMUM INSTREAM FLOW	FROM	01-01	TO 12-31	75.000 CFS
A36-08337	MINIMUM INSTREAM FLOW	FROM	01-01	TO 12-31	87.000 CFS
A36-08337	MINIMUM INSTREAM FLOW	FROM	01-01	TO 12-31	162.000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED					~~162.000 CFS~~ 87.

Reach Inflow
Spring Flow
Reach Outflow

B. WR RECORDED USES:

	PURPOSES	FROM	MONTH/DAY	TO	DIVERSION QUANTITY
36-08337	MINIMUM INSTREAM FLOW	FROM	01-01	TO 12-31	75.000 CFS
36-08337	MINIMUM INSTREAM FLOW	FROM	01-01	TO 12-31	87.000 CFS
36-08337	MINIMUM INSTREAM FLOW	FROM	01-01	TO 12-31	162.000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED					~~162.000 CFS~~ 87

Inflow
Spring Flow
Outflow

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"See Remarks"

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<u>N</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	<u>N</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	<u>N</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(✓) N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in remarks, below.

REMARKS:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(☒)

AJ TOTAL CLAIMED DIVERSION RATE: 162.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 162.000 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

See remarks

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y ☐

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

See remarks

B.

FLOW MEASUREMENT

MEASUREMENT METHOD SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM:

NO CLAIMS FOUND WITH SAME POI AND IRRIGATION USAGE

NO RIGHTS WITH SAME POI BUT NOT USED FOR IRRIGATION

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D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 0 x 0.02 CFS/ACRE = 0 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

1b. CALCULATIONS

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = — AF/A

ACRES 0 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 0 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = — AF/A

ACRES 0 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 0 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
MINIMUM INSTREAM FLOW	01-01	12-31	DATABASE 75.000	EXAMINER	DATABASE	EXAMINER	DATABASE 0.0	EXAMINER
MINIMUM INSTREAM FLOW	01-01	12-31	87.000					
MINIMUM INSTREAM FLOW	01-01	12-31	162.000					
TOTAL FOR THIS RIGHT			162.000					
REVIEWED BY: <u>Q.V. [Signature]</u>			87.00	87.0				
				5/17/91				

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A01 - Same as Permit

See 12-3-91

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
(✓)	()
(✓)	()
(✓)	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-08337

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
162.000

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-08337	162.000	-	87.0	36-08337	162.000
TOTAL CFS		162.000				162.000

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER
Y

REMARKS:

The claim is in error because the inflow figure and outflow figure were added rather than subtracted. See "Remarks" - 1st 2 sentences as highlighted

PERMIT

AUTHENTICATION:

