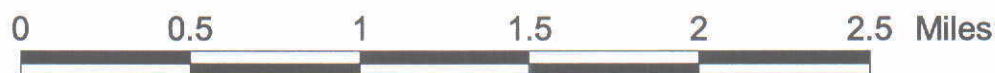
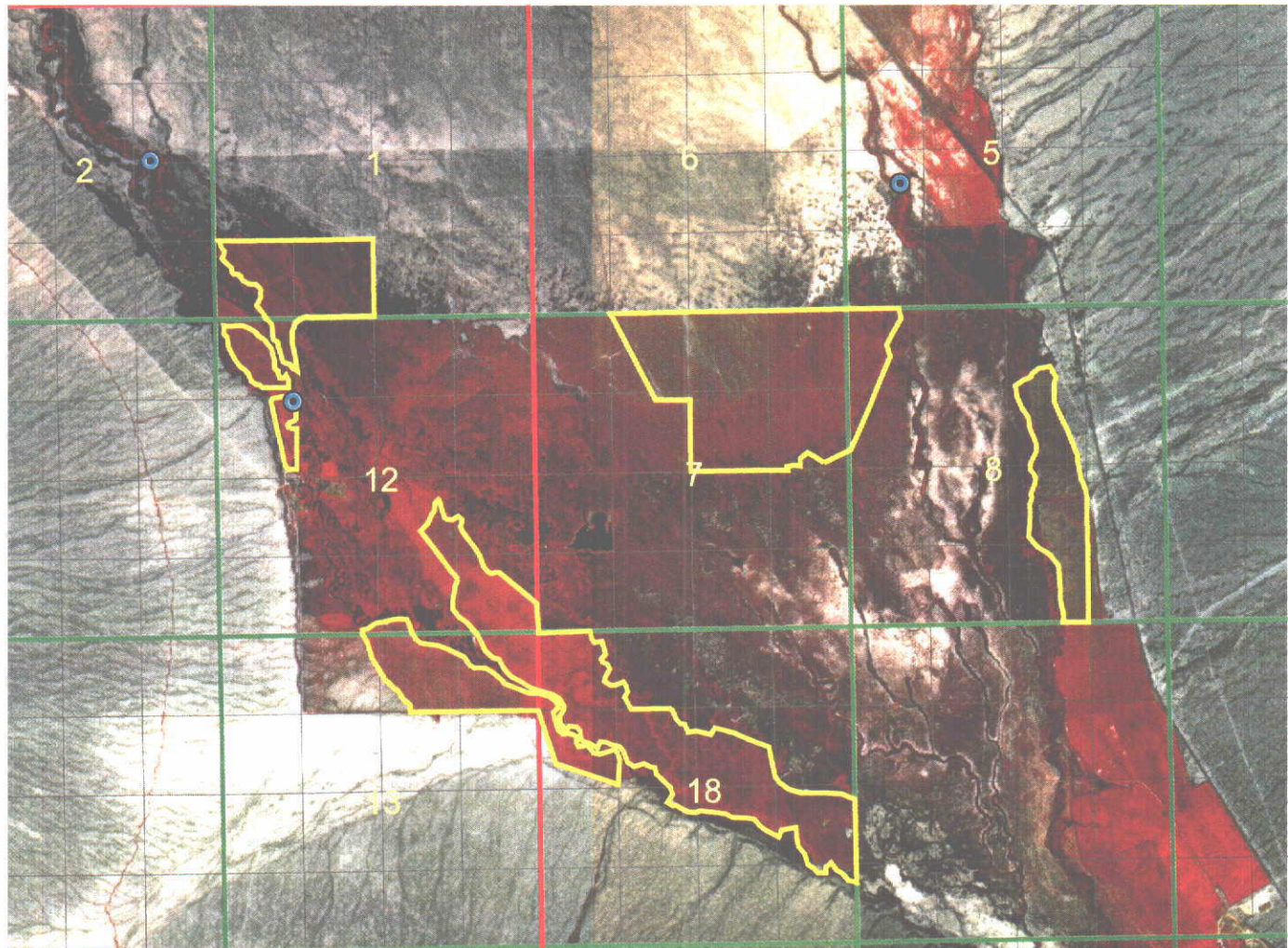


DEPARTMENT OF WATER RESOURCES

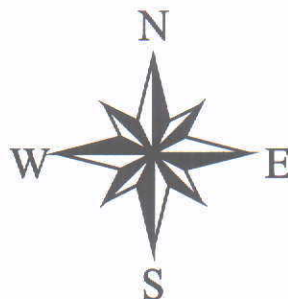
Claim Nos.: 33-69, 33-70, 33-71,
33-72, 33-73, 33-74, 33-76,
33-78, 33-79, 33-80, 33-81, 33-82

T07N R27E

T07N R28E



-  Point of diversion.shp
-  Place of use.shp
-  Township/Range
-  Sections
-  QQ



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: E. Carlsen
Date: July 2004

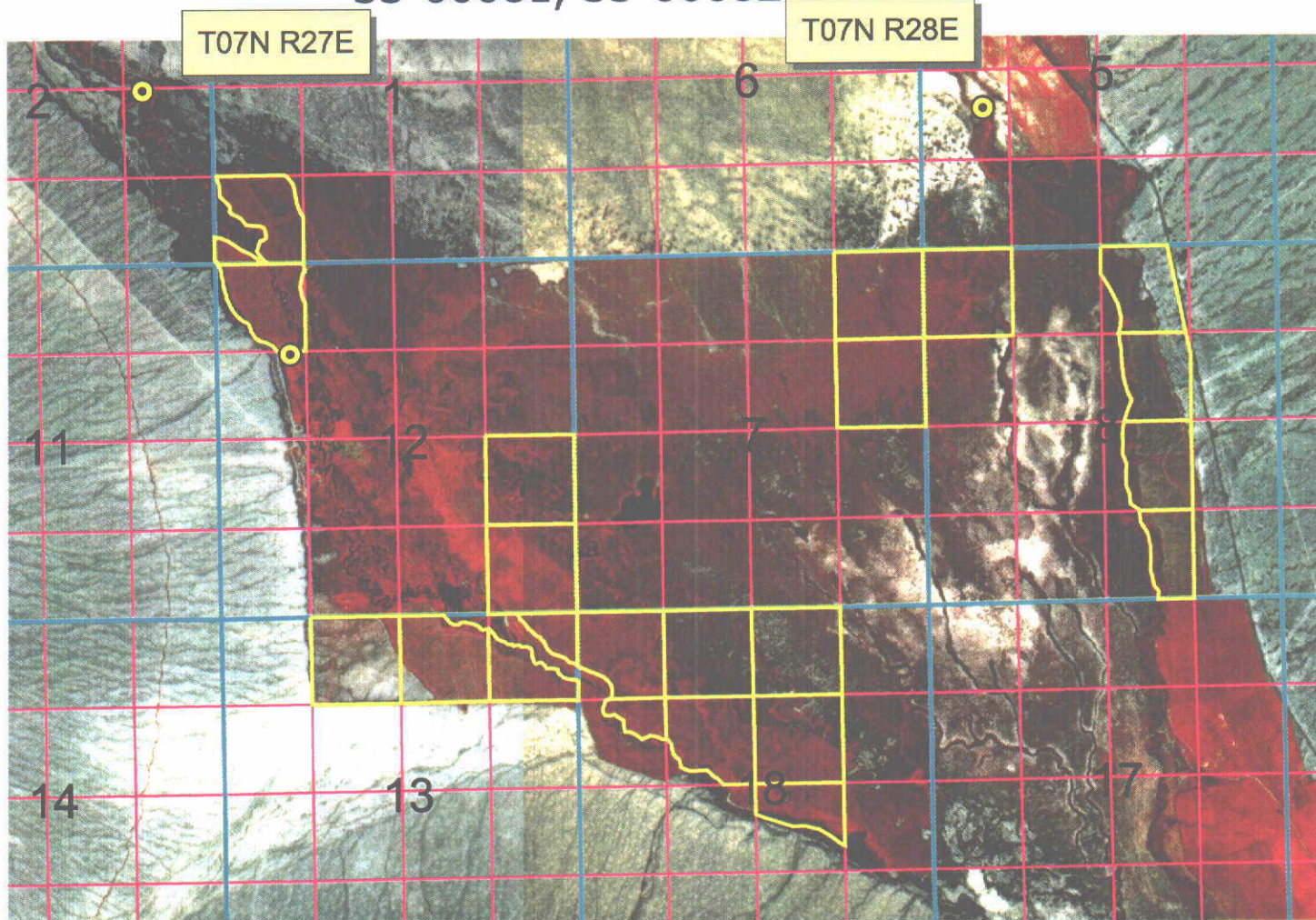


STATE OF IDAHO

Department of Water Resources

Eastern Region

Water Right(s): 33-00069, 33-00070,
33-00071, 33-00072, 33-00073, 33-00074,
33-00076, 33-00078, 33-00079, 33-00080,
33-00081, 33-00082



