

## **AMENDED DIRECTOR'S REPORTS**

**Subcase Nos. 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79,  
33-80, 33-81, 33-82, 33-2007, 33-2008, 33-2057A, 33-2057B, 33-2057C, 33-2057D, 33-2057E,  
33-2057F, 33-2083A, 33-2083B, 33-2083C, 33-2083D, 33-2083E, 33-2083F, 33-2086A,  
33-2086B, 33-2090, 33-2091, 33-2133, 33-7018, 33-11003**

### **In Re SRBA**

**Twin Falls County Civil Case No. 39576**

**Report to the SRBA District Court**

**Prepared by the Idaho Department of Water Resources  
Karl J. Dreher, Director  
David R. Tuthill, Jr., Adjudication Bureau Chief**

**September 30, 2003**



## CERTIFICATE OF MAILING

I certify that on 9/20, 2003 I mailed and/or delivered the original and copies of this form, including all attachments, to the following interested parties, by placing them in sealed envelopes, addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P.O. Box 2707  
Twin Falls, ID 83303-2707

☐ Overnight Mail  
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2. Copies to:

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Natural Resources Division  
Box 83720  
Boise, ID 83720-0010

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United States Department of Justice  
Environment & Natural Resources Div.  
550 West Fort Street MSC 033  
Boise, ID 83724

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Butte County Clerk  
P.O. Box 737  
Arco, ID 83213

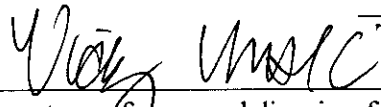
☐ Overnight Mail  
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Kent Foster  
P.O. Box 50130  
Idaho Falls, ID 83405

☐ Overnight Mail  
☒ Regular Mail  
☐ Hand-Delivered  
☐ Facsimile

Michael Creamer  
P.O. Box 2720  
Boise, ID 83701-2720

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\_\_\_\_\_  
Signature of person delivering form

09/26/2003

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

RIGHT NUMBER: 33-69

NAME AND ADDRESS: SAGEWILLOW INC  
C/O KENT FOSTER  
HOLDEN KIDWELL HAHN & CRAPO  
PO BOX 50130  
IDAHO FALLS ID 83405-0130

SOURCE: BIG SPRING CREEK  
LITTLE LOST RIVER

TRIBUTARY: LITTLE LOST RIVER  
TRIBUTARY: SINKS

QUANTITY: 3.200 CFS

PRIORITY DATE: 06/01/1908

POINT OF DIVERSION:

T07N R27E S2 SWSENE Within BUTTE County  
T07N R27E S12 NESWNW Within BUTTE County  
T07N R28E S5 NENWSW Within BUTTE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4/01 11/01           | 3.200 CFS       |

PLACE OF USE: IRRIGATION Within BUTTE County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T07N R27E S01       | SWSW | 26.0 | T07N R27E S01       | SESW | 40.0 |
| T07N R27E S12       | NENW | 0.2  | T07N R27E S12       | NWNW | 19.0 |
| T07N R27E S12       | SWNW | 7.6  | T07N R27E S12       | SESW | 0.9  |
| T07N R27E S12       | NESE | 2.5  | T07N R27E S12       | NWSE | 7.6  |
| T07N R27E S12       | SWSE | 5.0  | T07N R27E S12       | SESE | 29.0 |
| T07N R27E S13       | NENE | 32.0 | T07N R27E S13       | NWNE | 32.0 |
| T07N R27E S13       | NENW | 2.0  | T07N R28E S07       | NENE | 40.0 |
| T07N R28E S07       | NWNE | 40.0 | T07N R28E S07       | SWNE | 40.0 |
| T07N R28E S07       | SENE | 36.0 | T07N R28E S07       | NENW | 30.0 |
| T07N R28E S07       | SENW | 1.9  | T07N R28E S07 Lot 4 | SWSW | 0.1  |
| T07N R28E S08       | NWNE | 2.8  | T07N R28E S08       | SWNE | 19.0 |
| T07N R28E S08       | NWNW | 22.0 | T07N R28E S08       | SWNW | 6.2  |
| T07N R28E S08       | NWSE | 27.0 | T07N R28E S08       | SWSE | 16.0 |
| T07N R28E S18       | SWNE | 25.0 | T07N R28E S18       | SENE | 0.2  |
| T07N R28E S18       | NENW | 1.8  | T07N R28E S18 Lot 1 | NWNW | 34.0 |
| T07N R28E S18 Lot 2 | SWNW | 25.0 | T07N R28E S18       | SENW | 31.0 |
| T07N R28E S18       | NESW | 3.8  | T07N R28E S18       | NESE | 31.0 |
| T07N R28E S18       | NWSE | 16.0 | T07N R28E S18       | SESE | 2.4  |

655 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE  
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

09/26/2003

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

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This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION  
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT  
TO SECTION 42-1425, IDAHO CODE.

09/26/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 33-70

NAME AND ADDRESS: SAGEWILLOW INC  
C/O KENT FOSTER  
HOLDEN KIDWELL HAHN & CRAPO  
PO BOX 50130  
IDAHO FALLS ID 83405-0130

SOURCE: BIG SPRING CREEK                      TRIBUTARY: LITTLE LOST RIVER  
LITTLE LOST RIVER                      TRIBUTARY: SINKS

QUANTITY: 2.800 CFS

PRIORITY DATE: 10/01/1906

POINT OF  
DIVERSION: T07N R27E S2 SWSENE Within BUTTE County  
T07N R27E S12 NESWNW Within BUTTE County  
T07N R28E S5 NENWSW Within BUTTE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4/01 11/01           | 2.800 CFS       |

PLACE OF USE: IRRIGATION Within BUTTE County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T07N R27E S01       | SWSW | 26.0 | T07N R27E S01       | SESW | 40.0 |
| T07N R27E S12       | NENW | 0.2  | T07N R27E S12       | NWNW | 19.0 |
| T07N R27E S12       | SWNW | 7.6  | T07N R27E S12       | SESW | 0.9  |
| T07N R27E S12       | NESE | 2.5  | T07N R27E S12       | NWSE | 7.6  |
| T07N R27E S12       | SWSE | 5.0  | T07N R27E S12       | SESE | 29.0 |
| T07N R27E S13       | NENE | 32.0 | T07N R27E S13       | NWNE | 32.0 |
| T07N R27E S13       | NENW | 2.0  | T07N R28E S07       | NENE | 40.0 |
| T07N R28E S07       | NWNE | 40.0 | T07N R28E S07       | SWNE | 40.0 |
| T07N R28E S07       | SENE | 36.0 | T07N R28E S07       | NENW | 30.0 |
| T07N R28E S07       | SENW | 1.9  | T07N R28E S07 Lot 4 | SWSW | 0.1  |
| T07N R28E S08       | NWNE | 2.8  | T07N R28E S08       | SWNE | 19.0 |
| T07N R28E S08       | NWNW | 22.0 | T07N R28E S08       | SWNW | 6.2  |
| T07N R28E S08       | NWSE | 27.0 | T07N R28E S08       | SWSE | 16.0 |
| T07N R28E S18       | SWNE | 25.0 | T07N R28E S18       | SENE | 0.2  |
| T07N R28E S18       | NENW | 1.8  | T07N R28E S18 Lot 1 | NWNW | 34.0 |
| T07N R28E S18 Lot 2 | SWNW | 25.0 | T07N R28E S18       | SENW | 31.0 |
| T07N R28E S18       | NESW | 3.8  | T07N R28E S18       | NESE | 31.0 |
| T07N R28E S18       | NWSE | 16.0 | T07N R28E S18       | SESE | 2.4  |

655 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

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THIS RIGHT IS LIMITED TO THE IRRIGATION OF 140 ACRES WITHIN THE  
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

This partial decree is subject to such general provisions necessary for  
the definition of the rights or for the efficient administration of the water  
rights as may be ultimately determined by the Court at a point in time no  
later than the entry of a final unified decree. Section 42-1412(6), Idaho  
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION  
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT  
TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 33-71

