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AUG 07 2009

DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 75835

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 <http://www.idwr.idaho.gov/>.

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

- | Yes | N/A | |
|-------------------------------------|-------------------------------------|--|
| ☒ | ☐ | * Means the item is <u>always required</u> 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 <u>for each water right</u> for which <u>only a portion</u> 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 #1-9.

- | | | |
|-------------------------------------|-------------------------------------|--|
| ☐ | ☒ | #1 If the applicant is a business, partnership, organization, or association, and <u>not</u> 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 transfer 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). |
| ☒ | ☐ | #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 http://www.idwr.idaho.gov/water/rights/ . |
| ☐ | ☒ | #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. |
| ☐ | ☒ | #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.) |
| ☐ | ☒ | #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 Other. Please describe: _____ |

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 75835

AUG 07 2009 APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

DEPT. OF WATER RESOURCES

SOUTHERN REGION

Name of Applicant(s) South West Irrigation District Phone 208-878-8382

Mailing address 137 West 13th, Burley, Idaho 83318 Email wparsons@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 William Parsons Phone 208-878-8382

Mailing address 137 West 13th, Burley, Idaho 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.

William A. Parsons
Signature of Applicant or Authorized Representative

William A. Parsons - Attorney 8-7-09
Print Name and Title if applicable 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**. A new POD is required for the West Cassia Pipeline. This application will add that POD to the already existing water rights of the South West Irrigation District. See Application for Permit #45-14183.

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 (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	1-23A	77.9	Irrigation	4/01 to 10/31	Snake River
☐ ☐	Please see	Application	For Permit #45-14183	to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 77.9 cfs and/or 6,725 ac-ft

2. Total amount of water proposed to be transferred or changed _____ cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion:

- ☐ 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 #
X			SW	NE	20	10S	22E	Cassia	Snake River	
	7		SE	SW	1	9S	25E	Cassia	Snake River	
→	5		SW	NW	28	10S	21E	Twin Falls	Snake River	
			SE	SE	29	10S	21E	Twin Falls	Snake River	

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.) *ACTUALLY NE SE Sec 29 PER 4/9/2010 PARSONS LETTER*

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	

Total Acres (for irrigation use) _____

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: The diversion location is a pumping station. Each pipe has a flow meter to measure flow and total. Regulation will be completed under BID Management.
- b. Who owns the property at the point(s) of diversion? BID
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: See structure Agreement for SWID Pumping Plant. BID File #19198.090020.
- 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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: _____
- e. 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: _____
- f. 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: _____

Total Acres (for irrigation use)

Transfer contains _____ pages and _____ attachments.

