

**FEB 18 2016**

DEPT OF WATER RESOURCES  
SOUTHERN REGION

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 80686

**MINIMUM REQUIREMENTS CHECKLIST**  
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

Name of Applicant(s) Oakley Canal Company

**Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.**

**Yes N/A** \* Means the item is always required and must be included with the application.

- ☒ \* Completed Application for Transfer of Water Right form, Part 1.
- ☐ \* Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☐ \* Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☐ \* Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☐ \* Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

**Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.**

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. \*\*
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).\*\*  
\*\* Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at [www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm](http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm).
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ \* #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☐ #10 Other. Please describe: \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 18 2016

**APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1**

DEPT OF WATER RESOURCES  
SOUTHERN REGION

Name of Applicant(s) Oakley Canal Company Phone 208-862-3356  
Mailing address P.O. Box 207 Oakley, ID 83346 Email oakcanal-pmt.org

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

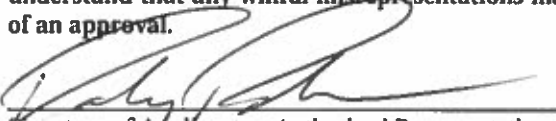
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Bill Parsons - ATTORNEY Phone 209 878-8382  
Mailing address PO Box 910 BURLEY, ID 83318 Email wparsons@pmt.org

- ☐ Send all correspondence for this application to the representative and not to the applicant.  
OR  
☒ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.  
OR  
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

  
Signature of Applicant or Authorized Representative

Randy Robinson - Pres  
Print Name and Title if applicable

2-3-2016  
Date

\_\_\_\_\_  
Signature of Applicant or Authorized Representative

\_\_\_\_\_  
Print Name and Title if applicable

\_\_\_\_\_  
Date

**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 your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it Part 1A.2.

Changing Oakley Canal Company service AREA to  
include southwest irrigation district.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 1 Continued**

**B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.**

| 1.                                                               | Right Number       | Amount<br>(cfs/ac-ft) | Nature of Use | Period of Use | Source & Tributary |
|------------------------------------------------------------------|--------------------|-----------------------|---------------|---------------|--------------------|
| All or Part<br><input type="checkbox"/> <input type="checkbox"/> | (see Attachment A) |                       |               |               |                    |
| <input type="checkbox"/> <input type="checkbox"/>                |                    |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                |                    |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                |                    |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                |                    |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                |                    |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                |                    |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                |                    |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                |                    |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                |                    |                       |               | to            |                    |

Total authorized under rights \_\_\_\_\_ cfs and/or \_\_\_\_\_ acre-feet.

2. Total amount of water proposed to be transferred or changed ↓ cubic feet per second and/or 74,350 acre-feet per year.

3. Point(s) of Diversion:

1520.992

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it Attachment #5.

| New ? | Lot | ¼ | ¼ | ¼ | Sec | Twp | Rge | County | Source | Local name or tag # |
|-------|-----|---|---|---|-----|-----|-----|--------|--------|---------------------|
|       |     |   |   |   |     |     |     |        |        |                     |
|       |     |   |   |   |     |     |     |        |        |                     |
|       |     |   |   |   |     |     |     |        |        |                     |
|       |     |   |   |   |     |     |     |        |        |                     |
|       |     |   |   |   |     |     |     |        |        |                     |

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

| Twp                              | Rge | Sec | NE ¼               |    |    |    | NW ¼ |    |    |    | SW ¼ |    |    |    | SE ¼ |    |    |    | Acre Totals |
|----------------------------------|-----|-----|--------------------|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|-------------|
|                                  |     |     | NE                 | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE |             |
|                                  |     |     | see attachment #7B |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |                    |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |                    |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |                    |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |                    |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |                    |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |                    |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |                    |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
| Total Acres (for irrigation use) |     |     |                    |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |

Attachment  
A

| Basin | Sequence | Priority  | Date | Diversion | Rate    | Source                  | List | Water Use                                                         | List | Volume   |
|-------|----------|-----------|------|-----------|---------|-------------------------|------|-------------------------------------------------------------------|------|----------|
| 45    | 93       | 4/1/1875  |      |           | 3.172   | GOOSE CREEK             |      | IRRIGATION                                                        |      |          |
| 45    | 94       | 4/1/1876  |      |           | 6.350   | GOOSE CREEK             |      | IRRIGATION                                                        |      |          |
| 45    | 132      | 8/1/1883  |      |           | 0.800   | GOOSE CREEK             |      | IRRIGATION                                                        |      |          |
| 45    | 133      | 4/1/1884  |      |           | 4.000   | GOOSE CREEK             |      | IRRIGATION                                                        |      |          |
| 45    | 2040     | 3/27/1908 |      |           | 500.000 | GOOSE CREEK             |      | IRRIGATION FROM STORAGE, IRRIGATION STORAGE, IRRIGATION           |      | 74,350.0 |
| 45    | 2059     | 3/10/1909 |      |           | 600.000 | GOOSE CREEK             |      | IRRIGATION FROM STORAGE, IRRIGATION STORAGE, IRRIGATION           |      | 74,350.0 |
| 45    | 2060     | 3/10/1909 |      |           | 70.000  | LITTLE COTTONWOOD CREEK |      | IRRIGATION                                                        |      |          |
| 45    | 2062     | 3/10/1909 |      |           | 70.000  | BIG COTTONWOOD CREEK    |      | IRRIGATION                                                        |      |          |
| 45    | 2063     | 3/10/1909 |      |           | 100.000 | BIRCH CREEK             |      | DIVERSION TO STORAGE, IRRIGATION FROM STORAGE, IRRIGATION STORAGE |      | 74,350.0 |
| 45    | 12438    | 5/1/1882  |      |           | 64.800  | GOOSE CREEK             |      | IRRIGATION                                                        |      |          |
| 45    | 12443    | 10/1/1881 |      |           | 51.700  | GOOSE CREEK             |      | IRRIGATION                                                        |      |          |
| 45    | 12448    | 1/1/1921  |      |           | 0.130   | GROUND WATER            |      | DIVERSION TO STORAGE, IRRIGATION FROM STORAGE, IRRIGATION STORAGE |      | 94.1     |
| 45    | 12449    | 11/1/1880 |      |           | 25.800  | GOOSE CREEK             |      | IRRIGATION                                                        |      |          |
| 45    | 12455    | 5/1/1879  |      |           | 6.400   | GOOSE CREEK             |      | IRRIGATION                                                        |      |          |
| 45    | 12457    | 1/1/1935  |      |           | 0.640   | GROUND WATER            |      | DIVERSION TO STORAGE, IRRIGATION FROM STORAGE, IRRIGATION STORAGE |      | 434.4    |
| 45    | 12749    | 7/1/1877  |      |           | 12.200  | GOOSE CREEK             |      | IRRIGATION                                                        |      |          |
| 45    | 12750    | 6/30/1878 |      |           | 5.000   | GOOSE CREEK             |      | IRRIGATION                                                        |      |          |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 1 Continued**

## 5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

System and procedures

- b. Who owns the property at the point(s) of diversion? Oakley Canal Company  
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it Attachment #6. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

no substantial effect on land being irrigated with existing service area. Addition lands to be irrigated with storage water as allowed in 42-222 Idaho code.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

other rights on both current and proposed. This will allow use off OCC water on lands to reduce ground water pumping within additional service area.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,  
☐ ☒ currently leased to the Water Supply Bank,  
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or  
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 3

**A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)**

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

**If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.**

### B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

### C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

[illegible]

**FOR DEPARTMENT USE ONLY**

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments.

Received by DM Date 2-18-2016 Preliminary check by \_\_\_\_\_ Date \_\_\_\_\_

Fee paid \$14,194.00 Date 11/4/2016 Received by STATE OFFICE Receipt #  C101418

Add'l fee paid \_\_\_\_\_ Date \_\_\_\_\_ Received by \_\_\_\_\_ Receipt # \_\_\_\_\_

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

**A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)**

- ☐ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

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Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

[illegible]

**FOR DEPARTMENT USE ONLY**

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments.

Received by \_\_\_\_\_ Date \_\_\_\_\_ Preliminary check by \_\_\_\_\_ Date \_\_\_\_\_

Fee paid \_\_\_\_\_ Date \_\_\_\_\_ Received by \_\_\_\_\_ Receipt # \_\_\_\_\_

| Add'l fee paid | Date | Received by | Receipt # |
|----------------|------|-------------|-----------|
|----------------|------|-------------|-----------|

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

|                                                                                                                                                        |                |                                                                                                                                                    |        |                                                        |         |                  |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------|--------|--------------------------------------------------------|---------|------------------|--|
| <b>No. C 6520</b>                                                                                                                                      |                | <b>Due no later than Sep 30, 2015<br/>Annual Report Form</b>                                                                                       |        | <b>2. Registered Agent and Address<br/>(NO PO BOX)</b> |         |                  |  |
| Return to:<br>SECRETARY OF STATE<br>700 WEST JEFFERSON<br>PO BOX 83720<br>BOISE, ID 83720-0080<br><br><b>NO FILING FEE IF<br/>RECEIVED BY DUE DATE</b> |                | <b>1. Mailing Address: Correct in this box if needed.</b><br>OAKLEY CANAL COMPANY<br>MARILYN M SHORT<br>P. O. BOX 207<br>OAKLEY ID 83346<br>USA    |        | RANDY ROBINSON<br>100 W ELM<br>OAKLEY ID 83346         |         |                  |  |
|                                                                                                                                                        |                |                                                                                                                                                    |        | <b>3. New Registered Agent Signature:*</b>             |         |                  |  |
| <b>4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).</b>                               |                |                                                                                                                                                    |        |                                                        |         |                  |  |
| Office Held                                                                                                                                            | Name           | Street or PO Address                                                                                                                               | City   | State                                                  | Country | Postal Code      |  |
| DIRECTOR                                                                                                                                               | DON PICKETT    | 1659 S. 600 WEST                                                                                                                                   | OAKLEY | ID                                                     | USA     | 83346            |  |
| SECRETARY                                                                                                                                              | RANDY HARDY    | 1818 S. 500 WEST                                                                                                                                   | OAKELY | ID                                                     | USA     | 83346            |  |
| DIRECTOR                                                                                                                                               | RYAN CRANNEY   | 597 W. 1300 S.                                                                                                                                     | OAKELY | ID                                                     | USA     | 83346            |  |
| VICE PRESIDENT                                                                                                                                         | STEVE HEPWORTH | 696 S. 800 WEST                                                                                                                                    | BURLEY | ID                                                     | USA     | <del>83346</del> |  |
| PRESIDENT                                                                                                                                              | RANDY ROBINSON | 1496 S. 500 WEST                                                                                                                                   | OAKELY | ID                                                     | USA     | 83346            |  |
| <b>5. Organized Under the Laws of:</b><br><br><b>ID<br/>C 6520</b>                                                                                     |                | <b>6. Annual Report must be signed.*</b><br>Signature: marilyn Short<br>Name (type or print): marilyn Short<br>Date: 07/21/2015<br>Title: sec/bkcp |        |                                                        |         |                  |  |
| Processed 07/21/2015                                                                                                                                   |                | * Electronically provided signatures are accepted as original signatures.                                                                          |        |                                                        |         |                  |  |

