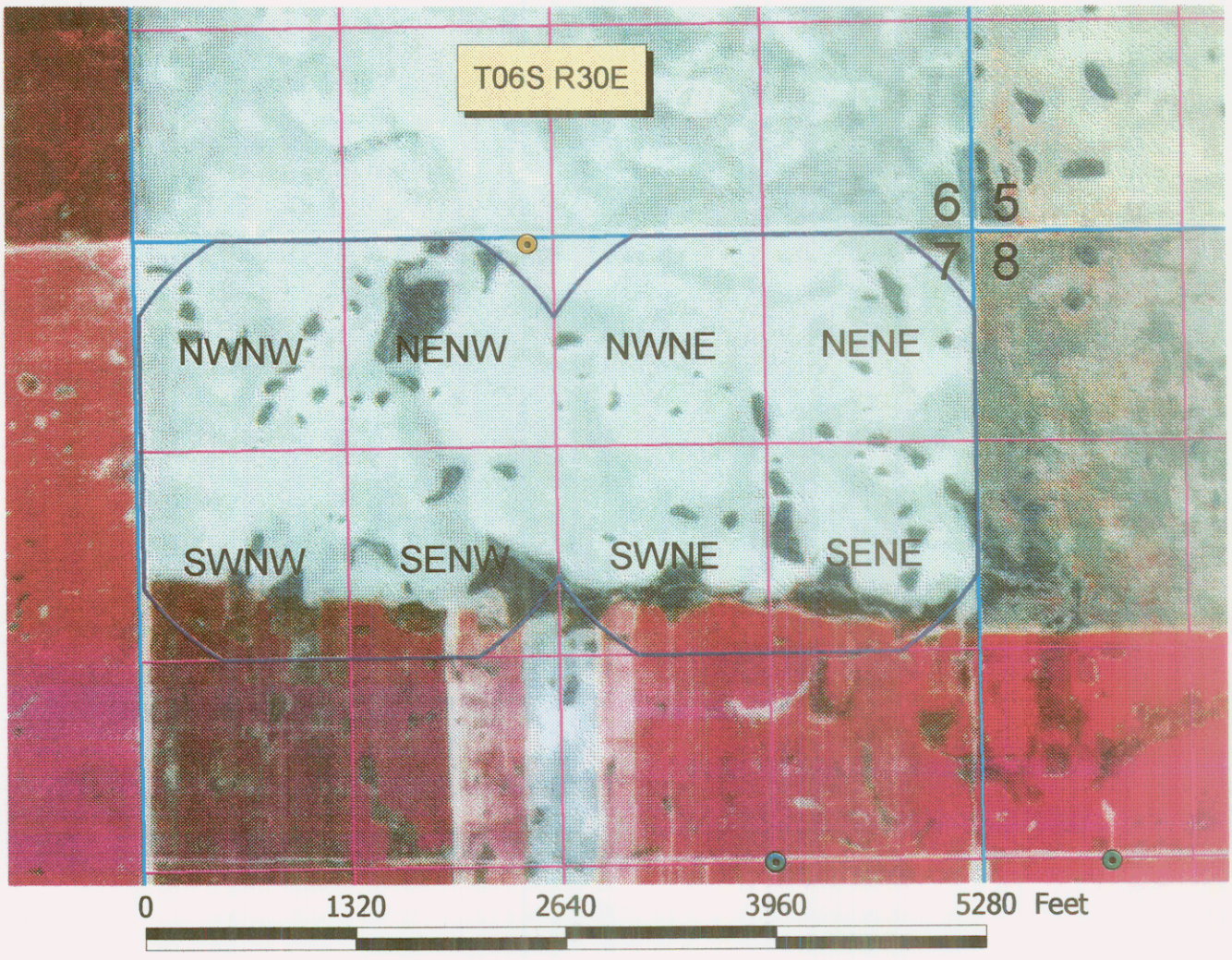
STATE OF IDAHO
Department of Water Resources
Eastern Region

Transfer No. 5304

Water Right(s): 35-07953B, 35-07883, 35-08143, 35-08747B



LEGEND

- Point of Diversion
- Place of Use
- Section Line
- Quarter-section line

N

GIS Place of Use illustration
1987/1988 NAPP photography
Prepared by: E. Carlsen
Date: March 1999

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: 35-07505, 35-07759, 35-07953A

Case No. 39576

AMENDED NOTICE OF ADMINISTRATIVE PROCEEDING

AMEND NAP TO REPLACE 35-07953B WITH 35-07953A BECAUSE 35-07953B WAS LISTED INCORRECTLY

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

[X] **OTHER: IDWR PROCESSING OF PENDING APPLICATION FOR PERMIT 35-09050 WILL EFFECT SRBA CLAIMS 35-07505, 35-07759, & 35-07953A.**

