



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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4/1	4/30	298.000 CFS
5/1	5/31	765.000 CFS
6/1	6/30	787.000 CFS
7/1	7/31	215.000 CFS
8/1	8/31	83.000 CFS
9/1	9/30	61.000 CFS
10/1	10/31	57.000 CFS
11/1	11/30	59.000 CFS
12/1	12/31	52.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
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5/1	5/31	84.000 CFS
6/1	6/30	88.000 CFS
7/1	7/31	22.000 CFS
8/1	8/31	10.000 CFS
9/1	9/30	7.000 CFS
10/1	10/31	7.000 CFS
11/1	11/30	7.000 CFS
12/1	12/31	6.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

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IDAHO DEPARTMENT OF WATER RESOURCES  
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4/1	4/30	108.000 CFS
5/1	5/31	275.000 CFS
6/1	6/30	287.000 CFS
7/1	7/31	76.000 CFS
8/1	8/31	29.000 CFS
9/1	9/30	22.000 CFS
10/1	10/31	21.000 CFS
11/1	11/30	21.000 CFS
12/1	12/31	19.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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IDAHO DEPARTMENT OF WATER RESOURCES  
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5/1	5/31	73.000 CFS
6/1	6/30	75.000 CFS
7/1	7/31	20.000 CFS
8/1	8/31	8.000 CFS
9/1	9/30	6.000 CFS
10/1	10/31	5.000 CFS
11/1	11/30	6.000 CFS
12/1	12/31	5.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

**PLACE OF USE:**

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

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IDAHO DEPARTMENT OF WATER RESOURCES  
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4/1	4/30	115.000 CFS
5/1	5/31	305.000 CFS
6/1	6/30	313.000 CFS
7/1	7/31	82.000 CFS
8/1	8/31	35.000 CFS
9/1	9/30	26.000 CFS
10/1	10/31	24.000 CFS
11/1	11/30	25.000 CFS
12/1	12/31	23.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

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IDAHO DEPARTMENT OF WATER RESOURCES  
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	10/1	10/31		12.500 CFS
	11/1	11/30		12.800 CFS
	12/1	12/31		12.800 CFS

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IDAHO DEPARTMENT OF WATER RESOURCES  
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4/1	4/30	22.000 CFS
5/1	5/31	57.000 CFS
6/1	6/30	59.000 CFS
7/1	7/31	15.000 CFS
8/1	8/31	6.600 CFS
9/1	9/30	5.000 CFS
10/1	10/31	4.600 CFS
11/1	11/30	4.800 CFS
12/1	12/31	4.300 CFS

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

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4/1	4/30	12.100 CFS
5/1	5/31	31.000 CFS
6/1	6/30	32.000 CFS
7/1	7/31	8.000 CFS
8/1	8/31	3.600 CFS
9/1	9/30	2.700 CFS
10/1	10/31	2.500 CFS
11/1	11/30	2.600 CFS
12/1	12/31	2.400 CFS

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IDAHO DEPARTMENT OF WATER RESOURCES  
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11/1 11/30 5.400 CFS

12/1 12/31 5.300 CFS

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

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PLACE OF USE:

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute

IDAHO DEPARTMENT OF WATER RESOURCES  
PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 71-10895

NAME AND ADDRESS: STATE OF IDAHO  
IDAHO WATER RESOURCE BOARD  
322 E FRONT ST  
PO BOX 83720  
BOISE ID 83720-0098

SOURCE: GOAT CREEK

TRIBUTARY: VALLEY CREEK

QUANTITY: 10.500 CFS

While the instream flows are to be decreed in cubic feet per second (cfs), such quantities are intended to reflect the percentages of the unimpaired exceedence flows at the quantification point described in this water right. The unimpaired exceedence flows were estimated using regional regression equations developed by the United States Geological Service. Upon further finding and order of the director that gaging stations are required to maintain the approved minimum flows under this right, such measuring devices shall be permanently installed and maintained as specified by the director. If actual flow data become available, the quantities in this water right will be adjusted as necessary to give effect to the exceedence assumption stated above. Such adjustments do not result in a material change to the water right and are not subject to the notice and hearing requirements set forth in this partial decree, but shall comply with the notice and consultation requirements of Section 42-1507(4), Idaho Code.

PRIORITY DATE: 04/01/2005

Use of water under this right shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file or issued by the director under the provisions of Chapter 2, Title 42, Idaho Code, with a priority of water right date earlier than the date of priority of this right.

POINT OF

DIVERSION: T10N R13E S4 SESWSE End of Stream Flow Within Custer County

There are no diversions associated with this minimum stream flow water right. The quantification point for this instream flow water right is at the above location.

PURPOSE AND  
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MINIMUM STREAM FLOW	1/1 1/31	2.300 CFS
	2/1 2/28	2.100 CFS
	3/1 3/31	2.200 CFS
	4/1 4/30	3.800 CFS
	5/1 5/31	7.400 CFS
	6/1 6/30	10.500 CFS
	7/1 7/31	4.500 CFS
	8/1 8/31	3.000 CFS
	9/1 9/30	3.000 CFS
	10/1 10/31	2.800 CFS

IDAHO DEPARTMENT OF WATER RESOURCES  
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11/1 11/30 2.800 CFS

12/1 12/31 2.700 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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IDAHO DEPARTMENT OF WATER RESOURCES  
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	10/1 10/31	5.100 CFS
	11/1 11/30	4.900 CFS
	12/1 12/31	4.900 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

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7/1	7/31	2,100.000 CFS
8/1	8/31	703.000 CFS
9/1	9/30	625.000 CFS
10/1	10/31	706.000 CFS
11/1	11/30	669.000 CFS
12/1	12/31	601.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality.

PLACE OF USE:

The place of use of the minimum stream flow water right is stream reach from the beginning quantification point to the ending quantification point identified above.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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10/1	10/31	4.300 CFS
11/1	11/30	4.500 CFS
12/1	12/31	4.000 CFS
1/1	1/31	3.800 CFS
2/1	2/28	3.700 CFS
3/1	3/31	6.400 CFS
4/1	4/30	21.000 CFS
5/1	5/31	54.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

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5/1	5/31	57.000 CFS
6/1	6/30	59.000 CFS
7/1	7/31	15.000 CFS
8/1	8/31	6.600 CFS
9/1	9/30	5.000 CFS
10/1	10/31	4.600 CFS
11/1	11/30	4.800 CFS
12/1	12/31	4.200 CFS

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

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5/1	5/31	640.000 CFS
6/1	6/30	702.000 CFS
7/1	7/31	169.000 CFS
8/1	8/31	83.000 CFS
9/1	9/30	62.000 CFS
10/1	10/31	56.000 CFS
11/1	11/30	52.000 CFS
12/1	12/31	45.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

7/1	7/31	1,320.000 CFS
8/1	8/31	453.000 CFS
9/1	9/30	405.000 CFS
10/1	10/31	447.000 CFS
11/1	11/30	436.000 CFS
12/1	12/31	391.000 CFS

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute





IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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5/1	5/31	437.000 CFS
6/1	6/30	1,014.000 CFS
7/1	7/31	462.000 CFS
8/1	8/31	198.000 CFS
9/1	9/30	144.000 CFS
10/1	10/31	139.000 CFS
11/1	11/30	125.000 CFS
12/1	12/31	100.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use of the minimum stream flow water right is stream reach from the beginning quantification point to the ending quantification point identified above.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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5/1	5/31	98.000 CFS
6/1	6/30	217.000 CFS
7/1	7/31	92.000 CFS
8/1	8/31	47.000 CFS
9/1	9/30	34.000 CFS
10/1	10/31	27.000 CFS
11/1	11/30	26.000 CFS
12/1	12/31	23.000 CFS

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

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PLACE OF USE:

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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4/1	4/30	51.000 CFS
5/1	5/31	196.000 CFS
6/1	6/30	528.000 CFS
7/1	7/31	351.000 CFS
8/1	8/31	135.000 CFS
9/1	9/30	74.000 CFS
10/1	10/31	63.000 CFS
11/1	11/30	52.000 CFS

