

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: A02-02209E
Date Received: 3/ 7/1990
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF GLENNS FERRY
Address: 204 EAST 2ND AVE
GLENNS FERRY ID 83623
2. Date of Priority: FEB 25, 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
05S	10E	28		SW	NW	7	ELMORE
		32		SE	NW	3	ELMORE

5. Description of diverting works:
CITY OF GLENNS FERRY MUNICIPAL SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
MUNICIPAL	04/01	10/31	2.400		401.70

7. Total Quantity Appropriated is:
2.400 C.F.S. (and/or) 401.70 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
MUNICIPAL, CITY OF GLENNS FERRY

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
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11. Place of use in counties:

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

13. Other Water Rights Used:

14. Remarks:

CONDITIONS OF APPROVAL OF TRANSFER NO. 5125:

1. THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY THIS TRANSFER WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.
2. FAILURE OF THE RIGHT HOLDER TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO RESCIND APPROVAL OF THE TRANSFER.
3. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT IN THE ONGOING SNAKE RIVER BASIN ADJ.
4. PRIOR TO DIVERSION OF WATER UNDER THIS APPROVAL, THE RIGHT HOLDER SHALL PROVIDE A MEANS OF MEASUREMENT ACCEPTABLE TO THE DEPT. FROM ALL AUTHORIZED POINTS OF DIVERSION WHICH WILL ALLOW DETERMINATION OF THE TOTAL RATE OF DIVERSION.
5. THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF DIVERSION UNDER TRANSFER 5125 SHALL NOT EXCEED 2.4 CFS NOR A TOTAL COMBINED ANNUAL VOLUME OF 401.7 AF.
6. AFTER SPECIFIC NOTIFICATION BY THE DEPT. THE RIGHT HOLDER SHALL USE MEASURING DEVICES OR SHALL ENTER INTO AN AGREEMENT WITH THE DEPARTMENT TO DETERMINE THE AMOUNT OF WATER DIVERTED FROM POWER RECORDS AND SHALL ANNUALLY REPORT THE INFORMATION TO THE DEPT.
7. APPROVAL OF TRANSFER 5125 DOES NOT GRANT ANY RIGHT OF WAY OR EASEMENT FOR USE OF A DELIVERY SYSTEM OWNED BY PERSON(S) OTHER THAN THE RIGHT OWNER.

15. Basis of Claim: LICENSE

Water Right Number: 30990

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 5125
WATER RIGHT NO. 02-02209B

RECEIVED

MAY 19 1998

WATER RESOURCES
WESTERN REGION

This is to certify that: **CITY OF GLENNS FERRY**
204 EAST 2ND AVE
GLENNS FERRY ID 83623

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
MUNICIPAL	04/01 to 10/31	* 2.40 CFS	* 401.7 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SNAKE RIVER	COLUMBIA RIVER

Priority: 02/25/1963

LOCATION OF POINT(S) OF DIVERSION: Lot 7(SWNW), Sec. 28, Township 05S, Range 10E
Lot 3(SENW), Sec. 32, Township 05S, Range 10E
ELMORE County

PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 5. The total instantaneous diversion of water from all points of diversion under Transfer 5125 shall not exceed 2.40 cfs, nor a total combined annual volume of 401.7 af.

TRANSFER NO. 5125
WATER RIGHT NO. 02-02209B

CONDITIONS OF APPROVAL AND REMARKS

6. After specific notification by the department, the right holder shall use measuring devices or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
7. Approval of Transfer 5125 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this 12th day of May, 1998.


Chief, Water Allocation Bureau

MEMORANDUM

TO: File 02-02209

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5125

DATE: May 8, 1998

Transfer 5125 adds and changes the points of diversion, changes the place and nature of use under a portion of Right 02-02209, splitting the right into parts A and B.

The Cottonwood Canal Company has deeded a portion of their interest in this irrigation water right to the City of Glenns Ferry. The transfer changes the city's portion to reflect the proposed municipal use. The municipal use has been limited to the licensed season of use and diversion volume associated with the transferred 120 acres in order to avoid any expansion in the change in nature of use.

