INSTRUCTIONS FOR FILING

NOTICE OF CLAIM

TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

IN THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF

WATER FROM THE SNAKE RIVER BASIN

WATER SYSTEM

PLEASE TYPE OR PRINT CLEARLY

WATER RIGHT

A water right allows the private use of Idaho's public water. When properly recorded, a water right gives you the right to divert a specific amount of water from its source for a beneficial purpose. (Some examples are: irrigation, domestic, stockwater, industry, and power production). There are many other beneficial uses of water also recognized by Idaho law.

CLAIMANT

A claimant is any person or organization that diverts water for beneficial use from a location within the adjudication boundaries of the Snake River Basin. This includes streams, springs, lakes, ground water, developed water, wastewater, or any other source of water within the boundaries of the Snake River Basin in Idaho.

PERMIT REQUIREMENTS

The permit system for establishing a water right became mandatory for uses developed from ground water after March 25, 1963 (except for single family domestic or stockwater uses that do not exceed 13,000 gallons per day) and for uses developed from surface water after May 20, 1971 (except for watering stock directly from streams). If your water use began after March 25, 1963 for ground water or after May 20, 1971 for surface water, and it is not one of the exceptions noted above, and a water right was not perfected under the permit system, an "Application for Permit" form should be filed instead of this claim.

COMPLETE THE CLAIM FORM

Please complete all applicable items on the claim form. A claim that is incomplete will not be accepted and will be returned to you for the missing information.

CLAIMANT'S NAME ON EACH PAGE

A space is provided at the bottom of the second and the remaining pages of the claim form for the last name of the claimant. If the claimant is an organization, the organization name is entered in this space. Please be sure that the name is entered on each page of the claim form, and on any additional attached sheets. This will prevent part of the claim form from being lost if it becomes separated during processing. Do not enter an Identification Number. If more space is required for any item, enter the information in Remarks (Item 13) or attach additional sheets. Be sure to identify all of the attachments to the claim form in Remarks (Item 13).

THIS CLAIM IS FOR YOUR WATER RIGHT

The claim you submit is your statement of what you believe is your water right. The instructions are supplied to help you detail your water right.

NAME AND ADDRESS

Item 1: Enter full name, mailing address and telephone number of the claimant(s). If more space is required for additional names, addresses, and telephone numbers, write these on another sheet of paper and attach it to the claim form. If the names on the claim have an "and" between them, all of the named parties must sign the claim. If the names on the claim have an "or" or an "and/or" between them, all of the parties may sign the claim, but only one of the named parties must sign the claim. If the claimant is in the process of selling the property on which this water right is claimed, enter the new owner's name and address in Remarks (Item 13).

DATE OF PRIORITY

Item 2: Enter the priority date by month, day, and year. Spell out the month. If the basis of your claim is a decree, permit, or license the priority date is the date shown on the decree, permit, or license. If the basis of your claim is beneficial use, enter the date the water was first applied to that use. If the exact date is not known, indicate your best estimate of that date since this is an important part of the claim to a water right. If the basis of your claim is a posted notice, the priority date is the date of posting, if the water right was diligently developed after the posting of the notice, and has been used continuously. Include with your claim, a certified copy of the posted notice from the county recorder's office where the posted notice is recorded. **ONLY ONE PRIORITY DATE CAN BE SHOWN ON A CLAIM**. Water rights with different priority dates must be filed on separate claim forms because each is a separate water right.

SOURCE OF WATER SUPPLY

Item 3: If your source of water is a well, place a “check” in the space to the left of "Ground Water" and go to Item 4. If your source of water is not ground water, place a “check” in the space next to "Other", and enter the name of the stream, lake, drain ditch, or spring you use as your source of water on line (a). Use the name shown on the U.S. Geological Survey quadrangle map. If unnamed, enter as unnamed stream, unnamed lake, or unnamed drain. If the source is an unnamed spring, enter "spring" for the source. Enter the first named stream or lake downstream to which the source is a tributary to on line (b). If the source sinks before entering another stream or lake, enter "sinks" for tributary to. Water from a well does not require an entry for tributary to. Only one source is allowed per claim, except when more than one source is being used for a single delivery system.

