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Department of Water Resources  
Adjudication Bureau

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

2007 AUG 20 AM 10 56

**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: 2-10208 (Split)**  
) **2-10337, 2-10338**  
)

Case No. 39576

) **NOTICE OF COMPLETED**  
) **ADMINISTRATIVE**  
) **PROCEEDING**  
)

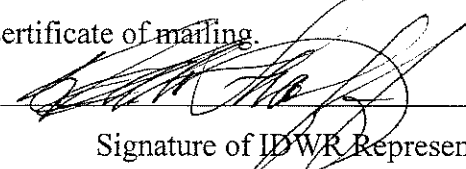
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☐ Split of water right ☐ Change in ownership
- ☒ IC § 42-222 transfer
- ☒ 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 right 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: Aug 15, 2007

  
\_\_\_\_\_  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on August 16, 2007, 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  
Office 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:

Cottonwood Mutual Canal Co.  
c/o Ringert Clark, Chtd.  
P.O. Box 2773  
Boise, ID 83701

Hagerman Wings Farm, LLC  
823 E. 2700 S.  
Hagerman, ID 83332

  
\_\_\_\_\_  
Signature of person mailing this document

08/15/2007

IDAHO DEPARTMENT OF WATER RESOURCES  
CLAIMS / RIGHTS NOT RECOMMENDED

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| <u>W.R. NUMBER</u> | <u>NAME AND ADDRESS</u>                                                                          | <u>CLAIM DISPOSITION</u> | <u>REASON</u>               |
|--------------------|--------------------------------------------------------------------------------------------------|--------------------------|-----------------------------|
| 2-10208            | COTTONWOOD MUTUAL<br>CANAL CO<br>C/O RINGERT CLARK<br>CHARTERED<br>PO BOX 2773<br>BOISE ID 83701 | Disallowed               | Split into 2-10337, 2-10338 |

08/15/2007

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

RIGHT NUMBER: 2-10337

NAME AND ADDRESS: COTTONWOOD MUTUAL CANAL CO  
C/O RINGERT CLARK CHARTERED  
PO BOX 2773  
BOISE ID 83701

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 48.560 CFS  
9,712.00 AFY

PRIORITY DATE: 02/25/1963

POINT OF  
DIVERSION:

T06S R11E S9 NWSW Lot 6 Within ELMORE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>            |
|-----------------------|----------------------|----------------------------|
| IRRIGATION            | 04/01 10/31          | 48.560 CFS<br>9,712.00 AFY |

PLACE OF USE: IRRIGATION in ELMORE County

|                     |      |       |                     |      |       |
|---------------------|------|-------|---------------------|------|-------|
| T06S R10E S01       | NESW | 35.00 | T06S R10E S01       | SWSW | 40.00 |
| T06S R10E S01       | SESW | 14.50 | T06S R10E S02       | SESE | 40.00 |
| T06S R10E S11       | NWNE | 40.00 | T06S R10E S11       | NENW | 40.00 |
| T06S R10E S11       | SENW | 40.00 | T06S R10E S12       | SENE | 18.50 |
| T06S R10E S12       | NENW | 40.00 | T06S R10E S12       | NWNW | 40.00 |
| T06S R10E S12       | SWNW | 40.00 | T06S R10E S12       | SENW | 40.00 |
| T06S R10E S12       | NWSW | 20.00 | T06S R10E S12       | SWSW | 40.00 |
| T06S R10E S12       | SESW | 40.00 | T06S R10E S12       | NESE | 40.00 |
| T06S R10E S12       | NWSE | 40.00 | T06S R10E S12       | SWSE | 40.00 |
| T06S R10E S12       | SESE | 40.00 | T06S R10E S13       | NENE | 40.00 |
| T06S R10E S13       | NWNE | 40.00 | T06S R10E S13       | SWNE | 40.00 |
| T06S R10E S13       | SENE | 40.00 | T06S R10E S13       | NENW | 40.00 |
| T06S R10E S13       | NWNW | 40.00 | T06S R10E S13       | SWNW | 40.00 |
| T06S R10E S13       | SENW | 40.00 | T06S R10E S13       | NESW | 40.00 |
| T06S R10E S13       | NWSW | 40.00 | T06S R10E S13       | NESE | 40.00 |
| T06S R10E S13       | NWSE | 40.00 | T06S R10E S13       | SWSE | 40.00 |
| T06S R10E S13       | SESE | 40.00 | T06S R10E S24       | NENE | 40.00 |
| T06S R10E S24       | NWNE | 40.00 | T06S R10E S24       | SWNE | 40.00 |
| T06S R10E S24       | SENE | 40.00 | T06S R10E S24       | NESE | 40.00 |
| T06S R10E S24       | NWSE | 40.00 | T06S R11E S06 Lot 7 | SWSW | 10.00 |
| T06S R11E S07       | NENE | 25.00 | T06S R11E S07       | NWNE | 25.00 |
| T06S R11E S07       | SWNE | 40.00 | T06S R11E S07       | SENE | 40.00 |
| T06S R11E S07       | NENW | 30.00 | T06S R11E S07 Lot 1 | NWNW | 38.00 |
| T06S R11E S07 Lot 2 | SWNW | 38.00 | T06S R11E S07       | SENW | 40.00 |
| T06S R11E S07       | NESW | 40.00 | T06S R11E S07 Lot 3 | NWSW | 38.00 |
| T06S R11E S07 Lot 4 | SWSW | 38.00 | T06S R11E S07       | SESW | 40.00 |

