

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

5/1	5/31	565.000 CFS
6/1	6/30	626.000 CFS
7/1	7/31	123.000 CFS
8/1	8/31	48.000 CFS
9/1	9/30	47.000 CFS
10/1	10/31	42.000 CFS
11/1	11/30	53.000 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:

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	2,237.000 CFS
6/1	6/30	1,502.000 CFS
7/1	7/31	336.000 CFS
8/1	8/31	108.000 CFS
9/1	9/30	79.000 CFS
10/1	10/31	126.000 CFS
11/1	11/30	152.000 CFS
12/1	12/31	180.000 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	130.000 CFS
6/1	6/30	70.000 CFS
7/1	7/31	12.000 CFS
8/1	8/31	6.000 CFS
9/1	9/30	5.000 CFS
10/1	10/31	9.000 CFS
11/1	11/30	14.000 CFS
12/1	12/31	17.000 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

5/1	5/31	49.000 CFS
6/1	6/30	31.000 CFS
7/1	7/31	8.000 CFS
8/1	8/31	3.000 CFS
9/1	9/30	4.000 CFS
10/1	10/31	4.000 CFS
11/1	11/30	8.000 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	306.000 CFS
6/1	6/30	338.000 CFS
7/1	7/31	66.000 CFS
8/1	8/31	25.000 CFS
9/1	9/30	25.000 CFS
10/1	10/31	22.000 CFS
11/1	11/30	28.000 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

RIGHT NUMBER: 81-11956
 NAME AND ADDRESS: STATE OF IDAHO
 IDAHO WATER RESOURCE BOARD
 322 E FRONT ST
 PO BOX 83720
 BOISE ID 83720-0098

SOURCE: MOOSE CREEK TRIBUTARY: SELWAY RIVER

QUANTITY: 5,181.000 CFS
 Future non-DCMI = 7.4

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 7.4 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 - 132 cfs, Feb - 136 cfs, Mar - 260 cfs, Apr - 825 cfs, May - 2816 cfs, Jun - 1400 cfs, Jul - 331 cfs, Aug - 154 cfs, Sep - 114 cfs, Oct - 143 cfs, Nov - 149 cfs, and Dec - 164 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: T32N R12E S10 SESESE 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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	302.000 CFS
	2/1 2/28	359.000 CFS
	3/1 3/31	600.000 CFS
	4/1 4/30	1,848.000 CFS

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

5/1	5/31	5,181.000 CFS
6/1	6/30	3,505.000 CFS
7/1	7/31	774.000 CFS
8/1	8/31	250.000 CFS
9/1	9/30	184.000 CFS
10/1	10/31	283.000 CFS
11/1	11/30	358.000 CFS
12/1	12/31	411.000 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	377.000 CFS
7/1	7/31	36.000 CFS
8/1	8/31	16.000 CFS
1/1	1/31	37.000 CFS
2/1	2/28	57.000 CFS
3/1	3/31	68.000 CFS
4/1	4/30	246.000 CFS
6/1	6/30	200.000 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	365.000 CFS
6/1	6/30	200.000 CFS
7/1	7/31	36.000 CFS
8/1	8/31	16.000 CFS
9/1	9/30	15.000 CFS
10/1	10/31	25.000 CFS
11/1	11/30	42.000 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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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	212.000 CFS
6/1	6/30	238.000 CFS
7/1	7/31	47.000 CFS
8/1	8/31	18.000 CFS
9/1	9/30	17.000 CFS
10/1	10/31	16.000 CFS
11/1	11/30	21.000 CFS
12/1	12/31	17.000 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	89.000 CFS
6/1	6/30	99.000 CFS
7/1	7/31	20.000 CFS
8/1	8/31	7.000 CFS
9/1	9/30	7.000 CFS
10/1	10/31	7.000 CFS
11/1	11/30	8.000 CFS
12/1	12/31	7.000 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

RIGHT NUMBER: 81-11961

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

SOURCE: O' HARA CREEK

TRIBUTARY: SELWAY RIVER

QUANTITY: 306.000 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 - 13 cfs, Feb - 18 cfs, Mar - 24 cfs, Apr - 88 cfs, May - 166 cfs, Jun - 65 cfs, Jul - 13 cfs, Aug - 8 cfs, Sep - 8 cfs, Oct - 11 cfs, Nov - 14 cfs, and Dec - 16 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:

T31N R07E S13 NWNENE Begin of Stream Flow Within Idaho County

T32N R07E S25 SESWNE Lot 5 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:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MINIMUM STREAM FLOW	1/1 1/31	30.000 CFS
	2/1 2/28	46.000 CFS
	3/1 3/31	56.000 CFS
	4/1 4/30	197.000 CFS

IWRB 42-1507 Rights

Page 227

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

5/1	5/31	306.000 CFS
6/1	6/30	163.000 CFS
7/1	7/31	30.000 CFS
8/1	8/31	14.000 CFS
9/1	9/30	13.000 CFS
10/1	10/31	21.000 CFS
11/1	11/30	35.000 CFS
12/1	12/31	41.000 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.

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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	2,708.000 CFS
6/1	6/30	1,878.000 CFS
7/1	7/31	404.000 CFS
8/1	8/31	136.000 CFS
9/1	9/30	97.000 CFS
10/1	10/31	147.000 CFS
11/1	11/30	195.000 CFS
12/1	12/31	220.000 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

5/1	5/31	82.000 CFS
6/1	6/30	42.000 CFS
7/1	7/31	8.000 CFS
8/1	8/31	4.000 CFS
9/1	9/30	3.000 CFS
10/1	10/31	5.000 CFS
11/1	11/30	9.000 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

RIGHT NUMBER: 81-11964
NAME AND ADDRESS: STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

SOURCE: HAMBY FORK TRIBUTARY: O HARA CREEK

QUANTITY: 80.000 CFS
Future non-DCMI = 0.1

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 0.1 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 - 3.5 cfs, Feb - 4.8 cfs, Mar - 6.6 cfs, Apr - 23.7 cfs, May - 43.5 cfs, Jun - 17.5 cfs, Jul - 3.4 cfs, Aug - 2.2 cfs, Sep - 2.1 cfs, Oct - 2.8 cfs, Nov - 3.8 cfs, and Dec - 4.4 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: T31N R07E S12 NWSESE 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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	8.000 CFS
	2/1 2/28	13.000 CFS
	3/1 3/31	15.000 CFS
	4/1 4/30	53.000 CFS

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

5/1	5/31	80.000 CFS
6/1	6/30	44.000 CFS
7/1	7/31	8.000 CFS
8/1	8/31	4.000 CFS
9/1	9/30	3.000 CFS
10/1	10/31	5.000 CFS
11/1	11/30	9.000 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 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

