



RECEIVED

JUN 28 2002

Department of Water Resources

COPY

STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL  
ALAN G. LANCE

June 24, 2002

VIA FACSIMILE

Special Master Brigitte Bilyeu  
Snake River Basin Adjudication  
253 Third Avenue North  
P. O. Box 2707  
Twin Falls, Idaho 83303-2707

*Re: SRBA Subcase Nos. 32-14, 32-15, 32-16, 32-11219*

Dear Special Master Bilyeu:

Enclosed is a Notice of Completed Administrative Proceeding (NCAP) for the above water rights. The recommendation for the above water rights does not change. However, a permit related to the rights was recently approved and I am providing this NCAP to let the court know that the administrative process has concluded. I expect that the claimant, through his attorney, Ray Rigby will be withdrawing the objection to these subcases shortly. Otherwise, we can discuss these subcases further at the hearing on July 17, 2002.

If you have any questions concerning this matter, please contact me at (208) 327-5404.

Very Truly Yours,

A handwritten signature in cursive script, reading "Candice M. McHugh".

Candice M. McHugh  
Deputy Attorney General, IDWR

Enclosures

cc: Ray Rigby (via facsimile)

2002 JUN 27 AM 10: 50

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO

**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 Right: 32-14, 32-15, 32-16  
and 32-11219**

Case No. 39576

**NOTICE OF COMPLETED  
ADMINISTRATIVE  
PROCEEDING**

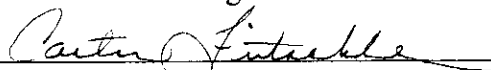
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☐ IC § 42-222 transfer
  - ☐ Point of diversion
  - ☐ Period of use
  - ☐ Split of water right
  - ☒ Other - Permit Issued
  - ☐ Place of use
  - ☐ Nature of use
  - ☐ 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 Report(s)* for said water right(s). 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: 6-24-02



Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on June 24, 2002, 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  
Snake River Basin Adjudication  
P.O. Box 2707  
Twin Falls, ID 83303-2707

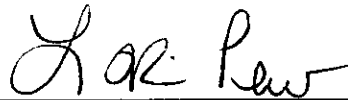
### 2. Copies to:

Clive Strong  
Off ice of the Attorney General  
P.O. Box 44449  
Boise, ID 83711-4449

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

### 3. Copies to all parties to the subcase:

Wahoo & BHA Inc.  
3930 E. 2000 N.  
Sugar City, ID 83448



Signature of person mailing this document

06/24/2002

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

RIGHT NUMBER: 32-14

2002 JUN 27 AM 10: 50

NAME AND ADDRESS: WAHOO & BHA INC  
3930 E 2000 N  
SUGAR CITY ID 83448

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED

SOURCE: INDIAN CREEK

TRIBUTARY: MEDICINE LODGE CREEK

QUANTITY: 0.500 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 4.82 CFS.

COMBINED RIGHT NOS.: 32-00015, 32-00016, 32-11219

PRIORITY DATE: 06/15/1883

POINT OF

DIVERSION: T12N R34E S36 SESW Lot 3 Within CLARK County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