Received by Reedon Date 8/10/9 Prelim. Check by _____ Date _____

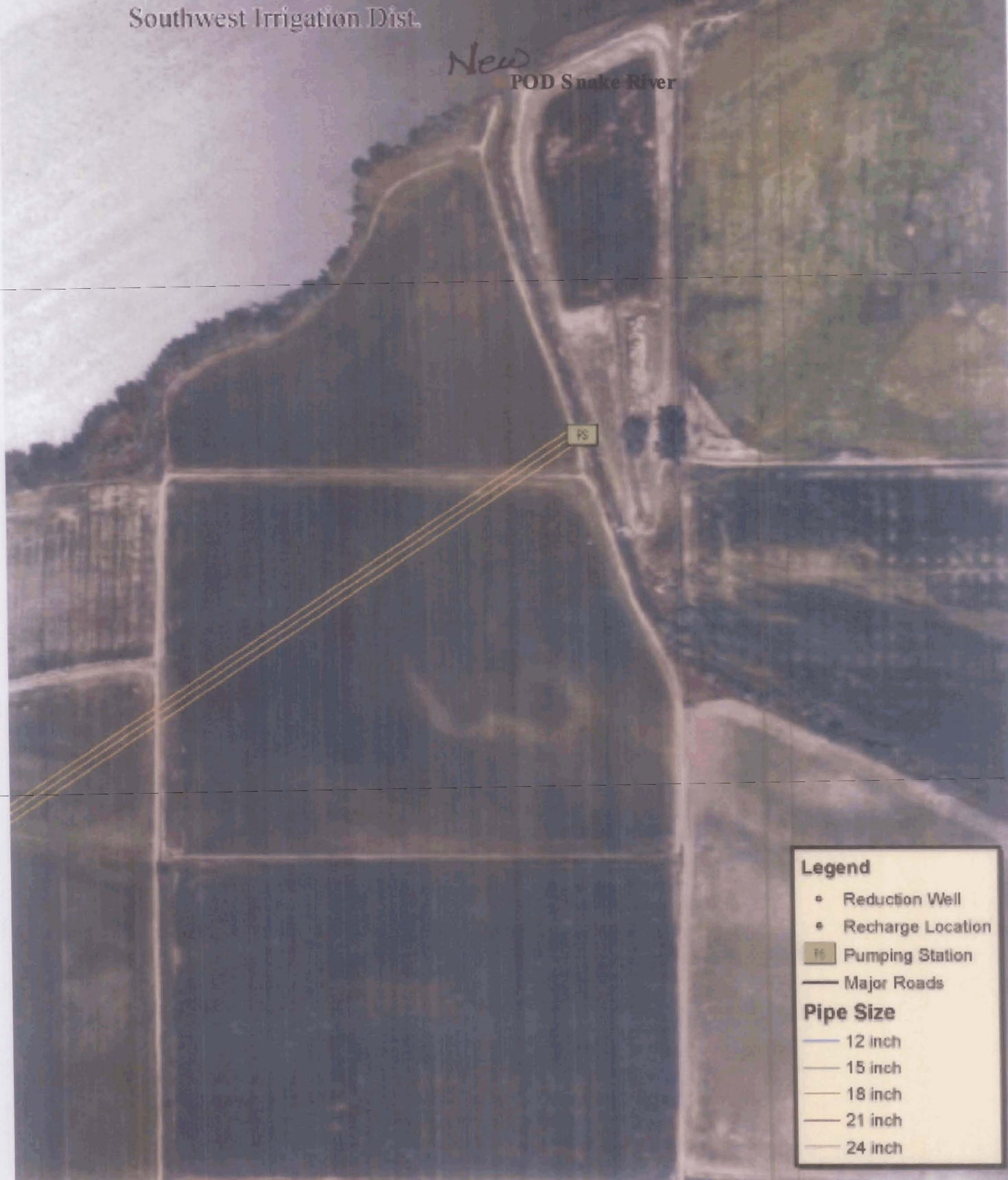
Fee Paid ^{\$} 2170.⁰⁰ Date _____ Received by J Reedon Receipt # 8031028

Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

West Cassia Pipeline

West Cassia Irrigation LLC
Southwest Irrigation Dist.

