

DEAN C. SORENSEN

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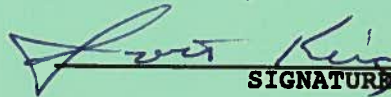
FAX: (208) 345-7212

R-DEPARTMENT MEMO--1

FROM Scott King
TO File 2-2186
SUBJECT Update of ownership record

DATE 8/15/2003

Dean Sorensen came in today. His father-in-law is Alacano. Dean questioned why our database ~~still~~ showed 'Sailer Creek' as claimant. The only SRBA claim on file is by Morris, Morris, Alacano, & Alacano. I updated our records to Morris & Alacano, and included Ringert as Attorney


SIGNATURE

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 2-2186
Date Received: 12/6/1989
Receipt No: C013331
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

JUANITA M MORRIS Phone:

13001 NINTH AVE
SEATTLE WA USA 98177

ENES ALACANO Phone:

13001 NINTH AVE NW
SEATTLE WA USA 98177

KATHLEEN ALACANO Phone:

13001 NINTH AVE NW
SEATTLE WA USA 98177

G PATRICK MORRIS Phone:

13001 NINTH AVE
SEATTLE WA USA 98177

2. Date of Priority: 01/09/1963

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
05S	09E	34	NW SW	ELMORE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	6.16	1540

7. Total Quantity Appropriated is:
6.16 C.F.S. and/or 1540 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	09E	8	NE	SW		IRRIGATION	40
			NW	SW		IRRIGATION	40
			SW	SW		IRRIGATION	40
			SE	SW		IRRIGATION	40
			NE	SE		IRRIGATION	36
			NW	SE		IRRIGATION	32
			SW	SE		IRRIGATION	40
			SE	SE		IRRIGATION	40
						Section Acres	308
						Total Acres	308

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:

Changed one place of use tract from 5S9ES8SESE to 6S9ES8SESE. It appears a data entry error was made as the original claim lists only 6S (SNK 11/13/2003).

15. Basis of Claim: License

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: A02-02186
Date Received: 12-6-89
Receipt No.: CO13331
Received By: WAT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: G. Patrick Morris and/or Juanita M. Morris and or
Enes Alacano and/or Kathleen Alacano
Address: 13001 Ninth Avenue N.W., Seattle, WA 98177

2. Date of Priority: January 9, 1963

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
5S	9E	34		4	Elmore

5. Description of diverting works: 6 - 1250 h.p. river pumps;
36" penstock; see attached map for balance of system.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	3/15	11/15	6.160		1540.00

7. Total Quantity Appropriated is:
6.160 C.F.S. (and/or) 1540.00 A.F.A.

8. Total consumptive use is 1540.00 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
6S	9E	8	SE	SE	IRR	40.0
			NE	SW	IRR	40.0
			NW	SW	IRR	40.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
			NE	SE	IRR	36.0
			NW	SE	IRR	32.0
			SW	SE	IRR	40.0

Section Acres 308.0

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:

15. Basis of Claim: LICENSE
Water Right Number: 30885

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): G. Patrick Morn Date: 12/5/89

Date: _____

For Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

Subscribed and sworn (or affirmed) before me this 5 day
of DECEMBER, 1989.

Ana Anne
Notary Public
Residing at Saunder
My commission expires: 6-4-90

17. Notice of Appearance:

Notice is hereby given that I, W. F. RINGERT 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 W F Ringert

Address P. O. Box 2773, Boise, ID 83701

Date 12-6-89

08/28/2008

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

RIGHT NUMBER: 2-2186

NAME AND ADDRESS: ATN HOLDINGS LLC
PO BOX 1201
BOISE ID 83701

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 6.160 CFS
1,540.00 AFY

PRIORITY DATE: 01/09/1963

POINT OF
DIVERSION:

T05S R09E S34 NWNWSW Lot 4 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

6.160 CFS
1,540.00 AFY

PLACE OF USE: IRRIGATION in ELMORE County

T06S R09E S08	NESW	40.00	T06S R09E S08	NWSW	40.00
T06S R09E S08	SWSW	40.00	T06S R09E S08	SESW	40.00
T06S R09E S08	NESE	36.00	T06S R09E S08	NWSE	32.00
T06S R09E S08	SWSE	40.00	T06S R09E S08	SESE	40.00

308 ACRES TOTAL

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

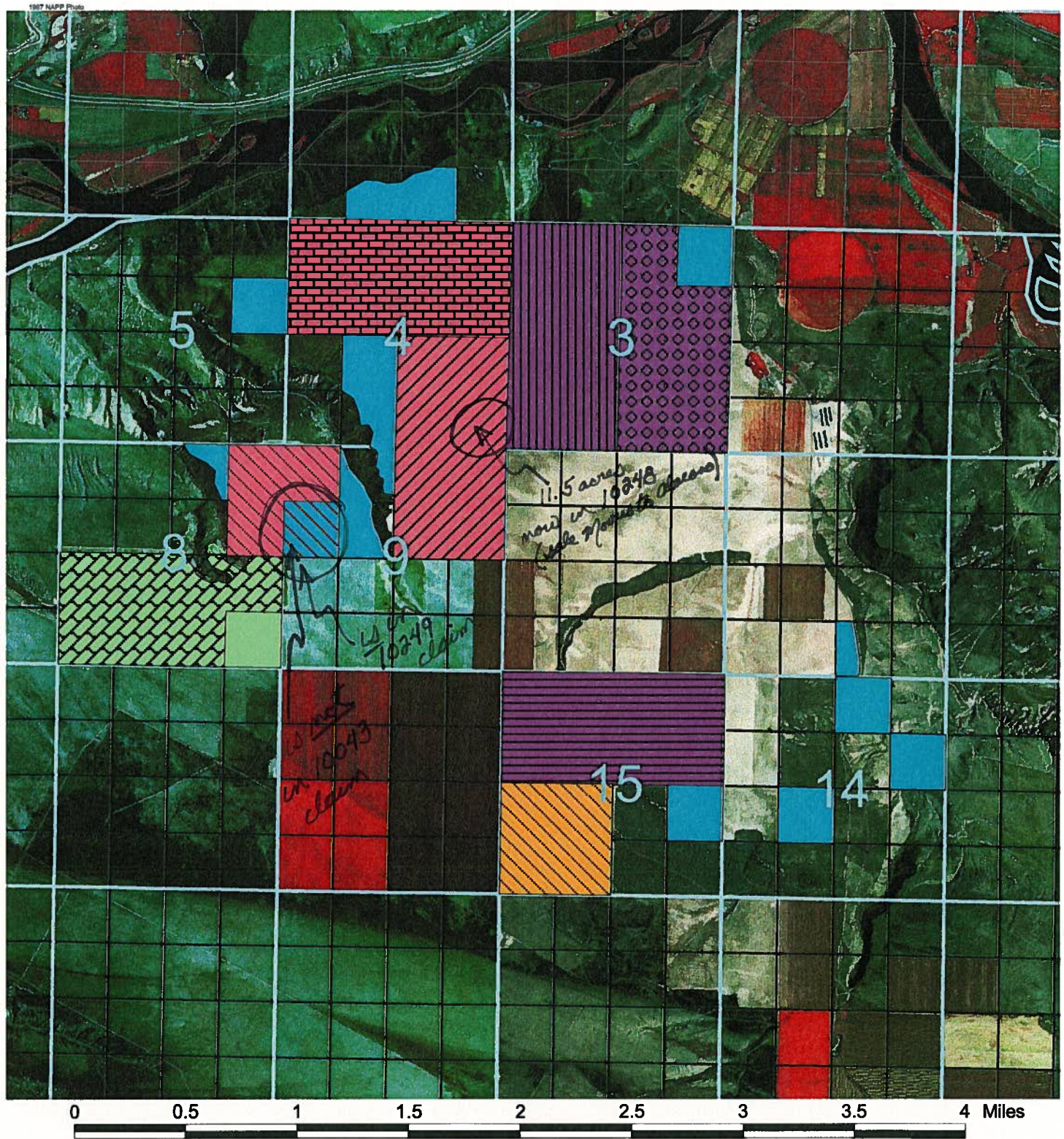
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Place of use is within the area served by Sailor Creek Project.

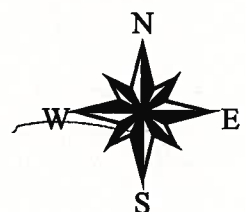
Rights 2-2371, 2-10032, 2-10034, 2-10035, 2-10043, 2-10248, and 2-10249 are also diverted through the point of diversion described above.

Idaho Department of Water Resources



Alacano & Morris Offers to Sell
 Legal: T06S, R09E S3-5, 8, 9, 14 & 15
 Reviewed By: SJR 3/16/05

- 02_02186_right_pou.shp
- 02_02204_right_pou.shp
- 02_02205_right_pou.shp
- 02_02206_right_pou.shp
- 02_02215_right_pou.shp
- 02_02217_right_pou.shp
- 02_02218_right_pou.shp
- 02_02186_claim_pou.shp
- 02_10034_claim_pou.shp
- 02_10043_claim_pou.shp
- 02_10248_claim_pou.shp
- 02_10249_claim_pou.shp



Σ

2-2186 (1/9/63)	6.16	6.16
2-2204 (5.94)	2-10248 ^φ — 3.43	9.59
2-2205 (6.36) (2/20/63) — 2-10033	2-10249 ^φ — 14.65	24.24
2-2206 (5.78)		
2-2211 (5.8)		
2-2212 (6.04)		
2-2213 (4.02) (5/6/63) — 2-10035 ^φ	28.48	52.72
2-2214 (6.22)		
2-2216 (6.4)		
2-2215 (6.4)		
2-2217 (5.74) (5/6/63) — 2-10034 ^φ	17.38	70.10
2-2218 (5.24)		
	max 71 cfs condition cutoff	
2-10043 (4/15/64) ✓	5.20	75.30
2-2371 (5/14/65) ✓	8.00	83.30
2-2372 (1.6) (6/11/65) — 2-10032 ✓	4.80	88.10
2-2373 (3.2)		



11/23/2005

**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

Water right number: 2-10034

ALACANO FAMILY LLC
1251 E VERSAILLES CT
BOISE ID 83706
Telephone Number: (208)338-8440

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

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

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

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

DATE: _____ SIGNATURE: _____

Please print your name: _____

IDWR State Office, 322 East Front Street, PO Box 83720, Boise, Idaho 83720-0098

11/23/2005

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

RIGHT NUMBER: 2-10034

NAME AND ADDRESS: ALACANO FAMILY LLC
1251 E VERSAILLES CT
BOISE ID 83706

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 17.380 CFS
4,345.00 AFY

PRIORITY DATE: 05/06/1963

POINT OF DIVERSION:
T05S R09E S34 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	17.380 CFS 4,345.00 AFY

PLACE OF USE: IRRIGATION Within ELMORE County

T06S R09E S03	NWNE	22.0	T06S R09E S03	SWNE	40.0
T06S R09E S03	SENE	40.0	T06S R09E S03	NENW	31.0
T06S R09E S03	NWNW	16.0	T06S R09E S03	SWNW	40.0
T06S R09E S03	SENW	40.0	T06S R09E S03	NESW	40.0
T06S R09E S03	NWSW	40.0	T06S R09E S03	SWSW	40.0
T06S R09E S03	SESW	40.0	T06S R09E S03	NESE	40.0
T06S R09E S03	NWSE	40.0	T06S R09E S03	SWSE	40.0
T06S R09E S03	SESE	40.0	T06S R09E S15	NENE	40.0
T06S R09E S15	NWNE	40.0	T06S R09E S15	SWNE	40.0
T06S R09E S15	SENE	40.0	T06S R09E S15	NENW	40.0
T06S R09E S15	NWNW	40.0	T06S R09E S15	SWNW	40.0
T06S R09E S15	SENW	40.0			

869 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

Rights 2-2186, 2-2371, 2-10032, 2-10035, 2-10043, 2-10248, and 2-10249 are also diverted through the point of diversion described above.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 2-2215, 2-2217, and 2-2218.

Place of use is within the area served by Sailor Creek Project.

11/23/2005

**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

Water right number: 2-10248

ALACANO FAMILY LLC
1251 E VERSAILLES CT
BOISE ID 83706

Telephone Number: (208)338-8440

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

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

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

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

DATE: _____ SIGNATURE: _____

Please print your name: _____

IDWR State Office, 322 East Front Street, PO Box 83720, Boise, Idaho 83720-0098

11/23/2005

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

RIGHT NUMBER: 2-10248

NAME AND ADDRESS: ALACANO FAMILY LLC
1251 E VERSAILLES CT
BOISE ID 83706

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 3.430 CFS
857.50 AFY

PRIORITY DATE: 02/20/1963

POINT OF DIVERSION:
T05S R09E S34 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	3.430 CFS 857.50 AFY

PLACE OF USE: IRRIGATION Within ELMORE County

T06S R09E S04	SESE	11.5	T06S R09E S15	NESW	40.0
T06S R09E S15	NWSW	40.0	T06S R09E S15	SWSW	40.0
T06S R09E S15	SESW	40.0			

171.5 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

Place of use is within the area served by Sailor Creek Project.

Rights 2-2186, 2-2371, 2-10032, 2-10034, 2-10035, 2-10043 and 2-10249 are also diverted through the point of diversion described above.

This right is a split from former right 2-10033 and parts of old right numbers 2-2204, 2-2205, and 2-2206.