ATTACHMENT  
/

TRANSFER 80686

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 45-93**

1/15/2016

|                          |                                                                    |
|--------------------------|--------------------------------------------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b>                                     |
| Current Owner            | OAKLEY CANAL CO<br>PO BOX 207<br>OAKLEY, ID 83346<br>(208)862-3356 |

**Priority Date:** 4/1/1875

**Basis:** Decreed

**Status:** Active

|                      |                         |
|----------------------|-------------------------|
| <b><u>Source</u></b> | <b><u>Tributary</u></b> |
| GOOSE CREEK          | SNAKE RIVER             |

|                              |                               |                  |                              |                      |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
| IRRIGATION                   | 03/15                         | 11/15            | 3.172 CFS                    |                      |
|                              | <b><u>Total Diversion</u></b> |                  | 3.172 CFS                    |                      |

**Source and Point(s) of Diversion**

|             |        |                            |                  |
|-------------|--------|----------------------------|------------------|
| GOOSE CREEK | SWNWSW | Sec. 17, Twp 14S, Rge 22E, | CASSIA County(R) |
| GOOSE CREEK | SWNENE | Sec. 19, Twp 14S, Rge 22E, | CASSIA County    |
| GOOSE CREEK | NWNENE | Sec. 19, Twp 14S, Rge 22E, | CASSIA County(R) |

**Place Of Use**

IRRIGATION

Large POU not Displayed

Right Acre Limit = 158.6

Total Acres = 27,550.0

**Conditions of Approval:**

1. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
2. E56 Use of the rights listed below is limited to the irrigation of a combined total of 27,550 acres in a single irrigation season. Combined right nos.: 45-93, 45-94, 45-132, 45-133, 45-2040, 45-2059, 45-2060, 45-2062, 45-2063, 45-12438, 45-12443, 45-12448, 45-12449, 45-12455, 45-12457, 45-12749, & 45-12750.
3. 129 Place of use is within the area served by Oakley Canal Company.
4. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 158.6 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. P21 THIS RIGHT IS A PORTION OF FORMER RIGHT 45-93.
6. C18 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.

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 45-93**

1/15/2016

**Comments:**

1.       mlarson                               11/6/2002       Large POU  
Large POU linked
  
2.       jroberts                            4/2/2004       Basis of Recommendation  
Part of this right is being recommended to holders of original George Whittle rights, who did not sign over to canal company. This right is limited to 158.6 acres within the large PoU and 3.172 cfs. The original claims were for 28,891 acres in the large place of use but that has been reduced to 28, 550 acres because 344 ac were said to never have had canal shares on them during processing of transfer #70497.
  
3.       djones                              8/11/2005       Amended Recommendation  
Place of use shape and PLS was changed to reflect BLM objection to Oakley CC service area including Fed land in 6 various localities. See file for details of corrections made.

**Dates and Other Information**

Decreed Date: 10/27/2006  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Water District Number: 45C  
Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

SubCaseNumber: 45-93  
Class: 1  
SF5 Filed Date: 6/1/2006  
Special Master Recom Signed Date: 8/24/2006  
Attorney Assigned:  
Adjudication Agent: Jean Robertson  
Basis of Claim: Decreed  
Date Filed:  
Objection Status:

**Water Supply Bank:**

N/A

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 45-94**

1/15/2016

|                          |                                                                    |
|--------------------------|--------------------------------------------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b>                                     |
| Current Owner            | OAKLEY CANAL CO<br>PO BOX 207<br>OAKLEY, ID 83346<br>(208)862-3356 |

**Priority Date:** 4/1/1876

**Basis:** Decreed

**Status:** Active

|                      |                         |
|----------------------|-------------------------|
| <b><u>Source</u></b> | <b><u>Tributary</u></b> |
| GOOSE CREEK          | SNAKE RIVER             |

|                              |                               |                  |                              |                      |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
| IRRIGATION                   | 03/15                         | 11/15            | 6.350 CFS                    |                      |
|                              | <b><u>Total Diversion</u></b> |                  | 6.350 CFS                    |                      |

**Source and Point(s) of Diversion**

|             |        |                            |                  |
|-------------|--------|----------------------------|------------------|
| GOOSE CREEK | SWNENE | Sec. 19, Twp 14S, Rge 22E, | CASSIA County    |
| GOOSE CREEK | NWNENE | Sec. 19, Twp 14S, Rge 22E, | CASSIA County(R) |
| GOOSE CREEK | SWNWSW | Sec. 17, Twp 14S, Rge 22E, | CASSIA County(R) |

**Place Of Use**

IRRIGATION  
Large POU not Displayed  
Right Acre Limit = 317.5  
Total Acres = 27,550.0

**Conditions of Approval:**

1. 129 Place of use is within the area served by Oakley Canal Company.
2. E56 Use of the rights listed below is limited to the irrigation of a combined total of 27,550 acres in a single irrigation season. Combined right nos.: 45-93, 45-94, 45-132, 45-133, 45-2040, 45-2059, 45-2060, 45-2062, 45-2063, 45-12438, 45-12443, 45-12448, 45-12449, 45-12455, 45-12457, 45-12749, & 45-12750.
3. P21 THIS RIGHT IS A PORTION OF FORMER RIGHT 45-94.
4. C18 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.
5. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
6. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 317.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

**Comments:**

|    |          |           |                         |
|----|----------|-----------|-------------------------|
| 1. | jroberts | 6/14/2004 | Basis of Recommendation |
|----|----------|-----------|-------------------------|

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 45-94**

1/15/2016

Part of this right is being recommended to holders of original George Whittle rights, who did not sign over to canal company. This right is limited to 317.5 acres within the large PoU and 6.35 cfs. The original claims were for 28,891 acres in the large place of use but that has been reduced to 28,550 acres because 344 ac were said to never have had canal shares on them during processing of transfer #70497.

**Dates and Other Information**

Decreed Date: 10/27/2006 ✓  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Water District Number: 45C  
Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

SubCaseNumber: 45-94  
Class: 1  
SF5 Filed Date: 6/1/2006  
Special Master Recom Signed Date: 8/24/2006  
Attorney Assigned:  
Adjudication Agent: Jean Robertson  
Basis of Claim: Decreed  
Date Filed: 1/6/2005  
Objection Status: Active

**Water Supply Bank:**

N/A

## 1/15/2016

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right 45-132

1/15/2016

550 acres within because 344 ac were said to never have had canal shares on them during processing of transfer #70497.

**Dates and Other Information**

Decreed Date: 10/27/2006  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Water District Number: 45C  
Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

SubCaseNumber: 45-132  
Class: 1  
SF5 Filed Date: 6/1/2006  
Special Master Recom Signed Date: 8/24/2006  
Attorney Assigned:  
Adjudication Agent: Jean Robertson  
Basis of Claim: Decreed  
Date Filed: 1/6/2005  
Objection Status: Active

**Water Supply Bank:**

N/A

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 45-133**

1/15/2016

|                          |                                                                    |
|--------------------------|--------------------------------------------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b>                                     |
| Current Owner            | OAKLEY CANAL CO<br>PO BOX 207<br>OAKLEY, ID 83346<br>(208)862-3356 |

**Priority Date:** 4/1/1884  
**Basis:** Decreed  
**Status:** Active

|                      |                         |
|----------------------|-------------------------|
| <b><u>Source</u></b> | <b><u>Tributary</u></b> |
| GOOSE CREEK          | SNAKE RIVER             |

|                              |                               |                  |                              |                      |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
| IRRIGATION                   | 03/15                         | 11/15            | 4.000 CFS                    |                      |
|                              | <b><u>Total Diversion</u></b> |                  | 4.000 CFS                    |                      |

**Source and Point(s) of Diversion**

|             |        |                            |                  |
|-------------|--------|----------------------------|------------------|
| GOOSE CREEK | SWNENE | Sec. 19, Twp 14S, Rge 22E, | CASSIA County    |
| GOOSE CREEK | SWNWSW | Sec. 17, Twp 14S, Rge 22E, | CASSIA County(R) |
| GOOSE CREEK | NWNENE | Sec. 19, Twp 14S, Rge 22E, | CASSIA County(R) |

**Place Of Use**

IRRIGATION  
Large POU not Displayed  
Right Acre Limit = 200.0  
Total Acres = 27,550.0

**Conditions of Approval:**

1. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 200 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. 129 Place of use is within the area served by Oakley Canal Company.
3. E56 Use of the rights listed below is limited to the irrigation of a combined total of 27,550 acres in a single irrigation season. Combined right nos.: 45-93, 45-94, 45-132, 45-133, 45-2040, 45-2059, 45-2060, 45-2062, 45-2063, 45-12438, 45-12443, 45-12448, 45-12449, 45-12455, 45-12457, 45-12749, & 45-12750.
4. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
5. C18 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.

**Comments:**

1. jroberts 6/16/2004 Basis of Recommendation  
The original claims were for 27,891 acres in the large PoU but the total has been reduced to 28,

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right 45-133

1/15/2016

550 acres within because 344 ac were said to never have had canal shares on them during processing of transfer #70497.

