

COPY

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

**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	)	Subcase No: 45-2377C, 45-2392,
	)	45-2411, 45-2412, 45-2504, 45-2594A,
	)	45-2605, 45-4041, 45-7439A, 45-10365
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **I.C. § 42-222 TRANSFER**

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☐ Change in Ownership	☐ Split of Water Right
☒ Point of Diversion	☐ Place of Use
☐ Period of Use	☐ Nature of Use

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: 1-5-05


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 1/7, 2004⁵, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant or attorney of record:
Howard R Adams & Sons Inc
496 W 1000 S
Burley ID 83318
3. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
4. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 W Fort St MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

12/30/2004

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

RIGHT NUMBER: 45-2377C

NAME AND ADDRESS: HOWARD R ADAMS & SONS INC
496 W 1000 S
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

QUANTITY: 3.000 CFS
789.60 AFY

The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 11.76 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2869.6 AF. COMBINED RIGHT NOS.: 45-2377C, 45-2392, 45-2504, 45-2605 & 45-4041.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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.

The total instantaneous diversion of water from all points of diversion under Rights 45-2377C, 45-2392, 45-2411, 45-2412, 45-2504, 45-2605, 45-2594A, 45-4041, 45-7439A and 45-10365 shall not exceed 19.26 cfs, nor a total combined annual volume of 5812.8 af.

PRIORITY DATE: 05/14/1951

POINT OF
DIVERSION: T12S R21E S24 NWNWNE Within CASSIA County
T12S R22E S8 SWSNW Within CASSIA County
T12S R22E S8 SWNWSW Within CASSIA County
T12S R22E S8 SWSWSW Within CASSIA County
T12S R22E S8 SWSESW Within CASSIA County
T12S R22E S9 NESW Within CASSIA County
T12S R22E S18 SESWNE Within CASSIA County
T12S R22E S19 NENENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	3.000 CFS 789.60 AFY

12/30/2004

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

PLACE OF USE:	<u>IRRIGATION Within CASSIA County</u>					
	T12S R22E S07	NESE	40.0	T12S R22E S07	NWSE	40.0
	T12S R22E S07	SESE	39.0	T12S R22E S08	NENE	40.0
	T12S R22E S08	NWNE	40.0	T12S R22E S08	SWNE	40.0
	T12S R22E S08	SENE	40.0	T12S R22E S08	NENW	40.0
	T12S R22E S08	NWNW	39.0	T12S R22E S08	SWNW	38.0
	T12S R22E S08	SENW	40.0	T12S R22E S08	NESW	40.0
	T12S R22E S08	NWSW	40.0	T12S R22E S08	SWSW	39.0
	T12S R22E S08	SESW	39.0	T12S R22E S08	NESE	40.0
	T12S R22E S08	NWSE	40.0	T12S R22E S08	SWSE	39.0
	T12S R22E S08	SESE	36.0			

749 ACRES TOTAL

Rights 45-2377C, 45-2392, 45-2504, and 45-2605 when combined are limited to the irrigation of 717.4 acres within the place of use described above in a single irrigation season.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 749 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2377C, 45-2392, 45-2504, 45-2605 & 45-4041.

This right is limited to the irrigation of 197.4 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 approved 71087 by December 7, 2005.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right 45-4041 is an expansion of this right pursuant to section 42-1416B, Idaho Code.

12/30/2004

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

RIGHT NUMBER: 45-2392

NAME AND ADDRESS: HOWARD R ADAMS & SONS INC
496 W 1000 S
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

QUANTITY: 5.560 CFS
1,280.00 AFY

The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 11.76 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2869.6 AF. COMBINED RIGHT NOS.: 45-2377C, 45-2392, 45-2504, 45-2605 & 45-4041.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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.

The total instantaneous diversion of water from all points of diversion under Rights 45-2377C, 45-2392, 45-2411, 45-2412, 45-2504, 45-2605, 45-2594A, 45-4041, 45-7439A and 45-10365 shall not exceed 19.26 cfs, nor a total combined annual volume of 5812.8 af.