2/1	2/28	22.000 CFS
3/1	3/31	27.000 CFS
4/1	4/30	96.000 CFS
5/1	5/31	141.000 CFS
6/1	6/30	79.000 CFS
7/1	7/31	15.000 CFS
8/1	8/31	6.000 CFS
9/1	9/30	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 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	1,766.000 CFS
6/1	6/30	2,003.000 CFS
7/1	7/31	381.000 CFS
8/1	8/31	148.000 CFS
9/1	9/30	141.000 CFS
10/1	10/31	126.000 CFS
11/1	11/30	163.000 CFS
12/1	12/31	140.000 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	1,025.000 CFS
6/1	6/30	1,139.000 CFS
7/1	7/31	224.000 CFS
8/1	8/31	85.000 CFS
9/1	9/30	84.000 CFS
10/1	10/31	76.000 CFS
11/1	11/30	96.000 CFS
12/1	12/31	82.000 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

6/1	6/30	250.000 CFS
7/1	7/31	50.000 CFS
8/1	8/31	19.000 CFS
9/1	9/30	19.000 CFS
10/1	10/31	17.000 CFS
11/1	11/30	22.000 CFS
12/1	12/31	18.000 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: 81-11969
 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: SELWAY RIVER

QUANTITY: 225.000 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 - 9 cfs, Feb - 10 cfs, Mar - 12 cfs, Apr - 32 cfs, May - 109 cfs, Jun - 90 cfs, Jul - 19 cfs, Aug - 11 cfs, Sep - 10 cfs, Oct - 7 cfs, Nov - 8 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: T30N R13E S3 SWSWSW 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	20.000 CFS
	2/1 2/28	25.000 CFS
	3/1 3/31	27.000 CFS
	4/1 4/30	71.000 CFS

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

5/1	5/31	200.000 CFS
6/1	6/30	225.000 CFS
7/1	7/31	44.000 CFS
8/1	8/31	17.000 CFS
9/1	9/30	16.000 CFS
10/1	10/31	15.000 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 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	777.000 CFS
6/1	6/30	864.000 CFS
7/1	7/31	168.000 CFS
8/1	8/31	65.000 CFS
9/1	9/30	64.000 CFS
10/1	10/31	58.000 CFS
11/1	11/30	73.000 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 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	1,531.000 CFS
6/1	6/30	1,627.000 CFS
7/1	7/31	336.000 CFS
8/1	8/31	125.000 CFS
9/1	9/30	130.000 CFS
10/1	10/31	115.000 CFS
11/1	11/30	141.000 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.

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: 81-11972
 NAME AND ADDRESS: STATE OF IDAHO
 IDAHO WATER RESOURCE BOARD
 322 E FRONT ST
 PO BOX 83720
 BOISE ID 83720-0098

SOURCE: INDIAN CREEK TRIBUTARY: SELWAY RIVER

QUANTITY: 438.000 CFS
 Future non-DCMI = 1

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 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 - 18 cfs, Feb - 19 cfs, Mar - 24 cfs, Apr - 61 cfs, May - 218 cfs, Jun - 175 cfs, Jul - 37 cfs, Aug - 20 cfs, Sep - 20 cfs, Oct - 15 cfs, Nov - 15 cfs, and Dec - 13 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: T28N R14E S5 NWNWSW 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	40.000 CFS
	2/1 2/28	51.000 CFS
	3/1 3/31	55.000 CFS
	4/1 4/30	136.000 CFS

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

5/1	5/31	400.000 CFS
6/1	6/30	438.000 CFS
7/1	7/31	87.000 CFS
8/1	8/31	33.000 CFS
9/1	9/30	32.000 CFS
10/1	10/31	29.000 CFS
11/1	11/30	37.000 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.

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	95.000 CFS
6/1	6/30	105.000 CFS
7/1	7/31	21.000 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	377.000 CFS
6/1	6/30	426.000 CFS
7/1	7/31	83.000 CFS
8/1	8/31	32.000 CFS
9/1	9/30	31.000 CFS
10/1	10/31	28.000 CFS
11/1	11/30	36.000 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.

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	283.000 CFS
6/1	6/30	313.000 CFS
7/1	7/31	62.000 CFS
8/1	8/31	24.000 CFS
9/1	9/30	23.000 CFS
10/1	10/31	21.000 CFS
11/1	11/30	26.000 CFS
12/1	12/31	22.000 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: 82-12220

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

SOURCE: SOUTH FORK CLEARWATER RIVER TRIBUTARY: CLEARWATER RIVER

QUANTITY: 3,639.000 CFS
Future non-DCMI = 23.4

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 23.4 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 - 251 cfs, Feb - 286 cfs, Mar - 510 cfs, Apr - 1155 cfs, May - 2240 cfs, Jun - 1350 cfs, Jul - 403 cfs, Aug - 210 cfs, Sep - 181 cfs, Oct - 159 cfs, Nov - 162 cfs, and Dec - 192 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:

T29N R05E S29 SWSENE Begin of Stream Flow Within Idaho County
T32N R04E S7 NESWNE 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	452.000 CFS
	2/1 2/28	597.000 CFS
	3/1 3/31	995.000 CFS
	4/1 4/30	2,198.000 CFS

IWRB 42-1507 Rights

Page 257

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

5/1	5/31	3,639.000 CFS
6/1	6/30	2,789.000 CFS
7/1	7/31	783.000 CFS
8/1	8/31	308.000 CFS
9/1	9/30	262.000 CFS
10/1	10/31	259.000 CFS
11/1	11/30	319.000 CFS
12/1	12/31	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 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

4/1	4/30	11.400 CFS
5/1	5/31	4.200 CFS
6/1	6/30	1.400 CFS
7/1	7/31	0.400 CFS
8/1	8/31	0.200 CFS
9/1	9/30	0.300 CFS
10/1	10/31	0.500 CFS
11/1	11/30	0.900 CFS
12/1	12/31	1.400 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

5/1	5/31	281.000 CFS
6/1	6/30	145.000 CFS
7/1	7/31	32.000 CFS
8/1	8/31	13.000 CFS
9/1	9/30	12.000 CFS
10/1	10/31	14.000 CFS
11/1	11/30	19.000 CFS
12/1	12/31	18.000 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	114.000 CFS
6/1	6/30	57.000 CFS
7/1	7/31	13.000 CFS
8/1	8/31	6.000 CFS
9/1	9/30	5.000 CFS
10/1	10/31	6.000 CFS
11/1	11/30	8.000 CFS
12/1	12/31	7.000 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	99.000 CFS
6/1	6/30	51.000 CFS
7/1	7/31	11.000 CFS
8/1	8/31	5.000 CFS
9/1	9/30	4.000 CFS
10/1	10/31	5.000 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.

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: 82-12225
NAME AND ADDRESS: STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

SOURCE: BIG ELK CREEK TRIBUTARY: AMERICAN RIVER

QUANTITY: 98.000 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 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 - 4 cfs, Feb - 4 cfs, Mar - 8 cfs, Apr - 30 cfs, May - 60 cfs, Jun - 25 cfs, Jul - 6 cfs, Aug - 3 cfs, Sep - 3 cfs, Oct - 3 cfs, Nov - 3 cfs, and Dec - 3 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: T29N R08E S27 NESWSW 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	8/1 8/31	5.000 CFS
	9/1 9/30	4.000 CFS
	10/1 10/31	5.000 CFS
	11/1 11/30	7.000 CFS

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

12/1	12/31	6.000 CFS
1/1	1/31	7.000 CFS
2/1	2/28	8.000 CFS
3/1	3/31	15.000 CFS
4/1	4/30	58.000 CFS
5/1	5/31	98.000 CFS
6/1	6/30	51.000 CFS
7/1	7/31	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.

