

2009 SEP 28 AM 11 08

CERTIFICATE OF MAILING

I certify that on 9/25, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

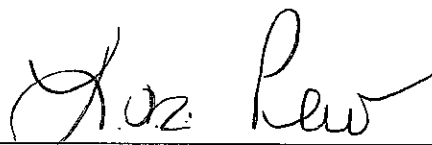
United States Dept of Justice
Environment & Natural Resource Div
550 W. Fort St. MSC 033
Boise, ID 83724

3. Copies to all parties to the subcase:

EAGLE CREEK NORTHWEST LLC
C/O UBS AGRIVEST LLC
PO BOX 53
NAMPA ID 83653

JAMES D WOLFE
475 S SAILOR CREEK RD
GLENS FERRY ID 83623

COURTESY COPY
453 S FITNESS PLACE
EAGLE ID 83616



Signature of person mailing this document

09/24/2009

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
2-2043	EAGLE CREEK NORTHWEST LLC C/O UBS AGRIVEST LLC PO BOX 53 NAMPA ID 83653	Disallowed	Recommended as Right Nos. 2-10444 and 2-10445.

09/24/2009

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
2-2340	EAGLE CREEK NORTHWEST LLC C/O UBS AGRIVEST LLC PO BOX 53 NAMPA ID 83653	Disallowed	Recommended as Right Nos. 2-10446 and 2-10447.

09/24/2009

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

RIGHT NUMBER: 2-10445

NAME AND ADDRESS: EAGLE CREEK NORTHWEST LLC
C/O UBS AGRIVEST LLC
PO BOX 53
NAMPA ID 83653

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 13.640 CFS

PRIORITY DATE: 04/13/1942

POINT OF
DIVERSION:

T05S R09E S35 SENWNE Lot 4 Within ELMORE County
T05S R09E S35 SENWNE Lot 4 Within ELMORE County
T05S R09E S35 SENWNE Lot 4 Within ELMORE County
T05S R09E S35 SENWNE Lot 4 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	13.640 CFS

PLACE OF USE: IRRIGATION in ELMORE County

T05S R09E S26 Lot 5	2.00	T05S R09E S34	NESE	40.00
T05S R09E S34	SESE 24.00	T05S R09E S35 Lot 4	NWNE	25.00
T05S R09E S35 Lot 3	SWNE 28.00	T05S R09E S35	NENW	38.00
T05S R09E S35	SWNW 39.00	T05S R09E S35	SENW	40.00
T05S R09E S35	NESW 40.00	T05S R09E S35	NWSW	40.00
T05S R09E S35	SWSW 40.00	T05S R09E S35	SESW	40.00
T05S R09E S35 Lot 2	NWSE 29.00	T05S R09E S35	SWSE	37.00
T06S R09E S02 Lot 1	NENE 40.00	T06S R09E S02 Lot 2	NWNE	42.00
T06S R09E S02	SWNE 31.00	T06S R09E S02	SENE	30.00
T06S R09E S02 Lot 3	NENW 42.00	T06S R09E S02 Lot 4	NWNW	14.00
T06S R09E S02	SENW 20.00			

681 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

This right is a split from former right 2-2043.

09/24/2009

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

RIGHT NUMBER: 2-10446

NAME AND ADDRESS: JAMES D WOLFE
475 S SAILOR CREEK RD
GLENS FERRY ID 83623

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.226 CFS
556.60 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 5.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 12/18/1964

POINT OF
DIVERSION:

T05S R09E S26 SWSE Lot 5 Within ELMORE County
T05S R09E S26 SWSE Lot 5 Within ELMORE County
T05S R09E S34 SWNE Lot 1 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.226 CFS 556.50 AFY

PLACE OF USE: IRRIGATION in ELMORE County

T05S R09E S34 Lot 2 SWNE	33.00	T05S R09E S34 Lot 1 SENE	34.40
T05S R09E S34 NWSE	22.90	T05S R09E S35 Lot 5 NWNW	21.00

111.3 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The right holder shall accomplish the change authorized by this transfer by June 9, 2010.

This right does not grant any right-of-way or easement across the land of another.

This right is a split from former right 2-2340.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

09/24/2009

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

RIGHT NUMBER: 2-10447

NAME AND ADDRESS: EAGLE CREEK NORTHWEST LLC
C/O UBS AGRIVEST LLC
PO BOX 53
NAMPA ID 83653

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.054 CFS
513.50 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 5.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 12/18/1964

POINT OF
DIVERSION:

T05S R09E S35 SENWNE Lot 4 Within ELMORE County
T05S R09E S35 SENWNE Lot 4 Within ELMORE County
T05S R09E S35 SENWNE Lot 4 Within ELMORE County
T05S R09E S35 SENWNE Lot 4 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.054 CFS 513.50 AFY

PLACE OF USE: IRRIGATION in ELMORE County

T05S R09E S34 Lot 1 SENE	17.60	T05S R09E S34 NWSE	17.10
T05S R09E S35 Lot 5 NWNW	15.00	T05S R09E S35 Lot 1 SESE	11.00
T06S R09E S02 SENW	17.00	T06S R09E S02 NESE	13.00
T06S R09E S02 NWSE	12.00		

102.7 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 2-2340.

The right holder shall accomplish the change authorized by this transfer by June 9, 2010.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This right does not grant any right-of-way or easement across the land of another.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.