

RECEIVED

MAR - 7 2003

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

Department of Water Resources

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 2-103
Date Received: 4/17/1991
Receipt No: C020248
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CHRISTINE W WOOTAN Phone: (208)366-2575
PO BOX 636
GLENN'S FERRY ID USA 83623

BRENDA BRYANT Phone:
GLENN'S FERRY ID USA 83623

BLACK MESA FARMS Phone:
PO BOX 82
GLENN'S FERRY ID USA 83623

WESLEY R WOOTAN Phone: (208)366-2575
PO BOX 636
GLENN'S FERRY ID USA 83623

DON J BRYANT Phone:
GLENN'S FERRY ID USA 83623

2. Date of Priority: 05/10/1965

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	11E	9	NW SW 6	ELMORE	

5. Description of diverting works:

PUMPS, MOTORS, PIPELINES & SPRINKLERS SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
---------	------	----	--------	------------

IRRIGATION

3/15 11/15 8.54

7. Total Quantity Appropriated is:
8.54 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	10E	14	NE	NE	IRRIGATION	39
			NW	NE	IRRIGATION	39
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	39
			NE	SE	IRRIGATION	39
			NW	SE	IRRIGATION	30
			SW	NW	IRRIGATION	40
					Total Acres	426

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

Claim amended to include 40 acres in SWNW, 06S, 10E, Sec. 14 that were not licensed on permit 2-2389, but were included in original Snake River Adjudication on claim 2-103.

BLACK MESA PROJECT.

FIELD EXAMINATION FOR 02-02209 IDENTIFIED THE LAND CLAIMED HEREIN WAS IRRIGATED AT THE TIME. THIS CLAIM IS TO COVER THE ADDITIONAL PLACE OF USE NOT COVERED IN THE LICENSE ISSUED FOR 02-02209.

ADDRESS CHANGED PER CLAIMANT REQUEST. DB 5/2/2000.

15. Basis of Claim: Beneficial Use

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 Individuals:

I/We 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 OWNER / Partner of
Title
Black Mesa Farms LLC, that I have signed the foregoing
Organization
document in the space below as OWNER / Partner of
Title
Black Mesa Farms LLC and that the statements contained in the
Organization
foregoing document are true and correct. Wesley R. Walters
Signature of Authorized Agent
Black Mesa FARMS INC
Title and Organization
Jan 10 2003
Date

State of Idaho)
County of Ada) SS.

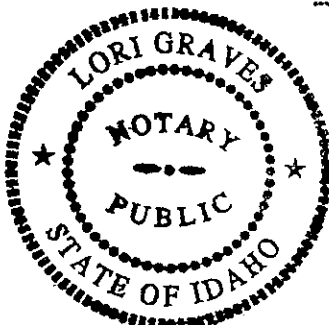
Subscribed and sworn (or affirmed) before me this
of Jan 2003

10th day
Wesley R. Walters

Notary Public

Residing at Boise

My commission Expires 6/18/04



IN THE DISTRICT COURT OF THE _____ JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____

ADA

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
SNAKE RIVER FROM BASE OF
MILNER DAM TO _____
OREGON BORDER _____ DRAINAGE BASIN.

NOTICE OF CLAIM TO A WATER RIGHT

02-0103	
I.D. No.	Map No.
\$	
Fee Paid	Receipt No.

Notice is hereby given that COTTONWOOD MUTUAL CANAL COMPANY

P.O. Box 789, Burley, ID 83318

(Name of Claimant)

Telephone No. 678-9471

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:
(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) May 10, 1965

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River tributary to Columbia River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 8.54 Use Irrigation Period of Use From 3-15 To 11-15
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 8.54 772 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source Lot 6
Sec. 9, Twp. 6S, Rge. 11E, B.M., Elmore 39 County _____
Additional Points: SCI: 2720(1) 554.1

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
Pumps, motors, pipelines, and sprinkler system.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	10E	14	39	39	40	40	40	40	40	39					39	30			426 386

Total no. of acres 426 386

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remark Black Mesa Project Right split from Amended Claim 02-2209.
No signature necessary. DVS 8/29/84

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

(Date)

(Signature of Claimant)

State of _____

Organization

Organization

(Signature of Spouse)

County of _____

ss.

Seal

(Signature of Notary Public)

On this _____ day of _____

, in the year _____ before me

a notary public, personally appeared _____

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires _____

Notary Public residing at _____

TO: D. Tuthill *DET*

FROM: D. Shaff *DS*

DATE: August 24, 1984

SUBJECT: License 02-2209

The accuracy of this license issued February 11, 1970, came to my attention through the process of the adjudication. The license holder filed an amended claim maintaining land not described in the license should be included in the water right represented by the license.

The land in question is Section 14, T 6S, R10E. The Proof of Beneficial Use submitted in 1965 by the holder and one (1) witness did not include Section 14. A second witness and the notice of Proof published in June and July 1965 did include lands in Section 14. The field report is somewhat confusing because the water right was apparently examined by two agents, each one on different dates. The land in Section 14 appears on the Field Report map as irrigated apparently, but the individual tracts in the section were excluded from a count of the subdivisions irrigated. The letter transmitting the results of the permit examination describes "3,985 acres irrigated including certain tracts in Section 14". The license was issued for 3,985 acres but excluded any lands in Section 14.

A 1964 aerial photograph recently received showed the Section 14 land undeveloped. A 1969 aerial photograph (DLG-4KK-89; 5/10/1969) showed the land in Section 14 irrigated as described on the attached land list. *(Proof of B/U states first use was in '65)*

I conclude and recommend the staff of the Department issue to the holder an Amended License 02-2209 that includes the 426 acres in Section 14. The remaining question would be the extent of beneficial use, or number of irrigated acres. The attached land list reflects the review of the lands now irrigated in this project under this water right. Permit 02-2389 covers one irrigated tract not described on the land list. By simply adding the 426 acres found in Section 14 to the 3,985 acres on the license would exceed the 4,283 acres that will be recommended to the court for this water right, if Section 14 is included.

<u>License</u>	<u>Adjudication</u>
3,985 acres	3,857 acres
+ 426 ---Section 14---	+ 426
4,411	4,283

I suggest amending the license to 4,283 acres by changing the rest of the land list to reflect the extent of beneficial use shown by the 1974 orthophotoquad (Pasadena Valley). This would require at .02 cfs per acre a diversion rate of 85.7 cfs. The capacity of the system was measured at 90.24 cfs.

MICROFILMED

AUG 10 1984

The license file is, of course, at your disposal. If you want to review the other materials described above, these are available to you at your request.

MICROFILMED

AUG 10 1994

Town- ship	Ran- ge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	10E	1					35		40	40						30	40	25	210
		2																40	40
		11	40	40	40	40	39			40	40	40	40	40	40	40	40	40	559
		12	40	40	40	40	40	40	40	40	40	40	40	19	40	40	40	40	620
		13	40	40	40	40	36	40	40	40	35	35	-	-	40	40	31	40	537
		14	39	39	40	40	40	40	-	40	39				39	30			426
		24	40	38	40	40									40	33			231
5S	11E	7	14	25	40	40	30	37	38	40	40	38	38	40	40	40	40	40	580
		17						39	40			30							109
		18	40	40	40	40	40	38	38	40	40	38	38	40	35	40	40		587
		19						L.2				L.3	X						
		19						39		40	39			25	40	40	40	40	303
		20										40	40						80
																			4283

MICROFILMED
AUG 10 1994

AUG 10 1954

MICROFILMED

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: A02-00103
Date Received: 4/17/1991
Receipt No: C020248
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: BLACK MESA FARMS
Address: BOX 82
GLENNS FERRY ID 83623
OR
Name: WESLEY R WOOTAN 208-366-2575
Address: PO BOX 636
GLENNS FERRY ID 83623
OR
Name: CHRISTINE W WOOTAN 208-366-2575
Address: PO BOX 636
GLENNS FERRY ID 83623
OR
Name: DON J BRYANT
Address: GLENNS FERRY ID 83623
OR
Name: BRENDA BRYANT
Address: GLENNS FERRY ID 83623

2. Date of Priority: MAY 10, 1965

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	11E	9	NW	SW		6	ELMORE

5. Description of diverting works:
PUMPS, MOTORS, PIPELINES & SPRINKLERS SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	8.540		

7. Total Quantity Appropriated is:
8.540 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
06S	10E	14	NE		NE		IRR	39.0
			NW		NE		IRR	39.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	39.0
			NE		SE		IRR	39.0
			NW		SE		IRR	30.0

Section Acres 386.0

Total Acres 386.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

BLACK MESA PROJECT.