Alacano & Morris offers to sell
all on Saylor Creek WC land

2-2186 (10033?) photo $\Rightarrow$ irrigation in 5145ESW, NWNE, ? SENE
559ES33 ?
irrigation in 5115WSE ✓
irrigation in 515NESE ✓
53NENE ✓

Rights	priority	m	m ^{cap}	ac	V	season	owner
2-2186	1/9/63	6.16	71	308	1540	3/15-11/15	SC WC
2-2204	2/20/63	5.94	71	297	1485	3/15-11/15	SC WC
2-2205	2/20/63	6.36	71	318	1590	3/15-11/15	SC WC
2-2206	2/20/63	5.78	71	289	1445	3/15-11/15	SC WC
2-2215	5/6/63	6.40	71	320	1600	3/15-11/15	SC WC
2-2217	5/6/63	5.74	71	287	1435	3/15-11/15	SC WC
2-2218	5/6/63	5.24	71	262	1310	3/15-11/15	SC WC

Claims

2-2186 proof indicates first use 4/17/64

2-2186	1/9/63	6.16	71	308	1540	3/15-11/15	Morris	559ES34NWSE
2-10034	5/6/63	17.38	71	869	4345	3/15-11/15	Alacano	559ES34LH
2-10043	4/15/64	5.20	71	260	1300	3/15-11/15	Team Development	559ES34LH
2-10248	2/20/63	3.2	71	160	800	3/15-11/15	Alacano	559ES34LH
2-10249	2/20/63	14.88	71	744	3720	3/15-11/15	Morris	559ES34LH

$\Sigma = 46.82$

2372	2204	10248
2373	2205	10033
2374	2206	10249

2215	2217	2218
10034	10034	10034

2371, 10032, 10035
2106, 10248, 10249, 10034 same PoD
- by licenses pre-split
10043 claim 6 x 1250 hp pumps $\Rightarrow$ same PoD

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Same POD, not in offer to sell

Rights

2-10032	2-2371	5/14/65	8.0	71	400	2000	3/15-11/15
	2-2372	6/11/65	1.6	71	80	400	3/15-11/15
	2-2373	6/11/65	3.2	70.46	160	800	3/15-11/15
	2-2211	5/6/63	5.8	71	290	1450	3/15-11/15
	2-2212	5/6/63	6.04	71	302	1510	3/15-11/15
	2-2213	5/6/63	4.02	71	201	1005	3/15-11/15
	2-2214	5/6/63	6.22	71	311	1555	3/15-11/15
	2-2216	5/6/63	6.4	71	320	1600	3/15-11/15

Claims

2-2371	5/14/65	8
2-10032	6/11/65	4.8
2-10035	5/6/63	28.48
		$\Sigma = 41.28$
		$\Sigma \Sigma = 88.10$

Not to be used for Overlaps

Overlaps (claims)

2-2371 - none
2-10032 - none
2-10035 - none

red = as recommended

stepped diversions
2-10032
2-2371
+ 8
2-10032
+ 4.8 = 88.1
there 5/6/63 = 70.1 of + 5.2 = 75.3
83.3

overlaps

2-2186 - none

2-10043

659ES15

NESE 31

2-2262 (40)

permit (no overlap w/ claim)

514 SEW 40, NESW 40

2-2262

(40, 40)

Grindstone Butte

533 SESW 21, 2-2314 (40)

union

2-10034 - none

permit
(no overlap w/ claim)

2-10248 - none

2-10249 - none

Same POD

2-2371, 2-10032, 2-10035

2-2372

2-2373

2-10032

2-2211

2-2212

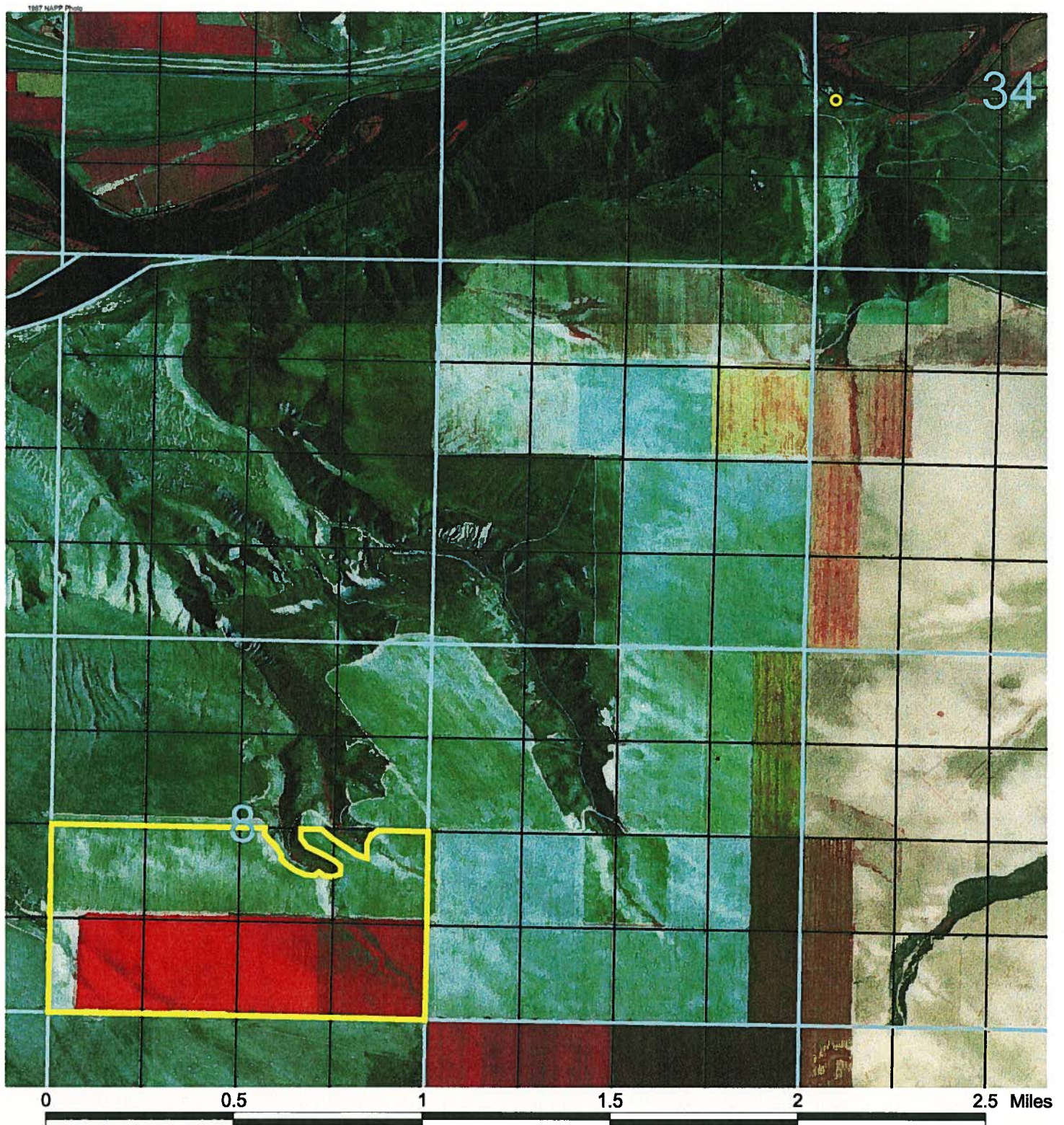
2-2213

2-2214

2-2216

2-10035

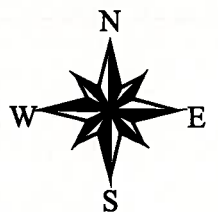
Idaho Department of Water Resources



Claim Number: 02-02186
Legal: T05S, R09E S34
T06S, R09E, S8
Reviewed By: SJR 3/22/05

Morris

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines



07/29/2005

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

RIGHT NUMBER: 2-2186

NAME AND ADDRESS: JUANITA M MORRIS
3100 W COMMODORE WAY APT 109
SEATTLE WA 98199-1117

G PATRICK MORRIS
3100 W COMMODORE WAY APT 109
SEATTLE WA 98199-1177

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 6.160 CFS
1,540.000 AFY

Rights 2-2186, 2-2371, 2-10032, 2-10034, 2-10035, 2-10043, 2-10248, and
2-10249 when combined shall not exceed a total diversion rate of 71.0 cfs.

PRIORITY DATE: 01/09/1963

POINT OF DIVERSION:

T05S R09E S34 NWNWSW 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	6.160 CFS 1,540.00 AFY

PLACE OF USE: IRRIGATION Within ELMORE County

T06S R09E S08	NESW	40.0	T06S R09E S08	NWSW	40.0
T06S R09E S08	SWSW	40.0	T06S R09E S08	SESW	40.0
T06S R09E S08	NESE	36.0	T06S R09E S08	NWSE	32.0
T06S R09E S08	SWSE	40.0	T06S R09E S08	SESE	40.0

308 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

Place of use is within the area served by Sailor Creek Project.

Rights 2-2371, 2-10032, 2-10034, 2-10035, 2-10043, 2-10248, and 2-10249 are also diverted through the point of diversion described above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 30885/02-2186 Priority Jan. 9, 1963 Amount 6.16 cfs

THIS IS TO CERTIFY, that SAILOR CREEK WATER COMPANY
of Twin Falls, Idaho, has complied with the terms and conditions of Permit
No. 30885/02-2186 issued pursuant to Application for Permit dated January 9, 1963,
and has submitted proof to the Department of Water Resources on November 6, 1964,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 71 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u> at <u>6.16</u> cfs and	<u>1,540 acre feet or</u>	
	from _____ at _____ cfs and	<u>5.0 af per acre</u>	
	from _____ at _____ cfs and		
	(both dates inclusive)		

Subject, however, to the condition that no more than 6.16 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1,540 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 34,
Twp. 5.S, Rge. 9 E, B.M. in the County of Elmore

Description and location of place of use:

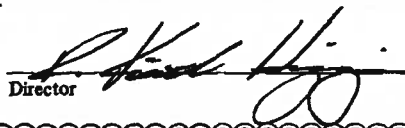
Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6S	9E	8									40	40	40	40	40	40	40	40	308

Total number of acres irrigated 308

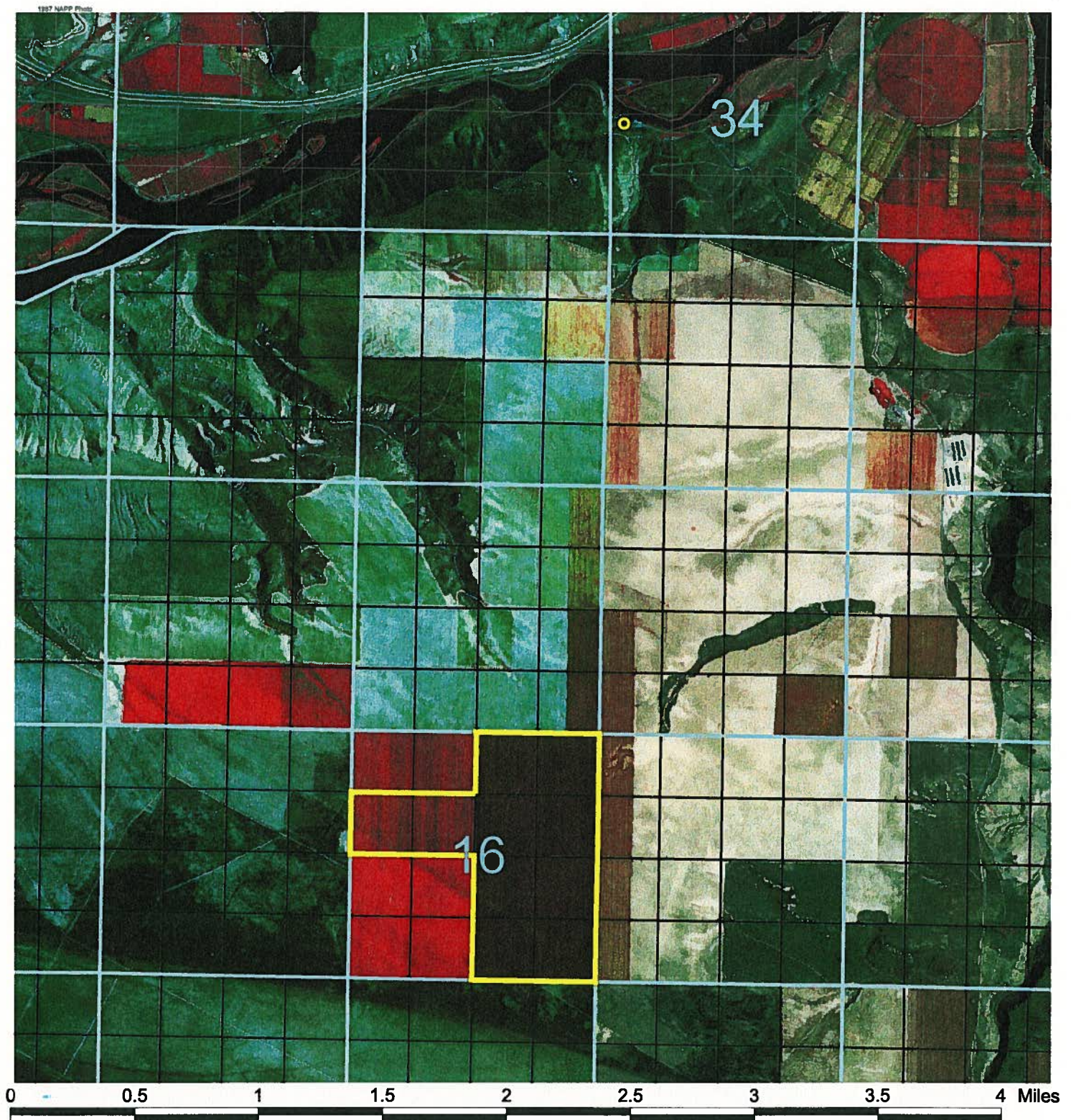
NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 16 day of
March, 19 76.

Director 

Idaho Department of Water Resources



Claim Number: 02-2371

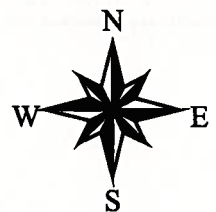
Legal: T05S, R09E S34

T06S, R09E, S16

Reviewed By: SJR 3/28/05

*same
POD
Farm 2nd*

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines



07/29/2005

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

RIGHT NUMBER: 2-2371

NAME AND ADDRESS: FARM DEVELOPMENT CORP
PO BOX 1201
BOISE ID 83701

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 8.000 CFS
2,000.000 AFY

Rights 2-2186, 2-2371, 2-10032, 2-10034, 2-10035, 2-10043, 2-10248, and
2-10249 when combined shall not exceed a total diversion rate of 71.0 cfs.

