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JUL 14 2004
DEPARTMENT OF
WATER RESOURCES

2004 JUL 12 AM 11: 07
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

COPY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Water Rights: BASIN 33 (SEE
ATTACHED LIST)

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☒ I.C. § 42-222 transfer SAGEWILLOW (TRX 4221 - 4227)

- ☒ point of diversion ☒ place of use
- ☐ period of use ☐ nature of use
- ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: July 9, 2004

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on July 9, 2004, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
SAGEWILLOW INC
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0130

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A

4. One copy to:

Each party in the subcase, or attorney of record
BLAINE COUNTY CANAL CO
MAYS LAND & LIVESTOCK
C/O MICHAEL CREAMER
GIVENS PURSLEY LAW OFFICE
PO BOX 2720
BOISE ID 83701-2720

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

SAGE WILLOW WATER RIGHTS

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
33-2057
33-2083
33-2086
33-2090
33-2091
33-2133
33-7018

DEPARTMENT OF WATER RESOURCES

Claim 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

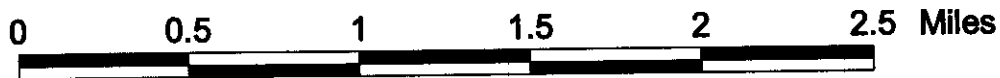
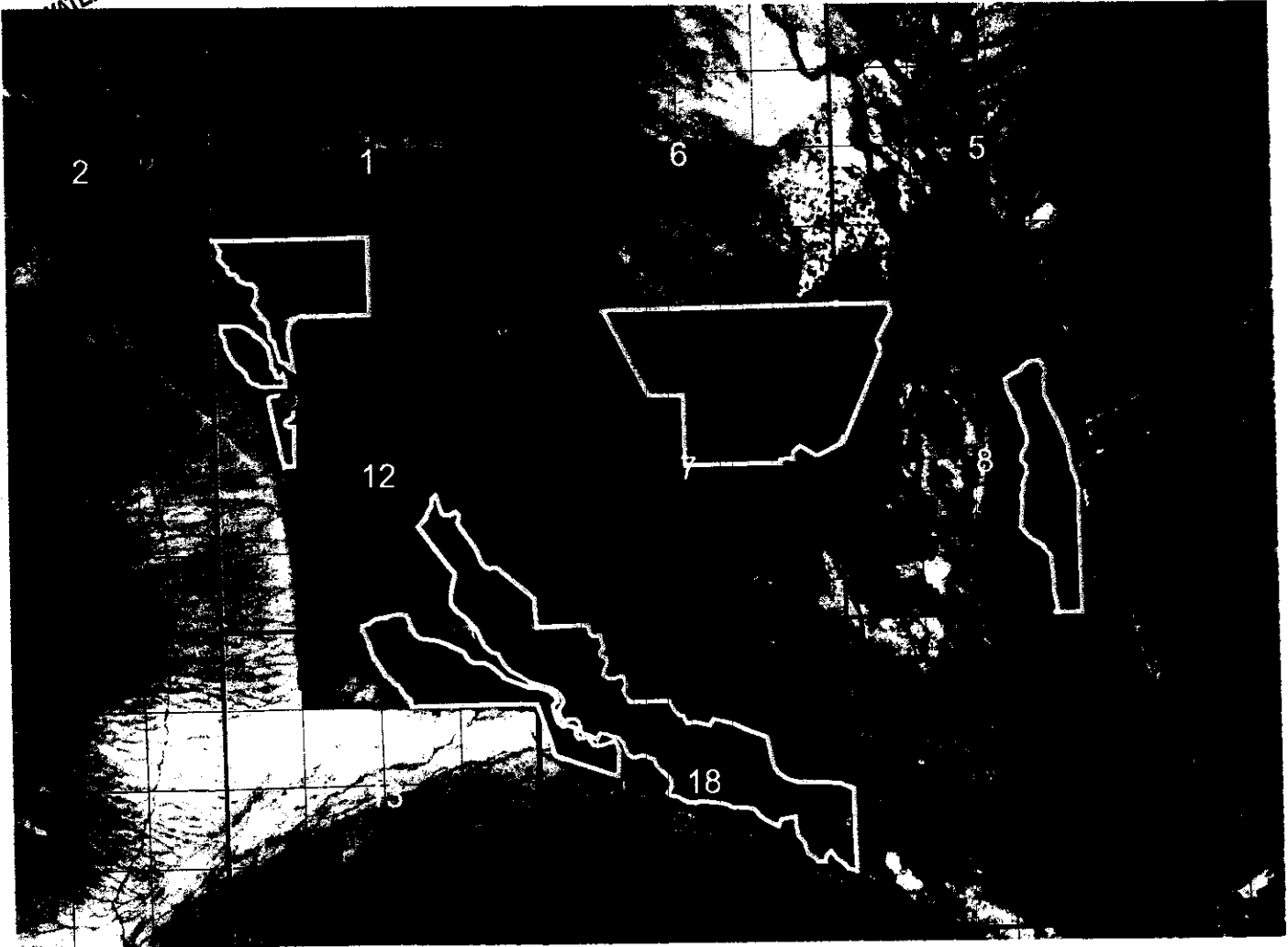
T07N R27E

T07N R28E

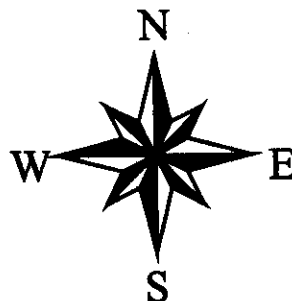
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- Point of diversion.shp
- Place of use.shp
- Township/Range
- Sections
- QQ



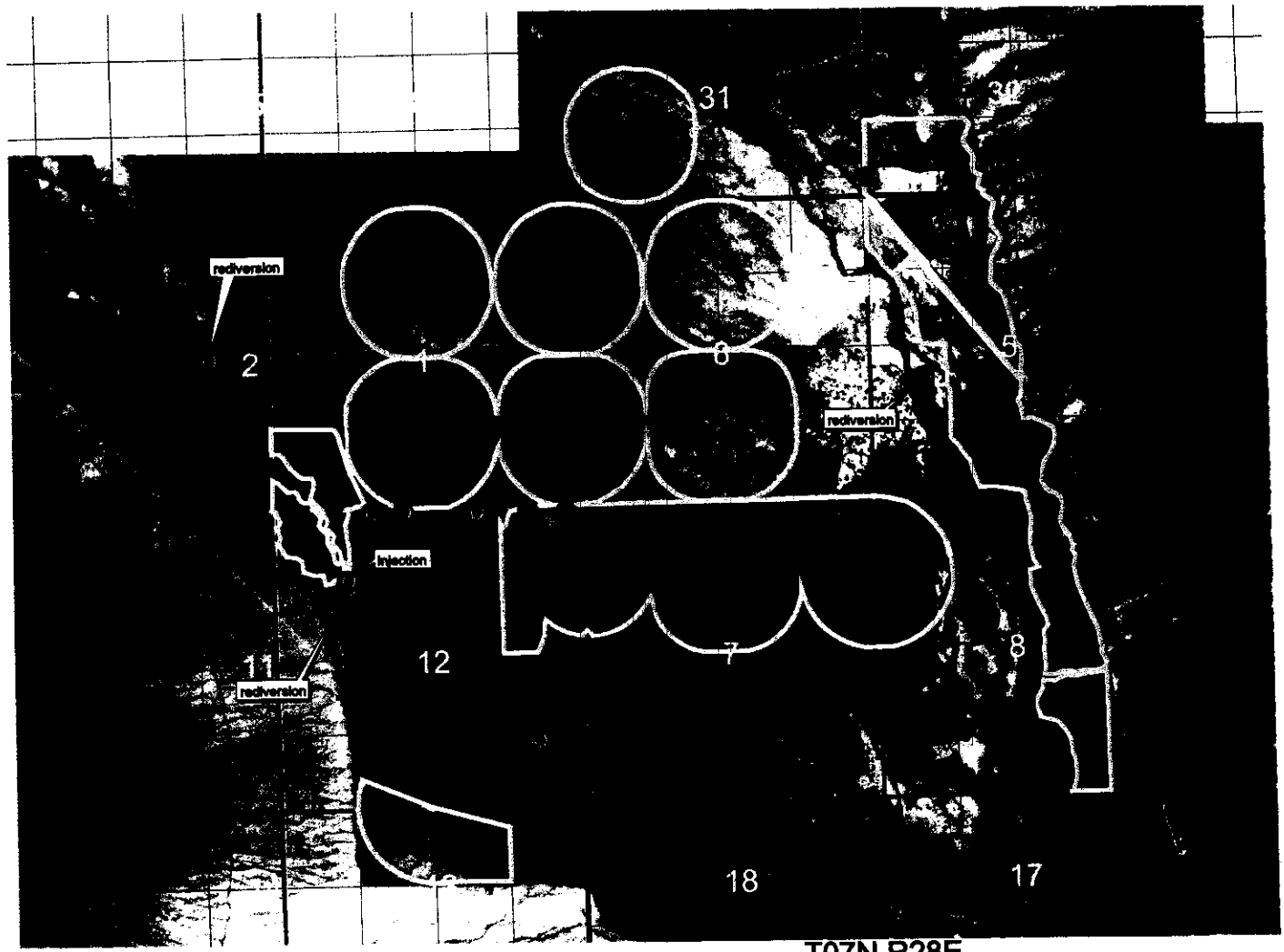
GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: E. Carlsen
Date: July 2004