New
POD Snake River

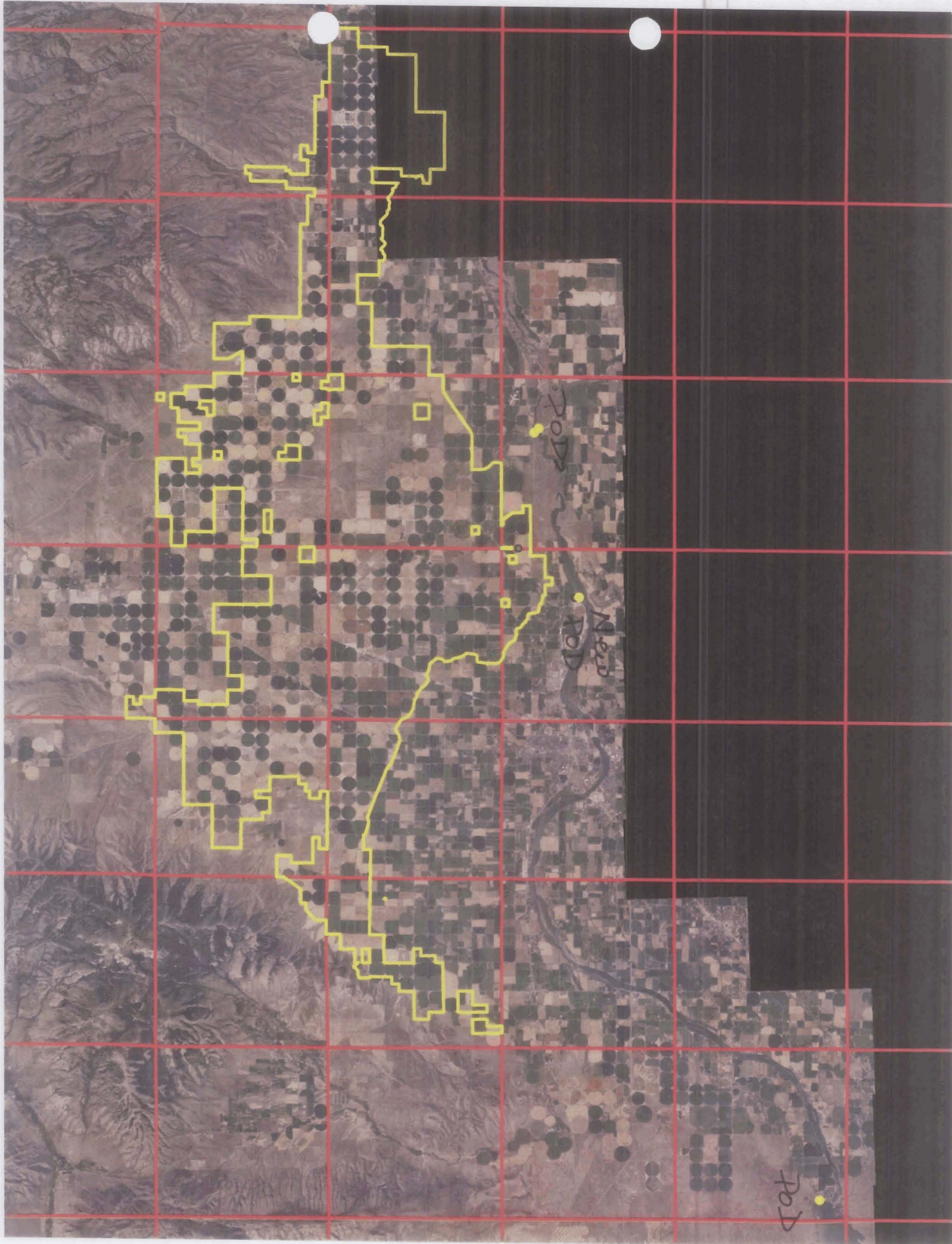


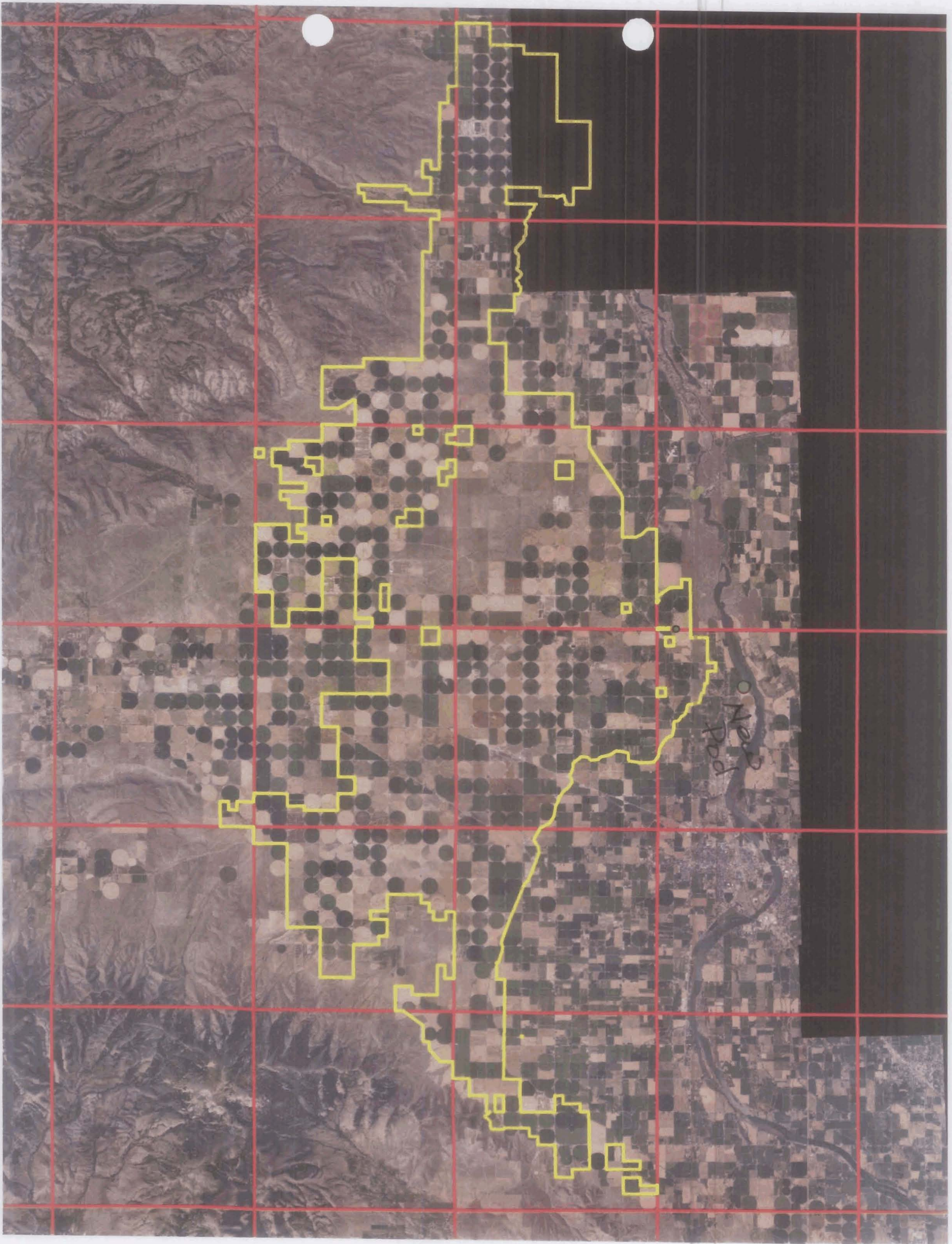
Legend

- Reduction Well
- Recharge Location
- PS Pumping Station
- Major Roads

Pipe Size

- 12 inch
- 15 inch
- 18 inch
- 21 inch
- 24 inch





Map
Pod

Exhibit A

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 1-23A

WATER RIGHT NUMBER: 1-23A

Owner Type Name and Address
Current Owner SOUTHWEST IRRIGATION DIST
 PO BOX 668
 BURLEY, ID 83318
 (208)878-8382

Priority Date: 02/06/1895

Basis: Decreed

Status: Active

Source Tributary
SNAKE RIVER COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	77.900 CFS	6,725.00 AF
	<u>Total Diversion:</u>	77.900 CFS	6,725.00 AF

Location of Point(s) of Diversion

SNAKE RIVER	SW1/4SE1/4SW1/4	Sec. 1, Twp 09S, Rge 25E, B.M.
CASSIA County		
SNAKE RIVER	L8 (SW1/4NE1/4SE1/4)	Sec. 29, Twp 10S, Rge 21E, B.M.
TWIN FALLS County		
SNAKE RIVER	NE1/4SE1/4SE1/4	Sec. 29, Twp 10S, Rge 21E, B.M.
TWIN FALLS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	21E	35	X	X		X									X			X	
10S	21E	36	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
10S	22E	28									X	X							
10S	22E	29						X		X	X	X	X	X	X	X	X	X	
10S	22E	30								X				X	X	X	X	X	
10S	22E	31	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
							L1	L2			L3	L4							

