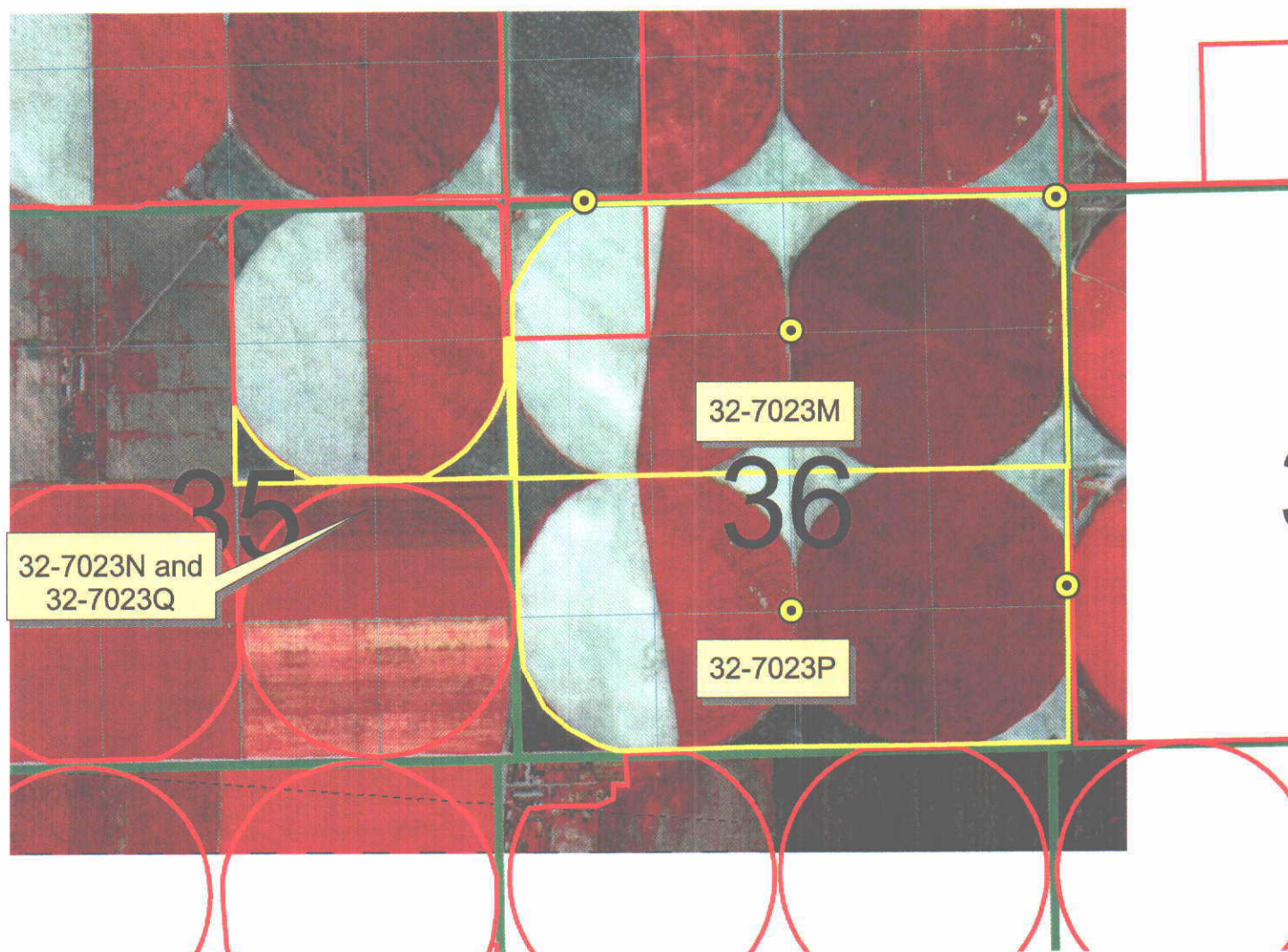


Idaho Department of Water Resources

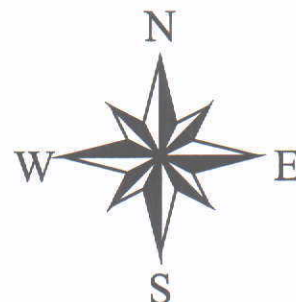
Water Rights 32-7023M, 32-7023N, 32-7023P, 32-7023Q
Following Transfer 5655