SIGNATURE: Robert V. Worstel

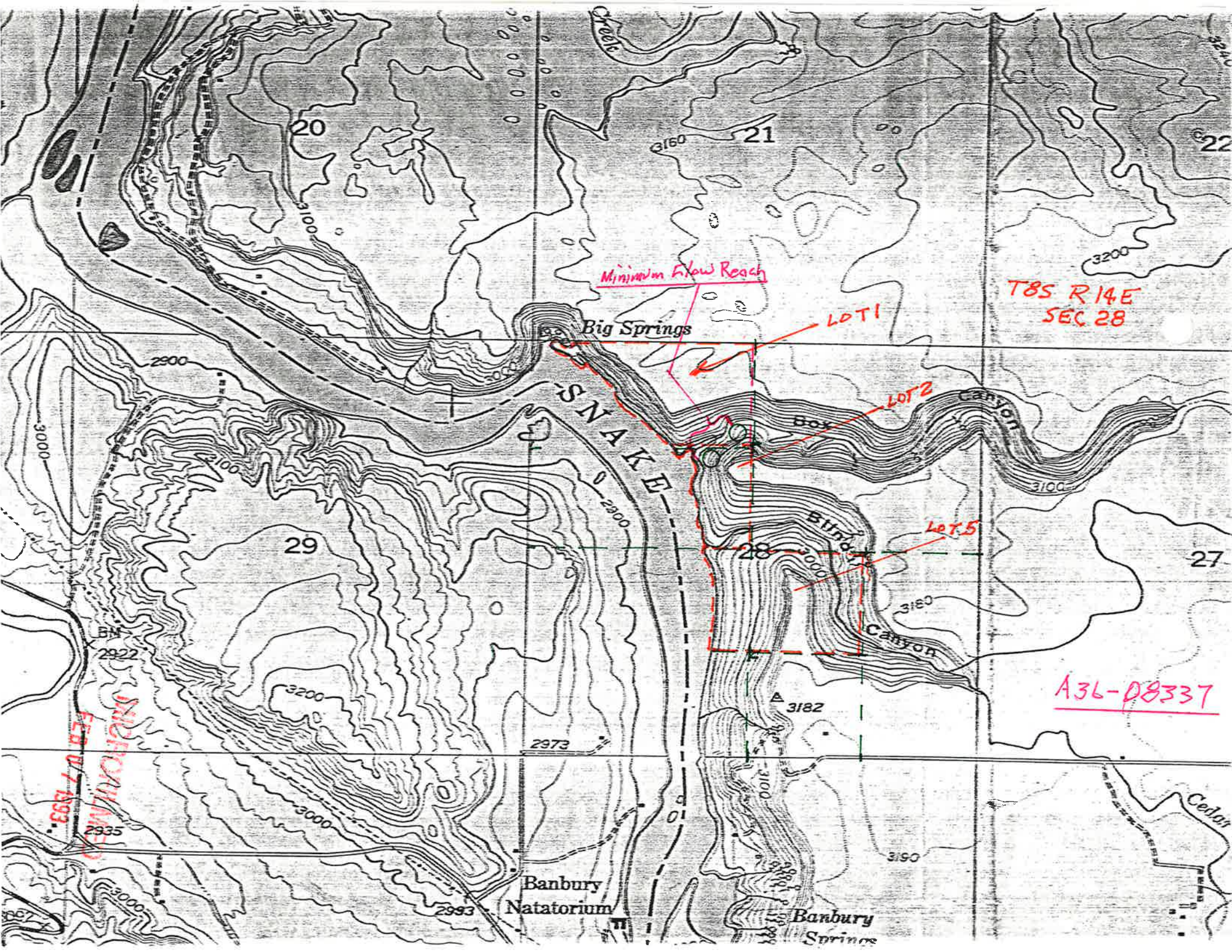
DATE: 5/17/91

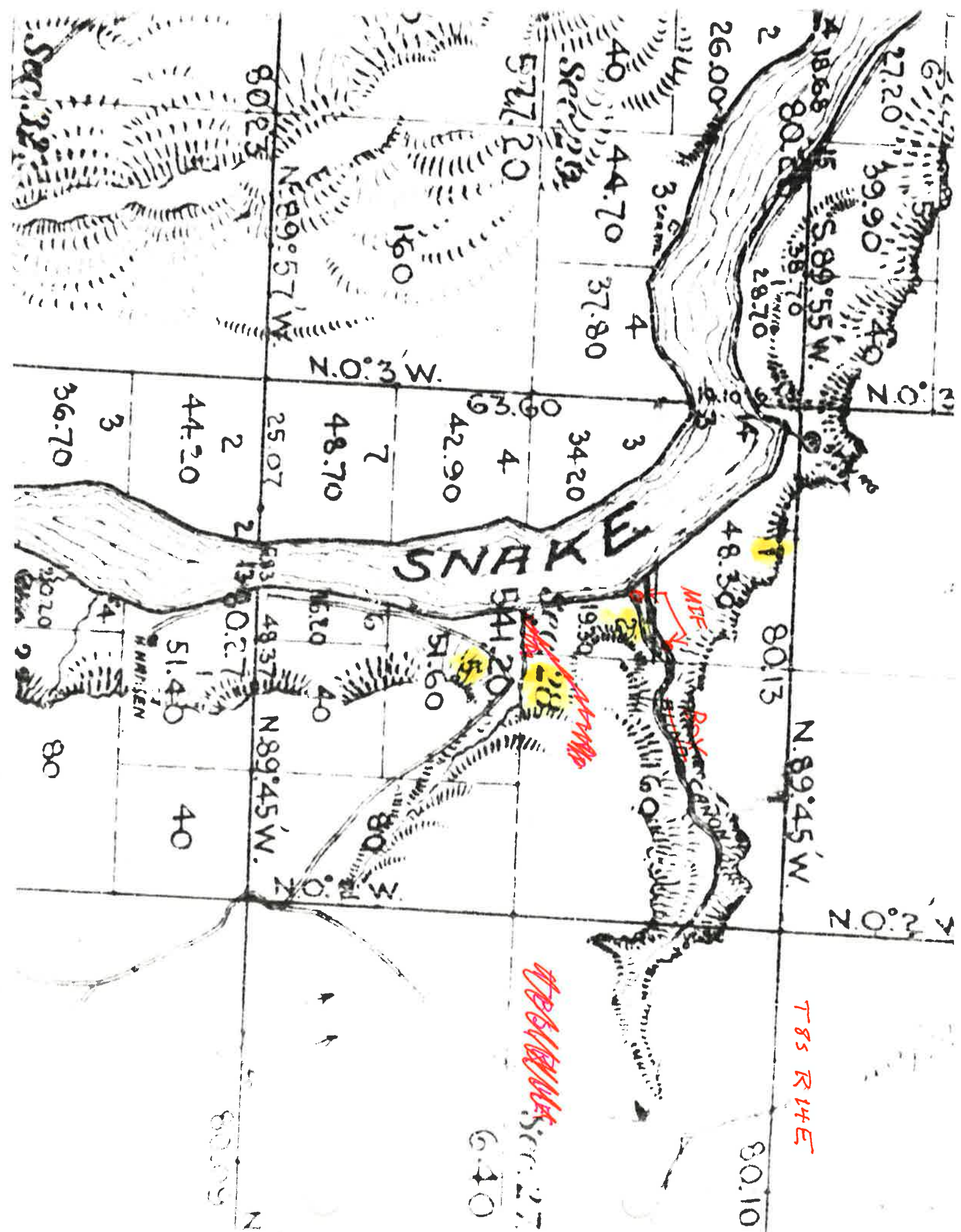
NAME OF FIELD EXAMINER: ROBERT V. WORSTEL

TITLE: SR. Adj. AGENT.

Steve Cella 12-3-91

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Box Canyon
Creek Photos

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