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AUG 06 2009

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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JUL 24 2009

DEPARTMENT OF
WATER RESOURCES

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
PD 2-10337		X			
2-10433					

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NOV 13 2009

WATER RESOURCES
WESTERN REGION

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)	Cottonwood Mutual Canal Co.
	c/o Ringert Clark Chartered
	P.O. Box 2773, Boise, ID 83701
4. New Owner/Claimant(s)	Idaho Power
	Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address	P.O Box 70
City, State and ZIP Code	Boise, ID 83707
New Telephone Number	(208) 388-2905

Email: jbowling@idahopower.com

SUPPORT DATA

IN FILE # 2-10337

5. Date you acquired the property February 25, 2009

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation	3000 acre-feet	750
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

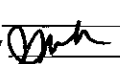
For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)  (title if applicable)

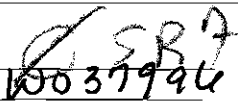
(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____
 Received by 
 Processed by _____ AJ

Date _____
 Date 11-13-09
 Date _____

Receipt Amt. 
 Receipt No. 10037996
 WR _____ Date _____

Copy

AGREEMENT FOR PURCHASE, SALE AND ASSIGNMENT OF WATER RIGHTS

THIS AGREEMENT FOR PURCHASE, SALE AND ASSIGNMENT OF WATER RIGHTS ("Agreement") is entered into as of this 22 day of September, 2008 ("Effective Date") by and between Idaho Power Company, an Idaho corporation ("Buyer") operating as an electric utility, and Cottonwood Mutual Canal Company, (aka Cottonwood Canal Company, herein "Cottonwood") an Idaho corporation, and William F. Ringert and Lynne K. Ringert, husband and wife (the "Ringerts", Cottonwood and the Ringerts are collectively referred to herein as "Sellers"). The term "Party" or "Parties" means Seller, Buyer, or both, as the context requires. For the reader's convenience, terms are underlined when defined.

WHEREAS, Water Right No. 2-10337 ("Water Right") authorizes the diversion of 48.56 cubic feet per second (cfs) (9732 acre feet (af)) from the Snake River to irrigate 2428 acres of land (a copy of the Partial Decree for the Water Right is attached hereto as **Exhibit A** and by this reference made a part hereof);

WHEREAS, Cottonwood owns 7432 af of the Water Right that Cottonwood is interested in selling, and the Ringerts own 640 af of the Water Right that they are interested in selling;

WHEREAS, use of the Water Right on the lands in Township 6 South, Ranges 10 and 11 East, Elmore County, to which the Water Right was originally appurtenant, ceased at the end of the 1981 irrigation season. On July 18, 1986, Cottonwood submitted to IDWR an Application for Extension of Time to Avoid Forfeiture for the Water Right, and on November 14, 1988, the Idaho Department of Water Resources ("IDWR") approved the Application (attached hereto as **Exhibit B** and by this reference made a part hereof), thereby extending the time for resumption of beneficial use of the Water Right to July 1, 1991;

WHEREAS, pursuant to a March 22, 1991 resolution, attached hereto as **Exhibit C** and by this reference made a part hereof, the Idaho Water Resource Board accepted and has retained the Water Right, including Seller's Water Right, in the Water Supply Bank for leasing, thereby protecting the Water Right from forfeiture pursuant to Idaho Code Section 42-1764(2);

WHEREAS, the parties have reached agreement on the terms and conditions for the purchase and sale of a portion of the Water Right,

NOW, THEREFORE, in and for the consideration hereinafter recited, Sellers and Buyer agree as follows:

1. Purchase and Sale of Rights. Sellers agree to sell to Buyer and Buyer agrees to purchase from Sellers their respective property interests in 3000 af of the Water Right (the "Purchase Water Right").

2. Purchase Price, and Payments. Buyer shall pay to Sellers as consideration for the Purchase Water Right [REDACTED] on the date of Closing.