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 1-23A

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 1-23A

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 1-23A

11S 21E 26		X	X	X	X		X	X	X	X	X	X	X		X	X	X	X	
11S 21E 27		X	X	X	X		X	X	X	X	X	X	X		X	X	X	X	
11S 21E 28		X	X	X	X		X	X	X	X	X	X	X		X	X	X	X	
11S 21E 29		X	X	X	X		X	X	X	X	X	X	X		X	X	X	X	
11S 21E 30		X	X	X	X		X	X	X	X	X	X	X		X	X	X	X	
							L 1	L 2			L 3	L 4							
11S 21E 31		X	X	X	X		X	X	X						X	X	X	X	
							L 1	L 2											
11S 21E 32		X	X	X	X		X	X	X	X	X	X	X		X	X	X	X	
11S 21E 33		X	X	X	X		X	X	X	X	X	X	X		X	X	X	X	
11S 21E 34		X	X	X	X		X	X	X	X	X	X	X		X	X	X	X	
11S 21E 35		X	X	X	X		X	X	X	X	X	X	X		X	X	X	X	
11S 21E 36		X	X	X	X		X	X	X	X	X	X	X		X	X	X	X	
11S 22E 3		X	X	X	X		X	X	X	X	X	X	X		X	X	X	X	
		L 1	L 2				L 3	L 4											
11S 22E 4		X	X	X	X		X	X	X	X	X	X	X		X	X	X	X	
		L 1	L 2				L 3	L 4											
11S 22E 5		X	X	X	X		X	X	X	X	X	X	X		X	X	X	X	
		L 1	L 2				L 3	L 4											
11S 22E 6		X	X	X	X		X	X	X	X	X	X	X		X	X	X	X	
		L 1	L 2				L 3	L 4	L 5		L 6	L 7							
11S 22E 7		X	X	X	X		X	X	X	X	X	X	X		X	X	X	X	
							L 1	L 2		L 3	L 4								
11S 22E 8		X	X	X	X		X	X	X	X	X	X	X		X	X	X	X	
11S 22E 9		X	X	X	X		X	X	X	X	X	X	X		X	X	X	X	
11S 22E 10			X	X	X		X	X	X	X	X	X	X		X	X	X	X	
11S 22E 13											X								

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 1-23A

11S 22E 14								X		X	X	X	X	X	X	X	X	X	
11S 22E 15	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 22E 16	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 22E 17	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 22E 18	X	X	X	X	X	X _{L1}	X _{L2}	X	X	X _{L3}	X _{L4}	X	X	X	X	X	X	X	X
11S 22E 19	X	X	X	X	X	X _{L1}	X _{L2}	X	X	X _{L3}	X _{L4}	X	X	X	X	X	X	X	X
11S 22E 20	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 22E 21	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 22E 22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 22E 23	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 22E 24	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 22E 25	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 22E 26	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 22E 27	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 22E 28	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 22E 29	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 22E 30	X	X	X	X	X	X _{L1}	X _{L2}	X	X	X _{L3}	X _{L4}	X	X	X	X	X	X	X	X
11S 22E 31	X	X	X	X	X	X _{L1}	X _{L2}	X	X	X _{L3}	X _{L4}	X	X	X	X	X	X	X	X
11S 22E 32	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 22E 33	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 1-23A

11S 22E 34	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 22E 35	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 22E 36	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 23E 19									X L3		X L4	X				X	
11S 23E 20									X	X	X	X	X	X	X	X	X
11S 23E 21											X						
11S 23E 25									X	X	X	X	X	X	X	X	X
11S 23E 26									X	X	X	X			X	X	
11S 23E 27			X				X	X	X	X	X	X	X	X	X	X	X
11S 23E 28	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 23E 29	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 23E 30	X	X L1	X L2	X					X L3		X L4	X				X	
11S 23E 31	X	X L1	X L2	X								X	X L3	X L4	X	X	
11S 23E 32	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 23E 33	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 23E 34	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 23E 35	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 23E 36	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S 24E 1						X L3		X	X	X	X	X					
11S 24E 2														X	X		