[] Substitution of Party (waiting for documentation)

[] Substitution of Party/Split Water Right

[] I.C. § 42-222 transfer

[] point of diversion [] place of use

[] period of use [] nature of use

IDWR projects the Administrative Proceeding shall be completed no later than: **MARCH 1, 2001**

DATED: July 28, '00

Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 7/28/00, 2000, 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
   PO Box 2707
   Twin Falls ID 83303-2707

2. One copy to:
   Claimant/Seller for Substitution of Party or attorney of record:
   RUFF TIMES FARMS
   C/O DOUG RUFF
   3005 W 2100 S
   ABERDEEN ID 83210

3. One copy to:
   Claimant/Purchaser for Substitution of Party, or attorney of record:
   JOHN ROSHOLT
   ROSHOLT ROBERTSON & TUCKER
   PO BOX 1906
   TWIN FALLS ID 83303-1906

4. One copy to:
   Each party in the subcase, or attorney of record
   N/A

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

Jennifer Crabtree
Signature of person or attorney mailing the form

Crabtree, Jennifer

From: Music, Vicky
Sent: Wednesday, March 01, 2000 10:48 AM
To: Crabtree, Jennifer
Subject: RE: NAP re: 35-0705, -07759, -07953

thanks so much for your help. I discovered that for the right that was split, only 35-07953B belongs to claimant Ruff Times Farms, so delete reference to A as it now belongs LaMar Johns...thanks again! When the letter goes out from Norm to Doug Ruff, I will fax you a copy for Harold and the claims file so we are all on the same page.

-----Original Message-----
From: Crabtree, Jennifer
Sent: Wednesday, March 01, 2000 10:43 AM
To: Music, Vicky
Subject: RE: NAP re: 35-0705, -07759, -07953

Good morning! I created a NAP for 35-07505, 35-07759, 35-07953A & B. Harold Jones, Allocations Supervisor at eastern, says Norm told the claimants he would "look at" application for permit 35-09050. And apparently this application for permit could affect these other SRBA claims. Harold did not know what I should write so, for lack of a better way of stating it, I wrote on the NAP: "IDWR Processing of Pending Application for Permit 35-09050 will effect SRBA Claims 35-07505, 35-07759, 35-07953A, 35-07953B" Please get back with me today if this sounds right to you, and I will fax this to the court today and follow it up with the original in the mail. Thanks. Jen.

-----Original Message-----
From: Music, Vicky
Sent: Tuesday, February 29, 2000 2:51 PM
To: Crabtree, Jennifer
Cc: McHugh, Candice; Carlsen, Ernie
Subject: NAP re: 35-0705, -07759, -07953

Hi! Jennifer, will you please file a notice of admin proceedings in the subcases referenced above and in preparation for the hearing on Thursday 3/2/00 @ 1:30? Claimant is Ruff Times Farms. Norm indicated that he would continue to process an application for permit filed in 95, so claimant wants subcases stayed pending admin process. Please call me if you have questions...thanks!!

Vicky L. Music
Paralegal - IDWR
1301 N. Orchard
Boise, Idaho 83720-0098

Jennifer - check P.O.U. for 35-09050, 35-07953A & 35-07953B is there any overlap.

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 1, 2000

RUFF TIMES FARMS
C/O DOUG RUFF
3005 W 2100 S
ABERDEEN ID 83210

RE: Pending Application for Permit 35-09050 and Notice of Administrative Proceeding (NAP)

Dear Mr. Ruff:

In 1995 the Idaho Department of Water Resources (IDWR) received an Application for Permit for the above referenced water right(s).

In response to the Application, this office is sending the enclosed NAP to the SRBA Court and other parties listed on page 2 of the form. The intent of this mailing is to notify those parties that this permit may affect your other SRBA claims.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree

Jennifer Crabtree
Technical Records Specialist

Enclosure

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: 35-07505, 35-07759, 35-07953B

Case No. 39576

NOTICE OF ADMINISTRATIVE PROCEEDING

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

[X] **OTHER: IDWR PROCESSING OF PENDING APPLICATION FOR PERMIT 35-09050 WILL EFFECT SRBA CLAIMS 35-07505, 35-07759, & 35-07953B**

[] Substitution of Party (waiting for documentation)

[] Substitution of Party/Split Water Right

[] I.C. § 42-222 transfer

[] point of diversion [] place of use

[] period of use [] nature of use

IDWR projects the Administrative Proceeding shall be completed no later than: **MARCH 1, 2001**

DATED: 3-1-2000

H. W. Jones

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 3/1, 2000, 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
   PO Box 2707
   Twin Falls ID 83303-2707