Township 9N Range 33E Section 35, 36



0 1320 Feet

-  Point of Diversion
-  Point of Diversion - Other Rights
-  Place of Use
-  Place of Use - Other Rights
-  Quarter-quarter Sections
-  Section Lines





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

June 13, 2001

SAUER FARMS INC
C/O NEAL SAUER
HC 63 BOX 2137
MONTEVIEW ID 83435

RE: Transfer #5655 (water right 32-7023K and 32-7023L) and
Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. Sauer:

On March 24, 2000, the Idaho Department of Water Resources (IDWR) approved Transfer #5655, modifying a portion of the above referenced water right(s). Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right.

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,

Cheri Vandermeulen
Records Clerk



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

June 13, 2001

RAY SAUER FARMS INC
HC 53 BOX 2130
MONTEVIEW ID 83435

RE: Transfer #5655 (water right 32-7023K and 32-7023L) and
Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. Sauer:

On March 24, 2000, the Idaho Department of Water Resources (IDWR) approved Transfer #5655, modifying a portion of the above referenced water right(s). Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right.

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,

Cheri Vandermeulen
Records Clerk

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

Case No. 39576

)
)
)
)
)
)
**Water Rights: 32-7023K, SPLIT
INTO 32-7023M AND 32-7023N:
32-7023L SPLIT INTO 32-7023P
AND 32-7023Q**

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

- ☐ Address change
☐ Substitution of Party
☒ I.C. § 42-222 transfer **5655**

- ☒ point of diversion ☒ place of use
☐ period of use ☐ nature of use
☒ split of water right ☐ change in ownership
☐ other

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: June 13, 2001

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 15, 2001, 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:
RAY SAUER FARMS
HC 63 BOX 2130
MONTEVIEW ID 83435

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:	
RAY SAUER FARMS	SAUER FARMS INC
HC 63 BOX 2130	C/O NEAL SAUER
MONTEVIEW ID 83435	HC 63 BOX 2137
	MONTEVIEW ID 83435

4. One copy to:

Each party in the subcase, or attorney of record

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



Signature of person or attorney mailing the form

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5655
WATER RIGHT NO(S). 32-07023N/32-07023Q

RECEIVED
MAR 29 2000

Department of Water Resources
Eastern Region

This is to certify that: RAY SAUER FARMS INC
HC 63 BOX 2130
MONTEVIEW ID 83435

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.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 32-07023N :			
IRRIGATION	04/15 to 10/15	0.10 CFS	22.7 AF
Priority: 12/14/1973			
Right No. 32-07023Q :			
IRRIGATION	04/15 to 10/15	0.10 CFS	22.7 AF
Priority: 12/14/1973			
TOTAL:		0.20 CFS	45.4 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 36, Township 09N, Range 33E
CLARK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09N	33E	35	SWNE 6.5	SENE 6.5		13
Total number of acres irrigated:						13

CONDITIONS OF APPROVAL AND REMARKS

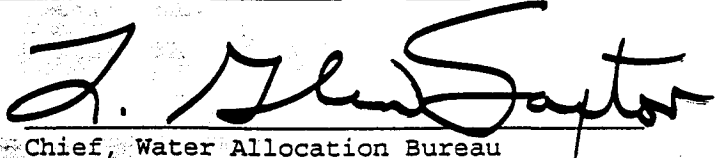
1. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

TRANSFER NO. 5655
WATER RIGHT NO(S). 32-07023N/32-07023Q

CONDITIONS OF APPROVAL AND REMARKS

2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. 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.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than SRBA partial decree date.
7. Right 32-07023N is limited to the irrigation of 6.5 acres within the place of use described above in a single irrigation season.
8. Right 32-07023Q is limited to the irrigation of 6.5 acres within the place of use described above in a single irrigation season.