**Dates and Other Information**

Decreed Date: 10/27/2006  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Water District Number: 45C  
Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

SubCaseNumber: 45-133  
Class: 1  
SF5 Filed Date: 6/1/2006  
Special Master Recom Signed Date: 8/24/2006  
Attorney Assigned:  
Adjudication Agent: Jean Robertson  
Basis of Claim: Decreed  
Date Filed: 1/6/2005  
Objection Status: Active

**Water Supply Bank:**

N/A

## 1/15/2016

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 45-2040**

1/15/2016

- 45-12449, 45-12455, 45-12457, 45-12749, & 45-12750.
5. E54 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL STORAGE VOLUME OF 74,350 AF. COMBINED RIGHT NOS.: 45-2040, 45-2059, 45-2063.
6. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

**Comments:**

1. vhancock 7/21/2004 RECOMMENDATION  
BASED UPON LICENSE. ADDED STORAGE AND IRRIGATION FROM STORAGE USES  
AS CLAIMED. RESERVOIR CONSTRUCTED 1916.
2. vhancock 7/21/2004 QUANT  
DIV RATE AS LICENSED. STORAGE CAPACITY OF RESERVOIR TAKEN FROM 1980  
REPORT. SEE FILE.

**Dates and Other Information**

Decreed Date: 10/27/2006 ✓

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: 45C

Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

SubCaseNumber: 45-2040

Class: 1

SF5 Filed Date: 6/1/2006

Special Master Recom Signed Date: 8/24/2006

Attorney Assigned:

Adjudication Agent: Vikie Hancock

Basis of Claim: License

Date Filed: 1/6/2005

Objection Status: Active

**Water Supply Bank:**

N/A

## 1/15/2016

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 45-2059**

1/15/2016

file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

7. C18 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.

**Comments:**

1. THORNTON 1/8/1993 COPIED FROM REMARKS  
SYSTEM DESCRIPTION: THE CANAL CO. OWNS AND OPERATES OAKLEY RESEVOIR & THE CANAL SYSTEM. OAKLEY RESERVOIR STORES APPROX. 75,000 ACRE FEET OF WATER BEHIND OAKLEY DAM WHICH IS AN EARTHEN DAM WITH CONCRETE CORE. THE DAM IS APPROX. 1100 LONG, 150 HIGH, 750 WIDE AT THE BASE, AND 16 WIDE AT THE TOP. THE OUTLET WORKS CONSIST OF A 73 IN STEEL LINED OUTLET TUNNEL THRU THE RIGHT ABUTMENT WHICH DELIVERS TO THE MAIN CANAL. A SPILLWAY ON THE LEFT ABUTMENT IS NOT USED. THE HIGHLINE DIVERSION FROM THE MAIN CANAL IS APPROX. 250 YDS. BELOW THE OUTLET FROM THE DAM. THE MAXIMUM DELIVERY INTO THE HIGHLINE CANAL IS 4.0 CFS. THE MAIN CANAL SPLITS INTO THE EAST AND WEST CANALS APPROX. 1/4 MILE BELOW THE DAM. THE EAST CANAL HAS A CAPACITY OF 160 CFS AND THE WEST CANAL HAS A CAPACITY OF 160 CFS. BOTH OF THESE MAIN DELIVERY CANALS SERVICE THE LANDS VIA NUMEROUS LATERALS AND DITCHES. THESE CANALS AND DITCHES INTERCEPT COTTONWOOD AND LITTLE COTTONWOOD CREEKS AND UTILIZE THESE WATERS FOR DELIVERY IN THE SYSTEM. THE GOOSE CREEK DRAINAGE BELOW THE DAM HAS BEEN FARMED OVER AND PRESENTLY NO DIRECT CHANNEL EXISTS BELOW THE DAM TO THE SNAKE RIVER. ( NOTE THAT IN 1984 A TEMPORARY CHANNEL WAS CONSTRUCTED TO SAFELY PASS FLOOD WATERS FROM THE DAM TO THE SNAKE RIVER BUT PORTIONS OF THIS CHANNEL ON PRIVATE LAND HAVE SINCE BEEN FILLED. THE EMERGENCY CHANNEL CONSTRUCTED TO MURTAUGH LAKE AT THAT SAME TIME STILL EXISTS. )

\*\*\*\*\* THE LANDS SERVED BY THE  
OAKLEY CANAL CO. ARE PRIVATELY OWNED BY THE SHAREHOLDERS OF THE COMPANY. THESE SHAREHOLDERS ALSO HAVE PRIVATELY HELD WATER RIGHTS FROM GROUNDWATER AND OTHER SOURCES WHICH ALSO SUPPLY WATER TO SOME OF THE SAME LANDS SERVED BY THE OAKLEY CANAL CO.

\*\*\*\*\* OTHER WATER RIGHTS OF THE  
OAKLEY CANAL CO. INCLUDE: A45-00093 A45-00094 A45-00100 A45-00102  
A45-00106 A45-00116 A45-00128 A45-00131 A45-00132 A45-00133  
A45-04231 A45-04232 A45-04233 A45-04234 A45-02059 A45-02060  
A45-02062 A45-02063 A45-02040

\*\*\*\*\* THIS CLAIM IS BASED ON A  
COMBINATION OF LICENSES WITH THE SAME PRIORITY OF USE AND THESE LICENSES ARE: 45-02059 FOR 600 CFS FROM GOOSE CREEK 45-02060 FOR 70 CFS FROM LITTLE COTTONWOOD CREEK 45-02062 FOR 70 CFS FROM COTTONWOOD CREEK 45-02063 FOR 100 CFS FROM BIRCH CREEK ----- TOTAL 840 CFS THE WATERS FROM BIRCH & GOOSE CREEK GO DIRECTLY IN TO THE DAM AND THEN DELIVERED INTO THE CANAL SYSTEM. THE WATERS OF COTTONWOOD & LITTLE COTTONWOOD CREEKS ENTER THE CANAL SYSTEM BELOW THE RESERVOIR BUT ARE USED BY EXCHANGE THROUGHOUT THE CANAL SYSTEM.

\*\*\*\*\* RIGHTS LISTED ABOVE COMBINED AND CLAIMED AS  
A45-12442. HHT 1/8/93 \*\*\*\*\*

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 45-2060**

1/15/2016

| <u>Owner Type</u> | <u>Name and Address</u>                                            |
|-------------------|--------------------------------------------------------------------|
| Current Owner     | OAKLEY CANAL CO<br>PO BOX 207<br>OAKLEY, ID 83346<br>(208)862-3356 |
| Original Owner    | TWIN FALLS OAKLEY LAND & WATER CO<br>OAKLEY, ID 83346              |
| Original Owner    | SAMUEL H HAYS<br>15 PINEVIEW AVE<br>DELMAR, NY 12054               |

**Priority Date:** 3/10/1909

**Basis:** Decreed

**Status:** Active

| <u>Source</u>           | <u>Tributary</u> |
|-------------------------|------------------|
| LITTLE COTTONWOOD CREEK | SINKS            |

| <u>Beneficial Use</u> | <u>From</u>            | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|------------------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15                  | 11/15     | 70.000 CFS            |               |
|                       | <u>Total Diversion</u> |           | 70.000 CFS            |               |

**Source and Point(s) of Diversion**

|                         |        |                                          |
|-------------------------|--------|------------------------------------------|
| LITTLE COTTONWOOD CREEK | NENENE | Sec. 36, Twp 13S, Rge 21E, CASSIA County |
|-------------------------|--------|------------------------------------------|

**Place Of Use**

IRRIGATION

Large POU not Displayed

Right Acre Limit = 24,974.0

Total Acres = 27,550.0

**Conditions of Approval:**

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 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.
3. 129 Place of use is within the area served by Oakley Canal Company.
4. E56 Use of the rights listed below is limited to the irrigation of a combined total of 27,550 acres in a single irrigation season. Combined right nos.: 45-93, 45-94, 45-132, 45-133, 45-2040, 45-2059, 45-2060, 45-2062, 45-2063, 45-12438, 45-12443, 45-12448, 45-12449, 45-12455, 45-12457, 45-12749, & 45-12750.
5. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right 45-2060

1/15/2016

map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

6. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 24,974 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

**Comments:**

1. vhancock 7/22/2004 RECOMMENDATION  
BASED UPON LICENCE.

2. vhancock 7/22/2004 POD  
THE LOCATION OF THE ACTUAL CHANNEL OF LITTLE COTTONWOOD CREEK IS UNCLEAR. RECOMMENDED POD AS CLAIMED. SEE MEMO AND MAPS IN FILE.

3. vhancock 7/22/2004 USE  
LITTLE COTTONWOOD CREEK IS NO LONGER CONVEYED INTO OAKLEY RESERVOIR AND ATTEMPTS TO DO SO WERE ABANDONED PERHAPS AS LONG AS 90 YEARS AGO. STORAGE AND IRRIGATION FROM STORAGE WERE DELETED AS USES FROM THIS CLAIM.

**Dates and Other Information**

Decreed Date: 10/27/2006

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: 140

Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

SubCaseNumber: 45-2060

Class: 1

SF5 Filed Date: 6/1/2006

Special Master Recom Signed Date: 8/24/2006

Attorney Assigned:

Adjudication Agent: Vikie Hancock

Basis of Claim: License

Date Filed: 1/6/2005

Objection Status: Active

**Water Supply Bank:**

N/A

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right 45-2062

1/15/2016

**Owner Type**      **Name and Address**  
Current Owner      OAKLEY CANAL CO  
                         PO BOX 207  
                         OAKLEY, ID 83346  
                         (208)862-3356

Original Owner      SAMUEL H HAYS  
                         15 PINEVIEW AVE  
                         DELMAR, NY 12054

Original Owner      TWIN FALLS OAKLEY LAND & WATER CO  
                         OAKLEY, ID 83346

**Priority Date:** 3/10/1909

**Basis:** Decreed

**Status:** Active

**Source**  
BIG COTTONWOOD CREEK

**Tributary**  
DRY CREEK

| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| IRRIGATION                   | 03/15                         | 11/15            | 70.000 CFS                   |                      |
|                              | <b><u>Total Diversion</u></b> |                  | 70.000 CFS                   |                      |

**Source and Point(s) of Diversion**

BIG COTTONWOOD CREEK      SENESE      Sec. 8, Twp 13S, Rge 21E, CASSIA County

**Place Of Use**

IRRIGATION  
Large POU not Displayed  
Right Acre Limit = 24,974.0  
Total Acres = 27,550.0

**Conditions of Approval:**

1.      C18      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.
2.      E56      Use of the rights listed below is limited to the irrigation of a combined total of 27,550 acres in a single irrigation season. Combined right nos.: 45-93, 45-94, 45-132, 45-133, 45-2040, 45-2059, 45-2060, 45-2062, 45-2063, 45-12438, 45-12443, 45-12448, 45-12449, 45-12455, 45-12457, 45-12749, & 45-12750.  
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 24,974 ACRES IN A SINGLE IRRIGATION SEASON.  
COMBINED RIGHT NOS.: 45-2059, 45-2060, 45-2062, 45-2063.
3.      C03      RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION  
PURSUANT TO SECTION 42-1425, IDAHO CODE.
4.      129      Place of use is within the area served by Oakley Canal Company.
5.      135      The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C.