SRBA claims reflect that this right is overclaimed, creating a partial overlap between three claimants. This right has a complex history relating to ownership and validity of the right that will ultimately have to be decided by the SRBA court. Currently Cottonwood Canal Company has the largest interest in this right and the undisputed portion more than provides for this transferred portion. The approval will include a standard condition making the approval subject to SRBA review.

Recommended conditions include multiple points of diversion, measuring devices, future annual reporting, right-of-way and standard transfer conditions.

APR 09 1997

Page 1 of 7STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

Transfer No. 5125

APPLICATION FOR TRANSFER OF WATER RIGHT RECEIVED

PART 1

APR 10 1997

Revisions Approved by date Name of applicant COTTONWOOD CANAL COMPANY / CITY OF GLENNS FERRY Phone (208) 342-4591Post Office address RINGERT CLARK CHARTERED, P. O. BOX 2773, BOISE, ID 83701

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other
2. Describe the reason for the proposed changes Cottonwood Canal Company is transferring 2.4 cfs of this water right to the City of Glenss Ferry to be used for municipal purposes (see remarks).

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>02-30990/2209</u>	<u>2/25/63</u>	<u>77.30</u>	<u>irrigation</u> <i>Canal Co. portion</i>	<u>April 1</u> to <u>October 31</u>
		<u>2.40</u>	<u>municipal</u> <i>City portion</i>	<u>April 1</u> to <u>October 31</u>
				to <u> </u>
				to <u> </u>

2. Total amount of water being transferred 2.4 cubic feet per second and/or *401.69 acre-feet per annum.3. Source of water Snake River tributary to Columbia River

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
6				9	6S	11E	Elmore	<u>Canal Co. Div. pt.</u>
7	SW	NW		28	5S	10E	Elmore	} <u>City of Glenss Ferry Div. pt. (same as permit 02-07470)</u>
3	SE	NW		32	5S	10E	Elmore	

5. Lands irrigated or place of use: *

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6S	10E	1									35		40	40		30	40	30	215
		2															40	40	40
		11	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	560
		12	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
6S	11E	13	40	40	40	40	40	40	40	40	40	40			40	40	40	40	560
		24	40	40	40	40								40	40	40		40	240
		6											10						10
		7	25	25	40	40	30	40	40	40	40	40	40	40	40	40	40	40	600
		17																	120
		18	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	680
		19									40	40	40	40	40	40	40	40	320
		20									40	40							80

*The place of use for the transferred portion of the water right is within the city limits of Glenss Ferry (see remarks).

Total acres 3,985 + 3865

PART 1

6. General Information:

a. Description of diversion system Pumps, motors and Glenns Ferry municipal system for
portion being transferred

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Delete 120 Acres of irrigation in SE 1/4 S. 18 T6S R11E

d. Remarks:

SEE ATTACHED REMARKS.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 30990/02-2209 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☒ Other Copy of license

3. Source of water Snake River tributary to Columbia River

4. Date or priority February 25, 1963

5. Water is used for the following purpose:

amount 79.70 for irrigation purposes from April 1 to October 31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 79.70 cubic feet per second and/or 13,339.33 acre-feet per annum.