3. Earnest Money and Termination. Buyer shall simultaneously with the execution of this Agreement deliver to Sellers a non-refundable Earnest Money payment of five percent (5.0%) of the Purchase Price: [REDACTED]. The Earnest Money shall be applied to the Purchase Price at the Closing. This Agreement shall terminate and the Seller shall retain the Earnest Money in the event the Closing does not occur as provided in this Agreement.

4. Investigation. Buyers acknowledge receipt prior to the date of this Agreement of sufficient information from Sellers to verify the validity and Sellers' ownership of the Water Right. Sellers shall cooperate with Buyer and provide all necessary documents to conduct such further investigation concerning the Water Right as Buyer shall deem appropriate for purposes of this Agreement.

5. Closing. Closing of this sale shall take place on March 1, 2008.

6. Conveyance of Title. At the Closing Sellers agree to execute and deliver to Buyer deeds conveying their respective property interests in 3000 af of the Purchase Water Right.

7. Confidentiality: Parties agree to keep the terms and conditions of this Agreement confidential unless required to disclose certain terms as required by the transfer or by law.

8. Costs. All of the fees for closing and all recording fees shall be shared equally by Sellers and Buyer. Each party shall be responsible to pay its own legal fees.

9. Entire Agreement. This Agreement contains the entire understanding of the parties. Any changes or modifications to this Agreement must be in writing and signed by both parties.

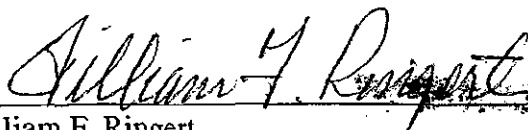
10. Heirs, Successors, and Assigns. The Covenants, conditions, and agreements herein contained shall be binding on each of the parties hereto and on all parties and all persons claiming under them or either of them, and the advantages hereof shall inure to the benefit of each of the parties hereto and their respective heirs, successors, and assigns.

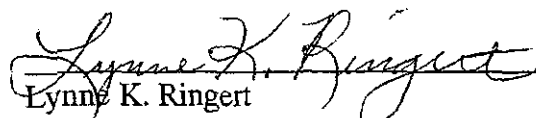
COTTONWOOD MUTUAL CANAL
COMPANY, an Idaho Corporation

By: Paul Hogg
Paul Hogg, its Vice President

DATED: 9-11-08

WILLIAM F. RINGERT and
LYNNE K. RINGERT
husband and wife


William F. Ringert


Lynne K. Ringert

IDAHO POWER COMPANY,
an Idaho corporation

By: 
GENERAL MANAGER POWER PRODUCTION

STATE OF Idaho
County of Elmore) ss.

On this 11 day of September, 2008, before me, the undersigned, a Notary Public in and for the State, personally appeared Paul Hogg known to be the Vice President of Cottonwood Mutual Canal Company, the Idaho corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the date last above written.



Linda Torrez
NOTARY PUBLIC
Residing at Glenns Ferry
My Commission Expires: 5-8-2011

STATE OF Idaho
County of Elmore) ss.

On this 11 day of September, 2008, before me, the undersigned, a Notary Public in and for the State, personally appeared William F. Ringert and Lynne K. Ringert, known to be the husband and wife who executed the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the date last above written.

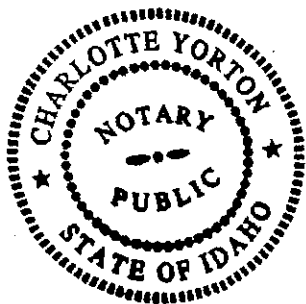


Linda Torrez
NOTARY PUBLIC
Residing at Glenns Ferry
My Commission Expires: 5-8-2011

STATE OF Idaho)
) ss.
County of Ada)

On this 22nd day of September, 2008, before me, the undersigned, a Notary Public in and for the State, personally appeared Vern Porter known to be the GM Power Production of Idaho Power Company, the Idaho corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the date last above written.