4/01 11/01

0.500 CFS

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

| PLACE OF USE:       | <u>IRRIGATION Within CLARK County</u> |      |                     |      |      |  |
|---------------------|---------------------------------------|------|---------------------|------|------|--|
| T11N R34E S12       | NENE                                  | 34.0 | T11N R34E S12       | NWNE | 40.0 |  |
| T11N R34E S12       | SWNE                                  | 40.0 | T11N R34E S12       | SENE | 34.0 |  |
| T11N R34E S12       | NENW                                  | 32.0 | T11N R34E S12       | SENW | 36.0 |  |
| T11N R34E S12       | NESW                                  | 34.0 | T11N R34E S12       | SESW | 38.0 |  |
| T11N R34E S12       | NESE                                  | 32.0 | T11N R34E S12       | NWSE | 40.0 |  |
| T11N R34E S12       | SWSE                                  | 39.0 | T11N R34E S12       | SESE | 32.0 |  |
| T11N R34E S13       | NENE                                  | 40.0 | T11N R34E S13       | NWNE | 30.0 |  |
| T11N R34E S13       | SWNE                                  | 25.0 | T11N R34E S13       | SENE | 40.0 |  |
| T11N R34E S13       | SESW                                  | 11.0 | T11N R34E S13       | NESE | 40.0 |  |
| T11N R34E S13       | NWSE                                  | 30.0 | T11N R34E S13       | SWSE | 40.0 |  |
| T11N R34E S13       | SESE                                  | 40.0 | T11N R34E S24       | NENW | 34.0 |  |
| T11N R34E S24       | SENW                                  | 29.0 | T11N R34E S24       | NESW | 12.0 |  |
| T11N R35E S07       | NENE                                  | 40.0 | T11N R35E S07       | NWNE | 39.0 |  |
| T11N R35E S07       | SWNE                                  | 39.0 | T11N R35E S07       | SENE | 40.0 |  |
| T11N R35E S07       | NENW                                  | 40.0 | T11N R35E S07 Lot 1 | NWNW | 37.0 |  |
| T11N R35E S07 Lot 2 | SWNW                                  | 38.0 | T11N R35E S07       | SENW | 40.0 |  |
| T11N R35E S07       | NESW                                  | 40.0 | T11N R35E S07 Lot 3 | NWSW | 39.0 |  |
| T11N R35E S07 Lot 4 | SWSW                                  | 39.0 | T11N R35E S07       | SESW | 40.0 |  |
| T11N R35E S07       | NESE                                  | 39.0 | T11N R35E S07       | NWSE | 39.0 |  |
| T11N R35E S07       | SWSE                                  | 35.0 | T11N R35E S07       | SESE | 38.0 |  |
| T11N R35E S18       | NENW                                  | 40.0 | T11N R35E S18 Lot 1 | NWNW | 39.0 |  |
| T11N R35E S18 Lot 2 | SWNW                                  | 39.0 | T11N R35E S18       | SENW | 40.0 |  |
| T11N R35E S18       | NESW                                  | 40.0 | T11N R35E S18 Lot 3 | NWSW | 39.0 |  |
| T11N R35E S18 Lot 4 | SWSW                                  | 39.0 | T11N R35E S18       | SESW | 40.0 |  |
| T11N R35E S18       | NESE                                  | 9.0  | T11N R35E S18       | NWSE | 39.0 |  |
| T11N R35E S18       | SWSE                                  | 40.0 | T11N R35E S18       | SESE | 9.0  |  |
| T11N R35E S19       | NENE                                  | 9.0  | T11N R35E S19       | NWNE | 40.0 |  |
| T11N R35E S19       | SWNE                                  | 40.0 | T11N R35E S19       | SENE | 9.0  |  |

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

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1935 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 1935 ACRES IN A SINGLE  
IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00015, 32-00016,  
32-11219 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED  
TO THE IRRIGATION OF A COMBINED TOTAL OF 124 ACRES IN A SINGLE  
IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00015, 32-00016

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE: 32-00015, 32-00016, 32-11219 RIGHT NO.  
32-11219 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION  
42-1426, IDAHO CODE.

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.

06/24/2002

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

RIGHT NUMBER: 32-15

NAME AND ADDRESS: WAHOO & BHA INC  
3930 E 2000 N  
SUGAR CITY ID 83448

JUN 27 AM 10: 50  
DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED

SOURCE: INDIAN CREEK

TRIBUTARY: MEDICINE LODGE CREEK

QUANTITY: 1.320 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 4.82 CFS.

COMBINED RIGHT NOS.: 32-00014, 32-00016, 32-11219

PRIORITY DATE: 05/01/1884

POINT OF

DIVERSION: T12N R34E S36 SESW Lot 3 Within CLARK County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