PRIORITY DATE: 10/19/1951

POINT OF
DIVERSION: T12S R21E S24 NWNWNE Within CASSIA County
T12S R22E S8 SWSNW Within CASSIA County
T12S R22E S8 SWNWSW Within CASSIA County
T12S R22E S8 SWSWSW Within CASSIA County
T12S R22E S8 SWSESW Within CASSIA County
T12S R22E S9 NESW Within CASSIA County
T12S R22E S18 SESWNE Within CASSIA County
T12S R22E S19 NENENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	5.560 CFS 1,280.00 AFY

12/30/2004

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

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R22E S07	NESE	40.0	T12S R22E S07	NWSE	40.0
T12S R22E S07	SESE	39.0	T12S R22E S08	NENE	40.0
T12S R22E S08	NWNE	40.0	T12S R22E S08	SWNE	40.0
T12S R22E S08	SENE	40.0	T12S R22E S08	NENW	40.0
T12S R22E S08	NWNW	39.0	T12S R22E S08	SWNW	38.0
T12S R22E S08	SENW	40.0	T12S R22E S08	NESW	40.0
T12S R22E S08	NWSW	40.0	T12S R22E S08	SWSW	39.0
T12S R22E S08	SESW	39.0	T12S R22E S08	NESE	40.0
T12S R22E S08	NWSE	40.0	T12S R22E S08	SWSE	39.0
T12S R22E S08	SESE	36.0			

749 ACRES TOTAL

Rights 45-2377C, 45-2392, 45-2504, and 45-2605 when combined are limited to the irrigation of 717.4 acres within the place of use described above in a single irrigation season.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 749 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2377C, 45-2392, 45-2504, 45-2605 & 45-4041.

This right is limited to the irrigation of 320 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 approved transfer 71087 by December 7, 2005.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right 45-4041 is an expansion of this right pursuant to section 42-1416B, Idaho Code.

12/30/2004

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

RIGHT NUMBER: 45-2411

NAME AND ADDRESS: HOWARD R ADAMS & SONS INC
496 W 1000 S
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

QUANTITY: 2.480 CFS
1,080.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 6.04 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 2468 AF. COMBINED RIGHT NOS.: 45-2411,
45-2412, 45-2594A & 45-10365.

The right holder shall record the quantity of water diverted and annually
report diversions of water and/or other pertinent hydrologic and system
information as required by Section 42-701, Idaho Code.

This right when combined with all other rights shall provide no more than
0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for
irrigation of the lands above.

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.

The total instantaneous diversion of water from all points of diversion
under Rights 45-2377C, 45-2392, 45-2411, 45-2412, 45-2504, 45-2605,
45-2594A, 45-4041, 45-7439A and 45-10365 shall not exceed 19.26 cfs,
nor a total combined annual volume of 5812.8 af.

PRIORITY DATE: 03/31/1952

POINT OF

DIVERSION: T12S R21E S24 NWNWNE Within CASSIA County
T12S R22E S8 SWSNW Within CASSIA County
T12S R22E S8 SWNWSW Within CASSIA County
T12S R22E S8 SWSWSW Within CASSIA County
T12S R22E S8 SWSESW Within CASSIA County
T12S R22E S9 NESW Within CASSIA County
T12S R22E S18 SESWNE Within CASSIA County
T12S R22E S19 NENENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
2.480 CFS
1,080.00 AFY

12/30/2004

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

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R22E S18	NENE	40.0	T12S R22E S18	NWNE	40.0
T12S R22E S18	SWNE	13.0	T12S R22E S18	SENE	13.0
T12S R22E S18	NENW	40.0	T12S R22E S18 Lot 1	NWNW	41.0
T12S R22E S18 Lot 2	SWNW	41.0	T12S R22E S18	SENE	40.0
T12S R22E S18	NESW	40.0	T12S R22E S18 Lot 3	NWSW	41.0
T12S R22E S18 Lot 4	SWSW	41.0	T12S R22E S18	SENE	40.0

430 ACRES TOTAL

Rights 45-2411 & 45-2412 when combined are limited to the irrigation of 430 acres within the place of use described above in a single irrigation season.