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	40.000 CFS
6/1	6/30	91.000 CFS
7/1	7/31	39.000 CFS
8/1	8/31	20.000 CFS
9/1	9/30	13.000 CFS
10/1	10/31	11.000 CFS
11/1	11/30	10.000 CFS
12/1	12/31	9.000 CFS

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute





IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

4/1	4/30	23.000 CFS
5/1	5/31	88.000 CFS
6/1	6/30	238.000 CFS
7/1	7/31	157.000 CFS
8/1	8/31	62.000 CFS
9/1	9/30	34.000 CFS
10/1	10/31	29.000 CFS
11/1	11/30	24.000 CFS
12/1	12/31	19.000 CFS

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute

IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-14184  
 NAME AND ADDRESS: STATE OF IDAHO  
 IDAHO WATER RESOURCE BOARD  
 322 E FRONT ST  
 PO BOX 83720  
 BOISE ID 83720-0098

SOURCE: NORTH FORK SALMON RIVER                      TRIBUTARY: SALMON RIVER

QUANTITY: 366.000 CFS  
 Future non-DCMI = 3.9

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 3.9 cfs based on 10 percent of the lowest unimpaired median monthly flow or the amount available above a base flow which is equivalent to the unimpaired monthly 80% exceedence flow whichever is less. The 80% monthly exceedence flows are as follows: Jan - 33 cfs, Feb - 33 cfs, Mar - 40 cfs, Apr - 80 cfs, May - 212 cfs, Jun - 164 cfs, Jul - 43 cfs, Aug - 29 cfs, Sep - 30 cfs, Oct - 36 cfs, Nov - 39 cfs, and Dec - 33 cfs.

While the instream flow and the future allocation for non-DCMI uses and base flows are to be decreed in cubic feet per second (cfs), such quantities are intended to reflect the percentages of the unimpaired exceedence flows at the quantification point described in this water right. The unimpaired exceedence flows were estimated using regional regression equations developed by the United States Geological Service. Upon further finding and order of the director that gaging stations are required to maintain the approved minimum flows under this right, such measuring devices shall be permanently installed and maintained as specified by the director. If actual flow data become available, the quantities in this water right will be adjusted as necessary to give effect to the exceedence assumption stated above. Such adjustments do not result in a material change to the water right and are not subject to the notice and hearing requirements set forth in this partial decree, but shall comply with the notice and consultation requirements of Section 42-1507(4), Idaho Code.

PRIORITY DATE: 04/01/2005

Use of water under this right shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file or issued by the director under the provisions of Chapter 2, Title 42, Idaho Code, with a priority of water right date earlier than the date of priority of this right.

POINT OF DIVERSION: T24N R21E S16 SWSWSW End of Stream Flow Within Lemhi County

There are no diversions associated with this minimum stream flow water right. The quantification point for this instream flow water right is at the above location.

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MINIMUM STREAM FLOW	1/1 1/31	42.000 CFS
	2/1 2/28	41.000 CFS
	3/1 3/31	53.000 CFS

IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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4/1	4/30	144.000 CFS
5/1	5/31	366.000 CFS
6/1	6/30	335.000 CFS
7/1	7/31	86.000 CFS
8/1	8/31	47.000 CFS
9/1	9/30	42.000 CFS
10/1	10/31	46.000 CFS
11/1	11/30	49.000 CFS
12/1	12/31	44.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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4/1	4/30	21.000 CFS
5/1	5/31	54.000 CFS
6/1	6/30	49.000 CFS
7/1	7/31	12.000 CFS
8/1	8/31	7.000 CFS
9/1	9/30	6.000 CFS
10/1	10/31	7.000 CFS
11/1	11/30	7.000 CFS

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	925.000 CFS
6/1	6/30	1,297.000 CFS
7/1	7/31	431.000 CFS
8/1	8/31	201.000 CFS
9/1	9/30	158.000 CFS
10/1	10/31	143.000 CFS
11/1	11/30	153.000 CFS
12/1	12/31	131.000 CFS

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

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PLACE OF USE:

The place of use of the minimum stream flow water right is stream reach from the beginning quantification point to the ending quantification point identified above.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute





IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

7/1	7/31	2,630.000 CFS
8/1	8/31	899.000 CFS
9/1	9/30	871.000 CFS
10/1	10/31	1,120.000 CFS
11/1	11/30	1,200.000 CFS
12/1	12/31	1,050.000 CFS

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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4/1	4/30	77.000 CFS
5/1	5/31	193.000 CFS
6/1	6/30	173.000 CFS
7/1	7/31	45.000 CFS
8/1	8/31	24.000 CFS
9/1	9/30	22.000 CFS
10/1	10/31	24.000 CFS
11/1	11/30	25.000 CFS
12/1	12/31	23.000 CFS

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

---

4/1	4/30	12.000 CFS
5/1	5/31	53.000 CFS
6/1	6/30	108.000 CFS
7/1	7/31	45.000 CFS
8/1	8/31	22.000 CFS
9/1	9/30	16.000 CFS
10/1	10/31	12.000 CFS
11/1	11/30	12.000 CFS
12/1	12/31	10.000 CFS

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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4/1	4/30	172.000 CFS
5/1	5/31	741.000 CFS
6/1	6/30	637.000 CFS
7/1	7/31	147.000 CFS
8/1	8/31	49.000 CFS
9/1	9/30	41.000 CFS
10/1	10/31	42.000 CFS
11/1	11/30	40.000 CFS
12/1	12/31	34.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute





IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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4/1	4/30	72.000 CFS
5/1	5/31	335.000 CFS
6/1	6/30	350.000 CFS
7/1	7/31	107.000 CFS
8/1	8/31	35.000 CFS
9/1	9/30	26.000 CFS
10/1	10/31	32.000 CFS
11/1	11/30	31.000 CFS
12/1	12/31	24.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

**PLACE OF USE:**

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

**EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute**



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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5/1	5/31	382.000 CFS
6/1	6/30	400.000 CFS
7/1	7/31	124.000 CFS
8/1	8/31	40.000 CFS
9/1	9/30	30.000 CFS
10/1	10/31	36.000 CFS
11/1	11/30	34.000 CFS
12/1	12/31	27.000 CFS
1/1	1/31	23.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute

IDAHO DEPARTMENT OF WATER RESOURCES  
PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 77-14170  
NAME AND ADDRESS: STATE OF IDAHO  
IDAHO WATER RESOURCE BOARD  
322 E FRONT ST  
PO BOX 83720  
BOISE ID 83720-0098

SOURCE: WEST FORK CHAMBERLAIN CREEK                      TRIBUTARY: CHAMBERLAIN CREEK

QUANTITY: 167.000 CFS  
Future non-DCMI = 0.3

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 0.3 cfs based on 5 percent of the lowest unimpaired median monthly flow or the amount available above a base flow which is equivalent to the unimpaired monthly 80% exceedence flow whichever is less. The 80% monthly exceedence flows are as follows: Jan - 5 cfs, Feb - 5 cfs, Mar - 5 cfs, Apr - 19 cfs, May - 83 cfs, Jun - 64 cfs, Jul - 15 cfs, Aug - 7 cfs, Sep - 6 cfs, Oct - 7 cfs, Nov - 7 cfs, and Dec - 5 cfs.

While the instream flow and the future allocation for non-DCMI uses and base flows are to be decreed in cubic feet per second (cfs), such quantities are intended to reflect the percentages of the unimpaired exceedence flows at the quantification point described in this water right. The unimpaired exceedence flows were estimated using regional regression equations developed by the United States Geological Service. Upon further finding and order of the director that gaging stations are required to maintain the approved minimum flows under this right, such measuring devices shall be permanently installed and maintained as specified by the director. If actual flow data become available, the quantities in this water right will be adjusted as necessary to give effect to the exceedence assumption stated above. Such adjustments do not result in a material change to the water right and are not subject to the notice and hearing requirements set forth in this partial decree, but shall comply with the notice and consultation requirements of Section 42-1507(4), Idaho Code.