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 45-2062**

1/15/2016

Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

6. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 24,974 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

**Comments:**

1. THORNTON 1/8/1993 COPIED FROM REMARKS  
P/D IN SW 1/4, SEC. 17, T13S, R21E & SE 1/4, SEC. 7, T13S, R21E. P/U SAME AS RT.  
45-2059. \*\*\*\*\* THIS RT COMBINED WITH 45-02059, 02060,  
AND 02063 AND CLAIMED AS A45-12442. HHT 1/8/93  
\*\*\*\*\*

2. vhancock 2/13/2004 SPLIT RIGHT  
WATER RIGHT 45-2062 WAS ORIGINALLY CLAIMED IN THE SRBA AS A PORTION OF  
45-12442 ALONG WITH 45-2059, 45-2060 & 45-2063. 45-12442 WAS SPLIT INTO FOUR  
SEPERATE RIGHTS AS ALL FOUR LICENSES WERE FROM DIFFERENT SOURCES.

3. vhancock 2/13/2004 SOURCE  
SOURCE NAME CHANGED FROM COTTONWOOD CREEK TO BIG COTTONWOOD  
CREEK TO AGREE WITH USGS QUAD MAP.

4. vhancock 2/13/2004 PURPOSE OF USE  
AS LICENSED, THIS RIGHT ON COTTONWOOD WAS CONVEYED INTO THE OAKLEY  
RESERVOIR FOR STORAGE AS WELL AS IRRIGATION, BUT AT THE TIME OF LICENSING  
THE USE WAS LISTED ONLY AS IRRIGATION. THE RIGHT IS NO LONGER CONVEYED  
INTO THE RESERVOIR AND PER WATER MASTER IS DIVERTED ONLY FOR IRRIGATION.

**Dates and Other Information**

Decreed Date: 10/27/2006 ✓  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Water District Number: 140  
Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

SubCaseNumber: 45-2062  
Class: 1  
SF5 Filed Date: 6/1/2006  
Special Master Recom Signed Date: 8/24/2006  
Attorney Assigned:  
Adjudication Agent: Vikie Hancock  
Basis of Claim: License

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 45-2063**

1/15/2016

|                          |                                                                    |
|--------------------------|--------------------------------------------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b>                                     |
| Current Owner            | OAKLEY CANAL CO<br>PO BOX 207<br>OAKLEY, ID 83346<br>(208)862-3356 |
| Original Owner           | TWIN FALLS OAKLEY LAND & WATER CO<br>OAKLEY, ID 83346              |
| Original Owner           | SAMUEL H HAYS<br>15 PINEVIEW AVE<br>DELMAR, NY 12054               |

**Priority Date:** 3/10/1909

**Basis:** Decreed

**Status:** Active

|                      |                         |
|----------------------|-------------------------|
| <b><u>Source</u></b> | <b><u>Tributary</u></b> |
| BIRCH CREEK          | GOOSE CREEK             |

|                              |                               |                  |                              |                      |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
| IRRIGATION STORAGE           | 01/01                         | 12/31            |                              | 74,350.0 AF          |
| IRRIGATION FROM STORAGE      | 03/15                         | 11/15            |                              | 74,350.0 AF          |
| DIVERSION TO STORAGE         | 03/15                         | 11/15            | 100.000 CFS                  |                      |
|                              | <b><u>Total Diversion</u></b> |                  | 100.000 CFS                  | 74,350.0 AF          |

**Source and Point(s) of Diversion**

|             |        |                                          |
|-------------|--------|------------------------------------------|
| BIRCH CREEK | SESWNW | Sec. 24, Twp 14S, Rge 22E, CASSIA County |
|-------------|--------|------------------------------------------|

**Place Of Use**

IRRIGATION FROM STORAGE  
Large POU not Displayed  
Total Acres = 27,550.0

**Conditions of Approval:**

1. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 24,974 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. 129 Place of use is within the area served by Oakley Canal Company.
3. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. E54 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL STORAGE VOLUME OF 74,350 AF. COMBINED RIGHT NOS.: 45-2040, 45-2059, 45-2063
5. E56 Use of the rights listed below is limited to the irrigation of a combined total of 27,550 acres in a single irrigation season. Combined right nos.: 45-93, 45-94, 45-132, 45-133, 45-2040, 45-2059, 45-2060, 45-2062, 45-2063, 45-12438, 45-12443, 45-12448, 45-12449, 45-12455, 45-12457, 45-12749, & 45-12750.
6. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 45-2063**

1/15/2016

herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

7. C18 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.

**Comments:**

1. THORNTON 1/8/1993 COPIED FROM REMARKS  
P/D IN NW 1/4, SEC. 11, T14S, R22E. P/U SAME AS RT. 45-2059.  
\*\*\*\*\* THIS RT COMBINED WITH 45-02059, 02060, AND 02062 AND  
CLAIMED AS A45-12242. HHT 1/8/93 \*\*\*\*\*
2. vhancock 7/22/2004 RECOMMENDATION  
BASED UPON LICENSE.
3. vhancock 7/22/2004 QUANT  
RESEVOIR CAPACITY OF 74350 AF BASED UPON 1980 REPORT.
4. vhancock 7/22/2004 USES  
RECOMMENDED FOR DIVERSION TO STORAGE, STORAGE AND IRRIGATION FROM  
STORAGE. RESERVOIR CONSTRUCTED IN 1916 AS PART OF ORIGINAL LICENSED  
SYSTEM.

**Dates and Other Information**

Decreed Date: 10/27/2006 ✓  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Water District Number: 45C  
Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

SubCaseNumber: 45-2063  
Class: 1  
SF5 Filed Date: 6/1/2006  
Special Master Recom Signed Date: 8/24/2006  
Attorney Assigned:  
Adjudication Agent: Vikie Hancock  
Basis of Claim: License  
Date Filed: 1/6/2005  
Objection Status: Active

**Water Supply Bank:**

## 1/15/2016

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right 45-12438

1/15/2016

1. jroberts 6/21/2004 Basis of Recommendation  
The original claims were for 27,891 acres in the large PoU but the total has been reduced to 28,500 acres within because 344 ac were said to never have had canal shares on them during processing of transfer #70297. This right is a combination of decreed rights 45-129, 45-130, & 45-131.

**Dates and Other Information**

Decreed Date: 10/27/2006

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: 45C

Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

SubCaseNumber: 45-12438

Class: 1

SF5 Filed Date: 6/1/2006

Special Master Recom Signed Date: 8/24/2006

Attorney Assigned:

Adjudication Agent: Jean Robertson

Basis of Claim: Decreed

Date Filed: 1/6/2005

Objection Status: Active

**Water Supply Bank:**

N/A

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 45-12443**

1/15/2016

|                          |                                                                    |
|--------------------------|--------------------------------------------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b>                                     |
| Current Owner            | OAKLEY CANAL CO<br>PO BOX 207<br>OAKLEY, ID 83346<br>(208)862-3356 |

**Priority Date:** 10/1/1881  
**Basis:** Decreed  
**Status:** Active

|                      |                         |
|----------------------|-------------------------|
| <b><u>Source</u></b> | <b><u>Tributary</u></b> |
| GOOSE CREEK          | SNAKE RIVER             |

|                              |                               |                  |                              |                      |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
| IRRIGATION                   | 03/15                         | 11/15            | 51.700 CFS                   |                      |
|                              | <b><u>Total Diversion</u></b> |                  | 51.700 CFS                   |                      |

**Source and Point(s) of Diversion**

|             |        |                            |                  |
|-------------|--------|----------------------------|------------------|
| GOOSE CREEK | SWNENE | Sec. 19, Twp 14S, Rge 22E, | CASSIA County    |
| GOOSE CREEK | NWNENE | Sec. 19, Twp 14S, Rge 22E, | CASSIA County(R) |
| GOOSE CREEK | SWNWSW | Sec. 17, Twp 14S, Rge 22E, | CASSIA County(R) |

**Place Of Use**

IRRIGATION  
Large POU not Displayed  
Right Acre Limit = 2,585.0  
Total Acres = 27,550.0

**Conditions of Approval:**

1. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
2. C18 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.
3. E56 Use of the rights listed below is limited to the irrigation of a combined total of 27,550 acres in a single irrigation season. Combined right nos.: 45-93, 45-94, 45-132, 45-133, 45-2040, 45-2059, 45-2060, 45-2062, 45-2063, 45-12438, 45-12443, 45-12448, 45-12449, 45-12455, 45-12457, 45-12749, & 45-12750.
4. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2,585 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. 129 Place of use is within the area served by Oakley Canal Company.
6. P29 THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 45-117 FOR 8 CFS & 400 AC, 45-118 FOR 6.4 CFS & 320 AC, 45-119 FOR 4 CFS & 200 AC, 45-120 FOR 3.2 CFS & 160 AC, 45-121 FOR 3.2 CFS & 160 AC, 45-122 FOR 3.2 CFS & 160 AC, 45-123 FOR 0.9 CFS & 45 AC, 45-124 FOR 0.4 CFS & 20 AC, 45-125 FOR 12.8 CFS

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 45-12443**

1/15/2016

& 640 AC, 45-126 FOR 3.2 CFS & 160 AC, 45-127 FOR 3.2 CFS & 160 AC, AND  
45-128 FOR 3.2 CFS & 160 AC.

**Comments:**

1. jroberts 6/21/2004 Basis of Recommendation  
The original claims were for 27,891 acres in the large PoU but the total has been reduced to  
28,500 acres within because 344 ac were said to never have had canal shares on them during  
processing of transfer #70297. This right is a combination of decreed rights 45-117, 45-118,  
45-119, 45-120, 45-121, 45-122, 45-123, 45-124, 45-125, 45-126, 45-127, & 45-128.