0 1320 2640 3960 5280 6600 7920 9240 10560 Feet

LEGEND



Point of Diversion



Place of Use

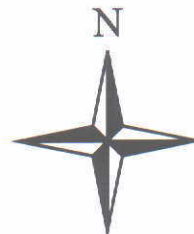


Section Line

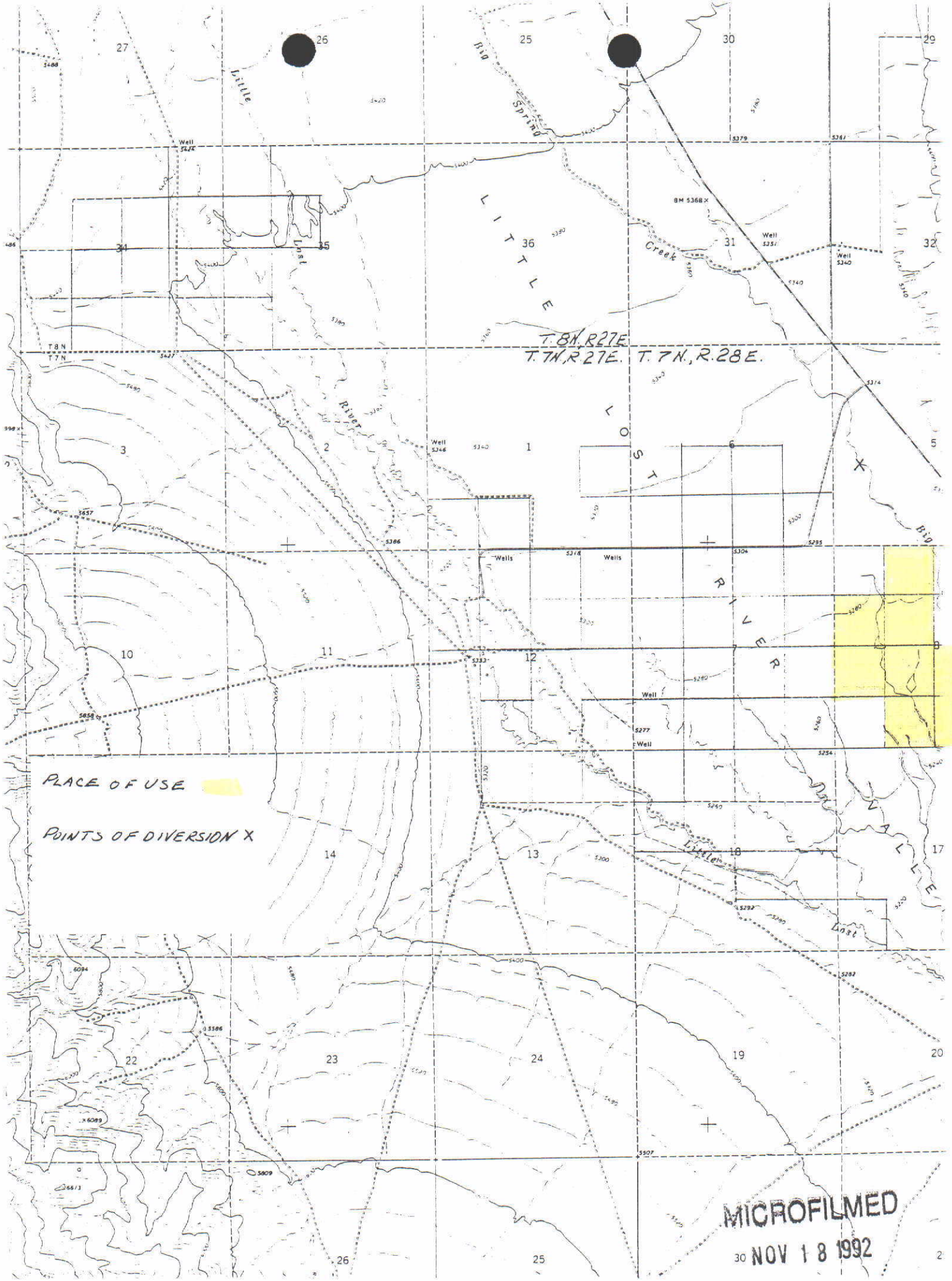


Quarter-section line

Acres Irrigated = 698



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



PLACE OF USE

POINTS OF DIVERSION X

T. 8N, R. 27E
T. 7N, R. 27E. T. 7N, R. 28E.

MICROFILMED
30 NOV 18 1992

COPY

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: BASIN 33 (SEE
ATTACHED LIST)

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☒ I.C. § 42-222 transfer SAGEWILLOW (TRX 4221 – 4227)
 - ☒ 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 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: July 9, 2004

Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on July 9, 2004, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail 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:
SAGEWILLOW INC
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0130

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A

4. One copy to:

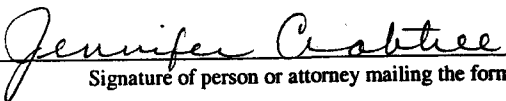
Each party in the subcase, or attorney of record
BLAINE COUNTY CANAL CO
MAYS LAND & LIVESTOCK
C/O MICHAEL CREAMER
GIVENS PURSLEY LAW OFFICE
PO BOX 2720
BOISE ID 83701-2720

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

SAGE WILLOW WATER RIGHTS

33-69

33-70

33-71

33-72

33-73

33-74

33-76

33-78

33-79

33-80

33-81

33-82

33-2007

33-2008

33-2057

33-2083

33-2086

33-2090

33-2091

33-2133

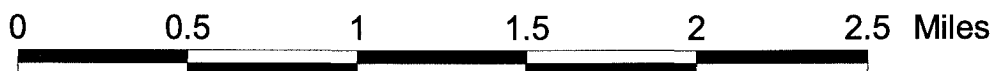
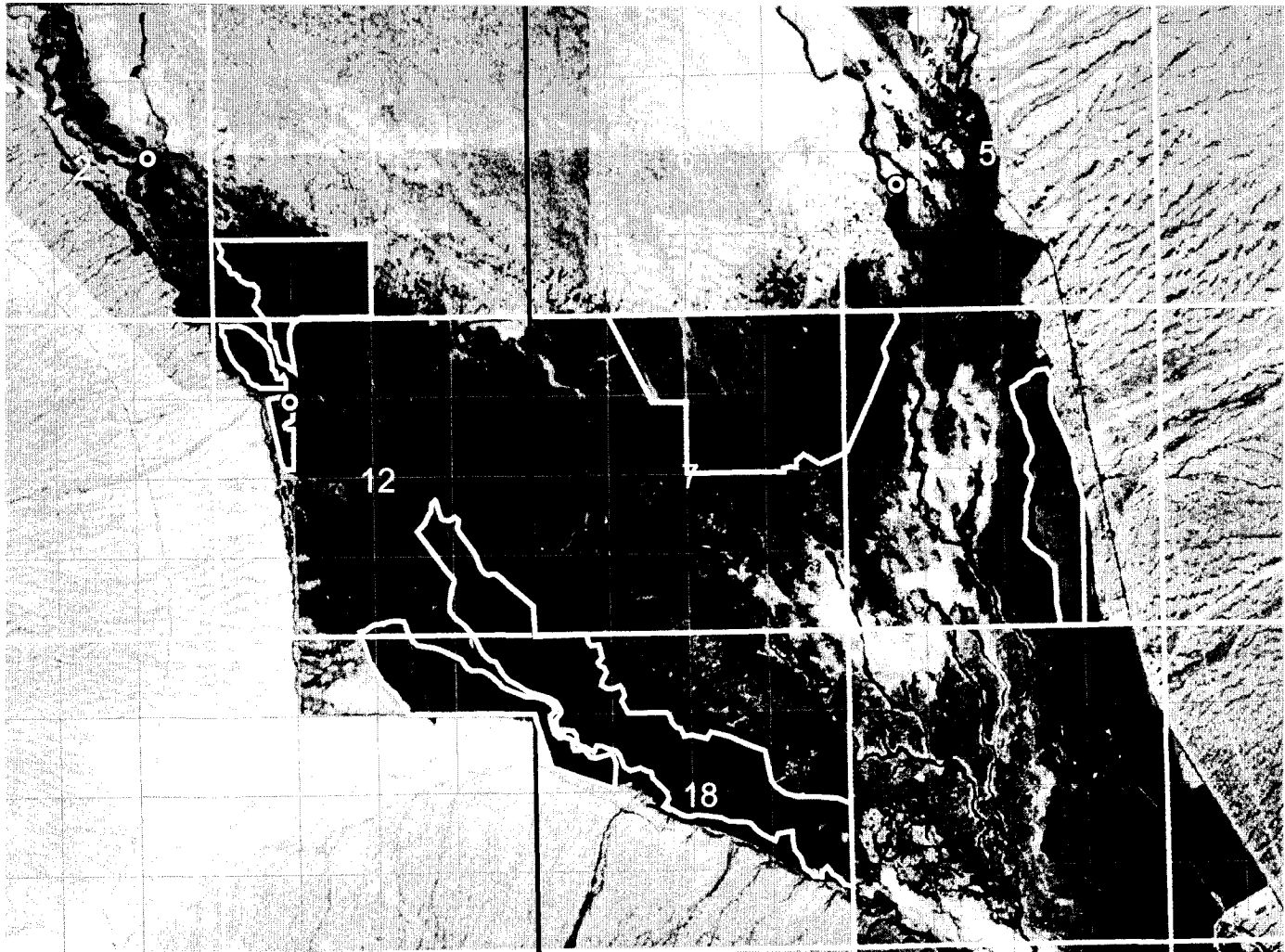
33-7018

DEPARTMENT OF WATER RESOURCES

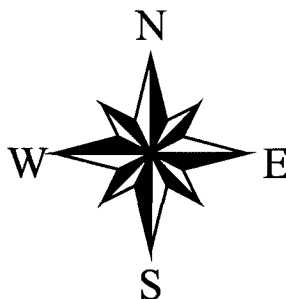
Claim Nos.: 33-69, 33-70, 33-71,
33-72, 33-73, 33-74, 33-76,
33-78, 33-79, 33-80, 33-81, 33-82

T07N R27E

T07N R28E



- ⊙ Point of diversion.shp
Place of use.shp
- ▭ Township/Range
Sections
- ▭ QQ



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: E. Carlsen
Date: July 2004

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

RIGHT NUMBER: 33-73

NAME AND ADDRESS:

SAGEWILLOW INC
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0130

SOURCE:

Source:
BIG SPRING CREEK

Tributary:
LITTLE LOST RIVER

Source:
LITTLE LOST RIVER

Tributary:
SINKS

QUANTITY:

6.400 CFS
0.000 AFY

Use of the rights listed below is limited to a total combined diversion rate of 32.0 CFS.
Combined Right Nos.: 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79,
33-80, 33-81 and 33-82.

Use of the rights listed below is limited to a total combined diversion rate of 67.19
CFS. Combined Right Nos.: 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78,
33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091 and 33-7018.