FIELD EXAMINATION FOR 02-02209 IDENTIFIED THE LAND CLAIMED HEREIN
WAS IRRIGATED AT THE TIME. THIS CLAIM IS TO COVER THE ADDITIONAL
PLACE OF USE NOT COVERED IN THE LICENSE ISSUED FOR 02-02209.

ADDRESS CHANGED PER CLAIMANT REQUEST. DB 5/2/2000.

15. Basis of Claim: BENEFICIAL USE

RECEIVED

APR 25 2000

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number(s):

AD2-00103

AD2-02209 B

61-07271e

[] Claimant Name(s):

[] Old Mailing Address:

Star Rt Box 26

Hammett ID 83627

[] New Mailing Address:

P.O. Box 636

Glenns Ferry ID 83623

Telephone Number:

(208) 366-2575

[] Signature of Claimant(s):

Christine Wootan

Date:

4/24/00

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: A02-00103
Date Received: 7/17/1989
Receipt No: C020248
Received By: JK 4-17-91

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BLACK MESA FARMS
Address: BOX 82
GLENNS FERRY, ID 83623
OR
Name: WESLEY R. WOOTAN
Address: STAR ROUTE BOX 26
HAMMETT, ID 83627
OR
Name: CHRISTINE W. WOOTAN
Address: STAR ROUTE BOX 26
HAMMETT, ID 83627
OR
Name: DON J. BRYANT
Address: GLENNS FERRY, ID 83623
OR
Name: BRENDA BRYANT
Address: GLENNS FERRY, ID 83623

2. Date of Priority: MAY 10, 1965

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	11E	9	NW	SW		6	ELMORE

5. Description of diverting works:
PUMPS, MOTORS, PIPELINES & SPRINKLERS SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	8.540		

A02-00103

Page 1

Date: 04/17/91

MICROFILMED
AUG 07 1992

7. Total Quantity Appropriated is:
8.540 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
06S	10E	14	NE	NE		IRR	39.0
			NW	NE		IRR	39.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	39.0
			NE	SE		IRR	39.0
			NW	SE		IRR	30.0

Section Acres 386.0

Total Acres 386.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

BLACK MESA PROJECT.

FIELD EXAMINATION FOR 02-02209 IDENTIFIED THE LAND CLAIMED HEREIN
WAS IRRIGATED AT THE TIME. THIS CLAIM IS TO COVER THE ADDITIONAL
PLACE OF USE NOT COVERED IN THE LICENSE ISSUED FOR 02-02209.

15. Basis of Claim: BENEFICIAL USE

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 Partner of
Title
Black Mesa Farms, that I have signed the foregoing
Organization
document in the space below as Partner of
Title
Black Mesa Farms and that the statements contained in the
Organization
foregoing document are true and correct.

Wesley R. Wooten
Signature of Authorized Agent

Partner / Black Mesa Farms
Title and Organization

April 17, 1991
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 17 day

of April 19 91

[Signature]
Notary Public

Seal

Residing at Boise ID

My Commission Expires June 10, 1994

12/04/2005

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

RIGHT NUMBER: 2-103

NAME AND ADDRESS: CHRISTINE W WOOTAN
PO BOX 636
GLENNS FERRY ID 83623

BLACK MESA FARMS LLC
PO BOX 82
GLENNS FERRY ID 83623

WESLEY R WOOTAN
PO BOX 636
GLENNS FERRY ID 83623

DON J BRYANT
PO BOX 215
GLENNS FERRY ID 83623

BRENDA BRYANT
PO BOX 215
GLENNS FERRY ID 83623

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 8.540 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 90.24 CFS. COMBINED RIGHT NOS.: 2-103, 2-4021, AND
ALL PARTS OF BASE RIGHT 2-2209 INCLUDING 2-2209B, 2-2209C, 2-2209E,
2-10187, 2-10189, 2-10191, 2-10196, 2-10208, & 2-10209.

PRIORITY DATE: 06/11/1965

POINT OF DIVERSION:

T06S R11E S9 NWSW Lot 6 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	8.540 CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T06S R10E S01	NESW	35.0	T06S R10E S01	SWSW	39.0
T06S R10E S01	SESW	40.0	T06S R10E S01	NWSE	30.0
T06S R10E S01	SWSE	40.0	T06S R10E S01	SESE	30.0
T06S R10E S02	SESE	39.0	T06S R10E S11	NENE	40.0
T06S R10E S11	SWNE	40.0	T06S R10E S11	SENE	39.0
T06S R10E S11	NESW	40.0	T06S R10E S11	NWSW	40.0
T06S R10E S11	SWSW	40.0	T06S R10E S11	SESW	40.0
T06S R10E S11	NESE	39.0	T06S R10E S11	NWSE	40.0
T06S R10E S11	SWSE	40.0	T06S R10E S11	SESE	40.0
T06S R10E S12	NENE	40.0	T06S R10E S12	NWNE	40.0
T06S R10E S12	SWNE	40.0	T06S R10E S12	SENE	40.0
T06S R10E S12	NENW	40.0	T06S R10E S12	NWNW	39.0
T06S R10E S12	SWNW	39.0	T06S R10E S12	SENW	40.0
T06S R10E S12	NESW	40.0	T06S R10E S12	NWSW	39.0

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

T06S R10E S12	SWSW	38.0	T06S R10E S12	SESW	21.0
T06S R10E S12	NESE	40.0	T06S R10E S12	NWSE	40.0
T06S R10E S12	SWSE	39.0	T06S R10E S12	SESE	39.0
T06S R10E S13	NENE	39.0	T06S R10E S13	NWNE	39.0
T06S R10E S13	SWNE	40.0	T06S R10E S13	SENE	40.0
T06S R10E S13	NENW	39.0	T06S R10E S13	NWNW	39.0
T06S R10E S13	SWNW	40.0	T06S R10E S13	SENE	40.0
T06S R10E S13	NESW	40.0	T06S R10E S13	NWSW	40.0
T06S R10E S13	NESE	40.0	T06S R10E S13	NWSE	40.0
T06S R10E S13	SWSE	40.0	T06S R10E S13	SESE	40.0
T06S R10E S14	NENE	40.0	T06S R10E S14	NWNE	40.0
T06S R10E S14	SWNE	40.0	T06S R10E S14	SENE	40.0
T06S R10E S14	NENW	40.0	T06S R10E S14	NWNW	40.0
T06S R10E S14	SWNW	40.0	T06S R10E S14	SENE	40.0
T06S R10E S14	NESW	39.0	T06S R10E S14	NESE	39.0
T06S R10E S14	NWSE	30.0	T06S R10E S24	NENE	40.0
T06S R10E S24	NWNE	39.0	T06S R10E S24	SWNE	40.0
T06S R10E S24	SENE	40.0	T06S R10E S24	NESE	40.0
T06S R10E S24	NWSE	40.0	T06S R11E S06 Lot 7	SWSW	10.0
T06S R11E S07	NENE	25.0	T06S R11E S07	NWNE	25.0
T06S R11E S07	SWNE	40.0	T06S R11E S07	SENE	40.0
T06S R11E S07	NENW	30.0	T06S R11E S07 Lot 1	NWNW	37.0
T06S R11E S07 Lot 2	SWNW	37.0	T06S R11E S07	SENE	40.0
T06S R11E S07	NESW	40.0	T06S R11E S07 Lot 3	NWSW	38.0
T06S R11E S07 Lot 4	SWSW	37.0	T06S R11E S07	SESW	39.0
T06S R11E S07	NESE	40.0	T06S R11E S07	NWSE	40.0
T06S R11E S07	SWSE	39.0	T06S R11E S07	SESE	40.0
T06S R11E S17	NWNW	40.0	T06S R11E S17	SWNW	40.0
T06S R11E S17	NWSW	40.0	T06S R11E S18	NENE	38.0
T06S R11E S18	NWNE	39.0	T06S R11E S18	SWNE	40.0
T06S R11E S18	SENE	39.0	T06S R11E S18	NENW	39.0
T06S R11E S18 Lot 1	NWNW	37.0	T06S R11E S18 Lot 2	SWNW	38.0
T06S R11E S18	SENE	40.0	T06S R11E S18	NESW	40.0
T06S R11E S18 Lot 3	NWSW	38.0	T06S R11E S18 Lot 4	SWSW	38.0
T06S R11E S18	SESW	40.0	T06S R11E S18	NESE	40.0
T06S R11E S18	NWSE	40.0	T06S R11E S18	SWSE	40.0
T06S R11E S19 Lot 1	NWNW	39.0	T06S R11E S19 Lot 2	SWNW	39.0
T06S R11E S19 Lot 3	NWSW	39.0			
		3948 ACRES TOTAL			

This right is limited to the irrigation of 428 acres within the place of use described above in a single irrigation season.