Dated this 24th day of March, 2000


Chief, Water Allocation Bureau

Water Right Number - X32-07023N Prefix Translation: XFER OF RECOM. CLAIM Old (D) Number - 317096

+ - - - - Last Name - - - - + + - First Name - - - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
RAY SAUER FARMS INC1 - HC 63 BOX 2130
2 -
3 -
City- MONTEVIEW
Phone - 208-657-2258

State- ID Zip- 83435

*** O - ORIGINAL OWNER ***
BOND

JACK R

1 -
2 -
3 -

State- ID Zip- 00000

City- N/A
Phone - 208-000-0000

JA TERTELING & SONS INC

1 -
2 -
3 -

State- ID Zip- 00000

City- N/A
Phone - 208-000-0000
1 - HC 63 BOX 2137

SAUER FARMS INC

1 -
2 -
3 -

State- ID Zip- 83435

City- MONTEVIEW
Phone - 208-522-5179+ - - Priority Date - - - + + - - Region - - - - + + - - - Stage - - - - + + - - - Status - - - - +
12/14/1973 ERROR IN REGION L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - Diversion Name Diversion Rate Diversion No.
Twn Rng Sec Tract Lot RFlg County

09N 33E 36 NW NW (33) CLARK CORNER WELL

+ - - - - Description Period From Period To Water Use Diversion Rate Diversion Volume
Code

01 - IRRIGATION 04/15 10/15 0.100 22.70

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +
0.100 22.70 0.0+ - - - - Place of Use - - - - - Description County
Twn Rng Sec Tract Lot Acres Code09N 33E 35 SW NE 6.5 01 IRRIGATION (33) CLARK
09N 33E 35 SE NE 6.5 01 IRRIGATION (33) CLARK

Total Acres: 13.0

+ - - - - Diversion Means -

RECOMMENDATION DIFFERS FROM LICENSE SLIGHTLY IN REFINING

**IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT**

Page 3
02/09/01 14:39:54

Prefix Translation:

+-----+-----+-----+-----+-----+-----+	-Comments-
Date: 02/08/2000 User Id: SCDX Subject: TRANSFER NO. 5655 THE NEW PIVOT IS CAPABLE OF WATERING MOR ACRES THAN IS PERMITTED. THERE ARE TWO CORNERS WHICH WE PUT HAY STACKS AND MACHINERY ON SO WE WANT TO MOVE THEIR WATER TO THE NEW PIVOT.	