~~The rights listed below are limited to a maximum diversion rate of 0.02 cfs per acre at~~
~~the field headgate. 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79,~~
~~33-80, 33-81, and 33-82~~

PRIORITY DATE: 04/01/1912

POINT OF DIVERSION:

T07N R27E S2 SWSENE	Within BUTTE County
T07N R27E S12 NESWNW	Within BUTTE County
T07N R28E S5 NENWSW	Within BUTTE County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/01 11/01

6.400 CFS

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

PLACE OF USE:

IRRIGATION within BUTTE County

T07N R27E S01 SWSW 26.0
T07N R27E S01 SESW 40.0
T07N R27E S12 NENW 0.2
T07N R27E S12 NWNW 19.0
T07N R27E S12 SWNW 7.6
T07N R27E S12 SESW 0.9
T07N R27E S12 NESE 2.5
T07N R27E S12 NWSE 7.6
T07N R27E S12 SWSE 5.0
T07N R27E S12 SESE 29.0
T07N R27E S13 NENE 32.0
T07N R27E S13 NWNE 32.0
T07N R27E S13 NENW 2.0
T07N R28E S07 NENE 40.0
T07N R28E S07 NWNE 40.0
T07N R28E S07 SWNE 40.0
T07N R28E S07 SENE 36.0
T07N R28E S07 NENW 30.0
T07N R28E S07 SENW 1.9
T07N R28E S07 SWSW Lot 4 0.1
T07N R28E S08 NWNE 2.8
T07N R28E S08 SWNE 19.0
T07N R28E S08 NWNW 22.0
T07N R28E S08 SWNW 6.2
T07N R28E S08 NWSE 27.0
T07N R28E S08 SWSE 16.0
T07N R28E S18 SWNE 25.0
T07N R28E S18 SENE 0.2
T07N R28E S18 NENW 1.8
T07N R28E S18 NWNW Lot 1 34.0
T07N R28E S18 SWNW Lot 2 25.0
T07N R28E S18 SENW 31.0
T07N R28E S18 NESW 3.8
T07N R28E S18 NESE 31.0
T07N R28E S18 NWSE 16.0
T07N R28E S18 SESE 2.4

655 ACRES TOTAL

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

Use of the rights listed below is limited to the irrigation of a combined total of 655.0 acres in a single irrigation season. Combined Right Nos.: 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81 and 33-82.

Use of the rights listed below is limited to the irrigation of a combined total of 2096 acres in a single irrigation season. The 2096 acres are comprised of 1816 acres irrigated by ground water and 655 acres irrigated by surface water sources that overlap 375 of the ground water acres. Combined Right Nos.: 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091 and 33-7018.

Use of the rights listed below is limited to the irrigation of a combined total of 3026 acres in a single irrigation season. Combined Right Nos.: 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091, 33-2133 and 33-7018.

Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81 and 33-82 overlap 268 acres within the 1483 acres authorized under Rights 33-2057 and 33-2083; and overlap 382 acres within the 1436.1 acre place of use described under Right 33-2133.

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

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within State Water District No. 33.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the lands above.

The right holder shall accomplish the change authorized by transfer nos. 4221 thru 4227 by June 28, 2005.

Failure of the right holder to comply with the conditions of transfer nos. 4221 thru 4227 is cause for the Director to rescind approval of the transfer.

Prior to diversion of water under transfer nos. 4221 thru 4227, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

~~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.~~

WATER RIGHT NO. 33-73
As Modified by Transfer Nos. 4221 thru 4227

In accordance with the approval of Transfer Nos. 4221 thru 4227, Water Right No. 33-73 is now described as follows.

Right Holder: SAGEWILLOW INC
 C/O KENT FOSTER
 HOLDEN KIDWELL HAHN & CRAPO
 PO BOX 50130
 IDAHO FALLS ID 83405-0130

Priority Date: April 01, 1912

Source: LITTLE LOST RIVER
 BIG SPRING CREEK

Tributary: SINKS
 LITTLE LOST RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	11/01	6.40 CFS	
			6.40 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER	SWSENE	Sec. 2 Twp 07N	Rge 27E	BUTTE County
LITTLE LOST RIVER	NESWNW	Sec. 12 Twp 07N	Rge 27E	BUTTE County
BIG SPRING CREEK	NENWSW	Sec. 5 Twp 07N	Rge 28E	BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	27E	1									26.0	40.0							66.0
07N	27E	12					.2	19.0	7.6				.9		2.5	7.6	5.0	29.0	71.8
07N	27E	13	32.0	32.0			2.0												66.0
07N	28E	7	40.0	40.0	40.0	36.0	30.0			1.9			.1						188.0
07N	28E	8		2.8	19.0			22.0	6.2		L 4				27.0	16.0			93.0
07N	28E	18			25.0	.2	1.8	34.0	25.0	31.0					31.0	16.0			164.0
								L 1	L 2										

Total Acres: 648.8

CONDITIONS OF APPROVAL

- The total instantaneous diversion of water from all points of diversion under Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81 and 33-82 shall not exceed 32.00 cfs for the irrigation of 648.8 acres.
- Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091 and 33-7018 when combined shall not exceed a total diversion rate of 67.19 cfs, and the irrigation of 2089.8 acres. The 2089.8 acres are comprised of 1816 acres irrigated by ground water and 648.8 acres irrigated by surface water sources that overlap 375.0 of the ground water acres.
- Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82 overlap 268.0 acres within the 1483.0 acres authorized under Rights 33-2057 and 33-2083; and overlap 382.0 acres within the 1436.1 acre place of use described under Right 33-2133.

WATER RIGHT NO. 33-73
As Modified by Transfer Nos. 4221 thru 4227

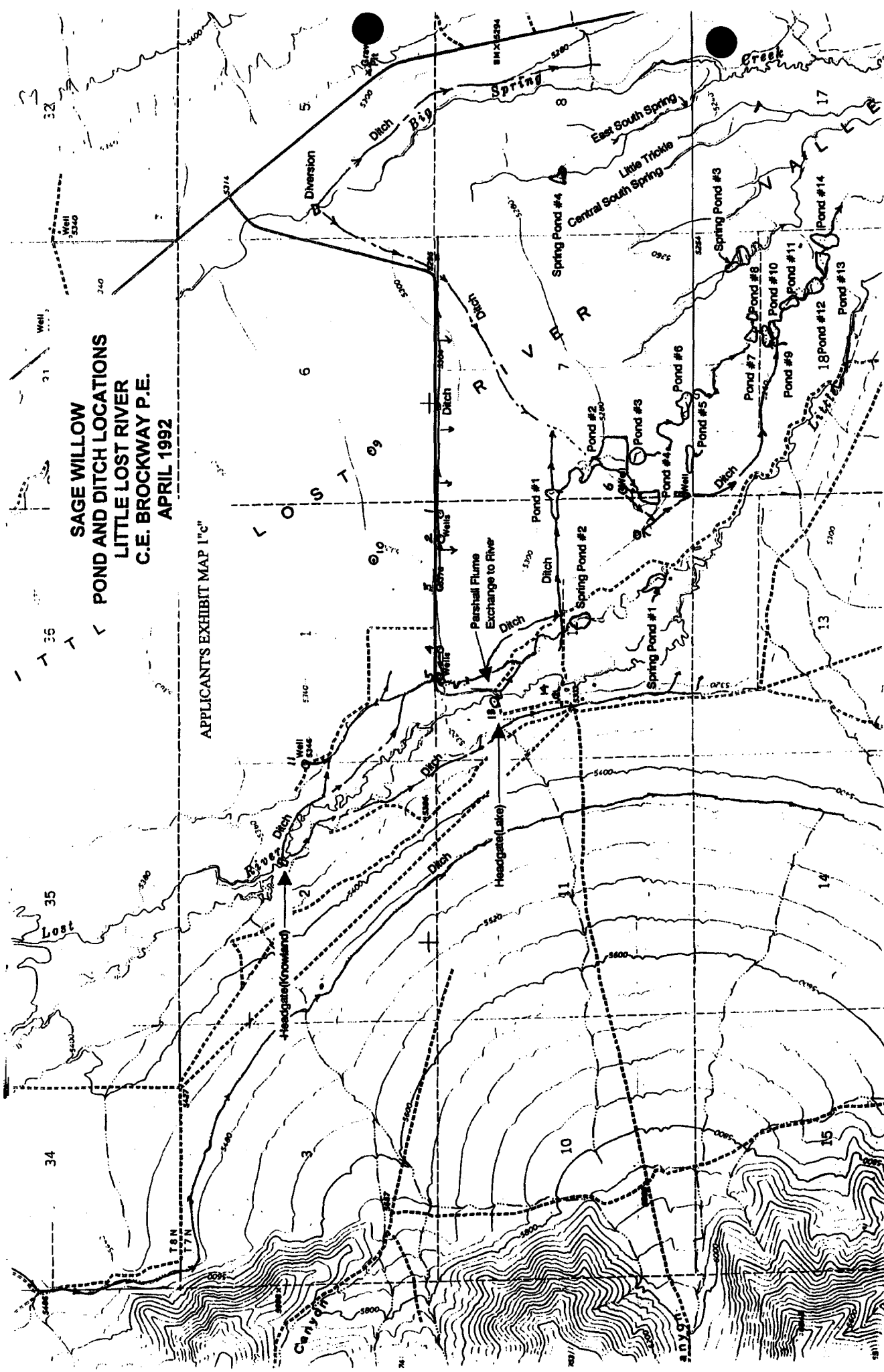
CONDITIONS OF APPROVAL

4. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091, 33-2133 and 33-7018 when combined shall not exceed the irrigation of 3019.8 acres.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the lands above.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.

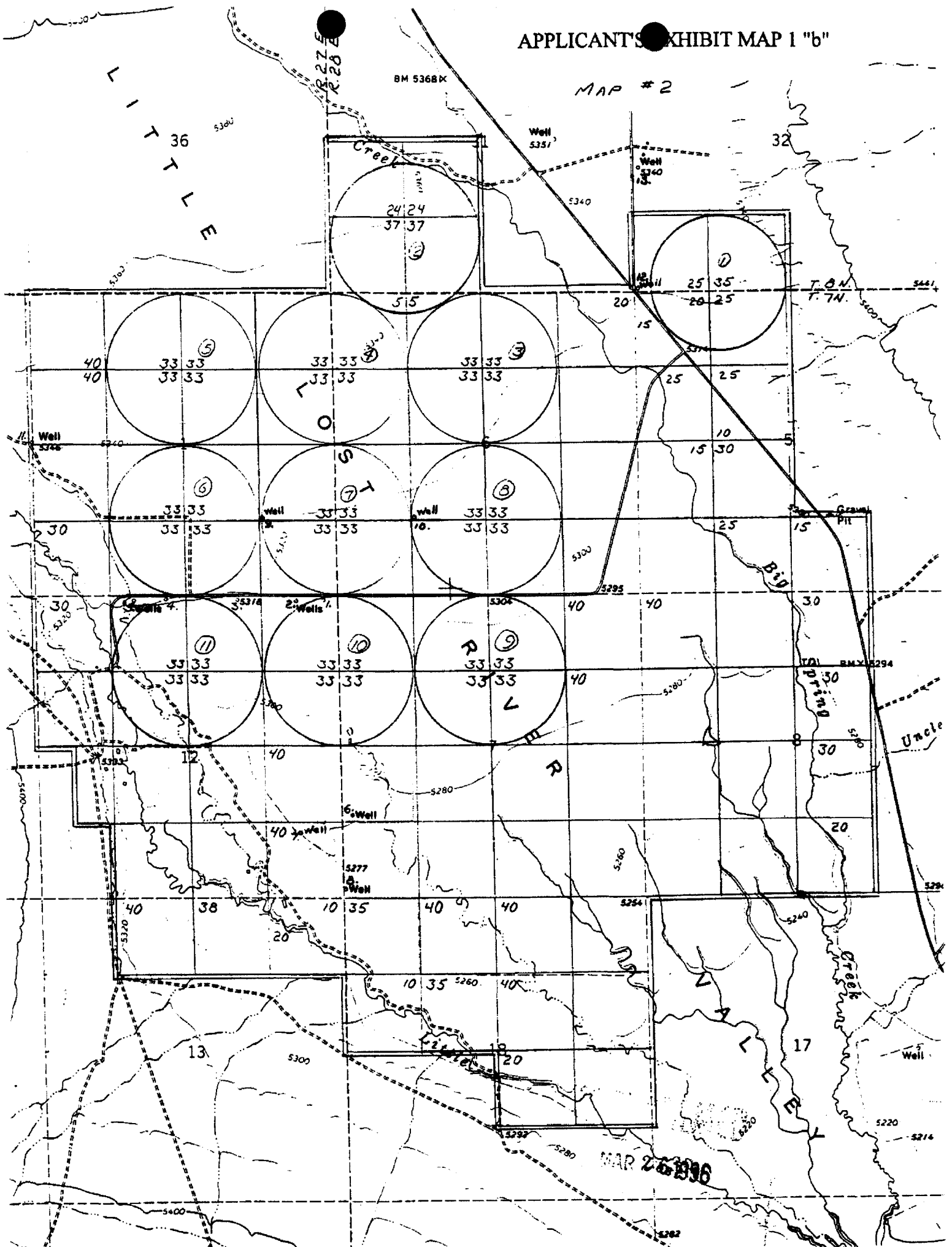
This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

