RIGHT NUMBER:

81-11951

NAME AND ADDRESS:

STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

RHODA CREEK

TRIBUTARY: NORTH FORK MOOSE CREEK

QUANTITY:

626.000 CFS

Future non-DCMI = 1.5

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 1.5 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 - 25 cfs, Feb - 28 cfs, Mar - 34 cfs, Apr - 88 cfs, May - 307 cfs, Jun - 250 cfs, Jul - 53 cfs, Aug - 29 cfs, Sep - 29 cfs, Oct - 21 cfs, Nov - 22 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:

T33N R12E S4 SWNENE 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	57.000 CFS
	2/1 2/28	73.000 CFS
	3/1 3/31	79.000 CFS
	4/1 4/30	197.000 CFS
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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.

RIGHT NUMBER:

81-11952

NAME AND ADDRESS:

STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

NORTH FORK MOOSE CREEK

TRIBUTARY: MOOSE CREEK

QUANTITY:

2,237.000 CFS

Future non-DCMI = 3.2

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 3.2 cfs based on 5 percent of the lowest unimpaired median monthly flow or the amount available above a base flow which is equivalent to the unimpaired monthly 80% exceedence flow whichever is less. The 80% monthly exceedence flows are as follows: Jan - 57 cfs, Feb - 57 cfs, Mar - 112 cfs, Apr - 369 cfs, May - 1216 cfs, Jun - 600 cfs, Jul - 144 cfs, Aug - 67 cfs, Sep - 49 cfs, Oct - 64 cfs, Nov - 63 cfs, and Dec - 72 cfs.

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

PRIORITY DATE:

04/01/2005

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

POINT OF

DIVERSION:

T33N R12E S36 NENWNE 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:

PERIOD OF USE:			
	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	MINIMUM STREAM FLOW	1/1 1/31	131.000 CFS
		2/1 2/28	150.000 CFS
		3/1 3/31	259.000 CFS
		4/1 4/30	826.000 CFS
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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.

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.

RIGHT NUMBER:

81-11953

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

PETE KING CREEK

TRIBUTARY: LOCHSA RIVER

QUANTITY:

130.000 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 5 percent of the lowest unimpaired median monthly flow or the amount available above a base flow which is equivalent to the unimpaired monthly 80% exceedence flow whichever is less. The 80% monthly exceedence flows are as follows: Jan - 6 cfs, Feb - 7 cfs, Mar - 10 cfs, Apr - 37 cfs, May - 70 cfs, Jun - 28 cfs, Jul - 5 cfs, Aug - 3 cfs, Sep - 3 cfs, Oct - 4 cfs, Nov - 6 cfs, and Dec - 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:

T33N R07E S28 SWSWSE Lot 6 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	PERIO	D OF USE	QUANTITY	
MINIMUM STREAM	FLOW 1/1	1/31	13.000	CFS
	2/1	2/28	20.000	CFS
	3/1	3/31	24.000	CFS
	4/1	4/30	84.000	CFS

	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.

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.

RIGHT NUMBER:

81-11954

NAME AND ADDRESS:

STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE .

MAGGIE CREEK

TRIBUTARY: MIDDLE FORK CLEARWATER RIVER

**OUANTITY:** 

55.000 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 - 4 cfs, Feb - 9 cfs, Mar - 16 cfs, Apr - 25 cfs, May - 27 cfs, Jun - 13 cfs, Jul - 3 cfs, Aug - 2 cfs, Sep - 2 cfs, Oct - 2 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:

T32N R04E S3 NWNWSE Lot 6 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:

PERIOD OF USE:			
	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	MINIMUM STREAM FLOW	1/1 1/31	9.000 CFS
		2/1 2/28	23.000 CFS
		3/1 3/31	38.000 CFS
		4/1 4/30	55.000 CFS
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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.

RIGHT NUMBER:

81-11955

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

PETTIBONE CREEK

TRIBUTARY: SELWAY RIVER

QUANTITY:

338.000 CFS

Future non-DCMI = 0.8

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 0.8 cfs based on 5 percent of the lowest unimpaired median monthly flow or the amount available above a base flow which is equivalent to the unimpaired monthly 80% exceedence flow whichever is less. The 80% monthly exceedence flows are as follows: Jan - 13 cfs, Feb - 15 cfs, Mar - 18 cfs, Apr - 48 cfs, May - 166 cfs, Jun - 135 cfs, Jul - 28 cfs, Aug - 15 cfs, Sep - 15 cfs, Oct - 11 cfs, Nov - 12 cfs, and Dec -

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 R13E S9 SWSWNE 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	OUANTITY
MINIMUM STREAM FLOW	1/1 1/31	30.000 CFS
	2/1 2/28	38.000 CFS
	3/1 3/31	41.000 CFS
	4/1 4/30	107.000 CFS
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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
1:	1/1	11/30	28.000	CFS
12	2/1	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.

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
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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.

RIGHT NUMBER:

81-11957

NAME AND ADDRESS:

STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

CLEAR CREEK

TRIBUTARY: MIDDLE FORK CLEARWATER RIVER

**OUANTITY:** 

377.000 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 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 - 16 cfs, Feb - 22 cfs, Mar - 30 cfs, Apr - 110 cfs, May - 205 cfs, Jun - 80 cfs, Jul - 15 cfs, Aug - 10 cfs, Sep - 10 cfs, Oct - 13 cfs, Nov - 18 cfs, and Dec - 20 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 R04E S10 NWNWNW Lot 2 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	9/1 9/30	16.000 CFS
	10/1 10/31	25.000 CFS
	11/1 11/30	42.000 CFS
	12/1 12/31	49.000 CFS

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.

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.

RIGHT NUMBER:

81-11958

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

GEDNEY CREEK

TRIBUTARY: SELWAY RIVER

QUANTITY:

365.000 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 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 - 16 cfs, Feb - 21 cfs, Mar - 30 cfs, Apr - 110 cfs, May - 198 cfs, Jun - 80 cfs, Jul - 15 cfs, Aug - 10 cfs, Sep - 9 cfs, Oct - 13 cfs, Nov - 18 cfs, and Dec -20 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 R09E S3 SESWNE 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	36.000 CFS
	2/1 2/28	56.000 CFS
	3/1 3/31	68.000 CFS
	4/1 4/30	246.000 CFS
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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.

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.

RIGHT NUMBER:

81-11959

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

MARTEN CREEK

TRIBUTARY: SELWAY RIVER

QUANTITY:

238.000 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 - 11 cfs, Mar - 13 cfs, Apr - 34 cfs, May - 115 cfs, Jun - 95 cfs, Jul - 20 cfs, Aug - 11 cfs, Sep - 11 cfs, Oct - 8 cfs, Nov - 9 cfs, and Dec - 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:

T32N R11E S23 SWNESW 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:

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	MINIMUM STREAM FLOW	1/1 1/31	21.000 CFS
		2/1 2/28	28.000 CFS
		3/1 3/31	29.000 CFS
		4/1 4/30	76.000 CFS
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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.