NAME AND ADDRESS: SAGEWILLOW INC  
C/O KENT FOSTER  
HOLDEN KIDWELL HAHN & CRAPO  
PO BOX 50130  
IDAHO FALLS ID 83405-0130

SOURCE: BIG SPRING CREEK                      TRIBUTARY: LITTLE LOST RIVER  
LITTLE LOST RIVER                      TRIBUTARY: SINKS

QUANTITY: 3.200 CFS

PRIORITY DATE: 03/15/1909

POINT OF  
DIVERSION: T07N R27E S2 SWSENE Within BUTTE County  
T07N R27E S12 NESWNW Within BUTTE County  
T07N R28E S5 NENWSW Within BUTTE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4/01 11/01           | 3.200 CFS       |

PLACE OF USE: IRRIGATION Within BUTTE County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T07N R27E S01       | SWSW | 26.0 | T07N R27E S01       | SESW | 40.0 |
| T07N R27E S12       | NENW | 0.2  | T07N R27E S12       | NWNW | 19.0 |
| T07N R27E S12       | SWNW | 7.6  | T07N R27E S12       | SESW | 0.9  |
| T07N R27E S12       | NESE | 2.5  | T07N R27E S12       | NWSE | 7.6  |
| T07N R27E S12       | SWSE | 5.0  | T07N R27E S12       | SESE | 29.0 |
| T07N R27E S13       | NENE | 32.0 | T07N R27E S13       | NWNE | 32.0 |
| T07N R27E S13       | NENW | 2.0  | T07N R28E S07       | NENE | 40.0 |
| T07N R28E S07       | NWNE | 40.0 | T07N R28E S07       | SWNE | 40.0 |
| T07N R28E S07       | SENE | 36.0 | T07N R28E S07       | NENW | 30.0 |
| T07N R28E S07       | SENW | 1.9  | T07N R28E S07 Lot 4 | SWSW | 0.1  |
| T07N R28E S08       | NWNE | 2.8  | T07N R28E S08       | SWNE | 19.0 |
| T07N R28E S08       | NWNW | 22.0 | T07N R28E S08       | SWNW | 6.2  |
| T07N R28E S08       | NWSE | 27.0 | T07N R28E S08       | SWSE | 16.0 |
| T07N R28E S18       | SWNE | 25.0 | T07N R28E S18       | SENE | 0.2  |
| T07N R28E S18       | NENW | 1.8  | T07N R28E S18 Lot 1 | NWNW | 34.0 |
| T07N R28E S18 Lot 2 | SWNW | 25.0 | T07N R28E S18       | SENW | 31.0 |
| T07N R28E S18       | NESW | 3.8  | T07N R28E S18       | NESE | 31.0 |
| T07N R28E S18       | NWSE | 16.0 | T07N R28E S18       | SESE | 2.4  |

655 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

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THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE  
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE  
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE  
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO  
LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION  
42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION  
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT  
TO SECTION 42-1425, IDAHO CODE.

09/26/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 33-72  
NAME AND ADDRESS: SAGEWILLOW INC  
C/O KENT FOSTER  
HOLDEN KIDWELL HAHN & CRAPO  
PO BOX 50130  
IDAHO FALLS ID 83405-0130

SOURCE: BIG SPRING CREEK  
LITTLE LOST RIVER  
TRIBUTARY: LITTLE LOST RIVER  
TRIBUTARY: SINKS

QUANTITY: 0.800 CFS

PRIORITY DATE: 05/01/1908

POINT OF  
DIVERSION: T07N R27E S2 SWSENE Within BUTTE County  
T07N R27E S12 NESWNW Within BUTTE County  
T07N R28E S5 NENWSW Within BUTTE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4/01 11/01           | 0.800 CFS       |

PLACE OF USE: IRRIGATION Within BUTTE County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T07N R27E S01       | SWSW | 26.0 | T07N R27E S01       | SESW | 40.0 |
| T07N R27E S12       | NENW | 0.2  | T07N R27E S12       | NWNW | 19.0 |
| T07N R27E S12       | SWNW | 7.6  | T07N R27E S12       | SESW | 0.9  |
| T07N R27E S12       | NESE | 2.5  | T07N R27E S12       | NWSE | 7.6  |
| T07N R27E S12       | SWSE | 5.0  | T07N R27E S12       | SESE | 29.0 |
| T07N R27E S13       | NENE | 32.0 | T07N R27E S13       | NWNE | 32.0 |
| T07N R27E S13       | NENW | 2.0  | T07N R28E S07       | NENE | 40.0 |
| T07N R28E S07       | NWNE | 40.0 | T07N R28E S07       | SWNE | 40.0 |
| T07N R28E S07       | SENE | 36.0 | T07N R28E S07       | NENW | 30.0 |
| T07N R28E S07       | SENW | 1.9  | T07N R28E S07 Lot 4 | SWSW | 0.1  |
| T07N R28E S08       | NWNE | 2.8  | T07N R28E S08       | SWNE | 19.0 |
| T07N R28E S08       | NWNW | 22.0 | T07N R28E S08       | SWNW | 6.2  |
| T07N R28E S08       | NWSE | 27.0 | T07N R28E S08       | SWSE | 16.0 |
| T07N R28E S18       | SWNE | 25.0 | T07N R28E S18       | SENE | 0.2  |
| T07N R28E S18       | NENW | 1.8  | T07N R28E S18 Lot 1 | NWNW | 34.0 |
| T07N R28E S18 Lot 2 | SWNW | 25.0 | T07N R28E S18       | SENW | 31.0 |
| T07N R28E S18       | NESW | 3.8  | T07N R28E S18       | NESE | 31.0 |

09/26/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

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|               |      |      |               |      |     |
|---------------|------|------|---------------|------|-----|
| T07N R28E S18 | NWSE | 16.0 | T07N R28E S18 | SESE | 2.4 |
|---------------|------|------|---------------|------|-----|

655 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE  
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

This partial decree is subject to such general provisions necessary for  
the definition of the rights or for the efficient administration of the water  
rights as may be ultimately determined by the Court at a point in time no  
later than the entry of a final unified decree. Section 42-1412(6), Idaho  
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION  
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT  
TO SECTION 42-1425, IDAHO CODE.

09/26/2003

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

RIGHT NUMBER: 33-73

NAME AND ADDRESS: SAGEWILLOW INC  
C/O KENT FOSTER  
HOLDEN KIDWELL HAHN & CRAPO  
PO BOX 50130  
IDAHO FALLS ID 83405-0130

SOURCE: BIG SPRING CREEK TRIBUTARY: LITTLE LOST RIVER  
LITTLE LOST RIVER TRIBUTARY: SINKS

QUANTITY: 6.400 CFS

The rights listed below are limited to a maximum diversion rate of 0.02 cfs per acre at the field headgate. 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82

PRIORITY DATE: 04/01/1912

POINT OF DIVERSION:

T07N R27E S2 SWSENE Within BUTTE County  
T07N R27E S12 NESWNW Within BUTTE County  
T07N R28E S5 NENWSW Within BUTTE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/01 11/01          | 6.400 CFS       |