PRIORITY DATE: 05/14/1965

POINT OF DIVERSION:

T05S R09E S34 NWNWSW 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	8.000 CFS 2,000.00 AFY

PLACE OF USE: IRRIGATION Within ELMORE County

T06S R09E S16	NENE	40.0	T06S R09E S16	NWNE	40.0
T06S R09E S16	SWNE	40.0	T06S R09E S16	SENE	40.0
T06S R09E S16	SWNW	40.0	T06S R09E S16	SENW	40.0
T06S R09E S16	NESE	40.0	T06S R09E S16	NWSE	40.0
T06S R09E S16	SWSE	40.0	T06S R09E S16	SESE	40.0

400 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

Place of use is within the area served by Sailor Creek Project.

Rights 2-2186, 2-10032, 2-10034, 2-10035, 2-10043 and 2-10248 and 2-10249 are also diverted through the point of diversion described above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 32366/02-2371 Priority May 14, 1965 Amount 8.0 cfs

THIS IS TO CERTIFY, that The Travelers Insurance Co. & Farm Development Corp.
of Portland, Oregon / Boise, Idaho, has complied with the terms and conditions of Permit
No. 32366/02-2371 issued pursuant to Application for Permit dated May 14, 1965,
and has submitted proof to the Department of Water Resources on August 5, 1965,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 71 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	<u>8.0</u> cfs and	<u>2,000 acre feet or</u>
	from		<u>5.0 af per acre</u>
	from		

Subject, however, to the condition that no more than * 8.0 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
2,000 acre feet per year, said waters to be diverted within the NW 1/4 SW 1/4 of Sec. 34,
Twp. 5 S, Rge. 9 E, B.M. in the County of Elmore

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SE 1/4				Totals
			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	
6 S	9 E	16	40	40	40	40			40	40				40	400

Total number of acres irrigated 400

* Subject to the condition that the maximum rate of diversion shall not exceed
71 cfs when combined with all prior rights using the same diversion works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

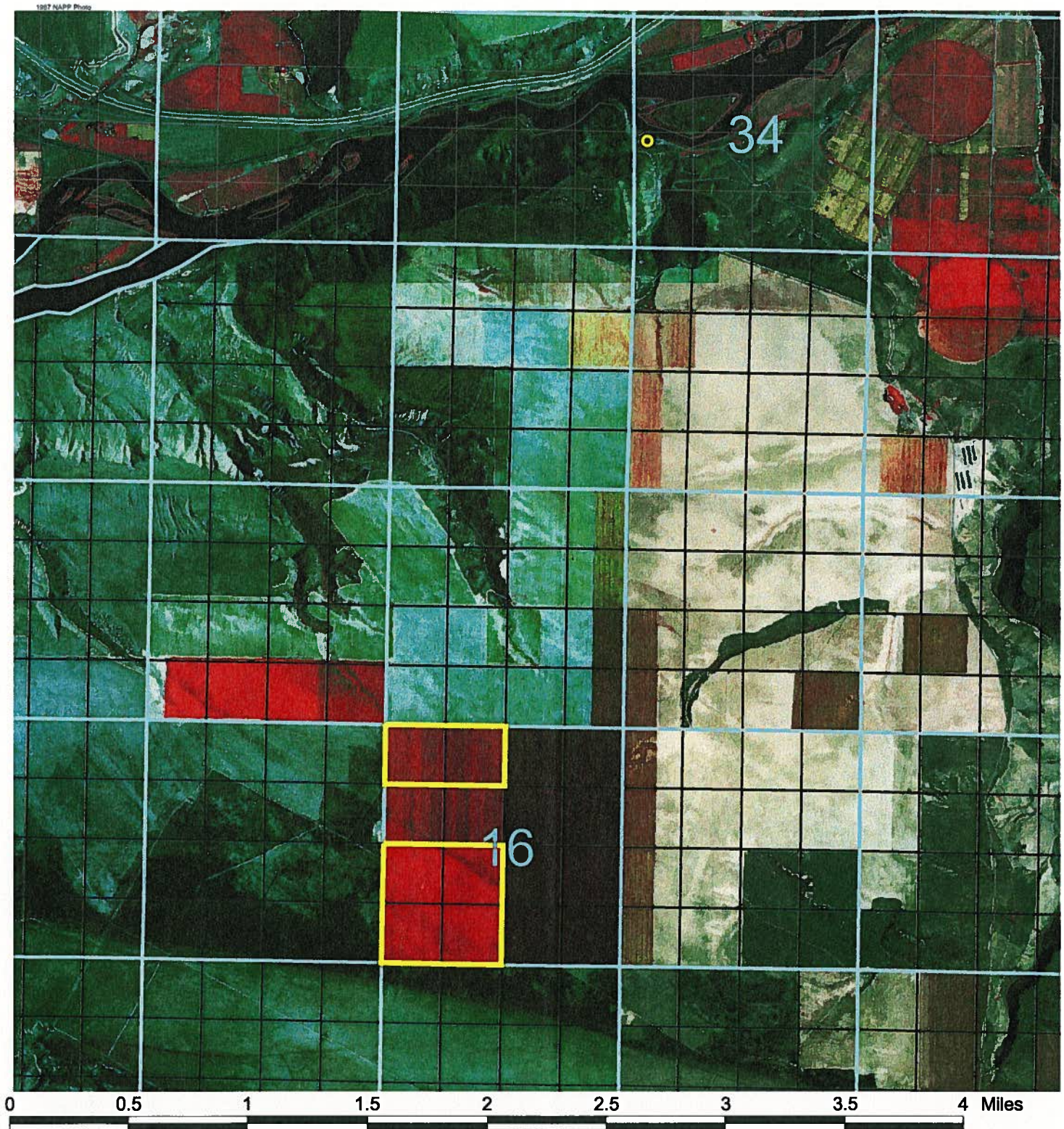
The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 16 day of
March, 19 76

MICROFILMED

Director

Idaho Department of Water Resources



Claim Number: 02-10032

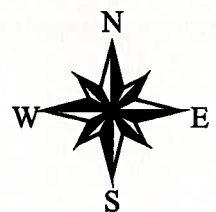
Legal: T05S, R09E S34

T06S, R09E, S16

Reviewed By: SJR 3/28/05

*Same
POD
Farm*

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines



07/29/2005

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

RIGHT NUMBER: 2-10032

NAME AND ADDRESS: FARM DEVELOPMENT CORP
PO BOX 1201
BOISE ID 83701

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 4.800 CFS
1,200.000 AFY

Rights 2-2186, 2-2371, 2-10032, 2-10034, 2-10035, 2-10043, 2-10248, and
2-10249 when combined shall not exceed a total diversion rate of 71.0 cfs.

PRIORITY DATE: 06/11/1965

POINT OF DIVERSION:

T05S R09E S34 NWNWSW 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	4.800 CFS 1,200.00 AFY

PLACE OF USE: IRRIGATION Within ELMORE County

T06S R09E S16	NENW	40.0	T06S R09E S16	NWNW	40.0
T06S R09E S16	NESW	40.0	T06S R09E S16	NWSW	40.0
T06S R09E S16	SWSW	40.0	T06S R09E S16	SESW	40.0

240 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

Place of use is within the area served by Sailor Creek Project.

Rights 2-2186, 2-2371, 2-10034, 2-10035, 2-10043 and 2-10248 and 2-10249 are also diverted through the point of diversion described above.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 2-2372 and 2-2373.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 32401/02-2372 Priority June 11, 1965 Amount 1.60 cfs

THIS IS TO CERTIFY, that The Travelers Insurance Co. & Farm Development Corp.
of Portland, Oregon / Boise, Idaho, has complied with the terms and conditions of Permit
No. 32401/02-2372 issued pursuant to Application for Permit dated June 11, 1965,
and has submitted proof to the Department of Water Resources on August 23, 1965,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 71 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>1.60</u> cfs and	<u>400 acre feet or</u> <u>5.0 af per acre</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than * 1.60 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
400 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 34,
Twp. 5 S, Rge. 9 E, B. M. in the County of Elmore

Description and location of place of use:

Twp.	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 $\frac{1}{4}$	
6 S	9 E	16					40	40											80

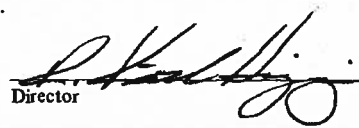
Total number of acres irrigated 80

* Subject to the condition that the maximum rate of diversion shall not exceed
71 cfs when combined with all prior rights using the same diversion works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 14 day of
March, 19 76.


Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 32402/02-2373 Priority June 11, 1965 Amount 3.2 cfs

THIS IS TO CERTIFY, that TRAVELERS INSURANCE CO. & FARM DEVELOPMENT CORP.
of Portland, Oregon & Boise, Idaho, has complied with the terms and conditions of Permit
No. 32402/02-2373 issued pursuant to Application for Permit dated June 11, 1965,
and has submitted proof to the Department of Water Resources on April 20, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 70.46 cfs of water from Snake River,
tributary to Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	<u>from March 15 to November 15</u>	<u>at 3.2 cfs and</u>	<u>800 acre feet</u>
	<u>from</u>	<u>cfs and</u>	
	<u>from</u>	<u>at cfs and</u>	
	<u>(both dates inclusive)</u>		

Subject, however, to the condition that no more than 3.2 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
800 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, Twp. 5S,
Rge. 9E, B.M. in the County of Elmore

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NW $\frac{1}{4}$	NE $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NW $\frac{1}{4}$	NE $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NW $\frac{1}{4}$	
6S	9E	16								40	40	40	40		160

Total number of acres irrigated 160

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10 day of
October, 19 77.

Director

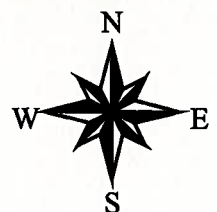
Idaho Department of Water Resources



Claim Number: 02-10034
Legal: T05S, R09E S34
T06S, R09E, S3 & 15
Reviewed By: SJR 3/22/05

Morris & Alacano

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines



07/29/2005

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

RIGHT NUMBER: 2-10034

NAME AND ADDRESS: ALACANO FAMILY LLC
1251 E VERSAILLES CT
BOISE ID 83706

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 17.380 CFS
4,345.000 AFY

Rights 2-2186, 2-2371, 2-10032, 2-10034, 2-10035, 2-10043, 2-10248, and
2-10249 when combined shall not exceed a total diversion rate of 71.0 cfs.

PRIORITY DATE: 05/06/1963

POINT OF DIVERSION:

T05S R09E S34 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	17.380 CFS 4,345.00 AFY

PLACE OF USE: IRRIGATION Within ELMORE County

T06S R09E S03	NWNE	22.0	T06S R09E S03	SWNE	40.0
T06S R09E S03	SENE	40.0	T06S R09E S03	NENW	31.0
T06S R09E S03	NWNW	16.0	T06S R09E S03	SWNW	40.0
T06S R09E S03	SENW	40.0	T06S R09E S03	NESW	40.0
T06S R09E S03	NWSW	40.0	T06S R09E S03	SWSW	40.0
T06S R09E S03	SESW	40.0	T06S R09E S03	NESE	40.0
T06S R09E S03	NWSE	40.0	T06S R09E S03	SWSE	40.0
T06S R09E S03	SESE	40.0	T06S R09E S15	NENE	40.0
T06S R09E S15	NWNE	40.0	T06S R09E S15	SWNE	40.0
T06S R09E S15	SENE	40.0	T06S R09E S15	NENW	40.0
T06S R09E S15	NWNW	40.0	T06S R09E S15	SWNW	40.0
T06S R09E S15	SENW	40.0			

869 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.

Water Right 2-10034

1

07/29/2005

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Rights 2-2186, 2-2371, 2-10032, 2-10035, 2-10043, 2-10248, and 2-10249
are also diverted through the point of diversion described above.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 2-2215, 2-2217, and
2-2218.

Place of use is within the area served by Sailor Creek Project.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31120/02-2215 Priority May 6, 1963 Amount 6.40 cfs

THIS IS TO CERTIFY, that SAILOR CREEK WATER COMPANY
of Twin Falls, Idaho, has complied with the terms and conditions of Permit
No. 31120/02-2215 issued pursuant to Application for Permit dated May 6, 1963,
and has submitted proof to the Department of Water Resources on November 6, 1964,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 71 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	<u>6.40</u> cfs and	<u>1,600 acre feet or</u>
	from	cfs and	<u>5.0 af per acre</u>
	from	cfs and	

subject, however, to the condition that no more than 6.40 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1,600 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 34,
Twp. 5 S, Rge. 9 E, B.M. in the County of Elmore

Description and location of place of use:

Twp.	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 $\frac{1}{4}$	
6 S	9 E	15	40	40	40	40	40	40	40	40									320

Total number of acres irrigated 320

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 16 day of
March, 19 76.

Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31122/02-2217 Priority May 6, 1963 Amount 5.74 cfs

THIS IS TO CERTIFY, that SAILOR CREEK WATER COMPANY
of Twin Falls, Idaho, has complied with the terms and conditions of Permit
No. 31122/02-2217 issued pursuant to Application for Permit dated May 6, 1963,
and has submitted proof to the Department of Water Resources on November 6, 1964,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 71 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>Nov. 15</u>	<u>5.74</u> cfs and	<u>1,435 acre feet or</u>
	from _____	cfs and	<u>5.0 af per acre</u>
	from _____	cfs and	
	(both dates inclusive)		

Subject, however, to the condition that no more than 5.74 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1,435 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 34,
Twp. 5 S, Rge. 9 E, B.M. in the County of Elmore

Description and location of place of use:

Twp.	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 $\frac{1}{4}$	
6S	9E	3					31	16	40	40	40	40	40	40					287

Total number of acres irrigated 287

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 16 day of
March, 19 76.