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	47.000 CFS
6/1	6/30	24.000 CFS
7/1	7/31	5.000 CFS
8/1	8/31	2.300 CFS
9/1	9/30	2.000 CFS
10/1	10/31	2.300 CFS
11/1	11/30	3.100 CFS
12/1	12/31	2.900 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, 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: 82-12227
NAME AND ADDRESS: STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

SOURCE: AMERICAN RIVER TRIBUTARY: SOUTH FORK CLEARWATER RIVER

QUANTITY: 447.000 CFS
Future non-DCMI = 1.7

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 1.7 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 - 16 cfs, Feb - 18 cfs, Mar - 34 cfs, Apr - 138 cfs, May - 275 cfs, Jun - 110 cfs, Jul - 26 cfs, Aug - 15 cfs, Sep - 13 cfs, Oct - 14 cfs, Nov - 15 cfs, and Dec - 14 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: T29N R08E S33 SESENW 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	29.000 CFS
	2/1 2/28	38.000 CFS
	3/1 3/31	66.000 CFS
	4/1 4/30	262.000 CFS

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

5/1	5/31	447.000 CFS
6/1	6/30	227.000 CFS
7/1	7/31	51.000 CFS
8/1	8/31	22.000 CFS
9/1	9/30	19.000 CFS
10/1	10/31	22.000 CFS
11/1	11/30	30.000 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 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	31.000 CFS
6/1	6/30	17.000 CFS
7/1	7/31	4.000 CFS
8/1	8/31	2.000 CFS
9/1	9/30	1.000 CFS
10/1	10/31	2.000 CFS
11/1	11/30	2.000 CFS
12/1	12/31	2.000 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: 82-12229
NAME AND ADDRESS: STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

SOURCE: SOUTH FORK CLEARWATER RIVER TRIBUTARY: CLEARWATER RIVER

QUANTITY: 2,391.000 CFS
Future non-DCMI = 12.2

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 12.2 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 - 92 cfs, Feb - 101 cfs, Mar - 209 cfs, Apr - 770 cfs, May - 1472 cfs, Jun - 800 cfs, Jul - 226 cfs, Aug - 112 cfs, Sep - 94 cfs, Oct - 101 cfs, Nov - 104 cfs, and Dec - 92 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: T29N R05E S29 SWSENE 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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	167.000 CFS
	2/1 2/28	211.000 CFS
	3/1 3/31	408.000 CFS
	4/1 4/30	1,466.000 CFS

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

5/1	5/31	2,391.000 CFS
6/1	6/30	1,653.000 CFS
7/1	7/31	438.000 CFS
8/1	8/31	164.000 CFS
9/1	9/30	136.000 CFS
10/1	10/31	164.000 CFS
11/1	11/30	204.000 CFS
12/1	12/31	178.000 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: 82-12230
 NAME AND ADDRESS: STATE OF IDAHO
 IDAHO WATER RESOURCE BOARD
 322 E FRONT ST
 PO BOX 83720
 BOISE ID 83720-0098

SOURCE: MILL CREEK TRIBUTARY: SOUTH FORK CLEARWATER RIVER

QUANTITY: 104.000 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 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 - 4 cfs, Feb - 4 cfs, Mar - 8 cfs, Apr - 32 cfs, May - 64 cfs, Jun - 26 cfs, Jul - 6 cfs, Aug - 4 cfs, Sep - 3 cfs, Oct - 3 cfs, Nov - 4 cfs, and Dec - 3 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: T29N R04E S26 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	7.000 CFS
	2/1 2/28	9.000 CFS
	3/1 3/31	16.000 CFS
	4/1 4/30	61.000 CFS

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

5/1	5/31	104.000 CFS
6/1	6/30	54.000 CFS
7/1	7/31	12.000 CFS
8/1	8/31	5.000 CFS
9/1	9/30	5.000 CFS
10/1	10/31	5.000 CFS
11/1	11/30	7.000 CFS
12/1	12/31	7.000 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	459.000 CFS
6/1	6/30	250.000 CFS
7/1	7/31	56.000 CFS
8/1	8/31	23.000 CFS
9/1	9/30	19.000 CFS
10/1	10/31	25.000 CFS
11/1	11/30	34.000 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

RIGHT NUMBER: 82-12232

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

SOURCE: CROOKED RIVER

TRIBUTARY: SOUTH FORK CLEARWATER RIVER

QUANTITY: 291.000 CFS

Future non-DCMI = 1.1

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 1.1 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 - 11 cfs, Feb - 12 cfs, Mar - 22 cfs, Apr - 88 cfs, May - 179 cfs, Jun - 70 cfs, Jul - 17 cfs, Aug - 10 cfs, Sep - 9 cfs, Oct - 9 cfs, Nov - 10 cfs, and Dec - 10 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: T29N R07E S25 SWSENE 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	25.000 CFS
	3/1 3/31	44.000 CFS
	4/1 4/30	168.000 CFS

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

5/1	5/31	291.000 CFS
6/1	6/30	145.000 CFS
7/1	7/31	34.000 CFS
8/1	8/31	14.000 CFS
9/1	9/30	13.000 CFS
10/1	10/31	15.000 CFS
11/1	11/30	19.000 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 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: 82-12233
NAME AND ADDRESS: STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

SOURCE: RED RIVER TRIBUTARY: SOUTH FORK CLEARWATER RIVER

QUANTITY: 842.000 CFS
Future non-DCMI = 3.3

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 3.3 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 - 31 cfs, Feb - 34 cfs, Mar - 66 cfs, Apr - 259 cfs, May - 518 cfs, Jun - 210 cfs, Jul - 48 cfs, Aug - 28 cfs, Sep - 25 cfs, Oct - 27 cfs, Nov - 29 cfs, and Dec - 28 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: T28N R08E S4 NESENE 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	56.000 CFS
	2/1 2/28	71.000 CFS
	3/1 3/31	129.000 CFS
	4/1 4/30	492.000 CFS

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

5/1	5/31	842.000 CFS
6/1	6/30	434.000 CFS
7/1	7/31	93.000 CFS
8/1	8/31	41.000 CFS
9/1	9/30	37.000 CFS
10/1	10/31	43.000 CFS
11/1	11/30	57.000 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 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	247.000 CFS
6/1	6/30	138.000 CFS
7/1	7/31	30.000 CFS
8/1	8/31	11.000 CFS
9/1	9/30	11.000 CFS
10/1	10/31	14.000 CFS
11/1	11/30	18.000 CFS
12/1	12/31	18.000 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: 82-12235
 NAME AND ADDRESS: STATE OF IDAHO
 IDAHO WATER RESOURCE BOARD
 322 E FRONT ST
 PO BOX 83720
 BOISE ID 83720-0098