**SAGE WILLOW
POND AND DITCH LOCATIONS
LITTLE LOST RIVER
C.E. BROCKWAY P.E.
APRIL 1992**

APPLICANT'S EXHIBIT MAP 1"=1"



MAP #2



Homestead

Frew Place

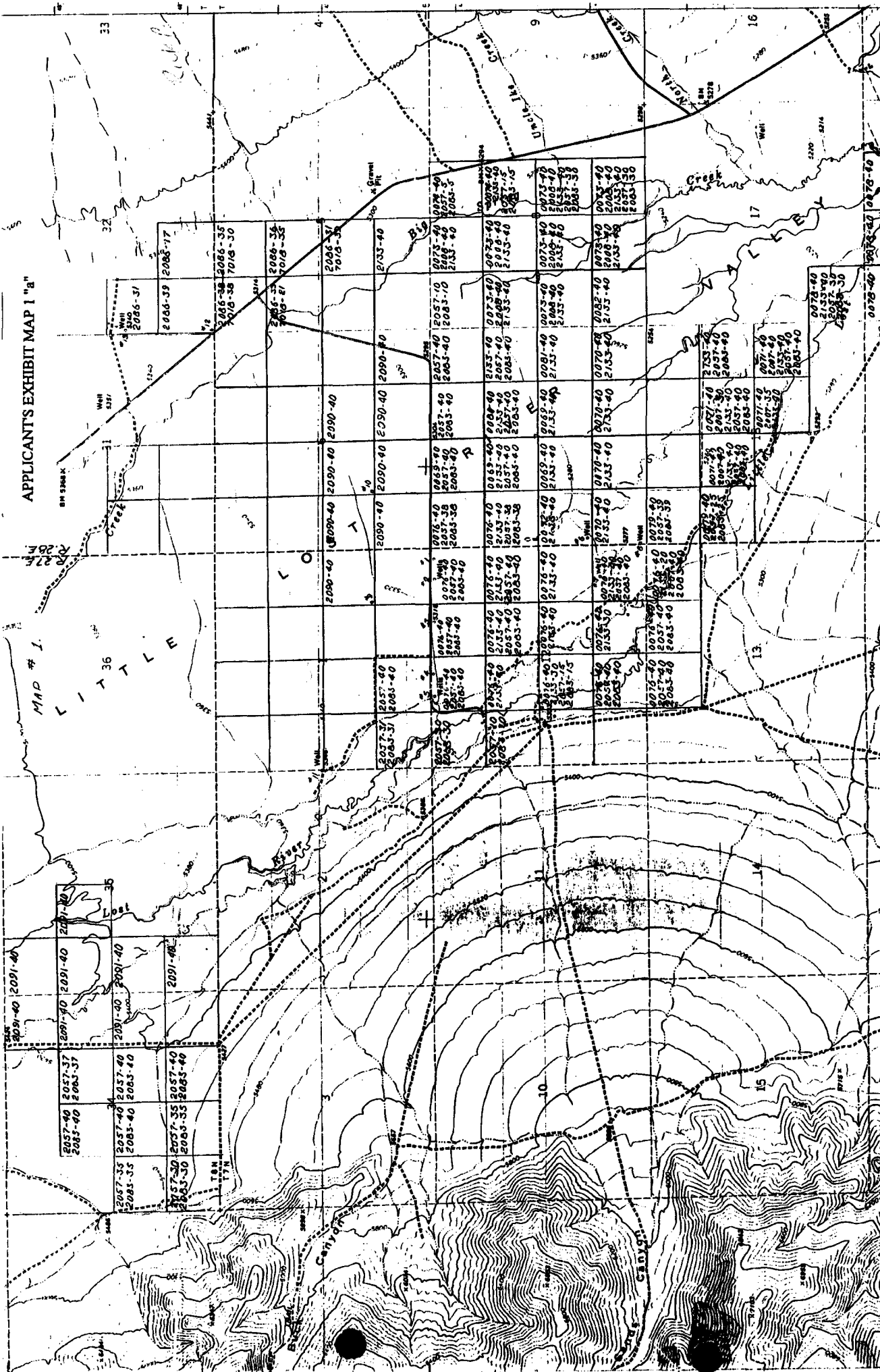
North of Road

Knothin
Ranch
Proper

EXHIBIT A

Mays, et al. Response Brief

APPLICANT'S EXHIBIT MAP 1 "a"



For Transfer #'s 4224, 4225, 4226, and for Amended Final Order, Final Order, Order Denying Petition for Reconsideration, Amended Recommended Order, Order Granting Petition for Reconsideration, and Recommended Order see #A33-00069.

A33-00069	A33-00079
A33-00070	A33-00080
A33-00071	A33-00081
A33-00073	A33-00082
A33-00072	A33-02007
A33-00074	A33-02008
A33-00076	A33-02133
A33-00078	

Transfer #'s 4221, 4222, and 4223 are in files:

A33-02057A
A33-02057B
A33-02057C
A33-02083A
A33-02083B
A33-02083C
A33-02086A
A33-02086B
A33-02090
A33-02091A
A33-02091B
A33-07018B

RECEIVED

FEB 22 2001

LAND AND WATER RESOURCES

2001 FEB 22 AM 10:43

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

Sagewillow

In Re SRBA	)	Subcases: 33-00069, 33-00070, 33-00071,
	)	33-00072, 33-00073, 33-00074, 33-00076,
Case No. 39576	)	33-00078, 33-00079, 33-00080, 33-00081, and
	)	33-00082
	)	
	)	ORDER DENYING MOTION TO ALTER OR
	)	AMEND AND VACATING SPECIAL
	)	MASTER'S REPORTS AND
	)	RECOMMENDATIONS

Special Master's Reports and Recommendations were issued for the above listed water rights on October 27, 2000. The *Special Master's Reports and Recommendations* were based on settlement agreements called *Standard Forms 5* agreed to by the parties. The claimant, Sagewillow Inc., filed a *Motion to Alter or Amend the Special Master's Report and Recommendations* in the subcases listed above on November 28, 2000. A hearing on the *Motion* was held February 7, 2001.

The *Motion* asks the Special Master to alter or amend the *Special Master's Report and Recommendations*. Sagewillow Inc. asserts that the *Standard Forms 5* were intended to resolve an objection of the United States Forest Service which became necessary due to a typographical error in the legal description. The typographical error was carried over to the *Director's Report*. The *Standard Forms 5* corrected the error in the legal description, but also contained language describing the total acreage limitation for these rights when combined with several other rights to 1,412 acres and describing a total quantity limitation of 28.24 cfs. Sagewillow Inc. did not intend to agree to the limitation language, and has objected to several other pending water rights based on the total acreage and quantity limitation language.

ORDER DENYING MOTION TO ALTER OR AMEND
AND VACATING SPECIAL MASTER'S REPORTS
AND RECOMMENDATIONS
2/22/01

g:\G:\33MRR\00069.vacatemrr.doc

The subcases at issue here are combined with other rights which have a unique procedural history. Several of Sagewillow Inc.'s claims involve appeals of IDWR administrative decisions on transfer applications. Those decisions were appealed to the Seventh Judicial District, and then to the Idaho Supreme Court. The Idaho Supreme Court held that only the SRBA had jurisdiction of this administrative appeal. *Sagewillow, Inc. v. IDWR*, ___ Idaho ___, 13 P.3d 855 (2000). However, at this time the Idaho Legislature has passed HB 114, which would confer jurisdiction of IDWR administrative appeals to district courts other than the SRBA. In any event, judicial review of the administrative decision is not complete. Sagewillow asserts that the review may impact the total acreage and total quantity contained in the *Standard Forms 5* and the *Special Master's Reports and Recommendations*.

The *Special Master's Reports and Recommendations* cannot be altered or amended at this time because these cases overlap with cases which are involved in the ongoing administrative appeal. Therefore, the *Motion to Alter or Amend* is **denied**.

Given the unusual procedural posture of the cases at issue in the *Motion to Alter or Amend* and the opportunity for inconsistent results if the *Special Master's Reports and Recommendations* remain valid, this Special Master vacates the *Special Master's Reports and Recommendations* for the above listed water rights. This *Order* in no way alters the binding effect of the *Standard Forms 5*, especially as to the legal description.

DATED February 22, 2001.