12/04/2005

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

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 - Beneficial Use

11/09/2005

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 2, 2005

RECEIVED

NOV 30 2005

Department of Water Resources
Adjudication Bureau

Water right number: 2-103

CHRISTINE W WOOTAN
PO BOX 636
GLENN'S FERRY ID 83623
Telephone Number: (208)366-2575

BRENDA BRYANT
GLENN'S FERRY ID 83623

PO Box 215

BLACK MESA FARMS LLC
PO BOX 82
GLENN'S FERRY ID 83623
Telephone Number: (208)366-7433

WESLEY R WOOTAN
PO BOX 636
GLENN'S FERRY ID 83623
Telephone Number: (208)366-2575

DON J BRYANT
~~NO BOX 15~~
~~GLENN'S FERRY ID 83623~~
Telephone Number: (208)366-7453

PO Box 215

Glenn's Ferry, ID 83623

Daytime Phone: 366-7433
Evening Phone: 366-7453

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Quantity, Place of Use

2. Describe the changes you wish to make in the proposed recommendation:

Increase Quantity from 6.4 C.F.S. to original 8.54 C.F.S.

Place of Use to include Place of Use under Water Right # Z-2209 B.

Place of Use to include land in which BLM irrigation restriction was lifted.

3. Give a brief explanation as to why you disagree with these portions:

(see supporting documents)

I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11/29/05

SIGNATURE:

Don J Bryant

Please print your name:

Don J. Bryant

11/09/2005

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

RIGHT NUMBER: 2-103
NAME AND ADDRESS: CHRISTINE W WOOTAN
PO BOX 636
GLENN'S FERRY ID 83623

BRENDA BRYANT
GLENN'S FERRY ID 83623

BLACK MESA FARMS LLC
PO BOX 82
GLENN'S FERRY ID 83623

WESLEY R WOOTAN
PO BOX 636
GLENN'S FERRY ID 83623

DON J BRYANT
HC BOX 15
HAMMETT ID 83627

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 6.400 CFS
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 90.24 CFS. COMBINED RIGHT NOS.: 2-103, 2-4021,
AND ALL PARTS OF BASE RIGHT 2-2209 INCLUDING 2-2209B, 2-2209C,
2-2209E, 2-10187, 2-10189, 2-10191, 2-10196, 2-10208, & 2-10209.

PRIORITY DATE: 06/11/1965

POINT OF DIVERSION:
T06S R11E S9 NWSW Lot 6 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	6.400 CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T06S R10E S14	NENE	40.0	T06S R10E S14	NWNE	40.0
T06S R10E S14	SWNE	40.0	T06S R10E S14	SENE	40.0
T06S R10E S14	NENW	40.0	T06S R10E S14	NWNW	40.0
T06S R10E S14	SWNW	40.0	T06S R10E S14	SENE	40.0

320 ACRES TOTAL

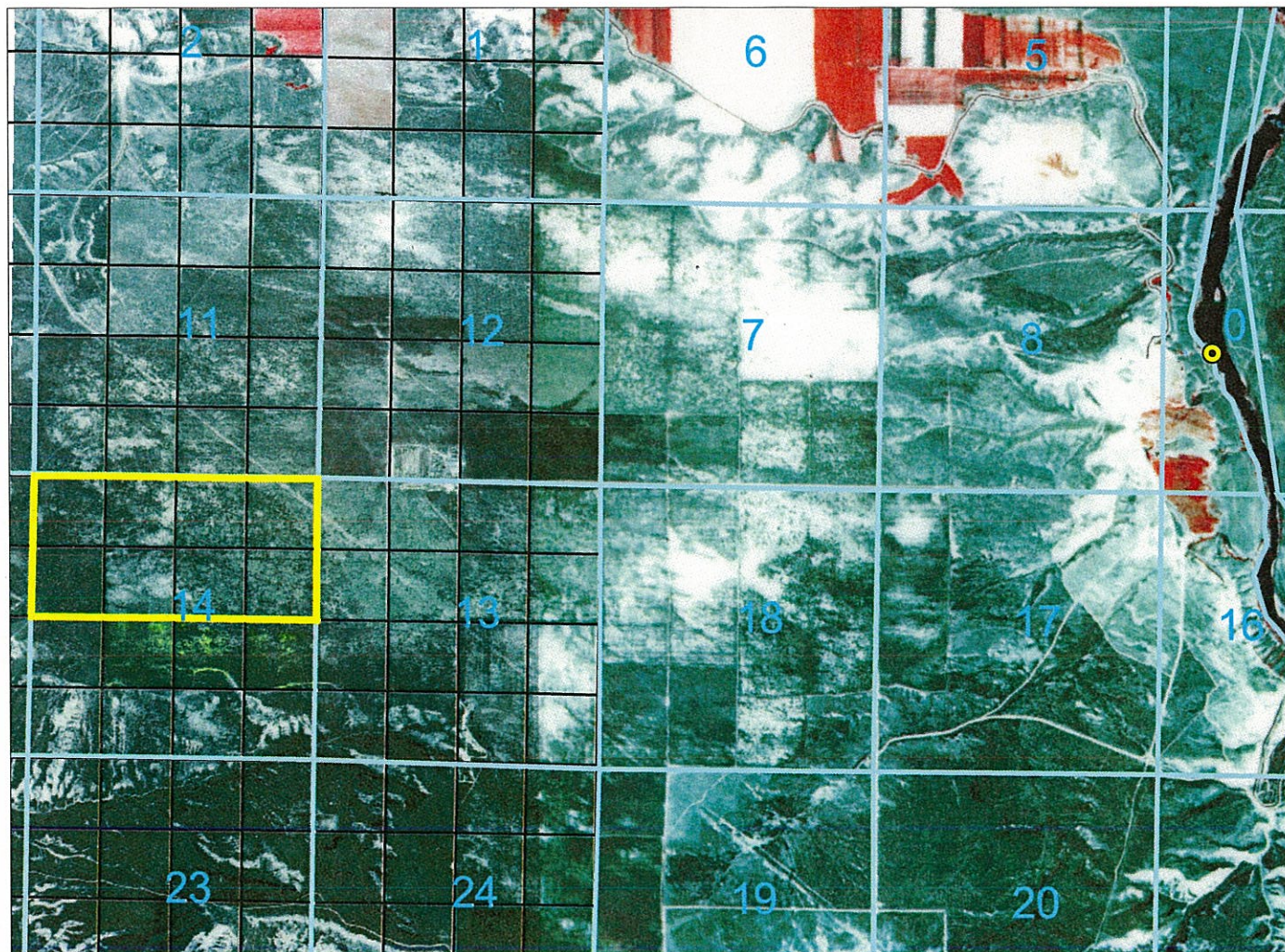
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 - Beneficial Use

Idaho Department of Water Resources

Place of Use Layout 2-00103



0 0.25 0.5 Miles

Township 6S Range 10E Section 14



GIS Place of Use Presentation
1987 NAPP photography.
Map prepared by: JWilson
Date prepared: Nov. 4, 2005



Point of Diversion



Place of Use



PLSS Township



PLSS Section Lines



PLSS quarter-quarter lines

Black Mesa Farms, LLC.