7. Point(s) of Diversion:

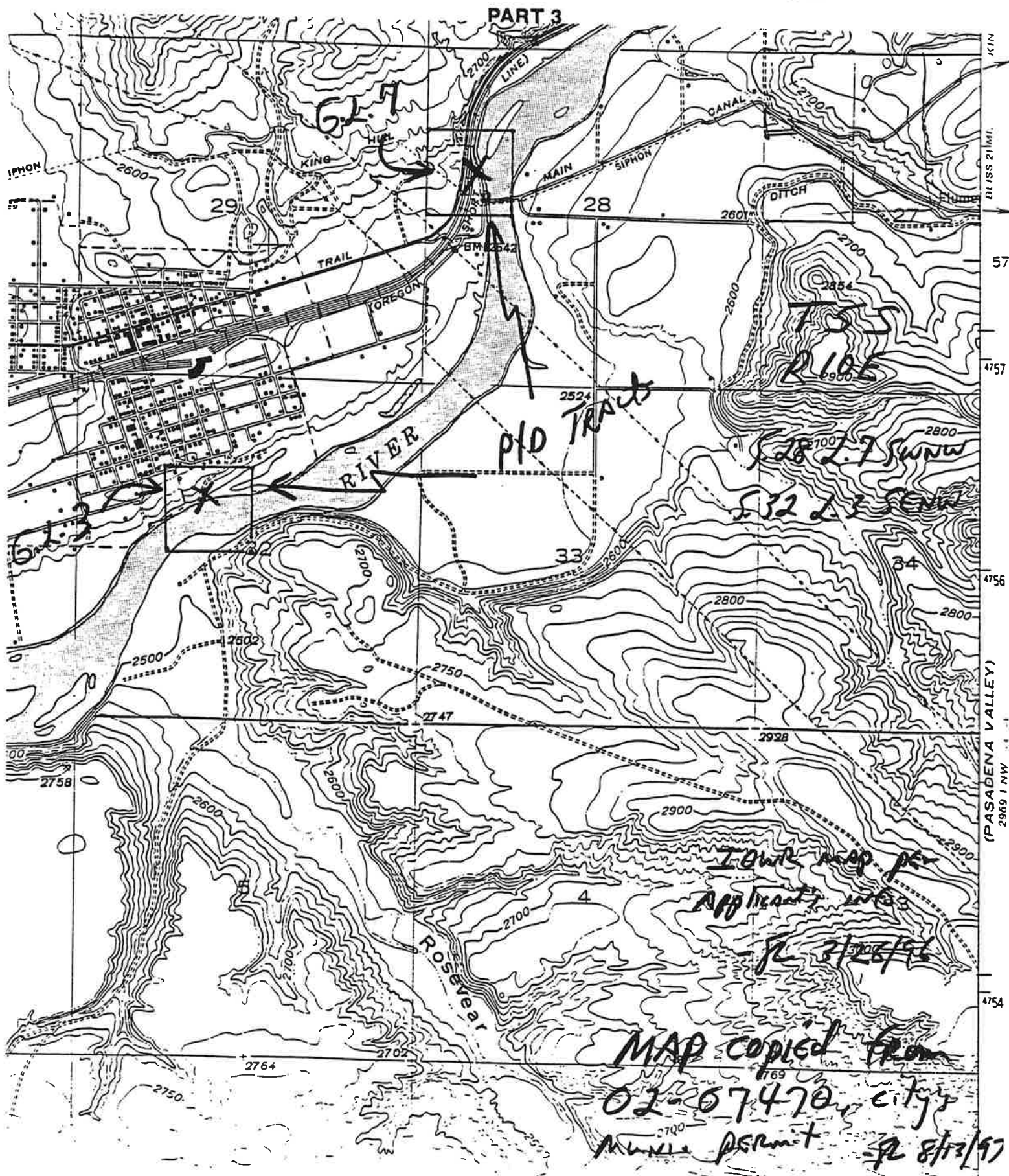
Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
6				9	6S	11E	Elmore	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6S	10E	1									35		40	40		30	40	30	215
		2															40		40
		11	40	40	40	40	40			40	40	40	40	40	40	40	40	40	560
		12	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640 ← 640
		13	40	40	40	40	40	40	40	40	40	40			40	40	40	40	560
		24	40	40	40	40									40	40			250 ← 240
6S	11E	6											10						10
		7	25	25	40	40	30	40	40	40	40	40	40	40	40	40	40	40	600
		17						40	40			40							120
		18	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	600
		19							40		40	40	40	40	40	40	40	40	320
		20										40	40						80
Total acres																			3,985

9. Describe any other water rights used for the same purpose as described above _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT



PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	Municipal	2.4		Jan. 1 to Dec. 31
				to

2. Quantity and quality of return flows and location of discharge:

No return flow is anticipated.