PLACE OF USE: IRRIGATION Within BUTTE County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T07N R27E S01       | SWSW | 26.0 | T07N R27E S01       | SESW | 40.0 |
| T07N R27E S12       | NENW | 0.2  | T07N R27E S12       | NWNW | 19.0 |
| T07N R27E S12       | SWNW | 7.6  | T07N R27E S12       | SESW | 0.9  |
| T07N R27E S12       | NESE | 2.5  | T07N R27E S12       | NWSE | 7.6  |
| T07N R27E S12       | SWSE | 5.0  | T07N R27E S12       | SESE | 29.0 |
| T07N R27E S13       | NENE | 32.0 | T07N R27E S13       | NWNE | 32.0 |
| T07N R27E S13       | NENW | 2.0  | T07N R28E S07       | NENE | 40.0 |
| T07N R28E S07       | NWNE | 40.0 | T07N R28E S07       | SWNE | 40.0 |
| T07N R28E S07       | SENE | 36.0 | T07N R28E S07       | NENW | 30.0 |
| T07N R28E S07       | SENW | 1.9  | T07N R28E S07 Lot 4 | SWSW | 0.1  |
| T07N R28E S08       | NWNE | 2.8  | T07N R28E S08       | SWNE | 19.0 |
| T07N R28E S08       | NWNW | 22.0 | T07N R28E S08       | SWNW | 6.2  |
| T07N R28E S08       | NWSE | 27.0 | T07N R28E S08       | SWSE | 16.0 |
| T07N R28E S18       | SWNE | 25.0 | T07N R28E S18       | SENE | 0.2  |
| T07N R28E S18       | NENW | 1.8  | T07N R28E S18 Lot 1 | NWNW | 34.0 |
| T07N R28E S18 Lot 2 | SWNW | 25.0 | T07N R28E S18       | SENW | 31.0 |
| T07N R28E S18       | NESW | 3.8  | T07N R28E S18       | NESE | 31.0 |
| T07N R28E S18       | NWSE | 16.0 | T07N R28E S18       | SESE | 2.4  |

655 ACRES TOTAL

09/26/2003

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

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USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A  
COMBINED TOTAL OF 655 ACRES IN A SINGLE IRRIGATION SEASON.  
COMBINED RIGHT NOS.: 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76,  
33-78, 33-79, 33-80, 33-81, AND 33-82

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

This partial decree is subject to such general provisions necessary for  
the definition of the rights or for the efficient administration of the water  
rights as may be ultimately determined by the Court at a point in time no  
later than the entry of a final unified decree. Section 42-1412(6), Idaho  
Code.

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION  
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT  
TO SECTION 42-1425, IDAHO CODE.

09/26/2003

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

RIGHT NUMBER: 33-74

NAME AND ADDRESS: SAGEWILLOW INC  
C/O KENT FOSTER  
HOLDEN KIDWELL HAHN & CRAPO  
PO BOX 50130  
IDAHO FALLS ID 83405-0130

SOURCE: BIG SPRING CREEK                      TRIBUTARY: LITTLE LOST RIVER  
LITTLE LOST RIVER                      TRIBUTARY: SINKS

QUANTITY: 1.600 CFS

The rights listed below are limited to a maximum diversion rate of 0.02 cfs per acre at the field headgate. 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82

PRIORITY DATE: 08/06/1913

POINT OF DIVERSION:

T07N R27E S2 SWSENE Within BUTTE County  
T07N R27E S12 NESWNW Within BUTTE County  
T07N R28E S5 NENWSW Within BUTTE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4/01 11/01           | 1.600 CFS       |

PLACE OF USE: IRRIGATION Within BUTTE County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T07N R27E S01       | SWSW | 26.0 | T07N R27E S01       | SESW | 40.0 |
| T07N R27E S12       | NENW | 0.2  | T07N R27E S12       | NWNW | 19.0 |
| T07N R27E S12       | SWNW | 7.6  | T07N R27E S12       | SESW | 0.9  |
| T07N R27E S12       | NESE | 2.5  | T07N R27E S12       | NWSE | 7.6  |
| T07N R27E S12       | SWSE | 5.0  | T07N R27E S12       | SESE | 29.0 |
| T07N R27E S13       | NENE | 32.0 | T07N R27E S13       | NWNE | 32.0 |
| T07N R27E S13       | NENW | 2.0  | T07N R28E S07       | NENE | 40.0 |
| T07N R28E S07       | NWNE | 40.0 | T07N R28E S07       | SWNE | 40.0 |
| T07N R28E S07       | SENE | 36.0 | T07N R28E S07       | NENW | 30.0 |
| T07N R28E S07       | SENW | 1.9  | T07N R28E S07 Lot 4 | SWSW | 0.1  |
| T07N R28E S08       | NWNE | 2.8  | T07N R28E S08       | SWNE | 19.0 |
| T07N R28E S08       | NWNW | 22.0 | T07N R28E S08       | SWNW | 6.2  |
| T07N R28E S08       | NWSE | 27.0 | T07N R28E S08       | SWSE | 16.0 |
| T07N R28E S18       | SWNE | 25.0 | T07N R28E S18       | SENE | 0.2  |
| T07N R28E S18       | NENW | 1.8  | T07N R28E S18 Lot 1 | NWNW | 34.0 |
| T07N R28E S18 Lot 2 | SWNW | 25.0 | T07N R28E S18       | SENW | 31.0 |
| T07N R28E S18       | NESW | 3.8  | T07N R28E S18       | NESE | 31.0 |
| T07N R28E S18       | NWSE | 16.0 | T07N R28E S18       | SESE | 2.4  |

655 ACRES TOTAL

09/26/2003

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

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USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A  
COMBINED TOTAL OF 655 ACRES IN A SINGLE IRRIGATION SEASON.  
COMBINED RIGHT NOS.: 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76,  
33-78, 33-79, 33-80, 33-81, AND 33-82

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

This partial decree is subject to such general provisions necessary for  
the definition of the rights or for the efficient administration of the water  
rights as may be ultimately determined by the Court at a point in time no  
later than the entry of a final unified decree. Section 42-1412(6), Idaho  
Code.

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION  
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT  
TO SECTION 42-1425, IDAHO CODE.

09/26/2003

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

RIGHT NUMBER: 33-76

NAME AND ADDRESS: SAGEWILLOW INC  
C/O KENT FOSTER  
HOLDEN KIDWELL HAHN & CRAPO  
PO BOX 50130  
IDAHO FALLS ID 83405-0130

SOURCE: BIG SPRING CREEK                      TRIBUTARY: LITTLE LOST RIVER  
LITTLE LOST RIVER                      TRIBUTARY: SINKS

QUANTITY: 6.800 CFS

The rights listed below are limited to a maximum diversion rate of 0.02 cfs per acre at the field headgate. 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82

PRIORITY DATE: 04/01/1913

POINT OF DIVERSION:

T07N R27E S2 SWSENE Within BUTTE County  
T07N R27E S12 NESWNW Within BUTTE County  
T07N R28E S5 NENWSW Within BUTTE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4/01 11/01           | 6.800 CFS       |

PLACE OF USE: IRRIGATION Within BUTTE County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T07N R27E S01       | SWSW | 26.0 | T07N R27E S01       | SESW | 40.0 |
| T07N R27E S12       | NENW | 0.2  | T07N R27E S12       | NWNW | 19.0 |
| T07N R27E S12       | SWNW | 7.6  | T07N R27E S12       | SESW | 0.9  |
| T07N R27E S12       | NESE | 2.5  | T07N R27E S12       | NWSE | 7.6  |
| T07N R27E S12       | SWSE | 5.0  | T07N R27E S12       | SESE | 29.0 |
| T07N R27E S13       | NENE | 32.0 | T07N R27E S13       | NWNE | 32.0 |
| T07N R27E S13       | NENW | 2.0  | T07N R28E S07       | NENE | 40.0 |
| T07N R28E S07       | NWNE | 40.0 | T07N R28E S07       | SWNE | 40.0 |
| T07N R28E S07       | SENE | 36.0 | T07N R28E S07       | NENW | 30.0 |
| T07N R28E S07       | SENW | 1.9  | T07N R28E S07 Lot 4 | SWSW | 0.1  |
| T07N R28E S08       | NWNE | 2.8  | T07N R28E S08       | SWNE | 19.0 |
| T07N R28E S08       | NWNW | 22.0 | T07N R28E S08       | SWNW | 6.2  |
| T07N R28E S08       | NWSE | 27.0 | T07N R28E S08       | SWSE | 16.0 |
| T07N R28E S18       | SWNE | 25.0 | T07N R28E S18       | SENE | 0.2  |
| T07N R28E S18       | NENW | 1.8  | T07N R28E S18 Lot 1 | NWNW | 34.0 |
| T07N R28E S18 Lot 2 | SWNW | 25.0 | T07N R28E S18       | SENW | 31.0 |
| T07N R28E S18       | NESW | 3.8  | T07N R28E S18       | NESE | 31.0 |
| T07N R28E S18       | NWSE | 16.0 | T07N R28E S18       | SESE | 2.4  |

655 ACRES TOTAL

09/26/2003

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

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USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A  
COMBINED TOTAL OF 655 ACRES IN A SINGLE IRRIGATION SEASON.  
COMBINED RIGHT NOS.: 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76,  
33-78, 33-79, 33-80, 33-81, AND 33-82

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

This partial decree is subject to such general provisions necessary for  
the definition of the rights or for the efficient administration of the water  
rights as may be ultimately determined by the Court at a point in time no  
later than the entry of a final unified decree. Section 42-1412(6), Idaho  
Code.