Charlotte Yorton
NOTARY PUBLIC
Residing at Boise
My Commission Expires: 12/14/2013

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 02-10337

DISTRICT COURT-SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
APR - 8 2008	
By _____	Clerk
_____	Deputy Clerk

NAME AND ADDRESS: COTTONWOOD MUTUAL CANAL CO
C/O RINGERT CLARK CHARTERED
PO BOX 2773
BOISE, ID 83701

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 48.56 CFS
9712.00 AFY

PRIORITY DATE: 02/25/1963

POINT OF DIVERSION: T06S R11E S09 LOT 6 (NWSW) Within Elmore County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	48.56 CFS 9712.00 AFY

PLACE OF USE:	Irrigation		Within Elmore County
	T06S R10E S01	NESW 35.0	SWSW 40.0
		SESW 14.5	
	S02	SESE 40.0	
	S12	SENE 18.5	NENW 40.0
		NWNW 40.0	SQNW 40.0
		SENW 40.0	NWSW 20.0
		SWSW 40.0	SESW 40.0
		NESE 40.0	NWSE 40.0
		SWSE 40.0	SESE 40.0
	S13	NENE 40.0	NWNE 40.0
		SWNE 40.0	SENE 40.0
		NENW 40.0	NQNW 40.0
		SWNW 40.0	SENW 40.0
		NESW 40.0	NWSW 40.0
		NESE 40.0	NWSE 40.0
		SWSE 40.0	SESE 40.0
	S24	NENE 40.0	NWNE 40.0
		SWNE 40.0	SENE 40.0
		NESE 40.0	NWSE 40.0
	R11E S06 LOT 7	(SWSW) 10.0	
	S07	NENE 25.0	NWNE 25.0
		SWNE 40.0	SENE 40.0
		NENW 30.0	(NWNW) 38.0
	LOT 2	(SWNW) 18.0	SENW 40.0
		NESW 40.0	(NWSW) 38.0
	LOT 4	(SWSW) 38.0	SESW 40.0
		NESE 40.0	NWSE 40.0
		SWSE 40.0	SESE 40.0
	S17	NWNW 40.0	SWNW 40.0
		NWSW 40.0	
	S18	NENE 40.0	NWNE 40.0
		SWNE 40.0	SENE 40.0
		NENW 40.0	(NWNW) 38.0
	LOT 2	(SWNW) 38.0	SENW 40.0
		NESW 40.0	(NWSW) 38.0
	LOT 4	(SWSW) 38.0	SESW 40.0
	S19 LOT 2	(SWNW) 19.0	(NWSW) 39.0
	2640.0 Acres Total		

Exhibit A, page 1

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

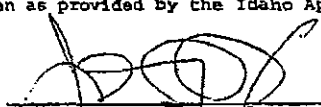
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2428 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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JUL 31 1986

REC'D

AUG 1 1986

STATE OF IDAHO

Water Right No. 02-2209

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JUL 22 1986

Department of Water Resources

DEPARTMENT OF WATER RESOURCES
Western Regional OfficeApplication for Extension of Time to Avoid Forfeiture
of a Water Right

Department of Water Resources

Section 42-222 of the Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

Complete fully the following application and submit it to the Department of Water Resources, Statehouse, Boise, Idaho, 83720, with the statutory fee.

- Name of water right holder Cottonwood Canal Company
Post office address c/o Alonzo B. Leavell, 1705 N. Cole Road, Boise, Idaho 83704
- The right was obtained or is evidenced by:
 - Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____. Fully describe decree _____
 - License No. 30990/02-2209 issued by the Department of Water Resources.
 - Claim No. _____ on file with the Department of Water Resources.
- Source of water Snake River tributary to Columbia River
(Name of stream or source)
- Date of priority of right February 25, 1963
- Amount of water
 - 79.70 c.f.s. and/or
 - _____ acre feet/annum
- Water is used for irrigation from April 1 to October 31
from _____ to _____
from _____ to _____
(Purpose) (Month-Day) (Month-Day)
- Location of point of diversion is XX Lot 6 1/2 of Section 9
Township 6 South, Range 11 East, B.M., in Elmore County;
Additional points of diversion, if any _____
- Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6 S	10 E	1									35		40	40		30	40	30	215
		2																40	40
		11	40	40	40	40	40			40	40	40	40	40	40	40	40	40	560
		12	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		13	40	40	40	40	40	40	40	40	40	40			40	40	40	40	560
		24	40	40	40	40									40	40			240
6 S	11 E	6											10						10
		7	25	25	40	40	30	40	40	40	40	40	40	40	40	40	40	40	600
		17						40	40			40							120
		18	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	600
		19						40	40			40	40		40	40	40	40	320
		20									40	40							80