3. Describe effects on other water uses resulting from the proposed change:

None

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

CITY OF GLENNS FERRY

By

David M. Hahn

COTTONWOOD CANAL COMPANY

By

A. C. Liddiard

A. C. Liddiard, Secretary

SUBSCRIBED AND SWORN TO BEFORE me this 6th day of April, 1997.

Carolyn R. Bundtrock

Notary Public for Idaho

Residing at Edgar, IdahoMy commission expires: 11/27/97

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

PART 1: Remarks

Cottonwood Canal Company has transferred to the City of Glenns Ferry the 2.4 cfs of this water right which is appurtenant to the W $\frac{1}{2}$ SE $\frac{1}{4}$ and the NE $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 18, Township 6 South, Range 11 East, B.M. in Elmore County (see attached Deed to a Water Right). The Cottonwood Canal Company shares for this portion of the water right are owned by Ringert Clark Chartered.

The City will divert this water from the points of diversion identified in Permit No. 02-07470, copy attached. The City will use the water for municipal purposes within its city limits, as described in Permit No. 02-07470, and subject to the conditions stated therein. If this transfer is not approved, the City will execute a quitclaim deed to transfer the 2.4 cfs back to Cottonwood Canal Company.

PART 2, 10: Period of Non-use

On July 18, 1986, Cottonwood Canal Company submitted to the Idaho Department of Water Resources (IDWR) an Application for Extension of Time to Avoid Forfeiture of Water Right License No. 30990/02-2209. The reasons for the request are stated in the Application. On November 14, 1988, the IDWR approved the Application for Extension of Time (see attached Application for Extension of Time with IDWR approval).

Cottonwood Canal Company has undisputed ownership of 58.1 cfs of this water right. The 2.4 cfs to be transferred under this application is part of the 58.1 cfs which Cottonwood Canal Company owns without dispute. Christine and Wesley Wootan, husband and wife, own 12.8 cfs of this water right. A dispute exists between Cottonwood Canal Company and the Bureau of Land Management regarding ownership of the remaining 8.8 cfs of this water right, which will likely be resolved in the Snake River Basin Adjudication.

By Resolution dated March 31, 1991, copy attached, the Idaho Water Resource Board accepted Cottonwood Canal Company's 58.1 cfs into the water bank for leasing. By Resolution dated May 31, 1991, copy attached, the Idaho Water Resource Board accepted the 8.8 cfs into the water bank for leasing.

DEED TO A WATER RIGHT

FOR VALUABLE CONSIDERATION, the receipt and sufficiency whereof are hereby acknowledged, COTTONWOOD MUTUAL CANAL COMPANY, an Idaho corporation, also known as Cottonwood Canal Company, does hereby grant and convey unto the CITY OF GLENNS FERRY, IDAHO, a municipal corporation, whose current mailing address is 204 East 2nd Avenue, Glenns Ferry, Idaho 83623, a water right for 2.4 cfs of the waters of Snake River, with priority date of February 25, 1963, being that part of the water right evidenced by Water License No. 30990/02-2209 that originally was appurtenant to the W $\frac{1}{2}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18, Township 6 South, Range 11 East, B.M., in Elmore County, Idaho.

TO HAVE AND TO HOLD, All and singular the above mentioned and described property together with the appurtenances unto the parties of the second part, and to their successors and assigns forever.

IN WITNESS WHEREOF, the name of Cottonwood Mutual Canal Company has been hereunto subscribed by Paul Hogg, president of Cottonwood Mutual Canal Company, having been thereunto duly authorized by resolution of the Board of Directors of that corporation this 3rd day of February, 1997.