Examples of water sources and tributaries:

Source of water supply (a) Snake River
which is tributary to (b) Columbia River

Source of water supply (a) unnamed drain
which is tributary to (b) Sand Creek

Source of water supply (a) spring
which is tributary to (b) sinks

Source of water supply (a) ground water
which is tributary to (b)

LOCATION OF POINT OF DIVERSION

Item 4: The point of diversion is the location at which the water is diverted from a natural water source (this includes drain ditches and wells). Enter the township, range and section in which the point of diversion is located. Also, describe the location of the point of diversion to the 40-acre tract (quarter-quarter section) or government lot within a section. Enter the county in which the point of diversion is located in the appropriate space. List the Parcel Number or Parcel Identification Number (PIN) as assigned by the county assessor for the parcel where the water is diverted unless no Parcel Number or PIN is recorded for the property at the point of diversion. You may also enter GPS coordinates for the point of diversion if they are available. Only one point of diversion may be entered per claim unless the claim is for a single delivery system with more than one point of diversion, or the claim is for a single licensed or decreed water right that covers more than one water delivery system. If your system has more than one point of diversion, enter the additional point(s) of diversion in the appropriate space. If the point of diversion is in a platted subdivision, and the plat has been recorded in the county recorder's office for the county in which the subdivision is located, include the name of the subdivision, the lot, and the block number in Remarks (Item 13).

Examples describing the point of diversion:

Location of point of diversion is:

Township **8N** , Range **4W** , Section **14** , **NW** ¼ of **SE** ¼, or Govt. Lot __ B.M., County of **Payette**

Location of point of diversion is:

Township **10S** , Range **24E** , Section **30** , ___ ¼ of ___ ¼, or Govt. Lot **7** , B.M., County of **Minidoka**

DESCRIPTION OF DIVERSION WORKS

Item 5: Describe as completely as possible using information reasonably available to you, the means used to divert the water. Include the major components of the water delivery system such as dams, reservoirs, ditches, wells, pumps, pipelines, headgates, or any feature that is essential to your diversion system. Include the dimensions of the components as originally constructed, and if the system has been altered or enlarged since it was originally constructed, include the new dimensions. If changes or enlargements have occurred, indicate the date(s) the changes were made.

PURPOSE AND USE

Item 6: Enter the purpose(s) for which the water is being used. Enter the day of the year the use begins and the day of the year the use ends each year. If the water is used all year, the dates would be from January 1 to December 31. The length of the irrigation season varies with location within the state. Use the map labeled "Suggested Irrigation Seasons" located on the last page of the instructions to determine the suggested length of the irrigation season for your area. For diversion from a surface water source or a well, the amount of water entered is in cubic feet per second (cfs). For water rights that include storage, the amount of water for the storage portion of the right is entered in acre feet. This amount is usually the amount of water that can be removed from the reservoir, or the active storage capacity of the reservoir.

CALCULATION OF THE AMOUNT DIVERTED

If you know the number of gallons per minute (gpm) your system produces, you can calculate the cubic feet per second (cfs) it produces by dividing the gpm by 448.8 (gpm / 448.8 = cfs). Or, if you know the number of Idaho miner's inches of water you divert, you can calculate the cfs amount by dividing the number of miner's inches by 50 (miner's inches / 50 = cfs). Round the amount you calculate to the nearest 0.01 cfs. Most water rights have the following cfs amounts: Irrigation use, 0.02 cfs (1 miner's inch) for each irrigated acre. Systems irrigating 5 acres or less may have 0.03 cfs per acre. Domestic use, 0.04 cfs for one household with up to 1/2 acre of lawn or garden irrigation. One household with in-house use only may be less. Stockwater use, see TABLE 1.

Some systems may be capable of producing more water than the amounts shown for the

preceding uses. You may claim the amount of water that your system actually produces, provided the water is put to beneficial use. If your irrigation requirements are greater than the amounts shown, an "Excessive Irrigation Flow" form should be completed and submitted with your claim. To obtain this form, contact one of the Department offices.

Examples of purposes, dates, and amounts of water use:

		(dates are inclusive)				(cfs)		(acre feet)
For Irrigation	Purposes from	3-15	to	11-15	amount	6.54	or	___
For Irrigation Storage	Purposes from	11-16	to	3-14	amount	___	or	100
For Irr. From Storage	Purposes from	3-15	to	11-15	amount	___	or	100
For Industrial	Purposes from	1-1	to	12-31	amount	1.72	or	___
For Stockwater	Purposes from	1-1	to	12-31	amount	0.05	or	___

TABLE 1, RECOMMENDED DIVERSION RATES FOR STOCKWATER

In cubic feet per second (cfs)

No. of head	Dairy cows	Other cattle, horses & mules	Hogs	Sheep & goats
0 - 25	0.02	0.02	0.02	0.02
26 - 50	0.04	0.02	0.02	0.02
51 - 100	0.07	0.03	0.02	0.02
101 - 200	0.13	0.05	0.02	0.02
201 - 300	0.20	0.07	0.02	0.02
301 - 400	0.26	0.09	0.03	0.02
401 - 500	0.33	0.12	0.04	0.02
501 - 600	0.39	0.14	0.05	0.03
601 - 700	0.46	0.16	0.05	0.03
701 - 800	0.52	0.19	0.06	0.03
801 - 900	0.58	0.20	0.07	0.04
901 - 1000	0.65	0.23	0.08	0.04

For chickens, round to the next highest 100 and multiply this number by 0.0000018.
For turkeys, round to the next highest 100 and multiply this number by 0.0000033.

If you have more than 1000 head of stock (other than poultry), round the number of head to the next highest 100, and multiply this number by one of the following factors:

For dairy cows, multiply by 0.00065
For other cattle, horses, or mules, multiply by 0.00022
For hogs, multiply by 0.000074
For sheep or goats, multiply by 0.000037

Round the amount you calculate to the nearest 0.01 cfs and enter this amount in the appropriate space on your claim. You may claim 0.01 cfs even if your calculated amount is less than 0.01 cfs.

TOTAL QUANTITY CLAIMED

Item 7: Enter the total amount of water diverted for all the uses shown in Item 6. The total quantity claimed should not exceed the diversion capacity of the system, nor the total of all the uses.

NON-IRRIGATION USES

Item 8: Describe uses other than irrigation as fully as possible. For power generation, include the total head in feet and the nameplate generating capacity in kilowatts (KW). For fish propagation, include the number of raceways and their dimensions. For domestic, include the number of households connected to the system. For commercial or industrial, include the name of the product that is manufactured or processed. For stockwater, include the maximum number of each type of stock watered annually pursuant to the water right claimed.

Examples of non-irrigation uses:

Hydropower generation, 200' head, 100 KW generator.
Fish hatchery with 5 raceways, raceways are 50' x 100' x 3' deep.
Domestic use in a subdivision with 75 lots.
Potato processing plant and feedlot with 5000 head cattle.

DESCRIPTION OF PLACE OF USE

Item 9: Enter the legal description of the place where the water is being used. The township is entered in the box below "TWN"; the range is entered in the box below "RNG"; and the section number is entered in the box below "SEC". The other boxes represent 40-acre tracts or government lots within each section. If the use is irrigation, enter the number of acres irrigated in each 40-acre tract or government lot. If the use is other than irrigation, place the letter symbol (see Table 2) for the use in the appropriate box(es) to show the location of the place of use. If the place of use is a government lot, the lot number should be included in the box (see example). If the Parcel Number or PIN for the place of use is different from the one entered for the point of diversion, enter the Parcel Number(s) or PIN(s) for the place of use.

TABLE 2, USE SYMBOLS

Stockwater - S	Domestic - D	Fish Propagation - H	Industrial - I
Cooling - L	Wildlife - W	Recreation - R	Heating - G
Aesthetic - J	Commercial - C	Power - P	Fire Protection - F
Municipal - M	Mining - X	Ground Water Recharge - E	

Example : (From Map of Project on page 8)

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	23E	24												20			40	28	88
		25	40			Lt 5 43													83
	24E	30					7	Lt 3 32	Lt 4 45	Lt 5 42									126
		30					S	Lt 3 D&C		Lt 5 S									

Parcel (PIN) no(s) ___12N34W-56-7890_____ Total number of acres irrigated 297

LOCATION OF PLACE OF USE

Item 10: Enter the county (or counties, if more than one) in which the place of use is located.

OWNERSHIP OF PROPERTY

Item 11: If you own the property listed as the place of use put a "check" in the space after the "Yes". If you do not own the property listed as the place of use put a "check" after "No", and describe in Remarks (Item 13) the authority you have to claim this water right. Examples: Power of attorney, lessee (renter), trustee, estate administrator, or the land is within the service area of an irrigation district or company. Also, a claimant that does not own the property listed as the place of use (except for a municipality, water utility, irrigation district, or ditch company) must list the name(s) and address(es) of the owner(s) in Remarks (Item 13).