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION  
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT  
TO SECTION 42-1425, IDAHO CODE.

09/26/2003

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

RIGHT NUMBER: 33-78

NAME AND ADDRESS: SAGEWILLOW INC  
C/O KENT FOSTER  
HOLDEN KIDWELL HAHN & CRAPO  
PO BOX 50130  
IDAHO FALLS ID 83405-0130

SOURCE: BIG SPRING CREEK                      TRIBUTARY: LITTLE LOST RIVER  
LITTLE LOST RIVER                      TRIBUTARY: SINKS

QUANTITY: 3.200 CFS

The rights listed below are limited to a maximum diversion rate of 0.02 cfs per acre at the field headgate. 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82

PRIORITY DATE: 10/15/1913

POINT OF DIVERSION:

T07N R27E S2 SWSENE Within BUTTE County  
T07N R27E S12 NESWNW Within BUTTE County  
T07N R28E S5 NENWSW Within BUTTE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4/01 11/01           | 3.200 CFS       |

PLACE OF USE: IRRIGATION Within BUTTE County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T07N R27E S01       | SWSW | 26.0 | T07N R27E S01       | SESW | 40.0 |
| T07N R27E S12       | NENW | 0.2  | T07N R27E S12       | NWNW | 19.0 |
| T07N R27E S12       | SWNW | 7.6  | T07N R27E S12       | SESW | 0.9  |
| T07N R27E S12       | NESE | 2.5  | T07N R27E S12       | NWSE | 7.6  |
| T07N R27E S12       | SWSE | 5.0  | T07N R27E S12       | SESE | 29.0 |
| T07N R27E S13       | NENE | 32.0 | T07N R27E S13       | NWNE | 32.0 |
| T07N R27E S13       | NENW | 2.0  | T07N R28E S07       | NENE | 40.0 |
| T07N R28E S07       | NWNE | 40.0 | T07N R28E S07       | SWNE | 40.0 |
| T07N R28E S07       | SENE | 36.0 | T07N R28E S07       | NENW | 30.0 |
| T07N R28E S07       | SENW | 1.9  | T07N R28E S07 Lot 4 | SWSW | 0.1  |
| T07N R28E S08       | NWNE | 2.8  | T07N R28E S08       | SWNE | 19.0 |
| T07N R28E S08       | NWNW | 22.0 | T07N R28E S08       | SWNW | 6.2  |
| T07N R28E S08       | NWSE | 27.0 | T07N R28E S08       | SWSE | 16.0 |
| T07N R28E S18       | SWNE | 25.0 | T07N R28E S18       | SENE | 0.2  |
| T07N R28E S18       | NENW | 1.8  | T07N R28E S18 Lot 1 | NWNW | 34.0 |
| T07N R28E S18 Lot 2 | SWNW | 25.0 | T07N R28E S18       | SENW | 31.0 |
| T07N R28E S18       | NESW | 3.8  | T07N R28E S18       | NESE | 31.0 |
| T07N R28E S18       | NWSE | 16.0 | T07N R28E S18       | SESE | 2.4  |

655 ACRES TOTAL

09/26/2003

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

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USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A  
COMBINED TOTAL OF 655 ACRES IN A SINGLE IRRIGATION SEASON.  
COMBINED RIGHT NOS.: 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76,  
33-78, 33-79, 33-80, 33-81, AND 33-82

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

This partial decree is subject to such general provisions necessary for  
the definition of the rights or for the efficient administration of the water  
rights as may be ultimately determined by the Court at a point in time no  
later than the entry of a final unified decree. Section 42-1412(6), Idaho  
Code.

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION  
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT  
TO SECTION 42-1425, IDAHO CODE.

09/26/2003

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

RIGHT NUMBER: 33-79

NAME AND ADDRESS: SAGEWILLOW INC  
C/O KENT FOSTER  
HOLDEN KIDWELL HAHN & CRAPO  
PO BOX 50130  
IDAHO FALLS ID 83405-0130

SOURCE: BIG SPRING CREEK                      TRIBUTARY: LITTLE LOST RIVER  
LITTLE LOST RIVER                      TRIBUTARY: SINKS

QUANTITY: 1.600 CFS

The rights listed below are limited to a maximum diversion rate of 0.02 cfs per acre at the field headgate. 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82

PRIORITY DATE: 04/01/1912

POINT OF DIVERSION:

T07N R27E S2 SWSENE Within BUTTE County

T07N R27E S12 NESWNW Within BUTTE County

T07N R28E S5 NENWSW Within BUTTE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4/01 11/01           | 1.600 CFS       |

PLACE OF USE: IRRIGATION Within BUTTE County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T07N R27E S01       | SWSW | 26.0 | T07N R27E S01       | SESW | 40.0 |
| T07N R27E S12       | NENW | 0.2  | T07N R27E S12       | NWNW | 19.0 |
| T07N R27E S12       | SWNW | 7.6  | T07N R27E S12       | SESW | 0.9  |
| T07N R27E S12       | NESE | 2.5  | T07N R27E S12       | NWSE | 7.6  |
| T07N R27E S12       | SWSE | 5.0  | T07N R27E S12       | SESE | 29.0 |
| T07N R27E S13       | NENE | 32.0 | T07N R27E S13       | NWNE | 32.0 |
| T07N R27E S13       | NENW | 2.0  | T07N R28E S07       | NENE | 40.0 |
| T07N R28E S07       | NWNE | 40.0 | T07N R28E S07       | SWNE | 40.0 |
| T07N R28E S07       | SENE | 36.0 | T07N R28E S07       | NENW | 30.0 |
| T07N R28E S07       | SENW | 1.9  | T07N R28E S07 Lot 4 | SWSW | 0.1  |
| T07N R28E S08       | NWNE | 2.8  | T07N R28E S08       | SWNE | 19.0 |
| T07N R28E S08       | NWNW | 22.0 | T07N R28E S08       | SWNW | 6.2  |
| T07N R28E S08       | NWSE | 27.0 | T07N R28E S08       | SWSE | 16.0 |
| T07N R28E S18       | SWNE | 25.0 | T07N R28E S18       | SENE | 0.2  |
| T07N R28E S18       | NENW | 1.8  | T07N R28E S18 Lot 1 | NWNW | 34.0 |
| T07N R28E S18 Lot 2 | SWNW | 25.0 | T07N R28E S18       | SENW | 31.0 |
| T07N R28E S18       | NESW | 3.8  | T07N R28E S18       | NESE | 31.0 |
| T07N R28E S18       | NWSE | 16.0 | T07N R28E S18       | SESE | 2.4  |

655 ACRES TOTAL

09/26/2003

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

---

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A  
COMBINED TOTAL OF 655 ACRES IN A SINGLE IRRIGATION SEASON.  
COMBINED RIGHT NOS.: 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76,  
33-78, 33-79, 33-80, 33-81, AND 33-82

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

This partial decree is subject to such general provisions necessary for  
the definition of the rights or for the efficient administration of the water  
rights as may be ultimately determined by the Court at a point in time no  
later than the entry of a final unified decree. Section 42-1412(6), Idaho  
Code.