11S	24E	11		X	X		X	X	X	X							
11S	24E	14		X	X		X	X	X	X	X	X	X	X	X	X	X
11S	24E	15	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S	24E	16				X							X			X	X
11S	24E	19														X	
11S	24E	22	X	X	X	X	X	X	X	X	X	X			X		
11S	24E	27					X	X	X	X	X	X	X		X	X	
11S	24E	28	X	X	X	X	X	X	X	X	X	X				X	X
11S	24E	29								X	X	X	X	X	X	X	X
11S	24E	30								X	X _{L3}	X _{L4}	X	X	X	X	X
11S	24E	31	X	X	X	X	X	X _{L1}	X _{L2}	X	X _{L3}	X _{L4}	X	X	X	X	X
11S	24E	32	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11S	24E	33		X	X		X	X	X	X	X						
11S	24E	34						X									
12S	19E	1	X _{L1}	X _{L2}	X	X	X _{L3}	X _{L4}	X	X	X		X		X	X	
12S	19E	2	X _{L1}	X _{L2}	X	X	X _{L3}	X _{L4}	X				X	X	X	X	
12S	19E	3	X _{L1}	X _{L2}	X	X	X _{L3}	X _{L4}	X	X							
12S	19E	4	X _{L1}	X _{L2}	X	X	X _{L3}	X _{L4}									
12S	19E	12		X	X		X		X _{L5}	X	X	X	X	X			
12S	19E	13					X	X	X	X	X	X					

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 1-23A

12S 20E 1	X L 1	X L 2	X	X	X L 3	X L 4	X	X	X	X	X	X	X	X	X	X	
12S 20E 2	X L 1	X L 2	X	X	X L 3	X L 4	X	X	X	X	X	X	X	X	X	X	
12S 20E 3	X L 1	X L 2	X	X	X L 3	X L 4	X	X	X	X	X	X	X	X	X	X	
12S 20E 4	X L 1	X L 2	X	X	X L 3	X L 4	X	X	X	X	X	X	X	X	X	X	
12S 20E 5	X L 1	X L 2	X	X	X L 3	X L 4	X	X	X	X	X	X	X	X	X	X	
12S 20E 6	X L 1	X L 2	X	X	X L 3	X L 4	X L 5	X	X	X L 6			X	X		X	
12S 20E 11	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
12S 20E 12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
12S 20E 13	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
12S 20E 14	X	X	X	X	X	X	X	X	X L 1	X L 2		X L 4	X	X	X	X	
12S 20E 23	X	X	X	X	X			X	X			X	X	X	X	X	
12S 20E 24					X L 2	X	X	X	X L 2	X L 3	X	X	X L 4				
12S 21E 1	X L 1	X L 2	X	X	X L 3	X L 4	X	X	X	X	X	X	X	X	X	X	
12S 21E 2	X L 1	X L 2	X	X	X L 3	X L 4	X	X	X	X	X	X	X	X	X	X	
12S 21E 3	X L 1	X L 2	X	X	X L 3	X L 4	X	X	X	X	X	X	X	X	X	X	
12S 21E 4	X L 1	X L 2	X	X	X L 3	X L 4	X	X	X	X	X	X	X	X	X	X	
12S 21E 5	X L 1	X L 2		X			X		X	X	X	X	X	X	X	X	
12S 21E 6	X L 1	X L 2	X	X		X L 4	X L 5	X	X	X L 6	X L 7	X	X	X	X	X	
12S 21E 7	X	X	X	X	X		X L 2	X	X	X L 3	X L 4	X	X	X	X	X	
12S 21E 8	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 1-23A

12S 21E 9						X	X	X	X	X	X	X	X		X	X	X	
12S 21E 10	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
12S 21E 11	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
12S 21E 12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
12S 21E 13	X	X	X	X			X	X	X	X	X	X			X	X		
12S 21E 14		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
12S 21E 15	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
12S 21E 16	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
12S 21E 17	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
12S 21E 18	X	X	X	X	X	L 1	L 2	X	X	L 3	L 4	X	X	X	X	X	X	X
12S 21E 19	X	X	X	X	X	L 1	L 2	X	X	L 3	L 4	X	X	X	X	X	X	X
12S 21E 20	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
12S 21E 21	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
12S 21E 22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
12S 21E 25					X	X	X	X	X	X	X	X						
12S 21E 26	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
12S 21E 27	X	X	X	X	X	X	X	X		X				X	X	X	X	X
12S 21E 28	X	X	X	X	X	X	X	X	X	X	X	X						
12S 21E 29	X	X	X	X				X	X	X	X	X			X	X		
12S 21E 30	X	X	X	X										X	X	X	X	X