RIGHT NUMBER:

81-11960

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

MINK CREEK

TRIBUTARY: SELWAY RIVER

QUANTITY:

99.000 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 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 - 4 cfs, Feb - 4 cfs, Mar - 6 cfs, Apr - 14 cfs, May - 49 cfs, Jun - 40 cfs, Jul - 9 cfs, Aug - 5 cfs, Sep - 5 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:

T32N R11E S22 NWNESW 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	9.000 CFS
	2/1 2/28	11.000 CFS
	3/1 3/31	13.000 CFS
	4/1 4/30	32.000 CFS

	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.

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.

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

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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
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
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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.

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.

RIGHT NUMBER:

81-11962

NAME AND ADDRESS:

STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

COTTROE .

BEAR CREEK

TRIBUTARY: SELWAY RIVER

QUANTITY:

2,708,000 CFS

Future non-DCMI = 3.9

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 3.9 cfs based on 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 - 70 cfs, Feb - 70 cfs, Mar - 138 cfs, Apr - 451 cfs, May - 1472 cfs, Jun - 750 cfs, Jul - 173 cfs, Aug - 84 cfs, Sep - 60 cfs, Oct - 74 cfs, Nov - 81 cfs, and Dec - 88 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 R13E S16 SWSESW 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 161.000 CFS
MINIMUM STREAM FLOW	1/1 1/31	161.000 CFS
	2/1 2/28	185.000 CFS
	3/1 3/31	317.000 CFS
	4/1 4/30	1,010.000 CFS
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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.

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.

RIGHT NUMBER:

81-11963

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

SOUTH FORK CLEAR CREEK

TRIBUTARY: CLEAR CREEK

OUANTITY:

82,000 CFS

Future non-DCMI = 0.3

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 0.3 cfs based on 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 - 5.3 cfs, Mar - 7.7 cfs, Apr - 27.5 cfs, May - 50.6 cfs, Jun - 20.5 cfs, Jul - 3.9 cfs, Aug - 2.5 cfs, Sep - 2.4 cfs, Oct - 3.2 cfs, Nov - 4.4 cfs, and Dec - 4.8 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:

T31N R05E S10 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 location

PURPOSE AND PERIOD OF USE:

ERVIOR OF ORE:			
	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	MINIMUM STREAM FLOW	1/1 1/31	7.000 CFS
		2/1 2/28	11.000 CFS
		3/1 3/31	15.000 CFS
		4/1 4/30	52.000 CFS
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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.

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

**OUANTITY:** 

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

PRIORITY DATE:

04/01/2005

42-1507(4), Idaho Code.

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:

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

RIGHT NUMBER:

81-11965

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

OUANTITY:

141,000 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 5 percent of the lowest unimpaired median monthly flow or the amount available above a base flow which is equivalent to the unimpaired monthly 80% exceedence flow whichever is less. The 80% monthly exceedence flows are as follows: Jan - 6 cfs, Feb - 8 cfs, Mar - 12 cfs, Apr - 43 cfs, May - 77 cfs, Jun - 32 cfs, Jul - 6 cfs, Aug - 4 cfs, Sep - 4 cfs, Oct - 5 cfs, Nov - 7 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:

T31N R07E S13 NWNENE 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	10/1 10/31	10.000 CFS
	11/1 11/30	16.000 CFS
	12/1 12/31	19.000 CFS
	1/1 1/31	14.000 CFS

2/1 2/2	22.000	CFS
3/1 3/3	27.000	CFS
4/1 4/3	96.000	CFS
5/1 5/3	141.000	CFS
6/1 6/3	79.000	CFS
7/1 7/3	15.000	CFS
8/1 8/3	6.000	CFS
9/1 9/3	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.

RIGHT NUMBER:

81-11966

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

MEADOW CREEK

TRIBUTARY: SELWAY RIVER

QUANTITY:

2,003.000 CFS

Future non-DCMI = 4.5

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 4.5 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 - 79 cfs, Feb - 84 cfs, Mar - 107 cfs, Apr - 281 cfs, May - 960 cfs, Jun - 800 cfs, Jul - 163 cfs, Aug - 91 cfs, Sep - 87 cfs, Oct - 64 cfs, Nov - 68 cfs, and Dec - 56 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 R09E S11 SWNWNE 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 MINIMUM STREAM FLOW	PERIOD OF USE 1/1 1/31	QUANTITY 181.000 CFS
	2/1 2/28	220.000 CFS
	3/1 3/31	247.000 CFS
	4/1 4/30	628.000 CFS
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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.

RIGHT NUMBER:

81-11967

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

CUB CREEK

TRIBUTARY: BEAR CREEK

QUANTITY:

1,139.000 CFS

Future non-DCMI = 2.6

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 2.6 cfs based on 5 percent of the lowest unimpaired median monthly flow or the amount available above a base flow which is equivalent to the unimpaired monthly 80% exceedence flow whichever is less. The 80% monthly exceedence flows are as follows: Jan - 44 cfs, Feb - 48 cfs, Mar - 61 cfs, Apr - 165 cfs, May - 557 cfs, Jun - 455 cfs, Jul - 96 cfs, Aug - 53 cfs, Sep - 52 cfs, Oct - 38 cfs, Nov - 40 cfs, and Dec -

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 R14E S7 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 MINIMUM STREAM FLOW	PERIOD OF USE 1/1 1/31	QUANTITY 101.000 CFS
	2/1 2/28	127.000 CFS
•	3/1 3/31	141.000 CFS
	4/1 4/30	370.000 CFS
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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	CES

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.

RIGHT NUMBER:

81-11968

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

BUCK LAKE CREEK

TRIBUTARY: MEADOW CREEK

QUANTITY:

250.000 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 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 - 10 cfs, Feb - 11 cfs, Mar - 14 cfs, Apr - 36 cfs, May - 128 cfs, Jun - 100 cfs, Jul - 22 cfs, Aug - 12 cfs, Sep - 12 cfs, Oct - 8 cfs, Nov - 9 cfs, and Dec - 7

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 R10E S19 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:

PERIOD OF USE:			
	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	MINIMUM STREAM FLOW	2/1 2/28	29.000 CFS
		3/1 3/31	32.000 CFS
		4/1 4/30	81.000 CFS
		5/1 5/31	236.000 CFS
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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.

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

OUANTITY:

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

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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
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
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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.

RIGHT NUMBER:

81-11970

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

RUNNING CREEK

TRIBUTARY: SELWAY RIVER

OUANTITY:

864,000 CFS

Future non-DCMI = 2

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 2 cfs based on 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 - 34 cfs, Feb - 38 cfs, Mar - 46 cfs, Apr - 127 cfs, May - 422 cfs, Jun - 345 cfs, Jul - 72 cfs, Aug - 40 cfs, Sep - 40 cfs, Oct - 29 cfs, Nov - 30 cfs, and Dec -25 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 S21 NESESE 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.

PERIOD OF OSE:			
	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	MINIMUM STREAM FLOW	1/1 1/31	78.000 CFS
		2/1 2/28	100.000 CFS
		3/1 3/31	107.000 CFS
		4/1 4/30	283.000 CFS
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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.