Director

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that SAILOR CREEK WATER COMPANY

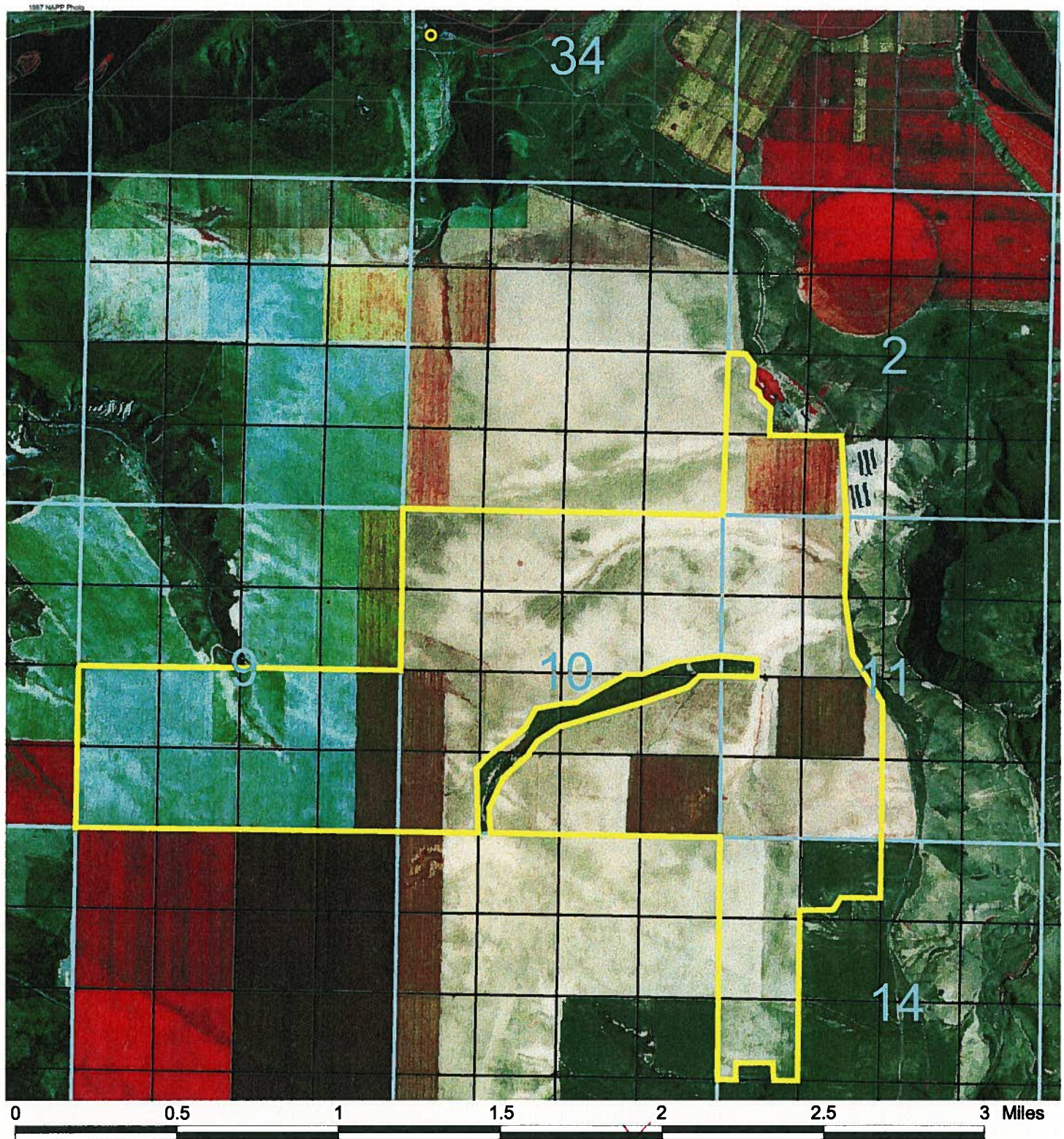
Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>5.24</u> cfs and	<u>1,310 acre feet or</u>
			<u>5.0 af per acre</u>
from _____		cfs and	
from _____		cfs and	
from _____		cfs and	
	(both dates inclusive)		

Description and location of place of use:

[illegible]

Director

Idaho Department of Water Resources



Claim Number: 02-10035

Legal: T05S, R09E S34

T06S, R09E, S2, 9, 10, 11 & 14

Reviewed By: SJR 3/28/05

*same
POD
Farm Development
Off to sell*

07/29/2005

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

RIGHT NUMBER: 2-10035

NAME AND ADDRESS: ALLEN T NOBLE
PO BOX 1582
BOISE ID 83701

WILLIAM F RINGERT
RINGERT CLARK
PO BOX 2773
BOISE ID 83701-2773

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 28.480 CFS
7,120.000 AFY

Rights 2-2186, 2-2371, 2-10032, 2-10034, 2-10035, 2-10043, 2-10248, and
2-10249 when combined shall not exceed a total diversion rate of 71.0 cfs.

PRIORITY DATE: 05/06/1963

POINT OF DIVERSION:

T05S R09E S34 NWNWSW 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	28.480 CFS 7,120.00 AFY

PLACE OF USE: IRRIGATION Within ELMORE County

T06S R09E S02	NWSW	17.0	T06S R09E S02	SWSW	40.0
T06S R09E S02	SESW	21.0	T06S R09E S09	NESW	40.0
T06S R09E S09	NWSW	40.0	T06S R09E S09	SWSW	40.0
T06S R09E S09	SESW	40.0	T06S R09E S09	NESE	40.0
T06S R09E S09	NWSE	40.0	T06S R09E S09	SWSE	40.0
T06S R09E S09	SESE	40.0	T06S R09E S10	NENE	40.0
T06S R09E S10	NWNE	40.0	T06S R09E S10	SWNE	40.0
T06S R09E S10	SENE	33.0	T06S R09E S10	NENW	40.0
T06S R09E S10	NWNW	40.0	T06S R09E S10	SWNW	40.0
T06S R09E S10	SENW	40.0	T06S R09E S10	NESW	32.0
T06S R09E S10	NWSW	40.0	T06S R09E S10	SWSW	39.0
T06S R09E S10	SESW	30.0	T06S R09E S10	NESE	33.0
T06S R09E S10	NWSE	28.0	T06S R09E S10	SWSE	40.0
T06S R09E S10	SESE	40.0	T06S R09E S11	NENW	22.0
T06S R09E S11	NWNW	40.0	T06S R09E S11	SWNW	36.0

Water Right 2-10035

07/29/2005

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

T06S R09E S11	SE	26.0	T06S R09E S11	NE	39.0
T06S R09E S11	NW	40.0	T06S R09E S11	SW	40.0
T06S R09E S11	SE	40.0	T06S R09E S14	NE	32.0
T06S R09E S14	NW	40.0	T06S R09E S14	SW	40.0
T06S R09E S14	NW	36.0			

1424 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

Place of use is within the area served by Sailor Creek Project.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 2-2211, 2-2212, 2-2213, 2-2214 and 2-2216.

Rights 2-2186, 2-2371, 2-10034, 2-10032, 2-10043 and 2-10248 and 2-10249 are also diverted through the point of diversion described above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31116/02-2211 Priority May 6, 1963 Amount 5.80 cfs

THIS IS TO CERTIFY, that SAILOR CREEK WATER COMPANY
of Twin Falls, Idaho, has complied with the terms and conditions of Permit
No. 31116/02-2211 issued pursuant to Application for Permit dated May 6, 1963,
and has submitted proof to the Department of Water Resources on November 6, 1964,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 71 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>5.80</u> cfs and	<u>1,450 acre feet or</u>
	from	cfs and	<u>5.0 af per acre</u>
	from	at	cfs and
	(both dates inclusive)		

Subject, however, to the condition that no more than 5.80 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1,450 acre feet per year, said waters to be diverted within the NW 1/4 of Sec. 34,
Twp. 5 S, Rge. 9 E, B. M. in the County of Elmore

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SE 1/4				SW 1/4				Totals
			NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	
6 S	9 E	10	40	40	40	40													280

Total number of acres irrigated 290

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 14 day of
March, 19 76.

Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31117/02-2212 Priority May 6, 1963 Amount 6.04 cfs

THIS IS TO CERTIFY, that SAILOR CREEK WATER COMPANY
of Twin Falls, Idaho, has complied with the terms and conditions of Permit
No. 31117/02-2212 issued pursuant to Application for Permit dated May 6, 1963,
and has submitted proof to the Department of Water Resources on November 6, 1964,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 71 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov 15</u>	at <u>6.04</u> cfs and	<u>1,510 acre feet or</u>
	from	cfs and	<u>5.0 af per acre</u>
	from	at cfs and	
	(both dates inclusive)		

Subject, however, to the condition that no more than 6.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confined is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1,510 acre feet per year, said waters to be diverted within the NW 1/4 SW 1/4 of Sec. 34,
Twp. 5 S, Rge. 9 E, B. M. in the County of Elmore

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SE 1/4				SW 1/4				Totals
			NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	
6 S	9 E	10					40	40	40	40	34	40	40	31					302

Total number of acres irrigated 302

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 14 day of
March, 19 76.

Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31118/02-2213 Priority May 6, 1963 Amount 4.02 cfs

THIS IS TO CERTIFY, that SAILOR CREEK WATER COMPANY
of Twin Falls, Idaho, has complied with the terms and conditions of Permit
No. 31118/02-2213 issued pursuant to Application for Permit dated May 6, 1963,
and has submitted proof to the Department of Water Resources on November 6, 1964,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 71 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov 15</u>	<u>4.02</u> cfs and	<u>1,005 acre feet or</u>
	from		<u>5.0 af per acre</u>
	from		

(Should date be inclusive)

Subject, however, to the condition that no more than 4.02 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1,005 acre feet per year, said waters to be diverted within the NW 1/4 SW 1/4 of Sec. 34,
Twp. 5 S, Rge. 9 E, B. M. in the County of Elmore

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SE 1/4				SW 1/4				Totals
			NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	
6 S	9 E	2									16	40	24						80
		11					30	40	39	22									121

Total number of acres irrigated 201

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 16 day of
March, 19 76.

Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31119/02-2214 Priority May 6, 1963 Amount 6.22 cfs

THIS IS TO CERTIFY, that SAILOR CREEK WATER COMPANY
of Twin Falls, Idaho, has complied with the terms and conditions of Permit
No. 31119/02-2214 issued pursuant to Application for Permit dated May 6, 1963,
and has submitted proof to the Department of Water Resources on November 6, 1964,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 71 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov 15</u>	at <u>6.22</u> cfs and	<u>1,555 acre feet or</u>
	from	cfs and	<u>5.0 af per acre</u>
	from	at	cfs and
	(both dates inclusive)		

Subject, however, to the condition that no more than 6.22 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1,555 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 34,
Twp. 5 S, Rge. 9 E, B. M. in the County of Elmore

Description and location of place of use:

Twp.	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 $\frac{1}{4}$	
6S	9E	11									37	40	40	40					157
		14					40	40	40		34								154

Total number of acres irrigated 311

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 14 day of
March, 19 76.

Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31121/02-2216 Priority May 6, 1963 Amount 6.40 cfs

THIS IS TO CERTIFY, that SAILOR CREEK WATER COMPANY
of Twin Falls, Idaho, has complied with the terms and conditions of Permit
No. 31121/02-2216 issued pursuant to Application for Permit dated May 6, 1963,
and has submitted proof to the Department of Water Resources on November 6, 1964,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 71 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>6.40</u> cfs and	<u>1,600 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>5.0 af per acre</u>
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 6.40 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1,600 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 34,
Twp. 5 S, Rge. 9 E, B. M. in the County of Elmore

Description and location of place of use:

Twp.	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 $\frac{1}{4}$	
6 S	9 E	9									40	40	40	40	40	40	40	40	320

Total number of acres irrigated 320

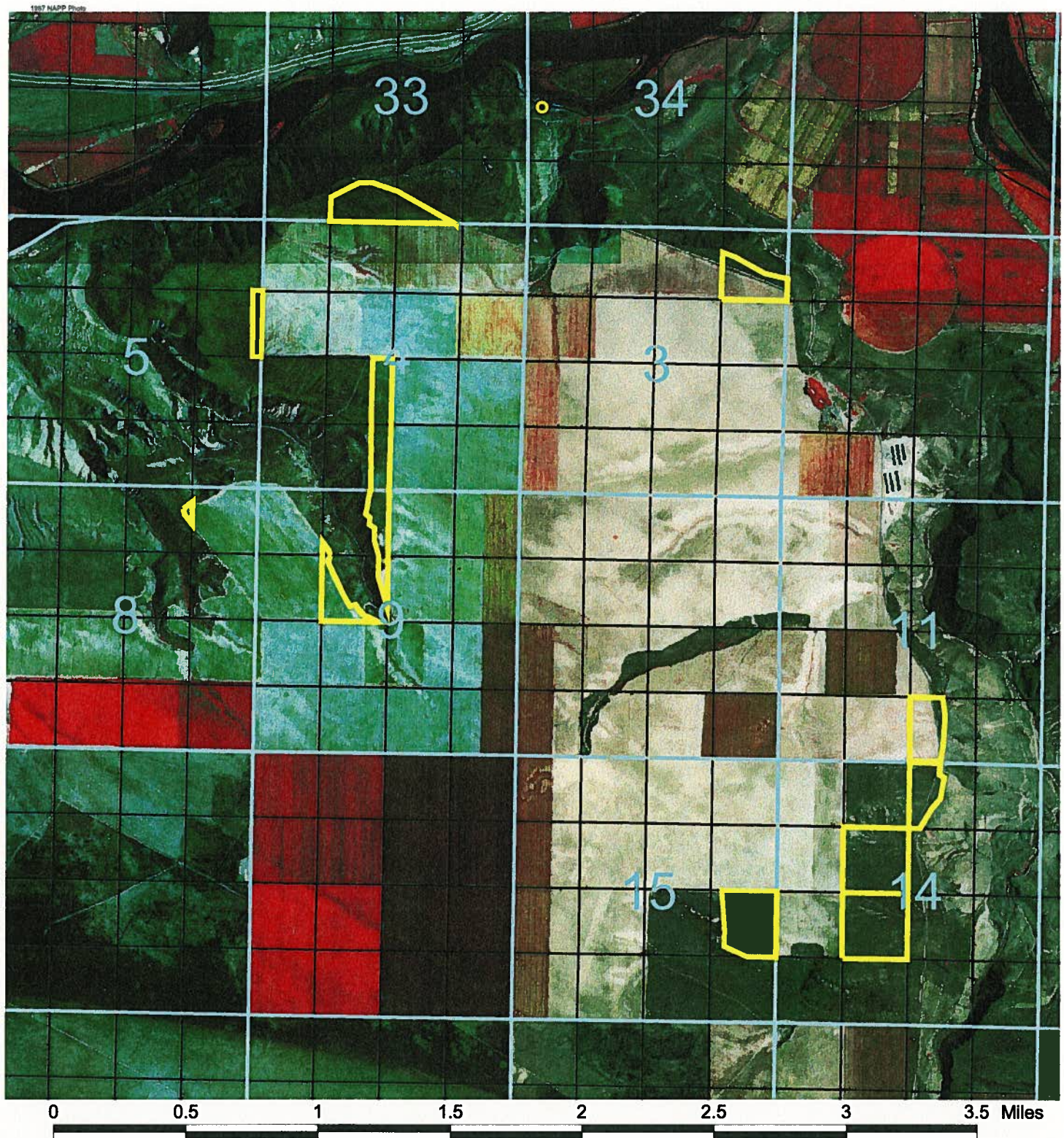
NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 14 day of
March, 19 76.