**Dates and Other Information**

Decreed Date: 10/27/2006 ✓  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Water District Number: 45C  
Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

SubCaseNumber: 45-12443  
Class: 1  
SF5 Filed Date: 6/1/2006  
Special Master Recom Signed Date: 8/24/2006  
Attorney Assigned:  
Adjudication Agent: Jean Robertson  
Basis of Claim: Decreed  
Date Filed: 1/6/2005  
Objection Status: Active

**Water Supply Bank:**

N/A

## 1/15/2016

**Priority Date:** 1/1/1921  
**Basis:** Decreed  
**Status:** Active

### Tributary

**Source and Point(s) of Diversion**

|              |        |                                             |
|--------------|--------|---------------------------------------------|
| GROUND WATER | SESENE | Sec. 5, Twp 15S, Rge 21E, CASSIA County     |
| GROUND WATER | SESENE | Sec. 5, Twp 15S, Rge 21E, CASSIA County     |
| GROUND WATER | SWNENE | Sec. 34, Twp 14S, Rge 21E, CASSIA County    |
| GROUND WATER | SWNENE | Sec. 34, Twp 14S, Rge 21E, CASSIA County(I) |
| GROUND WATER | SWNENE | Sec. 19, Twp 14S, Rge 22E, CASSIA County(R) |
| GROUND WATER | SESENE | Sec. 5, Twp 15S, Rge 21E, CASSIA County(I)  |
| GROUND WATER | SESENE | Sec. 5, Twp 15S, Rge 21E, CASSIA County(I)  |

IRRIGATION FROM STORAGE  
Large POU not Displayed  
Total Acres = 27,550.0

|    |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | C18 | 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.                                                                                                                                                                                                                                       |
| 2. | 135 | The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary. |
| 3. | E56 | Use of the rights listed below is limited to the irrigation of a combined total of 27,550 acres in a single irrigation season. Combined right nos.: 45-93, 45-94, 45-132, 45-133, 45-2040, 45-2059, 45-2060, 45-2062, 45-2063, 45-12438, 45-12443, 45-12448, 45-12449, 45-12455, 45-12457, 45-12749, & 45-12750.                                                                                                                                                                                                                                      |
| 4. | 129 | Place of use is within the area served by Oakley Canal Company.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 45-12448**

1/15/2016

**Comments:**

1. jroberts 7/19/2004 Basis of Recommendation  
Allen Merritt and Gary Funderburg of IDWR conducted field work and located GPS coordinates on March 23, 2001 on the Artesian wells upstream from Goose Creek Reservoir behind Oakley Dam. (See attached report.) They refer to the two wells in the SENE of Section 5 as #1 and #2. (These were originally claimed in the SENW and SWNW of Section 4 under statutory claim 45-4230.) They found #1 flowing at 20 gpm (0.04 cfs) and #2 flowing at 25 gpm (0.05 cfs). They refer to the well in the NENE of Section 34 as #4 and found it flowing at 20 gpm (0.04 cfs). (This was originally claimed under statutory claim 45-4232.) There was no well found in the SWNE of Section 25, as originally claimed under statutory claim 45-4231. This right is recommended as a combination of old rights 45-4230 for 0.09 cfs and 45-4232 for 0.04 cfs.

**Dates and Other Information**

Decreed Date: 10/27/2006

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: 140

Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

SubCaseNumber: 45-12448

Class: 1

SF5 Filed Date: 6/1/2006

Special Master Recom Signed Date: 8/24/2006

Attorney Assigned:

Adjudication Agent: Vikie Hancock

Basis of Claim: Beneficial Use

Date Filed: 1/6/2005

Objection Status: Active

**Water Supply Bank:**

N/A

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 45-12449**

1/15/2016

|                          |                                                                    |
|--------------------------|--------------------------------------------------------------------|
| <u><b>Owner Type</b></u> | <u><b>Name and Address</b></u>                                     |
| Current Owner            | OAKLEY CANAL CO<br>PO BOX 207<br>OAKLEY, ID 83346<br>(208)862-3356 |

**Priority Date:** 11/1/1880

**Basis:** Decreed

**Status:** Active

|                      |                         |
|----------------------|-------------------------|
| <u><b>Source</b></u> | <u><b>Tributary</b></u> |
| GOOSE CREEK          | SNAKE RIVER             |

|                              |                               |                  |                              |                      |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| <u><b>Beneficial Use</b></u> | <u><b>From</b></u>            | <u><b>To</b></u> | <u><b>Diversion Rate</b></u> | <u><b>Volume</b></u> |
| IRRIGATION                   | 03/15                         | 11/15            | 25.800 CFS                   |                      |
|                              | <u><b>Total Diversion</b></u> |                  | 25.800 CFS                   |                      |

**Source and Point(s) of Diversion**

|             |        |                            |                  |
|-------------|--------|----------------------------|------------------|
| GOOSE CREEK | NWNENE | Sec. 19, Twp 14S, Rge 22E, | CASSIA County(R) |
| GOOSE CREEK | SWNWSW | Sec. 17, Twp 14S, Rge 22E, | CASSIA County(R) |
| GOOSE CREEK | SWNENE | Sec. 19, Twp 14S, Rge 22E, | CASSIA County    |

**Place Of Use**

IRRIGATION

Large POU not Displayed

Right Acre Limit = 1,290.2

Total Acres = 27,550.0

**Conditions of Approval:**

1. C18 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.
2. 129 Place of use is within the area served by Oakley Canal Company.
3. E56 Use of the rights listed below is limited to the irrigation of a combined total of 27,550 acres in a single irrigation season. Combined right nos.: 45-93, 45-94, 45-132, 45-133, 45-2040, 45-2059, 45-2060, 45-2062, 45-2063, 45-12438, 45-12443, 45-12448, 45-12449, 45-12455, 45-12457, 45-12749, & 45-12750.
4. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1,290.2 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. P29 THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 45-107 FOR 3.172 CFS & 158.6 AC, 45-108 FOR 3.2 CFS & 160 AC, 45-109 FOR 3.2 CFS & 160 AC, 45-110 FOR 3.172 CFS & 158.6 AC, 45-111 FOR 3 CFS & 150 AC, 45-112 FOR 2.8 CFS & 140 AC, 45-113 FOR 0.66 CFS & 33 AC, 45-114 FOR 0.4 CFS & 20 AC, 45-115 FOR 3 CFS & 150 AC, AND 45-116 FOR 3.2 CFS & 160 AC.
6. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right 45-12449

1/15/2016

described by the digital boundary.

**Comments:**

1. jroberts 6/21/2004 BASIS OF rECOMMENDATION  
The original claims were for 27,891 acres in the large PoU but the total has been reduced to 28,500 acres within because 344 ac were said to never have had canal shares on them during processing of transfer #70297. This right is a combination of decreed rights 45-107, 45-108, 45-109, 45-110, 45-111, 45-112, 45-113, 45-114, 45-115, & 45-116.
2. djones 5/1/2006 Error correction  
The v1 recommendation was edited to correct a discrepancy between irrigation-purpose flow rate and total flow rate. Original claim was for 26.8 cfs, but recommended flow rate was reduced by 1 cfs to account for other parts of original decrees that are privately held and recommended. The total flow rate was erroneously reported as 26.8 instead of 25.8 cfs. Edits are to be included in SF-5 + ADR so notice is given to claimant.

**Dates and Other Information**

Decreed Date: 10/27/2006 ✓

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: 45C

Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

SubCaseNumber: 45-12449

Class: 1

SF5 Filed Date: 6/1/2006

Special Master Recom Signed Date: 8/24/2006

Attorney Assigned:

Adjudication Agent: Jean Robertson

Basis of Claim: Decreed

Date Filed: 1/6/2005

Objection Status: Active

**Water Supply Bank:**

N/A

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right 45-12455

1/15/2016

|                          |                                                                    |
|--------------------------|--------------------------------------------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b>                                     |
| Current Owner            | OAKLEY CANAL CO<br>PO BOX 207<br>OAKLEY, ID 83346<br>(208)862-3356 |

**Priority Date:** 5/1/1879

**Basis:** Decreed

**Status:** Active

|                      |                         |
|----------------------|-------------------------|
| <b><u>Source</u></b> | <b><u>Tributary</u></b> |
| GOOSE CREEK          | SNAKE RIVER             |

|                              |                               |                  |                              |                      |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
| IRRIGATION                   | 03/15                         | 11/15            | 6.400 CFS                    |                      |
|                              | <b><u>Total Diversion</u></b> |                  | 6.400 CFS                    |                      |

**Source and Point(s) of Diversion**

|             |        |                            |                  |
|-------------|--------|----------------------------|------------------|
| GOOSE CREEK | SWNENE | Sec. 19, Twp 14S, Rge 22E, | CASSIA County    |
| GOOSE CREEK | NWNENE | Sec. 19, Twp 14S, Rge 22E, | CASSIA County(R) |
| GOOSE CREEK | SWNWSW | Sec. 17, Twp 14S, Rge 22E, | CASSIA County(R) |

**Place Of Use**

IRRIGATION

Large POU not Displayed

Right Acre Limit = 320.0

Total Acres = 27,550.0

**Conditions of Approval:**

1. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 320 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. E56 Use of the rights listed below is limited to the irrigation of a combined total of 27,550 acres in a single irrigation season. Combined right nos.: 45-93, 45-94, 45-132, 45-133, 45-2040, 45-2059, 45-2060, 45-2062, 45-2063, 45-12438, 45-12443, 45-12448, 45-12449, 45-12455, 45-12457, 45-12749, & 45-12750.
3. 129 Place of use is within the area served by Oakley Canal Company.
4. P29 THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 45-103 FOR 1.6 CFS & 80 AC, 45-104 FOR 0.8 CFS & 40 AC, 45-105 FOR 0.8 & 40 AC, AND 45-106 FOR 3.2 CFS & 160 AC.
5. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
6. C18 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.

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right 45-12455

1/15/2016

**Comments:**

1. jroberts 6/21/2004 Basis of Recommendation  
The original claims were for 27,891 acres in the large PoU but the total has been reduced to 28,500 acres within because 344 ac were said to never have had canal shares on them during processing of transfer #70297. This right is a combination of decreed rights 45-103, 45-104, 45-105, & 45-106.

