

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: A37-07728

Date Received: 5/22/1988

Receipt No: C002305

Received By: DP 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 13, 1978

3. Source: SILVER CREEK Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
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Beginning Point of Minimum Instream Flow					
01S	20E	22	SW SW	SE	BLAINE

Ending Point of Minimum Instream Flow					
02S	21E	20	NE NE	SW	BLAINE

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	74.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
N/MAINTAIN WILD TROUT REARING.

A37-07728

Page 1

Date: 06/30/88

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FEB 24 1993

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 RT. IS SUBJECT TO ALL PRIOR WATER RTS.
SAID WATERS TO BE MAINTAINED WITHIN THE REACH FROM THE HIGHWAY 93
BRIDGE, NESW, S20, T2S, R21E, UPSTREAM TO THE PICABO BRIDGE,
SWSE, S22, T1S, R20E, BLAINE CNTY.

15. Basis of Claim: LICENSE
Water Right Number:

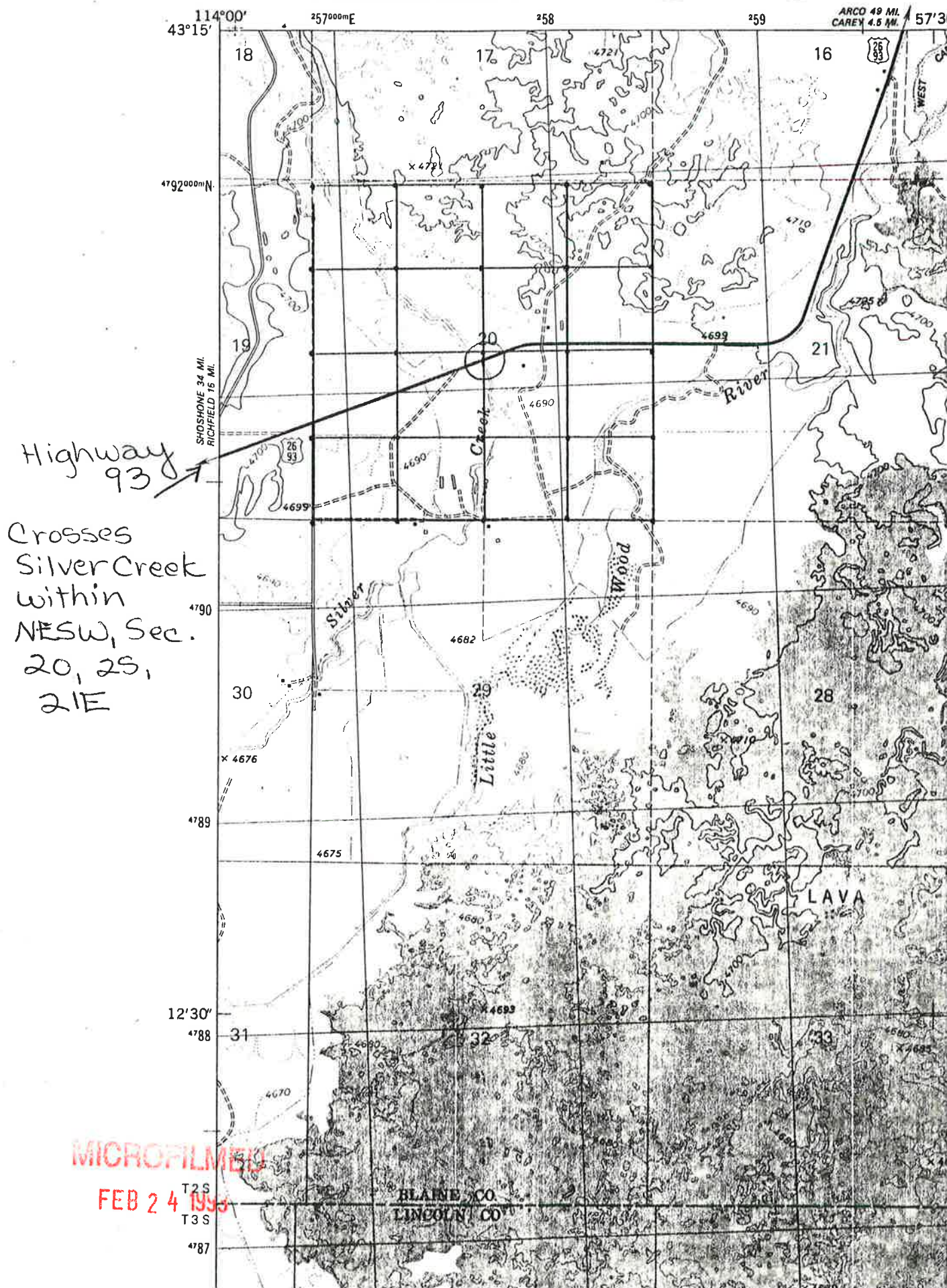
MICROFILMED
FEB 24 1993

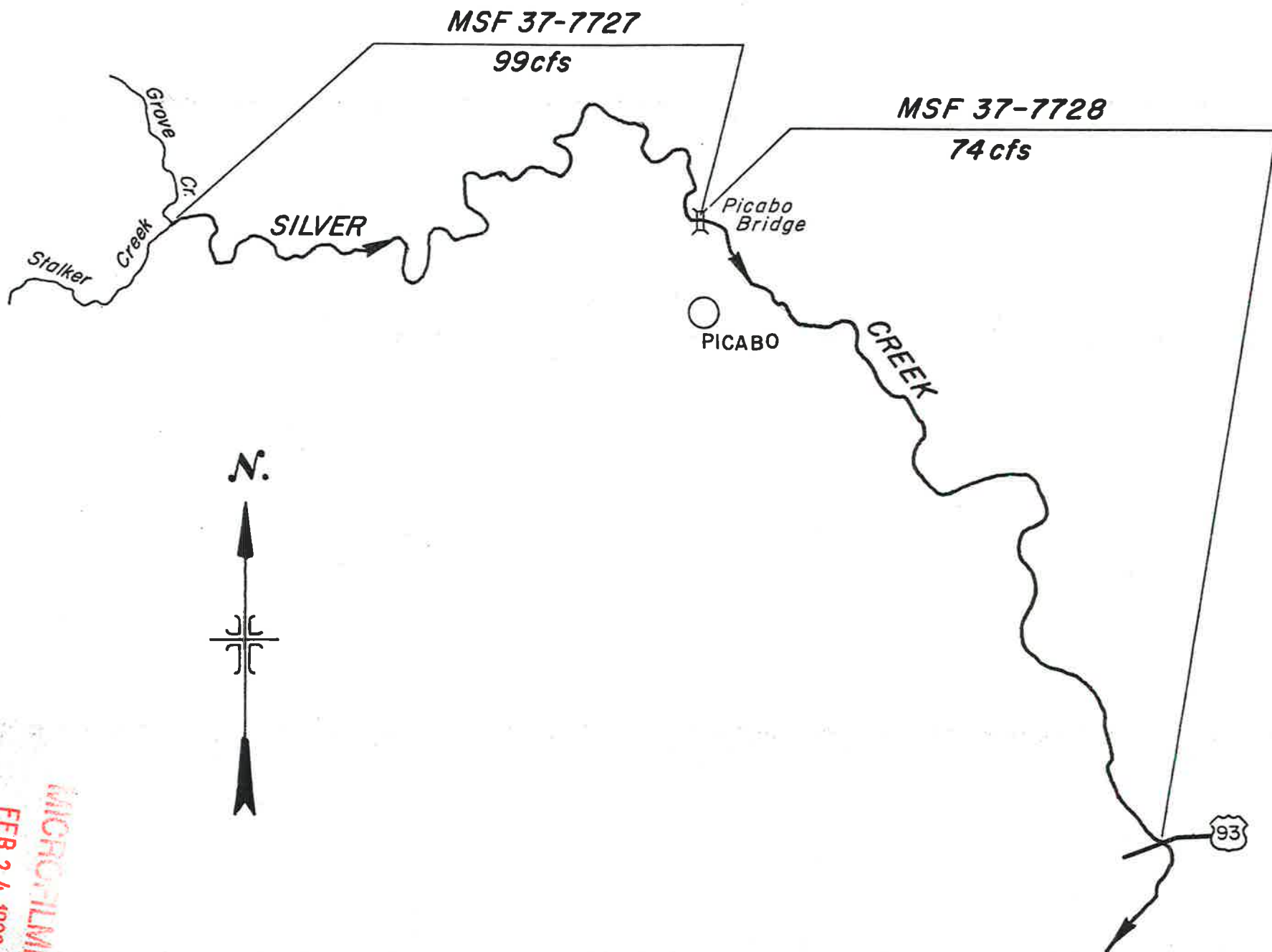
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

7/1/88
Date

Residing at Emmett
My Commission Expires 5/30/92

3170 I SE
(PICABO)





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FEB 24 1993

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

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)

12/16/2002

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

RIGHT NUMBER: 37-7728

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

SOURCE: SILVER CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 74.000 CFS

PRIORITY DATE: 09/13/1978

POINT OF DIVERSION:

T01S R20E S22 SWSWSE Begin of Stream Flow Within BLAINE County
T02S R21E S20 NENESW End of Stream Flow Within BLAINE 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	74.000 CFS

PLACE OF USE:

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

SAID WATERS TO BE MAINTAINED WITHIN THE REACH FROM THE
HIGHWAY 93 BRIDGE, NESW, SECTION 20, T2S, R21E, UPSTREAM TO
THE PICABO BRIDGE, SWSE, SECTION 22, T1S, R20E, BLAINE 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

12/16/02
SCC

I met w/ Shelley Keen & Jeff Peppersack
this day about the use of a listed POU.