IRRIGATION

PERIOD OF USE

4/01 11/01

QUANTITY

1.320 CFS

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

| PLACE OF USE:       | <u>IRRIGATION Within CLARK County</u> |      |                     |      |      |  |
|---------------------|---------------------------------------|------|---------------------|------|------|--|
| T11N R34E S12       | NENE                                  | 34.0 | T11N R34E S12       | NWNE | 40.0 |  |
| T11N R34E S12       | SWNE                                  | 40.0 | T11N R34E S12       | SENE | 34.0 |  |
| T11N R34E S12       | NENW                                  | 32.0 | T11N R34E S12       | SENW | 36.0 |  |
| T11N R34E S12       | NESW                                  | 34.0 | T11N R34E S12       | SESW | 38.0 |  |
| T11N R34E S12       | NESE                                  | 32.0 | T11N R34E S12       | NWSE | 40.0 |  |
| T11N R34E S12       | SWSE                                  | 39.0 | T11N R34E S12       | SESE | 32.0 |  |
| T11N R34E S13       | NENE                                  | 40.0 | T11N R34E S13       | NWNE | 30.0 |  |
| T11N R34E S13       | SWNE                                  | 25.0 | T11N R34E S13       | SENE | 40.0 |  |
| T11N R34E S13       | SESW                                  | 11.0 | T11N R34E S13       | NESE | 40.0 |  |
| T11N R34E S13       | NWSE                                  | 30.0 | T11N R34E S13       | SWSE | 40.0 |  |
| T11N R34E S13       | SESE                                  | 40.0 | T11N R34E S24       | NENW | 34.0 |  |
| T11N R34E S24       | SENW                                  | 29.0 | T11N R34E S24       | NESW | 12.0 |  |
| T11N R35E S07       | NENE                                  | 40.0 | T11N R35E S07       | NWNE | 39.0 |  |
| T11N R35E S07       | SWNE                                  | 39.0 | T11N R35E S07       | SENE | 40.0 |  |
| T11N R35E S07       | NENW                                  | 40.0 | T11N R35E S07 Lot 1 | NWNW | 37.0 |  |
| T11N R35E S07 Lot 2 | SWNW                                  | 38.0 | T11N R35E S07       | SENW | 40.0 |  |
| T11N R35E S07       | NESW                                  | 40.0 | T11N R35E S07 Lot 3 | NWSW | 39.0 |  |
| T11N R35E S07 Lot 4 | SWSW                                  | 39.0 | T11N R35E S07       | SESW | 40.0 |  |
| T11N R35E S07       | NESE                                  | 39.0 | T11N R35E S07       | NWSE | 39.0 |  |
| T11N R35E S07       | SWSE                                  | 35.0 | T11N R35E S07       | SESE | 38.0 |  |
| T11N R35E S18       | NENW                                  | 40.0 | T11N R35E S18 Lot 1 | NWNW | 39.0 |  |
| T11N R35E S18 Lot 2 | SWNW                                  | 39.0 | T11N R35E S18       | SENW | 40.0 |  |
| T11N R35E S18       | NESW                                  | 40.0 | T11N R35E S18 Lot 3 | NWSW | 39.0 |  |
| T11N R35E S18 Lot 4 | SWSW                                  | 39.0 | T11N R35E S18       | SESW | 40.0 |  |
| T11N R35E S18       | NESE                                  | 9.0  | T11N R35E S18       | NWSE | 39.0 |  |
| T11N R35E S18       | SWSE                                  | 40.0 | T11N R35E S18       | SESE | 9.0  |  |
| T11N R35E S19       | NENE                                  | 9.0  | T11N R35E S19       | NWNE | 40.0 |  |
| T11N R35E S19       | SWNE                                  | 40.0 | T11N R35E S19       | SENE | 9.0  |  |

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

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1935 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1935 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00014, 32-00016, 32-11219 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 124 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00014, 32-00016

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-00014, 32-00016, 32-11219 RIGHT NO. 32-11219 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

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.

06/24/2002

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

RIGHT NUMBER: 32-16

NAME AND ADDRESS: WAHOO & BHA INC  
3930 E 2000 N  
SUGAR CITY ID 83448

2002 JUN 27 AM 10: 50  
DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED  
TRIBUTARY: MEDICINE LODGE CREEK

SOURCE: INDIAN CREEK

TRIBUTARY: MEDICINE LODGE CREEK

QUANTITY: 3.000 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 4.82 CFS.  
COMBINED RIGHT NOS.: 32-00014, 32-00015, 32-11219

PRIORITY DATE: 08/09/1922

FOR DELIVERY PURPOSES THIS WATER RIGHT SHALL BE CONSIDERED JUNIOR  
ONLY TO WATER RIGHTS: 32-00006A, 32-0006B, 32-00014, 32-00015 ON INDIAN  
CREEK.