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 1-23A

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 1-23A

12S 22E 15		X	X	X	X		X	X	X	X		X	X	X	X		X	X	X	X	
12S 22E 16		X	X	X	X		X	X	X	X		X	X	X	X		X	X	X	X	
12S 22E 18		X	X	X	X		X	X _{L1}	X _{L2}	X		X	X _{L3}	X _{L4}	X		X	X	X	X	
12S 22E 21		X	X	X	X		X	X	X	X		X	X	X	X		X	X	X	X	
12S 22E 22		X	X	X	X		X	X	X	X											
12S 22E 23							X	X	X	X											
12S 22E 24		X	X	X	X		X	X	X	X							X	X	X	X	
12S 22E 25		X	X	X	X							X					X	X	X	X	
12S 22E 36		X	X	X	X		X	X	X	X		X	X	X	X		X	X	X	X	
12S 23E 1		X _{L1}	X _{L2}	X	X		X _{L3}	X _{L4}	X	X							X	X	X	X	
12S 23E 2				X	X																
12S 23E 3									X				X								
12S 23E 4		X _{L1}	X _{L2}	X	X		X _{L3}	X _{L4}	X	X		X	X	X	X		X	X	X		
12S 23E 5		X _{L1}	X _{L2}	X	X		X _{L3}	X _{L4}	X	X		X	X	X	X		X	X	X	X	
12S 23E 6		X _{L1}	X _{L2}	X _{L3}	X												X	X _{L4}	X _{L5}	X	
12S 23E 7		X	X _{L1}	X _{L2}	X												X	X _{L3}	X _{L4}	X	
12S 23E 8		X	X	X	X		X	X	X	X		X	X	X	X		X	X	X	X	
12S 23E 9							X	X	X	X		X	X	X	X						
12S 23E 12		X	X	X	X					X		X					X	X			
12S 23E 15			X	X	X		X			X		X	X	X	X		X	X	X	X	

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 1-23A

12S 23E 16		X	X	X	X		X	X	X	X		X	X	X	X		X	X	X	X	
12S 23E 17		X	X	X	X		X	X	X	X		X	X	X	X		X	X	X	X	
12S 23E 18		X	X L 1	X L 2	X												X	X L 3	X L 4	X	
12S 23E 19		X	X L 1	X L 2	X												X	X L 3	X L 4	X	
12S 23E 20		X	X	X	X		X	X	X	X		X	X	X	X		X	X	X	X	
12S 23E 21		X	X	X	X		X	X	X	X		X	X	X	X		X	X	X	X	
12S 23E 22		X	X	X	X		X	X	X	X		X	X	X	X		X	X	X	X	
12S 23E 23		X	X	X	X		X	X	X	X		X	X	X	X		X	X	X	X	
12S 23E 27							X	X	X	X		X	X	X	X						
12S 23E 28		X	X	X	X		X	X	X	X		X	X	X	X		X	X	X	X	
12S 23E 29		X	X	X	X		X	X	X	X		X	X	X	X		X	X	X	X	
12S 23E 30		X	X L 1	X L 2	X												X	X L 3	X L 4	X	
12S 23E 31		X	X L 1	X L 2	X												X	X L 3	X L 4	X	
12S 24E 5			X L 2	X			X L 3	X L 4	X	X		X	X								
12S 24E 6		X L 1	X L 2	X	X		X L 3	X L 4	X L 5	X		X	X L 6	X L 7	X		X	X	X	X	
12S 24E 7							X L 1	X L 2	X												
13S 22E 1		X L 1	X L 2	X	X		X L 3			X					X		X	X	X	X	

Conditions of Approval:

1. The Director of the Department of Water Resources retains jurisdiction to determine and assess a delivery loss to prevent injury to existing water rights in Water District 01.
2. This right does not grant any easement or right-of-way to use diversion and delivery facilities owned by persons other than the right owner.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 1-23A

3. This water right is not entitled to call on ground water rights.
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. F01 Water is delivered through Minidoka South Side Canal, Twin Falls Canal, and Milner Irrigation Pumps.
7. The annual volume diverted under this right is limited to 6725 acre feet except that any water diverted during flood control operations that result in a release of water past Milner Dam shall not be charged against the seasonal volume limitation.
8. 127 Place of use is within the boundary of Southwest Irrigation District pursuant to Section 43-323, Idaho Code.
9. This right was originally diverted above Blackfoot before it was acquired by Southwest Irrigation District and transferred downstream to the current points of diversion at Milner Dam and Minidoka Dam. Accordingly, the source of supply for this water right is water arising above Blackfoot.
10. Use of this right shall be subordinate to all water rights having a priority date earlier than March 21, 1997 diverting from Snake River in the Neeley to Milner reach except to the extent that water available under this right at the Aberdeen Springfield Canal diversion is specifically identified and shown to be delivered in the Neeley-Milner reach.
11. Diversion and use of water under this right shall be regulated by the watermaster of State Water District 01 (Upper Snake River).

