

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: A37-07739

Date Received: 5/22/1988

Receipt No: 0002305

Received By: JP 8/22/88

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STATE OF IDAHO 208-334-7900
Address: IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE, ID 83720

2. Date of Priority: SEP 29, 1978

3. Source: LITTLE WOOD RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
Beginning Point of Minimum Instream Flow					
03S	21E	6	NE SW NW	5	LINCOLN
Ending Point of Minimum Instream Flow					
04S	20E	30	NW NW SW	3	LINCOLN

5. Description of diverting works:
NONE

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	39.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INSTREAM FLOW

A37-07739

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Date: 06/30/88

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FEB 24 1989

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:
NONE

14. Remarks:

THIS INSTREAM FLOW WATER RT. IS SUBJECT TO ALL PRIOR WATER
RTS. FLOW IS LOCATED WITHIN THE REACH FROM THE CONFLUENCE
WITH SILVER CREEK IN LOT 5 (SWNW) S6, T3S, R21E, DOWNSTREAM
TO U.S.G.S STREAM GAGE STATION NO. 13-1510, LOCATED IN
LOT 3 (NWSW) S30, T4S, R20E.

15. Basis of Claim: LICENSE
Water Right Number:

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(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.

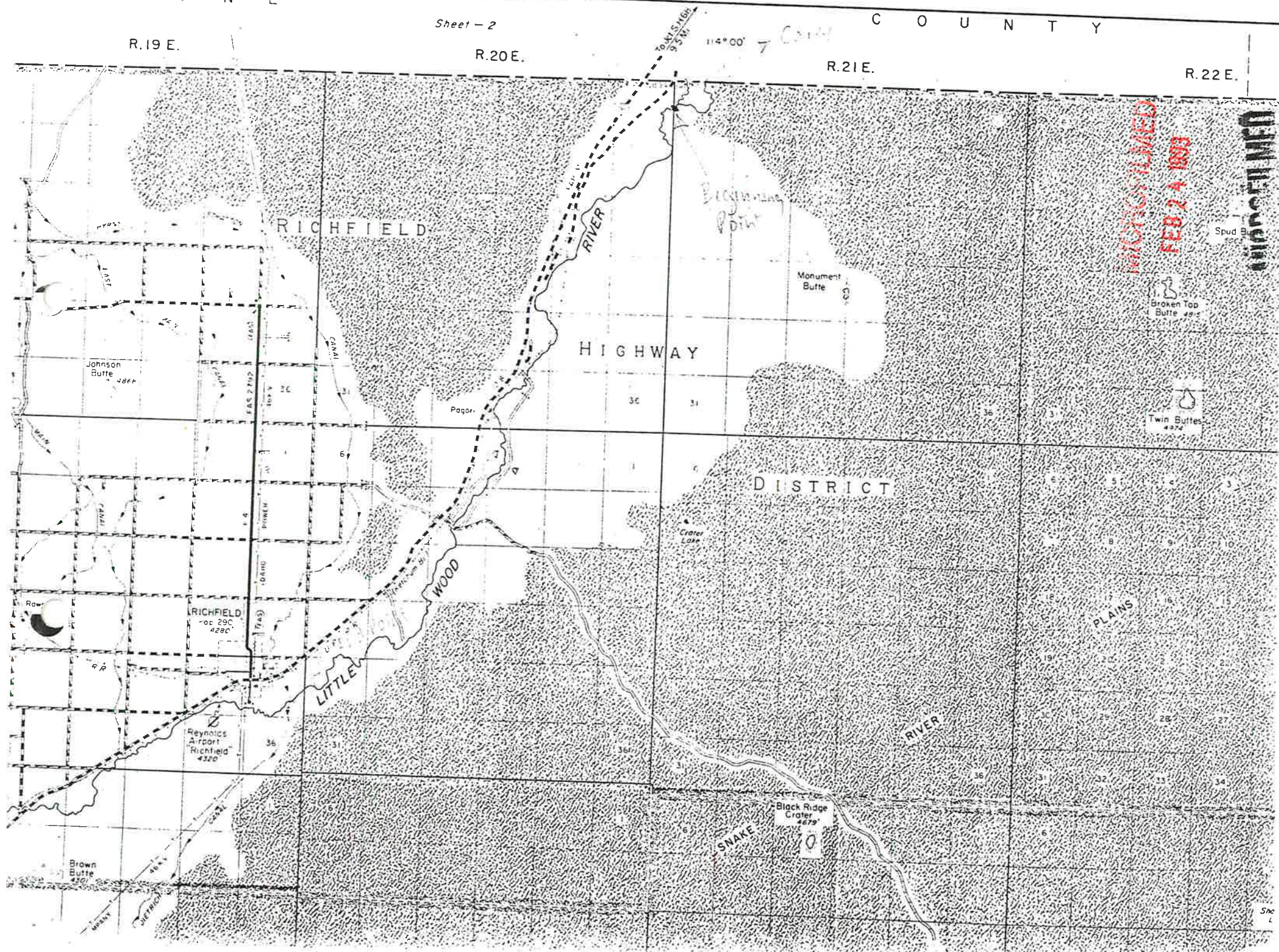
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FEB 24 1993