Director

Idaho Department of Water Resources



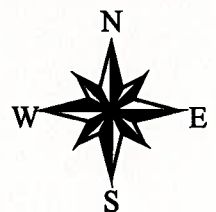
Claim Number: 02-10043

Legal: T05S, R09E S33 & 34

T06S, R09E, S3-5, 8, 9, 11, 14 & 15

Reviewed By: SJR 3/21/05

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines



Alacano

07/29/2005

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

RIGHT NUMBER: 2-10043

NAME AND ADDRESS: FARM DEVELOPMENT CORP
PO BOX 1201
BOISE ID 83701

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 5.200 CFS
1,300.000 AFY

Rights 2-2186, 2-2371, 2-10032, 2-10034, 2-10035, 2-10043, 2-10248, and
2-10249 when combined shall not exceed a total diversion rate of 71.0 cfs.

PRIORITY DATE: 04/17/1964

POINT OF DIVERSION:

T05S R09E S34 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	4.300 CFS 1,075.00 AFY

PLACE OF USE: IRRIGATION Within ELMORE County

T05S R09E S33	SESW	21.0	T05S R09E S33	SWSE	9.0
T06S R09E S03 Lot 1	NENE	20.0	T06S R09E S04	NESW	12.0
T06S R09E S04	SESW	12.0	T06S R09E S05	SENE	6.0
T06S R09E S08	NWNE	3.0	T06S R09E S09	NENW	11.0
T06S R09E S09	SENW	19.0	T06S R09E S11	SWSE	20.0
T06S R09E S14	NWNE	16.0	T06S R09E S14	SENW	40.0
T06S R09E S14	NESW	40.0	T06S R09E S15	NESE	31.0

260 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.

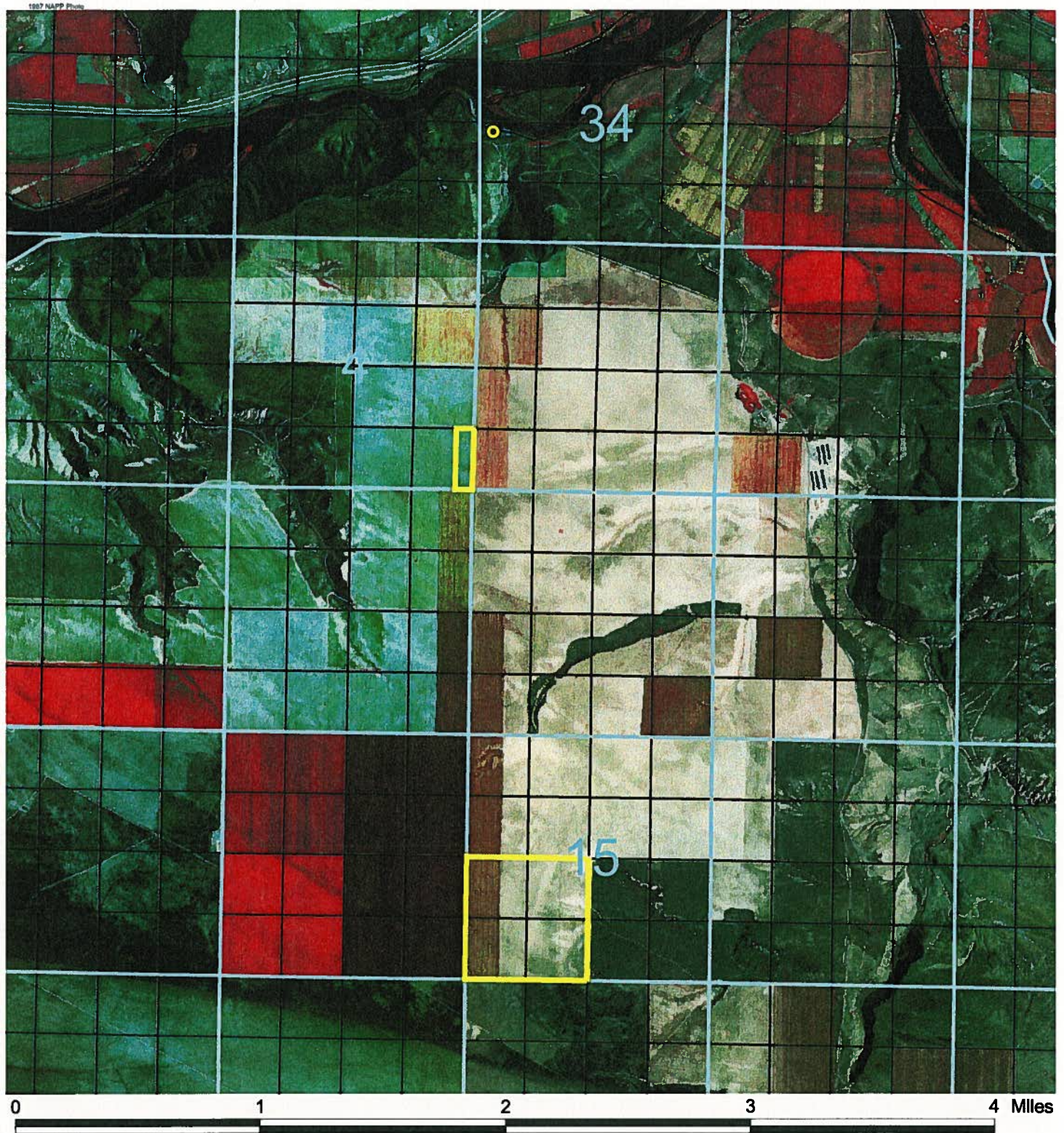
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Rights 2-2186, 2-2371, 2-10032, 2-10034, 2-10035, 2-10248, and 2-10249 are also diverted through the point of diversion described above.

Water Right 2-10043

1

Idaho Department of Water Resources



Claim Number: 02-10248

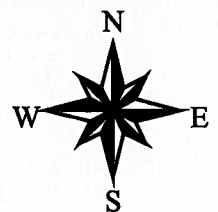
Legal: T05S, R09E S34

T06S, R09E, S4 & 15

Reviewed By: SJR 3/22/05

Alacano

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines



07/29/2005

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

RIGHT NUMBER: 2-10248

NAME AND ADDRESS: ALACANO FAMILY LLC
1251 E VERSAILLES CT
BOISE ID 83706

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 3.430 CFS
857.500 AFY

Rights 2-2186, 2-2371, 2-10032, 2-10034, 2-10035, 2-10043, 2-10248, and
2-10249 when combined shall not exceed a total diversion rate of 71.0 cfs.

PRIORITY DATE: 02/20/1963

POINT OF DIVERSION:

T05S R09E S34 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	3.430 CFS 857.50 AFY

PLACE OF USE: IRRIGATION Within ELMORE County

T06S R09E S04	SESE	11.5	T06S R09E S15	NESW	40.0
T06S R09E S15	NWSW	40.0	T06S R09E S15	SWSW	40.0
T06S R09E S15	SESW	40.0			

171.5 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.

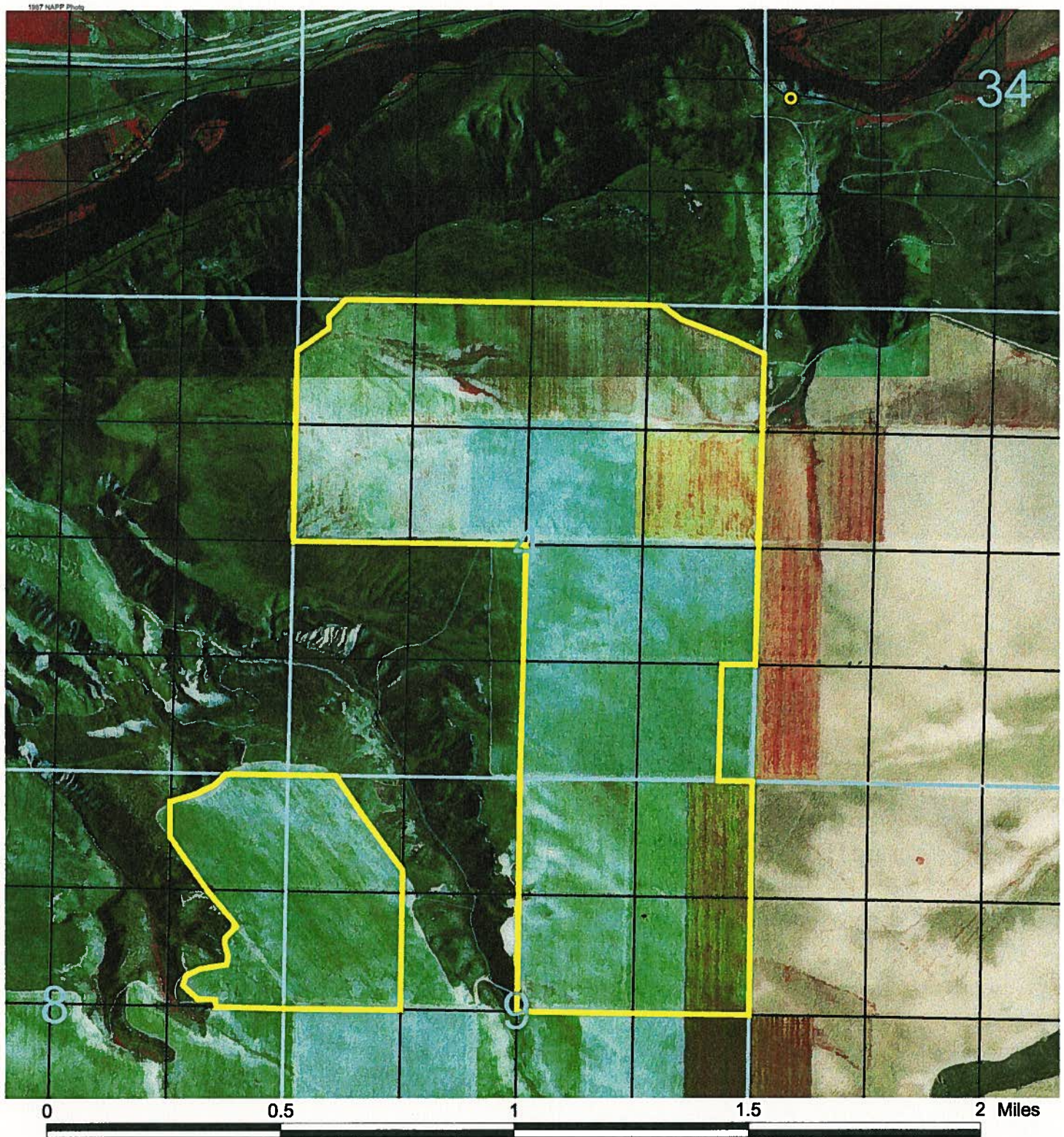
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Place of use is within the area served by Sailor Creek Project.

Rights 2-2186, 2-2371, 2-10032, 2-10034, 2-10035, 2-10043 and 2-10249 are also diverted through the point of diversion described above.

This right is a split from former right 2-10033 and parts of old right numbers 2-2204, 2-2205, and 2-2206.

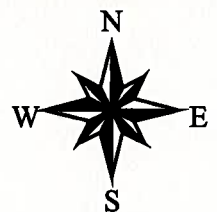
Idaho Department of Water Resources



Claim Number: 02-10249
Legal: T05S, R09E S34
T06S, R09E, S4, 8 & 9
Reviewed By: SJR 3/22/05

Morris

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines



03/25/2005

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

RIGHT NUMBER: 2-10249

NAME AND ADDRESS: JUANITA M MORRIS
3100 W COMMODORE WAY APT 109
SEATTLE WA 98199-1117

G PATRICK MORRIS
3100 W COMMODORE WAY APT 109
SEATTLE WA 98199-1177

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 14.650 CFS
3,662.500 AFY

Rights 2-2186, 2-2371, 2-10032, 2-10034, 2-10035, 2-10043, 2-10248, and
2-10249 when combined shall not exceed a total diversion rate of 71.0 cfs.

PRIORITY DATE: 02/20/1963

POINT OF DIVERSION:

T05S R09E S34 Lot 4 Within ELMORE County

Rights 2-2186, 2-2371, 2-10032, 2-10034, 2-10035, 2-10043 and 2-10248 are also
diverted through the point of diversion described above.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
14.650 CFS
3,662.50 AFY

PLACE OF USE:

IRRIGATION Within ELMORE County

T06S R09E S04	NENE	28.0	T06S R09E S04	NWNE	40.0
T06S R09E S04	SWNE	40.0	T06S R09E S04	SENE	40.0
T06S R09E S04	NENW	40.0	T06S R09E S04	NWNW	32.0
T06S R09E S04	SWNW	37.0	T06S R09E S04	SENW	40.0
T06S R09E S04	NESE	40.0	T06S R09E S04	NWSE	40.0
T06S R09E S04	SWSE	40.0	T06S R09E S04	SESE	28.5
T06S R09E S08	NENE	33.0	T06S R09E S08	SENE	24.0
T06S R09E S09	NENE	40.0	T06S R09E S09	NWNE	39.0
T06S R09E S09	SWNE	39.0	T06S R09E S09	SENE	40.0
T06S R09E S09	NWNW	32.0	T06S R09E S09	SWNW	40.0

732.5 ACRES TOTAL

Place of use is within the area served by Sailor Creek Project.