SOURCE: SOUTH FORK RED RIVER TRIBUTARY: RED RIVER

QUANTITY: 166.000 CFS
 Future non-DCMI = 0.7

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 0.7 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 - 6 cfs, Feb - 7 cfs, Mar - 13 cfs, Apr - 52 cfs, May - 102 cfs, Jun - 42 cfs, Jul - 10 cfs, Aug - 6 cfs, Sep - 5 cfs, Oct - 5 cfs, Nov - 6 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: T27N R09E S4 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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	2/1 2/28	15.000 CFS
	3/1 3/31	25.000 CFS
	4/1 4/30	98.000 CFS
	5/1 5/31	166.000 CFS

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

6/1	6/30	86.000 CFS
7/1	7/31	20.000 CFS
8/1	8/31	8.000 CFS
9/1	9/30	7.000 CFS
10/1	10/31	9.000 CFS
11/1	11/30	12.000 CFS
12/1	12/31	11.000 CFS
1/1	1/31	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.

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: 83-11945

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

SOURCE: CANYON CREEK

TRIBUTARY: LITTLE NORTH FORK CLEARWATER RIVER

QUANTITY: 293.000 CFS

Future non-DCMI = 3

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 3 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 - 25 cfs, Feb - 37 cfs, Mar - 87 cfs, Apr - 154 cfs, May - 122 cfs, Jun - 55 cfs, Jul - 26 cfs, Aug - 32 cfs, Sep - 29 cfs, Oct - 24 cfs, Nov - 32 cfs, and Dec - 19 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: T42N R06E S12 SWSENW End of Stream Flow Within Shoshone 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	45.000 CFS
	2/1 2/28	78.000 CFS
	3/1 3/31	169.000 CFS
	4/1 4/30	293.000 CFS

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

5/1	5/31	198.000 CFS
6/1	6/30	114.000 CFS
7/1	7/31	51.000 CFS
8/1	8/31	46.000 CFS
9/1	9/30	42.000 CFS
10/1	10/31	40.000 CFS
11/1	11/30	62.000 CFS
12/1	12/31	36.000 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: 83-11946
NAME AND ADDRESS: STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

SOURCE: FOEHL CREEK TRIBUTARY: LITTLE NORTH FORK CLEARWATER RIVER

QUANTITY: 157.000 CFS
Future non-DCMI = 1.7

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 1.7 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 - 14 cfs, Feb - 21 cfs, Mar - 48 cfs, Apr - 83 cfs, May - 70 cfs, Jun - 29 cfs, Jul - 14 cfs, Aug - 18 cfs, Sep - 16 cfs, Oct - 14 cfs, Nov - 18 cfs, and Dec - 10 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: T42N R06E S23 SESWNW End of Stream Flow Within Shoshone 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	25.000 CFS
	2/1 2/28	43.000 CFS
	3/1 3/31	94.000 CFS
	4/1 4/30	157.000 CFS

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

5/1	5/31	114.000 CFS
6/1	6/30	60.000 CFS
7/1	7/31	28.000 CFS
8/1	8/31	26.000 CFS
9/1	9/30	23.000 CFS
10/1	10/31	22.000 CFS
11/1	11/30	35.000 CFS
12/1	12/31	20.000 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	260.000 CFS
6/1	6/30	134.000 CFS
7/1	7/31	24.000 CFS
8/1	8/31	11.000 CFS
9/1	9/30	11.000 CFS
10/1	10/31	16.000 CFS
11/1	11/30	27.000 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: 83-11948
 NAME AND ADDRESS: STATE OF IDAHO
 IDAHO WATER RESOURCE BOARD
 322 E FRONT ST
 PO BOX 83720
 BOISE ID 83720-0098

SOURCE: VANDERBILT GULCH CREEK TRIBUTARY: NORTH FORK CLEARWATER RIVER

QUANTITY: 166.000 CFS
 Future non-DCMI = 0.6

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 0.6 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 - 8 cfs, Feb - 11 cfs, Mar - 15 cfs, Apr - 54 cfs, May - 102 cfs, Jun - 41 cfs, Jul - 8 cfs, Aug - 5 cfs, Sep - 5 cfs, Oct - 6 cfs, Nov - 9 cfs, and Dec - 10 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: T41N R11E S7 SENWNE End of Stream Flow Within Clearwater 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	14.000 CFS
	2/1 2/28	22.000 CFS
	3/1 3/31	29.000 CFS
	4/1 4/30	104.000 CFS

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

5/1	5/31	166.000 CFS
6/1	6/30	84.000 CFS
7/1	7/31	15.000 CFS
8/1	8/31	7.000 CFS
9/1	9/30	7.000 CFS
10/1	10/31	10.000 CFS
11/1	11/30	17.000 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 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: 83-11949
 NAME AND ADDRESS: STATE OF IDAHO
 IDAHO WATER RESOURCE BOARD
 322 E FRONT ST
 PO BOX 83720
 BOISE ID 83720-0098

SOURCE: ISABELLA CREEK TRIBUTARY: NORTH FORK CLEARWATER RIVER

QUANTITY: 126.000 CFS
 Future non-DCMI = 1.3

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 1.3 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 - 11 cfs, Feb - 16 cfs, Mar - 36 cfs, Apr - 66 cfs, May - 52 cfs, Jun - 22 cfs, Jul - 11 cfs, Aug - 13 cfs, Sep - 12 cfs, Oct - 10 cfs, Nov - 13 cfs, and Dec - 8 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: T41N R07E S31 NWSESW Lot 3 End of Stream Flow Within Clearwater 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	19.000 CFS
	2/1 2/28	33.000 CFS
	3/1 3/31	71.000 CFS
	4/1 4/30	126.000 CFS

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

5/1	5/31	84.000 CFS
6/1	6/30	45.000 CFS
7/1	7/31	21.000 CFS
8/1	8/31	19.000 CFS
9/1	9/30	17.000 CFS
10/1	10/31	16.000 CFS
11/1	11/30	26.000 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.