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

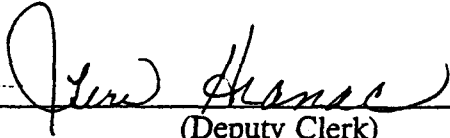
CERTIFICATE OF MAILING

I certify that a true and correct copy of the *Order Denying Motion to Alter or Amend and Vacating Special Master's Reports and Recommendations* was mailed on February 22, 2001, with sufficient first-class postage prepaid to the following:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

U.S. Department of Justice
Environment & Natural Resources Div.
550 W Fort St., MSC 033
Boise, ID 83724

Kent Foster
Holden Kidwell Hahn & Crapo
PO Box 50130
Idaho Falls, ID 83405-0130


(Deputy Clerk)

APR 6 2000

Department of Water Resources

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

A. Subcase: See attached list
STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America, Acting through the USDA Forest Service

Address: 550 West Fort Street
MSC 033
Boise, Idaho 83724

Daytime Phone: (208) 387-0835

Name and Address of Attorney, if any:

Randall J. Bramer
550 West Fort Street
MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN THE DIRECTOR'S REPORT

Name: Sagewillow Inc.

Address: c/o Kent Foster
P.O. Box 50130
Idaho Falls, ID 83405

D. I object to the following elements as recommended in the Director's Report.
(Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be:

2. ☐ **Source**

Should be:

3. ☐ **Quantity**

Should be:

4. ☐ **Priority Date**

Should be:

5. ☐ **Point(s) of Diversion**

Should be:

6. ☐ **Instream Flow Description**

Should be:

7. ☐ **Purpose(s) of Use**

Should be:

8. ☐ **Period of Year**

Should be:

9. ☒ **Places of Use**

Should be: T07N R27E S18 should be T07N R28E S18

11. I object because:

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

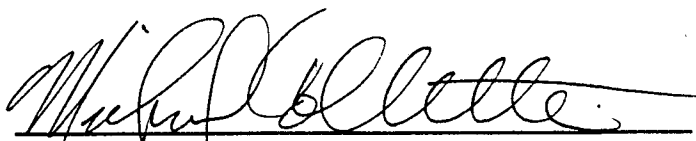
The Places of Use in Section 18 are misdescribed in Range 27E. They should be in Range 28E.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

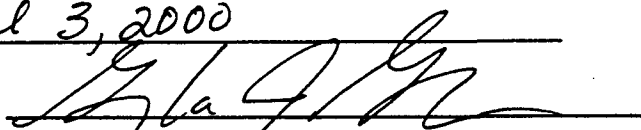
Michael Collette , duly sworn, upon oath, deposes and says:
(Name of person filing objection)

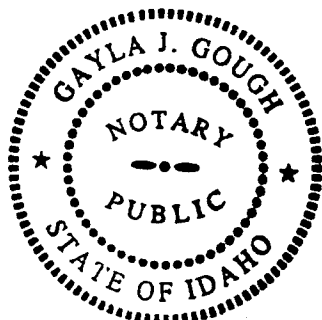
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objections)


(Attorney signing in representative capacity)

Subscribed and sworn before me on: April 3, 2000


Gayla J. Gough



Notary Public for: Idaho
Residing at: Kuna, Idaho
Commission Expires: 11/17/2004

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on April 5, 2000, I mailed the original and copies of this objection, including all attachments, to the following persons:

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 the claimant of the water right at the following address:

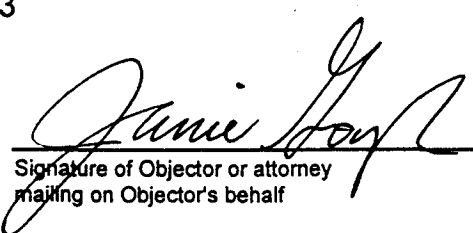
Name: Sagewillow Inc.
Address: c/o Kent Foster
P.O. Box 50130
Idaho Falls, ID 83405

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resource
Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

Attached List

United States of America, Acting through the USDA Forest Service

_33-00069 _
_33-00070 _
_33-00071 _
_33-00072 _
_33-00073 _
_33-00074 _
_33-00076 _
_33-00078 _
_33-00079 _
_33-00080 _
_33-00081 _
_33-00082 _
_33-02057F
_
_33-02133 _

LAW OFFICES

HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
GAYLE A. SORENSON, P.A.
DONALD L. HARRIS
MARIE T. TYLER
JOHN G. SIMMONS, P.A.
ROBERT M. FOLLETT
KUMEN L. TAYLOR
JAMES K. SLAVENS

WEST ONE BANK
P.O. BOX 50130
330 SHOUP AVENUE
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

KEY FINANCIAL CENTER
702 W. IDAHO SUITE 810
BOISE, IDAHO 83702

TELEPHONE (208) 343-0820
TELEFAX (208) 343-8078

BOISE OFFICE

WM. LYMAN BELNAP, P.A.
RANDALL B. REED
RONALD D. CHRISTIAN
FREDERICK J. HAHN III

ARTHUR W. HOLDEN
(1877-1967)
ROBERT B. HOLDEN
(1911-1971)
TERRY L. CRAPO
(1939-1982)
WILLIAM S. HOLDEN
(1907-1988)

February 19, 1993

RECEIVED

FEB 22 1993

Eric Verner, Sr. Water Agent
IDAHO DEPARTMENT OF WATER RESOURCES
900 North Skyline
Idaho Falls, Idaho 83402-1718

Department of Water Resources
Eastern District Office

Dear Eric:

We are enclosing for filing in the Snake River Basin Adjudication Proceeding 7 claims (5 new claims and 2 amended claims), on behalf of Sage Willow, Inc. Claim No. A33-00073 has been amended to claim the entire 6.4 cfs, and it appears we used the wrong number for one claim, 33-0083, when it should have been A33-00081.

Claim was filed by Sage Willow/ey.

At this time, we would also like to withdraw Claim No. 33-0068 on behalf of Sage Willow, Inc. We would request that you apply the filing fee submitted for Claim No. 33-0068 in the amount of \$123.00 towards the filing fee for the 5 new claims filed herewith. In that regard, we have enclosed our check for the remainder in the amount of \$377.00, which we arrived at in the following manner:

\$500.00	5 New Claims (\$50.00 per claim for the flat fee and \$50.00 per claim for the late fee)
- <u>\$123.00</u>	Redirected Fee for Claim No. 33-0068
<u>\$377.00</u>	

MICROFILMED

APR 15 1994

Eric Verner, Sr. Water Agent
February 19, 1993
Page 2

If we may provide any additional information, please feel free to call at your convenience. Thank you for your continued assistance.

Yours very truly,



Kent W. Foster

#8149.00/srs

Enclosure

MICROFILMED

APR 15 1994

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME	<u>SAGE WELLOW INC</u>	CLAIM IDENT. NO.	<u>A33-00073A</u>
DATE RECEIVED	<u>10/6/89</u>	CK #	AMOUNT \$
1. Is the name and address complete with zip code?	<u>X</u>	YES	NO
2. Is a priority date entered?	<u>X</u>		
Is the priority date acceptable in view of mandatory filing dates?	<u>X</u>		
See Adjudication Memos #1 and #4 to determine if a Permit is required.	<u>X</u>		
3. (a) Is a source entered?	<u>X</u>		
x (b) Is a tributary to entered? (if required)	<u>N/A</u>	<u>X</u>	
4. Is the legal description of the p.d. sufficient?	<u>X</u>		
5. Is there a description of the diverting works?	<u>X</u>		
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	<u>X</u>		
Is the period of use included?	<u>X</u>		
Is a quantity claimed for each use?	<u>X</u>		
7. Is a total quantity claimed entered?	<u>X</u>		
x 8. If required is a consumptive use entered?	<u>N/A</u>	<u>X</u>	
x Is the consumptive use correct?	<u>N/A</u>		<u>X</u>
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	<u>N/A</u>	<u>X</u>	
10. Is (are) the place(s) of use and purpose(s) indicated?	<u>X</u>		
11. Is (are) the county(ies) entered?	<u>X</u>		
12. Is the ownership of p.u. checked?	<u>X</u>		
x 13. Are other water rights listed or "none" indicated?	<u>X</u>		
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	<u>N/A</u>	<u>X</u>	
15. Is the basis of the claim indicated?	<u>X</u>		
x 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	<u>N/A</u>	<u>X</u>	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	<u>X</u>		
18. Has the claim been signed, sealed, and dated by a notary?	<u>X</u>		
19. Was this claim filed on time, or was an extension granted?	<u>X</u>		
20. Is the fee enclosed correct?	<u>Exempt</u>	<u>X</u>	
x 21. If this claim is based on an existing water right, has the identification number been entered?	<u>N/A</u>	<u>X</u>	
22. Should this claim be data entered?	<u>X</u>		

Claim checked by: TO Date: 10/18/89
Claim must be returned to claimant: (Yes) X (No)
Claimant must be notified of modifications: (Yes) X (No)

Receipt Prepared by: _____ Date: _____
Claim data entered by: _____ Date: _____
Sent to claimant by: _____ Date: _____
Checked by: _____ Date: _____

Comments: (H) CODE "THIS CLAIM IS BASED ON A PORTION OF DECREED

RIGHT 33-0073 "

MICROFILMED

NOV 18 1992

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
CURT R. THOMSEN
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GREGOR S. CHVISUK
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J. MICHAEL WHEELER
MARIE T. FEELEY
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WEST ONE BANK BUILDING
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
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TERRY L. CRAPO (1939-1982)
WILLIAM S. HOLDEN (1907-1988)

R. VERN KIDWELL, OF COUNSEL

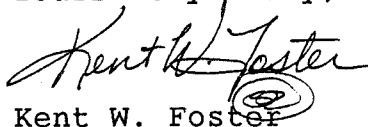
October 5, 1989

Idaho Department of Water Resources
150 Shoup Avenue, #15
Idaho Falls, Idaho 83402

Gentlemen:

We are returning the claims for Sage Willow, Inc. together with our check in the amount of \$3,478.00. Thank you for your assistance with this matter.

Yours very truly,


Kent W. Foster

#8149.00/srr

Enclosures

MICROFILMED
NOV 18 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Date: October 3, 1989

Kent W. Foster
P.O. Box 50130
Idaho Falls, ID 83405

RE: Sage Willow, Inc. Notices of Claim
to a Water Right Returned

Dear Mr. Foster:

The Idaho Department of Water Resources (IDWR) is returning your check #44170 (\$2,891.00) and The Sage Willow, Inc. Notices of Claim to a Water Right because of insufficient information and/or fees. All items on the notices must be correctly completed and fees submitted before the IDWR can process the claims.

Please correct the items identified below and return the forms to the IDWR before the Butte County filing deadline, January 12, 1990. Failure to return the corrected notices before the deadline may result in an assessment of an additional late-fee.