DEC 19 1986

Total number of acres irrigated 3,985

9. Give last date when water was applied to beneficial use On or about October 24, 1981.
Length of extension of time requested five (5) years, or until October 24, 1991.
(Date)
10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use The water right was for the irrigation of several desert land entries. Those entries were cancelled in 1972, and the order of cancellation was upheld through administrative review and judicial review, the final judicial order having been issued in September of 1981. The holders of the entries were not able to work out a satisfactory rental arrangement with the BLM for 1982, and the land has not been irrigated since the end of the 1981 irrigation season. Since the BLM will not permit the stockholders of Cottonwood Mutual Canal Company to farm the land, it is necessary to locate another place of use, and it is estimated that five years will be required to find a place of use and construct a new system for delivery of the water.

I hereby assert that no one will be injured by such extension. The information contained in this application is true to the best of my knowledge.

COTTONWOOD CANAL COMPANY

By Alvin B. Zander
One of the (Signature of Applicant)
Statutory Trustees

Subscribed and sworn to before me this 18th day of July, 19 86.

Ainta C. McCormick
(Notary Public)

My commission expires 11/14/86

Residing at Boise, Idaho

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby APPROVE said application subject to the following conditions or reasons.

Beneficial use of water under this right shall resume on or before July 1, 1991.

Approval of this Extension of Time to Avoid Forfeiture of a Water Right does not acknowledge, determine or prejudice the ultimate determination of the ownership of the water right.

Witness my hand this 14th day of November, 19 88.

John W. Saxon
Chief, Investigations Bureau

DEC 19 1988

For Department Use Only

Received by tg Date 7-31-86 Time _____ Preliminary check by _____

Fee \$ 50.00 Received by tg Date 7-31-86 Publication prepared by _____

Published in _____ Dates _____

Publication approved by _____ Date _____ Protests filed by: _____

Copies of protests forwarded by _____ Hearing held by _____ Date _____

Recommended for // Approval // Denial by J.m.

Exhibit B, page 2

BEFORE THE IDAHO WATER RESOURCE BOARD

OF THE

STATE OF IDAHO

1.0017.1

MAR 27 1991

ET

IN THE MATTER OF APPLICATION)
02-2209 TO LEASE WATER TO THE)
WATER SUPPLY BANK)

RESOLUTION

WHEREAS, the Cottonwood Canal Company (applicant) has submitted an application to place 58.1 cfs of water represented by License No. 02-2209 into the Water Supply Bank (bank) which is administered by the Idaho Water Resource Board (Board); and

WHEREAS, the Director of the Department of Water Resources (Director) has investigated the water right and the application to lease the right to the bank as required by Water Supply Bank Rule 3.3 and there is a question as to the validity of this water right which will be determined at a later time by the Director; and

WHEREAS, the Director and the Board find that other requirements for leasing water to the bank have been met by the applicant,

NOW, THEREFORE, BE IT RESOLVED:

1. That rental of water from the bank under License No. 02-2209 be contingent upon the future review of the license and finding of the validity of the right and that this resolution shall not be considered an approval of any type or nature of the validity of the said water right.
2. That the Board accept License No. 02-2209 into the bank on a contingency basis with payment to be made to the lessor only upon rental of the right or portion thereof from the bank; and
3. That the rental price of the water be consistent with the rental amount charged in Water District 1.

Adopted this 22 day of March, 1991.