|                     |      |       |                     |      |       |
|---------------------|------|-------|---------------------|------|-------|
| T06S R11E S07       | NESE | 40.00 | T06S R11E S07       | NWSE | 40.00 |
| T06S R11E S07       | SWSE | 40.00 | T06S R11E S07       | SESE | 40.00 |
| T06S R11E S17       | NWNW | 40.00 | T06S R11E S17       | SWNW | 40.00 |
| T06S R11E S17       | NWSW | 40.00 | T06S R11E S18       | NENE | 40.00 |
| T06S R11E S18       | NWNE | 40.00 | T06S R11E S18       | SWNE | 40.00 |
| T06S R11E S18       | SENE | 40.00 | T06S R11E S18       | NENW | 40.00 |
| T06S R11E S18 Lot 1 | NWNW | 38.00 | T06S R11E S18 Lot 2 | SWNW | 38.00 |
| T06S R11E S18       | SENE | 40.00 | T06S R11E S18       | NESW | 40.00 |
| T06S R11E S18 Lot 3 | NWSW | 38.00 | T06S R11E S18 Lot 4 | SWSW | 38.00 |
| T06S R11E S18       | SESW | 40.00 | T06S R11E S19 Lot 2 | SWNW | 39.00 |
| T06S R11E S19       | NESW | 40.00 | T06S R11E S19 Lot 3 | NWSW | 39.00 |
| T06S R11E S19       | SESW | 40.00 | T06S R11E S19       | NESE | 40.00 |
| T06S R11E S19       | NWSE | 40.00 | T06S R11E S19       | SWSE | 40.00 |
| T06S R11E S19       | SESE | 40.00 | T06S R11E S20       | NWSW | 40.00 |
| T06S R11E S20       | SWSW | 40.00 |                     |      |       |

3080 ACRES TOTAL

This right is limited to the irrigation of 2428 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: BASIS OF CLAIM - License

This right is a split from former right 02-2209, and from recommended right 2-10208.

08/15/2007

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

RIGHT NUMBER: 2-10338

NAME AND ADDRESS: COTTONWOOD MUTUAL CANAL CO  
C/O RINGERT CLARK CHARTERED  
PO BOX 2773  
BOISE ID 83701

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.600 CFS  
120.00 AFY

All rights combined, when applied to these lands via sprinklers, 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.

Rights 2-10338, 36-98 and 36-15467 when combined shall not exceed a total diversion rate of 10.55 cfs, a total annual maximum diversion volume of 484.0 af at the field headgate.

PRIORITY DATE: 02/25/1963

POINT OF  
DIVERSION:

T07S R13E S16 NESE Lot 3 Within GOODING County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>         |
|-----------------------|----------------------|-------------------------|
| IRRIGATION            | 04/01 10/31          | 0.600 CFS<br>120.00 AFY |

The use of water for irrigation under this right may begin as early as February 15 and may continue to as late as November 30, 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 in GOODING County

|                          |       |                          |               |       |       |
|--------------------------|-------|--------------------------|---------------|-------|-------|
| T07S R13E S15 Lot 5 SWNW | 28.00 | T07S R13E S15            | SENW          | 37.00 |       |
| T07S R13E S15            | NESW  | 23.00                    | T07S R13E S15 | NWSW  | 40.00 |
| T07S R13E S15            | SWSW  | 40.00                    | T07S R13E S15 | SESW  | 11.00 |
| T07S R13E S16 Lot 3 SENE | 3.00  | T07S R13E S16 Lot 3 NESE |               | 20.00 |       |

202 ACRES TOTAL

This right is limited to the irrigation of 30 acres within the place of use described above in a single irrigation season.

Rights 2-10338, 36-98 and 36-15467 when combined shall not exceed the irrigation of 121 acres 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.

Prior to diversion of water under this water right, the right holder shall submit to the Department a diagram identifying the specific location of the 121.0 acres authorized for irrigation annually, and prior to the irrigation season any year when irrigated acres will be different than previously identified.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

After specific notification by the Department, the right holder shall install a suitable measuring device 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 elements and conditions of this water right as authorized under this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.