Ident. Number: 2-103

Total Quantity Appropriated is: 8.54 C.F.S.

Township	Range	Section	Lot	1/4 of 1/4	Acres
06S	10E	14		NE NE	40
				NW NE	40
				SW NE	40
				SE NE	40
				NE NW	40
				NW NW	40
				SW NW	40
				SE NW	40
				NE SW	39
				NW SE	39
				NE SE	39
				Section Acres	428
				TOTAL ACRES	428

3520
3948



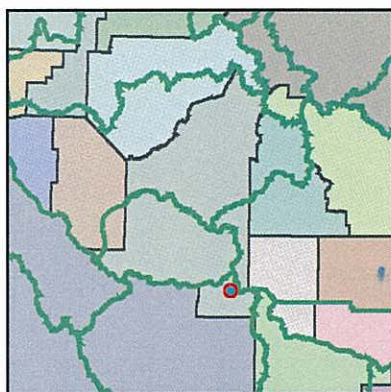
Idaho Department of Water Resources

T06S R10E
T06S R11E

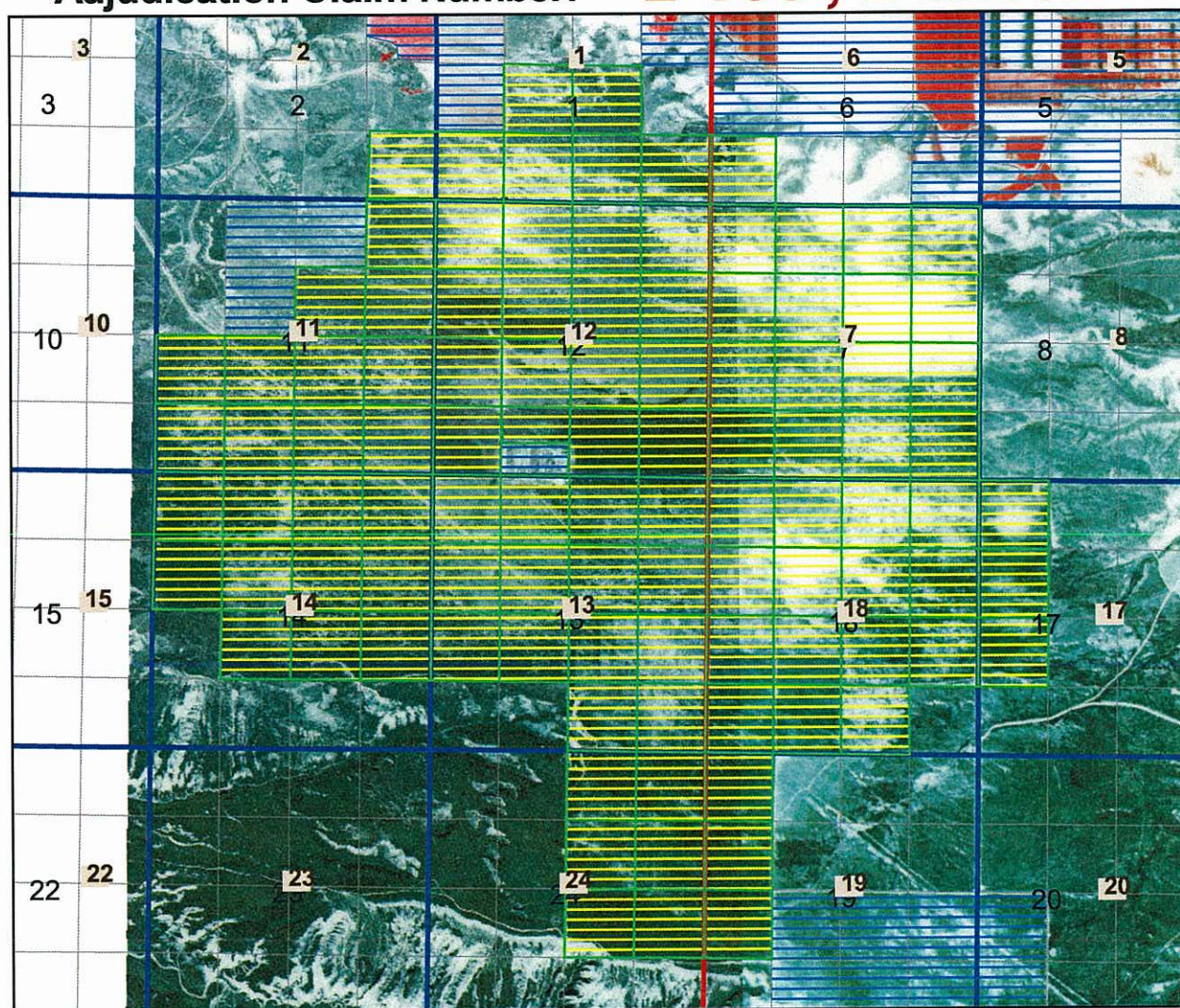
Adjudication Claim Number: **2-103 , 2-2209B**

Legend

- Blackmesa.shp
- Township/Range
- Sections
- GCDB06S11E GCDB
- GCDB06S10E GCDB
- Recommendation POU



Gooding County
IDWR Basin 2



0 1 2 Miles

Prepared by D. SHAFF
On Sunday, December 4, 2005
1987/88 Aerial Photography



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 12, 2005

DON J BRYANT
PO BOX 215
GLENN'S FERRY ID 83623

RE: Snake River Basin Adjudication (SRBA)
Preliminary Recommendations of Water Right Claims #2-103 and 2-2209B

Dear Don,

Enclosed are preliminary recommendations of the claims you filed for Black Mesa Farms LLC. I have also enclosed the layout for these water rights. I had to adjust the acres in one lot downward from Jeff's list because the acreage in the government lot is less than he had. I compensated in another tract.

You may keep these documents for your records. Please refer to the claim numbers in any inquiries or correspondence.

Please contact me if you have any questions.

Sincerely,

Donald V. Shaff, MPA
Adjudication Bureau Chief

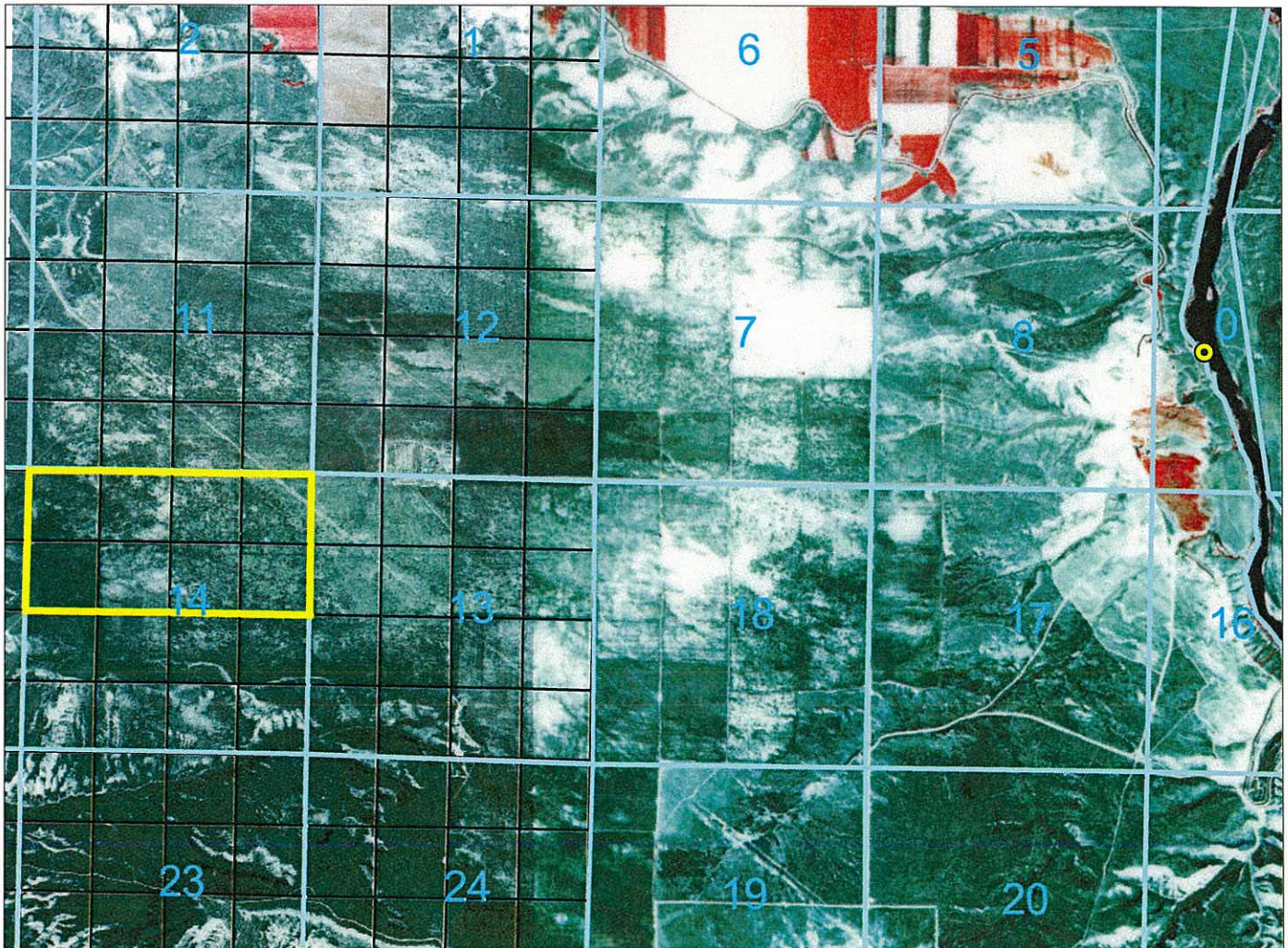
DVS:ss:region
Enclosures:

Preliminary Recommendations of Claims Referenced Above

SCANNED
DEC 12 2005

Idaho Department of Water Resources

Place of Use Layout 2-00103



0 0.25 0.5 Miles



Township 6S Range 10E Section 14



GIS Place of Use Presentation
1987 NAPP photography.
Map prepared by: JWilson
Date prepared: Nov. 4, 2005



Point of Diversion



Place of Use



PLSS Township



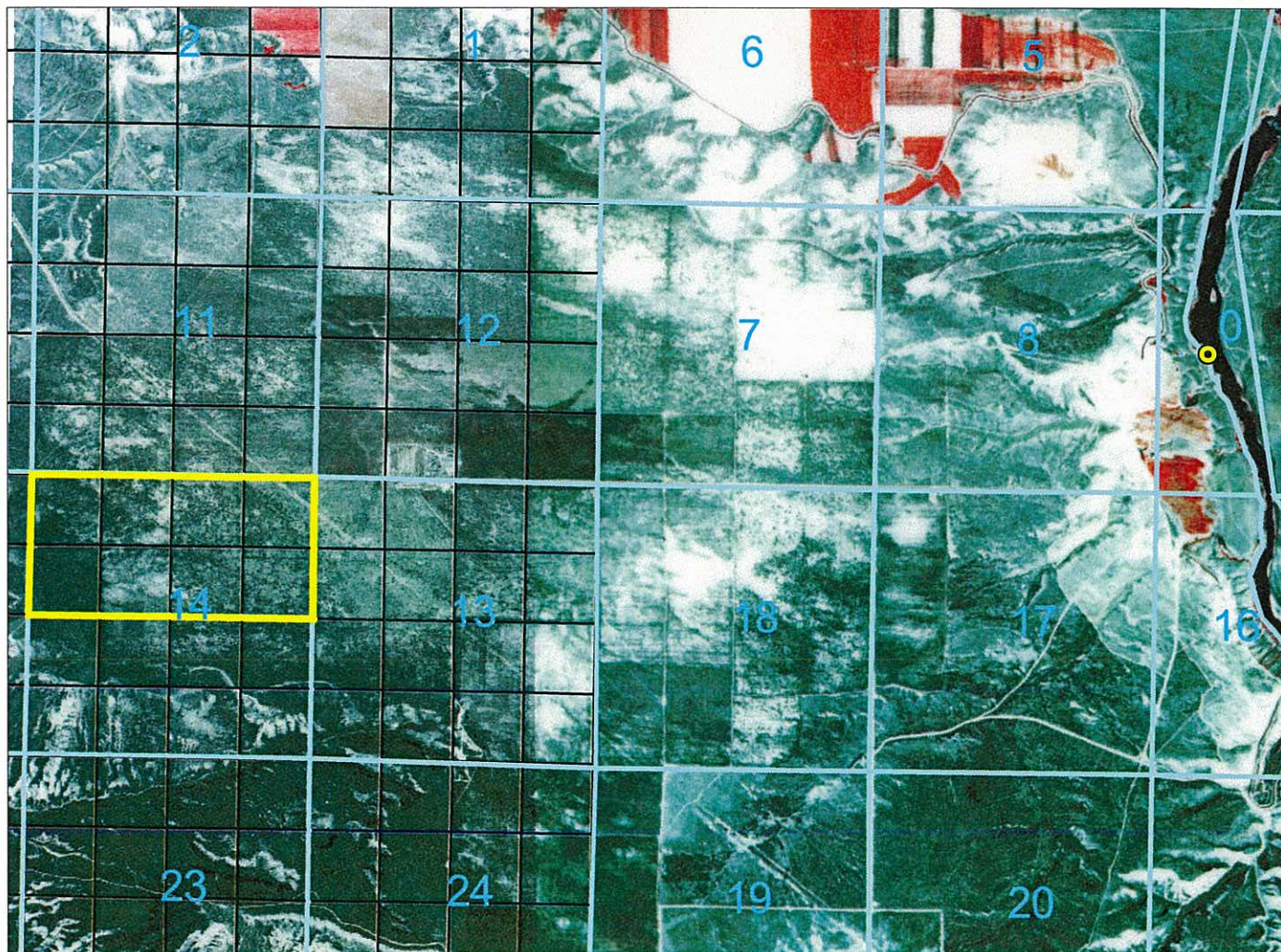
PLSS Section Lines



PLSS quarter-quarter lines

Idaho Department of Water Resources

Place of Use Layout 2-00103



0 0.25 0.5 Miles



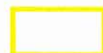
Township 6S Range 10E Section 14



GIS Place of Use Presentation
1987 NAPP photography.
Map prepared by: JWilson
Date prepared: Nov. 4, 2005



Point of Diversion



Place of Use



PLSS Township



PLSS Section Lines



PLSS quarter-quarter lines

11/13/2003

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

RIGHT NUMBER: 2-103
NAME AND ADDRESS: CHRISTINE W WOOTAN
PO BOX 636
GLENNS FERRY ID 83623
BRENDA BRYANT
GLENNS FERRY ID 83623
BLACK MESA FARMS
PO BOX 82
GLENNS FERRY ID 83623
WESLEY R WOOTAN
PO BOX 636
GLENNS FERRY ID 83623
DON J BRYANT
HC BOX 15
HAMMETT ID 83627

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 6.400 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 90.24 CFS. COMBINED RIGHT NOS.: 2-103, 2-4021, AND
ALL PARTS OF BASE RIGHT 2-2209 INCLUDING 2-2209B, 2-2209C, 2-2209E,
2-10187, 2-10189, 2-10191, 2-10196, 2-10208, & 2-10209.