- Insufficient Fee: The total fee for all 15 claims is \$3478.00. Please refer to the individual filing fee for each claim in the upper right corner of the notice.
- Item #12 must be completed on Notice A33-10009.
- The priority date (Item #2) for Notice A33-02057 should be Feb. 1, 1950, instead of Feb. 3, 1950 (see enclosed report for License 33-02057).
- The IDWR number for the basis of claim (Item #15) in Notice A33-02090 should be 33-2090 instead of 33-2890 (see enclosed report for License 33-02090).
- The IDWR number for the basis of claim (Item #15) in Notice A33-00081 should be 33-0081 instead of 33-0082 (see enclosed report for Decreed Right 33-0081).
- The IDWR number for the basis of claim (Item #15) in Notice A33-00082 should be 33-0082 instead of 33-0083 (see enclosed report for Decreed Right 33-0082).

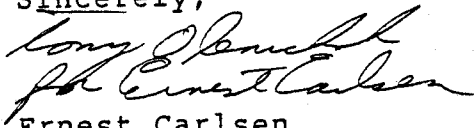
MICROFILMED
NOV 18 1992

Kent W. Foster
Page -2-

- The title was omitted in the "For Organizations" signature block (Item #16) on all but one of the notices. Please type the claimants title in the appropriate spaces on each notice.

If you have any questions, please call Tony Olenichak, Water Right Agent, at (208)-525-7161.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ernest Carlsen".

Ernest Carlsen
Adjudication Supervisor

Enclosure

MICROFILMED
NOV 18 1992

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

FRED J. HAHN
KENT W. FOSTER
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TERRY L. CRAPO (1939-1982)
WILLIAM S. HOLDEN (1907-1988)

R. VERN KIDWELL, OF COUNSEL

October 2, 1989

RECEIVED
OCT 03 1989

Idaho Department of Water Resources
150 Shoup Avenue, #15
Idaho Falls, Idaho 83402

Department of Water Resources
Eastern District Office

Dear Gentlemen:

We are enclosing for filing claims on behalf of Sage Willow Inc., which owns property in Butte County, Idaho. The filing fees have been calculated as follows:

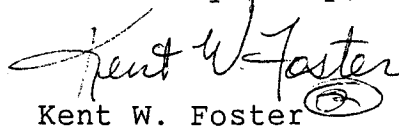
\$25.00 for the single family dwelling Domestic Claim

\$50.00 for the two dwelling Domestic Claim

\$50.00 Flat Fee for each of the 13 irrigation claims
and \$1.00 per acre for each of the acres to which we
claim a water right is appurtenant.

We have also enclosed our check in the amount of \$2,891.00
for the total amount of the filing fees. Thank you for your
assistance with this matter.

Yours very truly,


Kent W. Foster

#8149.00/srr

Enclosure

MICROFILMED
NOV 18 1992

BASIN	SEQUEN	PRIORITY	CFS	ACRES	TOTAL	REMARKS
33	69	6/1/1908	3.2	160		k06=160
33	70	10/1/1906	2.8	140	300	k06=140
33	72	5/1/1908	0.8	40	340	k06=40
33	80	5/1/1908	0.8	40	380	k06=40
33	81	5/1/1908	0.8	40	420	k06=40
33	82	5/1/1908	0.8	40	460	k06=40
33	71	3/15/1909	3.2	160	620	k06=160
33	73	4/1/1912	6.4	320		E14=655 E04=0.02 cfs/ac
33	74	8/6/1913	1.6	80		E14=655 E04=0.02 cfs/ac
33	76	4/1/1913	6.8	340		E14=655 E04=0.02 cfs/ac
33	78	10/15/1913	3.2	160		E14=655 E04=0.02 cfs/ac
33	79	4/1/1912	1.6	80	1600	E14=655 E04=0.02 cfs/ac
33	2057	2/1/1950	24			
33						

C-C03 - N

C-C05 - N

C-C18 - N

R-K06 - Y - change acres

09/25/2003

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

RIGHT NUMBER: 33-73

NAME AND ADDRESS: SAGE WILLOW INC
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0130

SOURCE: BIG SPRING CREEK
LITTLE LOST RIVER

TRIBUTARY: LITTLE LOST RIVER
TRIBUTARY: SINKS

QUANTITY: 6.400 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.02 CFS PER ACRE AT THE FIELD HEADGATE.
COMBINED RIGHT NOS.: 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76,
33-78, 33-79, 33-80, 33-81 AND 33-82

PRIORITY DATE: 04/01/1912

POINT OF DIVERSION:

T07N R27E S2 SWSENE Within BUTTE County
T07N R27E S12 NESWNW Within BUTTE County
T07N R28E S5 NENWSW Within BUTTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	6.400 CFS

PLACE OF USE: IRRIGATION Within BUTTE County

T07N R27E S01	SWSW	26.0	T07N R27E S01	SESW	40.0
T07N R27E S12	NENW	0.2	T07N R27E S12	NWNW	19.0
T07N R27E S12	SWNW	7.6	T07N R27E S12	SESW	0.9
T07N R27E S12	NESE	2.5	T07N R27E S12	NWSE	7.6
T07N R27E S12	SWSE	5.0	T07N R27E S12	SESE	29.0
T07N R27E S13	NENE	32.0	T07N R27E S13	NWNE	32.0
T07N R27E S13	NENW	2.0	T07N R28E S07	NENE	40.0
T07N R28E S07	NWNE	40.0	T07N R28E S07	SWNE	40.0
T07N R28E S07	SENE	36.0	T07N R28E S07	NENW	30.0
T07N R28E S07	SENW	1.9	T07N R28E S07 Lot 4	SWSW	0.1
T07N R28E S08	NWNE	2.9	T07N R28E S08	SWNE	17.0
T07N R28E S08	NWNW	22.0	T07N R28E S08	SWNW	6.2
T07N R28E S08	NESE	0.7	T07N R28E S08	NWSE	24.0
T07N R28E S08	SWSE	16.0	T07N R28E S08	SESE	3.9
T07N R28E S18	SWNE	25.0	T07N R28E S18	SENE	0.2
T07N R28E S18	NENW	1.8	T07N R28E S18 Lot 1	NWNW	34.0
T07N R28E S18 Lot 2	SWNW	25.0	T07N R28E S18	SENW	31.0
T07N R28E S18	NESW	3.8	T07N R28E S18	NESE	31.0
T07N R28E S18	NWSE	16.0	T07N R28E S18	SESE	2.4

654.7 ACRES TOTAL

Water Right 33-73

1

09/25/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 655 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76,
33-78, 33-79, 33-80, 33-81, AND 33-82

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: Decreed

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.

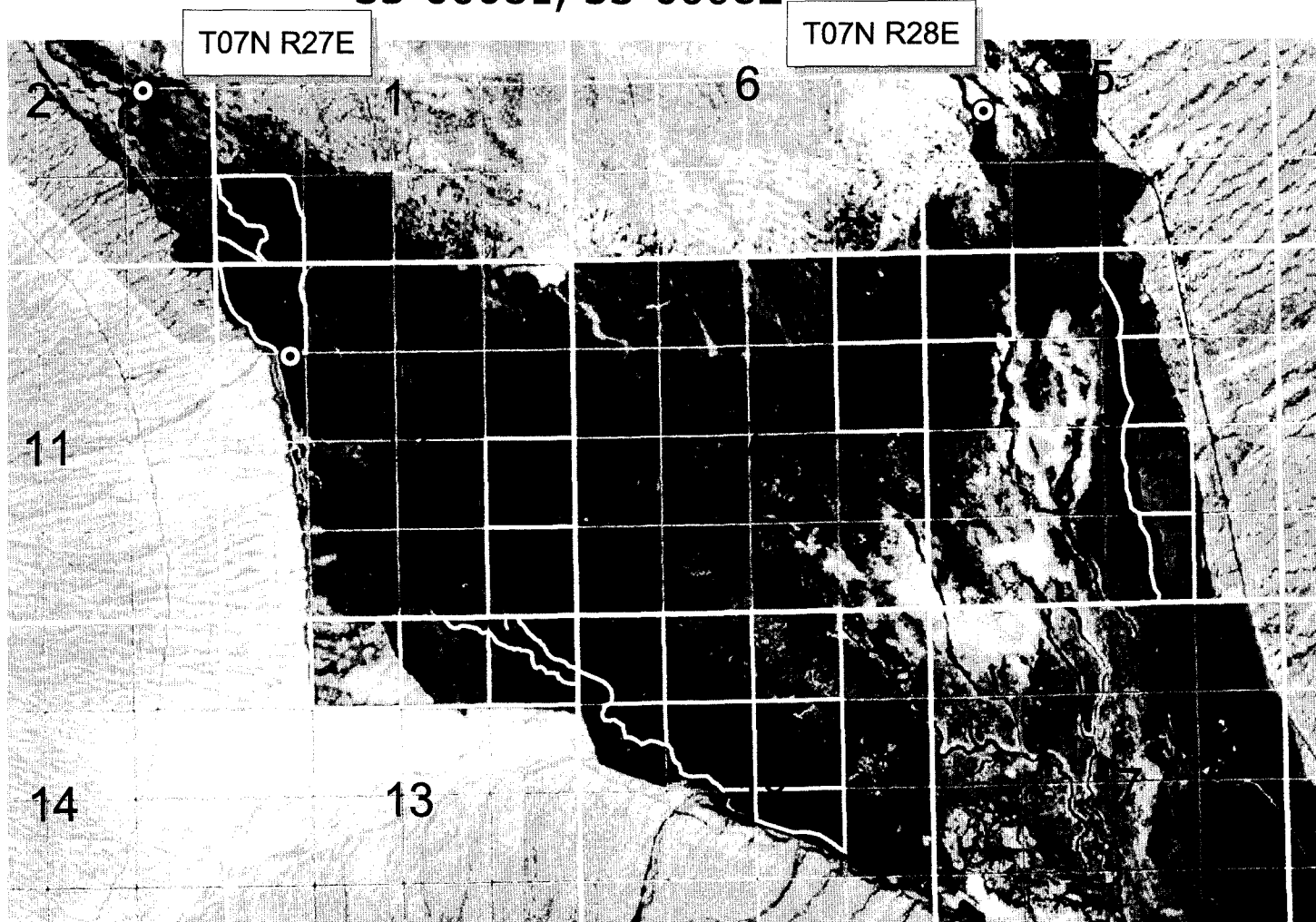


STATE OF IDAHO

Department of Water Resources

Eastern Region

Water Right(s): 33-00069, 33-00070,
33-00071, 33-00072, 33-00073, 33-00074,
33-00076, 33-00078, 33-00079, 33-00080,
33-00081, 33-00082