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: 83-11950

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

SOURCE: LITTLE NORTH FORK CLEARWATER RIVER TRIBUTARY: NORTH FORK CLEARWATER RIVER

QUANTITY: 1,780.000 CFS
 Future non-DCMI = 19.2

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 19.2 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 - 158 cfs, Feb - 233 cfs, Mar - 561 cfs, Apr - 935 cfs, May - 768 cfs, Jun - 330 cfs, Jul - 168 cfs, Aug - 196 cfs, Sep - 181 cfs, Oct - 154 cfs, Nov - 198 cfs, and Dec - 120 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:

T41N R05E S19 SESWNW Lot 2 End of Stream Flow Within Clearwater 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	286.000 CFS
	2/1 2/28	487.000 CFS
	3/1 3/31	1,094.000 CFS
	4/1 4/30	1,780.000 CFS

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

5/1	5/31	1,248.000 CFS
6/1	6/30	682.000 CFS
7/1	7/31	326.000 CFS
8/1	8/31	287.000 CFS
9/1	9/30	262.000 CFS
10/1	10/31	250.000 CFS
11/1	11/30	389.000 CFS
12/1	12/31	232.000 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: 83-11951
NAME AND ADDRESS: STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

SOURCE: BREAKFAST CREEK TRIBUTARY: NORTH FORK CLEARWATER RIVER

QUANTITY: 946.000 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 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 - 66 cfs, Feb - 75 cfs, Mar - 133 cfs, Apr - 303 cfs, May - 582 cfs, Jun - 355 cfs, Jul - 106 cfs, Aug - 54 cfs, Sep - 47 cfs, Oct - 41 cfs, Nov - 42 cfs, and Dec - 48 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: T41N R04E S22 NENWSE End of Stream Flow Within Clearwater 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	119.000 CFS
	2/1 2/28	156.000 CFS
	3/1 3/31	259.000 CFS
	4/1 4/30	576.000 CFS

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

5/1	5/31	946.000 CFS
6/1	6/30	733.000 CFS
7/1	7/31	205.000 CFS
8/1	8/31	79.000 CFS
9/1	9/30	68.000 CFS
10/1	10/31	67.000 CFS
11/1	11/30	83.000 CFS
12/1	12/31	93.000 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: 83-11952

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

SOURCE: NORTH FORK CLEARWATER RIVER TRIBUTARY: CLEARWATER RIVER

QUANTITY: 2,495.000 CFS
Future non-DCMI = 9.6

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 9.6 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 - 92 cfs, Feb - 101 cfs, Mar - 194 cfs, Apr - 770 cfs, May - 1536 cfs, Jun - 650 cfs, Jul - 149 cfs, Aug - 84 cfs, Sep - 74 cfs, Oct - 80 cfs, Nov - 86 cfs, and Dec - 84 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 in 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: T39N R10E S18 NESWSW End of Stream Flow Within Clearwater 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	167.000 CFS
	2/1 2/28	211.000 CFS
	3/1 3/31	378.000 CFS
	4/1 4/30	1,466.000 CFS

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

5/1	5/31	2,495.000 CFS
6/1	6/30	1,343.000 CFS
7/1	7/31	289.000 CFS
8/1	8/31	123.000 CFS
9/1	9/30	107.000 CFS
10/1	10/31	129.000 CFS
11/1	11/30	168.000 CFS
12/1	12/31	162.000 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	385.000 CFS
6/1	6/30	196.000 CFS
7/1	7/31	35.000 CFS
8/1	8/31	17.000 CFS
9/1	9/30	16.000 CFS
10/1	10/31	24.000 CFS
11/1	11/30	40.000 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:

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

9/1	9/30	31.000 CFS
10/1	10/31	45.000 CFS
11/1	11/30	75.000 CFS
12/1	12/31	85.000 CFS
1/1	1/31	63.000 CFS
2/1	2/28	101.000 CFS
3/1	3/31	129.000 CFS
4/1	4/30	450.000 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	260.000 CFS
6/1	6/30	90.000 CFS
7/1	7/31	27.000 CFS
8/1	8/31	19.000 CFS
9/1	9/30	24.000 CFS
10/1	10/31	32.000 CFS
11/1	11/30	58.000 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 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	241.000 CFS
11/1	11/30	319.000 CFS
12/1	12/31	301.000 CFS
5/1	5/31	4,782.000 CFS
1/1	1/31	317.000 CFS
2/1	2/28	404.000 CFS
3/1	3/31	706.000 CFS
4/1	4/30	2,827.000 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

6/1	6/30	919.000 CFS
7/1	7/31	168.000 CFS
8/1	8/31	81.000 CFS
9/1	9/30	78.000 CFS
10/1	10/31	112.000 CFS
11/1	11/30	186.000 CFS
12/1	12/31	209.000 CFS
5/1	5/31	1,767.000 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: 83-11958

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

SOURCE: FOURTH OF JULY CREEK TRIBUTARY: NORTH FORK CLEARWATER RIVER

QUANTITY: 301.000 CFS
Future non-DCMI = 1.1

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 1.1 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 - 15 cfs, Feb - 20 cfs, Mar - 28 cfs, Apr - 99 cfs, May - 186 cfs, Jun - 75 cfs, Jul - 14 cfs, Aug - 9 cfs, Sep - 9 cfs, Oct - 12 cfs, Nov - 16 cfs, and Dec - 18 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 R09E S6 SESENW End of Stream Flow Within Clearwater 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	27.000 CFS
	2/1 2/28	41.000 CFS
	3/1 3/31	54.000 CFS
	4/1 4/30	188.000 CFS

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

5/1	5/31	301.000 CFS
6/1	6/30	155.000 CFS
7/1	7/31	28.000 CFS
8/1	8/31	13.000 CFS
9/1	9/30	13.000 CFS
10/1	10/31	19.000 CFS
11/1	11/30	32.000 CFS
12/1	12/31	35.000 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

6/1	6/30	79.000 CFS
7/1	7/31	14.000 CFS
8/1	8/31	7.000 CFS
9/1	9/30	7.000 CFS
10/1	10/31	9.000 CFS
11/1	11/30	16.000 CFS
12/1	12/31	18.000 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	1,047.000 CFS
5/1	5/31	1,663.000 CFS
6/1	6/30	868.000 CFS
7/1	7/31	158.000 CFS
8/1	8/31	76.000 CFS
9/1	9/30	73.000 CFS
10/1	10/31	103.000 CFS
11/1	11/30	177.000 CFS
12/1	12/31	193.000 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

RIGHT NUMBER: 83-11961

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

SOURCE: WEITAS CREEK TRIBUTARY: NORTH FORK CLEARWATER RIVER

QUANTITY: 863.000 CFS
 Future non-DCMI = 3.3

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 3.3 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 - 42 cfs, Feb - 57 cfs, Mar - 77 cfs, Apr - 286 cfs, May - 531 cfs, Jun - 210 cfs, Jul - 41 cfs, Aug - 27 cfs, Sep - 25 cfs, Oct - 33 cfs, Nov - 45 cfs, and Dec - 52 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: T37N R08E S26 SESWNE End of Stream Flow Within Clearwater 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	76.000 CFS
	2/1 2/28	119.000 CFS
	3/1 3/31	149.000 CFS
	4/1 4/30	544.000 CFS

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

5/1	5/31	863.000 CFS
6/1	6/30	434.000 CFS
7/1	7/31	79.000 CFS
8/1	8/31	39.000 CFS
9/1	9/30	37.000 CFS
10/1	10/31	54.000 CFS
11/1	11/30	89.000 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 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

6/1	6/30	37.400 CFS
7/1	7/31	9.400 CFS
8/1	8/31	4.700 CFS
9/1	9/30	5.400 CFS
10/1	10/31	5.300 CFS
11/1	11/30	8.500 CFS
12/1	12/31	8.300 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

RIGHT NUMBER: 84-12216

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

SOURCE: OROFINO CREEK

TRIBUTARY: CLEARWATER RIVER

QUANTITY: 387.000 CFS

Future non-DCMI = 6.9

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 6.9 cfs based on 25 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 - 40 cfs, Feb - 88 cfs, Mar - 163 cfs, Apr - 242 cfs, May - 262 cfs, Jun - 125 cfs, Jul - 35 cfs, Aug - 21 cfs, Sep - 24 cfs, Oct - 21 cfs, Nov - 32 cfs, and Dec - 31 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:

T36N R02E S7 SENESW End of Stream Flow Within Clearwater 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	61.000 CFS
	2/1 2/28	150.000 CFS
	3/1 3/31	272.000 CFS
	4/1 4/30	387.000 CFS

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

5/1	5/31	377.000 CFS
6/1	6/30	223.000 CFS
7/1	7/31	56.000 CFS
8/1	8/31	28.000 CFS
9/1	9/30	31.000 CFS
10/1	10/31	31.000 CFS
11/1	11/30	50.000 CFS
12/1	12/31	50.000 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.