COTTONWOOD MUTUAL CANAL COMPANY
(Also known as Cottonwood Canal Company)

By Paul Hogg
Paul Hogg, President

ATTEST:

A. C. Liddiard
A. C. Liddiard

STATE OF IDAHO)
) ss.
COUNTY OF ~~CASSIA~~)
 Minidoka

On this 3rd day of February, 1997, before me, the undersigned, a notary public in and for said state, personally appeared PAUL HOGG, known to me to be the president of COTTONWOOD MUTUAL CANAL COMPANY, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Merrin Pauline
Notary Public for the State of Idaho
Residing at _____, Idaho
My commission expires: _____

My Commission Expires 10 . . .
Notary Public
Residing at Declo, ID

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 5th day of February, 1997, before me, the undersigned, a notary public in and for said state, personally appeared A. C. LIDDIARD, known to me to be the secretary of COTTONWOOD MUTUAL CANAL COMPANY, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Carolyn R. Bundtrock
Notary Public for the State of Idaho
Residing at EALE, Idaho
My commission expires: 11/27/97

Data Entry

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

SPLIT INTO 022090 & 15 PER TRANSFER
Ident. Number: A02-02209A
Date Received: 3/7/1990 *5125*
Receipt No: C015381
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: COTTONWOOD CANAL CO.
Address: P.O. BOX 2773
BOISE, ID 83701

2. Date of Priority: FEB 25, 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
06S	11E	9		NW	SW	6	ELMORE

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	66.900		16725.00

7. Total Quantity Appropriated is:
66.900 C.F.S. (and/or) 16725.00 A.F.A.

8. Total consumptive use is 16725.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	10E	1	NE	SW		IRR	35.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NW	SE		IRR	30.0

A02-02209A

Page 1

Date: 04/17/91

MICROFILMED

AUG 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	10E	1	SW	SE		IRR	40.0
			SE	SE		IRR	30.0
					Section Acres		215.0
		2	SE	SE		IRR	40.0
					Section Acres		40.0
		11	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			SE	NW		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	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
					Section Acres		560.0
		12	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		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	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
					Section Acres		640.0
		13	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres		
06S	10E	13	SE		NE		IRR	40.0		
			NE		NW		IRR	40.0		
			NW		NW		IRR	40.0		
			SW		NW		IRR	40.0		
			SE		NW		IRR	40.0		
			NE		SW		IRR	40.0		
			NW		SW		IRR	40.0		
			NE		SE		IRR	40.0		
			NW		SE		IRR	40.0		
			SW		SE		IRR	40.0		
			SE		SE		IRR	40.0		
			Section Acres							560.0
					24	NE		NE		IRR
NW		NE					IRR	40.0		
SW		NE					IRR	40.0		
SE		NE					IRR	40.0		
NE		SE					IRR	40.0		
NW		SE					IRR	40.0		
Section Acres							240.0			
11E	6	SW					SW		IRR	10.0
		Section Acres							10.0	
		7				NE		NE		IRR
			NW		NE		IRR	25.0		
			SW		NE		IRR	40.0		
			SE		NE		IRR	40.0		
			NE		NW		IRR	30.0		
			NW		NW		IRR	40.0		
			SW		NW		IRR	40.0		
			SE		NW		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	40.0		
			NW		SE		IRR	40.0		
			SW		SE		IRR	40.0		
			SE		SE		IRR	40.0		
			Section Acres							600.0
					17	NW		NW		IRR
SW		NW					IRR	40.0		

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	11E	17	NW	SW		IRR	40.0
						Section Acres	120.0
		18	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		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	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
						Section Acres	600.0
		19	SW	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	320.0
		20	NW	SW		IRR	40.0
			SW	SW		IRR	40.0
						Section Acres	80.0
						Total Acres	3985.0

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:
NONE.

14. Remarks:

DESC. OF DIVERTING WORKS - RIVER PUMPING STATION, PENSTOCK, RELIFT STATION, RELIFT PENSTOCK, MAIN TRUNKLINE AND LATERAL MAIN LINES, WITH SOME BOOSTER PUMPS.