They both agreed that none was necessary
and the simple Remark from the lic. is all
that is needed to describe the Right.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7728 Priority September 13, 1978 Amount 74.0 cfs

THIS IS TO CERTIFY, that Idaho Water Resources Board
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 37-7728 issued pursuant to Application for Permit dated September 13, 1978,
and has submitted proof to the Department of Water Resources on January 31, 1984,
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 Silver Creek,
tributary to Little 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
Instream Flow	from <u>January 1</u> to <u>December 31</u>	at <u>74.0</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 74.0 cfs of water be ~~diverted~~ ^{maintained} at any one time, and
that the amount of water so ~~diverted~~ ^{maintained} 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, said waters to
be maintained within the reach from the Highway 93 Bridge, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20,
Twp 2S, Rge 21E, upstream to the Picabo Bridge, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, Twp 1S,
Rge 20E, Blaine 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 _____

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

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

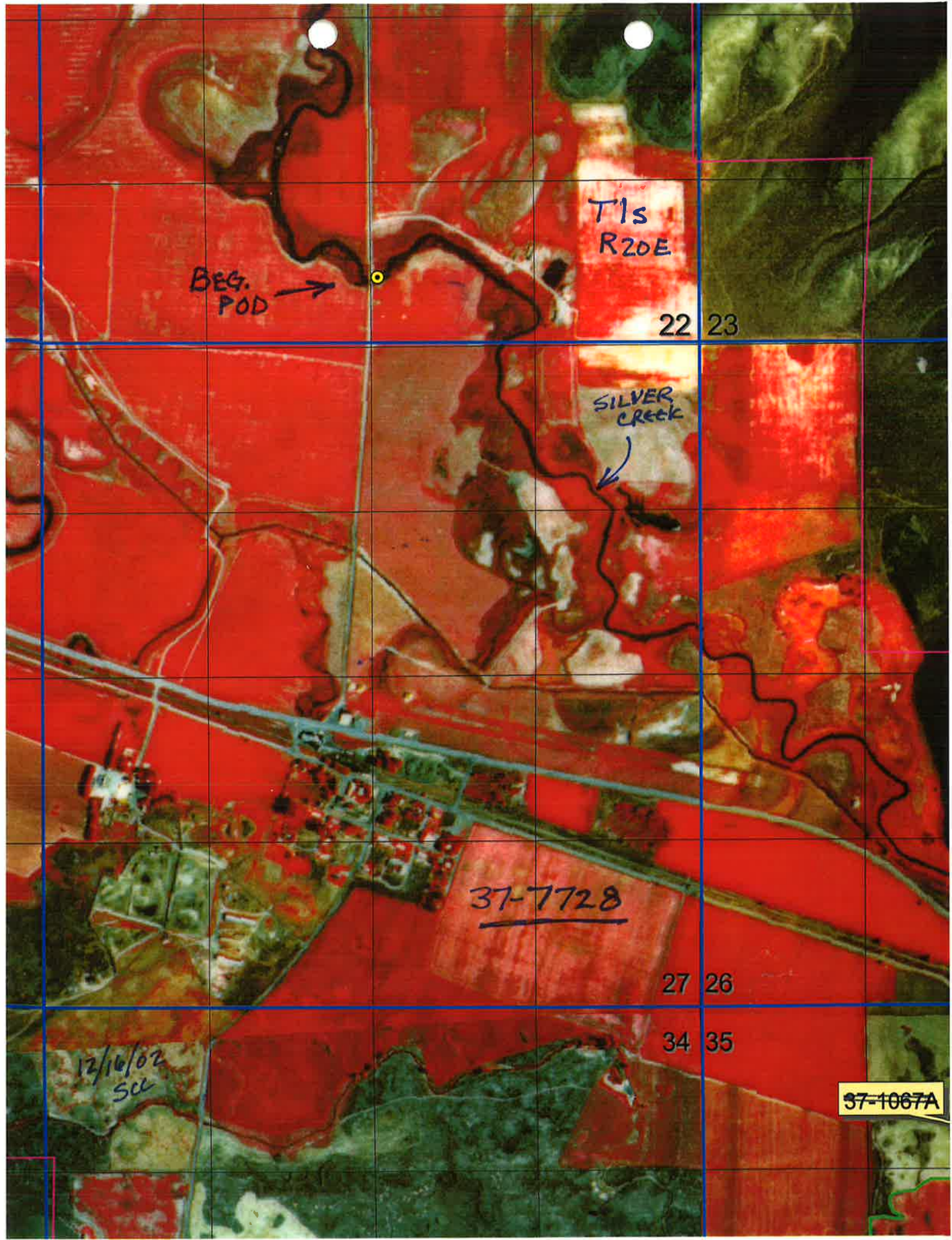
NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 26th day of
June, 19 84.