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: License

This right is a split from former right 2-10033.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 30981/02-2204 Priority Feb. 20, 1963 Amount 5.94 cfs

THIS IS TO CERTIFY, that SAILOR CREEK WATER COMPANY

of Twin Falls, Idaho, has complied with the terms and conditions of Permit No. 30981/02-2204 issued pursuant to Application for Permit dated February 20, 1963, and has submitted proof to the Department of Water Resources on November 6, 1964, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 71 cfs of water from the Snake River, tributary to the Columbia River, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	<u>5.94</u> cfs and	<u>1,485 acre feet or</u>
	from	cfs and	<u>5.0 af per acre</u>
	from	cfs and	
	(both dates inclusive)		

Subject, however, to the condition that no more than 5.94 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 1,485 acre feet per year, said waters to be diverted within the NW 1/4 SW 1/4 of Sec. 34,

Twp. 5 S, Rge. 9 E, B. M. in the County of Elmore

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
6 S	9 E	4	20	40	40	40	32	37	40										297

Total number of acres irrigated 297

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 16 day of March, 19 76.

Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 30982/02-2205 Priority Feb. 20, 1963 Amount 6.36 cfs

THIS IS TO CERTIFY, that SAILOR CREEK WATER COMPANY
of Twin Falls, Idaho, has complied with the terms and conditions of Permit
No. 30982/02-2205 issued pursuant to Application for Permit dated February 20, 1963,
and has submitted proof to the Department of Water Resources on November 6, 1964,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 71 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>6.36</u> cfs and	<u>1,590 acre feet or</u>
	from	cfs and	<u>5.0 af per acre</u>
	from	at	cfs and
	(both dates inclusive)		

Subject, however, to the condition that no more than 6.36 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1,590 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 34,
Twp. 5 S, Rge. 9 E, B. M. in the County of Elmore

Description and location of place of use:

Twp.	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 $\frac{1}{4}$	
6 S	9 E	4													40	40	40	40	160
		9	40	89	89	40													158

Total number of acres irrigated 318

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 14 day of
March, 19 76.

Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 30983/02-2206 Priority Feb. 20, 1963 Amount 5.78 cfs

THIS IS TO CERTIFY, that SAILOR CREEK WATER COMPANY

of Twin Falls, Idaho, has complied with the terms and conditions of Permit No. 30983/02-2206 issued pursuant to Application for Permit dated February 20, 1963, and has submitted proof to the Department of Water Resources on November 6, 1964, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 71 cfs of water from the Snake River, tributary to the Columbia River, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>5.78</u> cfs and	<u>1,445</u> acre feet or
	from	cfs and	<u>5.0</u> af per acre
	from	cfs and	

Subject, however, to the condition that no more than 5.78 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 1,445 acre feet per year, said waters to be diverted within the NW 1/4 SW 1/4 of Sec. 34,
Twp. 5 S, Rge. 9 E, B.M. in the County of Elmore

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
6 S	9 E	8	36			24													57
		9					32	40											72
		15									40	40	40	40					160

Total number of acres irrigated 289

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 14 day of March, 19 76.

Director

C. King
1/2003

Deed

Silent to WR ?

or

Address $\frac{1}{2}$ of Rt's

have to follow what's decided unless
otherwise change later
(e.g. Quitclaim)

Letter from both

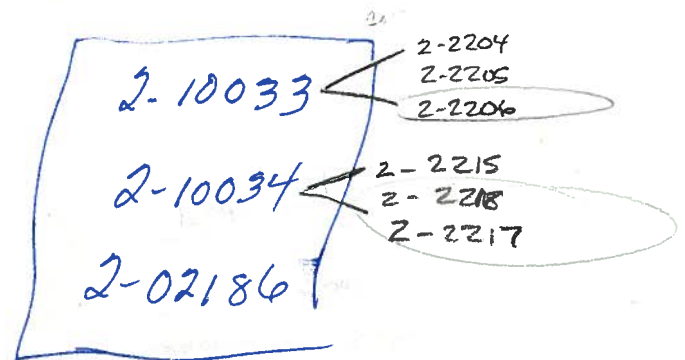
Parties acknowledging
each receives $\frac{1}{2}$ of each
right.

Quit claim $\frac{1}{2}$ interest of each
Rt to the other

Dean Sorensen

Split not quite 50/50

Morris > Alacano



sorensen@cssklaw.com

	cts	AF	ACR
2-10034 5/16/1963 <u>all Alacano</u>	17.38	1345 (5)	869 (5)
2-10033 2/20/1963	18.08	4520 (5)	904 (5)
2-2186 1/9/1963 <u>all Morris</u>	6.16	1540 (5)	308
			2081
Alacano morris		1000 (1003 by spectral)	
		1200 (1211 by spectral)	

Dean-344 8035

Alacano & N via

Possible POD overlap

2-2186
10033
10034

claims	others	Permits
2-2262		2-2262 <i>Grindstone Butte</i>
2314		2-2314 "
2371		
10032	(2-2372 2373)	
10035	(2221 2212 2213 2216 2214)	
10043		

WR *stockwater not claimed*

2-7183 2217*
2204* 2218*
2205*
2206*
2211* 2372*
2212*
2213*
2214*
2215*

* combined
pts into
claims

2-10033 Comlin 2 from

	cts	cf	acr
2-2204 2/20/1963	5.94	1485	297
2-2205 2/20/1963	6.36	1590	318
2-2206 2/20/1963	5.78	1445	289

2-2186 6.16 1540 308

2-10034 cts | cf | acr

2-2215 5/6/1963	6.40	1600	320
2218 (5/6/1963)	5.24	1310	262
2217 (5/6/1963)	5.74	1435	287

What about 2-47?
was BLM - NOT claimed



Blue = Morris
Brown/yellow = Alacano

LDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-02186 Date: 10-18-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	65	9E	8									40	40	40	40	36	32	40	40	308
GIS												40	40	40	40	36	32	40	40	308
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Attribute +b1
is same for
claims 2211
thru 2218.
So it attributed
these
incorrectly.

Number of POD's 1

Total Claimed Acres: 308

Overlapping FOU Claim #'s:

Total GIS Acres: 308

COMMENTS:

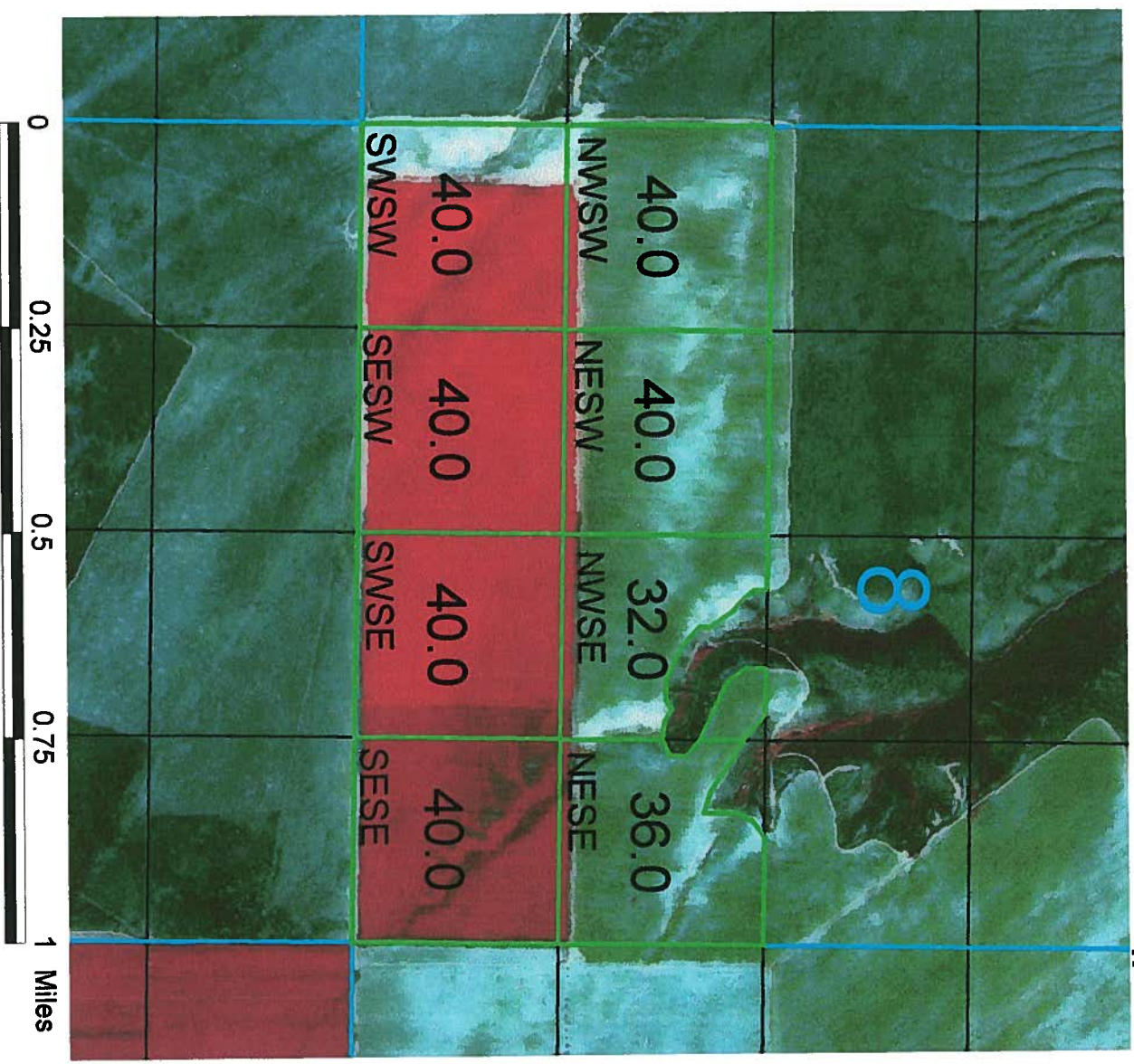
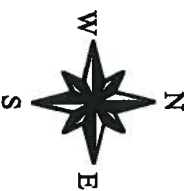
POU per claim legal & image interpretation

POD per claim legal.

Idaho Department of Water Resources

Claim Number: 02-02186
Legal: T06S, R9E, S08
Reviewed By:

- Point of Diversion
(located outside view)
- Place of Use
- Section Lines
- Quarter Quarter Lines



Idaho Department of Water Resources

Claim Number: 02-02186

Legal: T06S, R9E, S08

Reviewed By:

● Point of Diversion
(located outside view)



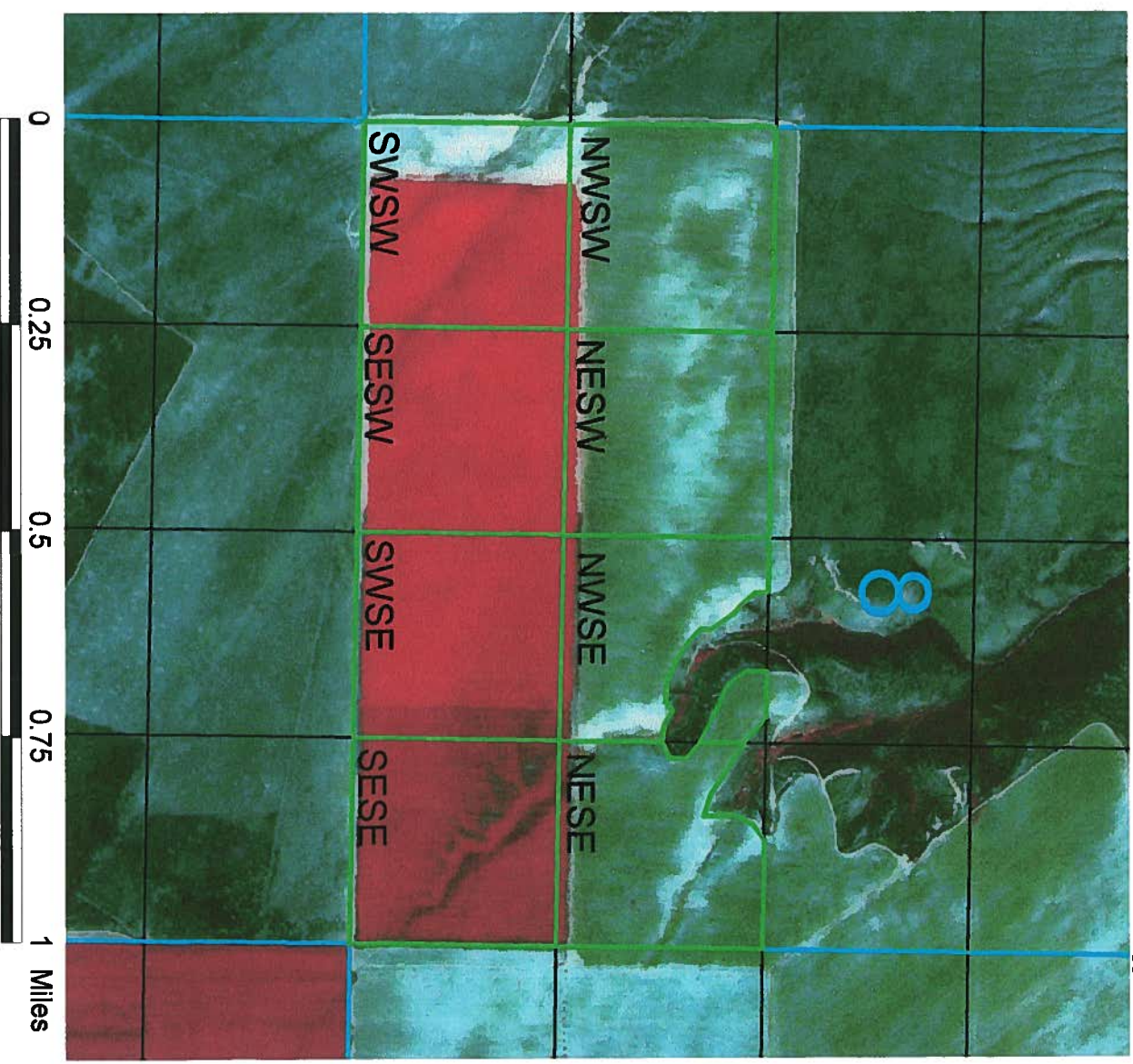
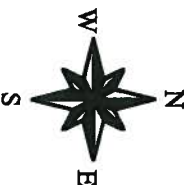
Place of Use



Section Lines



Quarter Quarter Lines



1987 Napp Photo

02-2/86
02-2204
02-2211

12/8/86

JDC

Memo

HR 4350 99-590 a bill to amend Wild & Scenic River Act.