PRIORITY DATE: 04/01/2005

Use of water under this right shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file or issued by the director under the provisions of Chapter 2, Title 42, Idaho Code, with a priority of water right date earlier than the date of priority of this right.

POINT OF DIVERSION: T24N R10E S36 SWNE End of Stream Flow Within Idaho County

There are no diversions associated with this minimum stream flow water right. The quantification point for this instream flow water right is at the above location.

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MINIMUM STREAM FLOW	1/1 1/31	7.000 CFS
	2/1 2/28	6.000 CFS
	3/1 3/31	7.000 CFS
	4/1 4/30	41.000 CFS

IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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5/1	5/31	167.000 CFS
6/1	6/30	150.000 CFS
7/1	7/31	35.000 CFS
8/1	8/31	11.000 CFS
9/1	9/30	9.000 CFS
10/1	10/31	10.000 CFS
11/1	11/30	9.000 CFS
12/1	12/31	8.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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5/1	5/31	992.000 CFS
6/1	6/30	1,374.000 CFS
7/1	7/31	474.000 CFS
8/1	8/31	211.000 CFS
9/1	9/30	159.000 CFS
10/1	10/31	143.000 CFS
11/1	11/30	142.000 CFS
12/1	12/31	131.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute





IDAHO DEPARTMENT OF WATER RESOURCES  
PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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5/1	5/31	801.000 CFS
6/1	6/30	712.000 CFS
7/1	7/31	192.000 CFS
8/1	8/31	95.000 CFS
9/1	9/30	84.000 CFS
10/1	10/31	92.000 CFS
11/1	11/30	97.000 CFS
12/1	12/31	88.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	396.000 CFS
6/1	6/30	421.000 CFS
7/1	7/31	122.000 CFS
8/1	8/31	45.000 CFS
9/1	9/30	34.000 CFS
10/1	10/31	41.000 CFS
11/1	11/30	39.000 CFS
12/1	12/31	30.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

**PLACE OF USE:**

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

**EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute**

IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 77-14174  
 NAME AND ADDRESS: STATE OF IDAHO  
 IDAHO WATER RESOURCE BOARD  
 322 E FRONT ST  
 PO BOX 83720  
 BOISE ID 83720-0098

SOURCE: SOUTH FORK SALMON RIVER                      TRIBUTARY: SALMON RIVER

QUANTITY: 5,691.000 CFS  
 Future non-DCMI = 20.6

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 20.6 cfs based on 5 percent of the lowest unimpaired median monthly flow or the amount available above a base flow which is equivalent to the unimpaired monthly 80% exceedence flow whichever is less. The 80% monthly exceedence flows are as follows: Jan - 376 cfs, Feb - 368 cfs, Mar - 503 cfs, Apr - 1272 cfs, May - 3304 cfs, Jun - 2756 cfs, Jul - 752 cfs, Aug - 375 cfs, Sep - 319 cfs, Oct - 373 cfs, Nov - 429 cfs, and Dec - 433 cfs.

While the instream flow and the future allocation for non-DCMI uses and base flows are to be decreed in cubic feet per second (cfs), such quantities are intended to reflect the percentages of the unimpaired exceedence flows at the quantification point described in this water right. The unimpaired exceedence flows were estimated using regional regression equations developed by the United States Geological Service. Upon further finding and order of the director that gaging stations are required to maintain the approved minimum flows under this right, such measuring devices shall be permanently installed and maintained as specified by the director. If actual flow data become available, the quantities in this water right will be adjusted as necessary to give effect to the exceedence assumption stated above. Such adjustments do not result in a material change to the water right and are not subject to the notice and hearing requirements set forth in this partial decree, but shall comply with the notice and consultation requirements of Section 42-1507(4), Idaho Code.

PRIORITY DATE: 04/01/2005

Use of water under this right shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file or issued by the director under the provisions of Chapter 2, Title 42, Idaho Code, with a priority of water right date earlier than the date of priority of this right.

POINT OF DIVERSION: T19N R06E S9 SWSENE Begin of Stream Flow Within VALLEY County  
 T24N R08E S31 SESENE End of Stream Flow Within Idaho County

There are no diversions associated with this minimum stream flow water right. The quantification point for this instream flow water right is at the above (End of Streamflow) location.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	477.000 CFS
	2/1 2/28	465.000 CFS
	3/1 3/31	672.000 CFS
	4/1 4/30	2,306.000 CFS

IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	5,691.000 CFS
6/1	6/30	5,620.000 CFS
7/1	7/31	1,498.000 CFS
8/1	8/31	594.000 CFS
9/1	9/30	443.000 CFS
10/1	10/31	469.000 CFS
11/1	11/30	540.000 CFS
12/1	12/31	575.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use of the minimum stream flow water right is stream reach from the beginning quantification point to the ending quantification point identified above.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	793.000 CFS
6/1	6/30	843.000 CFS
7/1	7/31	253.000 CFS
8/1	8/31	90.000 CFS
9/1	9/30	69.000 CFS
10/1	10/31	84.000 CFS
11/1	11/30	80.000 CFS
12/1	12/31	63.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute





IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	183.000 CFS
6/1	6/30	216.000 CFS
7/1	7/31	51.000 CFS
8/1	8/31	18.000 CFS
9/1	9/30	14.000 CFS
10/1	10/31	14.000 CFS
11/1	11/30	14.000 CFS
12/1	12/31	13.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	143.000 CFS
6/1	6/30	175.000 CFS
7/1	7/31	41.000 CFS
8/1	8/31	14.000 CFS
9/1	9/30	10.000 CFS
10/1	10/31	10.000 CFS
11/1	11/30	11.000 CFS
12/1	12/31	10.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute

IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 77-14178

NAME AND ADDRESS: STATE OF IDAHO  
 IDAHO WATER RESOURCE BOARD  
 322 E FRONT ST  
 PO BOX 83720  
 BOISE ID 83720-0098

SOURCE: BIG CREEK

TRIBUTARY: MIDDLE FORK SALMON RIVER

QUANTITY: 3,496.000 CFS

Future non-DCMI = 12.8

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 12.8 cfs based on 5 percent of the lowest unimpaired median monthly flow or the amount available above a base flow which is equivalent to the unimpaired monthly 80% exceedence flow whichever is less. The 80% monthly exceedence flows are as follows: Jan - 232 cfs, Feb - 216 cfs, Mar - 225 cfs, Apr - 355 cfs, May - 1239 cfs, Jun - 1484 cfs, Jul - 517 cfs, Aug - 302 cfs, Sep - 266 cfs, Oct - 267 cfs, Nov - 275 cfs, and Dec - 228 cfs.

While the instream flow and the future allocation for non-DCMI uses and base flows are to be decreed in cubic feet per second (cfs), such quantities are intended to reflect the percentages of the unimpaired exceedence flows at the quantification point described in this water right. The unimpaired exceedence flows were estimated using regional regression equations developed by the United States Geological Service. Upon further finding and order of the director that gaging stations are required to maintain the approved minimum flows under this right, such measuring devices shall be permanently installed and maintained as specified by the director. If actual flow data become available, the quantities in this water right will be adjusted as necessary to give effect to the exceedence assumption stated above. Such adjustments do not result in a material change to the water right and are not subject to the notice and hearing requirements set forth in this partial decree, but shall comply with the notice and consultation requirements of Section 42-1507(4), Idaho Code.

PRIORITY DATE: 04/01/2005

Use of water under this right shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file or issued by the director under the provisions of Chapter 2, Title 42, Idaho Code, with a priority of water right date earlier than the date of priority of this right.

POINT OF  
 DIVERSION:

T20N R14E S10 NWNWNE End of Stream Flow Within Valley County

T21N R09E S35 NESWNE Begin of Stream Flow Within Valley County

There are no diversions associated with this minimum stream flow water right. The quantification point for this instream flow water right is at the above (End of Streamflow) location.