RIGHT NUMBER:

81-11971

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

WHITE CAP CREEK

TRIBUTARY: SELWAY RIVER

QUANTITY:

1,627.000 CFS

Future non-DCMI = 3.8

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 3.8 cfs based on 5 percent of the lowest unimpaired median monthly flow or the amount available above a base flow which is equivalent to the unimpaired monthly 80% exceedence flow whichever is less. The 80% monthly exceedence flows are as follows: Jan - 66 cfs, Feb - 75 cfs, Mar - 92 cfs, Apr - 242 cfs, May - 832 cfs, Jun - 650 cfs, Jul - 144 cfs, Aug - 77 cfs, Sep - 80 cfs, Oct - 58 cfs, Nov - 59 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:

T29N R14E S8 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	151.000 CFS
	2/1 2/28	197.000 CFS
	3/1 3/31	212.000 CFS
	4/1 4/30	542.000 CFS
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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.

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.

PERIOD OF USE:					
	PURPOSE OF USE	PERIOD OF USE	QUANTITY		
	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		
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	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.

RIGHT NUMBER:

81-11973

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

THREE PRONG CREEK

TRIBUTARY: MEADOW CREEK

OUANTITY:

105.000 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 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 - 4 cfs, Feb - 5 cfs, Mar - 6 cfs, Apr - 15 cfs, May - 52 cfs, Jun - 42 cfs, Jul - 9 cfs, Aug - 5 cfs, Sep - 5 cfs, Oct - 4 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 R11E S28 SWNWNW 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 OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	10.000 CFS
	2/1 2/28	13.000 CFS
	3/1 3/31	13.000 CFS
	4/1 4/30	35.000 CFS

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.

RIGHT NUMBER:

81-11974

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

DEEP CREEK

TRIBUTARY: SELWAY RIVER

OUANTITY:

426.000 CFS

Future non-DCMT = 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 - 17 cfs, Feb - 18 cfs, Mar - 23 cfs, Apr - 61 cfs, May - 205 cfs, Jun - 170 cfs, Jul - 36 cfs, Aug - 20 cfs, Sep - 19 cfs, Oct - 14 cfs, Nov - 15 cfs, and Dec -12 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 R14E S3 SESWNW 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.

PERIOD OF USE:				
	PURPOSE OF USE	PERIC	D OF USE	QUANTITY
	MINIMUM STREAM FLOW	1/1	1/31	38.000 CFS
		2/1	2/28	49.000 CFS
		3/1	3/31	53.000 CFS
		4/1	4/30	136.000 CFS
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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.

RIGHT NUMBER:

81-11975

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

WILKERSON CREEK

TRIBUTARY: SELWAY RIVER

OUANTITY:

313.000 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 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 - 12 cfs, Feb - 14 cfs, Mar - 17 cfs, Apr - 45 cfs, May - 154 cfs, Jun - 125 cfs, Jul - 26 cfs, Aug - 15 cfs, Sep - 14 cfs, Oct - 11 cfs, Nov - 11 cfs, and Dec 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:

T26N R14E S3 SESWSE 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 MINIMUM STREAM FLOW	PERIOD OF USE 1/1 1/31	QUANTITY 28.000 CFS	
	2/1 2/28	36.000 CFS	
	3/1 3/31	39.000 CFS	
	4/1 4/30	100.000 CFS	
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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.

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 Page 257

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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.

RIGHT NUMBER:

82-12221

NAME AND ADDRESS:

STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

RABBIT CREEK

TRIBUTARY: SOUTH FORK CLEARWATER RIVER

QUANTITY:

14.500 CFS

Future non-DCMI = 0.05

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 0.05 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 - 3.8 cfs, Feb - 3.3 cfs, Mar - 8.7 cfs, Apr - 7.2 cfs, May - 2.9 cfs, Jun - 0.8 cfs, Jul - 0.2 cfs, Aug - 0.1 cfs, Sep - 0.2 cfs, Oct - 0.3 cfs, Nov - 0.6 cfs, and Dec - 0.09 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 R04E S32 NWNESE 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 OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	5.900 CFS
	2/1 2/28	5.600 CFS
	3/1 3/31	14.500 CFS

	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.

RIGHT NUMBER:

82-12222

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

NEWSOME CREEK

TRIBUTARY: SOUTH FORK CLEARWATER RIVER

OUANTITY:

281,000 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 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 - 10 cfs, Feb - 11 cfs, Mar - 21 cfs, Apr - 88 cfs, May - 173 cfs, Jun - 70 cfs, Jul -16 cfs, Aug - 9 cfs, Sep - 8 cfs, Oct - 8 cfs, Nov - 9 cfs, and Dec - 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: T29N R07E S29 NENWNE 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 OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	18.000 CFS
	2/1 2/28	23.000 CFS
	3/1 3/31	41.000 CFS
	4/1 4/30	168.000 CFS

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.

RIGHT NUMBER:

82-12223

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

MEADOW CREEK

TRIBUTARY: SOUTH FORK CLEARWATER RIVER

QUANTITY:

114.000 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 - 9 cfs, Apr - 35 cfs, May - 70 cfs, Jun - 28 cfs, Jul - 7 cfs, Aug - 4 cfs, Sep - 3 cfs, Oct - 3 cfs, Nov - 4 cfs, and Dec - 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:

T29N R04E S26 SWNENW 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.

DYPROGE OF HOR	DEDITOR OF HOR	OTTO NICHTOWN
PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	7.000 CFS
	2/1 2/28	9.000 CFS
	3/1 3/31	17.000 CFS
	4/1 4/30	66.000 CFS

	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.

RIGHT NUMBER:

82-12224

NAME AND ADDRESS:

STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

SILVER CREEK

TRIBUTARY: SOUTH FORK CLEARWATER RIVER

QUANTITY:

99.000 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 - 31 cfs, May - 61 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 R05E S36 SENWSW 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 OF USE MINIMUM STREAM FLOW	PERIOD OF USE 1/1 1/31	QUANTITY 7.000 CFS
	2/1 2/28	8.000 CFS
	3/1 3/31	15.000 CFS
	4/1 4/30	59.000 CFS

5/1 5/3	1 9	9.000	CFS
6/1 6/3	0 5	1.000	CFS
7/1 7/3	1 1	1.000	CFS
8/1 8/3	1	5.000	CFS
9/1 9/3	0	4.000	CFS
10/1 10		5.000	CFS
11/1 11	/30	7.000	CFS
12/1 12	2/31	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.

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 OF USE	PERIOD OF USE	QUANTITY
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

12/1	12/31	6.000 CFS
1/1	1/31	7.000 CFS
2/1	2/28	8.000 CFS
	3/31	15.000 CFS
	4/30	58.000 CFS
	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.

RIGHT NUMBER:

82-12226

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

PEASLEY CREEK

TRIBUTARY: SOUTH FORK CLEARWATER RIVER

OUANTITY:

47,000 CES

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 - 1.7 cfs, Feb - 1.9 cfs, Mar - 3.5 cfs, Apr - 14.3 cfs, May - 28.8 cfs, Jun - 11.5 cfs, Jul - 2.7 cfs, Aug - 1.5 cfs, Sep - 1.4 cfs, Oct - 1.4 cfs, Nov - 1.6 cfs, and Dec - 1.5 cfs.