2. One copy to:
   Claimant/Seller for Substitution of Party or attorney of record:
   RUFF TIMES FARMS
   C/O DOUG RUFF
   3005 W 2100 S
   ABERDEEN ID 83210

3. One copy to:
   Claimant/Purchaser for Substitution of Party, or attorney of record:
   JOHN ROSHOLT
   ROSHOLT ROBERTSON & TUCKER
   PO BOX 1906
   TWIN FALLS ID 83303-1906

4. One copy to:
   Each party in the subcase, or attorney of record
   N/A

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

Jennifer Crabtree
Signature of person or attorney mailing the form

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RUFF TIMES FARMS
C/O DOUG RUFF
3005 W 2100 S
ABERDEEN ID 83210

RE: Transfer #5304 for water right(s) 35-07505, 35-07759, 35-07883, 35-07953, 35-07953A, 35-07953B and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. Ruff:

On January 11, 1999, the Idaho Department of Water Resources (IDWR) approved Transfer #5304, modifying the above referenced water right. Based on this transfer, IDWR water right recàords for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Hoagland

Jennifer Hoagland
Technical Records Specialist

Enclosure: copy of NCAP

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	)	**AMENDED NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDINGS**
Case No. 39576	)	**SUB CASE NO. 35-07505, 35-07759, 35-07883, 35-07953, 35-07953A, 35-07953B**

AMEND NAP FOR TRANSFER 5304 & REMOVE 35-07477B WHICH WAS LISTED IN ERROR

IDWR has completed the following Administrative proceeding: **I.C. § 42-222 TRANSFER 5304**

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	[X]	Split of Water Right
[X]	Point of Diversion	[X]	Place of Use
[]	Period of Use	[]	Nature of Use

[X] OTHER: OVERLAPPING RIGHTS FOR POD (35-07505, 35-07759)

FROM: Claimant/Seller(s):	**TO: Claimant/Purchaser(s):**
Name and Address of Claimant/Seller(s):	Name and Address of Claimant/Purchaser(s):
RUFF TIMES FARMS C/O DOUG RUFF 3005 W 2100 S ABERDEEN ID 83210	
Phone:	Phone:

The Claimant has filed Objections or Responses to the following water rights:

NO OBJECTIONS

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: March 2, 1999 Ernest Carlson.

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 3/17, 1999, 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/Seller for Substitution of Party or attorney of record:
   RUFF TIMES FARMS
   C/O DOUG RUFF
   3005 W 2100 S
   ABERDEEN ID 83210

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:
   N/A

5. One Copy 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

Jennifer Hoagland
Signature of person or attorney mailing the form

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JAN 15 1999
Department of Water Resources
Eastern Region

TRANSFER OF WATER RIGHT

TRANSFER NO. 5304
WATER RIGHT NO(S). 35-07883/35-07953B/35-08143/35-08747B

This is to certify that: **RUFF TIMES FARMS**
C/O DOUG RUFF
3005 W 2100 S
ABERDEEN ID 83210

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
Right No. 35-07883 :			
IRRIGATION	04/01 to 10/31	3.74 CFS	1004.0 AF
Priority: 01/31/1980			
Right No. 35-07953B :			
IRRIGATION	04/01 to 10/31	0.09 CFS	32.0 AF
Priority: 02/23/1981			
NO CLAIM **Right No. 35-08143 :**			
IRRIGATION	04/01 to 10/31	0.32 CFS	64.0 AF
Priority: 05/18/1983			
NO CLAIM **Right No. 35-08747B :**			
IRRIGATION	04/01 to 10/31	0.50 CFS	100.0 AF
Priority: 04/07/1989			
	TOTAL:	**4.65 CFS**	**1200.0 AF**

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: NENW , Sec. 7, Township 06S, Range 30E
BINGHAM County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
06S	30E	7	NENE	38	NWNE	37	SWNE	37	
			SENE	38	NENW	38	NWNW	37	
			SWNW	37	SENW	38			300
							Total number of acres irrigated:		* 300

TRANSFER NO. 5304
WATER RIGHT NO(S). 35-07883/35-07953B/35-08143/35-08747B

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. 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.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

* 6. Right 35-07883 is limited to the irrigation of 251.0 acres in the place of use described above in a single irrigation season.

* 7. Right 35-07953B is limited to the irrigation of 8.0 acres in the place of use described above in a single irrigation season.

* 8. Right 35-08143 is limited to the irrigation of 16.0 acres in the place of use described above in a single irrigation season.

* 9. Right 35-08747B is limited to the irrigation of 25.0 acres in the place of use described above in a single irrigation season.

10. Rights 35-08143 and 35-08747B are for the use of trust water and are subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
11. Diversion and use of water under Rights 35-08143 and 35-08747B is is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

Dated this 11th day of January, 1999.