Passed 10/30/86 Tacked on to this

Bill reinstated 12 entries. Letter from BLM to Entgen went out last Friday. The Bill specifically addressed Sailor Creek Group including where I number. The Bill has no effect on any other projects.

BLM had been in litigation with Sailor Creek Group for 10-12 yrs. The project applicants were to develop the land but instead Farm Development Corp. developed the land. They now have until 1988 to submit prop. to BLM.

MICROFILMED
AUG 16 1994

To: 02-2186 & OTHER SAILOR CREEK WATER RIGHTS
From: D. SHAFF
Date: 3/29/84
Subj: REVIEW ANALYSIS

The legal dispute over the question of fraudulent entry on the part of the land developers apparently has been settled with a judgment in favor of the United States. The issue of who holds the water rights applied to the lands in dispute has not been settled. The whole issue has been complicated by a congressional move relative to a Private Relief Act.

Unless these issues are resolved beforehand, the water rights for this project will be recommended in the name of the project developers. The record stands in this position currently. The developers own the diverting works and the U.S. has the land.

MICROFILMED
AUG 16 1994

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAFER Date 3-29-84
Right No. 02-2186 Claimant BLM

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
- ☐ Previous Statutory Claim.
- ☐ Permits, valid or lapsed. Number(s) if different than above _____
- ☒ Decree. Name & date U.S. NINTH CIRCUIT COURT OF APPEALS
- ☐ 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. _____
- ☐ 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

Measurement _____ cfs. Amount recommended WICHOITVED cfs.
Type of measuring device: _____ Meter No. _____
Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. _____, _____, _____

Field Photographs Taken ☐ Yes ☐ No

Memorandum in file ☒ Yes ☐ No

Remarks RECOMMENDED TO SAILOR CREEK.

12/07/83 - D. Shaff

Conv. with Delores Plom, Dr M Jarbridge Area really spec.
Conn. Ben. claims a portion of Black Mesa
division for lands uncontested.

Division for Black Mesa & Sailor Creek is
entangled & unsettled with congressional
Bill for Private Relief Act.

Sailor Creek division is part of Limestone
Butte div. works, which is uncontested
project.

MICROFILMED

AUG 16 1994

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAFF

Date 11/29/83

Right No. 02-2186

Claimant SAILOR CREEK

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

☐ 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. _____

☐ 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

Measurement 71^e cfs. Amount recommended 6¹⁶ cfs.

Type of measuring device: _____ Meter No. _____

Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. 1974 OQ 1980 U-2
HAMMETT 3476-80-152

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☐ Yes ☒ No

Remarks CLAIM PREPARED FROM PERMIT RT. RECOMMENDED CONFORMS
TO LICENSE & PLACE OF USE EXISTING PRESENTLY.

November 30, 1982

Mr. John Davis, Acting Chief
Division of Resources
Bureau of Land Management
Federal Bldg., Box 042
550 West Fort St.
Boise, ID 83724

Re: 7250 (931)

02-2186

Dear Mr. Davis:

Your letter was routed to me to address your question on the Snake River Adjudication. In general the staff is in the process of reviewing the claims by verifying the claimed water rights against water right licenses, field inspection reports or other documents. With smooth sailing, a preliminary report of those water rights could be issued this Spring.

More specifically, for the licensed water rights you recently obtained from this agency, some decisions may not rest with this staff. A decision is still pending on the transfer application of the Indian Hills water. According to newspaper accounts, the status of the Sailor Creek and Black Mesa projects has been put on hold, at least by your agency, while the Congress addresses the question. The issuance of a preliminary report may not hinge, however, on the uncertain nature of these water rights.

Beyond these water rights, the smaller one at Priest Ranch in Owyhee County still requires a water measurement and field inspection to verify the beneficial use of water. Past attempts have been unsuccessful but this claimed water right should be examined in the 1983 field season.

If you have more questions, please contact me.

Regards,

DONALD V. SHAFF
Adjudication Unit Leader

DVS:jp

MICROFILMED

AUG 16 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

November 19, 1982

Mr. John S. Davis, Acting Chief
Division of Resources
U.S. Department of the Interior
Bureau of Land Management
Idaho State Office
Federal Bldg., Box 042
550 W. Fort St.
Boise, ID 83724

Dear Mr. Davis:

As requested in your letter of October 29, 1982, I researched our records for water rights appurtenant to the lands identified on your attachment. Enclosed are copies of the water rights located and a billing for providing the following copies:

License 02-2033 ^{INDIAN} COVE I.D.	License 02-2211	Permit	02-2425
License 02-2164 ^{INDIAN}	License 02-2212	Permit	02-7138
(Trans. #2189 ^{HILLS} protested)	License 02-2213	Application	02-7171
License 02-2186 ^{SAILOR CK.}	License 02-2214	Application	02-7265
License 02-2204 " "	License 02-2215		
License 02-2205 " "	License 02-2216		
License 02-2206 " "	License 02-2217		
License 02-2209 ^{BLACK MESA}	License 02-2218		

I am returning your attachment for comparison of the lands identified on the water rights with the legal description on your list.

With regard to the status of the Snake River adjudication, I have forwarded a copy of your letter to Don Shaff, Western Region, for reply.

MICROFILMED

AUG 16 1994

Mr. Davis

2

November 19, 1982

If you have any questions or need further assistance, please feel free to contact us.

Sincerely,

Roberta Garrett
Records Supervisor

Enclosures

cc Don Shaff, Western Region

MICROFILMED
AUG 16 1994



United States Department of the Interior

IN REPLY REFER TO

7250 (931)

BUREAU OF LAND MANAGEMENT

Idaho State Office
Federal Building - Box 042
550 W. Fort Street
Boise, Idaho 83724

October 29, 1982

RECEIVED

NOV 10 1982

Department of Water Resources
Western Regional Office

Mr. David Tuthill
Department of Water Resources
Statehouse
Boise, Idaho 83709

02-2204
-2371
2372
2211
2186

Dear Mr. Tuthill, 02-2209

We are trying to establish the current records concerning water rights on Indian Hills, Black Mesa, and Saylor Creek Farms. In order to do this we need to obtain information on applications, claims, permits, licenses, and decrees concerning these lands. The legal descriptions of the lands we are interested in are listed in the enclosure.

Basically the information available through your computer records system would be sufficient. We would also like to know the status of the Snake River adjudication that we participated in. We appreciate your help in this matter.

Sincerely yours,

John S. Davis

John S. Davis, Acting Chief
Division of Resources

Enclosure as stated

MICROFILMED

AUG 16 1994

Bill would give developments chance to become legal

LARRY SWISHER

The Idaho Statesman

Two illegal farm development projects on federal land south of Glenns Ferry would be given a chance to become legal under a bill that has been introduced by U.S. Sens. James McClure and Steve Symms, both R-Idaho.

The bill would give the 26 people who developed the Black Mesa and Sailor Creek projects the chance to comply with U.S. Interior Department rules and gain ownership of about 8,000 acres.

The "private relief bill" would not apply to any other such projects.

The department issued new rules that found the projects illegal shortly after they were started in the mid-1960s, McClure said in a speech published in the *Congressional Record* Oct. 1.

Following lengthy court battles, the U.S. Bureau of Land Management has been attempting to regain possession of the land and

collect damages of more than \$1 million from the projects, BLM officials said Monday.

That action is now on hold pending action on the bill, said Martin "Joe" Zimmer, Boise BLM District manager.

Started under the 1910 Desert Land Act, the two "desertland entry" projects converted rangeland into farms, using water pumped from the Snake River.

But the Interior Department later ruled the projects illegal because agreements with two companies to develop and farm the lands violated a regulation interpreting the act's 320-acre limit on individual ownership.

A long legal battle ended last year when the U.S. 9th Circuit Court of Appeals ruled that the Black Mesa developers allowed a single company to control more than 320 acres.

However, McClure said the Interior Department allowed and encouraged such arrangements from 1910 to the time the projects were started, then changed its policies.

"This bill is necessary to eliminate the harsh and unfair results arising from the retroactive application of an interpretation of the Desert Land Act," McClure said.

If passed, the bill would prevent the "wasting of several hundred thousands of dollars of material and energy resources that were used in the development of the projects and the construction of the two irrigation systems that serve the projects," he said.

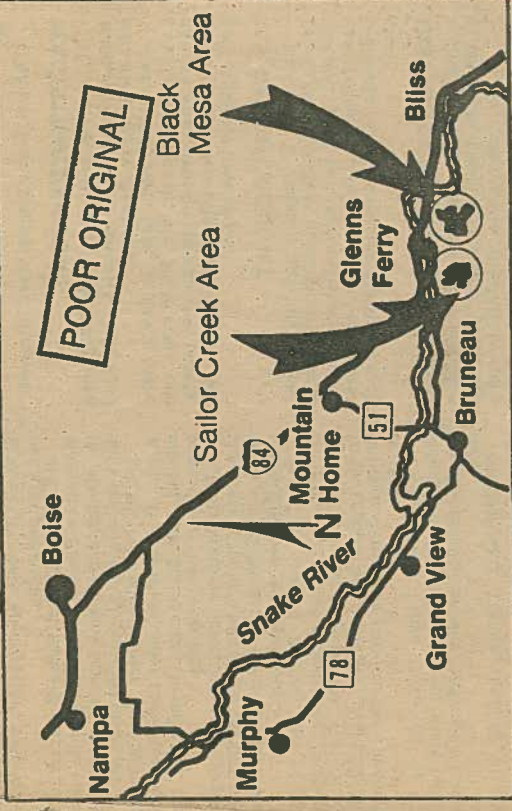
W.F. "Bill" Ringert, Boise, attorney for some of the developers, said the bill probably would not violate the separation of powers between Congress and the courts.

"It's a possibility, but the courts have said many times that Congress has virtually absolute power over disposition of the public lands," Ringert said.

Located south of Glenns Ferry in Elmore County, near the Snake River, the Black Mesa project has 14 developers and 4,400 acres; Sailor Creek has 12 developers and 3,700 acres.

AUG 16 1994

MICROFILMED



Site of proposed developments

11/17/82 STATESMAN

Legislation would nullify court findings in land cases

Senators James McClure and Steve Symms have introduced legislation to circumvent rulings of federal courts which said two large southern Idaho desert land irrigation projects violated basic requirements of the Desert Land Act.

The courts found that the Black Mesa and Sailor Creek projects in Elmore County were attempts by a partnership, and by a corporation, to gain control of thousands of acres of public land.

In both cases, the Ninth U. S. Circuit Court of Appeals ruled that the applications to acquire the land were invalid, and that, under the law, the land must revert to public ownership.

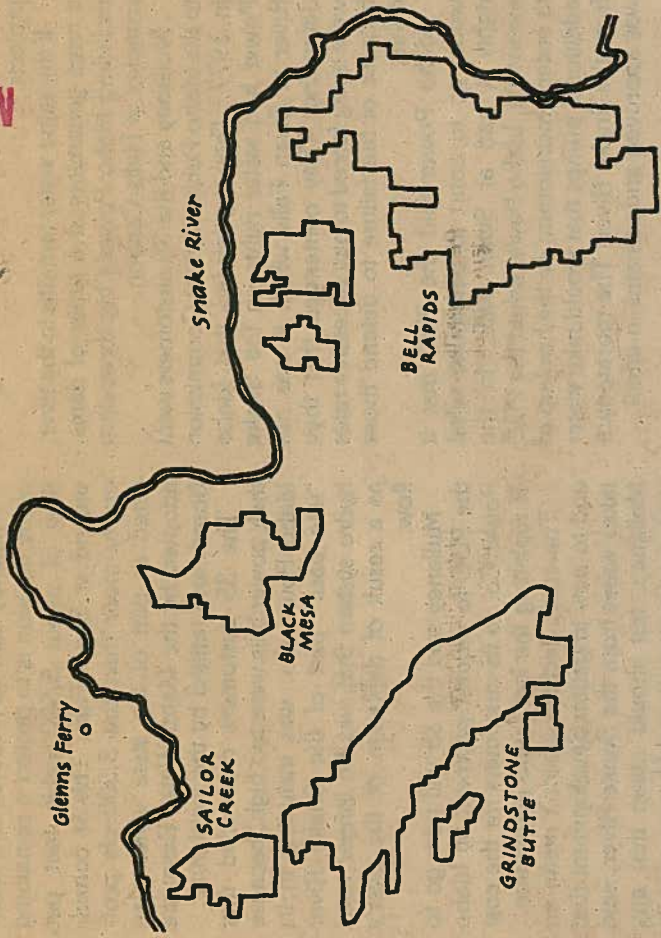
"This bill is an attempted end run around provisions of the law designed to prevent corporations or associations from acquiring large tracts of public land under the Desert Land Act," said Diane Jones of Boise, speaking for the Idaho Citizens Coalition. "It is the worst kind of special interest legislation. It is an attempt to legislative a virtual giveaway of 8,000 acres of land to a few entrepreneurs. The are attempting to do politically what they have been unable to do through the courts."

The McClure-Symms legislation would allow the developers to retain the land. It would give them six months to comply with what the legislation describes as the Bureau of Land Management's "new interpretation" of the Desert Land Act.

Jones said the courts considered and rejected the argument that the BLM had applied a "new interpretation" of the law. When the argument was raised, she said, the Ninth Circuit Court declared that "these claims are meritless."