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

PRIORITY DATE:

04/01/2005

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

POINT OF DIVERSION:

T29N R05E S27 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 OF USE	PERIO	O OF USE	UANTITY	
MINIMUM STREAM F	FLOW 1/1	1/31	3.000 0	CFS
	2/1	2/28	4.000 0	CFS
	3/1	3/31	7.000 (	CFS
	4/1	4/30	27.000 (	CFS

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.

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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
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

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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.

RIGHT NUMBER:

82-12228

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

COUGAR CREEK

TRIBUTARY: SOUTH FORK CLEARWATER RIVER

QUANTITY:

31.000 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 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 - 1.1 cfs, Feb - 1.3 cfs, Mar - 2.4 cfs, Apr - 9.9 cfs, May - 19.2 cfs, Jun - 8 cfs, Jul - 1.9 cfs, Aug - 1.1 cfs, Sep - 0.9 cfs, Oct - 1 cfs, Nov - 1.1 cfs, and Dec - 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:

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	2.000 CFS
	2/1 2/28	3.000 CFS
	3/1 3/31	5.000 CFS
	4/1 4/30	19.000 CFS

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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.

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
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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.

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 CES

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 OF USE	PERIOD OF USE	QUANTITY
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

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.

RIGHT NUMBER:

82-12231

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

JOHNS CREEK

TRIBUTARY: SOUTH FORK CLEARWATER RIVER

OUANTITY:

459,000 CES

Future non-DCMI = 0.8

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 0.8 cfs based on 5 percent of the lowest unimpaired median monthly flow or the amount available above a base flow which is equivalent to the unimpaired monthly 80% exceedence flow whichever is less. The 80% monthly exceedence flows are as follows: Jan - 15 cfs, Feb - 17 cfs, Mar - 31 cfs, Apr - 127 cfs, May - 250 cfs, Jun - 100 cfs, Jul - 24 cfs, Aug - 14 cfs, Sep - 12 cfs, Oct - 13 cfs, Nov - 14 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 R05E S30 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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	34.000 CFS
	2/1 2/28	44.000 CFS
	3/1 3/31	72.000 CFS
	4/1 4/30	283.000 CFS

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.

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

OUANTITY:

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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
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

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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.

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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
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
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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.

RIGHT NUMBER:

82-12234

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

TENMILE CREEK

TRIBUTARY: SOUTH FORK CLEARWATER RIVER

QUANTITY:

247,000 CES

Future non-DCMI = 0.4

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 0.4 cfs based on 5 percent of the lowest unimpaired median monthly flow or the amount available above a base flow which is equivalent to the unimpaired monthly 80% exceedence flow whichever is less. The 80% monthly exceedence flows are as follows: Jan - 8 cfs, Feb - 9 cfs, Mar - 16 cfs, Apr - 66 cfs, May - 134 cfs, Jun - 55 cfs, Jul - 13 cfs, Aug - 7 cfs, Sep - 7 cfs, Oct - 7 cfs, Nov - 8 cfs, and Dec - 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:

T29N R06E S35 NWNESW 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 FLO	V 1/1 1/31	18.000 CFS
	2/1 2/28	23.000 CFS
	3/1 3/31	38.000 CFS
	4/1 4/30	148.000 CFS

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.

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

OHANTITY:

166,000 CES

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 SWNENE 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	PERIO	O 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

	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 1	11/30	12.000	CFS
	12/1 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.

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

OUANTITY:

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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
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

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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.

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 MINIMUM STREAM FLOW	PERIOD OF USE 1/1 1/31	QUANTITY 25.000 CFS
	2/1 2/28	43.000 CFS
	3/1 3/31	94.000 CFS
	4/1 4/30	157.000 CFS

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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.

RIGHT NUMBER:

83-11947

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 F FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

COLLINS CREEK

TRIBUTARY: SKULL CREEK

OUANTITY:

260.000 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 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 - 13 cfs, Feb - 17 cfs, Mar - 23 cfs, Apr - 88 cfs, May - 160 cfs, Jun - 65 cfs, Jul - 12 cfs, Aug - 8 cfs, Sep - 7 cfs, Oct - 10 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:

T41N R08E S27 SESWSE 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 MINIMUM STREAM FLOW	PERIOD OF USE 1/1 1/31	QUANTITY 23.000 CFS
	2/1 2/28	35.000 CFS
	3/1 3/31	46.000 CFS
	4/1 4/30	168.000 CFS
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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.

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

**OUANTITY:** 

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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
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

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.

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

DOIDE 1D 03/20-009

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

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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.

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:

QUANTITY PERIOD OF USE PURPOSE OF USE 286.000 CFS MINIMUM STREAM FLOW 1/1 1/31 2/1 2/28 487,000 CFS 1,094.000 CFS 3/1 3/31 4/1 4/30 1,780,000 CFS

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.

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

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5/1	5/31	946.000 CFS	S
6/1	6/30	733.000 CFS	S
7/1	7/31	205.000 CFS	S
8/1	8/31	79.000 CFS	S
9/1	9/30	68.000 CF	3
10/1	10/31	67.000 CFS	3
11/1	11/30	83.000 CF8	3
12/1	12/31	93.000 CFS	3

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.

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 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:

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:

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	378.000 CFS
	4/1 4/30	1,466.000 CFS
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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.

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

RIGHT NUMBER:

83-11953

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

LAKE CREEK

TRIBUTARY: NORTH FORK CLEARWATER RIVER

OUANTITY:

385,000 CFS

Future non-DCMI = 1.5

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 1.5 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 - 18 cfs, Feb - 25 cfs, Mar - 35 cfs, Apr - 127 cfs, May - 237 cfs, Jun - 95 cfs, Jul - 18 cfs, Aug - 12 cfs, Sep - 11 cfs, Oct - 15 cfs, Nov - 20 cfs, and Dec -23 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 S28 SWSWNE 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:

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PURPOSE OF USE MINIMUM STREAM FLOW	PERIOD OF USE 1/1 1/31	QUANTITY 33.000 CFS
	2/1 2/28	51.000 CFS
	3/1 3/31	68.000 CFS
	4/1 4/30	241.000 CFS

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.

RIGHT NUMBER:

83-11954

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

SKULL CREEK

TRIBUTARY: NORTH FORK CLEARWATER RIVER

QUANTITY:

717.000 CFS

Future non-DCMI = 2.8

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 2.8 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 - 35 cfs, Feb - 48 cfs, Mar - 66 cfs, Apr - 237 cfs, May - 442 cfs, Jun - 175 cfs, Jul - 34 cfs, Aug - 22 cfs, Sep - 21 cfs, Oct - 28 cfs, Nov - 38 cfs, and Dec -44 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:

T40N R08E S8 NESWNW 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 MINIMUM STREAM FLOW	PERIOD OF USE 5/1 5/31	QUANTITY 717.000 CFS
	6/1 6/30	362.000 CFS
	7/1 7/31	66.000 CFS
	8/1 8/31	32.000 CFS

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.