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	175.000 CFS
6/1	6/30	98.000 CFS
7/1	7/31	26.000 CFS
8/1	8/31	13.000 CFS
9/1	9/30	15.000 CFS
10/1	10/31	14.000 CFS
11/1	11/30	23.000 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 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

12/1	12/31	18.000 CFS
1/1	1/31	22.000 CFS
2/1	2/28	53.000 CFS
3/1	3/31	94.000 CFS
4/1	4/30	141.000 CFS
5/1	5/31	138.000 CFS
6/1	6/30	78.000 CFS
7/1	7/31	20.000 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.

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	811.000 CFS
6/1	6/30	475.000 CFS
7/1	7/31	131.000 CFS
8/1	8/31	57.000 CFS
9/1	9/30	66.000 CFS
10/1	10/31	64.000 CFS
11/1	11/30	115.000 CFS
12/1	12/31	116.000 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	135.000 CFS
6/1	6/30	80.000 CFS
7/1	7/31	21.000 CFS
8/1	8/31	10.000 CFS
9/1	9/30	11.000 CFS
10/1	10/31	10.000 CFS
11/1	11/30	19.000 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 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	12.900 CFS
6/1	6/30	7.600 CFS
7/1	7/31	2.000 CFS
8/1	8/31	0.900 CFS
9/1	9/30	1.000 CFS
10/1	10/31	1.100 CFS
11/1	11/30	1.700 CFS
12/1	12/31	1.700 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, 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

5/1	5/31	14.100 CFS
6/1	6/30	7.800 CFS
7/1	7/31	3.100 CFS
8/1	8/31	1.300 CFS
9/1	9/30	1.500 CFS
10/1	10/31	1.800 CFS
11/1	11/30	3.100 CFS
12/1	12/31	1.900 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, 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

RIGHT NUMBER: 84-12223

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

SOURCE: TOM TAHA CREEK

TRIBUTARY: CLEARWATER RIVER

QUANTITY: 23.800 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 25 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 - 2.4 cfs, Feb - 5.3 cfs, Mar - 9.7 cfs, Apr - 14.9 cfs, May - 16 cfs, Jun - 7.5 cfs, Jul - 2.1 cfs, Aug - 1.3 cfs, Sep - 1.5 cfs, Oct - 1.3 cfs, Nov - 1.9 cfs, and Dec - 1.9 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 R03E S1 SENENW Lot 25 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	3.700 CFS
	2/1 2/28	9.000 CFS
	3/1 3/31	16.200 CFS
	4/1 4/30	23.800 CFS

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

5/1	5/31	23.000 CFS
6/1	6/30	13.400 CFS
7/1	7/31	3.400 CFS
8/1	8/31	1.700 CFS
9/1	9/30	1.900 CFS
11/1	11/30	3.100 CFS
12/1	12/31	3.100 CFS
10/1	10/31	1.900 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, 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

RIGHT NUMBER: 84-12224
NAME AND ADDRESS: STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

SOURCE: YAKUS CREEK TRIBUTARY: LOLO CREEK

QUANTITY: 30.000 CFS
Future non-DCMI = 0.2

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 0.2 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 - 2.6 cfs, Feb - 5.7 cfs, Mar - 10.7 cfs, Apr - 16 cfs, May - 17.3 cfs, Jun - 8 cfs, Jul - 2.3 cfs, Aug - 1.4 cfs, Sep - 1.6 cfs, Oct - 1.4 cfs, Nov - 2.1 cfs, and Dec - 2 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 R05E S23 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.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	5.000 CFS
	2/1 2/28	12.000 CFS
	3/1 3/31	21.000 CFS
	4/1 4/30	30.000 CFS

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

5/1	5/31	28.000 CFS
6/1	6/30	17.000 CFS
7/1	7/31	4.000 CFS
8/1	8/31	2.000 CFS
9/1	9/30	2.000 CFS
10/1	10/31	2.000 CFS
11/1	11/30	4.000 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, 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: 84-12225

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

SOURCE: YOOSA CREEK

TRIBUTARY: LOLO CREEK

QUANTITY: 40.400 CFS

Future non-DCMI = 0.2

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 0.2 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 - 3.4 cfs, Feb - 7.5 cfs, Mar - 13.9 cfs, Apr - 21.2 cfs, May - 23.2 cfs, Jun - 10.7 cfs, Jul - 2.9 cfs, Aug - 1.7 cfs, Sep - 2.1 cfs, Oct - 1.8 cfs, Nov - 2.8 cfs, and Dec - 2.7 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 R06E S10 NESENE 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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	6.100 CFS
	2/1 2/28	15.600 CFS
	3/1 3/31	27.100 CFS
	4/1 4/30	40.400 CFS

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

5/1	5/31		37.800 CFS
6/1	6/30		22.000 CFS
7/1	7/31		5.700 CFS
8/1	8/31		2.600 CFS
9/1	9/30		3.100 CFS
10/1	10/31		2.900 CFS
11/1	11/30		5.400 CFS
12/1	12/31		5.300 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

9/1	9/30	2.400 CFS
10/1	10/31	3.600 CFS
11/1	11/30	5.200 CFS
12/1	12/31	7.200 CFS
1/1	1/31	7.000 CFS
2/1	2/28	17.400 CFS
3/1	3/31	30.700 CFS
4/1	4/30	26.900 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, 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

5/1	5/31	6.700 CFS
6/1	6/30	2.500 CFS
7/1	7/31	1.100 CFS
8/1	8/31	0.500 CFS
9/1	9/30	0.700 CFS
10/1	10/31	1.100 CFS
11/1	11/30	1.600 CFS
12/1	12/31	2.300 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

5/1	5/31	107.000 CFS
6/1	6/30	39.000 CFS
7/1	7/31	17.000 CFS
8/1	8/31	8.000 CFS
9/1	9/30	12.000 CFS
10/1	10/31	18.000 CFS
11/1	11/30	25.000 CFS
12/1	12/31	35.000 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

11/1	11/30	1.000 CFS
12/1	12/31	1.300 CFS
3/1	3/31	5.700 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.