**Dates and Other Information**

Decreed Date: 10/27/2006 ✓

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: 45C

Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

SubCaseNumber: 45-12455

Class: 1

SF5 Filed Date: 6/1/2006

Special Master Recom Signed Date: 8/24/2006

Attorney Assigned:

Adjudication Agent: Jean Robertson

Basis of Claim: Decreed

Date Filed: 1/6/2005

Objection Status: Active

**Water Supply Bank:**

N/A

## 1/15/2016

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 45-12457**

1/15/2016

Allen Merritt and Gary Funderburg of IDWR conducted field work and located GPS coordinates on March 23, 2001 on the Artesian wells upstream from Goose Creek Reservoir behind Oakley Dam. (See attached report.) They refer to the well in the NWSW of Section 34 as #3. (This well was originally claimed under statutory claim 45-4234.) In 1999 this well flow was measured to be 0.64 cfs. (It is also used by 45-7727 in a fish facility.) No well was located in the NWNE of Section 1 and originally claimed under statutory claim 45-4233. It is likely located in the reservoir itself and only visible when the reservoir is near empty. No flow is being recommended for this well.

**Dates and Other Information**

Decreed Date: 10/27/2006 ✓  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Water District Number: 140  
Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

SubCaseNumber: 45-12457  
Class: 1  
SF5 Filed Date: 6/1/2006  
Special Master Recom Signed Date: 8/24/2006  
Attorney Assigned:  
Adjudication Agent: Jean Robertson  
Basis of Claim: Beneficial Use  
Date Filed: 1/6/2005  
Objection Status: Active

**Water Supply Bank:**

N/A

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 45-12749**

1/15/2016

|                          |                                                                    |
|--------------------------|--------------------------------------------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b>                                     |
| Current Owner            | OAKLEY CANAL CO<br>PO BOX 207<br>OAKLEY, ID 83346<br>(208)862-3356 |

**Priority Date:** 7/1/1877

**Basis:** Decreed

**Status:** Active

|                      |                         |
|----------------------|-------------------------|
| <b><u>Source</u></b> | <b><u>Tributary</u></b> |
| GOOSE CREEK          | SNAKE RIVER             |

|                              |                               |                  |                              |                      |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
| IRRIGATION                   | 03/15                         | 11/15            | 12.200 CFS                   |                      |
|                              | <b><u>Total Diversion</u></b> |                  | 12.200 CFS                   |                      |

**Source and Point(s) of Diversion**

|             |        |                            |                  |
|-------------|--------|----------------------------|------------------|
| GOOSE CREEK | SWNWSW | Sec. 17, Twp 14S, Rge 22E, | CASSIA County(R) |
| GOOSE CREEK | NWNENE | Sec. 19, Twp 14S, Rge 22E, | CASSIA County(R) |
| GOOSE CREEK | SWNENE | Sec. 19, Twp 14S, Rge 22E, | CASSIA County    |

**Place Of Use**

IRRIGATION

Large POU not Displayed

Right Acre Limit = 610.0

Total Acres = 27,550.0

**Conditions of Approval:**

1. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 610 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. P29 THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 45-95 FOR 1.6 CFS & 80 AC, 45-96 FOR 1.4 CFS & 70 AC, 45-97 FOR 1.5 CFS & 75 AC, 45-98 FOR 2.3 CFS & 115 AC, 45-99 FOR 2 CFS & 100 AC, AND 45-100 FOR 3.4 CFS & 170 AC.
3. C18 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.
4. E56 Use of the rights listed below is limited to the irrigation of a combined total of 27,550 acres in a single irrigation season. Combined right nos.: 45-93, 45-94, 45-132, 45-133, 45-2040, 45-2059, 45-2060, 45-2062, 45-2063, 45-12438, 45-12443, 45-12448, 45-12449, 45-12455, 45-12457, 45-12749, & 45-12750.
5. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
6. 129 Place of use is within the area served by Oakley Canal Company.

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right 45-12749

1/15/2016

**Comments:**

1. jroberts 6/21/2004 Basis of Recommendation  
The original claims were for 27,891 acres in the large PoU but the total has been reduced to 28,500 acres within because 344 ac were said to never have had canal shares on them during processing of transfer #70297. This right is a combination of decreed rights 45-95, 45-96, 45-97, 45-98, 45-99, & 45-100.

**Dates and Other Information**

Decreed Date: 10/27/2006  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Water District Number: 45C  
Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

SubCaseNumber: 45-12749  
Class: 1  
SF5 Filed Date: 6/1/2006  
Special Master Recom Signed Date: 8/24/2006  
Attorney Assigned:  
Adjudication Agent: Jean Robertson  
Basis of Claim: Decreed  
Date Filed: 1/6/2005  
Objection Status: Active

**Water Supply Bank:**

N/A

## 1/15/2016

**Priority Date:** 6/30/1878  
**Basis:** Deceased  
**Status:** Active

| <u>Beneficial Use</u> | <u>From</u>            | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|------------------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15                  | 11/15     | 5.000 CFS             |               |
|                       | <b>Total Diversion</b> |           | 5.000 CFS             |               |

|             |       |                            |                  |
|-------------|-------|----------------------------|------------------|
| GOOSE CREEK | NWNE  | Sec. 19, Twp 14S, Rge 22E, | CASSIA County(R) |
| GOOSE CREEK | SWNE  | Sec. 19, Twp 14S, Rge 22E, | CASSIA County    |
| GOOSE CREEK | SWNSW | Sec. 17, Twp 14S, Rge 22E, | CASSIA County(R) |

**IRRIGATION**  
Large POU not Displayed  
Right Acre Limit = 250.0  
Total Acres = 27,550.0

|    |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | P29 | THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 45-101 FOR 1.6 CFS & 80 AC AND 45-102 FOR 3.4 CFS & 170 AC.                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 2. | 135 | The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary. |
| 3. | C18 | 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.                                                                                                                                                                                                                                       |
| 4. | 129 | Place of use is within the area served by Oakley Canal Company.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 5. | E56 | Use of the rights listed below is limited to the irrigation of a combined total of 27,550 acres in a single irrigation season. Combined right nos.: 45-93, 45-94, 45-132, 45-133, 45-2040, 45-2059, 45-2060, 45-2062, 45-2063, 45-12438, 45-12443, 45-12448, 45-12449, 45-12455, 45-12457, 45-12749, & 45-12750.                                                                                                                                                                                                                                      |
| 6. | K06 | THIS RIGHT IS LIMITED TO THE IRRIGATION OF 250 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.                                                                                                                                                                                                                                                                                                                                                                                                                           |

## Page 1 of 2

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 45-12750**

1/15/2016

1. jroberts 7/19/2004 Basis of Recommendation  
This right is a combination of 45-101 for 1.6 cfs & 80 acres and 45-102 for 3.4 cfs & 170 acres with a common priority date. It is limited to 250 acres within the large PoU and 5 cfs. The original claims were for 28,891 acres in the large place of use but that has been reduced to 28,550 acres because 344 ac were said to never have had canal shares on them during processing of transfer #70497.

**Dates and Other Information**

Decreed Date: 10/27/2006 ✓  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Water District Number: 45C  
Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

SubCaseNumber: 45-12750  
Class: 1  
SF5 Filed Date: 6/1/2006  
Special Master Recom Signed Date: 8/24/2006  
Attorney Assigned:  
Adjudication Agent: Jean Robertson  
Basis of Claim: Decreed  
Date Filed: 1/6/2005  
Objection Status: Active