RIGHT NUMBER:

83-11955

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

ELK CREEK

TRIBUTARY: NORTH FORK CLEARWATER RIVER

QUANTITY:

482.000 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 - 66 cfs, Feb - 92 cfs, Mar - 117 cfs, Apr - 253 cfs, May - 160 cfs, Jun - 44 cfs, Jul - 14 cfs, Aug - 13 cfs, Sep - 17 cfs, Oct - 20 cfs, Nov - 29 cfs, and Dec -

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:

T39N R02E S22 NESWNE 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 MINIMUM STREAM FLOW	PERIOD OF USE 1/1 1/31	QUANTITY 119.000 CFS
	2/1 2/28	193.000 CFS
	3/1 3/31	229.000 CFS
	4/1 4/30	482.000 CFS

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5/1	5/31	260.000 C	FS
6/1	6/30	90.000 C	FS
7/1	7/31	27.000 C	FS
8/1	8/31	19.000 C	FS
9/1	9/30	24.000 C	FS
10/1	10/31	32.000 C	FS
11/1	11/30	58.000 C	FS
12/1	12/31	77.000 C	FS

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.

RIGHT NUMBER:

83-11956

NAME AND ADDRESS:

STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

KELLY CREEK

TRIBUTARY: NORTH FORK CLEARWATER RIVER

QUANTITY:

4,782.000 CFS

Future non-DCMI = 18.3

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 18.3 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 - 176 cfs, Feb - 194 cfs, Mar - 362 cfs, Apr - 1485 cfs, May - 2944 cfs, Jun - 1200 cfs, Jul - 283 cfs, Aug - 161 cfs, Sep - 141 cfs, Oct - 148 cfs, Nov - 162 cfs, and Dec - 156 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:

T39N R10E S18 NWSWSW 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	6/1 6/30	2,479.000 CFS
	7/1 7/31	550.000 CFS
	8/1 8/31	236.000 CFS
	9/1 9/30	204.000 CFS

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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 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.

RIGHT NUMBER:

83-11957

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

CAYUSE CREEK

TRIBUTARY: KELLY CREEK

QUANTITY:

1,767.000 CFS

Future non-DCMI = 7

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 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 - 88 cfs, Feb - 119 cfs, Mar - 163 cfs, Apr - 605 cfs, May - 1088 cfs, Jun - 445 cfs, Jul - 86 cfs, Aug - 55 cfs, Sep - 54 cfs, Oct - 69 cfs, Nov - 95 cfs, and Dec - 108 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:

T39N R11E S24 SENENW 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	159.000 CFS
	2/1 2/28	248.000 CFS
	3/1 3/31	318.000 CFS
	4/1 4/30	1,152.000 CFS
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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.

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

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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
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

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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.

RIGHT NUMBER:

83-11959

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

TOBOGGAN CREEK

TRIBUTARY: CAYUSE CREEK

QUANTITY:

156.000 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 - 7 cfs, Feb - 10 cfs, Mar - 14 cfs, Apr - 51 cfs, May - 96 cfs, Jun - 38 cfs, Jul - 7 cfs, Aug - 5 cfs, Sep - 5 cfs, Oct - 6 cfs, Nov - 8 cfs, and Dec - 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:

T39N R11E S35 NWNWSW 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

USE:			
<b></b>	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	MINIMUM STREAM FLOW	1/1 1/31	13.000 CFS
		2/1 2/28	21.000 CFS
		3/1 3/31	27.000 CFS
		4/1 4/30	97.000 CFS
		5/1 5/31	156.000 CFS
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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.

RIGHT NUMBER:

83-11960

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:

1,663.000 CFS

Future non-DCMI = 6.5

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 6.5 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 - 84 cfs, Feb - 110 cfs, Mar - 153 cfs, Apr - 550 cfs, May - 1024 cfs, Jun - 420 cfs, Jul - 82 cfs, Aug - 52 cfs, Sep - 50 cfs, Oct - 64 cfs, Nov - 90 cfs, and Dec - 100 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 Begin of Stream Flow Within Clearwater County

T38N R08E S15 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 (End of Streamflow) location.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	151.000 CFS
	2/1 2/28	230.000 CFS
	3/1 3/31	298.000 CFS

	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.

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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
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

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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.

RIGHT NUMBER:

84-12215

NAME AND ADDRESS:

STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

WHISKEY CREEK

TRIBUTARY: OROFINO CREEK

QUANTITY:

66.900 CFS

Future non-DCMI = 1.2

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 1.2 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 - 7 cfs, Feb - 15 cfs, Mar - 28 cfs, Apr - 42 cfs, May - 45 cfs, Jun - 21 cfs, Jul - 6 cfs, Aug - 4 cfs, Sep - 4 cfs, Oct - 4 cfs, Nov - 5 cfs, and Dec - 5 cfs.

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

PRIORITY DATE:

04/01/2005

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

POINT OF

DIVERSION:

T36N R02E S10 NENWNW 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:

PERTOD OF OSE:			
	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	MINIMUM STREAM FLOW	1/1 1/31	10.200 CFS
	•	2/1 2/28	25.500 CFS
		3/1 3/31	45.900 CFS
		4/1 4/30	66.900 CFS
		5/1 5/31	65.300 CFS
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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	CES

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.

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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
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

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.

RIGHT NUMBER:

84-12217

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

JIM FORD CREEK

TRIBUTARY: CLEARWATER RIVER

QUANTITY:

176.000 CFS

Future non-DCMI = 3.2

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 3.2 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 - 18 cfs, Feb - 40 cfs, Mar - 71 cfs, Apr - 110 cfs, May - 122 cfs, Jun - 55 cfs, Jul - 16 cfs, Aug - 10 cfs, Sep - 11 cfs, Oct - 10 cfs, Nov - 14 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:

T36N R02E S28 SWNWNE Lot 8 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	28.000 CFS
	2/1 2/28	68.000 CFS
	3/1 3/31	119.000 CFS
	4/1 4/30	176.000 CFS

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.

RIGHT NUMBER:

84-12218

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

MUSSELSHELL CREEK

TRIBUTARY: LOLO CREEK

QUANTITY:

141.000 CFS

Future non-DCMI = 2.5

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 2.5 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 - 14 cfs, Feb - 31 cfs, Mar - 56 cfs, Apr - 88 cfs, May - 96 cfs, Jun - 44 cfs, Jul - 12 cfs, Aug - 8 cfs, Sep - 9 cfs, Oct - 7 cfs, Nov - 11 cfs, and Dec - 11 cfs.

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

PRIORITY DATE:

04/01/2005

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

POINT OF

DIVERSION:

T34N R06E S6 SWSWSE 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	8/1 8/31	10.000 CFS
	9/1 9/30	11.000 CFS
	10/1 10/31	11.000 CFS
	11/1 11/30	18.000 CFS

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.

