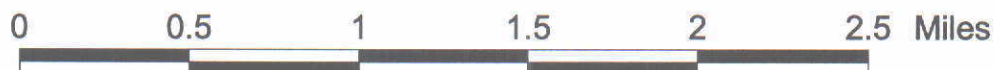
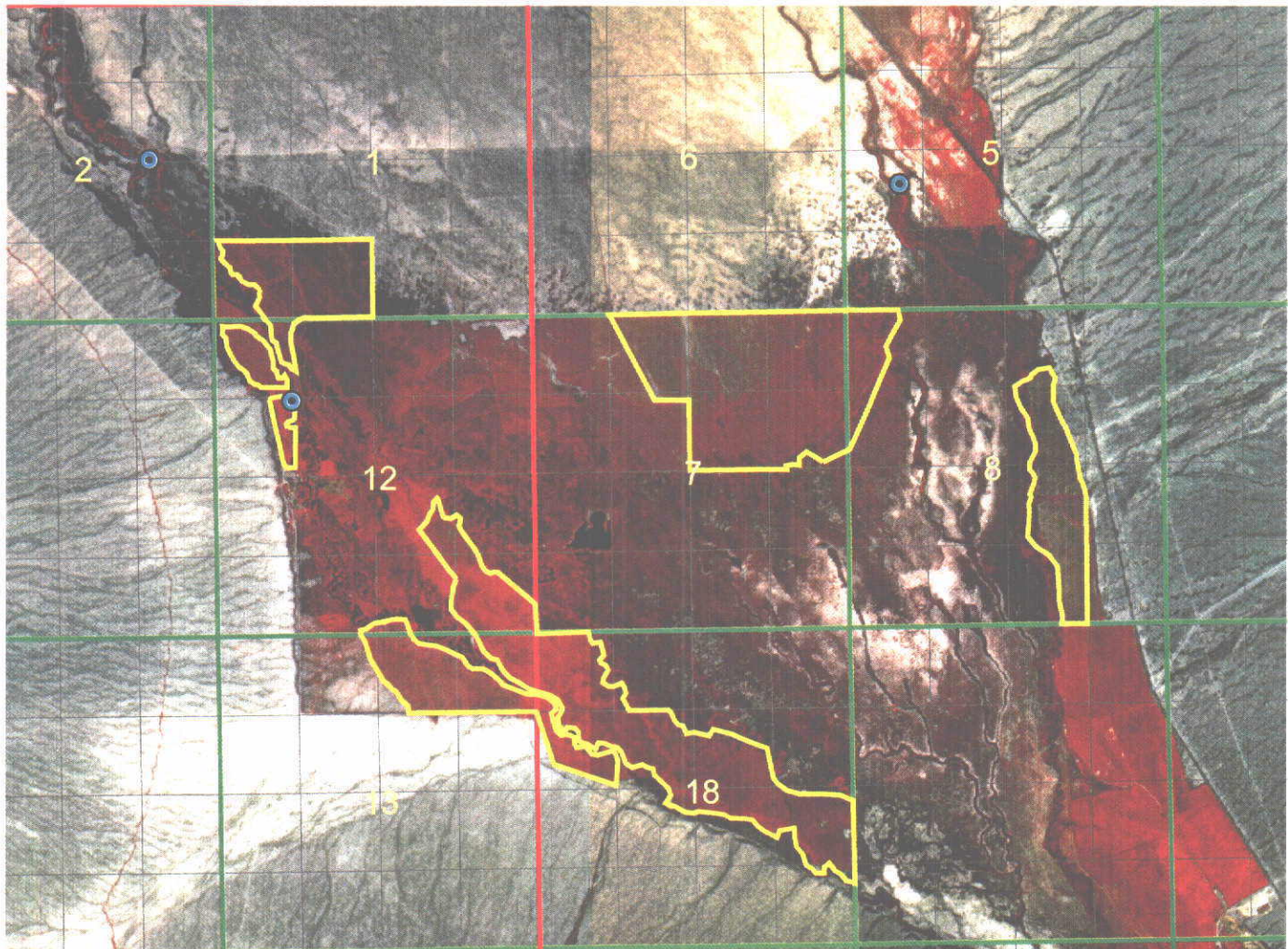


DEPARTMENT OF WATER RESOURCES

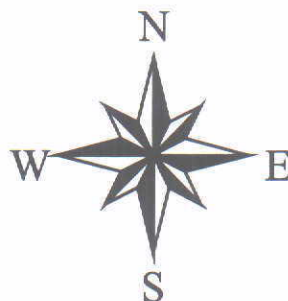
Claim Nos.: 33-69, 33-70, 33-71,
33-72, 33-73, 33-74, 33-76,
33-78, 33-79, 33-80, 33-81, 33-82

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

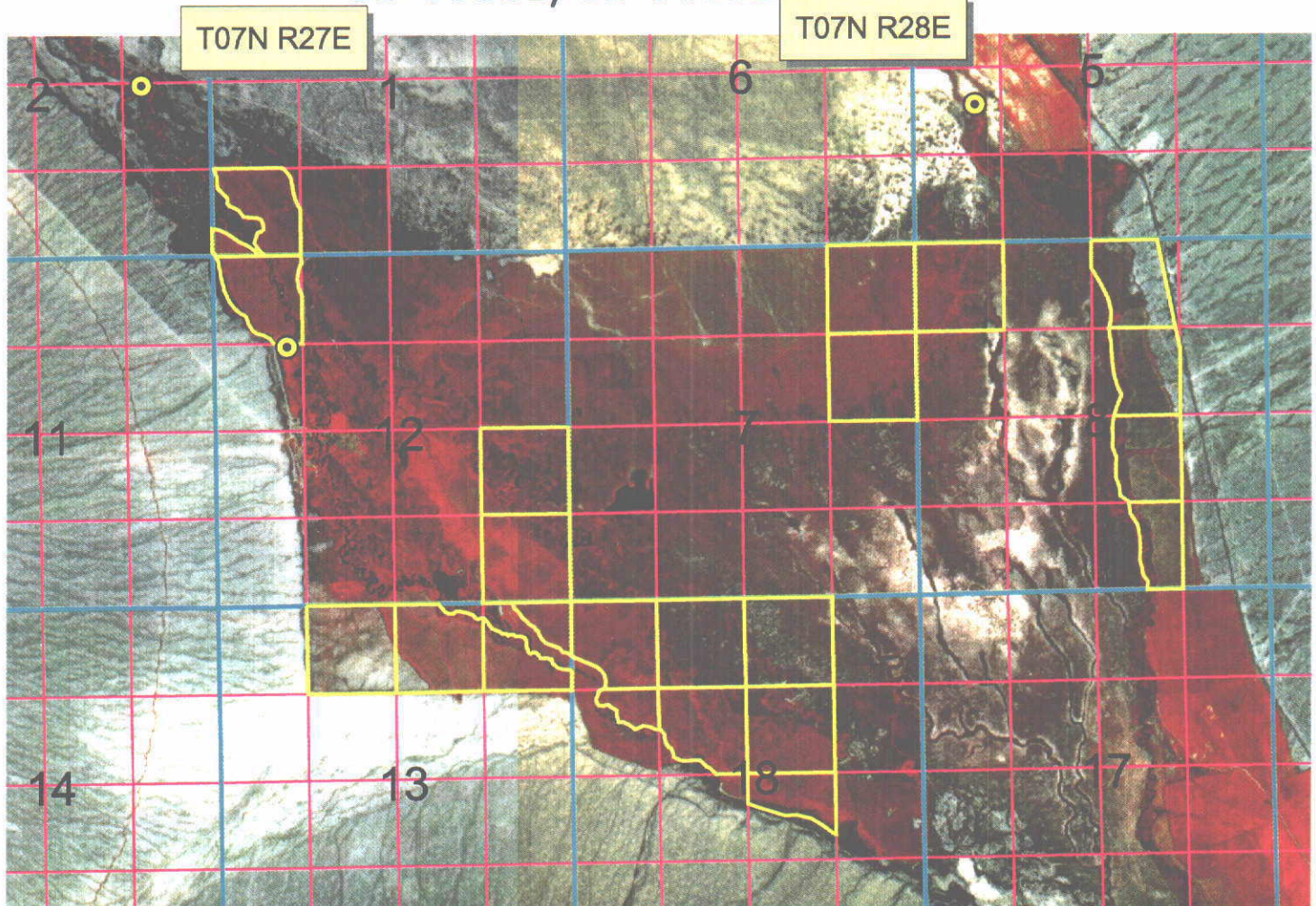


STATE OF IDAHO

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

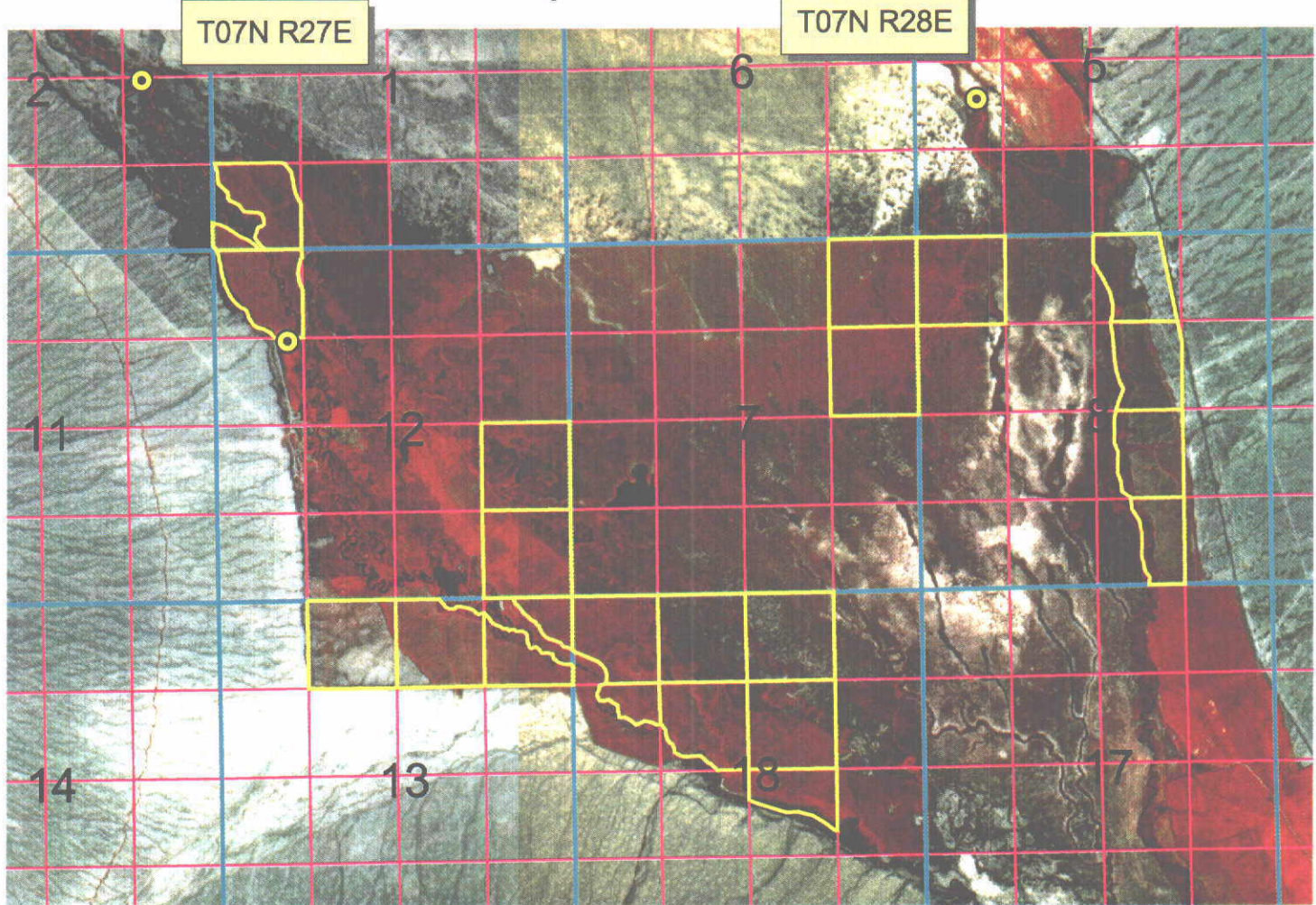


STATE OF IDAHO

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



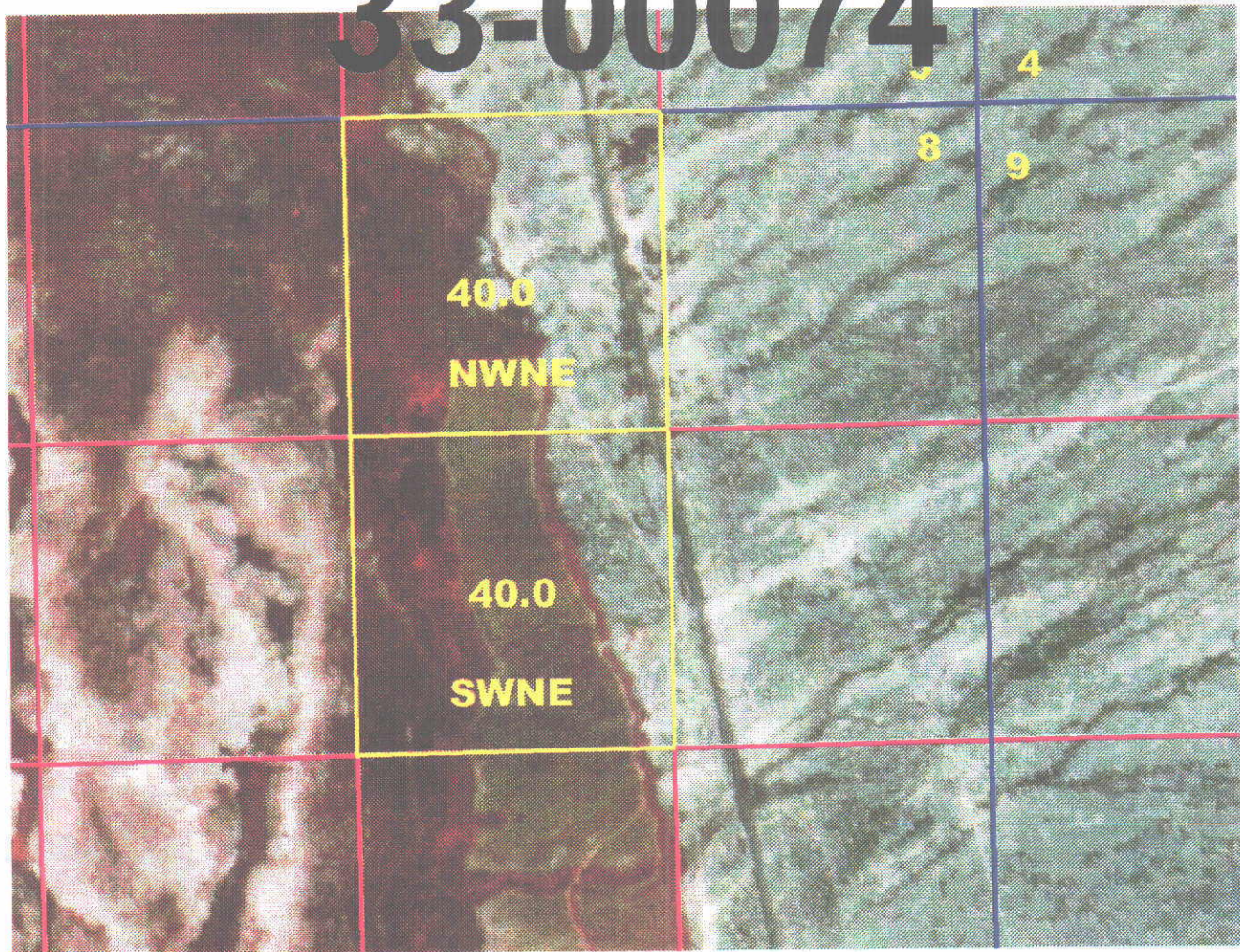
Quarter-section line

Acres Irrigated = 698

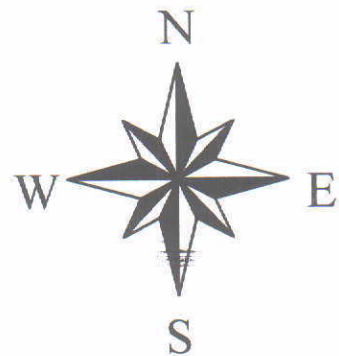


GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: E. Carlsen
Date: November 1999

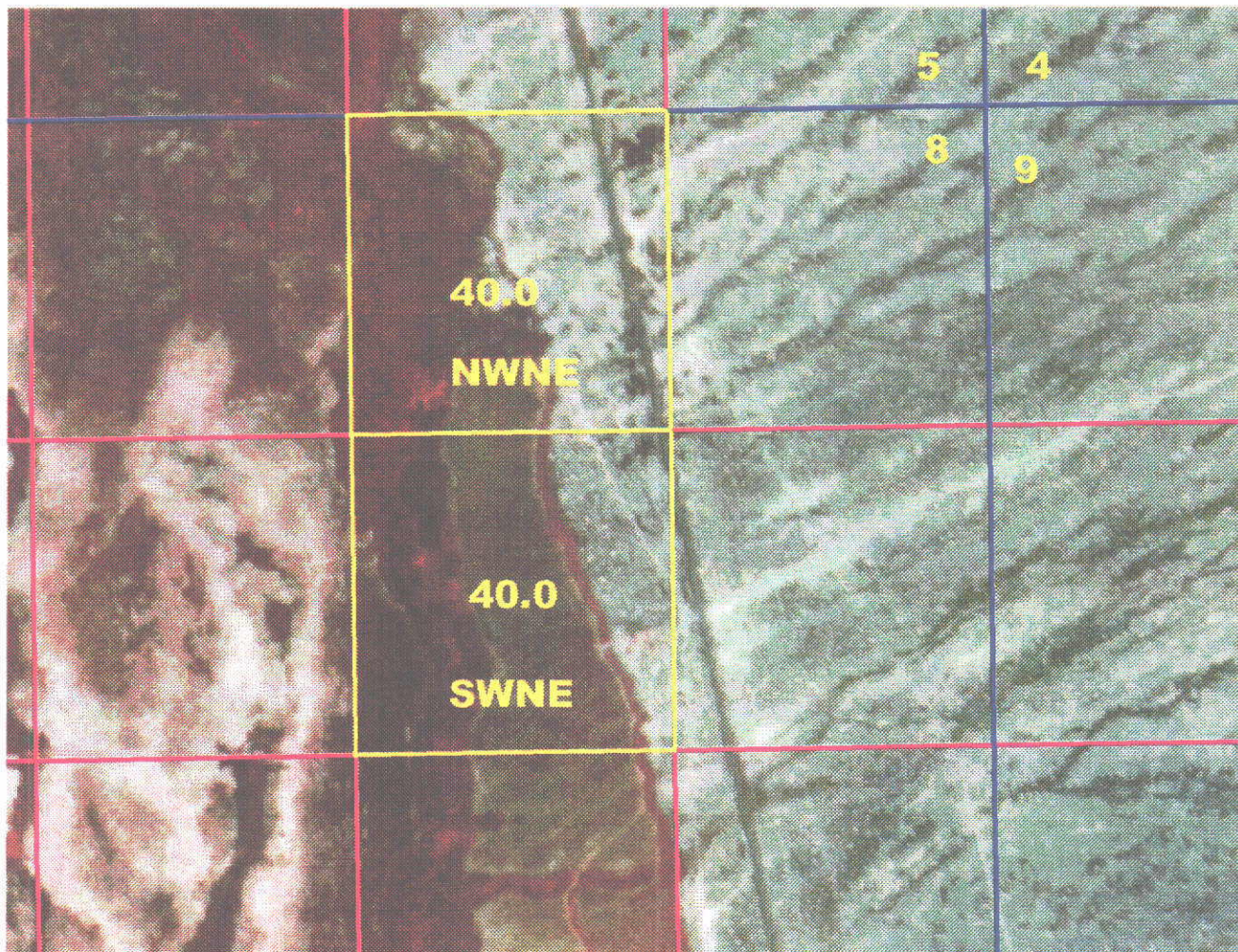
33-00074



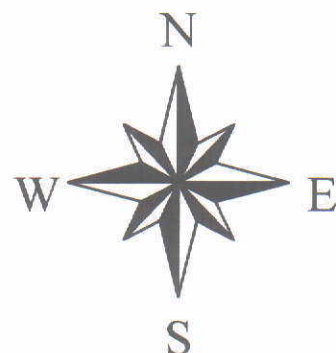
-  Place of Use
-  POD
-  Section Line
-  Quarter Section Line



33-00074



-  Place of Use
-  POD
-  Section Line
-  Quarter Section Line



38 POOR ORIGINAL

PLACE OF USE

POINTS OF DIVERSION

~~MICROFILMED~~

APR 15 1994

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:

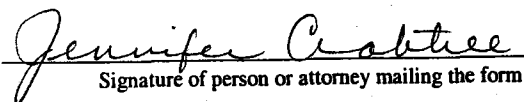
Each party in the subcase, or attorney of record
BLAINE COUNTY CANAL CO
MAYS LAND & LIVESTOCK
C/O MICHAEL CREAMER
GIVENS PURSLEY LAW OFFICE
PO BOX 2720
BOISE ID 83701-2720

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

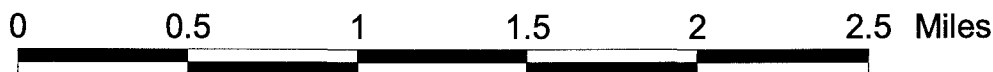
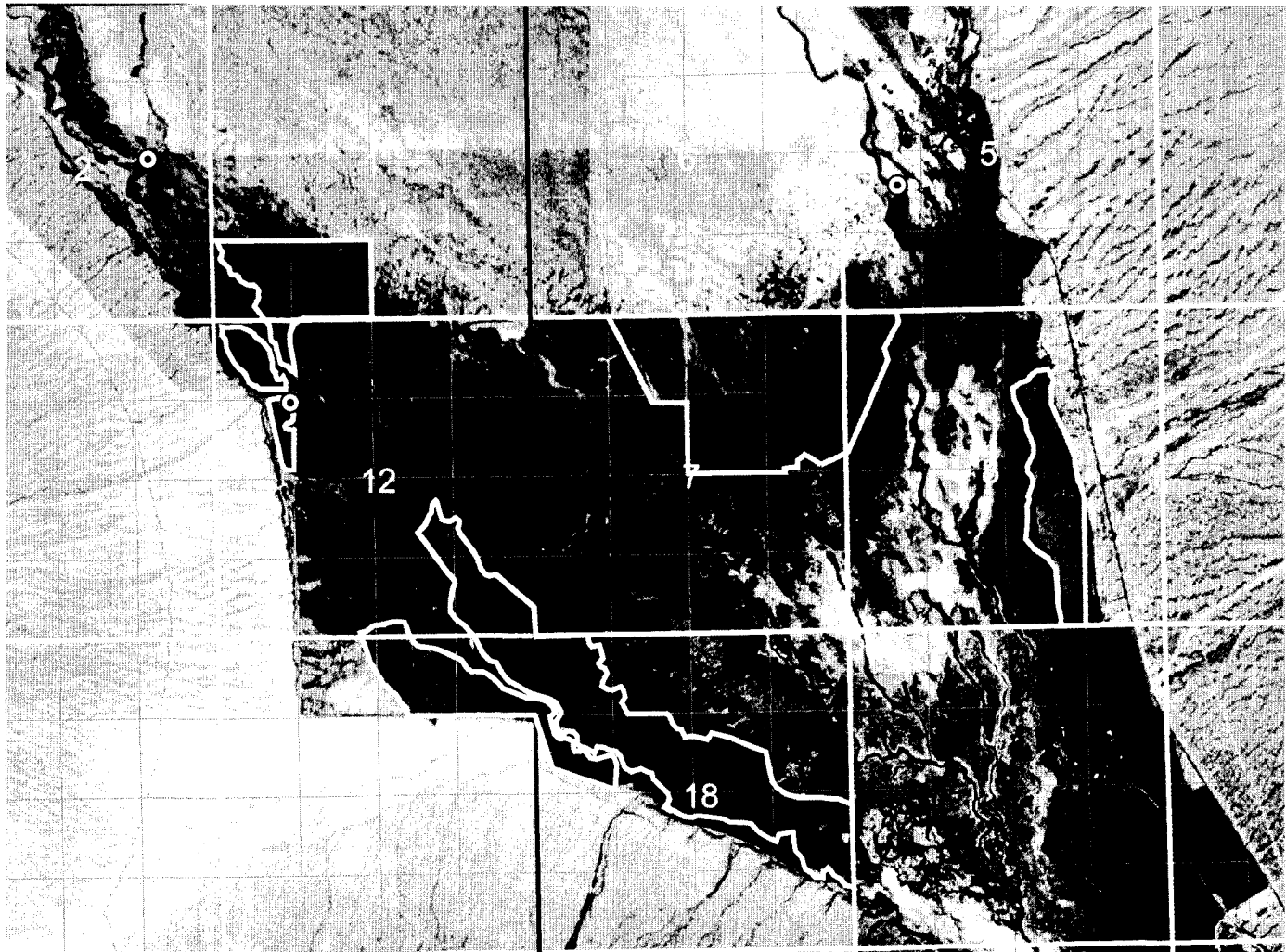
33-69
33-70
33-71
33-72
33-73
33-74
33-76
33-78
33-79
33-80
33-81
33-82
33-2007
33-2008
33-2057
33-2083
33-2086
33-2090
33-2091
33-2133
33-7018

DEPARTMENT OF WATER RESOURCES

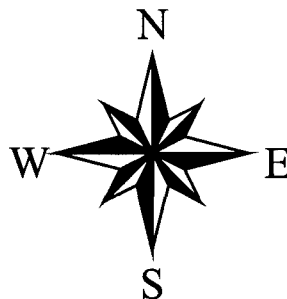
Claim Nos.: 33-69, 33-70, 33-71,
33-72, 33-73, 33-74, 33-76,
33-78, 33-79, 33-80, 33-81, 33-82

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: 33-74

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:

1.600 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: 08/06/1913

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

4/01 11/01

1.600 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. 33-74
As Modified by Transfer Nos. 4221 thru 4227

In accordance with the approval of Transfer Nos. 4221 thru 4227, Water Right No. 33-74 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: August 06, 1913

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	4/01	to 11/01	1.60 CFS	
			1.60 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

1. 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.
2. 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.
3. 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. 33-74
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.

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: See Exhibit A

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 4221, 4222, 4223, 4224, 4225, 4226, 4227

☒ Withdrawn per letter from attorney Kent Foster attached

☐ 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: 25 June 2003


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 26, 2003, 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 HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

3. One copy to:

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

4. One copy to:

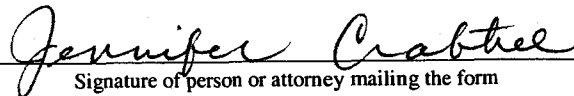
Each party in the subcase, or attorney of record
BLAINE COUNTY CANAL CO
MAYS LAND & LIVESTOCK INC
C/O MICHAEL C CREAMER
PO BOX 2720
BOISE ID 83701-2720

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

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. PALER
CHARLES A. HOMER
GARY L. MEKLE
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
ROBERT M. FOLLETT
FREDERICK J. HAHN, III
KARL R. DECKER
THEL W. CASPER*
SHAN B. PERRY
AMELIA A. SHEETS
DEANNE CASPERSON**

*Also Licensed in Utah and Arizona
**Also Licensed in Missouri & Kansas

US BANK BUILDING
330 SHoup AVENUE, THIRD FLOOR
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL KFOSTER@HOLDENLEGAL.COM

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1986)

Of Counsel
Fred J. Hahn

June 20, 2003

VIA FACSIMILE: (208) 327-7866

Idaho Department of Water Resources
1301 North Orchard Street
PO Box 83720
Boise, ID 83720-0098

*Re: Application for Transfer Nos. 4221, 4222, 4223, 4224, 4225, 4226, and 4227
In the name of Sagewillow, Inc.*

Dear Ladies and Gentlemen:

We are writing this letter at the request of our client, Sagewillow, Inc. We hereby withdraw the above-numbered applications for transfer. The decision of the Idaho Supreme Court appears to be final in the appeal of this matter and the final order of the director in these transfer proceedings has now been vacated. Sagewillow, Inc., is considering the filing of new applications for transfer.

Yours very truly,



Kent W. Foster

c: Norman M. Semanko
Thomas C. Praggastis
Dr. Charles Brockway
Michael C. Creamer
Harold Jones (via fax)
Philip J. Rassier

Exhibit A

Subcase NOS:

33-00069
33-00070
33-00071
33-00072
33-00073
33-00074
33-00076
33-00078
33-00079
33-00080
33-00081
33-00082
33-02007
33-02008
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
33-02090
33-02091
33-02133
33-07018
33-11003

RECEIVED

FEB 23 2001

IDAHO WATER RESOURCES

2001 FEB 22 AM 10:43

DISTRICT COURT-SEBA
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

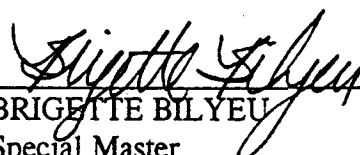
g:\G:\33MRR\00069.vacatemrr.doc

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

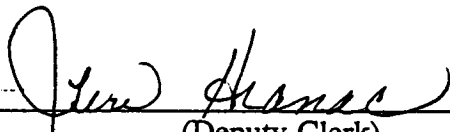
CERTIFICATE OF MAILING

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)

RECEIVED
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):**

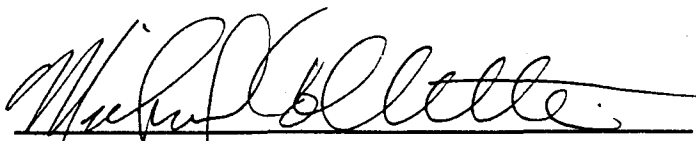
The Places of Use in Section 18 are misdescribed in Range 27E. They should be in Range 28E.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

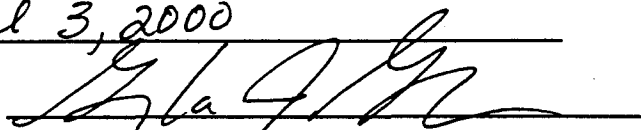
Michael Collette , duly sworn, upon oath, deposes and says:
(Name of person filing objection)

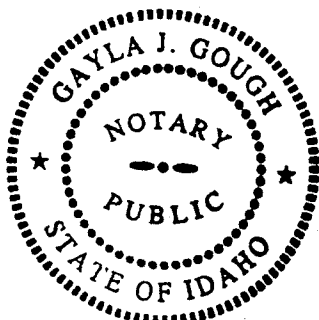
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(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:

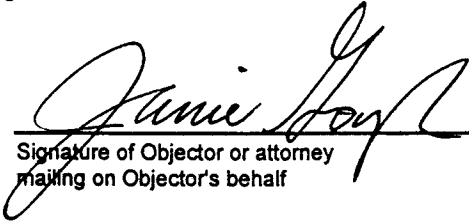
Name: Sagewillow Inc.
Address: c/o Kent Foster
P.O. Box 50130
Idaho Falls, ID 83405

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 _

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

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

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MAR 24 1993

IDAHO FALLS OFFICE

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
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BOISE, IDAHO 83702

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

BOISE OFFICE
Department of Water Resources

WM. LYMAN FOSTER, District Office
RANDALL B. REED
RONALD D. CHRISTIAN
FREDERICK J. HAHN III

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ROBERT B. HOLDEN
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TERRY L. CRAPO
(1939-1982)
WILLIAM S. HOLDEN
(1907-1988)

March 23, 1993

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

Dear Eric:

Upon review of our files, we have discovered that it is necessary to replace certain maps for Claim Nos. 33-0071, 33-0074, 33-0076 and 33-0079 filed on behalf of Sagewillow, Inc. We have enclosed the above-referred to maps, together with an additional map and amended page 2 for Claim No. 33-0078.

We would request that you make the substitutions noted above so that the claims will reflect the correct places of use and description of use.

Thank you for your assistance with this matter.

Yours very truly,



Kent W. Foster

#8149.00/srs

Enclosure

MICROFILMED

APR 15 1994

POOR ORIGINAL

CLAIM NO. 33-0074

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

PLACE OF USE

POINTS OF DIVERSION

MICROFILMED

APR 15 1994

INTER-DEPARTMENT MEMO

TO: A33-00071, 00074, 00075, 00076, 00078, 00068B SUBJECT: FILING FEE

FROM: Eric Veuser

DATE: 2/22/93

CLAIMANT HAS WITHDRAWN A33-00068B BECAUSE THE RIGHT IS OWNED
BY BLAIN COUNTY CANAL CO. WHO HAS PREVIOUSLY FILED A CLAIM FOR

AT THE SAME TIME THE CLAIMANT FILED 5 NEW CLAIMS, WHO'S FILING
FEE = \$500.00 (INCLUDING LATE FEES). CLAIMANT REQUESTED WE
TRANSFER \$123.00 PD FOR A33-00068A UNDER RECEIPT E018285 E018054
TO COVER PART OF THE \$500.00 OWNED ON THE NEW CLAIMS.

I TREATED THE WITHDRAWAL OF A33-00068B AS AN AMENDED CLAIM OF THE
NEW FILINGS - NEW CLAIMS ARE RECEIVED UNDER # E018054 AND
E018285

() For your information

() Response required

Eric Veuser
signature

MICROFILMED

APR 15 1994

INTER-DEPARTMENT MEMO

TO: A33-00071, 00074, 00077, 00076, 00078, 00068B SUBJECT: FILING FEEFROM: Eric VernerDATE: 2/22/93

CLAIMANT HAS WITHDRAWN A33-00068B BECAUSE THE RIGHT IS OWNED
BY BLANK COUNTY CANAL CO. WHO HAS PREVIOUSLY FILED A CLAIM FOR

AT THE SAME TIME THE CLAIMANT FILED 5 NEW CLAIMS, WHO'S FILING
FEE = \$500⁰⁰ (INCLUDING LATE FEES). CLAIMANT REQUESTED WE
TRANSFER \$123⁰⁰ FROM A33-00068B UNDER RECEIPT ~~ED18054~~ ED18054
TO COVER PART OF THE \$500⁰⁰ DUES ON THE NEW CLAIMS.

I TREATED THE WITHDRAWAL OF A33-00068B AS AN AMENDED CLAIM OF THE
NEW FILINGS - NEW CLAIMS ARE RECEIVED UNDER # ED18054 AND
ED18285

() For your information

() Response required

Eric Verner
signature

MICROFILMED
APR 15 1994

LAW OFFICES

HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

FRED J. HAHN
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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 / EV.

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

LAW OFFICES
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FEB 22 1993

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<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,

A handwritten signature in cursive script, appearing to read "Kent W. Foster".

Kent W. Foster

#8149.00/srs

Enclosure

MICROFILMED

APR 15 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:46:10
04/06/94

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: 1
A33-00074

LAST: SAGE WILLOW INC
ADDRESS: PO BOX 50130
CITY: IDAHO FALLS
PHONE NUMBER: 208-523-0620

FIRST: ID
STATE: ID
ZIP: 83403

OWNER CODE: C

LAST: WILSON KIDWELL HAHN & CRAFT
ADDRESS: PO BOX 50130
CITY: IDAHO FALLS
PHONE NUMBER: 208-523-0620

FIRST: ID
STATE: ID
ZIP: 83403

OWNER CODE: A

FIELD EXAM REQUIRED?

FIELD
EXAMINER

DATABASE

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

PAGE: 2
FIELD EXAMINATION INFORMATION

CLAIM NUMBER: A13-00074

CONTACT PERSON: _____ PHONE NUMBER: (____) _____
DATE OF FIELD EXAM: ____/____/____ APPOINTMENT MADE: Y(____) N(____) TIME: ____:____ A(____) P(____)
ACCOMPANIED BY: _____ PHONE NUMBER: (____) _____
RELATIONSHIP TO CLAIMANT: _____
DIRECTIONS TO PROPERTY / NOTES:

A. AT CLAIM: A33-0007A PRIORITY DATE: 09-06-1913 STAGE: D
B. NR RECORD: A33-0007A PRIORITY DATE: 09-06-1913 STAGE: D
C. FIELD EXAM REQUIRED? FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? () N () Y

NOTES: PRIORITY DATE CLAIMED MATCHES DECEES

RECOMMENDED PRIORITY DATE: As claimed
09-06-1913

REVIEWED BY: [Signature] DATE: 5 FEB 97

EXCERPT FROM:
BLAINE CO. INVEST. CO. vs R.G. MAYS, et al
DECEED 4 MARCH 1927, III PG. 10 (L)

(1) Little Lost River: 80 inches, August 6, 1913, 338007A
S.M. [Signature]

Point of diversion:

to be used upon and appurtenant to:

(Thomas Chamberlain Homestead Entry) The West half of the
Northeast Quarter of Section 8, Township 7 North, Range 28 East of the
Boise Meridian.

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOV	CNTY
A33-00074	07N	27E	2		SW	NE		SUTTE

OTHER AJ CLAIMS WITH SAME AJ FOR

A PREFIX
A33-00069
A33-00072
A33-00076
A33-00078
A33-00079
A33-02007
A33-02133

WR RECORDS IN SAME 40 ACCE TRACT

33-04013
T33-00069A
T33-00069B
T33-00069C
T33-00070A
T33-00070B
T33-00070C
T33-00071A
T33-00071B
T33-00071C
T33-00072A
T33-00072B
T33-00072C
T33-00073A
T33-00073B
T33-00073C
T33-00074A
T33-00074B
T33-00074C
T33-00075A
T33-00075B
T33-00075C
T33-00076A
T33-00076B
T33-00076C
T33-00077A
T33-00077B
T33-00077C
T33-00078A
T33-00078B
T33-00078C
T33-00079A
T33-00079B
T33-00079C
T33-00080A
T33-00080B
T33-00080C
T33-00081A
T33-00081B
T33-00081C
T33-00082A
T33-00082B
T33-00082C
T33-02007A
T33-02007B
T33-02007C
T33-02008A
T33-02008B

133-02009A
133-02057D
133-02057E
133-02057F

133-02009D
133-03003E
133-04000F
133-02133A
133-02133B
133-02133C

TRIB: SINKS

SOURCE: LITTLE LOST RIVER

B. WR POINT OF DIVERSION AND SOURCE:

330007A THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: LITTLE LOST RIVER

TRIB: SINKS

C. FIELD EXAM REQUIRED?

FIELD
EXAMINER

DATABASE
Y N

DUE TO POD DISCREPANCY? (Y/N)

DUE TO SOURCE DISCREPANCY? (Y/N)

NOTES:

POD NOT SPECIFIED BY DEGREE. SOURCE: AS LITTLE LOST RIVER. (SEE DEGREE SKETCH ON Pg. 5)

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
TWP. YOR. SEC. 1/4 1/4 1/4

DIVERSION NAME

COUNTY

LOT

SOURCE: LITTLE LOST RIVER

TRIB: SINKS

SYSTEM DESCRIPTION:

RECEIVED
JAN 10 1964
U.S. DEPT. OF
COMMERCE
BUREAU OF
ECONOMIC
ANALYSIS

CLASS NUMBER: 6-00072

E-06

2015-11-19

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AI #/ACRES	NW #/ACRES	LANDCAT DATA	TOTAL ACRES
07N	28E	8	NW	NE	1	SAGE WILLOW INC	A33-00074	33-00074	15.0	
			NW	NE	2	SAGE WILLOW, INC.	A33-02057	33-02057	5.0	
			NW	NE	3	SAGE WILLOW, INC.	A33-02093	33-02093	5.0	
			NW	NE	4	SAGEWILLOW INC	A33-10457			
			NW	NE	5	HAWLEY, LAWRENCE R.		33-020570	5.0	
			NW	NE	6	SAGEWILLOW INC		33-07205	30.0	
			NW	NE	7	SAGEWILLOW INC		T33-000698	30.0	
			NW	NE	8	SAGEWILLOW INC		T33-000708	30.0	
			NW	NE	9	SAGEWILLOW INC		T33-000718	30.0	
			NW	NE	10	SAGEWILLOW INC		T33-000728	30.0	
			NW	NE	11	SAGEWILLOW INC		T33-000738	30.0	
			NW	NE	12	SAGEWILLOW INC		T33-000748	30.0	
			NW	NE	13	SAGEWILLOW INC		T33-000758	30.0	
			NW	NE	14	SAGEWILLOW INC		T33-000768	30.0	
			NW	NE	15	SAGEWILLOW INC		T33-000778	30.0	
			NW	NE	16	SAGEWILLOW INC		T33-000788	30.0	
			NW	NE	17	SAGEWILLOW INC		T33-000798	30.0	
			NW	NE	18	SAGEWILLOW INC		T33-000808	30.0	
			NW	NE	19	SAGEWILLOW INC		T33-000818	30.0	
			NW	NE	20	SAGEWILLOW INC		T33-000828	30.0	
			NW	NE	21	SAGEWILLOW INC		T33-020078	30.0	
			NW	NE	22	SAGEWILLOW INC		T33-020088	30.0	
			NW	NE	23	SAGEWILLOW INC		T33-020098	30.0	
			NW	NE	24	SAGEWILLOW INC		T33-020108	30.0	
			NW	NE	25	SAGEWILLOW INC		T33-020118	30.0	
			NW	NE	26	SAGEWILLOW INC		T33-020128	30.0	
			NW	NE	27	SAGEWILLOW INC		T33-020138	30.0	
			NW	NE	28	SAGEWILLOW INC		T33-020148	30.0	
			NW	NE	29	SAGEWILLOW INC		T33-020158	30.0	
			NW	NE	30	SAGEWILLOW INC		T33-020168	30.0	
			NW	NE	31	SAGEWILLOW INC		T33-020178	30.0	
			NW	NE	32	SAGEWILLOW INC		T33-020188	30.0	
			NW	NE	33	SAGEWILLOW INC		T33-020198	30.0	
			NW	NE	34	SAGEWILLOW INC		T33-020208	30.0	
			NW	NE	35	SAGEWILLOW INC		T33-020218	30.0	
			NW	NE	36	SAGEWILLOW INC		T33-020228	30.0	
			NW	NE	37	SAGEWILLOW INC		T33-020238	30.0	
			NW	NE	38	SAGEWILLOW INC		T33-020248	30.0	
			NW	NE	39	SAGEWILLOW INC		T33-020258	30.0	
			NW	NE	40	SAGEWILLOW INC		T33-020268	30.0	
			NW	NE	41	SAGEWILLOW INC		T33-020278	30.0	
			NW	NE	42	SAGEWILLOW INC		T33-020288	30.0	
			NW	NE	43	SAGEWILLOW INC		T33-020298	30.0	
			NW	NE	44	SAGEWILLOW INC		T33-020308	30.0	</

PAGE: 7
PLACE OF USE REVIEW SHEET CONTINUED

CLAIM NUMBER: A33-00074

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AI \$/ACRES	MR \$/ACRES	INDICAT DATA	FIELD EXAM.	RECORDING ACRES
SW	NE					SAGEWILLOW INC		133-02033E 730.0			
SW	NE					SAGEWILLOW INC		133-02133E /30.0			
SW	NE					HAWLEY, L. R.		33-02133 /40.0			
SW	NE					SAGEWILLOW INC		133-00072E /30.0			
TOTAL ACRES							A33-00074	50.00		51.00	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED? FIELD EXAMINER POU COUNTY: BUTTE

DUE TO POU DISCREPANCY? (Y/N)

PRESUMPTION FLAG:

NOTES:

Claims as Deceased.

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

A. AJ CLAIMED USES:

PURPOSES
A33-00074 IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01
TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1.600 CFS
1.600 CFS

B. WR RECORDED USES:

PURPOSES
33-00074 IRRIGATION

MONTH/DAY
FROM TO
TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1.600 CFS
1.600 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

DATABASE EXAMINER
N
N
Y

FIELD

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()

Y() N()

Explain in notes, below.

NOTES:

PERIOD OF USE RECOMMENDED AS DECEASED.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(✓) N()

AJ TOTAL CLAIMED DIVERSION RATE: 1.600 CES
 WR FOOT RIGHT TOTAL DIVERSION RATE: 1.600 CES *As Directed*
 *** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
 ** If an amount smaller than the original diversion rate is **
 ** claimed and an exam is NOT required, explain in notes. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) N

FIELD
DATABASE EXAMINER

F.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAY REVIEW.

OTHER RIGHTS LISTED IN CLAIM: 33-2057/2003/2133

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A33-00074	LITTLE LOST RIVER	SAGE WILLOW INC.	1.600	0.020		
A33-02057	GROUNDWATER	SAGE WILLOW, INC.	34.000	0.016		
A33-02083	GROUNDWATER	SAGE WILLOW, INC.	5.000	0.003		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A33-10457	STOCKWATER	SAGEWILLOW INC	FROM 01-01 TO 12-31	.040 CES	

0. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES ----- X 0.02 CFS/ACRE = ----- CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(____) N(____)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(____) N(____) ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AE/A

ACRES ----- X CONSUMPTIVE VOL. AE/A FOR AREA ----- =

TOTAL CONSUMPTIVE USE ----- AE/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AE/A

ACRES ----- X DIVERSION VOL. AE/A FOR AREA ----- =

TOTAL DIVERSION VOLUME ----- AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(____) N(____)

NOTES: (Include limitations on CONSUMPTIVE USE for combined rights.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AE/A	REC. CUNS. USE
IRRIGATION	04-01 11-01	DATABASE EXAMINER 1.600	DATABASE EXAMINER 0.0	DATABASE EXAMINER 0.0
TOTAL FOR THIS RIGHT		1.600		

REVIEWED BY:

DATE:

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED ()
NEEDS REVIEW ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 33-00074

TOTAL DIVERSION RATE OF W2 SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	DIV. RATE	CURRENT CLAIM NUM.	EXAMINER	W2 RIGHT NUMBERS	DIVERSION RATE
-	A33-00074	1.600	-	-	-	33-00074	1.600
TOTAL CFS		1.600					1.600

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

NOTES:

As claimed this right is claimed at full.

AUTHENTICATION:

SIGNATURE: *Abraham*
NAME OF FIELD EXAMINER: *Anton Rykberg*

DATE: *5 Feb 97*
TITLE: *SE Asst*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:46:18
04/06/94

PAGE: 13
QUICKLOOK INFORMATION

13
CLAIM NUMBER: 803-00074

NR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AROUND CES/VOLUME								
CONSUMPTIVE USE								
PURPOSES								
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS								

"VERIFIED BY" CODES

TOPD MAP/ORTHO-PH = 1
AELS MAP = 2
WATERMASTER RECORDS = 3
NAEP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

2001

COLUMBIA UNIVERSITY

NOT RELEVANT

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Figure 1

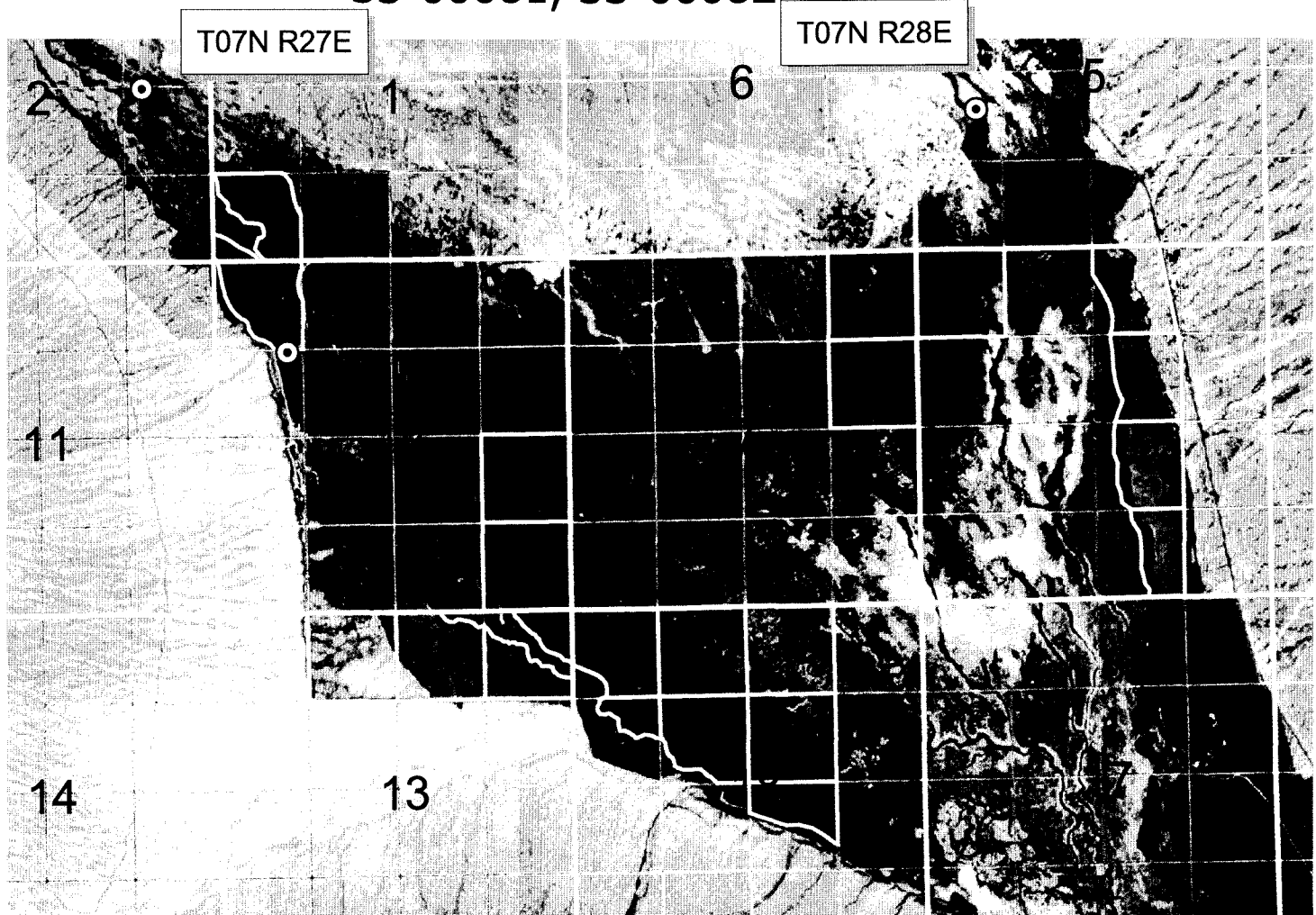


STATE OF IDAHO

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

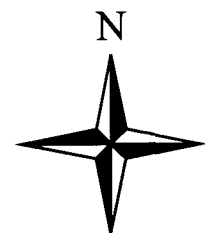
Place of Use

Section Line



Quarter-section line

Acres Irrigated = 698



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

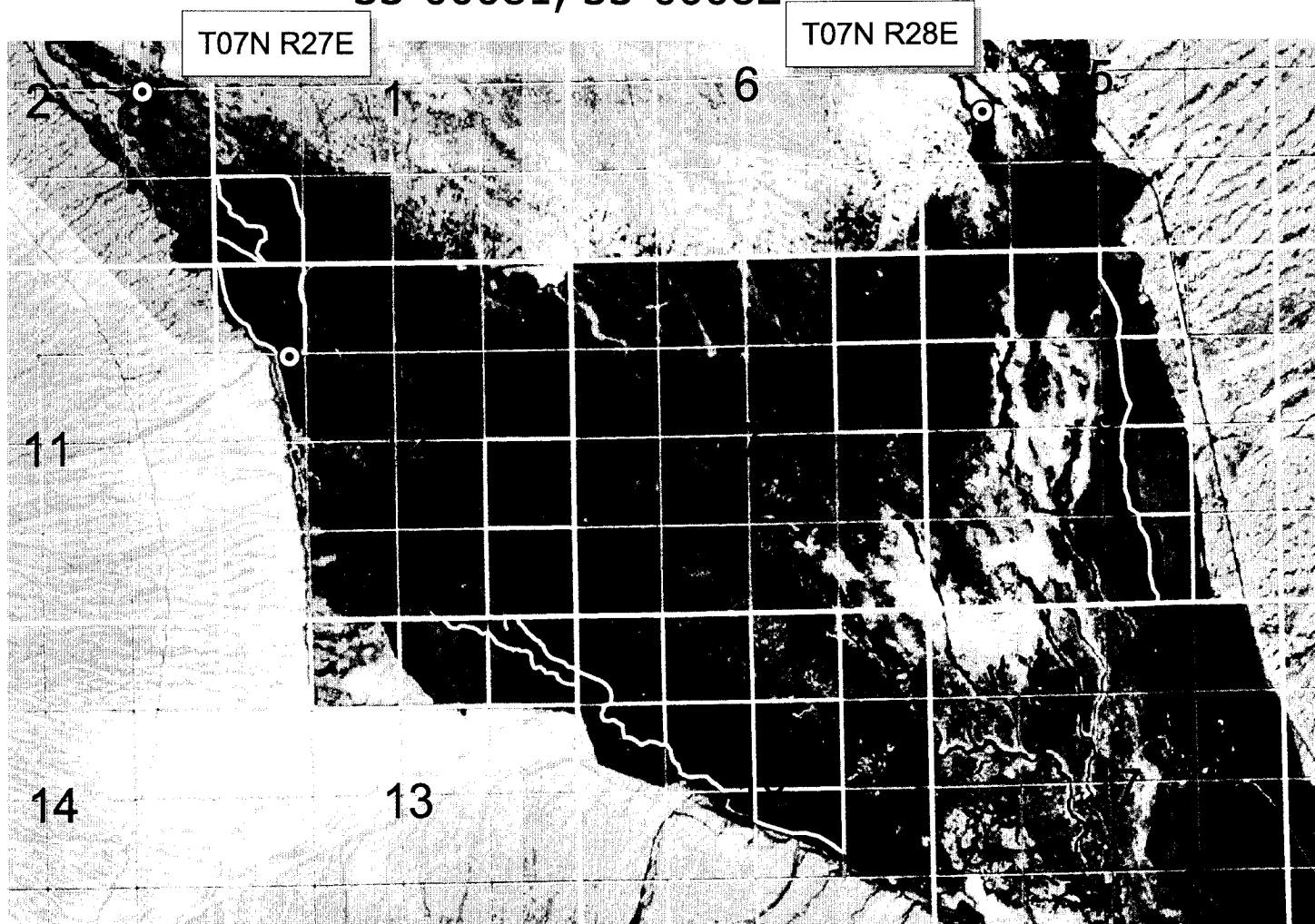


STATE OF IDAHO

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



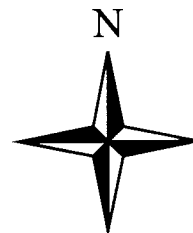
Point of Diversion

Place of Use

Section Line

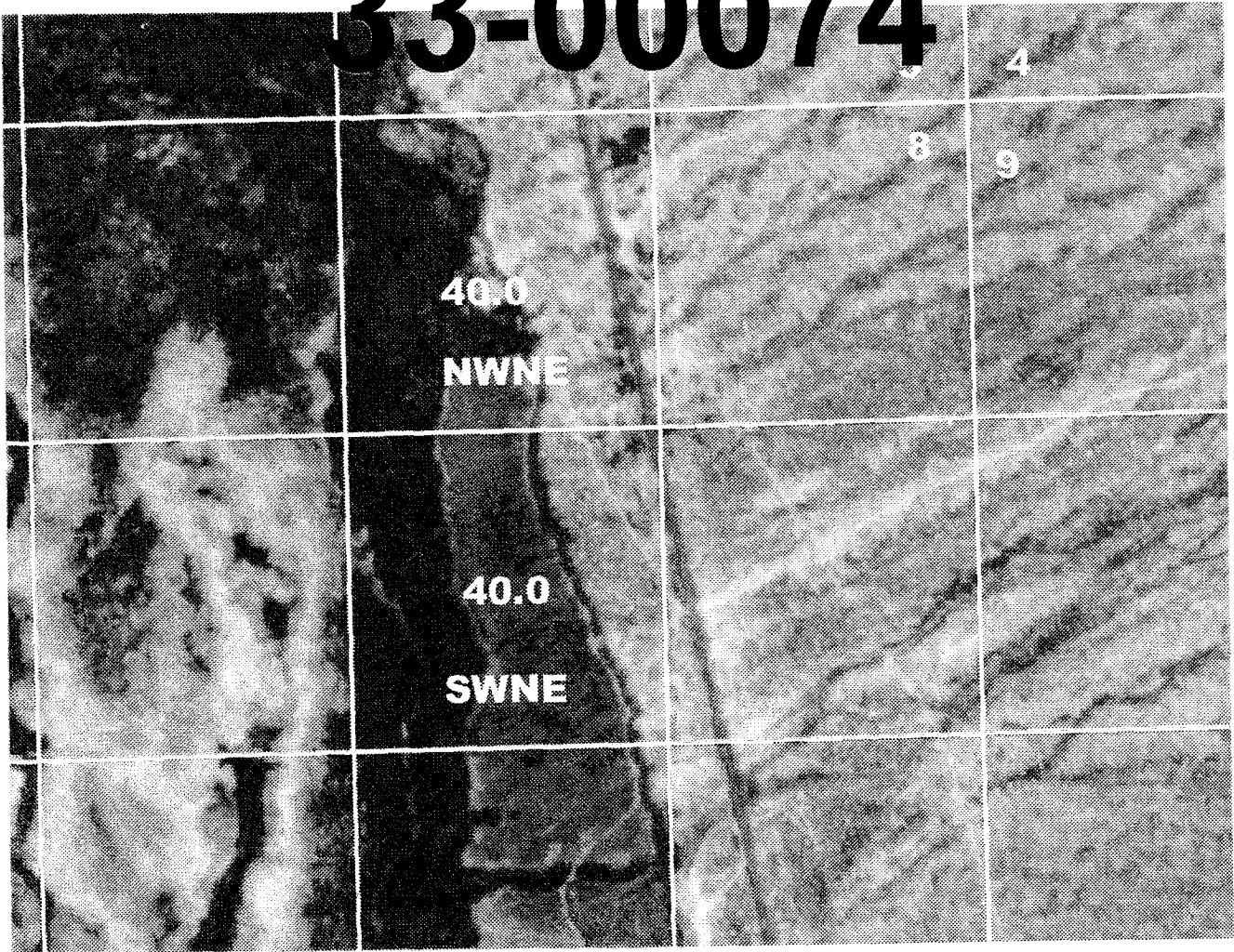
Quarter-section line

Acres Irrigated = 698

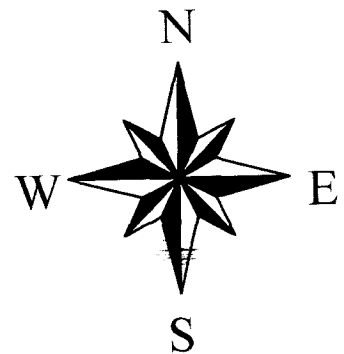


GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: E. Carlsen
Date: November 1999

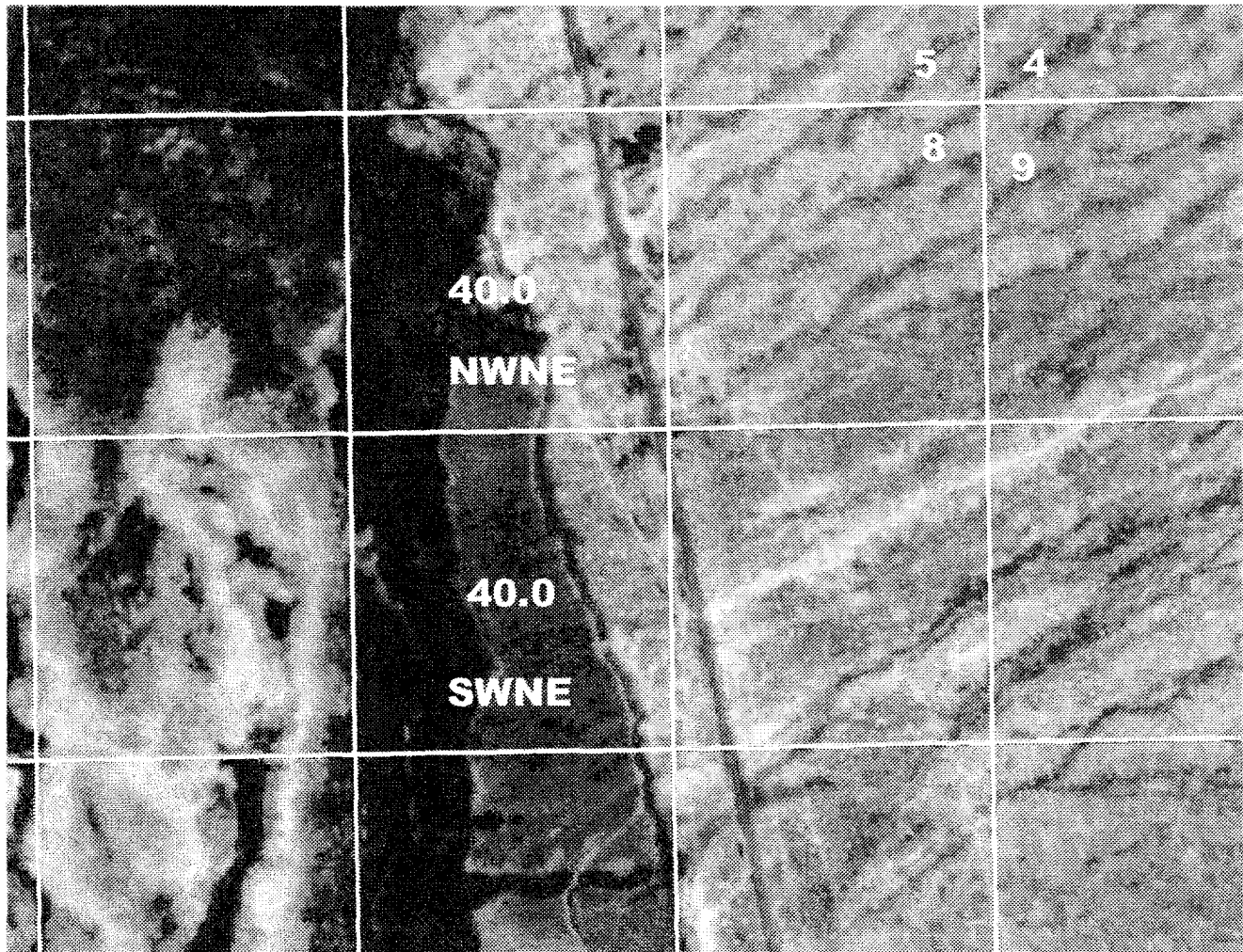
33-00074



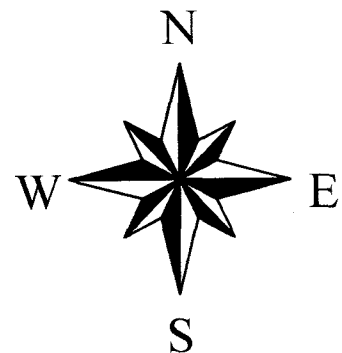
- Place of Use
- POD
- Section Line
- Quarter Section Line



33-00074



Place of Use
⊙ POD
Section Line
Quarter Section Line



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	08/06/1913	IRRIGATION	04-01 11-01	1.600 CFS	
TOTAL DIVERSION:					1.600 CFS	

Water Source: LITTLE LOST RIVER
BIG SPRING CREEK

Tributary to: SINKS
LITTLE LOST RIVER

Stage: DECREED

Point(s) of Diversion:	T07N R27E S02	SWSWNE	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	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
07N	27E	1	:						:						:																	
07N	27E	12	:						:						:																	
07N	27E	13	:						:						:																	
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Remarks: POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
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, 33-00073, 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 80 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:	Field Inspection Flag:	Presumption Flag:

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: A33-00074
Date Received: 2/24/1993
Receipt No: E018285
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 208-523-0620
Address: PO BOX 50130
IDAHO FALLS ID 83405

2. Date of Priority: AUG 6, 1913

3. Source: LITTLE LOST RIVER Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	27E	2		SW	NE		BUTTE

5. Description of diverting works:
DIVERSION AND HEADGATE STRUCTURE WITH 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 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	NW	NE		IRR	40.0
			SW	NE		IRR	40.0

Section Acres 80.0

MICROFILME

APR 15 1994

10. Place of Use: Continued

Total Acres 80.0

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:
33-2057/2083/2133

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

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: _____

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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
_____,
Organization Title and that the statements contained in the
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 _____

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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 SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 33-0074

Date Received

Receipt Number ED18283 ED18054

RECEIVED

FEB 22 1993

Department of Water Resources
Eastern District OfficeNOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW1. 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) August 6, 19133. Source of water supply (a) Little Lost Riverwhich is tributary to (b) Sinks

4.a. Location of existing

point of diversion is: Township 7N. Range 27E. Section 2,1/4 of SW 1/4 of NE, 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, Ditch, 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.

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A3300074

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 _____ 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'	:	:	:	:	:	:	: 80
:	:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:	:

Total number of acres irrigated 80

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, 33-2083, and 33-2133. or None ()

14. Remarks:

Last Name SAGE WILLOW, INC. Ident. Number 33-0074

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Permit _____ Decree X License _____

If applicable provide IDWR Water Right Number 33-0074
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 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 _____

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
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 [Signature]
Residing at Idaho Falls, Idaho
My Commission Expires 10/20/98

17. Notice of Appearance:

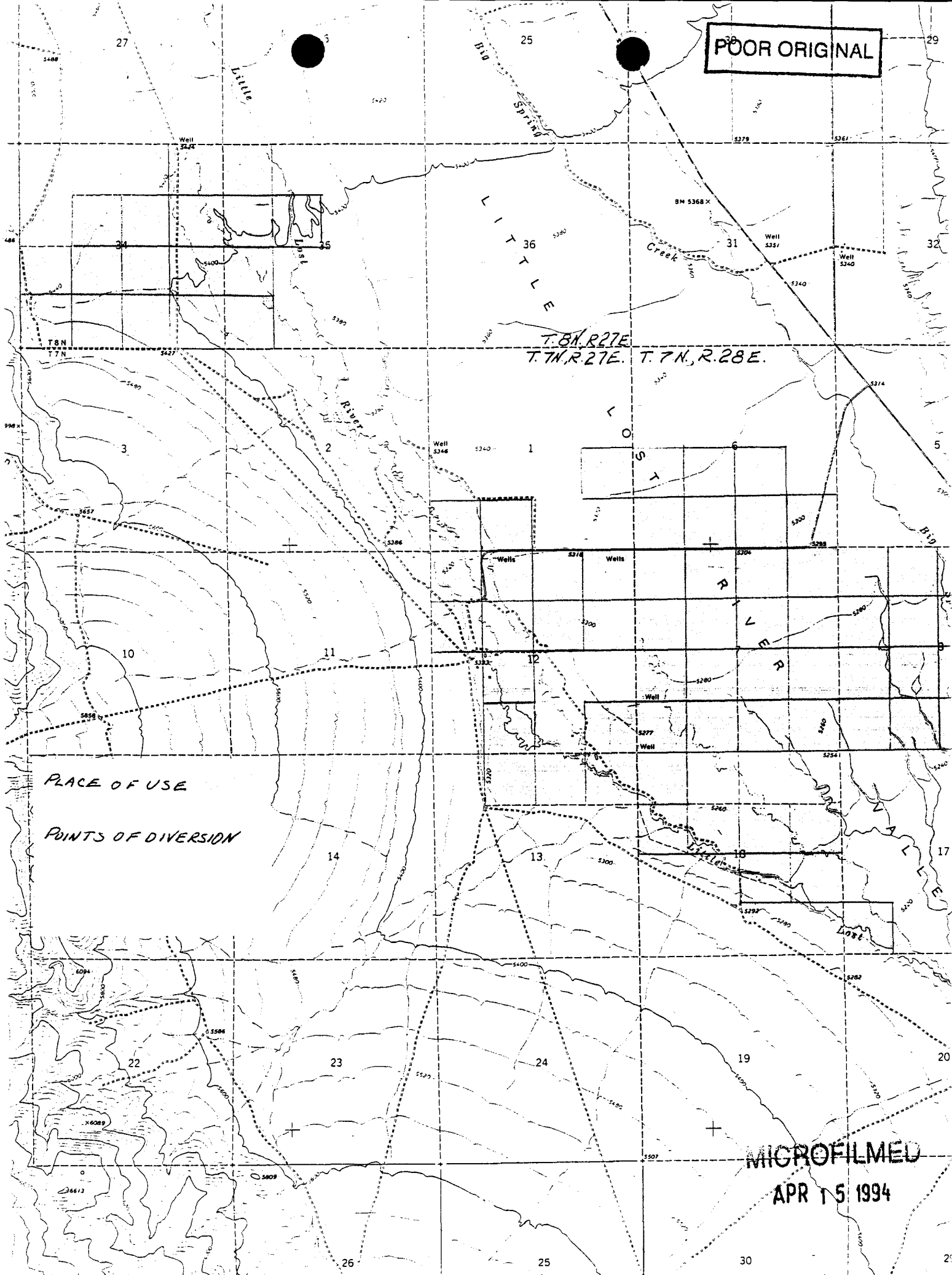
Notice is hereby given that I, Kent W. Foster will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Krist H. Andre
Address P.O. Box 50130, Idaho Falls, Idaho 83405
Date 2/19/93

Last Name SAGE WILLOW, INC. Ident. Number 33-0074 APR 15 1994

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POOR ORIGINAL



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