**Water Supply Bank:**

N/A

Current boundary

7A

11S21E

11S22E

11S23E

12S21E

12S22E

12S23E

13S21E

13S22E

13S23E

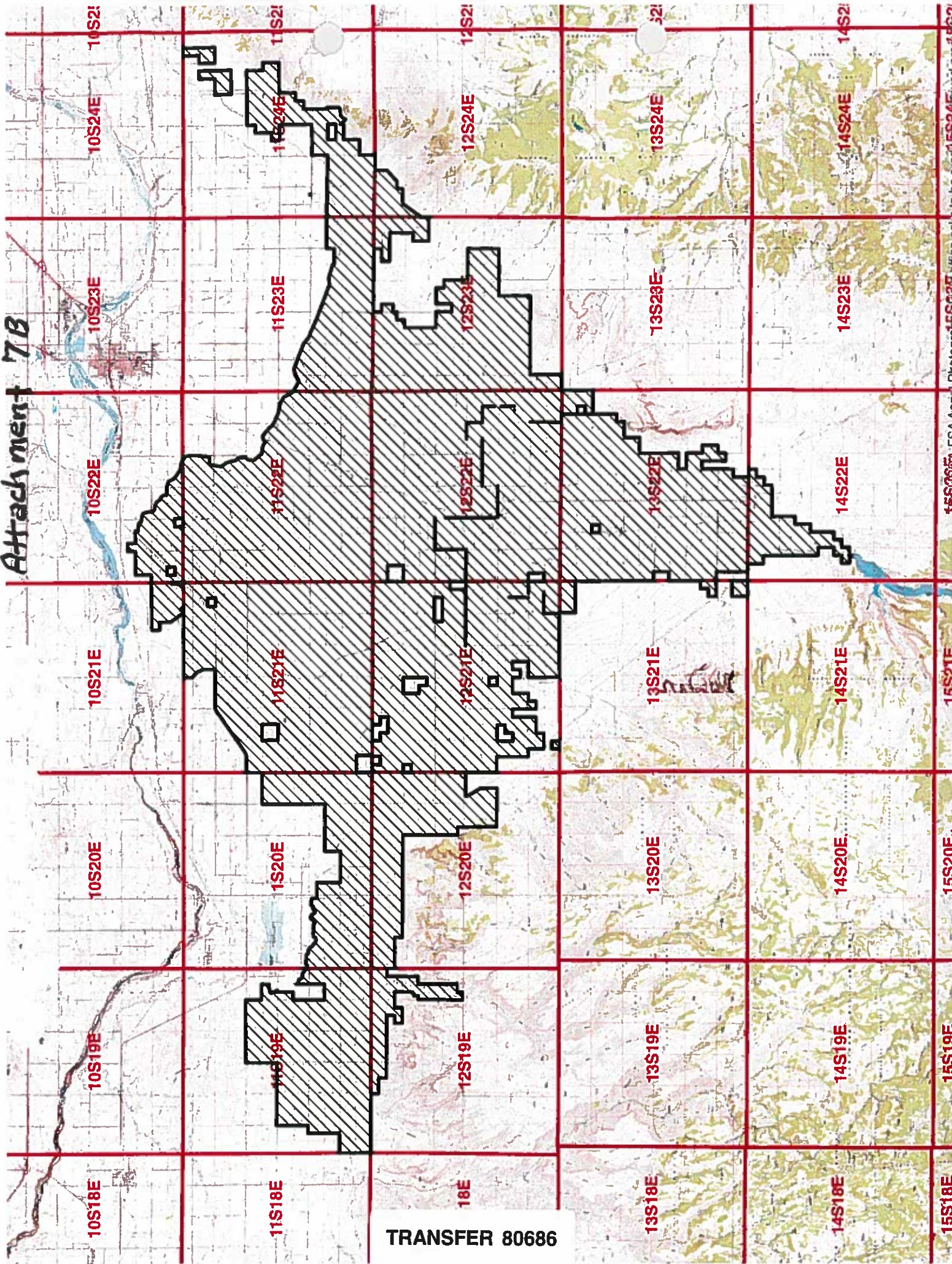
14S21E

14S22E

14S23E

TRANSFER 80686

Attachment 7B



TRANSFER 80686



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

February 26, 2016

BRIAN HIGGS  
WATER DISTRICT #140  
355 W 500 S  
BURLEY, ID 83318

*Via e-mail*

RE: Transfer No. 80686  
Water Right No(s). 45-12438, 45-12443, 45-12448, 45-12449, 45-12455, 45-12457,  
45-12749, 45-12750, 45-132, 45-133, 45-2040, 45-2059, 45-2060, 45-2062, 45-2063,  
45-93, 45-94

Dear Mr. Higgs:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline  
Administrative Assistant

Enclosure(s)



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858  
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

February 26, 2016

MICHAEL POULTON  
WATER DISTRICT #45C  
PO BOX 279  
OAKLEY, ID 83346

RE: Transfer No. 80686

Water Right No(s). 45-12438, 45-12443, 45-12448, 45-12449, 45-12455, 45-12457,  
45-12749, 45-12750, 45-132, 45-133, 45-2040, 45-2059, 45-2060, 45-2062, 45-2063,  
45-93, 45-94

Dear Mr. Poulton:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an untested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline  
Administrative Assistant

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858  
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

February 26, 2016

JAMES MULLEN  
WATER DISTRICT #45B, 45K  
C/O OAKLEY CANAL CO.  
PO BOX 207  
OAKLEY, ID 83346

RE: Transfer No. 80686  
Water Right No(s). 45-12438, 45-12443, 45-12448, 45-12449, 45-12455, 45-12457,  
45-12749, 45-12750, 45-132, 45-133, 45-2040, 45-2059, 45-2060, 45-2062, 45-2063,  
45-93, 45-94

Dear Mr. Mullen:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

  
Denise Maline  
Administrative Assistant

Enclosure(s)



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

February 25, 2016

OAKLEY CANAL CO  
PO BOX 207  
OAKLEY, ID 83346

RE: Transfer No. 80686

Water Right No(s). 45-12438, 45-12443, 45-12448, 45-12449, 45-12455, 45-12457,  
45-12749, 45-12750, 45-132, 45-133, 45-2040, 45-2059, 45-2060, 45-2062, 45-2063,  
45-93, 45-94

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS, IDAHO STATESMAN, LEWISTON TRIBUNE, POST REGISTER** on **3/3/2016** and **3/10/2016**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**March 21, 2016**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

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

Denise Maline  
Administrative Assistant

cc:

PARSONS SMITH & STONE  
WILLIAM A PARSONS  
PO BOX 910  
BURLEY, ID 83318

## Maline, Denise

---

**From:** Maline, Denise  
**Sent:** Thursday, February 25, 2016 1:56 PM  
**To:** Times News  
**Subject:** LEGAL NOTICES  
**Attachments:** Times News Cover Letter.docx; Times News Ad.docx; SWC SWID Mit Plan Ad SWC call 2016.docx

Attached please find (2) legal notices being submitted for publication on March 3<sup>rd</sup> & 10<sup>th</sup>, 2016. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

*Denise Maline  
Administrative Assistant  
Idaho Dept of Water Resources, Southern Region  
650 Addison Ave W, Ste 500  
Twin Falls, ID 83301  
(208) 736-3033  
[denise.maline@idwr.idaho.gov](mailto:denise.maline@idwr.idaho.gov)*



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

February 25, 2016

**LEGAL NOTICE DEPARTMENT**  
**TIMES NEWS**  
**PO BOX 548**  
**TWIN FALLS, ID 83303-0548**

RE: Notice of Mitigation Plan Submitted by Southwest and Goose Creek Irrigation Districts in Response to the Surface Water Coalition Water Delivery Call

RE: Application For Permit No.(s): 36-17055

RE: Transfer No. 78300

Water Right No(s): 37-2549, 37-2550, 37-2761B, 37-7370, 37-7572, 37-7634, 37-8326, 37-8732

RE: Transfer No. 80416

Water Right No(s): 47-12300, 47-17286, 47-17288, 47-17290, 47-2496B

RE: Transfer No. 80638

Water Right No(s): 43-10019, 43-10045, 43-10046, 43-10787, 43-10795, 43-12923, 43-12933, 43-13301, 43-13303, 43-13305, 43-13405, 43-13448, 43-13450, 43-13452, 43-13454, 43-13456, 43-13458, 43-13460, 43-13462, 43-13490, 43-13492, 43-13494, 43-13496, 43-13498, 43-13500, 43-13502, 43-13504, 43-13506, 43-13508, 43-13510, 43-2317C, 43-2317E, 43-2321B, 43-2339C, 43-2339E, 43-2423C, 43-2423E, 43-2467C, 43-2467E, 43-2510C, 43-2510E, 43-2574B, 43-2574E, 43-2576B, 43-2576E, 43-4002C, 43-4002E, 43-4012B, 43-4012C, 43-4012D, 43-4013B, 43-4014A, 43-4014B, 43-4015B, 43-4060D, 43-4063D

RE: Transfer No. 80686

Water Right No(s): 45-12438, 45-12443, 45-12448, 45-12449, 45-12455, 45-12457, 45-12749, 45-12750, 45-132, 45-133, 45-2040, 45-2059, 45-2060, 45-2062, 45-2063, 45-93, 45-94

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before March 21, 2016. Your cooperation is appreciated.

Sincerely,

Denise Maline  
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

**36-17055**

**DAN LAFFERTY**

**PO BOX 16**

**WENDELL, ID 83355**

Point of Diversion SENW S1 T08S R13E GOODING County Source GROUND WATER Tributary

Point of Diversion L3(SENW) S1 T08S R13E GOODING County Source GROUND WATER Tributary

Point of Diversion L3(NENW) S1 T08S R13E GOODING County Source GROUND WATER Tributary

Use: IRRIGATION 02/15 to 11/30 0.13 CFS

Total Diversion: 0.13 CFS

Date Filed: 2/3/2016

Place Of Use: IRRIGATION

T08S R13E S1 L3(NENW) L3(SENW)

Total Acres: 19

Application for permit to divert 0.13 cfs from a new well located approximately 3.7 miles south and 0.9 mile east of Hagerman to irrigate 7 acres within a 19 acre permissible place of use in the same immediate area. The application proposes mitigating the irrigation use by the non-use of a 7 acre portion of irrigation right 2-7018, which is currently appurtenant to ground located approximately 12.3 miles south and 2.5 miles west of the intersection of State Highways 67 and 51 in Mountain Home. The application proposes a single well to be drilled within one of the three tracts listed on the application.

#### **NOTICE OF PROPOSED CHANGE OF WATER RIGHT**

##### **TRANSFER NO. 78300**

SOUTHFIELD PROPERTIES LLC, 3308 S 1600 E, WENDELL, ID 83355; has filed Application No. 78300 for changes to the following water rights within GOODING County(s): Right No(s). 37-2549, 37-2550, 37-2761B, 37-7370, 37-7572, 37-7634, 37-8326, 37-8732. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to move a 0.86 cfs (42.9 acre) portion of two ground water rights from a farm located approximately 3.8 to 3.7 miles west and 1.0 to 2.5 miles south of the center of the City of Gooding, (Main and 7th Ave) to a farm located approximately 6.0 to 7.0 miles west and 1.0 to 2.8 miles south of the City of Gooding. The five existing water rights on the farm and the additional 42.9 acres will allow for the irrigation of 629.9 acres within a 686 proposed permissible place of use.

#### **NOTICE OF PROPOSED CHANGE OF WATER RIGHT**

##### **TRANSFER NO. 80416**

IDAHO DAIRY HOLDINGS LLC, PO BOX 609, TURNER, ME 04282; has filed Application No. 80416 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-12300, 47-17286, 47-17288, 47-17290, 47-2496B. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to add two existing ground water points of diversion to five water rights used at a dairy located approximately 7.5 to 8.0 miles south and 1.6 to 2.0 miles east of the city of Hansen. The five water rights will allow for the diversion of 0.66 cfs and 127.6 af from a total of four existing wells at the dairy. In addition the application proposes to change the nature of use for domestic and irrigation of one acre, 0.04 cfs, to stockwater and commercial uses.

#### **NOTICE OF PROPOSED CHANGE OF WATER RIGHT**

##### **TRANSFER NO. 80638**

EAST VALLEY CATTLE LLC, 471 N 300 W, JEROME, ID 83338; has filed Application No. 80638 for changes to the following water rights within CASSIA County(s): Right No(s). 43-10019, 43-10045, 43-10046, 43-10787, 43-10795, 43-12923, 43-12933, 43-13301, 43-13303, 43-13305, 43-13405, 43-13448, 43-13450, 43-13452, 43-13454, 43-13456, 43-13458, 43-13460, 43-13462, 43-13490, 43-13492, 43-13494, 43-13496, 43-13498, 43-13500, 43-13502, 43-13504, 43-13506, 43-13508, 43-13510, 43-2317C, 43-2317E, 43-2321B, 43-2339C, 43-2339E, 43-2423C, 43-2423E, 43-2467C, 43-2467E, 43-2510C, 43-2510E, 43-2574B, 43-2574E, 43-2576B, 43-2576E, 43-4002C, 43-4002E, 43-4012B, 43-4012C, 43-4012D, 43-4013B, 43-4014A, 43-4014B, 43-4015B, 43-4060D, 43-4063D. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes the creation of a 9204.0 acre irrigation Permissible Place of Use (PPU) for fifty-four ground water rights and two surface water rights (Raft River) which currently irrigate 7363.0 acres on ground located approximately 7.0 to 14.3 miles north and 2.5 to 8.4 miles east of Malta. The rights are currently irrigating ground on three separate farms and this transfer will consolidate the rights into a single PPU in the same general area. One group of 38 rights irrigates 4631.0 acres with a 70.01 cfs flow rate, another group of 13 rights irrigates 2210.0 acres with a 39.03 cfs flow rate, and the final group of 5 rights irrigates 522.0 acres with a flow rate of 5.7 cfs.