NOTE: PLACE OF USE ON CLAIM STATES: LANDS AND ACREAGES IN EACH SUBDIVISION, IN TOWNSHIP 6 SOUTH, RANGES 10 AND 11 EAST, ARE AS STATED IN THE COPY OF THE APPLICATION FOR EXTENSION OF TIME TO AVOID FORFEITURE OF A WATER RIGHT ATTACHED HERETO AS EXHIBIT A & INCORPORATED HEREIN BY THIS REFERENCE. SECTION ACRES AREA AS SHOWN IN EXHIBIT A.

15. Basis of Claim: LICENSE

Water Right Number: 30990

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

11/06/2003

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

RIGHT NUMBER: 2-2209E
NAME AND ADDRESS: CITY OF GLENNS FERRY
204 E 2ND AVE
PO BOX 910
GLENNS FERRY ID 83623-0910

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 2.400 CFS
401.700 AFY

The total instantaneous diversion of water from all points of diversion under Transfer 5125 shall not exceed 2.40 cfs, nor a total combined annual volume of 401.7 af.

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

PRIORITY DATE: 02/25/1963

POINT OF DIVERSION:

T05S R10E S28 SWNW Lot 7 Within ELMORE County
T05S R10E S32 SENW Lot 3 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	04/01 10/31	2.400 CFS 401.70 AFY

PLACE OF USE:

Place of use is within the City of Glenns Ferry and surrounding service area.

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

11/06/2003

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

Approval of Transfer 5125 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

After specific notification by the department, the right holder shall use measuring devices or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

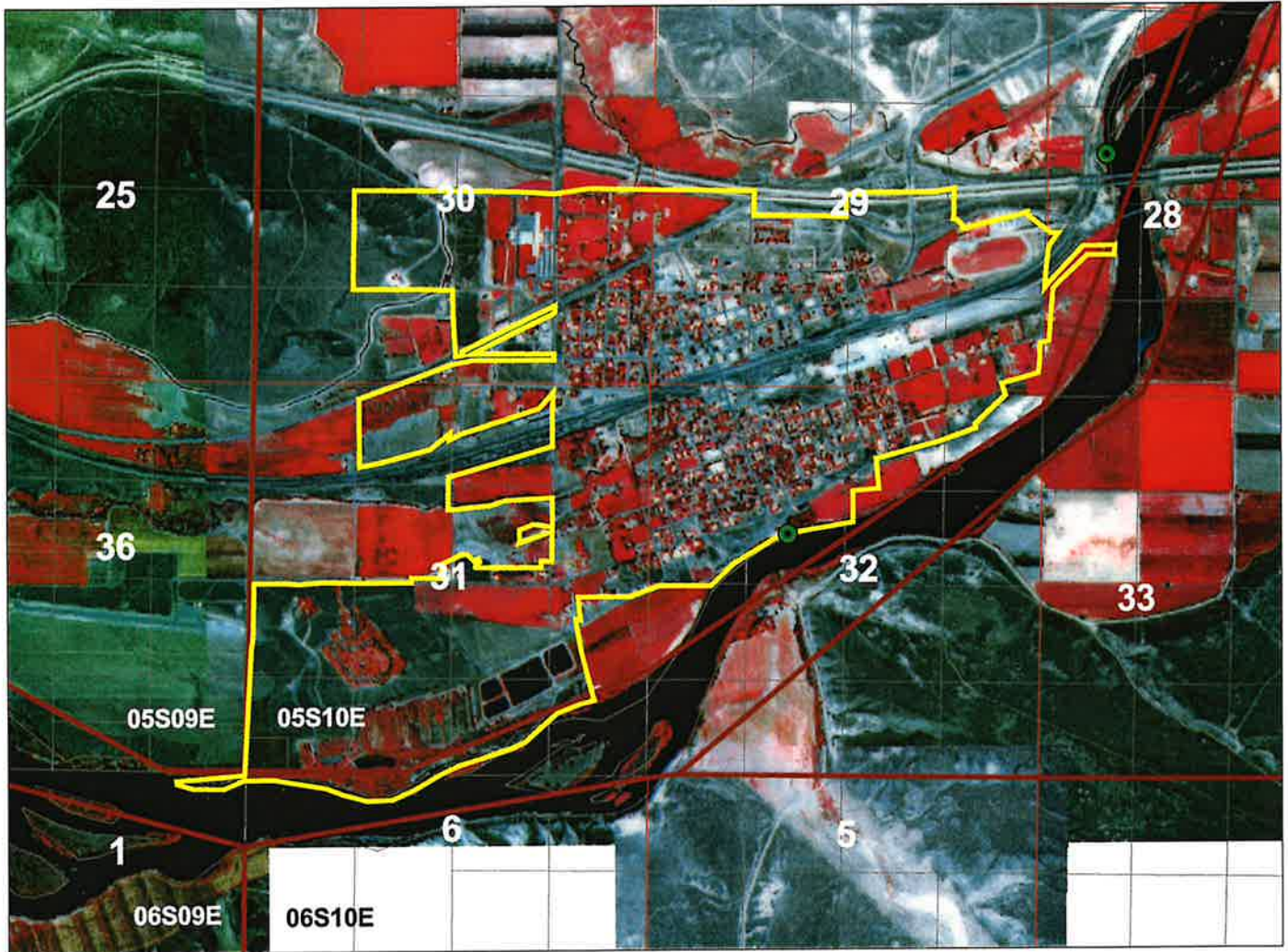
THIS RIGHT IS A SPLIT FROM FORMER CLAIM 2-2209A.