LEGEND



Point of Diversion

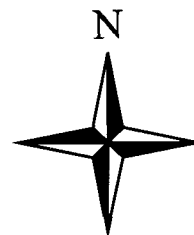
Place of Use

Section Line



Quarter-section line

Acres Irrigated = 698



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

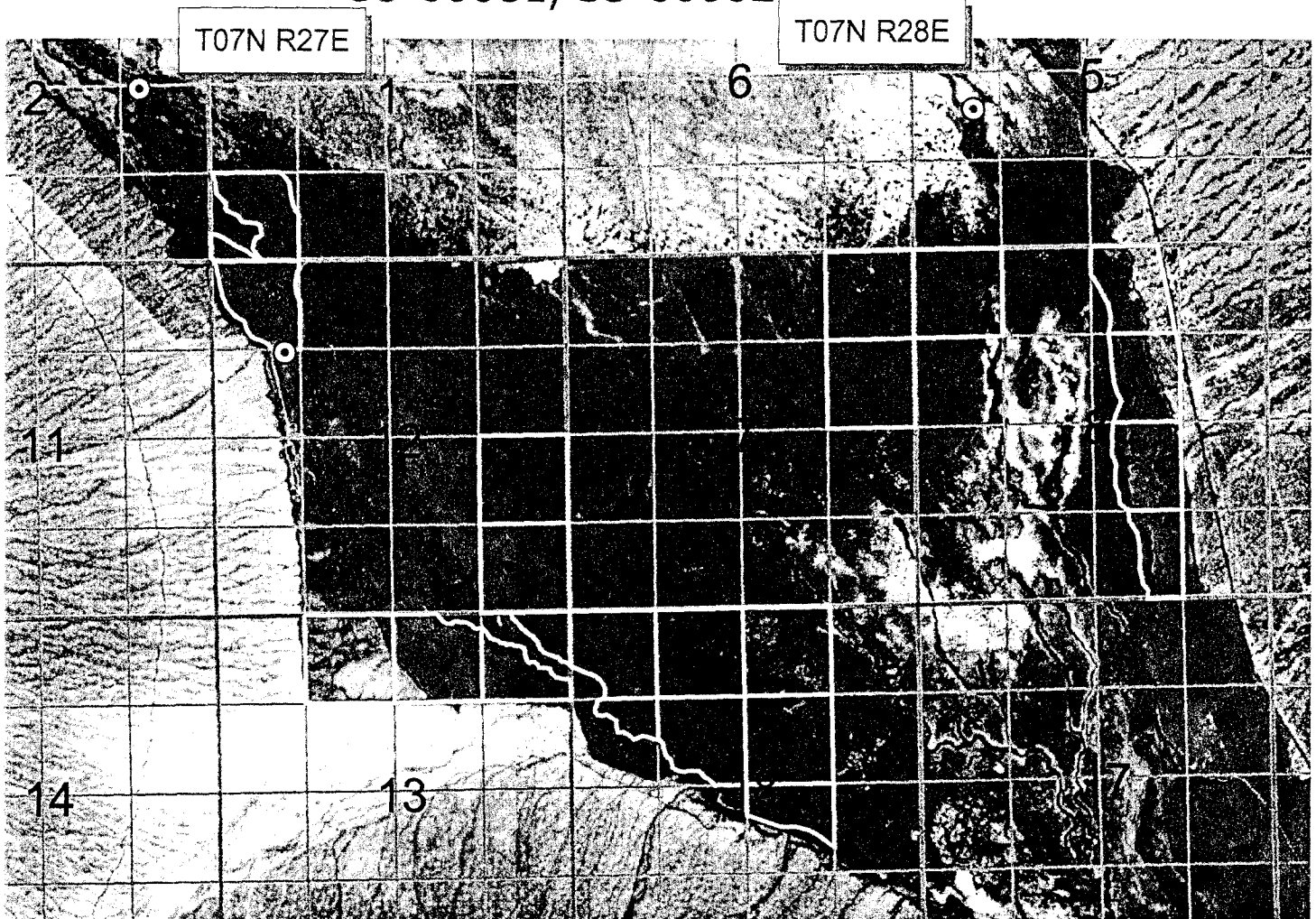


STATE OF IDAHO

Department of Water Resources

Eastern Region

Water Right(s): 33-00069, 33-00070,
33-00071, 33-00072, 33-00073, 33-00074,
33-00076, 33-00078, 33-00079, 33-00080,
33-00081, 33-00082



0 1320 2640 3960 5280 6600 7920 9240 10560 Feet



LEGEND



Point of Diversion

Place of Use

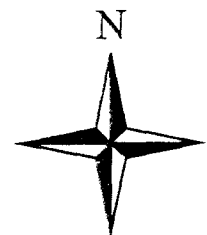


Section Line



Quarter-section line

Acres Irrigated = 698



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

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SAGEWILLOW INC C/O KENT FOSTER PO BOX 50130 IDAHO FALLS ID 83405 (208) 523-0620	04/01/1912	IRRIGATION	00-00 00-00	6.400 CFS	
TOTAL DIVERSION:					6.400 CFS	

Water Source: LITTLE LOST RIVER
BIG SPRING CREEK

Tributary to: SINKS
LITTLE LOST RIVER

Stage: DECREED

Point(s) of Diversion:	T07N R27E S02	SWSNE	BUTTE County
	S12	NESWNW	BUTTE County
	R28E S05	NENWSW	BUTTE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
07N	27E	1	:					:						:			30	:							:	30.0
07N	27E	12	:					:		30				:				:	40				40		:	110.0
07N	27E	13	:	30		38		:	40					:				:							:	108.0
07N	27E	18	:			40	40	:	40	35	10	35		:				:		20					:	220.0
07N	28E	7	:	40			40	:						:				:							:	80.0
07N	28E	8	:			30	30	:		40				:				:		30	20				:	150.0
																							TOTAL ACRES		698.0	

POU County: BUTTE

Conditions of Approval:

- C18 - 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.

Remarks: QNT

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 28.24 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 4,942 AF. COMBINED RIGHT
NOS.: 33-00069, 33-00070, 33-00071, 33-00072, 33-00074, 33-00076,
33-00078, 33-00079, 33-00080, 33-00081, 33-00082, 33-02057A,
33-02057B, 33-02057C, 33-02057D, 33-02057E, 33-02057F, 33-02083A,
33-02083B, 33-02083C, 33-02083D, 33-02083E, 33-02083F, 33-02086A,
33-02086B, 33-02133 AND 33-07018.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 13.96 CFS. COMBINED RIGHT NOS.:
33-00069, 33-00070, 33-00071, 33-00072, 33-00074, 33-00076,
33-00078, 33-00079, 33-00080, 33-00081, 33-00082, 33-02057D,
33-02057E, 33-02057F, 33-02083D, 33-02083E AND 33-02083F.

POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO

Remarks:

THE IRRIGATION OF A COMBINED TOTAL OF 1412 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00069,
33-00070, 33-00071, 33-00072, 33-00074, 33-00076, 33-00078,
33-00079, 33-00080, 33-00081, 33-00082, 33-02057A, 33-02057B,
33-02057C, 33-02057D, 33-02057E, 33-02057F, 33-02083A, 33-02083B,
33-02083C, 33-02083D, 33-02083E, 33-02083F, 33-02086A, 33-02086B,
33-02133 AND 33-07018.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 320 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 33 Field Inspection Flag:
Presumption Flag:

Audit: 11/15/99 ECARLSEN 11/16/99 ECARLSEN 11/17/99 ECARLSEN 11/19/99 ECARLSEN

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Renumbered to: A33-00073

Ident. Number: **A33-00073A**

Date Received: 10/ 6/1989

Receipt No: E010978

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: SAGE WILLOW INC 208-522-7784
Address: 545 SHOUP AVE
IDAHO FALLS ID 83402

2. Date of Priority: APR 1, 1912

3. Source: SPRING CREEK Trib. to: LITTLE LOST RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	28E	5		NW	SW		BUTTE

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.400		

7. Total Quantity Appropriated is:
6.400 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 880.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07N	28E	8	NE	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07N	28E	8	NW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
Section Acres								320.0
Total Acres								320.0

11. Place of use in counties: BUTTE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
33-2057/2083.

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court : 6TH

Decree date: 3/ 4/1927

BLAINE COUNTY INVEST. CO.
Decree Plaintiff

ROBERT G. MAYES, ET AL.
vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____,
Organization document in the space below as _____ of
_____,
Title and that the statements contained in the
_____,
Organization foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be

Print Name

acting as attorney at law on behalf of the claimant signing above, and that
all notices required by law to be mailed by the director to the claimant
signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMCIVIL CASE NUMBER: 39576
Ident. Number 33-0073A
Date Received _____
Receipt Number _____*Original
Sent to
Court.
5-4-00*AMENDED
NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

FEB 22 1993

Department of Water Resources
Eastern District Office1. Name of Claimant(s) Sage Willow, Inc. Phone (208) 523-0620
c/o Holden, Kidwell, Hahn & CrapoMailing Address P.O. Box 50130, Idaho Falls, Idaho Zip 834052. Date of Priority (Only (1) per claim) April 1, 19123. Source of water supply (a) Spring Creekwhich is tributary to (b) Little Lost River

4.a. Location of existing

point of diversion is: Township 7N. Range 28E. Section 5,1/4 of NW 1/4 of SW, Govt. Lot, B.M., County of Butte

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of 1/4 of 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of1/4 of 1/4 Govt. Lot B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. _____

Diversion and headgate structure with ditch leading to place of use.

MICROFILMED

APR 15 1994

6. Water is claimed for the following purposes:

(Both dates are inclusive)

(cfs) (acre feet)

For Irrigation purposes from 04/01 to 11/01 amount 6.4 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 6.4 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.)

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

TWP:RNG:SEC:	NE1/4	:	NW1/4	:	SW1/4	:	SE1/4	:TLS
:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:
7N :28E: 8 :	' ' ' ' :	40'	' 40' 40:	40'	40'	' 40:	' 40' 40'	:320
:	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	:
:	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	:
:	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	:
:	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	:
:	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	:
:	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	:

Total number of acres irrigated 320

11. In which county(ies) are lands listed above as place of use located?
Butte

12. Do you own the property listed above as place of use? Yes X No ____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

33-2008, 23-2057, 33-2083, and 33-2133. or None ()

14. Remarks:

MICROFILMED

APR 15 1994

Last Name SAGE WILLOW, INC. Ident. Number 33-0073

Permit _____ Decree X License _____

If applicable provide IDWR Water Right Number 33-0073
Court 6th District Case Number Decree Date 03/04/1927
Plaintiff vs Defendant Blaine County Invest. Co. v. Robert G. Mayes, et al.