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION  
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT  
TO SECTION 42-1425, IDAHO CODE.

09/26/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 33-80  
NAME AND ADDRESS: SAGEWILLOW INC  
C/O KENT FOSTER  
HOLDEN KIDWELL HAHN & CRAPO  
PO BOX 50130  
IDAHO FALLS ID 83405-0130

SOURCE: BIG SPRING CREEK TRIBUTARY: LITTLE LOST RIVER  
LITTLE LOST RIVER TRIBUTARY: SINKS

QUANTITY: 0.800 CFS

PRIORITY DATE: 05/01/1908

POINT OF  
DIVERSION: T07N R27E S2 SWSENE Within BUTTE County  
T07N R27E S12 NESWNW Within BUTTE County  
T07N R28E S5 NENWSW Within BUTTE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4/01 11/01           | 0.800 CFS       |

PLACE OF USE: IRRIGATION Within BUTTE County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T07N R27E S01       | SWSW | 26.0 | T07N R27E S01       | SESW | 40.0 |
| T07N R27E S12       | NENW | 0.2  | T07N R27E S12       | NWNW | 19.0 |
| T07N R27E S12       | SWNW | 7.6  | T07N R27E S12       | SESW | 0.9  |
| T07N R27E S12       | NESE | 2.5  | T07N R27E S12       | NWSE | 7.6  |
| T07N R27E S12       | SWSE | 5.0  | T07N R27E S12       | SESE | 29.0 |
| T07N R27E S13       | NENE | 32.0 | T07N R27E S13       | NWNE | 32.0 |
| T07N R27E S13       | NENW | 2.0  | T07N R28E S07       | NENE | 40.0 |
| T07N R28E S07       | NWNE | 40.0 | T07N R28E S07       | SWNE | 40.0 |
| T07N R28E S07       | SENE | 36.0 | T07N R28E S07       | NENW | 30.0 |
| T07N R28E S07       | SENW | 1.9  | T07N R28E S07 Lot 4 | SWSW | 0.1  |
| T07N R28E S08       | NWNE | 2.8  | T07N R28E S08       | SWNE | 19.0 |
| T07N R28E S08       | NWNW | 22.0 | T07N R28E S08       | SWNW | 6.2  |
| T07N R28E S08       | NWSE | 27.0 | T07N R28E S08       | SWSE | 16.0 |
| T07N R28E S18       | SWNE | 25.0 | T07N R28E S18       | SENE | 0.2  |
| T07N R28E S18       | NENW | 1.8  | T07N R28E S18 Lot 1 | NWNW | 34.0 |
| T07N R28E S18 Lot 2 | SWNW | 25.0 | T07N R28E S18       | SENW | 31.0 |
| T07N R28E S18       | NESW | 3.8  | T07N R28E S18       | NESE | 31.0 |
| T07N R28E S18       | NWSE | 16.0 | T07N R28E S18       | SESE | 2.4  |

655 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

---

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE  
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE  
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE  
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO  
LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION  
42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION  
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT  
TO SECTION 42-1425, IDAHO CODE.

09/26/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 33-81

NAME AND ADDRESS: SAGEWILLOW INC  
C/O KENT FOSTER  
HOLDEN KIDWELL HAHN & CRAPO  
PO BOX 50130  
IDAHO FALLS ID 83405-0130

SOURCE: BIG SPRING CREEK TRIBUTARY: LITTLE LOST RIVER  
LITTLE LOST RIVER TRIBUTARY: SINKS

QUANTITY: 0.800 CFS

PRIORITY DATE: 05/01/1908

POINT OF  
DIVERSION: T07N R27E S2 SWSENE Within BUTTE County  
T07N R27E S12 NESWNW Within BUTTE County  
T07N R28E S5 NENWSW Within BUTTE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4/01 11/01           | 0.800 CFS       |

PLACE OF USE: IRRIGATION Within BUTTE County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T07N R27E S01       | SWSW | 26.0 | T07N R27E S01       | SESW | 40.0 |
| T07N R27E S12       | NENW | 0.2  | T07N R27E S12       | NWNW | 19.0 |
| T07N R27E S12       | SWNW | 7.6  | T07N R27E S12       | SESW | 0.9  |
| T07N R27E S12       | NESE | 2.5  | T07N R27E S12       | NWSE | 7.6  |
| T07N R27E S12       | SWSE | 5.0  | T07N R27E S12       | SESE | 29.0 |
| T07N R27E S13       | NENE | 32.0 | T07N R27E S13       | NWNE | 32.0 |
| T07N R27E S13       | NENW | 2.0  | T07N R28E S07       | NENE | 40.0 |
| T07N R28E S07       | NWNE | 40.0 | T07N R28E S07       | SWNE | 40.0 |
| T07N R28E S07       | SENE | 36.0 | T07N R28E S07       | NENW | 30.0 |
| T07N R28E S07       | SENW | 1.9  | T07N R28E S07 Lot 4 | SWSW | 0.1  |
| T07N R28E S08       | NWNE | 2.8  | T07N R28E S08       | SWNE | 19.0 |
| T07N R28E S08       | NWNW | 22.0 | T07N R28E S08       | SWNW | 6.2  |
| T07N R28E S08       | NWSE | 27.0 | T07N R28E S08       | SWSE | 16.0 |
| T07N R28E S18       | SWNE | 25.0 | T07N R28E S18       | SENE | 0.2  |
| T07N R28E S18       | NENW | 1.8  | T07N R28E S18 Lot 1 | NWNW | 34.0 |
| T07N R28E S18 Lot 2 | SWNW | 25.0 | T07N R28E S18       | SENW | 31.0 |
| T07N R28E S18       | NESW | 3.8  | T07N R28E S18       | NESE | 31.0 |
| T07N R28E S18       | NWSE | 16.0 | T07N R28E S18       | SESE | 2.4  |

655 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

---

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE  
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

This partial decree is subject to such general provisions necessary for  
the definition of the rights or for the efficient administration of the water  
rights as may be ultimately determined by the Court at a point in time no  
later than the entry of a final unified decree. Section 42-1412(6), Idaho  
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION  
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT  
TO SECTION 42-1425, IDAHO CODE.

09/26/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 33-82

NAME AND ADDRESS: SAGEWILLOW INC  
C/O KENT FOSTER  
HOLDEN KIDWELL HAHN & CRAPO  
PO BOX 50130  
IDAHO FALLS ID 83405-0130

SOURCE: BIG SPRING CREEK  
LITTLE LOST RIVER

TRIBUTARY: LITTLE LOST RIVER  
TRIBUTARY: SINKS

QUANTITY: 0.800 CFS

PRIORITY DATE: 05/01/1908

POINT OF  
DIVERSION: T07N R27E S2 SWSENE Within BUTTE County  
T07N R27E S12 NESWNW Within BUTTE County  
T07N R28E S5 NENWSW Within BUTTE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4/01 11/01           | 0.800 CFS       |