RIGHT NUMBER:

84-12219

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

LOLO CREEK

TRIBUTARY: CLEARWATER RIVER

QUANTITY:

869.000 CFS

Future non-DCMI = 5.2

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 5.2 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 - 75 cfs, Feb - 163 cfs, Mar - 301 cfs, Apr - 457 cfs, May - 499 cfs, Jun - 230 cfs, Jul - 67 cfs, Aug - 39 cfs, Sep - 46 cfs, Oct - 39 cfs, Nov - 59 cfs, and Dec - 60 cfs.

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

PRIORITY DATE:

04/01/2005

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

POINT OF

DIVERSION:

T35N R02E S14 NWSWSE Lot 8 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	135.000 CFS
	2/1 2/28	340.000 CFS
	3/1 3/31	587.000 CFS
	4/1 4/30	869.000 CFS
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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.

RIGHT NUMBER:

84-12220

NAME AND ADDRESS:

STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

BOISE ID 83/20

SOURCE:

ELDORADO CREEK

TRIBUTARY: LOLO CREEK

QUANTITY:

147.000 CFS

Future non-DCMI = 0.9

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 0.9 cfs based on 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 - 12 cfs, Feb - 27 cfs, Mar - 50 cfs, Apr - 77 cfs, May - 83 cfs, Jun - 39 cfs, Jul - 11 cfs, Aug - 7 cfs, Sep - 7 cfs, Oct - 6 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:

T34N R06E S18 NENWNE 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 MINIMUM STREAM FLOW	PERIOD OF USE 1/1 1/31	QUANTITY 22.000 CFS
	2/1 2/28	56.000 CFS
	3/1 3/31	98.000 CFS
	4/1 4/30	147.000 CFS
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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.

RIGHT NUMBER:

84-12221

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: CLEARWATER RIVER

QUANTITY:

13.200 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 - 1.4 cfs, Feb - 2.9 cfs, Mar - 5.6 cfs, Apr - 8.3 cfs, May - 9 cfs, Jun - 4.3 cfs, Jul -1.2 cfs, Aug - 0.7 cfs, Sep - 0.8 cfs, Oct - 0.7 cfs, Nov - 1.1 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:

T34N R03E S27 SENESW Lot 2 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

PURPOSE AND PERIOD OF USE:

PERIOD OF USE:			
	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	MINIMUM STREAM FLOW	1/1 1/31	2.100 CFS
		2/1 2/28	5.000 CFS
		3/1 3/31	9.400 CFS
		4/1 4/30	13.200 CFS
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5/1	5/31	12.900 CF	s
6/1	6/30	7.600 CF	's
7/1	7/31	2.000 CF	's
8/1	8/31	0.900 CF	'S
9/1	9/30	1.000 CF	s
10/1	10/31	1.100 CF	s
11/1	11/30	1.700 CF	'S
12/1	12/31	1.700 CF	s

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.

RIGHT NUMBER:

84-12222

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

SIXMILE CREEK

TRIBUTARY: CLEARWATER RIVER

QUANTITY:

14.100 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 - 1.2 cfs, Feb - 2.6 cfs, Mar - 4.8 cfs, Apr - 5.3 cfs, May - 7.1 cfs, Jun - 5.1 cfs, Jul - 1.6 cfs, Aug - 0.7 cfs, Sep - 1 cfs, Oct - 1.1 cfs, Nov - 2.3 cfs, and Dec - 1.3 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:

T34N R03E S7 SWNWSE 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

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	1.800 CFS
	2/1 2/28	5.600 CFS
	3/1 3/31	9.400 CFS
	4/1 4/30	11.000 CFS
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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.

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

OUANTITY:

23,800 CES

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:

PERIOD OF USE:			
	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	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
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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	CES

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.

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
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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.

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 CES

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

PRIORITY DATE:

04/01/2005

42-1507(4), Idaho Code.

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:

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
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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.

RIGHT NUMBER:

85-15598

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: CLEARWATER RIVER

QUANTITY:

30,700 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 - 4.7 cfs, Feb - 8.1 cfs, Mar - 15.6 cfs, Apr - 12.9 cfs, May - 11.6 cfs, Jun - 5.5 cfs, Jul - 1.8 cfs, Aug - 1 cfs, Sep - 1.7 cfs, Oct - 2.3 cfs, Nov - 3.8 cfs, and Dec - 4.8 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:

T37N R03W S33 SESESW 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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	5/1 5/31	22.800 CFS
	6/1 6/30	8.400 CFS
	7/1 7/31	3.600 CFS
	8/1 8/31	1.800 CFS
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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	CES

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.

RIGHT NUMBER:

85-15599

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE .

JACKS CREEK

TRIBUTARY: CLEARWATER RIVER

OUANTITY:

9.400 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 - 1.5 cfs, Feb - 2.5 cfs, Mar - 4.8 cfs, Apr - 3.9 cfs, May - 3.4 cfs, Jun - 1.6 cfs, Jul - 0.6 cfs, Aug - 0.3 cfs, Sep - 0.5 cfs, Oct - 0.7 cfs, Nov - 1.1 cfs, and Dec - 1.5 cfs.

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

PRIORITY DATE:

04/01/2005

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

POINT OF

DIVERSION:

T37N R02W S35 NENWSW Lot 9 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:

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		PURPOSE OF USE	PERIO	D OF USE	QUANTITY
		MINIMUM STREAM FLOW	1/1	1/31	2.200 CFS
			2/1	2/28	5.300 CFS
			3/1	3/31	9.400 CFS
			4/1	4/30	8.200 CFS
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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.

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.

RIGHT NUMBER:

85-15600

NAME AND ADDRESS:

STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

BIG CANYON CREEK

TRIBUTARY: CLEARWATER RIVER

OUANTITY:

148.000 CFS

Future non-DCMI = 2.1

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 2.1 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 - 23 cfs, Feb - 39 cfs, Mar - 75 cfs, Apr - 62 cfs, May - 54 cfs, Jun - 25 cfs, Jul - 9 cfs, Aug - 5 cfs, Sep - 8 cfs, Oct - 11 cfs, Nov - 18 cfs, and Dec - 23 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 R01W S3 SWNENE 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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	34.000 CFS
	2/1 2/28	84.000 CFS
	3/1 3/31	148.000 CFS
	4/1 4/30	130.000 CFS

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.

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.

RIGHT NUMBER:

85-15601

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

TOM BEALL CREEK

TRIBUTARY: LAPWAI CREEK

OUANTITY:

5.700 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:

T36N R04W S35 SENWSE Lot 20 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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	1.300 CFS
	2/1 2/28	3.200 CFS
	4/1 4/30	4.800 CFS
	5/1 5/31	4.200 CFS
	6/1 6/30	1.500 CFS
	7/1 7/31	0.700 CFS
	8/1 8/31	0.300 CFS
	9/1 9/30	0.400 CFS
	10/1 10/31	0.700 CFS

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.