DESCRIBE OTHER WATER RIGHTS

Item 12: If other water rights owned by you or others are used at the same place and for the same purposes, the other rights overlap this right, and they must be described. If the other water right has a water right number assigned by the Idaho Department of Water Resources (IDWR), this number is a sufficient description. If the other water right does not have a number assigned by the IDWR, this other right should be described completely on an attached sheet of paper. If no other water rights are used at the same place and for the same purpose as the right you are claiming, place a "check" after "None".

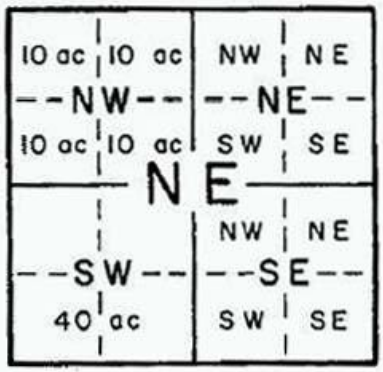
REMARKS

Item 13: Use this space to enter information that requires more space than is provided on the claim form. This would include additional names and addresses (Item 1), names and addresses of new owners (Item 1), subdivision plat information (Item 4), points of injection and rediversion (Item 4), and if the claimant is not the owner, the authority for claiming this water right and the owner's name and address (Item 12). Also, include any relevant information that was not specifically requested on the claim form that would further define or describe this water right. If additional space is needed a separate sheet of paper may be used and attached to the claim.

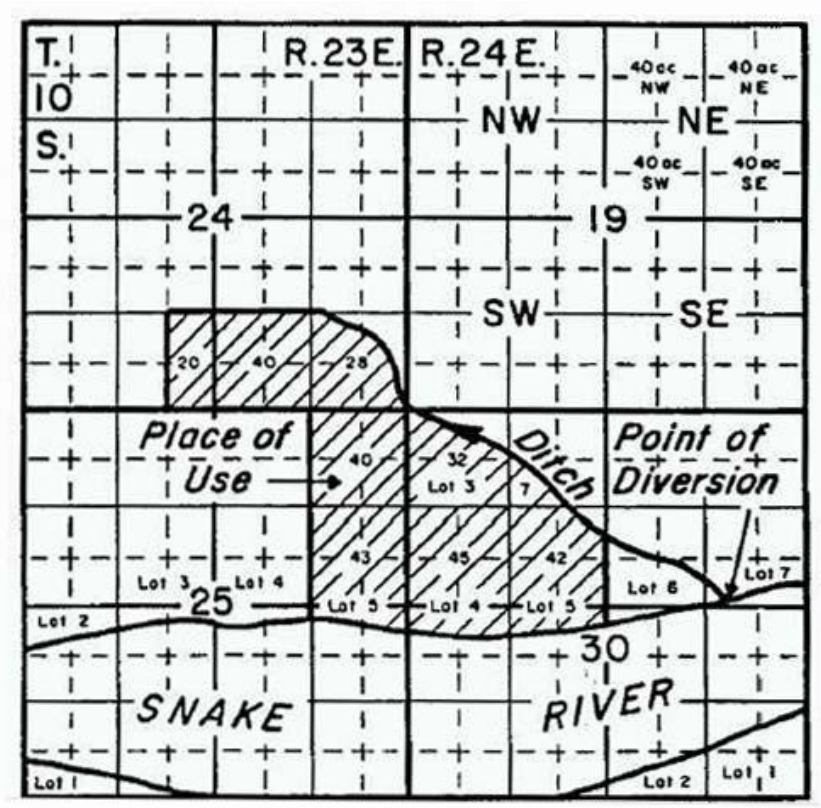
Be sure to identify all documents submitted with the claim form in this Remarks section. This is essential so additional information submitted by you does not become separated from the claim form.

MAP OF PROJECT

Attach an aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below. At the scale of 2 inches equaling one mile, each small square represents a 10-acre tract. If you have used a different scale for your sketch, please indicate the scale that you used.



The NE 1/4 of Section 19 (160 acres) has been enlarged to show the quarter-quarter-quarter sections (10-acre tracts).