PLACE OF USE: IRRIGATION Within BUTTE County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T07N R27E S01       | SWSW | 26.0 | T07N R27E S01       | SESW | 40.0 |
| T07N R27E S12       | NENW | 0.2  | T07N R27E S12       | NWNW | 19.0 |
| T07N R27E S12       | SWNW | 7.6  | T07N R27E S12       | SESW | 0.9  |
| T07N R27E S12       | NESE | 2.5  | T07N R27E S12       | NWSE | 7.6  |
| T07N R27E S12       | SWSE | 5.0  | T07N R27E S12       | SESE | 29.0 |
| T07N R27E S13       | NENE | 32.0 | T07N R27E S13       | NWNE | 32.0 |
| T07N R27E S13       | NENW | 2.0  | T07N R28E S07       | NENE | 40.0 |
| T07N R28E S07       | NWNE | 40.0 | T07N R28E S07       | SWNE | 40.0 |
| T07N R28E S07       | SENE | 36.0 | T07N R28E S07       | NENW | 30.0 |
| T07N R28E S07       | SENW | 1.9  | T07N R28E S07 Lot 4 | SWSW | 0.1  |
| T07N R28E S08       | NWNE | 2.8  | T07N R28E S08       | SWNE | 19.0 |
| T07N R28E S08       | NWNW | 22.0 | T07N R28E S08       | SWNW | 6.2  |
| T07N R28E S08       | NWSE | 27.0 | T07N R28E S08       | SWSE | 16.0 |
| T07N R28E S18       | SWNE | 25.0 | T07N R28E S18       | SENE | 0.2  |
| T07N R28E S18       | NENW | 1.8  | T07N R28E S18 Lot 1 | NWNW | 34.0 |
| T07N R28E S18 Lot 2 | SWNW | 25.0 | T07N R28E S18       | SENW | 31.0 |
| T07N R28E S18       | NESW | 3.8  | T07N R28E S18       | NESE | 31.0 |
| T07N R28E S18       | NWSE | 16.0 | T07N R28E S18       | SESE | 2.4  |

655 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

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THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE  
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE  
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE  
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO  
LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION  
42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION  
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT  
TO SECTION 42-1425, IDAHO CODE.

09/18/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
CLAIMS / RIGHTS NOT RECOMMENDED

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| <u>W.R. NUMBER</u> | <u>NAME AND ADDRESS</u>                                                                                          | <u>CLAIM DISPOSITION</u> | <u>REASON</u>                         |
|--------------------|------------------------------------------------------------------------------------------------------------------|--------------------------|---------------------------------------|
| 33-2007            | SAGEWILLOW INC<br>C/O KENT FOSTER<br>HOLDEN KIDWELL HAHN &<br>CRAPO<br>PO BOX 50130<br>IDAHO FALLS ID 83405-0130 | Disallowed               | RECOMMENDED AS RIGHT NO.<br>33-00071. |

09/18/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
CLAIMS / RIGHTS NOT RECOMMENDED

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| <u>W.R. NUMBER</u> | <u>NAME AND ADDRESS</u>                                                                                          | <u>CLAIM DISPOSITION</u> | <u>REASON</u>                         |
|--------------------|------------------------------------------------------------------------------------------------------------------|--------------------------|---------------------------------------|
| 33-2008            | SAGEWILLOW INC<br>C/O KENT FOSTER<br>HOLDEN KIDWELL HAHN &<br>CRAPO<br>PO BOX 50130<br>IDAHO FALLS ID 83405-0130 | Disallowed               | RECOMMENDED AS RIGHT NO.<br>33-00073. |

09/26/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
CLAIMS / RIGHTS NOT RECOMMENDED

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| <u>W.R. NUMBER</u> | <u>NAME AND ADDRESS</u>                                                                                          | <u>CLAIM DISPOSITION</u> | <u>REASON</u>                         |
|--------------------|------------------------------------------------------------------------------------------------------------------|--------------------------|---------------------------------------|
| 33-2057A           | SAGEWILLOW INC<br>C/O KENT FOSTER<br>HOLDEN KIDWELL HAHN &<br>CRAPO<br>PO BOX 50130<br>IDAHO FALLS ID 83405-0130 | Disallowed               | RECOMMENDED AS RIGHT NO.<br>33-02057. |

09/26/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
CLAIMS / RIGHTS NOT RECOMMENDED

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| <u>W.R. NUMBER</u> | <u>NAME AND ADDRESS</u>                                                                                          | <u>CLAIM DISPOSITION</u> | <u>REASON</u>                         |
|--------------------|------------------------------------------------------------------------------------------------------------------|--------------------------|---------------------------------------|
| 33-2057B           | SAGEWILLOW INC<br>C/O KENT FOSTER<br>HOLDEN KIDWELL HAHN &<br>CRAPO<br>PO BOX 50130<br>IDAHO FALLS ID 83405-0130 | Disallowed               | RECOMMENDED AS RIGHT NO.<br>33-02057. |

09/26/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
CLAIMS / RIGHTS NOT RECOMMENDED

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| <u>W.R. NUMBER</u> | <u>NAME AND ADDRESS</u>                                                                                          | <u>CLAIM DISPOSITION</u> | <u>REASON</u>                        |
|--------------------|------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------|
| 33-2057C           | SAGEWILLOW INC<br>C/O KENT FOSTER<br>HOLDEN KIDWELL HAHN &<br>CRAPO<br>PO BOX 50130<br>IDAHO FALLS ID 83405-0130 | Disallowed               | RECOMMENDED AS RIGHT NO.<br>33-2057. |

09/26/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
CLAIMS / RIGHTS NOT RECOMMENDED

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| <u>W.R. NUMBER</u> | <u>NAME AND ADDRESS</u>                                                                                          | <u>CLAIM DISPOSITION</u> | <u>REASON</u>                        |
|--------------------|------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------|
| 33-2057D           | SAGEWILLOW INC<br>C/O KENT FOSTER<br>HOLDEN KIDWELL HAHN &<br>CRAPO<br>PO BOX 50130<br>IDAHO FALLS ID 83405-0130 | Disallowed               | RECOMMENDED AS RIGHT NO.<br>33-2057. |

09/26/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
CLAIMS / RIGHTS NOT RECOMMENDED

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| <u>W.R. NUMBER</u> | <u>NAME AND ADDRESS</u>                                                                                          | <u>CLAIM DISPOSITION</u> | <u>REASON</u>                        |
|--------------------|------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------|
| 33-2057E           | SAGEWILLOW INC<br>C/O KENT FOSTER<br>HOLDEN KIDWELL HAHN &<br>CRAPO<br>PO BOX 50130<br>IDAHO FALLS ID 83405-0130 | Disallowed               | RECOMMENDED AS RIGHT NO.<br>33-2057. |

09/26/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
CLAIMS / RIGHTS NOT RECOMMENDED

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| <u>W.R. NUMBER</u> | <u>NAME AND ADDRESS</u>                                                                                          | <u>CLAIM DISPOSITION</u> | <u>REASON</u>                        |
|--------------------|------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------|
| 33-2057F           | SAGEWILLOW INC<br>C/O KENT FOSTER<br>HOLDEN KIDWELL HAHN &<br>CRAPO<br>PO BOX 50130<br>IDAHO FALLS ID 83405-0130 | Disallowed               | RECOMMENDED AS RIGHT NO.<br>33-2057. |

09/26/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
CLAIMS / RIGHTS NOT RECOMMENDED

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| <u>W.R. NUMBER</u> | <u>NAME AND ADDRESS</u>                                                                                          | <u>CLAIM DISPOSITION</u> | <u>REASON</u>                        |
|--------------------|------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------|
| 33-2083A           | SAGEWILLOW INC<br>C/O KENT FOSTER<br>HOLDEN KIDWELL HAHN &<br>CRAPO<br>PO BOX 50130<br>IDAHO FALLS ID 83405-0130 | Disallowed               | RECOMMENDED AS RIGHT NO.<br>33-2083. |

09/26/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
CLAIMS / RIGHTS NOT RECOMMENDED

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| <u>W.R. NUMBER</u> | <u>NAME AND ADDRESS</u>                                                                                          | <u>CLAIM DISPOSITION</u> | <u>REASON</u>                        |
|--------------------|------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------|
| 33-2083B           | SAGEWILLOW INC<br>C/O KENT FOSTER<br>HOLDEN KIDWELL HAHN &<br>CRAPO<br>PO BOX 50130<br>IDAHO FALLS ID 83405-0130 | Disallowed               | RECOMMENDED AS RIGHT NO.<br>33-2083. |

09/26/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
CLAIMS / RIGHTS NOT RECOMMENDED