PRIORITY DATE: 06/11/1965

POINT OF DIVERSION:
T06S R11E S9 NWSW Lot 6 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	6.400 CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T06S R10E S14	NENE	40.0	T06S R10E S14	NWNE	40.0
T06S R10E S14	SWNE	40.0	T06S R10E S14	SENE	40.0
T06S R10E S14	NENW	40.0	T06S R10E S14	NWNW	40.0
T06S R10E S14	SWNW	40.0	T06S R10E S14	SENW	40.0

320 ACRES TOTAL

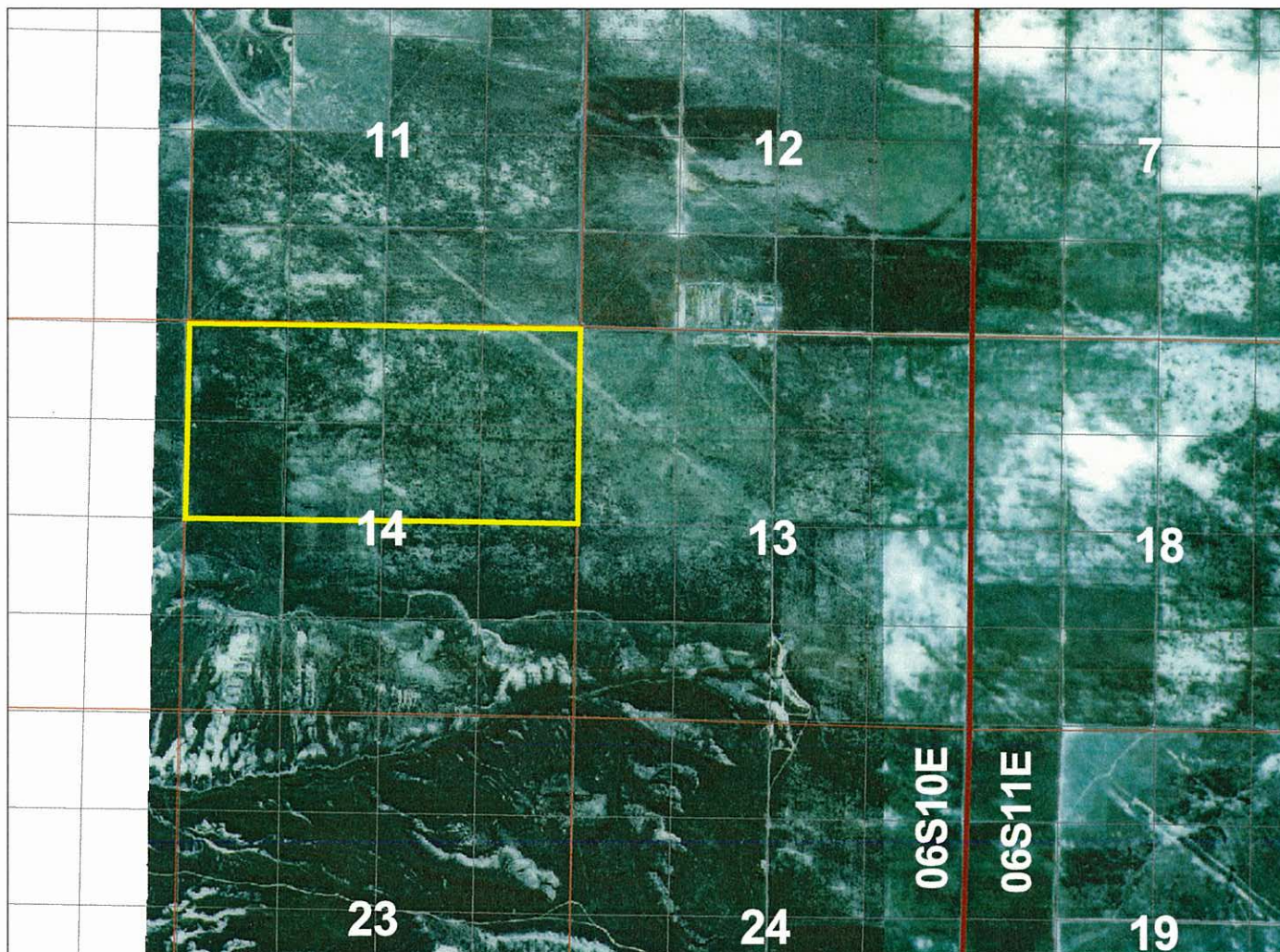
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: Beneficial Use

Idaho Department of Water Resources

Place of Use Layout 2-103

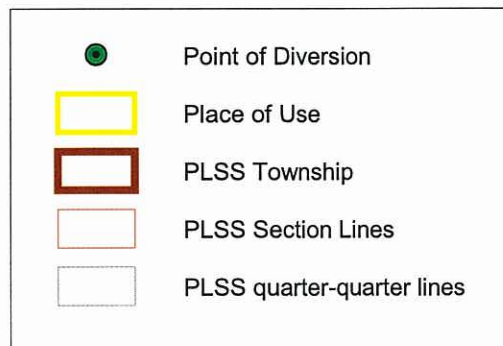


1 0 1 Miles

Township 6S Range 10E Section 14



GIS Place of Use Presentation
1987 NAPP photography.
Map prepared by: Scott King
Date prepared: November 13, 2003



Review Notes
S. King.

2-103

Claimed, SRBA, filed 4/17/1991

May 10, '65 Priority

8.54 cfs

386 acres

Amended Jan 10, 2003

426 acres

included 40 additional, left off Little 02 Recommendation due to Permit.

SW NW 6S 10E 14

lapsed permit 2-2389

Potential for Forfeiture

Remedies: Resumption

Little Snake Adj, then SRBA

Tolling - enjoined in legal proceedings.

Forfeiture not convincing.

Recommend

June 11, 1965

426 acres

8.54 cfs 0.02 cfs/acre

no volume limit

Combined use limits

90.24 cfs
90 cfs

w/ 2-2209^{all} parts

79.7

2-103

6.4
8.52 cfs

2-4021

10.54 cfs

98.76
96.64

6.4
8.52 over
claimed

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 2-103

1. No Change NAME IS SAME.
NEW OWNER: _____
No Change ADDRESS
NEW ADDRESS: _____

2. No Change - DATE OF PRIORITY: Completed evidence submitted
Incomplete - Claimant should be asked during the exam when was water first
used and submit proof of date of priority.

Priority date, per claimant, is: 5/10/1965
(If the priority date, based on your exam, seems questionable, explain below.)

Recommend 6/11/1965 based on Lori Graves
1/7/03 memo and Notice of Proof of Completion of Works received
and dated 6/11/1965

3. ☒ No Change — SAME SOURCE
Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION Same POD as 2-4021,
Point of diversion is different than the claim and/or new P/D's: 2-2209 B, C, etc

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. No Change - DESCRIPTION OF DIVERTING WORKS
Incomplete description, list below:

6. ☒ No Change - WATER USES
Different uses, (list uses found):

Use Irr From 3/15 To 11/15 Amount 6.4 CFS AFA
Use From To Amount CFS AFA
Use From To Amount CFS AFA

7. No Change - TOTAL VOLUME N/A

Incomplete on claim, the total is, Amount CFS AFA

Changes found, the new total is, Amount 6.4 CFS AFA

8. No Change - NON-IRRIGATION USES: N/A

Changes Exam found:

Domestic # of homes: Stock # List types:

Additional comments:

9. No Change — PLACE OF USE: (If changed, list below.) 320 acres

Use: Township Range Section 1/4 1/4
Use: Township Range Section 1/4 1/4
Use: Township Range Section 1/4 1/4
Use: Township Range Section 1/4 1/4

320 x .02
= 6.4 cfs

Remarks: (Comments pertinent to field examination) See additional attachment

Claimed 426 acres. Previous exams (2-2200) support. However,
Patent (11-91-0001) transferred ownership from BLM to Wootans
and with NESW & N¹/₂ SE section 14 lands subjected
not to be used for irrigated farming. These tracts excluded.