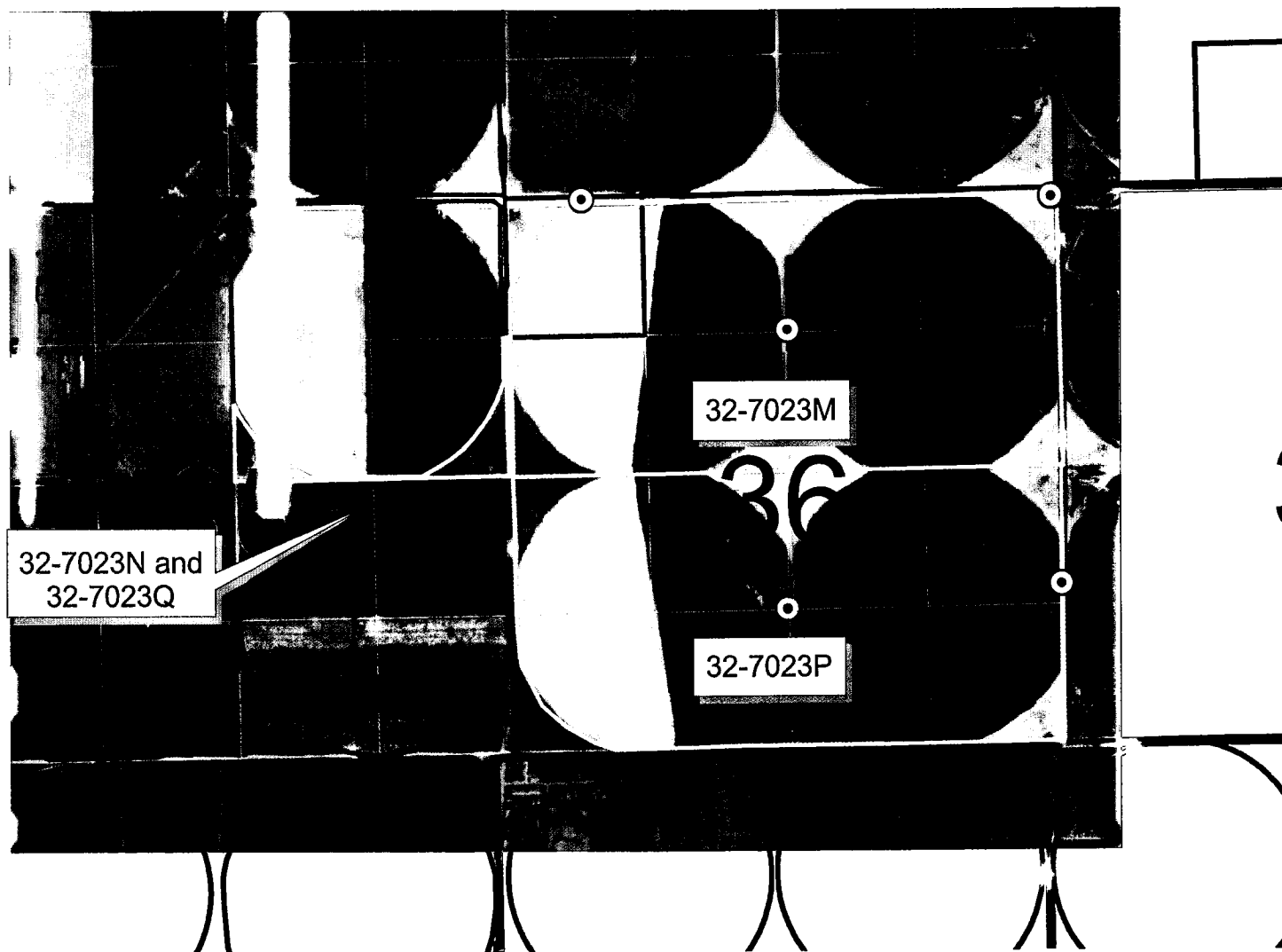
+ - - Audit Fields - 03/24/00 KWALKER

Proof Due Date	00/00/0000	Field Exam Made	00/00/0000	Field Exam Fee
Approved/Denied	00/00/0000	Protested Date	00/00/0000	Swan Falls
Proof Made Date	00/00/0000	Hearing Date	00/00/0000	Temporary Right
Exam to S.O. Date	00/00/0000	Verified Date	00/00/0000	DLE/Carey Act
Order Show Cause	00/00/0000	Receipt Number	E005229	Water District
Licensed Date	00/00/0000	Appl Received	00/00/0000	Transfer/Amended
Presumption Flag	-	Name Connector	-	POU Ownership Flag
SRBA Decreed Flag	-			Y

Idaho Department of Water Resources

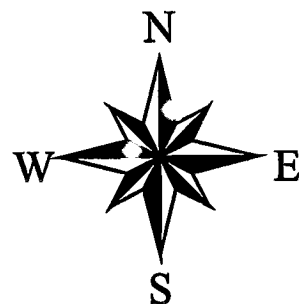
Water Rights 32-7023M, 32-7023N, 32-7023P, 32-7023Q
Following Transfer 5655

Township 9N Range 33E Section 35, 36



0 1320 Feet

- ⊙ Point of Diversion
- Point of Diversion - Other Rights
- Place of Use
- Place of Use - Other Rights
- Quarter-quarter Sections
- Section Lines



GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 2/2001

06/13/2001

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

RIGHT NUMBER: 32-7023N
NAME AND ADDRESS: RAY SAUER FARMS INC
HC 63 BOX 2130
MONTEVIEW ID 83435

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.100 CFS
22.70 AFY

PRIORITY DATE: 12/14/1973

POINT OF
DIVERSION:

T09N R33E S36 NWNW Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 10/15	0.100 CFS 22.70 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15] UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within CLARK County

T09N R33E S35 SWNE 6.5 T09N R33E S35 SENE 6.5

13 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 32-7023Q IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 13 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 6.5 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 32-7023K.

A3207023N