DEPARTMENT OF WATER RESOURCES

Claim No.: 33-2057, 33-2083,
33-2086, 33-2091, and 33-7018

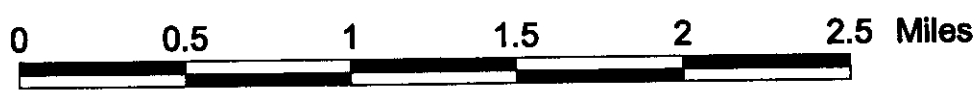
2004 JUL 12 AM 11: 07
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

T08N R28E

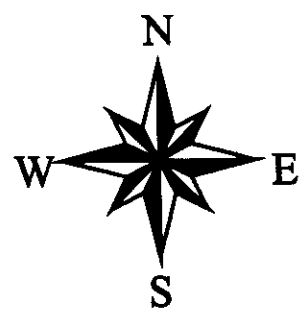


T07N R27E

T07N R28E



- Point of diversion.shp
- Place of use.shp
- Township/Range
- Sections
- QQ



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: E. Carlsen
Date: July 2004

DEPARTMENT OF WATER RESOURCES

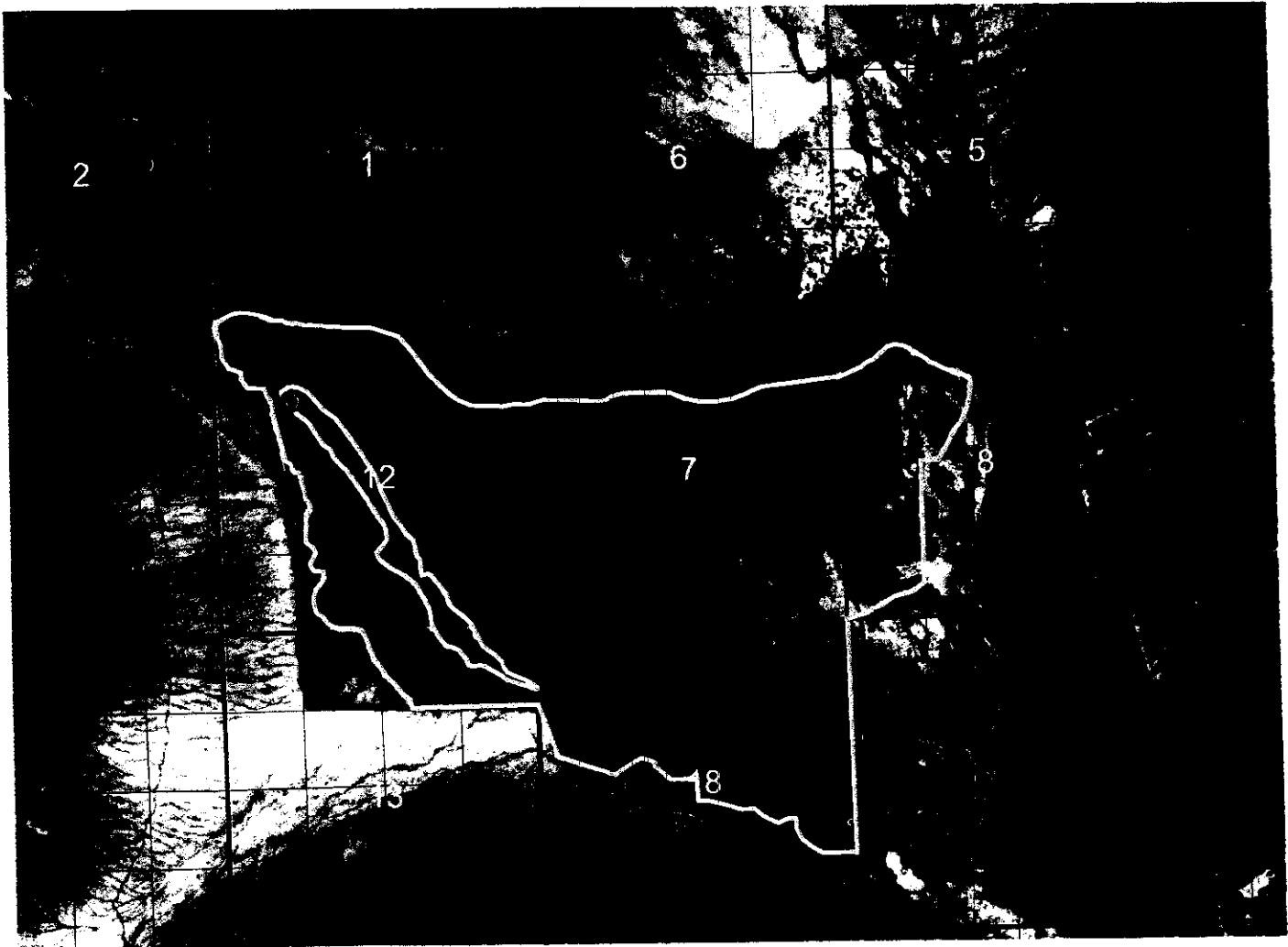
Claim No.: 33-2133

2004 JUL 12 AM 11:07

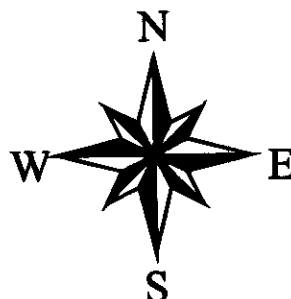
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TWIN FALLS CO., IDAHO
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T07N R27E

T07N R28E



- Point of diversion.shp
- Place of use.shp
- Township/Range
- Sections
- QQ



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: E. Carlsen
Date: July 2004

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

2004 JUL 12 AM 11:09

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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:

Source:

BIG SPRING CREEK
LITTLE LOST RIVER

Tributary:

LITTLE LOST RIVER
SINKS

QUANTITY:

9.880 CFS

~~0.000 CFS~~

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:

Purpose of use

Period of use:

Quantity:

GROUND WATER RECHARGE

11/01 04/01

9.880 CFS

2,960.00 AFY

IRRIGATION

2,960.00 AFY

~~IRRIGATION STORAGE 10/15 4/15 170.00 AF~~

~~IRRIGATION FROM STORAGE 10/15 4/15 2,960.00 AFY~~

PLACE OF USE:

IRRIGATION

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

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

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 SWNW Lot 2 35.0
T07N R28E S07 SENW 38.0
T07N R28E S07 NESW 40.0
T07N R28E S07 NWSW Lot 3 39.0
T07N R28E S07 SWSW Lot 4 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 NWNW Lot 1 39.0
T07N R28E S18 SWNW Lot 2 28.0
T07N R28E S18 SENW 36.0
T07N R28E S18 NESE 34.0
T07N R28E S18 NWSE 16.0

IRRIGATION FROM ~~within BUTTE County~~
STORAGE

~~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~~

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

~~T07N R28E S07 NENE 2.1~~
~~T07N R28E S07 SWNE 35.0~~
~~T07N R28E S07 SENE 40.0~~
~~T07N R28E S07 SWNW Lot 2 35.0~~
~~T07N R28E S07 SENW 38.0~~
~~T07N R28E S07 NESW 40.0~~
~~T07N R28E S07 NWSW Lot 3 39.0~~
~~T07N R28E S07 SWSW Lot 4 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 NWNW Lot 1 39.0~~
~~T07N R28E S18 SWNW Lot 2 28.0~~
~~T07N R28E S18 SENW 36.0~~
~~T07N R28E S18 NESE 34.0~~
~~T07N R28E S18 NWSE 16.0~~

GROUND WATER
RECHARGE

within BUTTE County

T07N R27E S01 SWSW
T07N R27E S12 NWNE
T07N R27E S12 SWNE
T07N R27E S12 SENE
T07N R27E S12 NENW
T07N R27E S12 NWNW
T07N R27E S12 SWNW
T07N R27E S12 SENW
T07N R27E S12 NESW
T07N R27E S12 SESW
T07N R27E S12 NESE
T07N R27E S12 NWSE
T07N R27E S12 SWSE
T07N R27E S12 SESE
T07N R27E S13 NENE
T07N R27E S13 NWNE
T07N R27E S13 NENW
T07N R28E S07 NENE
T07N R28E S07 SWNE
T07N R28E S07 SENE
T07N R28E S07 SWNW Lot 2
T07N R28E S07 SENW
T07N R28E S07 NESW
T07N R28E S07 NWSW Lot 3
T07N R28E S07 SWSW Lot 4
T07N R28E S07 SESW
T07N R28E S07 NESE

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

T07N R28E S07 NWSE
T07N R28E S07 SWSE
T07N R28E S07 SESE
T07N R28E S08 NENW
T07N R28E S08 NWNW
T07N R28E S08 SWNW
T07N R28E S08 SENW
T07N R28E S08 NWSW
T07N R28E S08 SWSW
T07N R28E S18 NENE
T07N R28E S18 NWNE
T07N R28E S18 SWNE
T07N R28E S18 SENE
T07N R28E S18 NENW
T07N R28E S18 NWNW Lot 1
T07N R28E S18 SWNW Lot 2
T07N R28E S18 SENW
T07N R28E S18 NESE
T07N R28E S18 NWSE

1436.1 ACRES TOTAL

Use of the rights listed below is limited to the irrigation of a combined total of 3026 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, 33-82, 33-2057, 33-2083, 33-2086, 33-2091, 33-2133 and 33-7018.

Rights 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 overlap 268 acres within the 1483 acres authorized under Rights 33-2057 and 33-2083; and overlap 382 acres within the 1436.1 acre place of use described under Right 33-2133.

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

Continued diversion of water under the resumed portions of Rights 33-2057 and 33-2083 (301 acres), and Right 33-2091 (73 acres) are deemed mitigated by, and therefore are expressly contingent upon, continued diversion of winter water use under Right 33-2133 to the extent water is available for diversion under that water right.

Right 33-2133 is for non-irrigation season diversion of the above referenced sources for ground water recharge purposes to provide water for mitigation and sub-irrigation during the irrigation season. Water may not be diverted for direct irrigation under Right 33-2133.

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.

Prior to diversion of water under transfer nos. 4221 thru 4227, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within State Water District No. 33.

The right holder shall accomplish the change authorized by transfer nos. 4221 thru 4227 by June 28, 2005.

Failure of the right holder to comply with the conditions of transfer nos. 4221 thru 4227 is cause for the Director to rescind approval of the transfer.