SYSTEM DIAGRAM INCLUDED NA

Shown on GIS Layout

CK IF IN OFFICE EXAM
DATE EXAM CONDUCTED: 11/13/2003

FIELD EXAMINER:

Print Name

Scott King
Signature

IDI-23538

WHEREAS

Wesley R. Wootan and Christine W. Wootan

are entitled to a land patent pursuant to the Act of October 21, 1976
(Section 206, 90 Stat. 2756; 43 U.S.C. 1716), for the following-described
land:

Boise Meridian, Idaho

T. 6 S., R. 10 E.,

sec. 1, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
sec. 2, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
sec. 11, E $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and S $\frac{1}{4}$;
sec. 12;
sec. 13, N $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
sec. 14, N $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{4}$ SE $\frac{1}{4}$;
sec. 24, NE $\frac{1}{4}$ and N $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 6 S., R. 11 E.,

sec. 6, lot 7; *SWSW*
sec. 7;
sec. 17, W $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
sec. 18, lots 1 to 4, inclusive, NE $\frac{1}{4}$,
E $\frac{1}{4}$ W $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
sec. 19, lots 1 to 3, inclusive. $\leftarrow$

Containing 4,097.57 acres.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES,
unto the above named claimants the land above described; TO HAVE AND TO HOLD
the said land with all the rights, privileges, immunities and appurtenances,
of whatsoever nature, thereunto belonging, unto the said claimants, their
successors and assigns, forever;

EXCEPTING AND RESERVING TO THE UNITED STATES a right-of-way thereon for
ditches or canals constructed by the authority of the United States. Act of
August 30, 1890, 26 Stat. 391; 43 U.S.C. 945.

SUBJECT TO:

1. Those rights for powerline purposes granted to Pacific Power and
Light Company, its successors or assigns, by Right-of-Way No.
IDI-8875A, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761).

Patent Number 11-91-0001

MICROFILMED

AUG 07 1992

2. Those rights for powerline purposes granted to Idaho Power Company, its successors or assigns, by Right-of-Way No. IDBL-056096, pursuant to the Act of March 4, 1911, as amended (43 U.S.C. 961).
3. Those rights for powerline purposes granted to Idaho Power Company, its successors or assigns, by Right-of-Way No. IDI-017359, pursuant to the Act of March 4, 1911, as amended (43 U.S.C. 961).
4. Those rights for canal purposes granted to Glenns Ferry Land and Irrigation Company, its successors or assigns, by Right-of-Way No. IDH-027316, pursuant to the Act of March 3, 1891, as amended (43 U.S.C. 946-949).
5. Those rights for powerline and substation purposes granted to Idaho Power Company, its successors or assigns, by Right-of-Way No. IDI-016110, pursuant to the Act of March 4, 1911, as amended (43 U.S.C. 961).
6. Those rights for irrigation pipeline purposes granted to Walter Trail, his successors or assigns, by Right-of-Way No. IDI-12250, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761).
7. Those rights for county road purposes granted to Glenns Ferry Highway District, its successors or assigns, by Right-of-Way No. IDI-20029, pursuant to the Act of July 26, 1866 (14 Stat. 253).
8. Those rights for powerline purposes granted to Idaho Power Company, its successors or assigns, by Right-of-Way No. IDI-14749, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761).
9. Those rights for powerline purposes granted to Idaho Power Company, its successors or assigns, by Right-of-Way No. IDI-14868, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761).
10. Those rights for petroleum pipeline purposes granted to Chevron Pipe Line Company, its successors or assigns, by Right-of-Way No. IDI-0602, pursuant to the Act of February 25, 1920, as amended (30 U.S.C. 185).
11. Those rights for natural gas pipeline purposes granted to Northwest Pipeline Corporation, its successors or assigns, by Right-of-Way No. IDI-14943, pursuant to the Act of February 25, 1920, as amended (30 U.S.C. 185).
12. Those rights for natural gas pipeline purposes granted to Northwest Pipeline Corporation, its successors or assigns, by Right-of-Way No. IDI-06421, pursuant to the Act of February 25, 1920, as amended (30 U.S.C. 185).

MICROFILMED

AUG 07 1992

13. Those rights for powerline purposes granted to Idaho Power Company, its successors or assigns, by Right-of-Way No. IDI-2457, pursuant to the Act of March 4, 1911, as amended (43 U.S.C. 961).
14. Those rights for fiber optic cable purposes granted to Mountain States Telephone and Telegraph Company, its successors or assigns, by Right-of-Way No. IDI-20976, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761).
15. Those rights for access road and communication site purposes granted to King Hill Irrigation District, its successors or assigns, by Right-of-Way No. IDI-16919, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761).

SUBJECT TO THE FOLLOWING:

The patentees, on behalf of themselves, their heirs, assigns and successors in interest, in consideration for receiving title to this property, covenant and agree that the following described lands will not be used for irrigated farming:

Boise Meridian, Idaho

T. 6 S., R. 10 E.,
 - sec. 1, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 - sec. 13, N $\frac{1}{4}$ SW $\frac{1}{4}$ and W $\frac{1}{4}$ SE $\frac{1}{4}$;
 - sec. 14, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{4}$ SE $\frac{1}{4}$;
 - sec. 24, N $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 6 S., R. 11 E.,
 - sec. 6, lot 7;
 - sec. 7, E $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 - sec. 17, W $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 - sec. 18, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 - sec. 19, lots 1 to 3, inclusive.



Patent Number 11-91-0001

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Boise, Idaho
 the TWELFTH day of OCTOBER in the year
 of our Lord one thousand nine hundred and NINETY
 and of the Independence of the United States the two hundred
 and FIFTEENTH

By John Davis
 Deputy State Director for Operations

MICROFILMED

AUG 07 1992

OCT 18 '90 15:53

END

1 208 366 2549 PAGE.004

JUN 11 1965

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 10, 1965

(P. O.) Box 2161, Boise, Idaho 83701

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the MountgiffHome-News of
Mountain Home, Idaho published in the

county in which the works are situated. Please send the statement of charges
and Affidavit of Publication to COTTONWOOD CANAL COMPANY
Idaho Land & Appraisal Service,
P. O. Box 2161, Boise, Idaho.
Thank you.

BY: *W. Williams*

(In case of canals or other works designed to divert and
carry more than 50 cubic feet of water per second, the following certificate
must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the
attached notice are true.

Engineer

30990

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
JUN 11 1965

Department of Reclamation

NOTICE is hereby given that at 10:00 A. M., on the 29th day of July
1965, at Burley, County of Cassia, State of Idaho, before
Phyllis Butterfield, Notary Public, at (address) Burley, Idaho,
proof will be submitted of the completion of works for the diversion of
89.6 cubic feet per second of the waters of Snake River,
and of the application to beneficial use of said water, in accordance with
the terms and conditions of Permit No. 30990, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is: Cottonwood Canal Company, P. O. Box 269, Burley, Idaho
2. Said works of diversion will be fully completed on the date set for such completion
and the amount of water which said works are capable of conveying to the place of use is
89.6 cubic feet per second.
3. The use to which said water has been applied is irrigation
purposes, and the amount applied to beneficial use is 89.6 cubic
feet per second.
4. The point of diversion of said water is Lot 6, Sec. 9, T6S-R11E, B.M.
5. The place where said water is used is S1/4, NE1/4SW1/4, NW1/4SE1/4, Sec. 1; SE1/4SE1/4, Sec. 2;
E1/4, E1/4W1/4, W1/4SW1/4, Sec. 11; All, Sec. 12; E1/4, NW1/4, N1/4SW1/4, Sec. 13; NE1/4, W1/4SE1/4, N1/4NW1/4,
SE1/4NW1/4, NE1/4SW1/4, Sec. 14; NE1/4, N1/4SE1/4, Sec. 24, T6S-R10E, B.M. Lot 7, Sec. 6; All,
Sec. 7; N1/4, SW1/4, W1/4SE1/4, NE1/4SE1/4, Sec. 18; Lot 2, 3, E1/4SW1/4, SE1/4, Sec. 19; W1/4NW1/4, NW1/4SW1/4,
Sec. 17; W1/4SW1/4, Sec. 20, T6S-R11E, B.M. Total 4480 acres.
6. The date of priority which said user is prepared to establish is February 25, 1963

Carl E. Tappan

State Reclamation Engineer

30990

16

Harris, Lori

From: Shurte, Jan
Sent: Tuesday, January 07, 2003 10:45 AM
To: Harris, Lori
Subject: FW: Pending Transfer 70343

-----Original Message-----

From: Graves, Lori
Sent: Tuesday, January 07, 2003 10:22 AM
To: Shaff, Don
Cc: Shurte, Jan
Subject: Pending Transfer 70343

Transfer 70343 proposes a 4371 acre ppu to the following right:

AJC 2-103



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 4, 2000

WESLEY WOOTAN
CHRISTINE WOOTAN
PO BOX 636
GLENN'S FERRY ID 83623

RE: Water Right No. 61-07276

Dear Property Owners:

Enclosed is a copy of the above referenced water right, which reflects your change in address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Please note, your address has also been changed on claim numbers A02-00103 and A02-02209B, and copies of those claims are enclosed.