USE OF RIGHT NOS. 45-2411, 45-2412, 45-2594A AND 45-10365 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 617 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 270 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 71087 by December 7, 2005.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

12/30/2004

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

RIGHT NUMBER: 45-2412

NAME AND ADDRESS: HOWARD R ADAMS & SONS INC
496 W 1000 S
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

QUANTITY: 2.400 CFS
640.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.04 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2468 AF.
COMBINED RIGHT NOS.: 45-2411, 45-2412, 45-2594A & 45-10365.

The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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.

The total instantaneous diversion of water from all points of diversion under Rights 45-2377C, 45-2392, 45-2411, 45-2412, 45-2504, 45-2605, 45-2594A, 45-4041, 45-7439A and 45-10365 shall not exceed 19.26 cfs, nor a total combined annual volume of 5812.8 af.

PRIORITY DATE: 03/31/1952

POINT OF
DIVERSION: T12S R21E S24 NWNWNE Within CASSIA County
T12S R22E S8 SWSNW Within CASSIA County
T12S R22E S8 SWNWSW Within CASSIA County
T12S R22E S8 SWSWSW Within CASSIA County
T12S R22E S8 SWSSEW Within CASSIA County
T12S R22E S9 NESW Within CASSIA County
T12S R22E S18 SESWNE Within CASSIA County
T12S R22E S19 NENENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.400 CFS 640.00 AFY

12/30/2004

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

PLACE OF USE:	<u>IRRIGATION Within CASSIA County</u>					
	T12S R22E S18	NENE	40.0	T12S R22E S18	NWNE	40.0
	T12S R22E S18	SWNE	13.0	T12S R22E S18	SENE	13.0
	T12S R22E S18	NENW	40.0	T12S R22E S18 Lot 1	NWNW	41.0
	T12S R22E S18 Lot 2	SWNW	41.0	T12S R22E S18	SENE	40.0
	T12S R22E S18	NESW	40.0	T12S R22E S18 Lot 3	NWSW	41.0
	T12S R22E S18 Lot 4	SWSW	41.0	T12S R22E S18	SESW	40.0

430 ACRES TOTAL

Rights 45-2411 & 45-2412 when combined are limited to the irrigation of 430 acres within the place of use described above in a single irrigation season.

USE OF RIGHT NOS. 45-2411, 45-2412, 45-2594A AND 45-10365 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 617 ACRES IN A SINGLE IRRIGATION SEASON.

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.

The right holder shall accomplish the change authorized by approved transfer 71087 by December 7, 2005.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

12/30/2004

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

RIGHT NUMBER: 45-2504

NAME AND ADDRESS: HOWARD R ADAMS & SONS INC
496 W 1000 S
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

QUANTITY: 1.600 CFS
320.00 AFY

The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 11.76 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2869.6 AF. COMBINED RIGHT NOS.: 45-2377C, 45-2392, 45-2504, 45-2605 & 45-4041.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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.

The total instantaneous diversion of water from all points of diversion under Rights 45-2377C, 45-2392, 45-2411, 45-2412, 45-2504, 45-2605, 45-2594A, 45-4041, 45-7439A and 45-10365 shall not exceed 19.26 cfs, nor a total combined annual volume of 5812.8 af.

PRIORITY DATE: 10/17/1955

POINT OF
DIVERSION: T12S R21E S24 NWNNE Within CASSIA County
T12S R22E S8 SWSNW Within CASSIA County
T12S R22E S8 SWNSW Within CASSIA County
T12S R22E S8 SWSWS Within CASSIA County
T12S R22E S8 SWSWS Within CASSIA County
T12S R22E S9 NESW Within CASSIA County
T12S R22E S18 SESWNE Within CASSIA County
T12S R22E S19 NENENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
1.600 CFS
320.00 AFY