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| <u>W.R. NUMBER</u> | <u>NAME AND ADDRESS</u>                                                                                          | <u>CLAIM DISPOSITION</u> | <u>REASON</u>                        |
|--------------------|------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------|
| 33-2083C           | SAGEWILLOW INC<br>C/O KENT FOSTER<br>HOLDEN KIDWELL HAHN &<br>CRAPO<br>PO BOX 50130<br>IDAHO FALLS ID 83405-0130 | Disallowed               | RECOMMENDED AS RIGHT NO.<br>33-2083. |

09/26/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
CLAIMS / RIGHTS NOT RECOMMENDED

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| <u>W.R. NUMBER</u> | <u>NAME AND ADDRESS</u>                                                                                          | <u>CLAIM DISPOSITION</u> | <u>REASON</u>                        |
|--------------------|------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------|
| 33-2083D           | SAGEWILLOW INC<br>C/O KENT FOSTER<br>HOLDEN KIDWELL HAHN &<br>CRAPO<br>PO BOX 50130<br>IDAHO FALLS ID 83405-0130 | Disallowed               | RECOMMENDED AS RIGHT NO.<br>33-2083. |

09/26/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
CLAIMS / RIGHTS NOT RECOMMENDED

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| <u>W.R. NUMBER</u> | <u>NAME AND ADDRESS</u>                                                                                          | <u>CLAIM DISPOSITION</u> | <u>REASON</u>                        |
|--------------------|------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------|
| 33-2083E           | SAGEWILLOW INC<br>C/O KENT FOSTER<br>HOLDEN KIDWELL HAHN &<br>CRAPO<br>PO BOX 50130<br>IDAHO FALLS ID 83405-0130 | Disallowed               | RECOMMENDED AS RIGHT NO.<br>33-2083. |

09/26/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
CLAIMS / RIGHTS NOT RECOMMENDED

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| <u>W.R. NUMBER</u> | <u>NAME AND ADDRESS</u>                                                                                          | <u>CLAIM DISPOSITION</u> | <u>REASON</u>                        |
|--------------------|------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------|
| 33-2083F           | SAGEWILLOW INC<br>C/O KENT FOSTER<br>HOLDEN KIDWELL HAHN &<br>CRAPO<br>PO BOX 50130<br>IDAHO FALLS ID 83405-0130 | Disallowed               | RECOMMENDED AS RIGHT NO.<br>33-2083. |

09/19/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 33-2086A

NAME AND ADDRESS: DAVID E HAWLEY  
HC 65 BOX 3156  
HOWE ID 83244

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.550 CFS  
108.50 AFY

PRIORITY DATE: 01/12/1959

POINT OF  
DIVERSION: T08N R28E S32 NWNWSW Within BUTTE County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
IRRIGATION

PERIOD OF USE  
04/01 10/31

QUANTITY  
0.550 CFS  
108.50 AFY

PLACE OF USE: IRRIGATION Within BUTTE County  
T08N R28E S32 NWSW 31.0

31 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION  
DESCRIBED ABOVE: 33-2086A, 33-2086B AND 33-7018

09/25/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 33-2086B

NAME AND ADDRESS: SAGEWILLOW INC  
C/O KENT FOSTER  
HOLDEN KIDWELL HAHN & CRAPO  
PO BOX 50130  
IDAHO FALLS ID 83405-0130

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.550 CFS  
696.50 AFY

USE OF THIS RIGHT WITH RIGHT NO. 33-7018 IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 3.98 CFS AND TO A TOTAL COMBINED  
ANNUAL DIVERSION VOLUME OF 696.5 AF.

PRIORITY DATE: 01/12/1959

POINT OF  
DIVERSION: T08N R28E S32 NWNWSW Within BUTTE County  
T08N R28E S32 SWSWSW Within BUTTE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>         |
|-----------------------|----------------------|-------------------------|
| IRRIGATION            | 04/01 10/31          | 3.550 CFS<br>696.50 AFY |

PLACE OF USE: IRRIGATION Within BUTTE County

|                          |      |                          |      |
|--------------------------|------|--------------------------|------|
| T07N R28E S05 Lot 3 NENW | 27.0 | T07N R28E S05 Lot 4 NWNW | 34.0 |
| T07N R28E S05 SWNW       | 17.0 | T07N R28E S05 SENW       | 30.0 |
| T07N R28E S05 NESW       | 35.0 | T08N R28E S32 SWSW       | 40.0 |
| T08N R28E S32 SESW       | 16.0 |                          |      |

199 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

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USE OF THIS RIGHT WITH RIGHT NO. 33-7018 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 199 ACRES IN A SINGLE  
IRRIGATION SEASON.

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

This partial decree is subject to such general provisions necessary for  
the definition of the rights or for the efficient administration of the water  
rights as may be ultimately determined by the Court at a point in time no  
later than the entry of a final unified decree. Section 42-1412(6), Idaho  
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION  
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT NOS. 33-02086A AND 33-7018 ARE ALSO DIVERTED THROUGH  
POINT OF DIVERSION IN THE NWNWSW SECTION 32 T08N R28E.

09/30/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
CLAIMS / RIGHTS NOT RECOMMENDED

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| <u>W.R. NUMBER</u> | <u>NAME AND ADDRESS</u>                                                                                          | <u>CLAIM DISPOSITION</u> | <u>REASON</u>                                                                                                                                      |
|--------------------|------------------------------------------------------------------------------------------------------------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| 33-2090            | SAGEWILLOW INC<br>C/O KENT FOSTER<br>HOLDEN KIDWELL HAHN &<br>CRAPO<br>PO BOX 50130<br>IDAHO FALLS ID 83405-0130 | Disallowed               | FORFEITED/ABANDONED, IDWR<br>FOUND CLEAR AND CONVINCING<br>EVIDENCE THAT THIS WATER<br>RIGHT HAD BEEN LOST BECAUSE<br>OF NONUSE FROM 1969 TO 1989. |

09/30/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
CLAIMS / RIGHTS NOT RECOMMENDED

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| <u>W.R. NUMBER</u> | <u>NAME AND ADDRESS</u>                                                                                          | <u>CLAIM DISPOSITION</u> | <u>REASON</u>                                                                                                                                      |
|--------------------|------------------------------------------------------------------------------------------------------------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| 33-2091            | SAGEWILLOW INC<br>C/O KENT FOSTER<br>HOLDEN KIDWELL HAHN &<br>CRAPO<br>PO BOX 50130<br>IDAHO FALLS ID 83405-0130 | Disallowed               | FORFEITED/ABANDONED, IDWR<br>FOUND CLEAR AND CONVINCING<br>EVIDENCE THAT THIS WATER<br>RIGHT HAD BEEN LOST BECAUSE<br>OF NONUSE FROM 1969 TO 1989. |

09/26/2003

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

RIGHT NUMBER: 33-2133

NAME AND ADDRESS: SAGEWILLOW INC  
C/O KENT FOSTER  
HOLDEN KIDWELL HAHN & CRAPO  
PO BOX 50130  
IDAHO FALLS ID 83405-0130

SOURCE: BIG SPRING CREEK                      TRIBUTARY: LITTLE LOST RIVER  
LITTLE LOST RIVER                      TRIBUTARY: SINKS

QUANTITY: 2,960.000 AFY

PRIORITY DATE: 06/22/1949

POINT OF DIVERSION:

T07N R27E S2 SWSENE Within BUTTE County  
T07N R27E S12 NESWNW Within BUTTE County  
T07N R28E S5 NENWSW Within BUTTE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>   | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-------------------------|----------------------|-----------------|
| IRRIGATION FROM STORAGE | 10/15 4/15           | 2,960.00 AFY    |
| IRRIGATION STORAGE      | 10/15 4/15           | 170.00 AFY      |

PLACE OF USE:

IRRIGATION FROM STORAGE Within BUTTE County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T07N R27E S01       | SWSW | 2.0  | T07N R27E S12       | NWNE | 21.0 |
| T07N R27E S12       | SWNE | 40.0 | T07N R27E S12       | SENE | 35.0 |
| T07N R27E S12       | NENW | 36.0 | T07N R27E S12       | NWNW | 30.0 |
| T07N R27E S12       | SWNW | 6.9  | T07N R27E S12       | SENW | 26.0 |
| T07N R27E S12       | NESW | 32.0 | T07N R27E S12       | SESW | 30.0 |
| T07N R27E S12       | NESE | 40.0 | T07N R27E S12       | NWSE | 32.0 |
| T07N R27E S12       | SWSE | 27.0 | T07N R27E S12       | SESE | 39.0 |
| T07N R27E S13       | NENE | 32.0 | T07N R27E S13       | NWNE | 34.0 |
| T07N R27E S13       | NENW | 2.1  | T07N R28E S07       | NENE | 2.1  |
| T07N R28E S07       | SWNE | 35.0 | T07N R28E S07       | SENE | 40.0 |
| T07N R28E S07 Lot 2 | SWNW | 35.0 | T07N R28E S07       | SENW | 38.0 |
| T07N R28E S07       | NESW | 40.0 | T07N R28E S07 Lot 3 | NWSW | 39.0 |
| T07N R28E S07 Lot 4 | SWSW | 39.0 | T07N R28E S07       | SESW | 40.0 |
| T07N R28E S07       | NESE | 40.0 | T07N R28E S07       | NWSE | 40.0 |
| T07N R28E S07       | SWSE | 40.0 | T07N R28E S07       | SESE | 40.0 |
| T07N R28E S08       | NENW | 5.0  | T07N R28E S08       | NWNW | 13.0 |
| T07N R28E S08       | SWNW | 40.0 | T07N R28E S08       | SENW | 20.0 |
| T07N R28E S08       | NWSW | 40.0 | T07N R28E S08       | SWSW | 32.0 |
| T07N R28E S18       | NENE | 40.0 | T07N R28E S18       | NWNE | 40.0 |
| T07N R28E S18       | SWNE | 40.0 | T07N R28E S18       | SENE | 40.0 |
| T07N R28E S18       | NENW | 40.0 | T07N R28E S18 Lot 1 | NWNW | 39.0 |
| T07N R28E S18 Lot 2 | SWNW | 28.0 | T07N R28E S18       | SENW | 36.0 |
| T07N R28E S18       | NESE | 34.0 | T07N R28E S18       | NWSE | 16.0 |

09/26/2003

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

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1436.1 ACRES TOTAL

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

THIS RIGHT IS FOR NON-IRRIGATION SEASON DIVERSION OF THE  
ABOVE REFERENCED SOURCES FOR ROOT ZONE STORAGE.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

09/19/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 33-7018

NAME AND ADDRESS: SAGEWILLOW INC  
C/O KENT FOSTER  
HOLDEN KIDWELL HAHN & CRAPO  
PO BOX 50130  
IDAHO FALLS ID 83405-0130

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.260 CFS  
489.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 33-2086B IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 3.98 CFS AND TO A TOTAL COMBINED  
ANNUAL DIVERSION VOLUME OF 696.5 AF.

PRIORITY DATE: 09/12/1972

POINT OF  
DIVERSION: T08N R28E S32 NWNWSW Within BUTTE County  
T08N R28E S32 SWSWSW Within BUTTE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>         |
|-----------------------|----------------------|-------------------------|
| IRRIGATION            | 04/01 11/01          | 3.260 CFS<br>489.00 AFY |

PLACE OF USE: IRRIGATION Within BUTTE County

|                          |      |                          |      |
|--------------------------|------|--------------------------|------|
| T07N R28E S05 Lot 3 NENW | 27.0 | T07N R28E S05 Lot 4 NWNW | 34.0 |
| T07N R28E S05 SWNW       | 17.0 | T07N R28E S05 SENW       | 30.0 |
| T07N R28E S05 NESW       | 35.0 | T08N R28E S32 SWSW       | 40.0 |
| T08N R28E S32 SESW       | 16.0 |                          |      |

199 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

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USE OF THIS RIGHT WITH RIGHT NO. 33-2086B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 199 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 163 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT NOS. 33-02086A AND 33-2086B ARE ALSO DIVERTED THROUGH POINT OF DIVERSION IN THE NWNWSW SECTION 32 T08N R28E.

09/26/2003

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

RIGHT NUMBER: 33-11003

NAME AND ADDRESS: SAGEWILLOW INC  
C/O KENT FOSTER  
HOLDEN KIDWELL HAHN & CRAPO  
PO BOX 50130  
IDAHO FALLS ID 83405-0130

SOURCE: LITTLE LOST RIVER TRIBUTARY: SINKS

QUANTITY: 170.000 AFY

USE OF THIS RIGHT WITH RIGHT NO. 33-2133 IS LIMITED TO A COMBINED  
TOTAL OF 170 AF FOR IRRIGATION STORAGE.

PRIORITY DATE: 06/22/1949

POINT OF DIVERSION:

T07N R28E S7 NWSW Within BUTTE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>   | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-------------------------|----------------------|-----------------|
| IRRIGATION STORAGE      | 04/01 11/01          | 170.00 AFY      |
| IRRIGATION FROM STORAGE | 04/01 11/01          | 170.00 AFY      |

PLACE OF USE:

IRRIGATION FROM STORAGE Within BUTTE County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T07N R27E S01       | SWSW | 2.0  | T07N R27E S12       | NWNE | 21.0 |
| T07N R27E S12       | SWNE | 40.0 | T07N R27E S12       | SENE | 35.0 |
| T07N R27E S12       | NENW | 36.0 | T07N R27E S12       | NWNW | 30.0 |
| T07N R27E S12       | SWNW | 6.9  | T07N R27E S12       | SENE | 26.0 |
| T07N R27E S12       | NESW | 32.0 | T07N R27E S12       | SESW | 30.0 |
| T07N R27E S12       | NESE | 40.0 | T07N R27E S12       | NWSE | 32.0 |
| T07N R27E S12       | SWSE | 27.0 | T07N R27E S12       | SESE | 39.0 |
| T07N R27E S13       | NENE | 32.0 | T07N R27E S13       | NWNE | 34.0 |
| T07N R27E S13       | NENW | 2.1  | T07N R28E S07       | NENE | 2.1  |
| T07N R28E S07       | SWNE | 35.0 | T07N R28E S07       | SENE | 40.0 |
| T07N R28E S07 Lot 2 | SWNW | 35.0 | T07N R28E S07       | SENE | 38.0 |
| T07N R28E S07       | NESW | 40.0 | T07N R28E S07 Lot 3 | NWSW | 39.0 |
| T07N R28E S07 Lot 4 | SWSW | 39.0 | T07N R28E S07       | SESW | 40.0 |
| T07N R28E S07       | NESE | 40.0 | T07N R28E S07       | NWSE | 40.0 |
| T07N R28E S07       | SWSE | 40.0 | T07N R28E S07       | SESE | 40.0 |
| T07N R28E S08       | NENW | 5.0  | T07N R28E S08       | NWNW | 13.0 |
| T07N R28E S08       | SWNW | 40.0 | T07N R28E S08       | SENE | 20.0 |
| T07N R28E S08       | NWSW | 40.0 | T07N R28E S08       | SWSW | 32.0 |
| T07N R28E S18       | NENE | 40.0 | T07N R28E S18       | NWNE | 40.0 |
| T07N R28E S18       | SWNE | 40.0 | T07N R28E S18       | SENE | 40.0 |
| T07N R28E S18       | NENW | 40.0 | T07N R28E S18 Lot 1 | NWNW | 39.0 |
| T07N R28E S18 Lot 2 | SWNW | 28.0 | T07N R28E S18       | SENE | 36.0 |
| T07N R28E S18       | NESE | 34.0 | T07N R28E S18       | NWSE | 16.0 |

1436.1 ACRES TOTAL

09/26/2003

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

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USE OF THIS RIGHT WITH RIGHT NO. 33-2133 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 1436.1 ACRES IN A SINGLE  
IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE  
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE  
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER  
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),  
IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use