Remarks:

Comments:

1. mholliday 8/15/2005 points of diversion

Comment: The water rights database shows one of the points of diversion for this right as the Twin Falls Canal. However, the legal description shown in transfer 4859 was in error. This recommendation includes the correct legal description for the Twin Falls Canal heading.

2. mholliday 9/2/2008 recommendation

Comment: General conditions added in order to resolve multiple objections.

3. mholliday 9/15/2008 boundary

Comment: Updated boundary to resolve BLM objection.

4. mholliday 10/9/2009 boundary

Comment: The district made additional changes to the boundary. After it was snapped to the gcdb, I ran it by the BLM again and they were happy. Updated shape in preparation of SF5.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 1-23A

SubCase:

SubCase Number: 1-23A

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent: mholliday

Basis of Claim: Decreed

Date Filed: 10/3/2006 Objection Status: Active

Date Filed: 10/11/2007 Objection Status: Active

Date Filed: 3/2/2009 Objection Status: Active

Date Filed: 10/5/2006 Objection Status: Active

Date Filed: 12/7/2006 Objection Status: Active

Water Supply Bank:

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OCT 12 2006

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

In Re SRBA) A. Subcase: 01-00023 A
Case No. 39576) **NOTICE OF APPEARANCE**

NOTICE IS HEREBY given that William A. Parsons of Parsons, Smith and Stone, LLP, P. O. Box 910, Burley, Idaho 83318 appears for Southwest Irrigation District. The fax number is (208) 878-0146 and the phone number is (208) 878-8382. E-mail: wparsons@pmt.org.

DATED this 10 day of October 2006.

PARSONS, SMITH & STONE, LLP



William A. Parsons
Attorneys for Southwest Irrigation
137 West 13th Street
P. O. Box 910
Burley, Idaho 83318

CERTIFICATE OF MAILING

I hereby certify that on the 10 day of October 2006, I served a copy of the foregoing upon the following:

IDWR Document Depository
P. O. Box 83720
Boise, ID 83720-0098

Larry A. Brown
United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

Randall C. Budge
Racine Olson Nye Budge & Bailey, Chtd.
Box 1391
Pocatello, ID 83204-1391

ORIGINAL TO: Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, ID 83303-2707

by depositing a copy thereof in the United States mail, postage prepaid, in an envelope addressed to the above named persons at the above addresses, their last known address, and to all individuals listed on Exhibit "A" attached hereto.

PARSONS, SMITH & STONE, LLP



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EXHIBIT "A"

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Blackfoot, Idaho 83221

Bonneville-Jefferson GWD
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P.O. Box 5781
Idaho Falls, Idaho 83405

Madison Ground Water District
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P.O. Box 321
Rexburg, Idaho 83340

Busch-Ag Resources
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Boise, Idaho 83719-0420

City of American Falls
c/o Pete Cortez/Water Superintendent
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American Falls, Idaho 83211

City of Jerome
c/o Rob Williams
152 E. Avenue A.
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Jerome Cheese Company
c/o John Davis, General Manager
47 W. 100 S.
Jerome, Idaho 83338

City of Blackfoot
c/o Mayor Mike Birtue
157 North Broadway
Blackfoot, Idaho 83221

City of Chubbuck
c/o Mayor Steven England
P.O. Box 5604
Chubbuck, Idaho 83202

City of Paul
c/o Mayor Randy Jones
P.O. Box 130
Paul, Idaho 83347

City of Heyburn
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P.O. Box 147
Heyburn, Idaho 83336

City of Rupert
c/o Dennis Andrew, Water Supt.
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