POINT OF

DIVERSION: T12N R34E S36 SESW Lot 3 Within CLARK County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
IRRIGATION

PERIOD OF USE  
4/01 11/01

QUANTITY  
3.000 CFS

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

| PLACE OF USE: | <u>IRRIGATION Within CLARK County</u> |      |      |                     |      |      |
|---------------|---------------------------------------|------|------|---------------------|------|------|
|               | T11N R34E S12                         | NENE | 34.0 | T11N R34E S12       | NWNE | 40.0 |
|               | T11N R34E S12                         | SWNE | 40.0 | T11N R34E S12       | SENE | 34.0 |
|               | T11N R34E S12                         | NENW | 32.0 | T11N R34E S12       | SENW | 36.0 |
|               | T11N R34E S12                         | NESW | 34.0 | T11N R34E S12       | SESW | 38.0 |
|               | T11N R34E S12                         | NESE | 32.0 | T11N R34E S12       | NWSE | 40.0 |
|               | T11N R34E S12                         | SWSE | 39.0 | T11N R34E S12       | SESE | 32.0 |
|               | T11N R34E S13                         | NENE | 40.0 | T11N R34E S13       | NWNE | 30.0 |
|               | T11N R34E S13                         | SWNE | 25.0 | T11N R34E S13       | SENE | 40.0 |
|               | T11N R34E S13                         | SESW | 11.0 | T11N R34E S13       | NESE | 40.0 |
|               | T11N R34E S13                         | NWSE | 30.0 | T11N R34E S13       | SWSE | 40.0 |
|               | T11N R34E S13                         | SESE | 40.0 | T11N R34E S24       | NENW | 34.0 |
|               | T11N R34E S24                         | SENW | 29.0 | T11N R34E S24       | NESW | 12.0 |
|               | T11N R35E S07                         | NENE | 40.0 | T11N R35E S07       | NWNE | 39.0 |
|               | T11N R35E S07                         | SWNE | 39.0 | T11N R35E S07       | SENE | 40.0 |
|               | T11N R35E S07                         | NENW | 40.0 | T11N R35E S07 Lot 1 | NWNW | 37.0 |
|               | T11N R35E S07 Lot 2                   | SWNW | 38.0 | T11N R35E S07       | SENW | 40.0 |
|               | T11N R35E S07                         | NESW | 40.0 | T11N R35E S07 Lot 3 | NWSW | 39.0 |
|               | T11N R35E S07 Lot 4                   | SWSW | 39.0 | T11N R35E S07       | SESW | 40.0 |
|               | T11N R35E S07                         | NESE | 39.0 | T11N R35E S07       | NWSE | 39.0 |
|               | T11N R35E S07                         | SWSE | 35.0 | T11N R35E S07       | SESE | 38.0 |
|               | T11N R35E S18                         | NENW | 40.0 | T11N R35E S18 Lot 1 | NWNW | 39.0 |
|               | T11N R35E S18 Lot 2                   | SWNW | 39.0 | T11N R35E S18       | SENW | 40.0 |
|               | T11N R35E S18                         | NESW | 40.0 | T11N R35E S18 Lot 3 | NWSW | 39.0 |
|               | T11N R35E S18 Lot 4                   | SWSW | 39.0 | T11N R35E S18       | SESW | 40.0 |
|               | T11N R35E S18                         | NESE | 9.0  | T11N R35E S18       | NWSE | 39.0 |
|               | T11N R35E S18                         | SWSE | 40.0 | T11N R35E S18       | SESE | 9.0  |
|               | T11N R35E S19                         | NENE | 9.0  | T11N R35E S19       | NWNE | 40.0 |
|               | T11N R35E S19                         | SWNE | 40.0 | T11N R35E S19       | SENE | 9.0  |

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

---

1935 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1935 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00014, 32-00015, 32-11219 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 124 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00014, 32-00015

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

DELIVERY OF THIS WATER RIGHT SHALL BE DEPENDENT UPON THE USE AND MAINTENANCE OF A CONCRETE FLUME AND DIVERSION WORKS.

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-00014, 32-00015, 32-11219 RIGHT NO. 32-11219 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

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.

06/24/2002

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

RIGHT NUMBER: 32-11219

NAME AND ADDRESS: WAHOO & BHA INC  
3930 E 2000 N  
SUGAR CITY ID 83448

2002 JUN 27 AM 10: 50  
DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

SOURCE: INDIAN CREEK

TRIBUTARY: MEDICINE LODGE CREEK

QUANTITY: 4.500 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 4.82 CFS.