Attest:

Secretary

F. Doug Gzales
Chairman

Exhibit C

DEED TO A WATER RIGHT

FOR VALUABLE CONSIDERATION, the receipt and sufficiency whereof are hereby acknowledged, Cottonwood Mutual Canal Company, an Idaho corporation, also known as Cottonwood Canal Company, does hereby grant and convey unto Idaho Power Company, an Idaho corporation, a water right for 2680 acre feet of the waters of the Snake River, with priority date of February 25, 1963, being part Water Right No. 02-10337 as modified by water right Transfer No. 73568, attached hereto as Exhibit A, that originally was appurtenant to 670 acres of the land within the place of use for Water Right No. 02-10337 described in Exhibit A.

TO HAVE AND TO HOLD, all and singular the above mentioned and described property together with the appurtenances unto Idaho Power Company, and to its successors and assigns forever.

IN WITNESS WHEREOF, the name of Cottonwood Canal Company has been hereunto subscribed by Paul Hogg, the Vice President of Cottonwood Mutual Canal Company, having been thereunto duly authorized by resolution of the Board of Directors of that corporation.

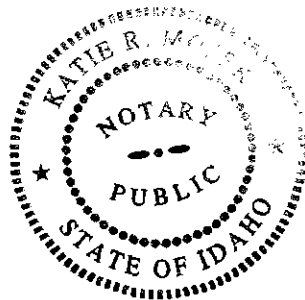
COTTONWOOD MUTUAL CANAL COMPANY
(also known as Cottonwood Canal Company)

By Paul Hogg
Vice President

STATE OF IDAHO)
) ss.
County of Ada)

On this 29 day of February, 2009, before me, Katie R. Moser, the undersigned, a notary public in and for said state, personally appeared Paul Hogg, known or identified to me to be the Vice President of Cottonwood Mutual Canal Company, the Idaho corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

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



Katie R. Moser
Notary Public for Idaho
Residing at Davis, Idaho
My Commission Expires 2/20/2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73568

This is to certify that: HAGERMAN WINGS FARM LLC
 823 E 2700 S
 HAGERMAN ID 83332
 (208) 837-9153

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
2-10208	AJC/License	02/25/1963	49.16 cfs	9832 af	2,458.0	3,080.0	SNAKE RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
2-10208	YES	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
-----------------------	----------------------------------	----------------------	------------------------	-------------------	--------------------	------------------------------------	-----------------------	-------------------------	-----------------------------	------------------------------

2-10208	2-10338	0.60 cfs	120 af	30.0	202.0	2-10337	48.56 cfs	9712 af	2,428.0	3,080.0
---------	----------------	----------	--------	------	-------	----------------	-----------	---------	---------	---------

COMBINED

TOTALS		0.60 cfs	120 af	30.0	202.0		N/A	N/A	N/A	N/A
---------------	--	----------	--------	------	-------	--	-----	-----	-----	-----

Detailed Water Right Description(s) attached

Dated this 12th day of July, 20 07


 Administrator, Water Management Division

END

SUPPORT DATA

IN FILE # 2-10208

WATER RIGHT NO. 2-10337
As Modified by Transfer No. 73568

In accordance with the approval of Transfer No. 73568, Water Right No. 2-10337 is now described as follows.

Right Holder: COTTONWOOD MUTUAL CANAL CO
 C/O RINGERT CLARK CHARTERED
 PO BOX 2773
 BOISE ID 83701

Priority Date: February 25, 1963

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	48.56 CFS	9,712.0 AF
			48.56 CFS	9,712.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER L6 (NWSW) Sec. 9 Twp 06S Rge 11E ELMORE 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	
06S 10E 1									35.0		40.0	14.5					89.5
06S 10E 2															40.0		40.0
06S 10E 11		40.0			40.0			40.0									120.0
06S 10E 12				18.5	40.0	40.0	40.0	40.0		20.0	40.0	40.0	40.0	40.0	40.0	40.0	438.5
06S 10E 13	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0			40.0	40.0	40.0	40.0	560.0
06S 10E 24	40.0	40.0	40.0	40.0									40.0	40.0			240.0
06S 11E 6											10.0						10.0
06S 11E 7	25.0	25.0	40.0	40.0	30.0	38.0	38.0	40.0	40.0	38.0	38.0	40.0	40.0	40.0	40.0	40.0	592.0
06S 11E 17						L1	L2			L3	L4						120.0
						40.0	40.0			40.0							
06S 11E 18	40.0	40.0	40.0	40.0	40.0	38.0	38.0	40.0	40.0	38.0	38.0	40.0					472.0
						L1	L2			L3	L4						
06S 11E 19							39.0		40.0	39.0		40.0	40.0	40.0	40.0	40.0	318.0
							L2			L3							
06S 11E 20										40.0	40.0						80.0

Total Acres: 3080

WATER RIGHT NO. 2-10337
As Modified by Transfer No. 73568

CONDITIONS OF APPROVAL

1. Approval of transfer 69980 does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
2. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
3. Use of the rights listed below is limited to a total combined diversion rate of 89.64 cfs. Combined Right Nos.: 2-103, 2-4021, and all parts of base right 2-2029 including 2-2209B, 2-2209C, 2-2209E, 2-10187, 2-10189, 2-10191, 2-10196, 2-10209, and 2-10337.
4. This right is limited to the irrigation of 2428 acres within the place of use described above in a single irrigation season.
5. This right is a split from former right 02-2209, and from recommended right 2-10208.
6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 12th day of July, 20 07


Administrator, Water Management Division

WATER RIGHT NO. 2-10338
As Modified by Transfer No. 73568

In accordance with the approval of Transfer No. 73568, Water Right No. 2-10338 is now described as follows.

Right Holder: COTTONWOOD MUTUAL CANAL CO
 C/O RINGERT CLARK CHARTERED
 PO BOX 2773
 BOISE ID 83701

Priority Date: February 25, 1963

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.60 CFS	120.0 AF
			0.60 CFS	120.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER L3 (NESE) Sec. 16 Twp 07S Rge 13E GOODING 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	
07S	13E	15							28.0	37.0	23.0	40.0	40.0	11.0					179.0
									L 5										
07S	13E	16				3.0									20.0				23.0
						L 3									L 3				

Total Acres: 202

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 30 acres within the place of use described above in a single irrigation season.
2. Rights 2-10338, 36-98 and 36-15467 when combined shall not exceed a total diversion rate of 10.55 cfs, a total annual maximum diversion volume of 484.0 af at the field headgate, and the irrigation of 121 acres.
3. Prior to diversion of water under this transfer approval the right holder shall submit to the Department a diagram identifying the specific location of the 121.0 acres authorized for irrigation annually, and prior to the irrigation season any year when irrigated acres will be different than previously identified.
4. All rights combined, when applied to these lands via sprinklers, shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 2-10338
As Modified by Transfer No. 73568

CONDITIONS OF APPROVAL

5. The period of use for the irrigation described in this approval may be extended to a beginning date of 2/15 and an ending date of 11/30 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the elements and conditions of this water right as authorized under this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 12th day of July, 2007

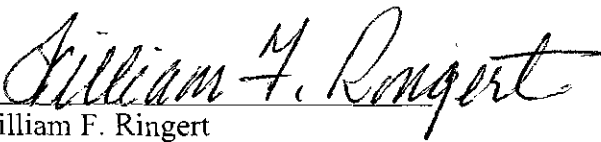

Administrator, Water Management Division

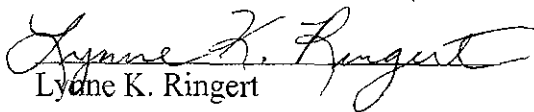
DEED TO A WATER RIGHT

FOR VALUABLE CONSIDERATION, the receipt and sufficiency whereof are hereby acknowledged, William F. Ringert and Lynne K. Ringert, husband and wife, do hereby grant and convey unto Idaho Power Company, an Idaho corporation, a water right for 320 acre feet of the waters of the Snake River, with priority date of February 25, 1963, being part Water Right No. 02-10337 as modified by water right Transfer No. 73568, attached hereto as Exhibit A, that originally was appurtenant to 80 acres of the land within the place of use for Water Right No. 02-10337 described in Exhibit A.