12/30/2004

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

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R22E S07	NESE	40.0	T12S R22E S07	NWSE	40.0
T12S R22E S07	SESE	39.0	T12S R22E S08	NENE	40.0
T12S R22E S08	NWNE	40.0	T12S R22E S08	SWNE	40.0
T12S R22E S08	SENE	40.0	T12S R22E S08	NENW	40.0
T12S R22E S08	NWNW	39.0	T12S R22E S08	SWNW	38.0
T12S R22E S08	SENW	40.0	T12S R22E S08	NESW	40.0
T12S R22E S08	NWSW	40.0	T12S R22E S08	SWSW	39.0
T12S R22E S08	SESW	39.0	T12S R22E S08	NESE	40.0
T12S R22E S08	NWSE	40.0	T12S R22E S08	SWSE	39.0
T12S R22E S08	SESE	36.0			

749 ACRES TOTAL

Rights 45-2377C, 45-2392, 45-2504, and 45-2605 when combined are limited to the irrigation of 717.4 acres within the place of use described above in a single irrigation season.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 749 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-2377C, 45-2392, 45-2504, 45-2605 & 45-4041

This right is limited to the irrigation of 80 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 approved transfer 71087 by December 7, 2005.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right 45-4041 is an expansion of this right pursuant to section 42-1416B, Idaho Code.

12/30/2004

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

RIGHT NUMBER: 45-2594A

NAME AND ADDRESS: HOWARD R ADAMS & SONS INC
496 W 1000 S
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

QUANTITY: 1.160 CFS
268.00 AFY

The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.04 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2468 AF.
COMBINED RIGHT NOS.: 45-2411, 45-2412, 45-2594A & 45-10365.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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.

The total instantaneous diversion of water from all points of diversion under Rights 45-2377C, 45-2392, 45-2411, 45-2412, 45-2504, 45-2605, 45-2594A, 45-4041, 45-7439A and 45-10365 shall not exceed 19.26 cfs, nor a total combined annual volume of 5812.8 af.

PRIORITY DATE: 12/11/1959

POINT OF
DIVERSION: T12S R21E S24 NWNWNE Within CASSIA County
T12S R22E S8 SWSNW Within CASSIA County
T12S R22E S8 SWNWSW Within CASSIA County
T12S R22E S8 SWSWSW Within CASSIA County
T12S R22E S8 SWSSEW Within CASSIA County
T12S R22E S9 NESW Within CASSIA County
T12S R22E S18 SESWNE Within CASSIA County
T12S R22E S19 NENENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.160 CFS 268.00 AFY

12/30/2004

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

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R22E S18	SWNE	27.0	T12S R22E S18	SENE	27.0
T12S R22E S18	NESE	40.0	T12S R22E S18	NWSE	40.0
T12S R22E S18	SWSE	39.0	T12S R22E S18	SESE	37.0

210 ACRES TOTAL

Rights 45-2594A & 45-10365 are limited to the irrigation of 187 acres within the place of use described above in a single irrigation season.

USE OF RIGHT NOS. 45-2411, 45-2412, 45-2594A AND 45-10365 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 617 ACRES IN A SINGLE IRRIGATION SEASON.

This right is limited to the irrigation of 67 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 approved transfer 71087 by December 7, 2005.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

12/30/2004

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

RIGHT NUMBER: 45-2605

NAME AND ADDRESS: HOWARD R ADAMS & SONS INC
496 W 1000 S
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

QUANTITY: 1.600 CFS
480.00 AFY

The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 11.76 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2869.6 AF. COMBINED RIGHT NOS.: 45-2377C, 45-2392, 45-2504, 45-2605 & 45-4041.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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.

The total instantaneous diversion of water from all points of diversion under Rights 45-2377C, 45-2392, 45-2411, 45-2412, 45-2504, 45-2605, 45-2594A, 45-4041, 45-7439A and 45-10365 shall not exceed 19.26 cfs, nor a total combined annual volume of 5812.8 af.