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) _____ Date _____

For Organizations: I do solemnly swear or affirm that I
am President of Sage Willow, Inc., that I have signed the
Title Organization

foregoing document in the space below as President
Title
of Sage Willow, Inc. and that the statements contained in the
Organization

foregoing document are true and correct.

Signature of Authorized Agent Edmund W. Dumke Pres
EDMUND W. DUMKE

Title and Organization President, Sage Willow, Inc. Date 02/19/93

State of Idaho/or _____)
) SS.
County of Bonneville)

Subscribed and sworn (or affirmed) before me this 19th day
of February, 1993.

Notary Public *Paul M. Hutto*
Residing at Idaho Falls, Idaho
My Commission Expires 10/20/98

17. Notice of Appearance:

Notice is hereby given that I, Kent W. Foster will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature [Signature]
Address P.O. Box 50130, Idaho Falls, Idaho 83405
Date 2/19/93

Last Name SAGE WILLOW, INC. Ident. Number 33-0073

MICROFILMED
APR 15 1994

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A33-00073A
Date Received: 10/06/1989
Receipt No: E010978
Received By: _____

*Original
sent to
Court.*

5-4-00

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SAGE WILLOW, INC. 208-522-7784
Address: 545 SHOUP AVE.
IDAHO FALLS, ID 83402

2. Date of Priority: APR 01, 1912

3. Source: SPRING CREEK Trib. to: LITTLE LOST RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	28E	5	NW	SW			BUTTE

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.600		

7. Total Quantity Appropriated is:
1.600 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1120.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	28E	8	NE	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0

A33-00073A

Page 1

Date: 10/25/89

MICROFILMED

NOV 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07N	28E	8	NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
							Section Acres	320.0
							Total Acres	320.0

11. Place of use in counties: BUTTE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
33-2057/2083.

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court : 6TH
Decree date: 3/04/1927

BLAINE COUNTY INVEST. CO.
Decree Plaintiff

vs

ROBERT G. MAYES, ET AL.
Decree Defendant

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. Number ~~33-0073~~ A33-00073A
Date Received 10/6/89
Receipt Number E010978

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Original
sent to
court.
5-4-00

1. Name of Claimant(s) Sage Willow, Inc. Phone (208) 522-7784
Mailing Address 545 Shoup Avenue, Idaho Falls, Idaho Zip 83402
2. Date of Priority (Only (1) per claim) April 1, 1912
3. Source of water supply (a) Spring Creek
which is tributary to (b) Little Lost River
- 4.a. Location of existing
point of diversion is: Township 7N. Range 28E. Section 5,
1/4 of NW 1/4 of SW, Govt. Lot, _____ B.M., County of Butte
Additional points of diversion if any: _____
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____
_____ 1/4 of _____ 1/4 Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches,
Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any
changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Diversion and
headgate structure with ditch leading to place of use.

A3300073A

MICROFILMED

NOV 18 1992

6. Water is claimed for the following purposes:

(Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/01 to 11/01 amount 1.6 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.6 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1120 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.)

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

TWP:RNG:SEC:	NE1/4	:	NW1/4	:	SW1/4	:	SE1/4	:	TLS
:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:	:
7N:28E: 8	: ' ' ' ' :40	:	: ' ' ' ' :40	:	: ' ' ' ' :40	:	: ' ' ' ' :40	:	:320
:	: ' ' ' ' :	:	: ' ' ' ' :	:	: ' ' ' ' :	:	: ' ' ' ' :	:	:
:	: ' ' ' ' :	:	: ' ' ' ' :	:	: ' ' ' ' :	:	: ' ' ' ' :	:	:
:	: ' ' ' ' :	:	: ' ' ' ' :	:	: ' ' ' ' :	:	: ' ' ' ' :	:	:
:	: ' ' ' ' :	:	: ' ' ' ' :	:	: ' ' ' ' :	:	: ' ' ' ' :	:	:
:	: ' ' ' ' :	:	: ' ' ' ' :	:	: ' ' ' ' :	:	: ' ' ' ' :	:	:
:	: ' ' ' ' :	:	: ' ' ' ' :	:	: ' ' ' ' :	:	: ' ' ' ' :	:	:

Total number of acres irrigated 320

11. In which county(ies) are lands listed above as place of use located?
Butte

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

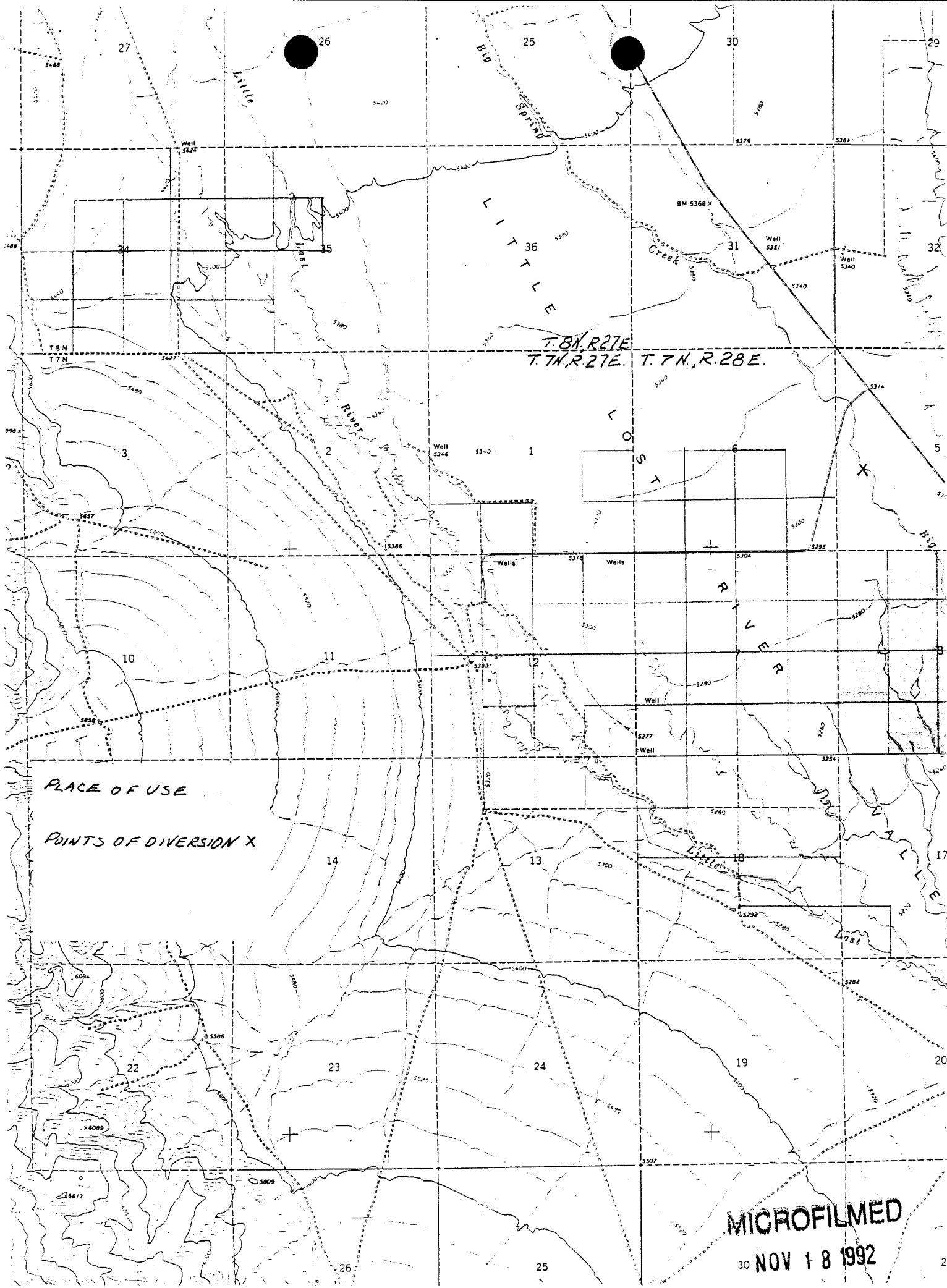
13. Describe any other water rights used at the same place and for the same purposes as described above.

33-2057 and 33-2083. or None ()

14. Remarks:

Last Name Sage Willow, Inc. Ident No. A33-00073A

MICROFILMED
NOV 18 1992



MICROFILMED
30 NOV 18 1992

15. Basis of Claim (Check one) Beneficial Use ☐ Posted Notice ☐
Permit ☐ Decree ☒ License ☐

If applicable provide IDWR Water Right Number 33-0073
Court 6th District Case Number _____ Decree Date 03/04/1927
Plaintiff vs Defendant Blaine County Invest. Co. v. Robert G. Mayes, et al.

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ☐ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President of Sage Willow, Inc., that I have signed the
Title Organization

foregoing document in the space below as President
Title

of Sage Willow, Inc. and that the statements contained in the
Organization

foregoing document are true and correct.

Signature of Authorized Agent Edmund W. Dumb President

Title and Organization President, Sage Willow, Inc. Date 9/27/89

State of Idaho/or Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 27 day
of September, 1989.

Notary Public Suzanne M. Campbell
Residing at Blaine Co
My Commission Expires 1994

17. Notice of Appearance:

Notice is hereby given that I, Kent W. Foster will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Kent W. Foster
Address P.O. Box 50130, Idaho Falls, Idaho 83405
Date 10/2/89

Last Name Sage Willow, Inc.

Ident. Number A33-00073A

MICROFILMED

NOV 18 1992

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A33-00073

Date Received:

Receipt No: X999999

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DELETE

Address: -, ID

99999

2. Date of Priority: APR 01, 1912

3. Source: DELETE

Trib. to: SPLIT CLAIM

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	28E	5	NW	SW			BUTTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			6.400		

7. Total Quantity Appropriated is:
6.400 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	28E	8	NE	NW		IRR	
			SW	NW		IRR	
			SE	NW		IRR	
			NE	SW		IRR	

A33-00073

Page 1

Date: 10/25/89

A3300073



MICROFILMED

NOV 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07N	28E	8	NW		SW		IRR	
			SE		SW		IRR	
			NW		SE		IRR	
			SW		SE		IRR	

11. Place of use in counties: BUTTE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

1.6 CFS CLAIMED BY SAGE WILLOW, INC. IN A33-00073A.

15. Basis of Claim: