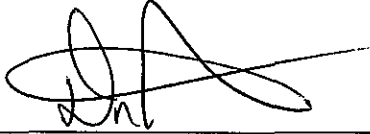


DEPARTMENT OF
WATER RESOURCES

RESPONDENT

United States on behalf of
Bureau of Reclamation



3/24/09

David Gehlert
Attorney, U.S. Department of Justice
Environment and Natural Resources Division

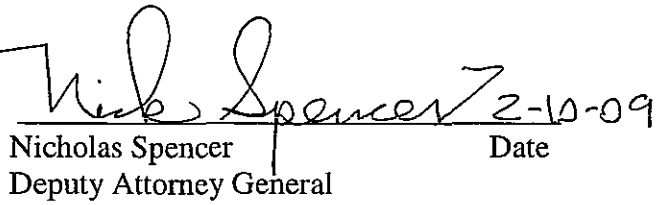
Date

IDWR Concurrence:



IDWR Agent

Date



Nicholas Spencer

Deputy Attorney General

Date

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

RIGHT NUMBER: 63-5358

NAME AND ADDRESS: JEWELL BLACK
15133 LON LN
CALDWELL ID 83607

SOURCE: UNNAMED DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.160 CFS

This right when combined with all other rights, shall not exceed .02 cfs at the field headgate.

PRIORITY DATE: 06/01/1970

POINT OF DIVERSION:

T03N R04W S16 SWSW Lot 2 Within CANYON County

T03N R04W S16 SWSW Lot 2 Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	05/01 10/01	0.160 CFS
IRRIGATION	03/01 11/15	0.030 CFS

Commercial use is for a feedlot operation.

PLACE OF USE: IRRIGATION in CANYON County

T03N R04W S16 Lot 2 SWSW 0.70 T03N R04W S16 SESW 0.30

COMMERCIAL in CANYON County

T03N R04W S16 Lot 2 SWSW T03N R04W S16 SESW

1 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

An easement or right of way agreement providing for access to the drain by its owner and those responsible for maintaining it - and/or for access to the drain by the appropriator to divert water pursuant to this right - must be executed among the appropriator, the owner of the drain, and if appropriate, those responsible for maintaining the drain. Failure to execute such an agreement will constitute grounds for legal action to prevent water from being diverted under this right.

The source of this water right includes waste water. This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

SF5 Right No. 63-5358

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 - Beneficial Use

Use of this right is combined with water from Wilder Irrigation District.

NBS
JAB
DL APB

SF5 Right No. 63-5358

CERTIFICATE OF MAILING

I certify that on 23 MAR. 24, 2009, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

WILDER IRRIGATION DISTRICT

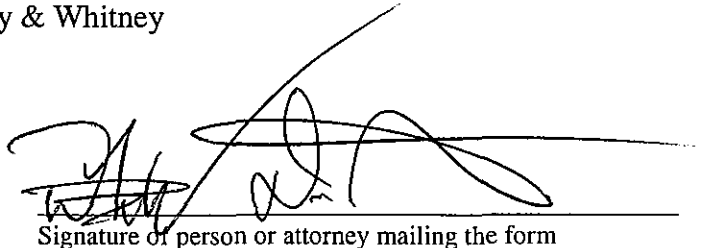
Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139

USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Jewell Black
c/o David Whitney, Attorney
Alexanderson Davis Rainey & Whitney
P.O. Box 26
Caldwell, ID 83605



Signature of person or attorney mailing the form