R.19 E.

R.20 E.

R.21 E.

R.22 E.



LITTLE WOOD RIVER

MSF App. No. 37-7739

Start of Reach

SILVER
C.R.

Permit 37-7227, 1.6 cfs, 5/15/73.

License 37-2334, 1.36 cfs, 8/24/16

License 37-2343, .74 cfs, 3/9/16

Permit
37-2771
600 A.F.
5/4/28

License 37-2280,
5.2 cfs, 3/27/13

App. 37-7769, 150 cfs
3/15/79

PAGARI ●

12 Road Miles

Board Filing = 39 cfs

End of Reach

To Big Wood River

USGS Gaging Station (M.P.)

Dietrich Main Canal
338.87 cfs total, 1907
35.37 cfs total, 1906

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FEB 24 1993

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7540-224-7445
FORM DA-18 Rev. 6-86

WHITE - State Auditor
GREEN - Paying Agency
YELLOW - Billing Agency
PINK - Retain in Paying Agency
GOLDENROD - Retain in Billing Agency

State of Idaho
Office of State Auditor
INTER-AGENCY BILL

C002305

AUDITOR USE

Document No.

00627

Pre Audit

Date

JUL 16 1990

FOR AGENCY USE

46	
Delivery Date	Billing Date 7-13-90
Agency Code 19-3002	

TO: (Paying Agency)

WATER RESOURCES

FROM: (Billing Agency)

WATERRESOURCES

INSTRUCTIONS:

1. BILLING AGENCY: Prepare 5 copies of DA-18. Complete sections A and B and sign. Detach goldenrod copies and forward rest of form to receiving agency. Yellow copy will be returned to you after this transaction has been processed.
2. PAYING AGENCY: Upon receipt of this form, complete section C. Sign, detach pink copy for your files and forward remaining copies to office of State Auditor. Green copy will be returned to you after form has been processed.
3. NOTE: Inter-agency bills may be used only for charges of materials or services from one agency to another. This form may not be used for intra-agency transfers of adjustment.

A. THIS SECTION CONTAINS THE NAME, PRICE, AND DESCRIPTION OF MATERIALS OR SERVICES SUPPLIED.

Description	Unit	Quantity	Unit Price	Amount
Snake Basin Adjudications Water Right Filings: A02-00201; A02-00223; A02-00200; A0200224; A03-00006; A03-00007; A0300008; A37-07727; A37-07728; A36-07818; A37-07734; A37-07739				743,652.00

B. THIS SECTION PROVIDES FOR AN INTER-AGENCY CREDIT TO THE BILLING AGENCY FOR THOSE ITEMS SHOWN ABOVE.

Line	Program	Acct.	Recpt. Class	Amount	For Agency Use
1	04-10-162	9337	6890	171,612.00	
2	04-10-162	"	7190	572,040.00	

743,652.00

C. THIS SECTION CHARGES THE AMOUNT SHOWN IN SECTION A TO THE PROPER ACCOUNTS INDICATED BELOW.

☐ PARTIAL ☐ FINAL		Encumbrance Reference Number:				
Agency Code	Line	Program	Acct.	Exp. Class	Amount	For Agency Use
19-3002	1	01-30-999	1101	9690	743,652.00	
TOTAL					743,652.00	

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FEB 24 1993

I hereby certify that the items listed above were furnished to the state agency indicated and that the amounts billed are proper charges:

Signed _____
(Authorized Agent of Billing Agency)

Signed _____
(Authorized Agent of Paying Agency)

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 3, 2005

Water right number: 37-7739

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098
Telephone Number: (208)287-4800

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Source: Little Wood TRIBUTARY: MALAD RIVER not snake river

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4-27-05 SIGNATURE: MC

Please print your name: Morgan Case

IDWR State Office, 322 E. Front St., P.O. Box 83720, Boise, ID 83720-0098

change made & added FOU remark.

12/17/2002

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

RIGHT NUMBER: 37-7739

NAME AND ADDRESS: STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE MAIL
PO BOX 83720
BOISE ID 83720-0098

SOURCE: LITTLE WOOD RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 39.000 CFS

PRIORITY DATE: 09/29/1978

POINT OF DIVERSION:

T03S R21E S6 NWSWNW Lot 5 Begin of Stream Flow Within LINCOLN County
T04S R20E S30 NENWSW Lot 3 End of Stream Flow Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MINIMUM INSTREAM FLOW	1/01 12/31	39.000 CFS

PLACE OF USE:

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

SAID FLOW IS LOCATED WITHIN THE REACH FROM THE CONFLUENCE
WITH SILVER CREEK IN LOT 5 (SWNW), SECTION 6, T3S, R21E,
DOWNSTREAM TO USGS STREAM GAGE STATION NO. 13-1510,
LOCATED IN LOT 3 (NWSW), SECTION 30, T4S, R20E, B.M., LINCOLN
COUNTY.

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

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7739 Priority September 29, 1978 Amount 39.0 cfs

THIS IS TO CERTIFY, that Idaho Water Resource Board
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 37-7739 issued pursuant to Application for Permit dated September 29, 1978,
and has submitted proof to the Department of Water Resources on September 3, 1985,
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 N/A of water from Little Wood River,
tributary to Snake River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use Instream Flow	Period of Use	Rate of Diversion	Annual Volume
	from <u>January 1</u> to <u>December 31</u>	at <u>39.0</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 39.0 cfs of water ~~be diverted at any one time~~ ^{is appropriated} and that the amount of water so ~~diverted and~~ ^{appropriated} 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, said flow is
located within the reach from the confluence with Silver Creek in Lot 5 (SW $\frac{1}{4}$ NW $\frac{1}{4}$),
Section 6, Twp 3S, Rge 21E, downstream to U.S.G.S. stream gage station No. 13-1510,
located in Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 30, Twp 4S, Rge 20E, B.M., Lincoln County
Description and location of place of use: As shown above

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres irrigated _____

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CONDITIONS OF APPROVAL

a. 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.

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

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

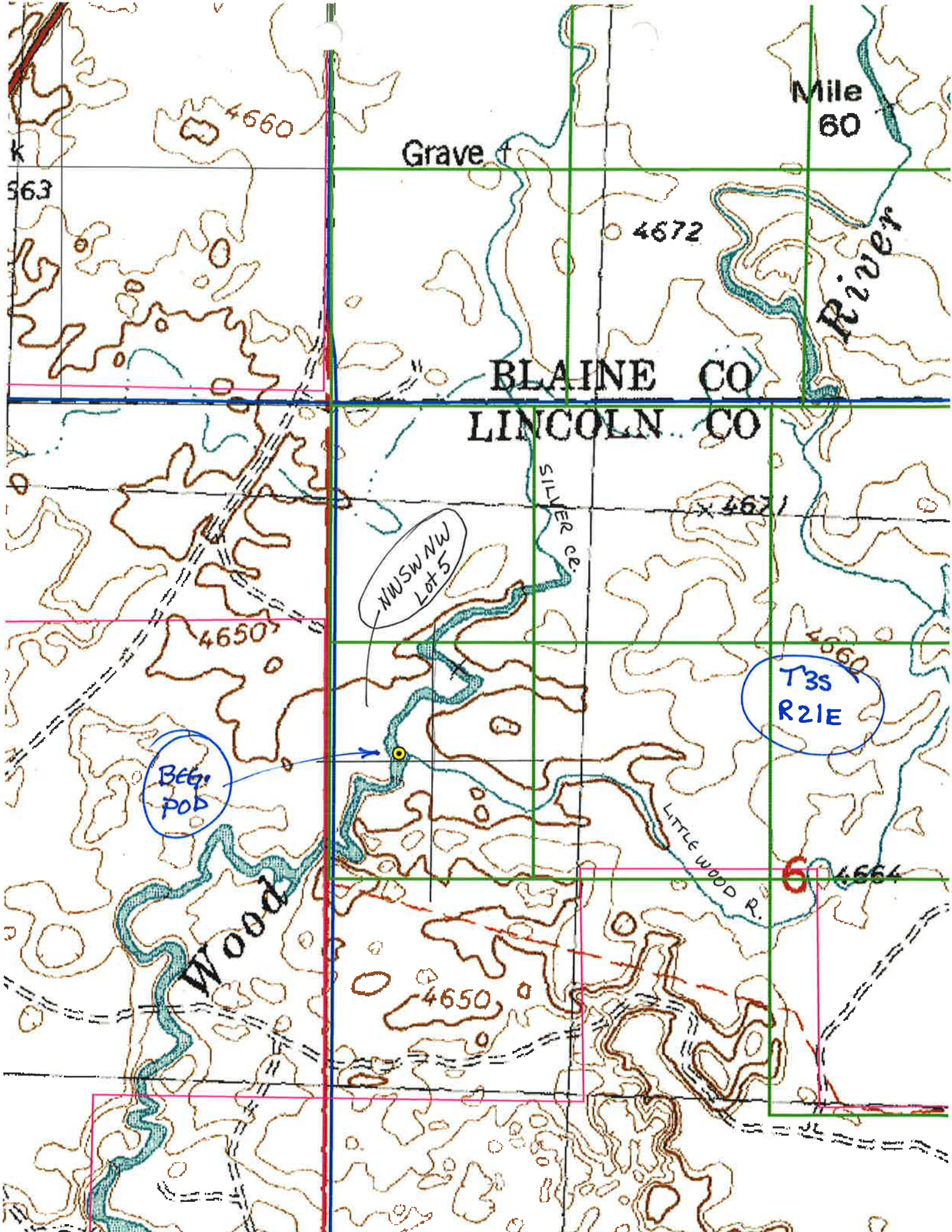
Use of water under this license is subject to control by the watermaster of State Water District No. 37M, Little Wood River.

This instream flow water right is subject to all prior water rights.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 15TH day of

July, 19 86.


Director



Mile 60

Grave

Wood River

BLAINE CO
LINCOLN CO

SILVER CR.

NWSW NW
Lot 5

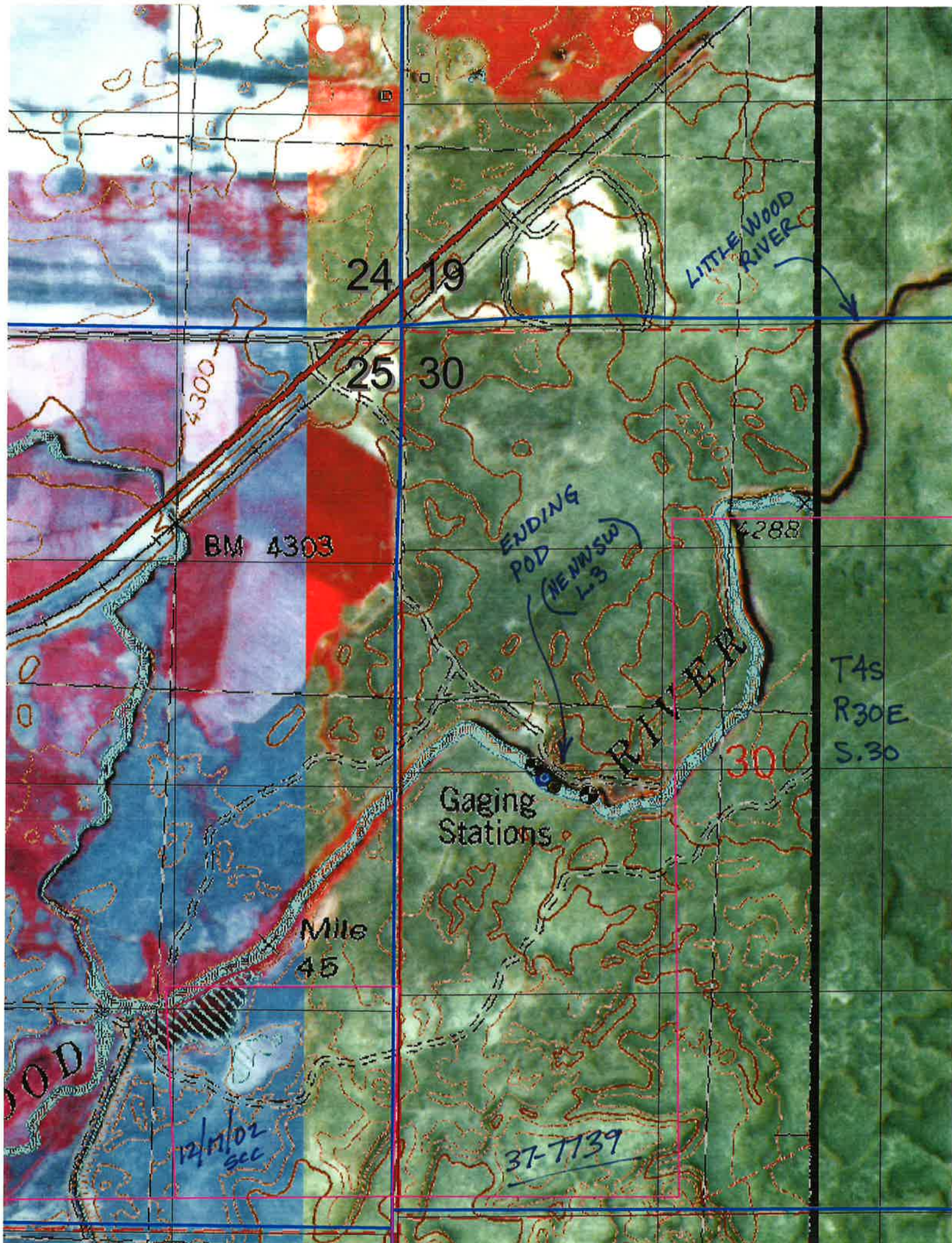
BEG.
POD

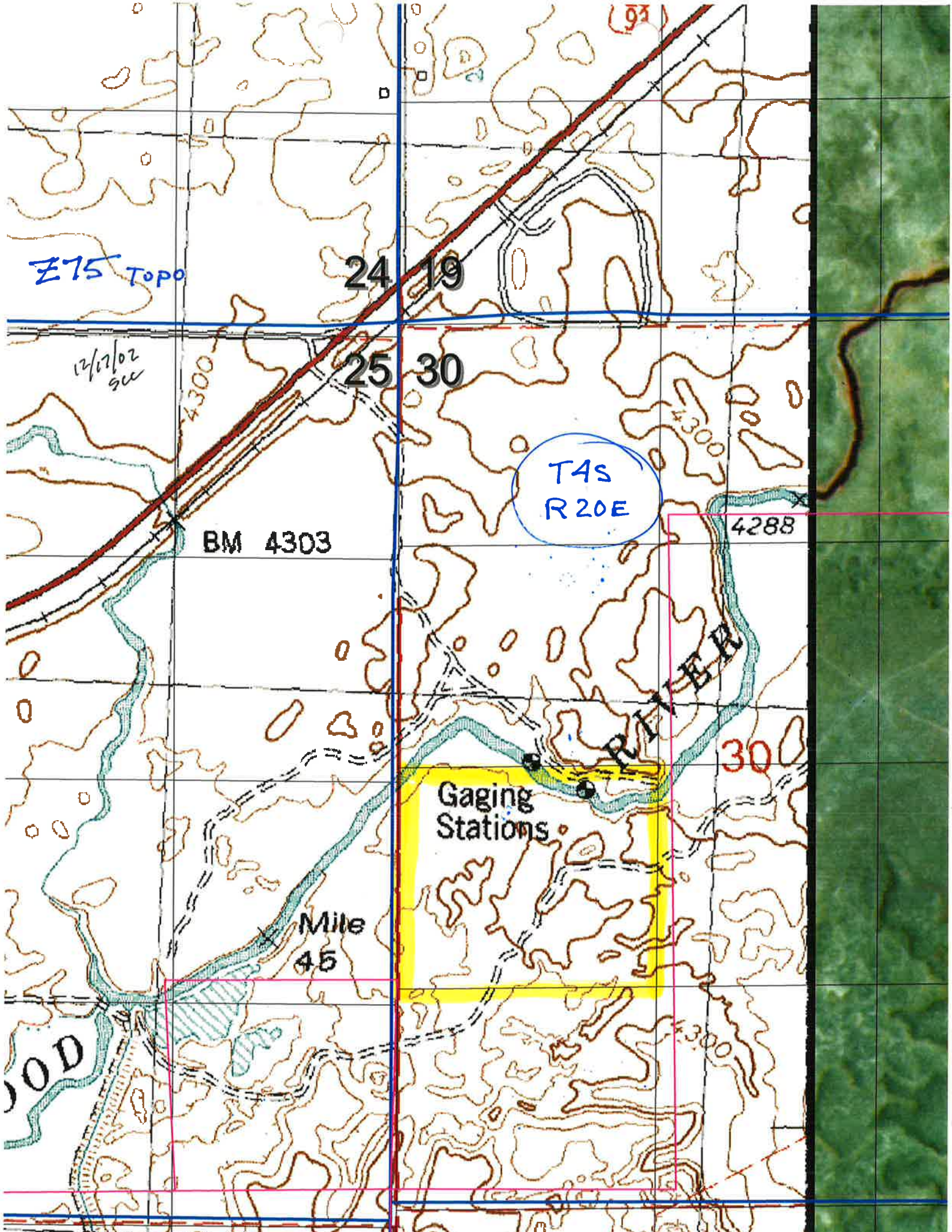
T3S
R21E

LITTLE WOOD R.

6

Wood





E75 Topo

12/17/02
SW

24 19

25 30

T4S
R20E

BM 4303

4288

Gaging
Stations

Mile
45

RIVER

30

OOD

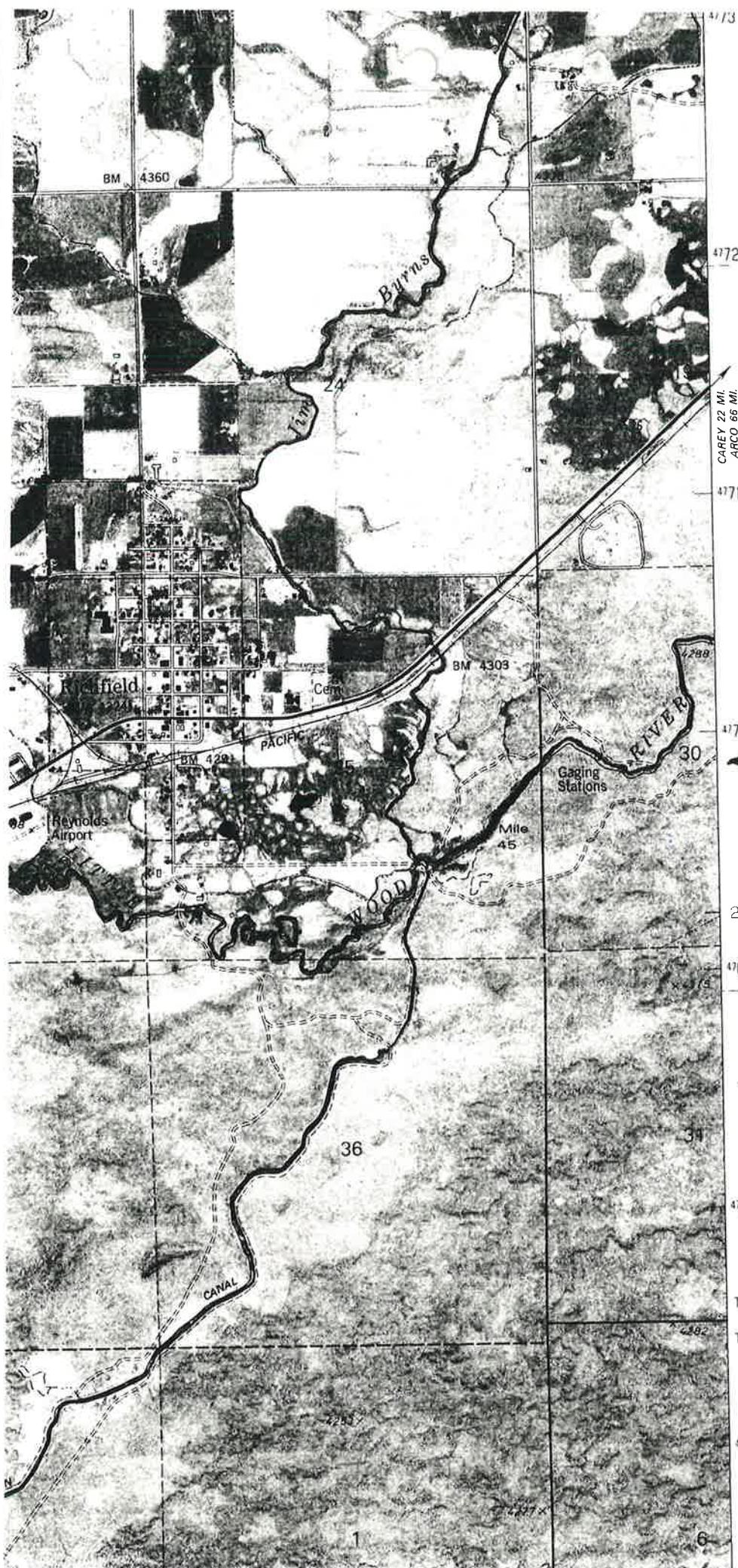


Photo: Aug 25, 1978

Scale: 1:78,000

NAD27

Z 75

← gaging stations

T4S

T5S