COMBINED RIGHT NOS.: 32-00014, 32-00015, 32-00016

PRIORITY DATE: 04/01/1987

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY  
DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS  
ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN  
WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426,  
IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF

DIVERSION: T12N R34E S36 SESW Lot 3 Within CLARK County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
IRRIGATION

PERIOD OF USE  
4/01 10/31

QUANTITY  
4.500 CFS

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

| PLACE OF USE:       | <u>IRRIGATION Within CLARK County</u> |      |                     |      |      |  |
|---------------------|---------------------------------------|------|---------------------|------|------|--|
| T11N R34E S12       | NENE                                  | 34.0 | T11N R34E S12       | NWNE | 40.0 |  |
| T11N R34E S12       | SWNE                                  | 40.0 | T11N R34E S12       | SENE | 34.0 |  |
| T11N R34E S12       | NENW                                  | 32.0 | T11N R34E S12       | SENW | 36.0 |  |
| T11N R34E S12       | NESW                                  | 34.0 | T11N R34E S12       | SESW | 38.0 |  |
| T11N R34E S12       | NESE                                  | 32.0 | T11N R34E S12       | NWSE | 40.0 |  |
| T11N R34E S12       | SWSE                                  | 39.0 | T11N R34E S12       | SESE | 32.0 |  |
| T11N R34E S13       | NENE                                  | 40.0 | T11N R34E S13       | NWNE | 30.0 |  |
| T11N R34E S13       | SWNE                                  | 25.0 | T11N R34E S13       | SENE | 40.0 |  |
| T11N R34E S13       | SESW                                  | 11.0 | T11N R34E S13       | NESE | 40.0 |  |
| T11N R34E S13       | NWSE                                  | 30.0 | T11N R34E S13       | SWSE | 40.0 |  |
| T11N R34E S13       | SESE                                  | 40.0 | T11N R34E S24       | NENW | 34.0 |  |
| T11N R34E S24       | SENW                                  | 29.0 | T11N R34E S24       | NESW | 12.0 |  |
| T11N R35E S07       | NENE                                  | 40.0 | T11N R35E S07       | NWNE | 39.0 |  |
| T11N R35E S07       | SWNE                                  | 39.0 | T11N R35E S07       | SENE | 40.0 |  |
| T11N R35E S07       | NENW                                  | 40.0 | T11N R35E S07 Lot 1 | NWNW | 37.0 |  |
| T11N R35E S07 Lot 2 | SWNW                                  | 38.0 | T11N R35E S07       | SENW | 40.0 |  |
| T11N R35E S07       | NESW                                  | 40.0 | T11N R35E S07 Lot 3 | NWSW | 39.0 |  |
| T11N R35E S07 Lot 4 | SWSW                                  | 39.0 | T11N R35E S07       | SESW | 40.0 |  |
| T11N R35E S07       | NESE                                  | 39.0 | T11N R35E S07       | NWSE | 39.0 |  |
| T11N R35E S07       | SWSE                                  | 35.0 | T11N R35E S07       | SESE | 38.0 |  |
| T11N R35E S18       | NENW                                  | 40.0 | T11N R35E S18 Lot 1 | NWNW | 39.0 |  |
| T11N R35E S18 Lot 2 | SWNW                                  | 39.0 | T11N R35E S18       | SENW | 40.0 |  |
| T11N R35E S18       | NESW                                  | 40.0 | T11N R35E S18 Lot 3 | NWSW | 39.0 |  |
| T11N R35E S18 Lot 4 | SWSW                                  | 39.0 | T11N R35E S18       | SESW | 40.0 |  |
| T11N R35E S18       | NESE                                  | 9.0  | T11N R35E S18       | NWSE | 39.0 |  |
| T11N R35E S18       | SWSE                                  | 40.0 | T11N R35E S18       | SESE | 9.0  |  |
| T11N R35E S19       | NENE                                  | 9.0  | T11N R35E S19       | NWNE | 40.0 |  |
| T11N R35E S19       | SWNE                                  | 40.0 | T11N R35E S19       | SENE | 9.0  |  |

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

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1935 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 1935 ACRES IN A SINGLE  
IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00014, 32-00015,  
32-00016

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

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO.  
32-00014, 32-00015, 32-00016 PURSUANT TO SECTION 42-1426,  
IDAHO CODE.

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 - Beneficial Use

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE: 32-00014, 32-00015, 32-00016 THIS RIGHT  
IS FOR AN ENLARGEMENT OF 1811 ACRES WITHIN THE PLACE OF USE  
DESCRIBED FOR THIS RIGHT.