Failure of the right holder to comply with the conditions of Transfer 5125 is cause for the Director to rescind approval of the transfer.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Idaho Department of Water Resources

Place of Use Layout 2-2209E

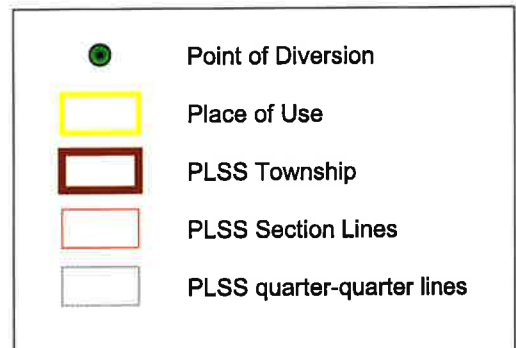


1 0 1 Miles

Township 5S Range 9E & 10E, and
Township 6S Range 9E & 10E



GIS Place of Use Presentation
1987 NAPP photography.
Map prepared by: Scott King
Date prepared: November 6, 2003



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

CLAIM NO(s). 2-2209E

1. ☒ No Change NAME IS SAME

NEW OWNER: _____

No Change ADDRESS _____

NEW ADDRESS: _____

Note: This right is identified as 2-2209B on the water right side. Part B on the AT side ~~was~~ claimed by Black Mesa. This portion (E) is a result in a split to claim 2-2209A, and is based on Transfer 5125.

2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted

Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____

(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE

Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION

Point of diversion is different than the claim and/or new P/D's:

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

POD Shapes selected per Transfer map found in claim file.

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

Incomplete description, list below:

April 27, 2000

Summary of City of Glenns Ferry municipal water rights

<i>Number</i>	<i>Cfs</i>	<i>Priority</i>	<i>Notes</i>
02-02209B	2.4	1963	From Cottonwood Canal transfer, SRBA # is A02-02209E
02-07470	1.0	1996	SRBA n/a since post-1987 right
02-07471	3.0	1996	Pending application, SRBA n/a
61-04141	2.54	1917	SRBA recommendation made, no objections filed
61-07228	0.45	1975	SRBA recommendation made, no objections filed
61-07679	2.68	1992	SRBA n/a since post-1987 right

Notes:

- Rights beginning in 02 are from the Snake River.
- Right No. 61-04141 includes water from springs.
- The other rights are for city wells.
- The City's portion of water provided from the Cottonwood Canal transfer has not been recommended to the SRBA Court yet (water right no. 02-02209B, reflected in the SRBA as claim no. A02-02209E) but will be once the river portion of the adjudication work is completed.

Copies for

A61-04141

A61-07228

A02-02209E

-SL