PURPOSE AND  
 PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MINIMUM STREAM FLOW	1/1 1/31	317.000 CFS
	2/1 2/28	289.000 CFS
	3/1 3/31	324.000 CFS
	4/1 4/30	767.000 CFS

IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	2,510.000 CFS
6/1	6/30	3,496.000 CFS
7/1	7/31	1,242.000 CFS
8/1	8/31	527.000 CFS
9/1	9/30	398.000 CFS
10/1	10/31	363.000 CFS
11/1	11/30	371.000 CFS
12/1	12/31	327.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use of the minimum stream flow water right is stream reach from the beginning quantification point to the ending quantification point identified above.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	801.000 CFS
6/1	6/30	924.000 CFS
7/1	7/31	226.000 CFS
8/1	8/31	74.000 CFS
9/1	9/30	53.000 CFS
10/1	10/31	57.000 CFS
11/1	11/30	58.000 CFS
12/1	12/31	53.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute





IDAHO DEPARTMENT OF WATER RESOURCES  
PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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6/1	6/30	175.000 CFS
7/1	7/31	44.000 CFS
8/1	8/31	14.000 CFS
9/1	9/30	10.000 CFS
10/1	10/31	11.000 CFS
11/1	11/30	11.000 CFS
12/1	12/31	10.000 CFS
1/1	1/31	10.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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5/1	5/31	1,423.000 CFS
6/1	6/30	1,513.000 CFS
7/1	7/31	440.000 CFS
8/1	8/31	159.000 CFS
9/1	9/30	116.000 CFS
10/1	10/31	143.000 CFS
11/1	11/30	143.000 CFS
12/1	12/31	111.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use of the minimum stream flow water right is stream reach from the beginning quantification point to the ending quantification point identified above.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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5/1	5/31	191.000 CFS
6/1	6/30	212.000 CFS
7/1	7/31	53.000 CFS
8/1	8/31	18.000 CFS
9/1	9/30	12.000 CFS
10/1	10/31	13.000 CFS
11/1	11/30	13.000 CFS
12/1	12/31	13.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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5/1	5/31	193.000 CFS
6/1	6/30	195.000 CFS
7/1	7/31	59.000 CFS
8/1	8/31	21.000 CFS
9/1	9/30	16.000 CFS
10/1	10/31	19.000 CFS
11/1	11/30	18.000 CFS
12/1	12/31	15.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute





IDAHO DEPARTMENT OF WATER RESOURCES  
PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	586.000 CFS
6/1	6/30	687.000 CFS
7/1	7/31	169.000 CFS
8/1	8/31	55.000 CFS
9/1	9/30	40.000 CFS
10/1	10/31	42.000 CFS
11/1	11/30	43.000 CFS
12/1	12/31	39.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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5/1	5/31	122.000 CFS
6/1	6/30	138.000 CFS
7/1	7/31	32.000 CFS
8/1	8/31	12.000 CFS
9/1	9/30	10.000 CFS
10/1	10/31	11.000 CFS
11/1	11/30	11.000 CFS
12/1	12/31	9.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	112.000 CFS
6/1	6/30	130.000 CFS
7/1	7/31	32.000 CFS
8/1	8/31	12.000 CFS
9/1	9/30	8.000 CFS
10/1	10/31	9.000 CFS
11/1	11/30	9.000 CFS
12/1	12/31	8.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	112.000 CFS
6/1	6/30	140.000 CFS
7/1	7/31	32.000 CFS
8/1	8/31	12.000 CFS
9/1	9/30	8.000 CFS
10/1	10/31	9.000 CFS
11/1	11/30	9.000 CFS
12/1	12/31	8.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute





IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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4/1	4/30	34.000 CFS
5/1	5/31	152.000 CFS
6/1	6/30	162.000 CFS
7/1	7/31	50.000 CFS
8/1	8/31	18.000 CFS
9/1	9/30	14.000 CFS
10/1	10/31	16.000 CFS
11/1	11/30	15.000 CFS
12/1	12/31	12.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMU uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute

IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 77-14189  
 NAME AND ADDRESS: STATE OF IDAHO  
 IDAHO WATER RESOURCE BOARD  
 322 E FRONT ST  
 PO BOX 83720  
 BOISE ID 83720-0098

SOURCE: TAMARACK CREEK TRIBUTARY: EAST FORK SOUTH FORK SALMON RIVER

QUANTITY: 130.000 CFS  
 Future non-DCMI = 0.3

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 0.3 cfs based on 5 percent of the lowest unimpaired median monthly flow or the amount available above a base flow which is equivalent to the unimpaired monthly 80% exceedence flow whichever is less. The 80% monthly exceedence flows are as follows: Jan - 6 cfs, Feb - 6 cfs, Mar - 6 cfs, Apr - 14 cfs, May - 65 cfs, Jun - 64 cfs, Jul - 16 cfs, Aug - 7 cfs, Sep - 6 cfs, Oct - 7 cfs, Nov - 7 cfs, and Dec - 6 cfs.

While the instream flow and the future allocation for non-DCMI uses and base flows are to be decreed in cubic feet per second (cfs), such quantities are intended to reflect the percentages of the unimpaired exceedence flows at the quantification point described in this water right. The unimpaired exceedence flows were estimated using regional regression equations developed by the United States Geological Service. Upon further finding and order of the director that gaging stations are required to maintain the approved minimum flows under this right, such measuring devices shall be permanently installed and maintained as specified by the director. If actual flow data become available, the quantities in this water right will be adjusted as necessary to give effect to the exceedence assumption stated above. Such adjustments do not result in a material change to the water right and are not subject to the notice and hearing requirements set forth in this partial decree, but shall comply with the notice and consultation requirements of Section 42-1507(4), Idaho Code.

PRIORITY DATE: 04/01/2005

Use of water under this right shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file or issued by the director under the provisions of Chapter 2, Title 42, Idaho Code, with a priority of water right date earlier than the date of priority of this right.

POINT OF DIVERSION: T19N R09E S29 SENWNW End of Stream Flow Within Valley County

There are no diversions associated with this minimum stream flow water right. The quantification point for this instream flow water right is at the above location.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	8.000 CFS
	2/1 2/28	7.000 CFS
	3/1 3/31	8.000 CFS
	4/1 4/30	25.000 CFS

IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	112.000 CFS
6/1	6/30	130.000 CFS
7/1	7/31	31.000 CFS
8/1	8/31	11.000 CFS
9/1	9/30	8.000 CFS
10/1	10/31	9.000 CFS
11/1	11/30	9.000 CFS
12/1	12/31	8.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute

IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 77-14190

NAME AND ADDRESS: STATE OF IDAHO  
 IDAHO WATER RESOURCE BOARD  
 322 E FRONT ST  
 PO BOX 83720  
 BOISE ID 83720-0098

SOURCE: EAST FORK SOUTH FORK SALMON RIVER      TRIBUTARY: SOUTH FORK SALMON RIVER

QUANTITY: 2,269.000 CFS  
 Future non-DCMI = 8.2

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 8.2 cfs based on 5 percent of the lowest unimpaired median monthly flow or the amount available above a base flow which is equivalent to the unimpaired monthly 80% exceedence flow whichever is less. The 80% monthly exceedence flows are as follows: Jan - 200 cfs, Feb - 184 cfs, Mar - 218 cfs, Apr - 345 cfs, May - 1062 cfs, Jun - 1113 cfs, Jul - 296 cfs, Aug - 141 cfs, Sep - 129 cfs, Oct - 138 cfs, Nov - 170 cfs, and Dec - 167 cfs.

While the instream flow and the future allocation for non-DCMI uses and base flows are to be decreed in cubic feet per second (cfs), such quantities are intended to reflect the percentages of the unimpaired exceedence flows at the quantification point described in this water right. The unimpaired exceedence flows were estimated using regional regression equations developed by the United States Geological Service. Upon further finding and order of the director that gaging stations are required to maintain the approved minimum flows under this right, such measuring devices shall be permanently installed and maintained as specified by the director. If actual flow data become available, the quantities in this water right will be adjusted as necessary to give effect to the exceedence assumption stated above. Such adjustments do not result in a material change to the water right and are not subject to the notice and hearing requirements set forth in this partial decree, but shall comply with the notice and consultation requirements of Section 42-1507(4), Idaho Code.

PRIORITY DATE: 04/01/2005

Use of water under this right shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file or issued by the director under the provisions of Chapter 2, Title 42, Idaho Code, with a priority of water right date earlier than the date of priority of this right.

POINT OF DIVERSION: T19N R06E S3 SESWNW End of Stream Flow Within Valley County

There are no diversions associated with this minimum stream flow water right. The quantification point for this instream flow water right is at the above location.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	8/1 8/31	223.000 CFS
	9/1 9/30	179.000 CFS
	10/1 10/31	173.000 CFS
	11/1 11/30	214.000 CFS

IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

12/1	12/31	222.000 CFS
7/1	7/31	590.000 CFS
1/1	1/31	254.000 CFS
2/1	2/28	232.000 CFS
3/1	3/31	291.000 CFS
4/1	4/30	625.000 CFS
5/1	5/31	1,829.000 CFS
6/1	6/30	2,269.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	155.000 CFS
6/1	6/30	187.000 CFS
7/1	7/31	55.000 CFS
8/1	8/31	26.000 CFS
9/1	9/30	19.000 CFS
10/1	10/31	19.000 CFS
11/1	11/30	16.000 CFS
12/1	12/31	16.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute





IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	1,829.000 CFS
6/1	6/30	2,161.000 CFS
7/1	7/31	590.000 CFS
8/1	8/31	212.000 CFS
9/1	9/30	169.000 CFS
10/1	10/31	163.000 CFS
11/1	11/30	214.000 CFS
12/1	12/31	222.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use of the minimum stream flow water right is stream reach from the beginning quantification point to the ending quantification point identified above.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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9/1	9/30	8.000 CFS
10/1	10/31	9.000 CFS
11/1	11/30	9.000 CFS
12/1	12/31	8.000 CFS
1/1	1/31	8.000 CFS
2/1	2/28	7.000 CFS
3/1	3/31	8.000 CFS
4/1	4/30	26.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

4/1	4/30	308.000 CFS
5/1	5/31	1,321.000 CFS
6/1	6/30	1,513.000 CFS
7/1	7/31	365.000 CFS
8/1	8/31	127.000 CFS
9/1	9/30	97.000 CFS
10/1	10/31	102.000 CFS
11/1	11/30	102.000 CFS
12/1	12/31	97.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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4/1	4/30	72.000 CFS
5/1	5/31	315.000 CFS
6/1	6/30	367.000 CFS
7/1	7/31	87.000 CFS
8/1	8/31	31.000 CFS
9/1	9/30	23.000 CFS
10/1	10/31	24.000 CFS
11/1	11/30	25.000 CFS
12/1	12/31	23.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute





IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	311.000 CFS
6/1	6/30	375.000 CFS
7/1	7/31	106.000 CFS
8/1	8/31	49.000 CFS
9/1	9/30	37.000 CFS
10/1	10/31	36.000 CFS
11/1	11/30	32.000 CFS
12/1	12/31	31.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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5/1	5/31	155.000 CFS
6/1	6/30	187.000 CFS
7/1	7/31	53.000 CFS
8/1	8/31	25.000 CFS
9/1	9/30	18.000 CFS
10/1	10/31	18.000 CFS
11/1	11/30	16.000 CFS
12/1	12/31	15.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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5/1	5/31	1,793.000 CFS
6/1	6/30	2,497.000 CFS
7/1	7/31	869.000 CFS
8/1	8/31	375.000 CFS
9/1	9/30	284.000 CFS
10/1	10/31	253.000 CFS
11/1	11/30	273.000 CFS
12/1	12/31	229.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

**PLACE OF USE:**

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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**EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute**



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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5/1	5/31	109.000 CFS
6/1	6/30	101.000 CFS
7/1	7/31	27.000 CFS
8/1	8/31	13.000 CFS
9/1	9/30	11.000 CFS
10/1	10/31	11.000 CFS
11/1	11/30	11.000 CFS
12/1	12/31	10.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute





IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	550.000 CFS
6/1	6/30	499.000 CFS
7/1	7/31	135.000 CFS
8/1	8/31	66.000 CFS
9/1	9/30	53.000 CFS
10/1	10/31	56.000 CFS
11/1	11/30	55.000 CFS
12/1	12/31	49.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	825.000 CFS
6/1	6/30	762.000 CFS
7/1	7/31	203.000 CFS
8/1	8/31	98.000 CFS
9/1	9/30	81.000 CFS
10/1	10/31	85.000 CFS
11/1	11/30	82.000 CFS
12/1	12/31	74.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

9/1	9/30	9.000 CFS
10/1	10/31	9.000 CFS
11/1	11/30	9.000 CFS
12/1	12/31	9.000 CFS
1/1	1/31	8.000 CFS
2/1	2/28	8.000 CFS
3/1	3/31	9.000 CFS
4/1	4/30	27.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	1,673.000 CFS
6/1	6/30	2,248.000 CFS
7/1	7/31	790.000 CFS
8/1	8/31	340.000 CFS
9/1	9/30	261.000 CFS
10/1	10/31	231.000 CFS
11/1	11/30	240.000 CFS
12/1	12/31	207.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute





IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	224.000 CFS
6/1	6/30	270.000 CFS
7/1	7/31	62.000 CFS
8/1	8/31	22.000 CFS
9/1	9/30	17.000 CFS
10/1	10/31	17.000 CFS
11/1	11/30	18.000 CFS
12/1	12/31	16.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	765.000 CFS
6/1	6/30	699.000 CFS
7/1	7/31	192.000 CFS
8/1	8/31	91.000 CFS
9/1	9/30	75.000 CFS
10/1	10/31	78.000 CFS
11/1	11/30	75.000 CFS
12/1	12/31	69.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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5/1	5/31	142.000 CFS
6/1	6/30	173.000 CFS
7/1	7/31	40.000 CFS
8/1	8/31	15.000 CFS
9/1	9/30	11.000 CFS
10/1	10/31	11.000 CFS
11/1	11/30	11.000 CFS
12/1	12/31	11.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	717.000 CFS
6/1	6/30	874.000 CFS
7/1	7/31	248.000 CFS
8/1	8/31	115.000 CFS
9/1	9/30	89.000 CFS
10/1	10/31	84.000 CFS
11/1	11/30	75.000 CFS
12/1	12/31	72.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute





IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	347.000 CFS
6/1	6/30	325.000 CFS
7/1	7/31	88.000 CFS
8/1	8/31	42.000 CFS
9/1	9/30	34.000 CFS
10/1	10/31	36.000 CFS
11/1	11/30	35.000 CFS
12/1	12/31	32.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	1,434.000 CFS
6/1	6/30	1,249.000 CFS
7/1	7/31	350.000 CFS
8/1	8/31	164.000 CFS
9/1	9/30	136.000 CFS
10/1	10/31	143.000 CFS
11/1	11/30	142.000 CFS
12/1	12/31	120.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

**PLACE OF USE:**

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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**EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute**



IDAHO DEPARTMENT OF WATER RESOURCES  
PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	1,040.000 CFS
6/1	6/30	1,249.000 CFS
7/1	7/31	361.000 CFS
8/1	8/31	164.000 CFS
9/1	9/30	125.000 CFS
10/1	10/31	121.000 CFS
11/1	11/30	108.000 CFS
12/1	12/31	103.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

3/1	3/31	46.000 CFS
4/1	4/30	137.000 CFS
5/1	5/31	562.000 CFS
6/1	6/30	524.000 CFS
7/1	7/31	147.000 CFS
8/1	8/31	68.000 CFS
9/1	9/30	56.000 CFS
10/1	10/31	58.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute





IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	154.000 CFS
6/1	6/30	164.000 CFS
7/1	7/31	49.000 CFS
8/1	8/31	18.000 CFS
9/1	9/30	13.000 CFS
10/1	10/31	16.000 CFS
11/1	11/30	15.000 CFS
12/1	12/31	12.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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11/1 11/30 3.300 CFS

12/1 12/31 4.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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7/1 7/31 35.000 CFS

8/1 8/31 9.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMU uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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11/1 11/30 11.000 CFS

12/1 12/31 14.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute





IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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11/1 11/30 24.000 CFS

12/1 12/31 29.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality.

PLACE OF USE:

The place of use of the minimum stream flow water right is stream reach from the beginning quantification point to the ending quantification point identified above.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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5/1	5/31	832.000 CFS
6/1	6/30	573.000 CFS
7/1	7/31	369.000 CFS
8/1	8/31	171.000 CFS
9/1	9/30	85.000 CFS
10/1	10/31	28.000 CFS
11/1	11/30	35.000 CFS
12/1	12/31	43.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 50 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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5/1	5/31	313.000 CFS
6/1	6/30	124.000 CFS
7/1	7/31	24.000 CFS
8/1	8/31	8.000 CFS
9/1	9/30	5.000 CFS
10/1	10/31	6.000 CFS
11/1	11/30	10.000 CFS
12/1	12/31	12.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 50 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	165.600 CFS
6/1	6/30	66.500 CFS
7/1	7/31	13.500 CFS
8/1	8/31	4.100 CFS
9/1	9/30	2.700 CFS
10/1	10/31	3.400 CFS
11/1	11/30	5.300 CFS
12/1	12/31	6.800 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 50 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute





IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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7/1	7/31	10,400.000 CFS
8/1	8/31	4,000.000 CFS
9/1	9/30	4,000.000 CFS
10/1	10/31	4,000.000 CFS
11/1	11/30	4,000.000 CFS
12/1	12/31	4,000.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality.

PLACE OF USE:

The place of use of the minimum stream flow water right is stream reach from the beginning quantification point to the ending quantification point identified above.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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5/1	5/31	466.000 CFS
6/1	6/30	300.000 CFS
7/1	7/31	40.000 CFS
8/1	8/31	15.000 CFS
9/1	9/30	14.000 CFS
10/1	10/31	22.000 CFS
11/1	11/30	29.000 CFS
12/1	12/31	27.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	159.000 CFS
6/1	6/30	102.000 CFS
7/1	7/31	13.000 CFS
8/1	8/31	5.000 CFS
9/1	9/30	5.000 CFS
10/1	10/31	7.000 CFS
11/1	11/30	10.000 CFS
12/1	12/31	9.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute

IDAHO DEPARTMENT OF WATER RESOURCES  
PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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RIGHT NUMBER: 79-14122

NAME AND ADDRESS: STATE OF IDAHO  
IDAHO WATER RESOURCE BOARD  
322 E FRONT ST  
PO BOX 83720  
BOISE ID 83720-0098

SOURCE: SLATE CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 689.000 CFS

Future non-DCMI = 2

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 2 cfs based on 10 percent of the lowest unimpaired median monthly flow or the amount available above a base flow which is equivalent to the unimpaired monthly 80% exceedence flow whichever is less. The 80% monthly exceedence flows are as follows: Jan - 27 cfs, Feb - 37 cfs, Mar - 35 cfs, Apr - 139 cfs, May - 358 cfs, Jun - 244 cfs, Jul - 35 cfs, Aug - 9 cfs, Sep - 14 cfs, Oct - 23 cfs, Nov - 33 cfs, and Dec - 32 cfs.

While the instream flow and the future allocation for non-DCMI uses and base flows are to be decreed in cubic feet per second (cfs), such quantities are intended to reflect the percentages of the unimpaired exceedence flows at the quantification point described in this water right. The unimpaired exceedence flows were estimated using regional regression equations developed by the United States Geological Service. Upon further finding and order of the director that gaging stations are required to maintain the approved minimum flows under this right, such measuring devices shall be permanently installed and maintained as specified by the director. If actual flow data become available, the quantities in this water right will be adjusted as necessary to give effect to the exceedence assumption stated above. Such adjustments do not result in a material change to the water right and are not subject to the notice and hearing requirements set forth in this partial decree, but shall comply with the notice and consultation requirements of Section 42-1507(4), Idaho Code.

PRIORITY DATE: 04/01/2005

Use of water under this right shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file or issued by the director under the provisions of Chapter 2, Title 42, Idaho Code, with a priority of water right date earlier than the date of priority of this right.

POINT OF

DIVERSION: T27N R01E S36 NWNWNW End of Stream Flow Within Idaho County

There are no diversions associated with this minimum stream flow water right. The quantification point for this instream flow water right is at the above location.

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MINIMUM STREAM FLOW	1/1 1/31	53.000 CFS
	2/1 2/28	76.000 CFS
	3/1 3/31	94.000 CFS
	4/1 4/30	341.000 CFS

IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	689.000 CFS
6/1	6/30	444.000 CFS
7/1	7/31	60.000 CFS
8/1	8/31	23.000 CFS
9/1	9/30	22.000 CFS
10/1	10/31	32.000 CFS
11/1	11/30	43.000 CFS
12/1	12/31	40.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute





IDAHO DEPARTMENT OF WATER RESOURCES  
PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

10/1	10/31	17.000 CFS
11/1	11/30	24.000 CFS
12/1	12/31	22.000 CFS
1/1	1/31	29.000 CFS
2/1	2/28	41.000 CFS
3/1	3/31	53.000 CFS
4/1	4/30	186.000 CFS
5/1	5/31	371.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 40 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

4/1	4/30	1,254.000 CFS
5/1	5/31	2,542.000 CFS
6/1	6/30	2,679.000 CFS
7/1	7/31	981.000 CFS
8/1	8/31	472.000 CFS
9/1	9/30	314.000 CFS
10/1	10/31	211.000 CFS
11/1	11/30	230.000 CFS
12/1	12/31	225.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 50 percent exceedence flows.

PLACE OF USE:

The place of use of the minimum stream flow water right is stream reach from the beginning quantification point to the ending quantification point identified above.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

8/1	8/31	90.000 CFS
9/1	9/30	89.000 CFS
10/1	10/31	79.000 CFS
11/1	11/30	101.000 CFS
12/1	12/31	86.000 CFS
1/1	1/31	111.000 CFS
2/1	2/28	139.000 CFS
3/1	3/31	153.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DDMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute

IDAHO DEPARTMENT OF WATER RESOURCES  
PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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RIGHT NUMBER: 81-11935

NAME AND ADDRESS: STATE OF IDAHO  
IDAHO WATER RESOURCE BOARD  
322 E FRONT ST  
PO BOX 83720  
BOISE ID 83720-0098

SOURCE: SPRUCE CREEK

TRIBUTARY: BRUSHY FORK

QUANTITY: 388.000 CFS

Future non-DCMI = 0.9

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 0.9 cfs based on 5 percent of the lowest unimpaired median monthly flow or the amount available above a base flow which is equivalent to the unimpaired monthly 80% exceedence flow whichever is less. The 80% monthly exceedence flows are as follows: Jan - 15 cfs, Feb - 17 cfs, Mar - 21 cfs, Apr - 55 cfs, May - 192 cfs, Jun - 155 cfs, Jul - 33 cfs, Aug - 18 cfs, Sep - 18 cfs, Oct - 13 cfs, Nov - 14 cfs, and Dec - 11 cfs.

While the instream flow and the future allocation for non-DCMI uses and base flows are to be decreed in cubic feet per second (cfs), such quantities are intended to reflect the percentages of the unimpaired exceedence flows at the quantification point described in this water right. The unimpaired exceedence flows were estimated using regional regression equations developed by the United States Geological Service. Upon further finding and order of the director that gaging stations are required to maintain the approved minimum flows under this right, such measuring devices shall be permanently installed and maintained as specified by the director. If actual flow data become available, the quantities in this water right will be adjusted as necessary to give effect to the exceedence assumption stated above. Such adjustments do not result in a material change to the water right and are not subject to the notice and hearing requirements set forth in this partial decree, but shall comply with the notice and consultation requirements of Section 42-1507(4), Idaho Code.

PRIORITY DATE: 04/01/2005

Use of water under this right shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file or issued by the director under the provisions of Chapter 2, Title 42, Idaho Code, with a priority of water right date earlier than the date of priority of this right.