PRIORITY DATE: 02/29/1960

POINT OF
DIVERSION: T12S R21E S24 NWNWNE Within CASSIA County
T12S R22E S8 SWSNW Within CASSIA County
T12S R22E S8 SWNWSW Within CASSIA County
T12S R22E S8 SWSWSW Within CASSIA County
T12S R22E S8 SWSESW Within CASSIA County
T12S R22E S9 NESW Within CASSIA County
T12S R22E S18 SESWNE Within CASSIA County
T12S R22E S19 NENENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
1.600 CFS
480.00 AFY

12/30/2004

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

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R22E S07	NESE	40.0	T12S R22E S07	NWSE	40.0
T12S R22E S07	SESE	39.0	T12S R22E S08	NENE	40.0
T12S R22E S08	NWNE	40.0	T12S R22E S08	SWNE	40.0
T12S R22E S08	SENE	40.0	T12S R22E S08	NENW	40.0
T12S R22E S08	NWNW	39.0	T12S R22E S08	SWNW	38.0
T12S R22E S08	SENW	40.0	T12S R22E S08	NESW	40.0
T12S R22E S08	NWSW	40.0	T12S R22E S08	SWSW	39.0
T12S R22E S08	SESW	39.0	T12S R22E S08	NESE	40.0
T12S R22E S08	NWSE	40.0	T12S R22E S08	SWSE	39.0
T12S R22E S08	SESE	36.0			

749 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 749 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2377C, 45-2392, 45-2504, 45-2605 & 45-4041.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 717.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2377C, 45-2392, 45-2504 & 45-2605.

This right is limited to the irrigation of 120 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 approved transfer 71087 by December 7, 2005.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right 45-4041 is an expansion of this right pursuant to section 42-1416B, Idaho Code.

12/30/2004

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

RIGHT NUMBER: 45-4041

NAME AND ADDRESS: HOWARD R ADAMS & SONS INC
496 W 1000 S
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

QUANTITY: 0.500 CFS

The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 11.76 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2869.6 AF. COMBINED RIGHT NOS.: 45-2377C, 45-2392, 45-2504, 45-2605 & 45-4041.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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.

The total instantaneous diversion of water from all points of diversion under Rights 45-2377C, 45-2392, 45-2411, 45-2412, 45-2504, 45-2605, 45-2594A, 45-4041, 45-7439A and 45-10365 shall not exceed 19.26 cfs, nor a total combined annual volume of 5812.8 af.

PRIORITY DATE: 06/30/1985

POINT OF
DIVERSION: T12S R21E S24 NWNWNE Within CASSIA County
T12S R22E S8 SWSNW Within CASSIA County
T12S R22E S8 SWNWSW Within CASSIA County
T12S R22E S8 SWSWSW Within CASSIA County
T12S R22E S8 SWSESW Within CASSIA County
T12S R22E S9 NESW Within CASSIA County
T12S R22E S18 SESWNE Within CASSIA County
T12S R22E S19 NENENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
0.500 CFS

12/30/2004

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

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R22E S07	NESE	40.0	T12S R22E S07	NWSE	40.0
T12S R22E S07	SESE	39.0	T12S R22E S08	NENE	40.0
T12S R22E S08	NWNE	40.0	T12S R22E S08	SWNE	40.0
T12S R22E S08	SENE	40.0	T12S R22E S08	NENW	40.0
T12S R22E S08	NWNW	39.0	T12S R22E S08	SWNW	38.0
T12S R22E S08	SENW	40.0	T12S R22E S08	NESW	40.0
T12S R22E S08	NWSW	40.0	T12S R22E S08	SWSW	39.0
T12S R22E S08	SESW	39.0	T12S R22E S08	NESE	40.0
T12S R22E S08	NWSE	40.0	T12S R22E S08	SWSE	39.0
T12S R22E S08	SESE	36.0			

749 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 749 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-2377C, 45-2392, 45-2504, 45-2605 & 45-4041.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 717.4 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-2377C, 45-2392, 45-2504 & 45-2605.

This right is limited to the irrigation of 31.6 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.

This right is an expansion of Rights 45-2377C, 45-2392, 45-2504, and
45-2605 pursuant to section 42-1416B, Idaho Code.