She said the intent of Congress to limit desert entry acquisitions to individual entrymen, and to avoid assignment of the land, or "holding" of more than 320 acres by large farm corporations before patent is clear.

The 1877 Desert Land Act allows individuals to acquire up to 320 acres of public land for token payment (now \$1.25 an acre), if they show they can put water on it. Specific provisions prohibit an entryman from assigning his or her land to a corporation or association, and prohibit the "holding" of more than 320 acres by any individual before patent.



Black Mesa, Sailor Creek and other projects near Glenns Ferry.

"In both projects, the individual entrymen never intended to farm the land," said Jones. "These projects were operated as large corporate farms, of about 4,000 acres each."

The courts found that the Black Mesa project, 4,458 acres near Glenns Ferry, was organized by Golden Grigg and Vanness Anderson, doing business as Grigg and Anderson Farms. This partnership was in the business of developing and farming raw lands.

"Early in 1963, Golden Grigg and Vanness Anderson discovered this land (Black Mesa), had it surveyed and blocked into 320-acre tracts and arranged for filing of entries under the Act by 14 members of the Grigg and Anderson families.

"After the 14 prospective entrymen had a cursory inspection of the land and signed applications for entry, the record shows that (1) they lacked further knowledge about and interest in the entries (2) they never actually possessed their entries, they did not choose their entries, and they had neither control of nor contribution to the development of the land or the marketing of crops (3) they understood that Grigg and Anderson would pursue the entry applications, develop and reclaim the lands, and farm the entries as one project, at least until it recovered its investment (4) Grigg and Anderson

decided which tracts each would receive, drafted all financial and development agreements, determined the amount of compensation the entrymen received, provided all working capital, and made all marketing and development decisions (5) Grigg and Anderson found, farmed and irrigated the entries as one farm, and (6) the entrymen realized at most 20 per cent of the gross proceeds of the crops while Grigg and Anderson retained the rest."

The 3,800-acre Sailor Creek project was originally developed by Hale Brothers Associates, a California-based retail clothing business, through two subsidiaries, Hiller Engineering and Farmland-Idaho.

Farmland-Idaho changed its name to Farm Development Corp. In 1964 the joint venture was ended. Hiller transferred its shares to Farm Development Corp., doing business as the Sailor Creek Water Co.

Eleven of the entrymen leased their entries to the 12th entryman, G. Patrick Morris, and to Allen T. Noble. Sailor Creek Water Co. did all the farming, and retained most of the income.

The record shows the actual rental payment to the entrymen was about \$25 an acre for the first two years. The agreement provided for renewal of the leases for two additional five-year periods.

In the Black Mesa case, the Ninth U.S. Circuit Court upheld a lower court ruling that the arrangement violated requirements of the law. In the Sailor Creek case both a lower court and the Ninth Circuit Court found that the Sailor Creek Water Co. actually held more than 320 acres under the arrangement with the entrymen.

The District Court said the group of entries was "set up as one large farm with an overseers home, farm equipment, repair shops, grain bins, potato storage buildings, workers quarters and a landing strip. The land was cropped without regard to the boundaries of the individual entries."

After the Ninth Circuit Court of Appeals ruled that the filings were invalid and the land should revert to the government, the entrymen appealed to the U.S. Supreme Court. The High Court refused to hear the case.

The entrymen took the case back to court, and farming of the land continued. In March, 1982 the Ninth Circuit Court affirmed a decision of the District Court dismissing this second attempt at litigation.

A decision of the District Court would have allowed the Sailor Creek applicants to divest themselves of the impermissible interest in the entries, but the Circuit Court ruled that the law requires the land to revert to the government.

Bill Ringert of Boise was the attorney for the applicants in both the Black Mesa and Sailor Creek cases. Ringert, his wife, a brother, and his parents, received desert entries in another project which was not challenged by BLM, Grindstone Butte.

Jones said the McClure-Symms bill would make a mockery of the intent of the Desert Land Act to encourage farming by individuals, rather than by corporations or associations. She said the intent of Congress was never to transfer public land at nominal cost to large farming corporations.

Idaho Conservation League

Note Cards

Perfect to use at Christmas time,

MICROFILMED
AUG 16 1994

THE IDAHO CITIZEN
Oct/Nov, 1982

P. 8

Mullaney says consumers will benefit with court's Snake River decision

The Idaho Supreme Court ruled in a unanimous decision that Idaho Power Co. retains rights to a substantial amount of water in the Snake River at Swan Falls for the generation of electrical power.

The decision was a victory for 35 Idahoans, including ranchers, irrigators and residential customers of Idaho Power, who took action in 1977 to persuade the company to defend its water rights.

Matt Mullaney, attorney for the 35, said the results should include (1) a slower rise in electric rates than would occur without the decision and (2) possible payment to Idaho Power customers for the past loss of low-cost hydro energy generation from the company's system.

The Idaho Water Users Association expressed concern that some irrigation pumps, taking water from the Snake River, might be compelled to shut down their pumps. Mullaney said he believes this is unlikely.

Basically the case revolved around the issue of the cost to consumers of continued losses of energy from the low-cost hydro system of Idaho Power on the Snake River. The losses resulted from new irrigation developments that took water from the river and reduced the river's flow.

In recent years the company's customers have paid additional millions of dollars each year for the cost of replacing lost Snake River power with expensive new power plants. Energy

from the new plants costs several times as much as energy lost when water is diverted from the river for irrigation projects.

If the same water remains in the river, it turns generators at a series of dams, including Idaho Power's big three-dam complex at Hells Canyon.

Mullaney and the 35 customers went to the Idaho Public Utilities Commission in 1977. They contended that Idaho Power had water rights on the Snake River at Swan Falls which it was not defending. They contended that they were being forced to pay excessive rates because of the failure to defend those rights.

Idaho Power told the PUC that it would go to court to determine what rights it had at Swan Falls. In the meantime, Idaho Power asked the PUC to order a moratorium on the hookup of additional pumps that would take water from the Snake River. The moratorium was approved and remains in effect.

A district court judge ruled that Idaho Power does not have water rights at Swan Falls. He concluded that the company surrendered those rights in language included in the license granted for the three-dam complex at Hells Canyon.

But the state Supreme Court, in its unanimous decision, found that Idaho Power retains water rights granted prior to 1920 at Swan Falls. The participants in the court case had agreed that these rights amounted to 8,400 cubic feet per

second. (Actual rights exceed 8,400 but capacity at Swan Falls is 8,400 cfs).

Mullaney said he believes the result of the decision is to protect a remaining flow of about 5,500 cubic feet per second at Swan Falls. This is considerably more than the 3,300 cfs protected as part of the state water plan adopted by the Idaho Water Resource Board, and ratified by the legislature.

The 35 customers contended that their power bills were too high, because Idaho Power Co. was including in its "rate base" part of the Snake River hydro system that was no longer used as a result of depletion of the river's flow.

Mullaney said the 35 will now go to the PUC to request payment by Idaho Power Co. to its customers for the cost of replacing the lost hydro generation.

The court decision doesn't mean an end to new irrigation development that takes water from the Snake River, said Mullaney, but should mean that any such development would have to pay its way. That is, Idaho Power should be reimbursed for the cost of the lost power generation resulting from use of its water for such development.

What about irrigation projects that have taken water from the Snake River in recent years--water to which Idaho Power Co. has a right, as indicated by the court's decision?

It will be up to Idaho Power Co. to decide what to do, said Mullaney. The company could ask that the pumps be disconnected. But since the company

consented to hook them up in the first place, Mullaney feels this is unlikely.

Another possibility would be to ask from those water users payment for the value of the water they are using for the generation of electricity in the river.

Unless there is an appeal, the case will go back to the District Court to clarify the extent of the company's rights at Swan Falls. Mullaney said it is conceivable that this could lead to a general adjudication of Snake River water rights.

So far as the customers are concerned, the energy loss includes energy from dams below Swan Falls in the Hells Canyon complex, as well as the loss at Swan Falls, which has only a small hydro plant. If a court should rule that the only energy lost is that lost at Swan Falls, the result would be to greatly reduce the significance of the decision.

In the Supreme Court, Idaho Power argued in defense of water rights at Swan Falls but said it had subordinated its rights at Hells Canyon, and above Swan Falls at C. J. Strike.

The 35 Idaho Power customers, and the Public Utilities Commission, argued that there had been no subordination of the company's rights at any of the three locations.

An attorney for the Idaho Department of Water Resources, and Boise attorney William Ringert, representing canal companies and irrigation users, contended that water rights had been subordinated at all the locations.

area having wilderness characteristics,

situation became known. Again, our

POOR ORIGINAL

FARM DEV. CORP.
02-0077
SAILOR CREEK
02-2204

02-2371
02-2372
02-2211
02-2186✓

COTTONWOOD
02-2209

INDIAN HILL
02-2164

GRINDSTONE BUTTE
02-2262
02-2314
02-2336D

November 3, 1981

W. F. Ringert
Attorney-At-Law
P.O. Box 2773
Boise, Idaho

Dear Mr. Ringert,

Copies of the Snake River adjudication claims for Cottonwood Canal Company, Indian Hill Irrigation Company, Grindstone Butte Mutual Canal Company, Farm Development Corporation and Sailor Creek Water Company have been returned to your office. Presumably you are the attorney appearing for each of the companies.

The copies are assembled separately by each company with a receipt for each check attached with each one. Thank you for your assistance and cooperation in the adjudication process.

Regards,

Donald V. Shaff
Adjudication Unit Leader

Enclosures

MICROFILMED

AUG 16 1994

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

<u>02-2186</u>	
I.D. No.	Map No.
\$ <u>10-</u>	<u>20317</u>
Fee Paid	Receipt No.

Notice is hereby given that Sailor Creek Water Company, an operating division of Farm Development Corporation, an Idaho corporation(Name of Claimant)
P. O. Box 1201, Boise, Idaho 83701 (Mailing Address) Telephone No. 342-6524 (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) January 9, 1963
- (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: irrigation A
Quantity 6.4 cfs 6.16 Use irrigation A Period of Use From March 13/5 To Nov. 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) 6.4 cfs/1600 acre feet 6.16 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NW/ NW Lot 4
Sec. 34 , Twp. 5S , Rge. 9E , B.M., Elmore SW) 1/4 County
Additional Points: SCI: 2720(1) 532.4
- 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, penstocks and pipelines.

- (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	9E	8									40	40	40	40	36	32	40	40	308 320

Total no. of acres 308 320

- 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: Sailor Creek Water Company
- (8) Remarks

- (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. 30885

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.

October 26, 1981 (Date)
State of IDAHO Organization SAILOR CREEK WATER COMPANY
County of ADA Seal
(Signature of Claimant)
(Signature of Spouse)
(Signature of Authorized Agent)

On this 26th day of October, in the year 1981 before me
a notary public, personally appeared W. F. Ringert
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
My commission expires lifetime of 11/29/82
Notary Public residing at Boise, Idaho

8/28/81

To: 02-2186, ETC (SAILOR CREEK FARM RTS)
From: D. SHAFF

SEE HAMMETT & GLENN'S FERRY DIAZOS
FOR MAPPING OF THESE RTS. USING
THESE, THE IRRIGATED GROUND W/O
RTS CAN BE RECOGNIZED. PERHAPS
02-0007 (SO FAR DISALLOWED) COULD BE
USED TO PICK UP THE EXTRA LAND.

MICROFILMED

AUG 16 1994

02-2186-20

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

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF ~~REYNOLDS CREEK~~ Snake River
from base of DRAINAGE BASIN.
Milner Dam to Oregon border

NOTICE OF CLAIM
TO A
WATER RIGHT

02-2186	
I.D. No.	Map No.
\$ 10	20467
Fee Paid	Receipt No.

Notice is hereby given that USDI, Bureau of Land Management
(Name of Claimant)
3948 Development Avenue, Boise, Idaho 83705 Telephone No. (208) 334-1582
(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) 1/9/63

(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 6.16 cfs 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) 6.16 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source (NW 1/4 SW) 1/4
Sec. 34, Twp. 5S, Rge. 9E, B.M., Elmore County
Additional Points: SCI: 2720(1) 532.4

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.
Pump and pipeline

(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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	9E	8									40	40	40	40	36	32	40	40	308

Total no. of acres 308

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: Bureau of Land Management

(8) Remarks (Saylor Creek) DLE

(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. 02-2186

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.

April 24, 1981
(Date)

State of Idaho Organization Bureau of Land Management
County of Ada Seal Martin J. Zimmer
(Signature of Authorized Agent)

On this 24th day of April, in the year 1981 before me
a notary public, personally appeared Martin J. Zimmer, BLM District Manager
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 2/17/84 Notary Public residing at Boise, Id.

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

IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF REYNOLDS CREEK Snake River
from base of DRAINAGE BASIN.
Milner Dam to Oregon border

NOTICE OF CLAIM
TO A
WATER RIGHT

02-2186	
I.D. No.	Map No.
\$ 10	20467
Fee Paid	Receipt No.

Notice is hereby given that USDI, Bureau of Land Management
(Name of Claimant)
3948 Development Avenue, Boise, Idaho 83705 Telephone No. (208) 334-1582
(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) 1/9/63
- (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 | <u>6.16 cfs</u> | Use | <u>Irrigation</u> | Period of Use From | <u>3/15</u> | To | <u>11/15</u> |
| | (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) 6.16 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NW $\frac{1}{4}$ SW $\frac{1}{4}$
Sec. 34, Twp. 5S, Rge. 9E, B.M., Elmore County
Additional Points: _____
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. Pump and pipeline

- (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 $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			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 $\frac{1}{4}$	
6S	9E	8									40	40	40	40	36	32	40	40	308

Total no. of acres 308

- 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: Bureau of Land Management
- (8) Remarks Saylor Creek DLE
- (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. 02-2186

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
April 24 1981 (Date)
State of Idaho Organization Bureau of Land Management
County of Ada ss. Seal
On this 24 day of April, in the year 1981 before me
a notary public, personally appeared Martin J. Zimmer, BLM District Manager
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 2/17/84 Notary Public residing at Boise, Id.

(Signature of Claimant)
(Signature of Spouse)
(Signature of Authorized Agent)

Discussion