RIGHT NUMBER:

85-15602

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

LITTLE CANYON CREEK

TRIBUTARY: BIG CANYON CREEK

QUANTITY:

56.000 CFS

Future non-DCMI = 0.8

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 0.8 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 - 8.6 cfs, Feb - 14.8 cfs, Mar - 28.5 cfs, Apr - 23 cfs, May - 21.1 cfs, Jun - 9.8 cfs, Jul - 3.3 cfs, Aug - 1.8 cfs, Sep - 3.1 cfs, Oct - 4.3 cfs, Nov - 6.9 cfs, and Dec - 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:

T36N R01W S14 SENWNE 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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	13.000 CFS
	2/1 2/28	32.000 CFS
	3/1 3/31	56.000 CFS
	4/1 4/30	48.000 CFS
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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.

RIGHT NUMBER:

85-15603

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

LAPWAI CREEK

TRIBUTARY: CLEARWATER RIVER

OUANTITY:

209.000 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:

T36N R04W S22 SESWNE Lot 3 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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	41.000 CFS
	2/1 2/28	74.000 CFS
	3/1 3/31	170.000 CFS
	4/1 4/30	209.000 CFS
	5/1 5/31	137.000 CFS
	6/1 6/30	61.000 CFS
	7/1 7/31	30.000 CFS
	8/1 8/31	19.000 CFS
	9/1 9/30	18.000 CFS
	10/1 10/31	22.000 CFS
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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.

RIGHT NUMBER:

85-15604

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

SWEETWATER CREEK

TRIBUTARY: LAPWAI CREEK

QUANTITY:

39.500 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:

T35N R04W S14 SWSESE 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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	9.000 CFS
	2/1 2/28	22.400 CFS
	3/1 3/31	39.500 CFS
	4/1 4/30	34.600 CFS
	5/1 5/31	29.500 CFS
	6/1 6/30	10.200 CFS
	7/1 7/31	4.700 CFS
	8/1 8/31	4.700 CFS
	9/1 9/30	4.700 CFS
	10/1 10/31	4.700 CFS
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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.

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.

RIGHT NUMBER:

85-15605

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

MISSION CREEK

TRIBUTARY: LAPWAI CREEK

QUANTITY:

38.900 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:

T35N R03W S20 SWNWNE 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:

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	PURPOSE OF USE		PERIO	D OF USE	QUANTITY	
	MINIMUM STREAM	FLOW	1/1	1/31	9.000	CFS
			2/1	2/28	22.400	CFS
			3/1	3/31	38.900	CFS
			4/1	4/30	34.100	CFS
			5/1	5/31	28.800	CFS
			6/1	6/30	8.700	CFS
			7/1	7/31	3.900	CFS
			8/1	8/31	1.800	CFS
			9/1	9/30	3.100	CFS
			10/1	10/31	4.700	CFS
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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.

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.

RIGHT NUMBER:

85-15606

NAME AND ADDRESS:

STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

ROCK CREEK

TRIBUTARY: MISSION CREEK

QUANTITY:

7.100 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:

T35N R03W S21 NWSESW Lot 27 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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	1.600 CFS
	2/1 2/28	3.900 CFS
	3/1 3/31	7.100 CFS
	4/1 4/30	6.200 CFS
	5/1 5/31	5.200 CFS
	6/1 6/30	1.900 CFS
	7/1 7/31	0.900 CFS
	8/1 8/31	0.400 CFS
	9/1 9/30	0.600 CFS

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 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.

RIGHT NUMBER:

85-15607

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

FIVEMILE CREEK

TRIBUTARY: CLEARWATER RIVER

QUANTITY:

7.400 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 - 1.4 cfs, Mar - 2.5 cfs, Apr - 2.8 cfs, May - 3.7 cfs, Jun - 2.6 cfs, Jul - 0.8 cfs, Aug - 0.4 cfs, Sep - 0.6 cfs, Oct - 0.6 cfs, Nov - 1.2 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 R02E 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 7/1 7/31 1.600 CFS 8/1 8/31 0.700 CFS 9/1 9/30 0.800 CFS

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

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.

RIGHT NUMBER:

85-15608

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

POSTHOLE CREEK

TRIBUTARY: BIG CANYON CREEK

QUANTITY:

3 700 CES

Future non-DCMI = 0.04

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 0.04 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 cfs, Mar - 1.9 cfs, Apr - 1.5 cfs, May - 1.4 cfs, Jun - 0.6 cfs, Jul - 0.2 cfs, Aug - 0.1 cfs, Sep - 0.2 cfs, Oct - 0.3 cfs, Nov - 0.4 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:

T35N R01W S27 SESENW 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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	0.900 CFS
•	2/1 2/28	2.100 CFS
	3/1 3/31	3.700 CFS
	4/1 4/30	3.200 CFS

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.

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.

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-

PURPOSE OF USE PERIOD OF USE QUANTITY MINIMUM STREAM FLOW 1.000 CFS 1/1 1/31 2/1 2/28 2,500 CFS 3/1 3/31 4.300 CFS

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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.

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.

RIGHT NUMBER:

85-15610

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

WEBB CREEK

TRIBUTARY: SWEETWATER 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:

T35N R04W S33 SWNESE Lot 17 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:

PURPOSE OF USE	PERIO	O OF USE	QUANTITY	
MINIMUM STREAM	FLOW 1/1	1/31	3.200	CFS
	2/1	2/28	7.800	CFS
	3/1	3/31	14.200	CFS
	4/1	4/30	12.000	CFS
	5/1	5/31	10.100	CFS
	6/1	6/30	3.700	CFS
	7/1	7/31	1.600	CFS
	8/1	8/31	0.800	CFS
	9/1	9/30	1.100	CFS

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.

RIGHT NUMBER:

85-15611

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

LONG HOLLOW CREEK

TRIBUTARY: LITTLE CANYON CREEK

OUANTITY:

17,100 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 - 2.6 cfs, Feb - 4.4 cfs, Mar - 8.7 cfs, Apr - 7.1 cfs, May - 6.5 cfs, Jun - 2.9 cfs, Jul - 1 cfs, Aug - 0.5 cfs, Sep - 0.9 cfs, Oct - 1.3 cfs, Nov - 2.1 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:

T34N R01E S13 NENWNW 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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	3.900 CFS
	2/1 2/28	9.500 CFS
	3/1 3/31	17.100 CFS

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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.

RIGHT NUMBER:

85-15612

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

HOLES CREEK

TRIBUTARY: LITTLE CANYON CREEK

QUANTITY:

11,200 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 - 1.7 cfs, Feb - 2.9 cfs, Mar - 5.7 cfs, Apr - 4.6 cfs, May - 4.1 cfs, Jun - 1.9 cfs, Jul - 0.6 cfs, Aug - 0.3 cfs, Sep - 0.6 cfs, Oct - 0.9 cfs, Nov - 1.3 cfs, and Dec - 1.7 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:

T34N R01E S13 SENWNW 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:

> PURPOSE OF USE PERIOD OF USE OUANTITY MINIMUM STREAM FLOW 1/1 1/31 2.500 CFS 2/1 2/28 6.200 CFS 3/1 3/31 11.200 CFS

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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.