BASIS OF CLAIM

Item 14: Indicate by placing a "check" in the appropriate space the basis on which you are filing your claim. If no record of your water use is in the Department's files, you probably have a Beneficial Use right (see Permit Requirements) and no Idaho Department of Water Resources (IDWR) Water Right Number can be entered. If the basis of your claim is a "Claim to a Water Right" form (Statutory Claim) you filed with the Department, you have a Beneficial Use claim, and you should enter the IDWR Water Right Number assigned to that claim. If the basis of your claim is a Posted Notice, provide a certified copy of the posted notice as described in Item 2. If the basis of your claim is a water right License issued by the Department, enter the IDWR Water Right Number assigned to that license. If the basis of your claim is an approved Permit, enter the IDWR Water Right Number assigned to that permit. If the basis of your claim is a Decree, and the decreed right was assigned a water right number by the Department, enter the water right number in the space after IDWR Water Right Number. This is NOT the order of priority number that was assigned by the decree. If an IDWR Water Right Number was not assigned to your decreed water right, enter the Court, the Case Number, the Decree Date, and the Plaintiff vs. Defendant or the name of the decree as it is commonly known.

SIGNATURE(S)

Item 15: Before signing your claim, read the document “How You Will Receive Notices in the Snake River Basin Adjudication" which can be obtained at any IDWR office, or it can be viewed and printed with the Domestic and/or Stockwater claim form on IDWR’s web page.

After you have read and understood the document, place a “check” in the appropriate space indicating that you do or do not wish to pay a small annual fee for a subscription to receive monthly copies of the docket sheet.

Enter the number of attachments in the space provided.

NOTICE OF APPEARANCE

Item 16: If you want the notices required by law that are associated with this claim to be mailed to your attorney instead of you, have your attorney complete Item 16.

FILING FEES

Each claim submitted must include the filing fee. The filing fee for domestic and/or stockwater use claims diverting less than 13,000 gallons of water per day is $25.00. The flat fee for filing all other claims filed is $50.00 per claim. An additional variable filing fee based upon acreage, power generating nameplate capacity, cubic feet per second (cfs) amount, or an equivalent volume of storage water is required for claims for water uses other than domestic and/or stockwater uses diverting less than 13,000 gallons of water per day. Use Table 3 to calculate the variable fee. Add the calculated variable fee to the $50.00 flat fee to determine the total fee for the claim. The exceptions are fire protection or ground water recharge which have a $50.00 flat fee, and no variable fee.

Examples for a single claim to a water right with single source and same priority date:

Single family domestic and stockwater use, less than
13,000 gallons per day in total $25

100 acres irrigation, domestic and stockwater as above . . . $150

Fish propagation, 4.2 cfs $92

Multiple family domestic, 1.6 cfs,
irrigation of yards and gardens, 14 acres $224

TABLE 3, VARIABLE FEE SCHEDULE

Irrigation: . . . . . $1.00 per acre
each acre is charged only once.

Power generation: . . . . . $3.50 per kilowatt of capacity
(manufacturer's nameplate rating), or $250,000.00, whichever is less.

Aquaculture: . . . . . $10.00 per cfs

Domestic, stockwater in excess of 13,000 gallons per day: . . . . . $100.00 per cfs

Municipal, industrial, commercial, mining, heating, cooling: . . . . . $100.00 per cfs

Public instream flow, public lake level maintenance, wildlife: . . . . . $100.00 per cfs

Exceptions: No variable fee is charged for fire protection or ground water recharge.

For a public entity claiming water for more than one public purpose, the variable fee per cfs is charged once per cfs claimed. The fee is charged on the largest of the amounts claimed. Public purposes include instream flows, lake levels, wildlife, aesthetic beauty, and recreation uses claimed by a public entity.

The filing fee must accompany this claim. Make checks payable to the Idaho Department of Water Resources. You should keep the yellow copy of the claim form for your records. Send the fee along with the white copy of the claim form to one of the following offices:

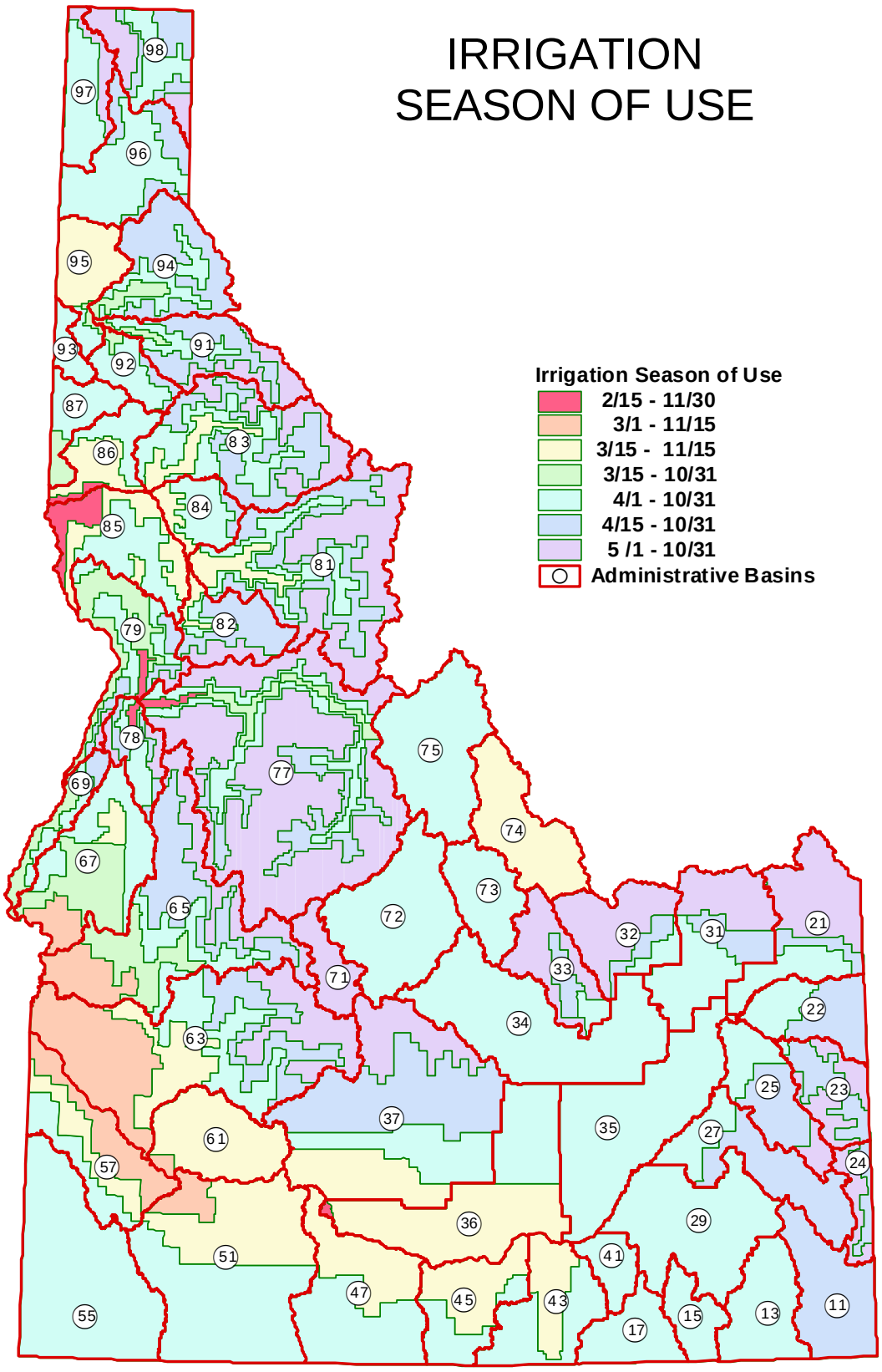
Northern Region
Idaho Department of Water Resources
7600 N. Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815-7763
Phone (208) 762-2800
FAX (208) 762-2819

Eastern Region
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402-1718
Phone (208) 525-7161
FAX (208) 525-7177

Southern Region
Idaho Department of Water Resources
650 Addison Ave W, Ste. 500
Twin Falls, ID 83301-5858
Phone (208) 736-3033
FAX (208) 736-3037

Western Region
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Phone (208) 334-2190
FAX (208) 334-2348

If you need additional information or assistance in completing the claim form, you may visit one of the Department's offices.


IRRIGATION
SEASON OF USE
Irrigation Season of Use
2/15 - 11/30
3/1 - 11/15
3/15 - 11/15
3/15 - 10/31
4/1 - 10/31
4/15 - 10/31
5 /1 - 10/31
Administrative Basins