MICROFILMED


Director



T1s
R20E

BEG.
POD →

22 23

SILVER
CREEK
↙

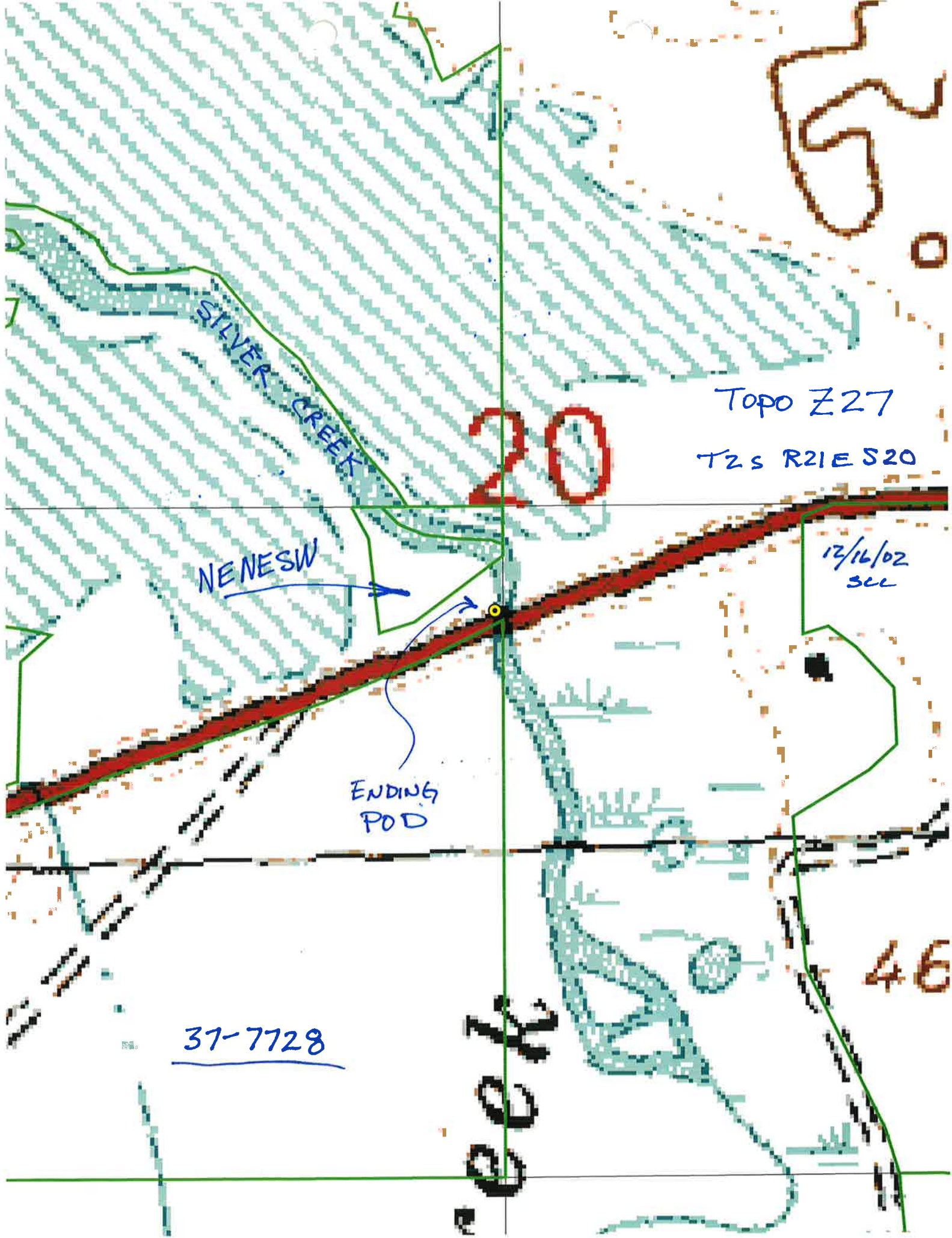
37-7728

27 26

34 35

12/16/02
SCL

37-1067A



SILVER CREEK

20

Topo Z27

T2S R21E S20

NENESW

12/16/02
SLL

ENDING
POD

46

37-7728