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	42.000 CFS
6/1	6/30	15.000 CFS
7/1	7/31	7.000 CFS
8/1	8/31	3.000 CFS
9/1	9/30	4.000 CFS
10/1	10/31	7.000 CFS
11/1	11/30	10.000 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 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

11/1 11/30 28.000 CFS

12/1 12/31 35.000 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.

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

11/1 11/30 6.700 CFS

12/1 12/31 9.600 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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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

11/1 11/30 6.700 CFS

12/1 12/31 9.100 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

10/1	10/31	0.800 CFS
11/1	11/30	1.200 CFS
12/1	12/31	1.600 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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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	1.000 CFS
11/1	11/30	1.700 CFS
12/1	12/31	1.000 CFS
1/1	1/31	0.900 CFS
2/1	2/28	2.900 CFS
3/1	3/31	5.000 CFS
4/1	4/30	5.800 CFS
5/1	5/31	7.400 CFS
6/1	6/30	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, 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

5/1	5/31	2.700 CFS
6/1	6/30	1.000 CFS
7/1	7/31	0.400 CFS
8/1	8/31	0.200 CFS
9/1	9/30	0.300 CFS
10/1	10/31	0.400 CFS
11/1	11/30	0.600 CFS
12/1	12/31	0.900 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, 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

RIGHT NUMBER: 85-15609

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

SOURCE: UNNAMED STREAM

TRIBUTARY: BIG CANYON CREEK

QUANTITY: 4.300 CFS

Future non-DCMI = 0.1

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 0.1 cfs based on 25 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 - 0.7 cfs, Feb - 1.1 cfs, Mar - 2.2 cfs, Apr - 1.8 cfs, May - 1.6 cfs, Jun - 0.7 cfs, Jul - 0.3 cfs, Aug - 0.1 cfs, Sep - 0.2 cfs, Oct - 0.3 cfs, Nov - 0.5 cfs, and Dec - 0.7 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 R01W S25 NENESW End of Stream Flow Within Lewis 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	1.000 CFS
	2/1 2/28	2.500 CFS
	3/1 3/31	4.300 CFS

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

4/1	4/30	3.700 CFS
5/1	5/31	3.200 CFS
6/1	6/30	1.100 CFS
7/1	7/31	0.500 CFS
8/1	8/31	0.300 CFS
9/1	9/30	0.300 CFS
10/1	10/31	0.500 CFS
11/1	11/30	0.700 CFS
12/1	12/31	1.000 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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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	1.700 CFS
11/1	11/30	2.300 CFS
12/1	12/31	3.300 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.

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	14.900 CFS
5/1	5/31	12.700 CFS
6/1	6/30	4.400 CFS
7/1	7/31	2.000 CFS
8/1	8/31	0.900 CFS
9/1	9/30	1.300 CFS
10/1	10/31	2.000 CFS
11/1	11/30	2.900 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, 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

4/1	4/30	9.600 CFS
5/1	5/31	8.000 CFS
6/1	6/30	2.900 CFS
7/1	7/31	1.300 CFS
8/1	8/31	0.600 CFS
9/1	9/30	0.800 CFS
10/1	10/31	1.300 CFS
11/1	11/30	1.800 CFS
12/1	12/31	2.600 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

4/1	4/30	3.000 CFS
5/1	5/31	4.000 CFS
6/1	6/30	2.100 CFS
7/1	7/31	0.900 CFS
8/1	8/31	0.300 CFS
9/1	9/30	0.400 CFS
10/1	10/31	0.500 CFS
11/1	11/30	0.900 CFS
12/1	12/31	0.500 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

RIGHT NUMBER: 85-15614

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

SOURCE: EAST FORK SWEETWATER CREEK TRIBUTARY: SWEETWATER CREEK

QUANTITY: 6.500 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: T34N R04W S28 SWNWSE Lot 13 End of Stream Flow Within Nez Perce 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	1.400 CFS
	2/1 2/28	3.600 CFS
	3/1 3/31	6.500 CFS
	4/1 4/30	5.800 CFS
	5/1 5/31	4.700 CFS
	6/1 6/30	1.700 CFS
	7/1 7/31	0.800 CFS
	8/1 8/31	0.300 CFS
	9/1 9/30	0.500 CFS

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

10/1	10/31	0.800 CFS
11/1	11/30	1.000 CFS
12/1	12/31	1.500 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.

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: 85-15615

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

SOURCE: WEST FORK SWEETWATER CREEK TRIBUTARY: SWEETWATER CREEK

QUANTITY: 5.800 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:

T34N R04W S28 SWNWSE Lot 13 End of Stream Flow Within Nez Perce 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	1.400 CFS
	2/1 2/28	3.300 CFS
	3/1 3/31	5.800 CFS
	4/1 4/30	5.300 CFS
	5/1 5/31	4.400 CFS
	6/1 6/30	1.600 CFS
	7/1 7/31	0.700 CFS
	8/1 8/31	0.300 CFS
	9/1 9/30	0.500 CFS

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

10/1	10/31	0.700 CFS
11/1	11/30	1.000 CFS
12/1	12/31	1.400 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.

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: 85-15616

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

SOURCE: LAWYER CREEK

TRIBUTARY: CLEARWATER RIVER

QUANTITY: 260.000 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:

T33N R04E S6 SWSWSW Lot 5 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	90.000 CFS
	2/1 2/28	112.000 CFS
	3/1 3/31	260.000 CFS
	4/1 4/30	168.000 CFS
	5/1 5/31	80.000 CFS
	6/1 6/30	21.000 CFS
	7/1 7/31	9.000 CFS
	8/1 8/31	5.000 CFS
	9/1 9/30	7.000 CFS

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

10/1	10/31		14.000 CFS
11/1	11/30		30.000 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.

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

RIGHT NUMBER: 85-15617
NAME AND ADDRESS: STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

SOURCE: SEVENMILE CREEK TRIBUTARY: LAWYER CREEK

QUANTITY: 14.200 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: T33N R03E S10 SESWSW 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	4.700 CFS
	2/1 2/28	6.200 CFS
	3/1 3/31	14.200 CFS
	4/1 4/30	9.100 CFS
	5/1 5/31	4.400 CFS
	6/1 6/30	1.300 CFS
	7/1 7/31	0.600 CFS
	8/1 8/31	0.300 CFS
	9/1 9/30	0.400 CFS

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

10/1	10/31	0.800 CFS
11/1	11/30	1.700 CFS
12/1	12/31	1.500 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.

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	0.700 CFS
11/1	11/30	1.500 CFS
12/1	12/31	1.400 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.

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

11/1 11/30 2.700 CFS

12/1 12/31 2.400 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.

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: 85-15620

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

SOURCE: RED ROCK CREEK

TRIBUTARY: COTTONWOOD CREEK

QUANTITY: 43.400 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:

T32N R03E S32 SENESE 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	18.400 CFS
	2/1 2/28	17.300 CFS
	3/1 3/31	43.400 CFS
	4/1 4/30	36.100 CFS
	5/1 5/31	12.900 CFS
	6/1 6/30	4.300 CFS
	7/1 7/31	1.200 CFS
	8/1 8/31	0.600 CFS
	9/1 9/30	0.900 CFS
	10/1 10/31	1.500 CFS

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

11/1 11/30 2.800 CFS

12/1 12/31 4.200 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.