POINT OF  
DIVERSION:

T38N R16E S21 SESESW End of Stream Flow Within Idaho County

There are no diversions associated with this minimum stream flow water right. The quantification point for this instream flow water right is at the above location.

PURPOSE AND  
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MINIMUM STREAM FLOW	1/1 1/31	35.000 CFS
	2/1 2/28	44.000 CFS
	3/1 3/31	48.000 CFS
	4/1 4/30	123.000 CFS

IDAHO DEPARTMENT OF WATER RESOURCES  
PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	353.000 CFS
6/1	6/30	388.000 CFS
7/1	7/31	76.000 CFS
8/1	8/31	30.000 CFS
9/1	9/30	29.000 CFS
10/1	10/31	26.000 CFS
11/1	11/30	33.000 CFS
12/1	12/31	28.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute





IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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11/1	11/30	17.000 CFS
12/1	12/31	15.000 CFS
1/1	1/31	19.000 CFS
2/1	2/28	24.000 CFS
3/1	3/31	26.000 CFS
4/1	4/30	67.000 CFS
5/1	5/31	188.000 CFS
6/1	6/30	213.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	236.000 CFS
6/1	6/30	263.000 CFS
7/1	7/31	52.000 CFS
8/1	8/31	19.000 CFS
9/1	9/30	19.000 CFS
10/1	10/31	18.000 CFS
11/1	11/30	22.000 CFS
12/1	12/31	19.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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5/1	5/31	3,062.000 CFS
6/1	6/30	2,128.000 CFS
7/1	7/31	460.000 CFS
8/1	8/31	148.000 CFS
9/1	9/30	108.000 CFS
10/1	10/31	168.000 CFS
11/1	11/30	217.000 CFS
12/1	12/31	250.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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5/1	5/31	4,122.000 CFS
6/1	6/30	2,879.000 CFS
7/1	7/31	617.000 CFS
8/1	8/31	205.000 CFS
9/1	9/30	152.000 CFS
10/1	10/31	231.000 CFS
11/1	11/30	293.000 CFS
12/1	12/31	331.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute





IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	101.000 CFS
6/1	6/30	111.000 CFS
7/1	7/31	22.000 CFS
8/1	8/31	8.000 CFS
9/1	9/30	8.000 CFS
10/1	10/31	7.000 CFS
11/1	11/30	9.000 CFS
12/1	12/31	8.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	824.000 CFS
6/1	6/30	901.000 CFS
7/1	7/31	179.000 CFS
8/1	8/31	68.000 CFS
9/1	9/30	67.000 CFS
10/1	10/31	60.000 CFS
11/1	11/30	77.000 CFS
12/1	12/31	66.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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5/1	5/31	412.000 CFS
6/1	6/30	225.000 CFS
7/1	7/31	41.000 CFS
8/1	8/31	18.000 CFS
9/1	9/30	17.000 CFS
10/1	10/31	28.000 CFS
11/1	11/30	48.000 CFS
12/1	12/31	55.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute

IDAHO DEPARTMENT OF WATER RESOURCES  
PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 81-11943

NAME AND ADDRESS: STATE OF IDAHO  
IDAHO WATER RESOURCE BOARD  
322 E FRONT ST  
PO BOX 83720  
BOISE ID 83720-0098

SOURCE: FISH CREEK

TRIBUTARY: LOCHSA RIVER

QUANTITY: 1,119.000 CFS

Future non-DCMI = 1.9

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 1.9 cfs based on 5 percent of the lowest unimpaired median monthly flow or the amount available above a base flow which is equivalent to the unimpaired monthly 80% exceedence flow whichever is less. The 80% monthly exceedence flows are as follows: Jan - 48 cfs, Feb - 66 cfs, Mar - 87 cfs, Apr - 325 cfs, May - 608 cfs, Jun - 240 cfs, Jul - 47 cfs, Aug - 30 cfs, Sep - 29 cfs, Oct - 38 cfs, Nov - 54 cfs, and Dec - 60 cfs.

While the instream flow and the future allocation for non-DCMI uses and base flows are to be decreed in cubic feet per second (cfs), such quantities are intended to reflect the percentages of the unimpaired exceedence flows at the quantification point described in this water right. The unimpaired exceedence flows were estimated using regional regression equations developed by the United States Geological Service. Upon further finding and order of the director that gaging stations are required to maintain the approved minimum flows under this right, such measuring devices shall be permanently installed and maintained as specified by the director. If actual flow data become available, the quantities in this water right will be adjusted as necessary to give effect to the exceedence assumption stated above. Such adjustments do not result in a material change to the water right and are not subject to the notice and hearing requirements set forth in this partial decree, but shall comply with the notice and consultation requirements of Section 42-1507(4), Idaho Code.

PRIORITY DATE: 04/01/2005

Use of water under this right shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file or issued by the director under the provisions of Chapter 2, Title 42, Idaho Code, with a priority of water right date earlier than the date of priority of this right.

POINT OF  
DIVERSION:

T35N R09E S33 NWSENW End of Stream Flow Within Idaho County

There are no diversions associated with this minimum stream flow water right. The quantification point for this instream flow water right is at the above location.

PURPOSE AND  
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MINIMUM STREAM FLOW	1/1 1/31	111.000 CFS
	2/1 2/28	174.000 CFS
	3/1 3/31	200.000 CFS
	4/1 4/30	727.000 CFS

IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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5/1	5/31	1,119.000 CFS
6/1	6/30	601.000 CFS
7/1	7/31	109.000 CFS
8/1	8/31	49.000 CFS
9/1	9/30	47.000 CFS
10/1	10/31	76.000 CFS
11/1	11/30	130.000 CFS
12/1	12/31	150.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

**PLACE OF USE:**

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

**EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute**





IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	954.000 CFS
6/1	6/30	1,052.000 CFS
7/1	7/31	213.000 CFS
8/1	8/31	80.000 CFS
9/1	9/30	79.000 CFS
10/1	10/31	70.000 CFS
11/1	11/30	90.000 CFS
12/1	12/31	77.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute

IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 81-11945

NAME AND ADDRESS: STATE OF IDAHO  
 IDAHO WATER RESOURCE BOARD  
 322 E FRONT ST  
 PO BOX 83720  
 BOISE ID 83720-0098

SOURCE: BIG FLAT CREEK

TRIBUTARY: WHITE SAND CREEK

QUANTITY: 200.000 CFS

Future non-DCMI = 0.5

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 0.5 cfs based on 5 percent of the lowest unimpaired median monthly flow or the amount available above a base flow which is equivalent to the unimpaired monthly 80% exceedence flow whichever is less. The 80% monthly exceedence flows are as follows: Jan - 8 cfs, Feb - 9 cfs, Mar - 11 cfs, Apr - 30 cfs, May - 102 cfs, Jun - 80 cfs, Jul - 18 cfs, Aug - 10 cfs, Sep - 9 cfs, Oct - 7 cfs, Nov - 7 cfs, and Dec - 6 cfs.

While the instream flow and the future allocation for non-DCMI uses and base flows are to be decreed in cubic feet per second (cfs), such quantities are intended to reflect the percentages of the unimpaired exceedence flows at the quantification point described in this water right. The unimpaired exceedence flows were estimated using regional regression equations developed by the United States Geological Service. Upon further finding and order of the director that gaging stations are required to maintain the approved minimum flows under this right, such measuring devices shall be permanently installed and maintained as specified by the director. If actual flow data become available, the quantities in this water right will be adjusted as necessary to give effect to the exceedence assumption stated above. Such adjustments do not result in a material change to the water right and are not subject to the notice and hearing requirements set forth in this partial decree, but shall comply with the notice and consultation requirements of Section 42-1507(4), Idaho Code.

PRIORITY DATE: 04/01/2005

Use of water under this right shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file or issued by the director under the provisions of Chapter 2, Title 42, Idaho Code, with a priority of water right date earlier than the date of priority of this right.

POINT OF  
 DIVERSION:

T35N R16E S5 NENWSW End of Stream Flow Within Idaho County

There are no diversions associated with this minimum stream flow water right. The quantification point for this instream flow water right is at the above location.