Thank you for your patience and cooperation. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB:db

Enclosures

cc: James Blanksma

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. Shaff

Date 8/30/84

Right No. 02-0103

Claimant Cottonwood

Recommendation differs from claim: ☐ Yes ☒ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

☒ License 02-2209

☐ Previous Statutory Claim.

☐ Permits, valid or lapsed. Number(s) if different than above _____

☐ Decree. Name & date _____

☐ Conveyance Loss Calculations. See printout included.

☐ Title abstract. ☐ In file. Or, Name & location _____

☐ County records. ☐ In file. Or, Name & location _____

☐ Affidavits. ☐ In file.

☐ Posted Notices, Water Locations Notices. ☐ In file.

☐ Deed Records. ☐ In file. Or, Name & location _____

☐ Patent Records. ☐ In file. Or, Name & location _____

☐ Metzker Maps. Identify _____

☒ A.S.C.S. Records. Year & Photograph No. 5/10/1969 1964
DLC-44K-89 DLC-3EE-97X

☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____

☐ Historical Books. Name(s) & location _____

☐ Interview(s). Attach conversation memorandum.

☐ Other _____

☐ _____

Field Exam Made: ☒ Yes ☐ No Date _____

☐ Adj. Report in file ☒ Beneficial Use Report in License (S.O.) File 02-2209

Measurement 90.24 cfs. Amount recommended 854 cfs.

Type of measuring device: _____ Meter No. _____

Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. 1974 00 Pandora Valley

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☒ Yes ☐ No

Remarks _____

VRC 10 1984

WICHOLITWED

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
SNAKE RIVER FROM BASE OF
MILNER DAM TO DRAINAGE BASIN,
OREGON BORDER

**NOTICE OF CLAIM
TO A
WATER RIGHT**

02-0103	
I.D. No.	Map No.
\$	
Fee Paid	Receipt No.

Notice is hereby given that COTTONWOOD MUTUAL CANAL COMPANY

P.O. Box 789, Burley, ID 83318

(Name of Claimant)

Telephone No. 678-9471

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) May 10, 1965
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River tributary to Columbia River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 8.54 Use Irrigation Period of Use From 3-15 To 11-15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity 8.54 Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
- (4) 8.54 772 TOTAL QUANTITY CLAIMED. Lot 6
- (5) A) Point of Diversion: Give location of point where water is diverted from its source (NW 1/4 SW 1/4)
Sec. 9, Twp. 6S, Rge. 11E, B.M., Elmore 39 County
Additional Points: SCI: 2720(1) 554.1
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
Pumps, motors, pipelines, and sprinkler system.
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	10E	14	39	39	40	40	40	40	40	39					39	30			426 386

Total no. of acres 426 386

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:
- (8) Remarks (Black Mesa Project) Right split from Amended Claim 02-2209.
No signature necessary. DVS 8/29/84
- (9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

(Signature of Claimant)

(Date)

(Signature of Spouse)

State of _____

Organization

County of _____

ss.

Organization

Seal

(Signature of Authorized Agent)

On this _____ day of _____, in the year _____ before me
a notary public, personally appeared _____

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires _____

Notary Public residing at _____

POOR ORIGINAL

INTER-DEPARTMENT MEMO — 1

FROM

Dave T

DATE

8/29/81

TO

Don

SUBJECT

As per our conversation, Glen has suggested that we start by recommending the additional lands under a beneficial use right.

RECEIVED
AUG 30 1981

Department of Water Resources
Western Regional Office

Dave

SIGNATURE

INTER-DEPARTMENT MEMO — 1

FROM

Dave Tuttle

DATE

8/28/84

TO

Glen Saxton

SUBJECT

02-2209 / Attached Memo

The situation regarding the need to change this licensed water right raises a basic adjudication question—how to expand a licensed water right found in the adjudication process to have been issued too restrictively?

MICROFILMED

AUG 10 1994

Per a conversation w/ Don Shaff, he feels, based on a previous decision, that it may be adverse to recommending an adjudicated right to be larger than the original license.

In this case we have two choices: (1) Issue an amended license and base the adjudication proposed finding on the amended license. or (2) not change the

SIGNATURE

license and prepar^o proposed finding of ^o 6-2209 using the combination of documented evidence, in this case proposing a larger list than the one shown on the license due to the interpretation that an error was made in issuing the original license.

Assuming the documentation in the file is complete, I prefer the latter method because it is more efficient, and I perceive the changing of a licensed right as a legitimate task of the adjudication procedure, even if the effect is to enlarge a licensed right.

POOR ORIGINAL

DR

MICROFILMED

AUG 10 1994

TO: D. Tuthill *DET*

FROM: D. Shaff *DS*

DATE: August 24, 1984

SUBJECT: License 02-2209

The accuracy of this license issued February 11, 1970, came to my attention through the process of the adjudication. The license holder filed an amended claim maintaining land not described in the license should be included in the water right represented by the license.

The land in question is Section 14, T 6S, R10E. The Proof of Beneficial Use submitted in 1965 by the holder and one (1) witness did not include Section 14. A second witness and the notice of Proof published in June and July 1965 did include lands in Section 14. The field report is somewhat confusing because the water right was apparently examined by two agents, each one on different dates. The land in Section 14 appears on the Field Report map as irrigated apparently, but the individual tracts in the section were excluded from a count of the subdivisions irrigated. The letter transmitting the results of the permit examination describes 3,985 acres irrigated including certain tracts in Section 14. The license was issued for 3,985 acres but excluded any lands in Section 14.

A 1964 aerial photograph recently received showed the Section 14 land undeveloped. A 1969 aerial photograph (DLG-4KK-89; 5/10/1969) showed the land in Section 14 irrigated as described on the attached land list. (*Proof of B/U states first use was in '65*)

I conclude and recommend the staff of the Department issue to the holder an Amended License 02-2209 that includes the 426 acres in Section 14. The remaining question would be the extent of beneficial use, or number of irrigated acres. The attached land list reflects the review of the lands now irrigated in this project under this water right. Permit 02-2389 covers one irrigated tract not described on the land list. By simply adding the 426 acres found in Section 14 to the 3,985 acres on the license would exceed the 4,283 acres that will be recommended to the court for this water right, if Section 14 is included.

<u>License</u>	<u>Adjudication</u>
3,985 acres	3,857 acres
+ 426 ---Section 14---	+ 426
<u>4,411</u>	<u>4,283</u>

I suggest amending the license to 4,283 acres by changing the rest of the land list to reflect the extent of beneficial use shown by the 1974 orthophotoquad (Pasadena Valley). This would require at .02 cfs per acre a diversion rate of 85.7 cfs. The capacity of the system was measured at 90.24 cfs.

MICROFILMED

AUG 10 1994

The license file is, of course, at your disposal. If you want to review the other materials described above, these are available to you at your request.

MICROFILMED

AUG 10 1994

Town- ship	Range	Sec	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS	
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$		
65	10E	1					35		40	40							30	40	25	210
		2																40	40	
		11	40	40	40	40	39			40	40	40	40	40	40	40	40	40	559	
		12	40	40	40	40	40	40	40	40	40	40	40	19	40	40	40	40	620	
		13	40	40	40	40	36	40	40	40	35	35	-	-	40	40	31	40	537	
		14	39	39	40	40	40	40	-	40	39				39	30			426	
65	11E	24	40	38	40	40									40	33			231	
								L.1	L.2			L.3	L.4							
		7	14	25	40	40	30	37	38	40	40	38	38	40	40	40	40	40	580	
		17						39	40			30							109	
								L.1	L.2			L.3	L.4							
		18	40	40	40	40	40	38	38	40	40	38	38	40	35	40	40		587	
		19							L.2			L.3	X							
		19							39		40	39		25	40	40	40	40	303	
		20										40	40						80	
																			4283	

MICROFILMED

AUG 10 1984

MICROFILMED
 AUG 10 1984