RIGHT NUMBER:

85-15613

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

EFFIE CREEK

TRIBUTARY: SIXMILE CREEK

QUANTITY:

4.000 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 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 - 0.3 cfs, Feb - 0.7 cfs, Mar - 1.4 cfs, Apr - 1.4 cfs, May - 2 cfs, Jun - 1.4 cfs, Jul -0.4 cfs, Aug - 0.2 cfs, Sep - 0.3 cfs, Oct - 0.3 cfs, Nov - 0.6 cfs, and Dec - 0.4 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:

T34N R02E S12 SENESE 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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	0.500 CFS
	2/1 2/28	1.600 CFS
	3/1 3/31	2.700 CFS
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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.

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

**OUANTITY:** 

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

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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
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

1.500 CFS

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

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10/1 10/31	0.800 CFS
11/1 11/30	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.

12/1 12/31

#### 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.

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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
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

 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.

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

OUANTITY:

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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
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

 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 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.

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

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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
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

 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.

RIGHT NUMBER:

85-15618

NAME AND ADDRESS:

STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

MEADOW CREEK

TRIBUTARY: LAWYER CREEK

OUANTITY:

13.000 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 R01E S27 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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	4.700 CFS
	2/1 2/28	5.600 CFS
	3/1 3/31	13.000 CFS
	4/1 4/30	8.600 CFS
	5/1 5/31	4.200 CFS
	6/1 6/30	1.300 CFS
	7/1 7/31	0.500 CFS
	8/1 8/31	0.300 CFS
	9/1 9/30	0.400 CFS

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.

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

RIGHT NUMBER:

85-15619

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

WILLOW CREEK

TRIBUTARY: LAWYER CREEK

QUANTITY:

23.000 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 R01W S8 NENESE 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	7.800 CFS
	2/1 2/28	10.000 CFS
	3/1 3/31	23.000 CFS
	4/1 4/30	15.000 CFS
	5/1 5/31	7.400 CFS
	6/1 6/30	2.200 CFS
	7/1 7/31	0.900 CFS
	8/1 8/31	0.500 CFS
	9/1 9/30	0.700 CFS
	10/1 10/31	1.200 CFS

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.

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

OHANTITY:

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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
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
cs		Page 389

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.

RIGHT NUMBER:

85-15621

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: LAWYER CREEK

QUANTITY:

11.000 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 R01W S9 NESWSE 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	3.600 CFS
	2/1 2/28	4.500 CFS
	3/1 3/31	11.000 CFS
	4/1 4/30	6.700 CFS
	5/1 5/31	3.300 CFS
	6/1 6/30	1.000 CFS
	7/1 7/31	0.400 CFS
	8/1 8/31	0.300 CFS
	9/1 9/30	0.300 CFS
	10/1 10/31	0.600 CFS

11/1 11/30

1.200 CFS

12/1 12/31

1.100 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.

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.

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

**OUANTITY:** 

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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
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

11/1 11/30

19.000 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.

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.

RIGHT NUMBER:

85-15623

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

THREEMILE CREEK

TRIBUTARY: SOUTH FORK CLEARWATER RIVER

OUANTITY:

47,600 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 - 12.8 cfs, Feb - 11 cfs, Mar - 28.6 cfs, Apr - 24.2 cfs, May - 9.6 cfs, Jun - 2.6 cfs, Jul - 0.8 cfs, Aug - 0.6 cfs, Sep - 0.8 cfs, Oct - 1.1 cfs, Nov - 2 cfs, and Dec - 2.9 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:

T31N R04E S5 NESWSE 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	QUANTI'TY
MINIMUM STREAM FLOW	1/1 1/31	19.700 CFS
	2/1 2/28	18.800 CFS
	3/1 3/31	47.600 CFS
	4/1 4/30	38.700 CFS

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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	CES

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.

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#### 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	PERIO	D OF USE	QUANTITY	
MINIMUM STREAM	FLOW 3/1	3/31	22.000	CFS
	4/1	4/30	52.200	CFS
	5/1	5/31	23.700	CFS
	6/1	6/30	3.700	CFS

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.

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.

DUBLINGE AND PERIOD OF USE:

PURPOSE OF USE MINIMUM STREAM FLOW	PERIOD OF USE 1/1 1/31	QUANTITY 1.100 CFS
	2/1 2/28	2.800 CFS
	3/1 3/31	8.000 CFS
	4/1 4/30	12.500 CFS
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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.

RIGHT NUMBER:

85-15626

NAME AND ADDRESS:

STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720

BOISE ID 83720-0098

SOURCE:

BILLY CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY:

2.400 CFS

Future non-DCMI = 0.05

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 0.05 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 - 0.3 cfs, Feb - 0.7 cfs, Mar - 1.5 cfs, Apr - 1.4 cfs, May - 1.6 cfs, Jun - 0.9 cfs, Jul - 0.2 cfs, Aug - 0.2 cfs, Sep - 0.1 cfs, Oct - 0.2 cfs, Nov - 0.2 cfs, and Dec - 0.3 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

T32N R05W S15 NWNWNE Lot 1 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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	0.300 CFS
	2/1 2/28	0.800 CFS
	3/1 3/31	1.800 CFS
	4/1 4/30	2.200 CFS
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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.

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

**OUANTITY:** 

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
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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.

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:

PERIOD OF USE:	PURPOSE OF USE MINIMUM STREAM FLOW	PERIOD OF USE 1/1 1/31	QUANTITY 2.000 CFS
		2/1 2/28	4.400 CFS
		3/1 3/31	7.700 CFS
		4/1 4/30	17.400 CFS
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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.

RIGHT NUMBER:

86-11959

NAME AND ADDRESS:

STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE .

BEDROCK CREEK

TRIBUTARY: CLEARWATER RIVER

OUANTITY:

48,000 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 - 1.5 cfs, Feb - 4 cfs, Mar - 9.4 cfs, Apr - 22.1 cfs, May - 8.1 cfs, Jun - 3 cfs, Jul - 1.3 cfs, Aug - 1 cfs, Sep - 1 cfs, Oct - 1.4 cfs, Nov - 1.3 cfs, and Dec - 1.3 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:

T37N R02W S28 SWSESW 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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	8.000 CFS
	2/1 2/28	16.000 CFS
	3/1 3/31	23.000 CFS
	4/1 4/30	48.000 CFS
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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.

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.

RIGHT NUMBER:

86-11960

NAME AND ADDRESS: STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST PO BOX 83720 BOISE ID 83720-0098

SOURCE:

POTLATCH RIVER

TRIBUTARY: CLEARWATER RIVER

QUANTITY:

1.305.000 CFS

Future non-DCMI = 10.7

This water right is subordinated to future non-Domestic-Commercial-Municipal-Industrial ("non-DCMI") development in an amount up to 10.7 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 - 47 cfs, Feb - 154 cfs, Mar - 546 cfs, Apr - 705 cfs, May -276 cfs, Jun - 119 cfs, Jul - 48 cfs, Aug - 28 cfs, Sep - 30 cfs, Oct - 43 cfs, Nov - 32 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:

T36N R03W S7 SWNWSW 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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINIMUM STREAM FLOW	1/1 1/31	146.000 CFS
	2/1 2/28	397.000 CFS
	3/1 3/31	1,078.000 CFS
	4/1 4/30	1,305.000 CFS
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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.

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.