The right holder shall accomplish the change authorized by approved
transfer 71087 by December 7, 2005.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

12/30/2004

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

RIGHT NUMBER: 45-7439A

NAME AND ADDRESS: HOWARD R ADAMS & SONS INC
496 W 1000 S
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

QUANTITY: 1.460 CFS
475.20 AFY

The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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.

The total instantaneous diversion of water from all points of diversion under Rights 45-2377C, 45-2392, 45-2411, 45-2412, 45-2504, 45-2605, 45-2594A, 45-4041, 45-7439A and 45-10365 shall not exceed 19.26 cfs, nor a total combined annual volume of 5812.8 af.

PRIORITY DATE: 02/29/1980

Diversion and use of water under this right from the additional wells authorized under Transfer 71087 located in SWSNW, SWNSW, SWSWSW, and SWSESW Sec. 8, T12S, R22E; NESW Sec. 9, T12S, R22E; SEWNE Sec. 18, T12S, R22E; and NENENE Sec. 19, T12S, R22E shall be subordinate to all ground water rights existing within the immediate area prior to the date of approval of this transfer upon determination of injury due to local well interference. This right retains its priority date of 2/29/1980 relative to all other actions to distribute water.

POINT OF

DIVERSION: T12S R21E S24 NWNNE Within CASSIA County
T12S R22E S8 SWSNW Within CASSIA County
T12S R22E S8 SWNSW Within CASSIA County
T12S R22E S8 SWSWSW Within CASSIA County
T12S R22E S8 SWSESW Within CASSIA County
T12S R22E S9 NESW Within CASSIA County
T12S R22E S18 SEWNE Within CASSIA County
T12S R22E S19 NENENE Within CASSIA County

12/30/2004

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

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.460 CFS 475.20 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T12S R22E S09	SWNW	3.9	T12S R22E S09	NESW	24.0
T12S R22E S09	NWSW	34.0	T12S R22E S09	SWSW	34.0
T12S R22E S09	SESW	20.0	T12S R22E S09	NWSE	2.9

118.8 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.

The right holder shall accomplish the change authorized by approved transfer 71087 by December 7, 2005.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

12/30/2004

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

RIGHT NUMBER: 45-10365

NAME AND ADDRESS: HOWARD R ADAMS & SONS INC
496 W 1000 S
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

QUANTITY: 1.130 CFS
480.00 AFY

The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.04 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2468 AF.
COMBINED RIGHT NOS.: 45-2411, 45-2412, 45-2594A & 45-10365.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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.

The total instantaneous diversion of water from all points of diversion under Rights 45-2377C, 45-2392, 45-2411, 45-2412, 45-2504, 45-2605, 45-2594A, 45-4041, 45-7439A and 45-10365 shall not exceed 19.26 cfs, nor a total combined annual volume of 5812.8 af.

PRIORITY DATE: 03/15/1962

POINT OF
DIVERSION: T12S R21E S24 NWNWNE Within CASSIA County
T12S R22E S8 SWSNW Within CASSIA County
T12S R22E S8 SWNWSW Within CASSIA County
T12S R22E S8 SWSWSW Within CASSIA County
T12S R22E S8 SWSWSW Within CASSIA County
T12S R22E S9 NESW Within CASSIA County
T12S R22E S18 SESWNE Within CASSIA County
T12S R22E S19 NENENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.130 CFS 480.00 AFY

12/30/2004

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

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R22E S18	SWNE	27.0	T12S R22E S18	SENE	27.0
T12S R22E S18	NESE	40.0	T12S R22E S18	NWSE	40.0
T12S R22E S18	SWSE	39.0	T12S R22E S18	SESE	37.0

210 ACRES TOTAL

Rights 45-2594A & 45-10365 are limited to the irrigation of 187 acres within the place of use described above in a single irrigation season.

USE OF RIGHT NOS. 45-2411, 45-2412, 45-2594A AND 45-10365 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 617 ACRES IN A SINGLE IRRIGATION SEASON.

This right is limited to the irrigation of 120 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 approved transfer 71087 by December 7, 2005.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use