

DEPARTMENT OF
WATER RESOURCES

FILED

CERTIFICATE OF MAILING

I certify that on September 2, 2004, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court	☐ overnight mail
Snake River Basin Adjudication	☒ regular mail
P.O. Box 2707	☐ hand-delivered
Twin Falls, ID 83303-2707	☐ facsimile

2. Copies to:

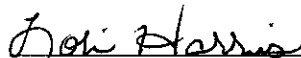
Clive Strong	☐ overnight mail
Off ice of the Attorney General	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

United States Dept of Justice	☐ overnight mail
Environment & Natural Resource Div	☒ regular mail
550 West Fort Street MSC 033	☐ hand-delivered
Boise ID 83724	☐ facsimile

3. Copies to all parties to the subcase:

Corp Pres Bishop LDS Church	☐ overnight mail
Natural Resource Services	☒ regular mail
50 E North Temple St Fl 12	☐ hand-delivered
Salt Lake City, UT 84150-6321	☐ facsimile

Cinder Cone Butte Farm LLC	☐ overnight mail
5001 Fifeshire Pl N.	☒ regular mail
Boise, ID 83713	☐ hand-delivered
	☐ facsimile



Signature of person mailing this document

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09/02/2004

IDAHO DEPARTMENT OF WATER RESOURCES

2774 SEP-3 AM 10:51

RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

TWIN FALLS CO., IDAHO
FILED

RIGHT NUMBER: 61-12010

NAME AND ADDRESS: CORP PRES BISHOP LDS CHURCH
NATURAL RESOURCE SERVICES
50 E NORTH TEMPLE ST FL 12
SALT LAKE CITY UT 84150-6321

SOURCE: GROUND WATER

TRIBUTARY:

All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

QUANTITY: 13.380 CFS
2,680.000 AFY

Rights 61-7210, 61-12010 and 61-12013 when combined shall not exceed a total diversion rate of 17.73 cfs, a total annual maximum diversion volume of 4672 af at the field headgate.

PRIORITY DATE: 09/06/1974

POINT OF DIVERSION:

T02S R04E S36 SWSE Within ELMORE County

T02S R04E S36 SWSE Within ELMORE County

T02S R05E S30 NWSE Within ELMORE County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

04/01 10/31

13.380 CFS
2,680.00 AFY

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. the use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within ELMORE County

T02S R04E S25	NESW	36.0	T02S R04E S25	NWSW	36.0
T02S R04E S25	SWSW	36.0	T02S R04E S25	SESW	37.0
T02S R04E S36	NENE	36.0	T02S R04E S36	NWNE	36.0
T02S R04E S36	SWNE	37.0	T02S R04E S36	SENE	36.0
T02S R04E S36	NENW	36.0	T02S R04E S36	NWNW	36.0
T02S R04E S36	SWNW	36.0	T02S R04E S36	SENW	36.0
T02S R04E S36	NESE	36.0	T02S R04E S36	NWSE	37.0
T02S R04E S36	SWSE	36.0	T02S R04E S36	SESE	36.0
T02S R05E S29	NWSW	3.0	T02S R05E S29	SWSW	3.0
T02S R05E S30	NENW	37.0	T02S R05E S30	NWNW	37.0
T02S R05E S30	SWNW	37.0	T02S R05E S30	SENW	37.0
T02S R05E S30	NESW	36.0	T02S R05E S30	NWSW	36.0
T02S R05E S30	SWSW	37.0	T02S R05E S30	SESW	36.0

T02S R05E S30	NESE	36.0	T02S R05E S30	NWSE	36.0
T02S R05E S30	SWSE	36.0	T02S R05E S30	SESE	36.0
T02S R05E S31	NENW	37.0	T02S R05E S31	NWNW	37.0
T02S R05E S31	SWNW	36.0	T02S R05E S31	SENW	36.0

1168 ACRES TOTAL

Use of this right with Right Nos. 61-7210 and 61-12013 is limited to the irrigation of a combined total of 1168 acres in a single irrigation season.

This right is limited to the irrigation of 670 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: License

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09/02/2004

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

RIGHT NUMBER: 61-12011

NAME AND ADDRESS: CINDER CONE BUTTE FARM LLC
5001 FIFESHIRE PL N
BOISE ID 83713

SOURCE: GROUND WATER

TRIBUTARY:

All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

QUANTITY: 3.400 CFS
680.000 AFY

The total instantaneous diversion of water from all points of diversion under Right 61-12011 shall not exceed 3.40 cfs, nor total combined annual volume of 680 af.

Rights 61-7306C, 61-7390, 61-12011 and 61-12012 when combined shall not exceed a total diversion rate of 17.31 cfs, a total annual maximum diversion volume of 3500 af at the field headgate.

PRIORITY DATE: 09/06/1974

POINT OF DIVERSION:

T02S R05E S20 SWSW Within ELMORE County
T02S R05E S20 SESW Within ELMORE County
T02S R05E S20 SESW Within ELMORE County
T02S R05E S20 SWSE Within ELMORE County
T02S R05E S20 SESE Within ELMORE County
T02S R05E S20 SESE Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	3.400 CFS 680.00 AFY

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. the use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within ELMORE County

T02S R05E S16	NESW	2.0	T02S R05E S16	NWSW	18.0
T02S R05E S16	SWSW	40.0	T02S R05E S16	SESW	35.0
T02S R05E S17	NENW	10.0	T02S R05E S17	SENW	39.0
T02S R05E S17	NESW	39.0	T02S R05E S17	SESW	39.0
T02S R05E S19	NENE	32.0	T02S R05E S19	NWNE	32.0
T02S R05E S19	SWNE	32.0	T02S R05E S19	SENE	31.0
T02S R05E S20	NENE	34.0	T02S R05E S20	NWNE	34.0
T02S R05E S20	SWNE	38.0	T02S R05E S20	SENE	34.0

T02S R05E S20	NESW	37.0	T02S R05E S20	NWSW	37.0
T02S R05E S20	SWSW	37.0	T02S R05E S20	SESW	40.0
T02S R05E S20	NESE	36.0	T02S R05E S20	NWSE	40.0
T02S R05E S20	SWSE	40.0	T02S R05E S20	SESE	36.0
T02S R05E S21	NENW	33.0	T02S R05E S21	NWNW	33.0
T02S R05E S21	SWNW	34.0	T02S R05E S21	SENW	33.0

925 ACRES TOTAL

Use of this right with Right Nos. 61-7306C, 61-7390, and 61-12012 is limited to the irrigation of a combined total of 875 acres in a single irrigation season.

This right is limited to the irrigation of 170 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.

The right holder shall accomplish the change authorized by Transfer 70097 within one (1) year of the date of the approval.

EXPLANATORY MATERIAL: License

This right does not grant any right-of-way or easement across the land of another.

After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.