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

11/1 11/30	1.200 CFS
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12/1 12/31	1.100 CFS
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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.

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: 85-15622

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

SOURCE: COTTONWOOD CREEK TRIBUTARY: SOUTH FORK CLEARWATER RIVER

QUANTITY: 289.000 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:

T32N R04E S29 SWNESE 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	122.000 CFS
	2/1 2/28	113.000 CFS
	3/1 3/31	289.000 CFS
	4/1 4/30	238.000 CFS
	5/1 5/31	87.000 CFS
	6/1 6/30	21.000 CFS
	7/1 7/31	7.000 CFS
	8/1 8/31	4.000 CFS
	9/1 9/30	6.000 CFS
	10/1 10/31	10.000 CFS

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

11/1 11/30	19.000 CFS
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12/1 12/31	28.000 CFS
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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.

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	13.800 CFS
6/1	6/30	4.600 CFS
7/1	7/31	1.200 CFS
8/1	8/31	0.700 CFS
9/1	9/30	1.000 CFS
10/1	10/31	1.600 CFS
11/1	11/30	3.100 CFS
12/1	12/31	4.600 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

RIGHT NUMBER: 85-15624
NAME AND ADDRESS: STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

SOURCE: SALLY ANN CREEK TRIBUTARY: SOUTH FORK CLEARWATER RIVER

QUANTITY: 52.200 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 25 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 - 2.9 cfs, Feb - 4.9 cfs, Mar - 8.9 cfs, Apr - 27.6 cfs, May - 13.8 cfs, Jun - 1.9 cfs, Jul - 0.9 cfs, Aug - 1.2 cfs, Sep - 1.1 cfs, Oct - 1.5 cfs, Nov - 1.9 cfs, and Dec - 2.1 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: T31N R04E S21 SWNWSE Lot 7 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:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	MINIMUM STREAM FLOW		3/1 3/31
		4/1 4/30	52.200 CFS
		5/1 5/31	23.700 CFS
		6/1 6/30	3.700 CFS

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

7/1	7/31	1.100 CFS
8/1	8/31	1.600 CFS
9/1	9/30	1.500 CFS
10/1	10/31	1.900 CFS
11/1	11/30	2.400 CFS
12/1	12/31	3.000 CFS
1/1	1/31	5.400 CFS
2/1	2/28	11.200 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

RIGHT NUMBER: 85-15625

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

SOURCE: CAPTAIN JOHN CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 12.900 CFS

Future non-DCMI = 0.2

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 0.2 cfs based on 25 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 - 0.7 cfs, Feb - 1.6 cfs, Mar - 3.5 cfs, Apr - 5.9 cfs, May - 7.7 cfs, Jun - 5.3 cfs, Jul - 1.4 cfs, Aug - 0.5 cfs, Sep - 0.7 cfs, Oct - 0.7 cfs, Nov - 0.9 cfs, and Dec - 1.1 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 R05W S35 SWSESW Lot 5 End of Stream Flow Within Nez Perce 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	1.100 CFS
	2/1 2/28	2.800 CFS
	3/1 3/31	8.000 CFS
	4/1 4/30	12.500 CFS

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

5/1	5/31	12.900 CFS
7/1	7/31	1.900 CFS
8/1	8/31	1.100 CFS
9/1	9/30	0.900 CFS
10/1	10/31	0.900 CFS
11/1	11/30	1.000 CFS
12/1	12/31	1.100 CFS
6/1	6/30	8.300 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

5/1	5/31	2.400 CFS
6/1	6/30	1.600 CFS
7/1	7/31	0.400 CFS
8/1	8/31	0.200 CFS
9/1	9/30	0.200 CFS
10/1	10/31	0.200 CFS
11/1	11/30	0.200 CFS
12/1	12/31	0.300 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

RIGHT NUMBER: 86-11957

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

SOURCE: CEDAR CREEK

TRIBUTARY: POTLATCH RIVER

QUANTITY: 76.600 CFS

Future non-DCMI = 0.7

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 0.7 cfs based on 25 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 - 3 cfs, Feb - 7 cfs, Mar - 18 cfs, Apr - 41 cfs, May - 15 cfs, Jun - 6 cfs, Jul - 2 cfs, Aug - 2 cfs, Sep - 2 cfs, Oct - 3 cfs, Nov - 2 cfs, and Dec - 2 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 R02W S11 SWSWNE End of Stream Flow Within Latah 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	8.700 CFS
	2/1 2/28	19.100 CFS
	3/1 3/31	34.700 CFS
	4/1 4/30	76.600 CFS
	5/1 5/31	32.300 CFS

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

6/1	6/30	10.000 CFS
7/1	7/31	4.400 CFS
8/1	8/31	2.900 CFS
9/1	9/30	3.500 CFS
10/1	10/31	4.600 CFS
11/1	11/30	5.300 CFS
12/1	12/31	7.200 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

RIGHT NUMBER: 86-11958
 NAME AND ADDRESS: STATE OF IDAHO
 IDAHO WATER RESOURCE BOARD
 322 E FRONT ST
 PO BOX 83720
 BOISE ID 83720-0098

SOURCE: PINE CREEK TRIBUTARY: CLEARWATER RIVER

QUANTITY: 17.400 CFS
 Future non-DCMI = 0.2

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 0.2 cfs based on 25 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 - 0.6 cfs, Feb - 1.7 cfs, Mar - 3.9 cfs, Apr - 9.4 cfs, May - 3.4 cfs, Jun - 1.3 cfs, Jul - 0.6 cfs, Aug - 0.4 cfs, Sep - 0.4 cfs, Oct - 0.6 cfs, Nov - 0.6 cfs, and Dec - 0.6 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: T37N R03W S25 NWNESE End of Stream Flow Within Nez Perce 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	2.000 CFS
	2/1 2/28	4.400 CFS
	3/1 3/31	7.700 CFS
	4/1 4/30	17.400 CFS

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

5/1	5/31	7.300 CFS
6/1	6/30	2.200 CFS
7/1	7/31	1.000 CFS
8/1	8/31	0.600 CFS
9/1	9/30	0.800 CFS
10/1	10/31	1.000 CFS
11/1	11/30	1.200 CFS
12/1	12/31	1.600 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

5/1	5/31	21.000 CFS
6/1	6/30	7.000 CFS
7/1	7/31	3.000 CFS
8/1	8/31	2.000 CFS
9/1	9/30	2.000 CFS
10/1	10/31	3.000 CFS
11/1	11/30	4.000 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.

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	587.000 CFS
6/1	6/30	207.000 CFS
7/1	7/31	86.000 CFS
8/1	8/31	43.000 CFS
9/1	9/30	56.000 CFS
10/1	10/31	72.000 CFS
11/1	11/30	70.000 CFS
12/1	12/31	152.000 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