L. Glen Saxton

Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 35-07883, 35-07953, 35-08143 & 35-08747

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5304

DATE: January 4, 1999

Transfer 5304 changes the point of diversion and place of use under all of Rights 35-07883 and 35-08143, and a portion of Rights 35-07953 and 35-08747 splitting each right into Parts A and B.

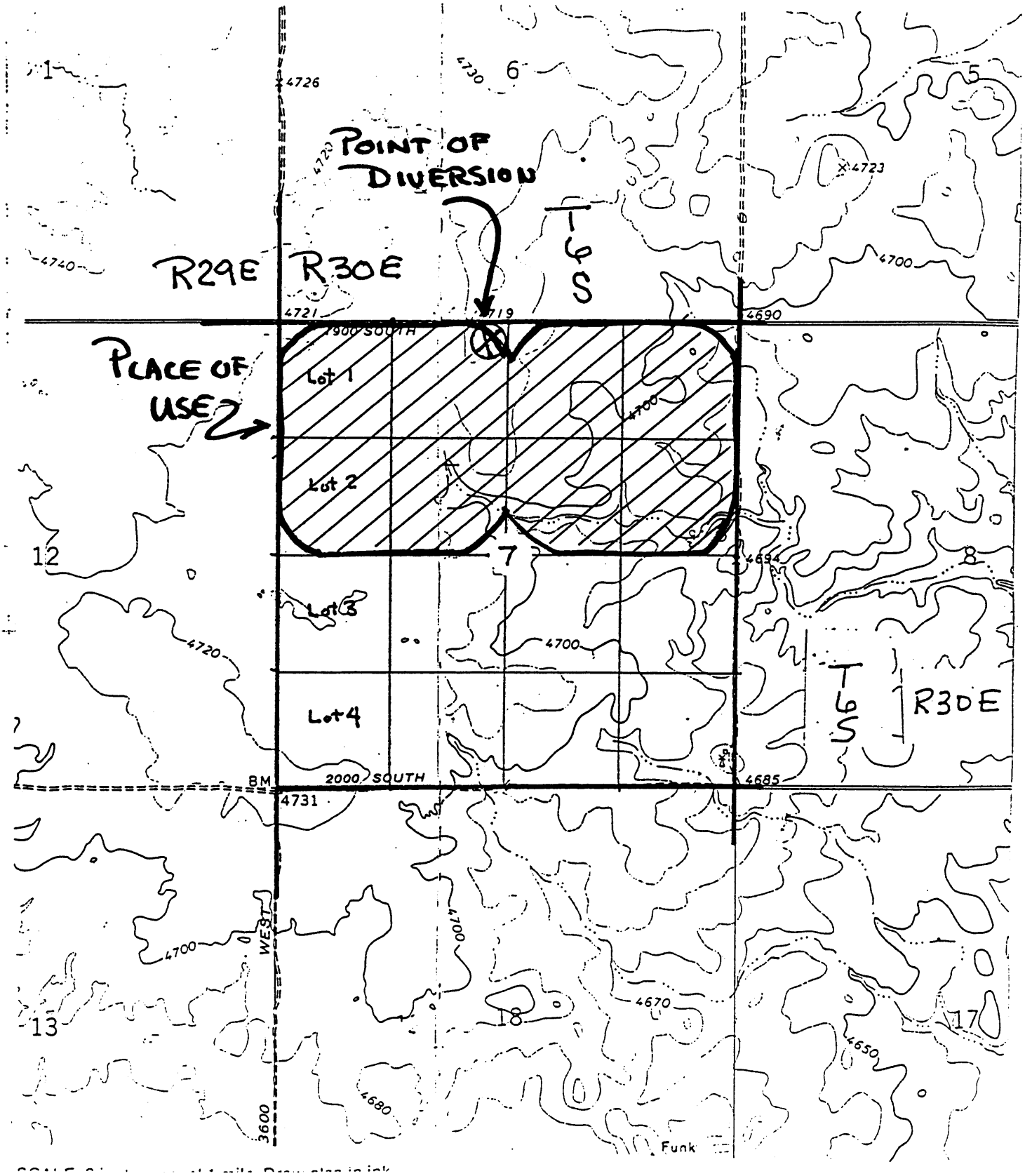
The applicant is reconfiguring these rights to reflect the use of center pivots, corner catchers and current point of diversion. The combined rights irrigate a 300 acre permissible place of use.

Season of use and diversion volume were adjusted to reflect current standards. Recommended conditions include permissible place of use, trust water (35-08143 & 35-08747B), measuring & annual reporting, irrigation overlap and standard transfer conditions.

Transfer No. 5304

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.