PURPOSE AND  
 PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MINIMUM STREAM FLOW	1/1 1/31	19.000 CFS
	2/1 2/28	24.000 CFS
	3/1 3/31	26.000 CFS
	4/1 4/30	67.000 CFS

IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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5/1	5/31	188.000 CFS
6/1	6/30	200.000 CFS
7/1	7/31	41.000 CFS
8/1	8/31	16.000 CFS
9/1	9/30	15.000 CFS
10/1	10/31	14.000 CFS
11/1	11/30	17.000 CFS
12/1	12/31	15.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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5/1	5/31	306.000 CFS
6/1	6/30	338.000 CFS
7/1	7/31	68.000 CFS
8/1	8/31	26.000 CFS
9/1	9/30	26.000 CFS
10/1	10/31	23.000 CFS
11/1	11/30	29.000 CFS
12/1	12/31	25.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	389.000 CFS
6/1	6/30	213.000 CFS
7/1	7/31	38.000 CFS
8/1	8/31	17.000 CFS
9/1	9/30	16.000 CFS
10/1	10/31	26.000 CFS
11/1	11/30	44.000 CFS
12/1	12/31	51.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 81-11948

NAME AND ADDRESS: STATE OF IDAHO  
 IDAHO WATER RESOURCE BOARD  
 322 E FRONT ST  
 PO BOX 83720  
 BOISE ID 83720-0098

SOURCE: WOUNDED DOE CREEK

TRIBUTARY: RHODA CREEK

QUANTITY: 188.000 CFS

Future non-DCMI = 0.4

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 0.4 cfs based on 5 percent of the lowest unimpaired median monthly flow or the amount available above a base flow which is equivalent to the unimpaired monthly 80% exceedence flow whichever is less. The 80% monthly exceedence flows are as follows: Jan - 7.5 cfs, Feb - 8.4 cfs, Mar - 10.2 cfs, Apr - 27 cfs, May - 89.6 cfs, Jun - 75 cfs, Jul - 15.8 cfs, Aug - 8.4 cfs, Sep - 8.7 cfs, Oct - 6.4 cfs, Nov - 6.8 cfs, and Dec - 5.6 cfs.

While the instream flow and the future allocation for non-DCMI uses and base flows are to be decreed in cubic feet per second (cfs), such quantities are intended to reflect the percentages of the unimpaired exceedence flows at the quantification point described in this water right. The unimpaired exceedence flows were estimated using regional regression equations developed by the United States Geological Service. Upon further finding and order of the director that gaging stations are required to maintain the approved minimum flows under this right, such measuring devices shall be permanently installed and maintained as specified by the director. If actual flow data become available, the quantities in this water right will be adjusted as necessary to give effect to the exceedence assumption stated above. Such adjustments do not result in a material change to the water right and are not subject to the notice and hearing requirements set forth in this partial decree, but shall comply with the notice and consultation requirements of Section 42-1507(4), Idaho Code.

PRIORITY DATE: 04/01/2005

Use of water under this right shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file or issued by the director under the provisions of Chapter 2, Title 42, Idaho Code, with a priority of water right date earlier than the date of priority of this right.

POINT OF  
 DIVERSION:

T34N R12E S31 SESESW End of Stream Flow Within Idaho County

There are no diversions associated with this minimum stream flow water right. The quantification point for this instream flow water right is at the above location.

PURPOSE AND  
 PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MINIMUM STREAM FLOW	1/1 1/31	17.000 CFS
	2/1 2/28	22.000 CFS
	3/1 3/31	24.000 CFS
	4/1 4/30	60.000 CFS
	5/1 5/31	165.000 CFS

IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

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6/1	6/30	188.000 CFS
7/1	7/31	37.000 CFS
8/1	8/31	14.000 CFS
9/1	9/30	14.000 CFS
10/1	10/31	13.000 CFS
11/1	11/30	16.000 CFS
12/1	12/31	14.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute

IDAHO DEPARTMENT OF WATER RESOURCES  
PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 81-11949

NAME AND ADDRESS: STATE OF IDAHO  
IDAHO WATER RESOURCE BOARD  
322 E FRONT ST  
PO BOX 83720  
BOISE ID 83720-0098

SOURCE: EAST FORK MOOSE CREEK                      TRIBUTARY: MOOSE CREEK

QUANTITY: 2,629.000 CFS  
Future non-DCMI = 6.1

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 6.1 cfs based on 5 percent of the lowest unimpaired median monthly flow or the amount available above a base flow which is equivalent to the unimpaired monthly 80% exceedence flow whichever is less. The 80% monthly exceedence flows are as follows: Jan - 101 cfs, Feb - 114 cfs, Mar - 143 cfs, Apr - 374 cfs, May - 1280 cfs, Jun - 1050 cfs, Jul - 221 cfs, Aug - 119 cfs, Sep - 121 cfs, Oct - 85 cfs, Nov - 90 cfs, and Dec - 76 cfs.

While the instream flow and the future allocation for non-DCMI uses and base flows are to be decreed in cubic feet per second (cfs), such quantities are intended to reflect the percentages of the unimpaired exceedence flows at the quantification point described in this water right. The unimpaired exceedence flows were estimated using regional regression equations developed by the United States Geological Service. Upon further finding and order of the director that gaging stations are required to maintain the approved minimum flows under this right, such measuring devices shall be permanently installed and maintained as specified by the director. If actual flow data become available, the quantities in this water right will be adjusted as necessary to give effect to the exceedence assumption stated above. Such adjustments do not result in a material change to the water right and are not subject to the notice and hearing requirements set forth in this partial decree, but shall comply with the notice and consultation requirements of Section 42-1507(4), Idaho Code.

PRIORITY DATE: 04/01/2005

Use of water under this right shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file or issued by the director under the provisions of Chapter 2, Title 42, Idaho Code, with a priority of water right date earlier than the date of priority of this right.

POINT OF

DIVERSION: T33N R12E S25 SWSESE End of Stream Flow Within Idaho County

There are no diversions associated with this minimum stream flow water right. The quantification point for this instream flow water right is at the above location.

IDAHO DEPARTMENT OF WATER RESOURCES  
PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

PURPOSE AND  
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MINIMUM STREAM FLOW	1/1 1/31	231.000 CFS
	2/1 2/28	301.000 CFS
	3/1 3/31	329.000 CFS
	4/1 4/30	838.000 CFS
	5/1 5/31	2,355.000 CFS
	6/1 6/30	2,629.000 CFS
	7/1 7/31	516.000 CFS
	8/1 8/31	193.000 CFS
	9/1 9/30	195.000 CFS
	10/1 10/31	168.000 CFS
	11/1 11/30	217.000 CFS
	12/1 12/31	190.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

This water right shall be subordinated to all future DCMI uses.

The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right after complying with the notice and consultation procedures of Section 42-1507(4), Idaho Code. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest.

This water right was established by Chapter 150, 2005 Idaho Session Laws (codified as Section 42-1507, Idaho Code). In accordance with such law, this water right will not become effective until the governor issues a proclamation certifying that all conditions for the effectiveness of the Snake River Water Rights Agreement of 2004 have been satisfied.

When this water right is not capable of being maintained using existing flows, Idaho Code Section 42-1507 authorizes the Idaho Water Resource Board to maintain the flow through operation of the water supply bank authorized by Section 42-1761 through 42-1765, Idaho Code, and by other available methods consistent with Idaho Law.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statute



IDAHO DEPARTMENT OF WATER RESOURCES  
 PROPOSED FINAL PARTIAL DECREE FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

5/1	5/31	342.000 CFS
6/1	6/30	188.000 CFS
7/1	7/31	34.000 CFS
8/1	8/31	15.000 CFS
9/1	9/30	15.000 CFS
10/1	10/31	23.000 CFS
11/1	11/30	39.000 CFS
12/1	12/31	46.000 CFS

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

The purpose of this instream flow is to preserve fish and wildlife, scenic, and recreational values and to protect and enhance water quality, and is equivalent to the unimpaired monthly 30 percent exceedence flows.

PLACE OF USE:

The place of use for this water right is the reach above the quantification point.

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

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