After the transfer, 7363.0 acres will be irrigated within the proposed 9204.0 acre PPU. Currently, the rights in the three separate farms have distinct Points of Diversion (POD) for each farm. This transfer will add the ground water PODs from each farm to the other two farms so that each ground water right will have 32 PODs.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 80686**

OAKLEY CANAL CO, PO BOX 207, OAKLEY, ID 83346; has filed Application No. 80686 for changes to the following water rights within CASSIA County(s): Right No(s). 45-12438, 45-12443, 45-12448, 45-12449, 45-12455, 45-12457, 45-12749, 45-12750, 45-132, 45-133, 45-2040, 45-2059, 45-2060, 45-2062, 45-2063, 45-93, 45-94. The purpose of the transfer is to change a portion of the above rights as follows: Application filed to change the Oakley Canal Company's authorized service area boundary for 17 different water rights that allow for the total diversion of 1,520,992 cfs and storage of up 74,350 acre-feet in Goose Creek (Oakley) Reservoir. The proposed change consists of combining the company's currently authorized service area with lands located within the Southwest Irrigation District boundary creating a new authorized service area approximately 157,000 acres in size within Cassia and Twin Falls Counties. Published in the Times News, Idaho Statesman, Post Register & Lewiston Tribune.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see [www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx](http://www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx) . For additional information on new permits, please see [www.idwr.idaho.gov/WaterManagement/WaterRights/#New\\_Listings](http://www.idwr.idaho.gov/WaterManagement/WaterRights/#New_Listings). Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before March 21, 2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director  
Published on March 3<sup>rd</sup> & 10<sup>th</sup>, 2016

## Maline, Denise

---

**From:** Maline, Denise  
**Sent:** Thursday, February 25, 2016 1:57 PM  
**To:** Idaho Statesman  
**Subject:** LEGAL NOTICES  
**Attachments:** Idaho Statesman Cover Letter.docx; Transfer 80686 Ad.doc; SWC SWID Mit Plan Ad SWC call 2016.docx

Attached please find (2) legal notices being submitted for publication on March 3<sup>rd</sup> & 10<sup>th</sup>, 2016. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

*Denise Maline  
Administrative Assistant  
Idaho Dept of Water Resources, Southern Region  
650 Addison Ave W, Ste 500  
Twin Falls, ID 83301  
(208) 736-3033  
[denise.maline@idwr.idaho.gov](mailto:denise.maline@idwr.idaho.gov)*



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

**C.L. "BUTCH" OTTER**  
Governor

**GARY SPACKMAN**  
Director

February 25, 2016

**LEGAL NOTICE DEPARTMENT**  
**IDAHO STATESMAN**  
**PO BOX 40**  
**BOISE, ID 83707**

**RE: Notice of Mitigation Plan Submitted by Southwest and Goose Creek Irrigation Districts in Response to the Surface Water Coalition Water Delivery Call**

**RE: Transfer No. 80686**

Water Right No(s): 45-12438, 45-12443, 45-12448, 45-12449, 45-12455, 45-12457, 45-12749,  
45-12750, 45-132, 45-133, 45-2040, 45-2059, 45-2060, 45-2062, 45-2063, 45-93, 45-94

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before March 21, 2016. Your cooperation is appreciated.

Sincerely,

Denise Maline  
Administrative Assistant

Enclosure(s)

## Maline, Denise

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**From:** Maline, Denise  
**Sent:** Thursday, February 25, 2016 1:58 PM  
**To:** Post Register  
**Subject:** LEGAL NOTICES  
**Attachments:** Post Register Cover Letter.docx; Transfer 80686 Ad.doc; SWC SWID Mit Plan Ad SWC call 2016.docx

Attached please find (2) legal notices being submitted for publication on March 3<sup>rd</sup> & 10<sup>th</sup>, 2016. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

*Denise Maline  
Administrative Assistant  
Idaho Dept of Water Resources, Southern Region  
650 Addison Ave W, Ste 500  
Twin Falls, ID 83301  
(208) 736-3033  
[denise.maline@idwr.idaho.gov](mailto:denise.maline@idwr.idaho.gov)*



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

February 25, 2016

**LEGAL NOTICE DEPARTMENT**  
POST REGISTER  
PO BOX 1800  
IDAHO FALLS, ID 83402

RE: Notice of Mitigation Plan Submitted by Southwest and Goose Creek Irrigation Districts in Response to the Surface Water Coalition Water Delivery Call

RE: Transfer No. 80686

Water Right No(s): 45-12438, 45-12443, 45-12448, 45-12449, 45-12455, 45-12457, 45-12749, 45-12750, 45-132, 45-133, 45-2040, 45-2059, 45-2060, 45-2062, 45-2063, 45-93, 45-94

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Sincerely,

Denise Maline  
Administrative Assistant

Enclosure(s)

## Maline, Denise

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**From:** Maline, Denise  
**Sent:** Thursday, February 25, 2016 2:13 PM  
**To:** Lewiston Tribune (legals@lmtribune.com)  
**Subject:** LEGAL NOTICE  
**Attachments:** Lewiston Tribune Cover Letter.docx; Transfer 80686 Ad.doc

Attached please find (1) legal notice being submitted for publication on March 3<sup>rd</sup> & 10<sup>th</sup>, 2016. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

*Denise Maline  
Administrative Assistant I  
Idaho Dept of Water Resources, Southern Region  
650 Addison Ave W, Ste 500  
Twin Falls, ID 83301  
(208) 736-3033  
[denise.maline@idwr.idaho.gov](mailto:denise.maline@idwr.idaho.gov)*



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858  
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

**C.L. "BUTCH" OTTER**  
Governor

**GARY SPACKMAN**  
Director

February 25, 2016

**LEGAL NOTICE DEPARTMENT**  
**LEWISTON TRIBUNE**  
505 C ST  
PO BOX 957  
LEWISTON, ID 83501

RE: Transfer No. 80686

Water Right No(s): 45-12438, 45-12443, 45-12448, 45-12449, 45-12455, 45-12457, 45-12749,  
45-12750, 45-132, 45-133, 45-2040, 45-2059, 45-2060, 45-2062, 45-2063, 45-93, 45-94

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues).  
If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the  
affidavit and bill to this office before March 21, 2016. Your cooperation is appreciated.

Sincerely,

Denise Maline  
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 80686**

OAKLEY CANAL CO, PO BOX 207, OAKLEY, ID 83346; has filed Application No. 80686 for changes to the following water rights within CASSIA County(s): Right No(s). 45-12438, 45-12443, 45-12448, 45-12449, 45-12455, 45-12457, 45-12749, 45-12750, 45-132, 45-133, 45-2040, 45-2059, 45-2060, 45-2062, 45-2063, 45-93, 45-94; to see a full description of these rights and the proposed transfer, please see [www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx](http://www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx). The purpose of the transfer is to change a portion of the above rights as follows: Application filed to change the Oakley Canal Company's authorized service area boundary for 17 different water rights that allow for the total diversion of 1,520.992 cfs and storage of up 74,350 acre-feet in Goose Creek (Oakley) Reservoir. The proposed change consists of combining the company's currently authorized service area with lands located within the Southwest Irrigation District boundary creating a new authorized service area approximately 157,000 acres in size within Cassia and Twin Falls Counties.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before March 21, 2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published in the Times News, Idaho Statesman, Post Register & Lewiston Tribune on March 3<sup>rd</sup> & 10<sup>th</sup>, 2016

## MEMORANDUM

**Date:** February 22, 2016  
**To:** Transfer 80686 File  
**From:** Corey Skinner  
**Re:** Evaluation of Sufficiency of Information Submitted

Application filed to change the Oakley Canal Company's authorized service area boundary for 17 different water rights that allow for the total diversion of 1,520.992 cfs and storage of up 74,350 acre-feet in Goose Creek (Oakley) Reservoir. The proposed change consists of combining the company's currently authorized service area with lands located within the Southwest Irrigation District boundary creating a new authorized service area approximately 157,000 acres in size within Cassia and Twin Falls Counties. The rights are diverted from Goose Creek, Birch Creek, Little Cottonwood Creek, Big Cottonwood Creek, and groundwater sources. For this reason water master comments will be solicited from the water district 45B, 45C, 45K, and 140 water masters.

- **Authority to File:**  
The transfer applicant, Oakley Canal Company, is listed as the current owner of the rights involved with the transfer. The president of the Oakley Canal Company signed the application. The Southwest Irrigation District actually paid the transfer filing fee, so they are aware of the transfer.
- **Water Right Validity:**  
The rights involved with the transfer were decreed in the SRBA in October of 2006. Possible forfeiture of the rights does not appear to be an issue.
- **Injury to Other Water Rights:**  
None anticipated.
- **Enlargement of Use:**  
None anticipated. Section 42-222, IDAHO CODE, allows for additional acres to be irrigated via a transfer of stored water.
- **Local Public Interest:**  
No issues anticipated. The application will be subject to public notice and protest.
- **Beneficial Use/Conservation of Water Resources:**  
Proposed uses are recognized as beneficial uses of water.
- **Effect on Economy of the Local Area:**  
None anticipated.
- **Effect of the Agricultural Base of the Local Area:**  
None anticipated.

**Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.**

## **MEMORANDUM**

**TO:** Transfer # 80686 File

**FROM:** Corey Skinner

**DATE:** February 22, 2016

**SUBJECT:** Filing Fee

The filing fee, \$14,194.00, for this transfer is based on the total amount of water being transferred. In this particular case, the filing fee is based on storage. The rights involved with the transfer allow for the storage of 74,350 acre-feet. The transfer fee schedule for a transfer involving 74,350 acre-feet of storage indicates that the filing fee is \$14,194.00.