

7

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: A37-08271

Date Received:

Receipt No:

Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STATE OF IDAHO
Address: DEPT. OF FISH & GAME
P.O. BOX 25
BOISE, ID

83707

2. Date of Priority: AUG 13, 1986

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	19E	13	SE	NW			BLAINE

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
FISH PROPAGATION	01/01	12/31	3.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
FISH/6 RACEWAYS 2' X 7' X 100', 6 RACEWAYS 3' X 12' X 400'

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	13	SE	NW		FISH	

11. Place of use in counties: BLAINE

A37-08271

Page 1

Date: 07/16/90

MICROFILMED
FEB 24 1993

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

13. Other Water Rights Used:

31871 LOVING CREEK, 20272 SPRING, AND 37-7038 (2 WELLS)

14. Remarks:

USE OF WATER UNDER THIS PERMIT DOES NOT AUTHORIZE EXPANSION
OF THE EXISTING FISH FACILITY.

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 _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of

Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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 _____

#8000

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: A37-08271
Date Received: 2/15/1989
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STATE OF IDAHO
Address: DEPT. OF FISH & GAME
P.O. BOX 25
BOISE, ID

83707-0000

2. Date of Priority: AUG 13, 1986

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	19E	13	SE	NW			BLAINE

5. Description of diverting works: Well
PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
FISH PROPAGATION	01/01	12/31	3.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses: Fish propagation 6 Raceways 2'x7'x100'
6 Raceways 3'x12'x400'

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	13	SE	NW		FISH	

11. Place of use in counties: BLAINE

A37-08271

Page 1

Date: 02/15/89

MICROFILMED
FEB 24 1993

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

13. Other Water Rights Used:

31871 LOVING CREEK, 20272 SPRING, AND 37-7038 (2 WELLS)

14. Remarks:

USE OF WATER UNDER THIS PERMIT DOES NOT AUTHORIZE EXPANSION
OF THE EXISTING FISH FACILITY.

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 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: _____

For Organizations:

I do solemnly swear or affirm that I am Director of
IDAHO DEPT. OF FISH & GAME Title

Organization, that I have signed the foregoing
document in the space below as Director of
IDAHO DEPT. OF FISH & GAME Title
Organization and that the statements contained in the
foregoing document are true and correct.

Director,

Signature of Authorized Agent
IDAHO DEPT. OF FISH & GAME

Title and Organization

June 20, 1990
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 20th day

of June 19 90

Marathys Baker
Notary Public

Seal

Residing at Emmett Idaho

My Commission Expires October 31, 1991

11/13/2006

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

RIGHT NUMBER: 37-8271

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.000 CFS
724.000 AFY

PRIORITY DATE: 08/23/1986

POINT OF DIVERSION:

T01S R19E S13 SENW Within BLAINE County

Right 37-7038 is also diverted through the point of diversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FISH PROPAGATION	01/01 12/31	1.000 CFS 724.00 AFY

Use of water under this right shall be non-consumptive.

PLACE OF USE: FISH PROPAGATION in BLAINE County

T01S R19E S13 SENW

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: BASIS OF CLAIM - License

Should the use of the water on this right reduce the quality of water available to prior water rights and make it unusable to satisfy the prior appropriations, the right holder shall cease diversion under this right.

The right holder shall not divert water at a rate exceeding what is reasonably necessary for the beneficial use authorized by this right.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-08271

Priority: August 23, 1986

Maximum Diversion Rate: 1.00 CFS
Maximum Diversion Volume: 724.0 AF

It is hereby certified that STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 12, 1986; and has submitted Proof of Beneficial Use on September 11, 1992. An examination indicates that the works have a diversion capacity of 3.0 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
FISH PROPAGATION	01/01 to 12/31	1.00 CFS	724.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 13, Twp 01S, Rge 19E, B.M. BLAINE County

PLACE OF USE: FISH PROPAGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S 19E 13								X									

CONDITIONS OF APPROVAL

1. Use of water under this right shall be non-consumptive.
2. The right holder shall not divert water at a rate exceeding what is reasonably necessary for the beneficial use authorized by this right.
3. Should the use of the water on this right reduce the quality of water available to prior water rights and make it unusable to satisfy the prior appropriations, the right holder shall cease diversion under this right.
4. Right 37-7038 is also diverted through the point of diversion described above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 12th day of September, 2006.


For **KARL J. DREHER**
Director