TO HAVE AND TO HOLD, all and singular the above mentioned and described property together with the appurtenances unto Idaho Power Company, and to its successors and assigns forever.

WILLIAM F. RINGERT and
LYNNE K. RINGERT,
husband and wife

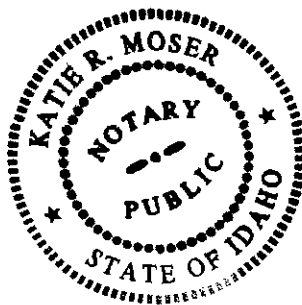

William F. Ringert


Lynne K. Ringert

STATE OF IDAHO)
) ss.
County of Ada)

On this 23 day of February, 2009, before me, Katie R. Moser, the undersigned, a notary public in and for said state, personally appeared William F. Ringert and Lynne K. Ringert, known or identified to me to be the husband and wife that executed the foregoing instrument, and acknowledged to me that they executed the same.

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



Katie R. Moser
Notary Public for Idaho
Residing at Oasis, Idaho
My Commission Expires 2/20/2014

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73568**

This is to certify that: HAGERMAN WINGS FARM LLC
823 E 2700 S
HAGERMAN ID 83332
(208) 837-9153

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
2-10208	AJC/License	02/25/1963	49.16 cfs	9832 af	2,458.0	3,080.0	SNAKE RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
2-10208	YES	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
2-10208	2-10338	0.60 cfs	120 af	30.0	202.0	2-10337	48.56 cfs	9712 af	2,428.0	3,080.0
COMBINED										
TOTALS		0.60 cfs	120 af	30.0	202.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 12th day of July, 20 07


Administrator, Water Management Division

EXHIBIT A

SUPPORT DATA
IN FILE # 2-10208

WATER RIGHT NO. 2-10337
As Modified by Transfer No. 73568

In accordance with the approval of Transfer No. 73568, Water Right No. 2-10337 is now described as follows.

Right Holder: COTTONWOOD MUTUAL CANAL CO
 C/O RINGERT CLARK CHARTERED
 PO BOX 2773
 BOISE ID 83701

Priority Date: February 25, 1963

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	48.56 CFS	9,712.0 AF
			48.56 CFS	9,712.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER L6 (NWSW) Sec. 9 Twp 06S Rge 11E ELMORE 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	
06S 10E 1									35.0		40.0	14.5					89.5
06S 10E 2															40.0		40.0
06S 10E 11		40.0			40.0			40.0									120.0
06S 10E 12				18.5	40.0	40.0	40.0	40.0		20.0	40.0	40.0	40.0	40.0	40.0	40.0	438.5
06S 10E 13	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0			40.0	40.0	40.0	40.0	560.0
06S 10E 24	40.0	40.0	40.0	40.0									40.0	40.0			240.0
06S 11E 6											10.0						10.0
06S 11E 7	25.0	25.0	40.0	40.0	30.0	38.0	38.0	40.0	40.0	38.0	38.0	40.0	40.0	40.0	40.0	40.0	592.0
06S 11E 17						L 1 40.0	L 2 40.0			L 3 40.0	L 4						120.0
06S 11E 18	40.0	40.0	40.0	40.0	40.0	38.0	38.0	40.0	40.0	38.0	38.0	40.0					472.0
06S 11E 19						L 1 39.0	L 2		40.0	L 3 39.0	L 4	40.0	40.0	40.0	40.0	40.0	318.0
06S 11E 20						L 2				L 3 40.0	40.0						80.0

Total Acres: 3080

WATER RIGHT NO. 2-10337
As Modified by Transfer No. 73568

CONDITIONS OF APPROVAL

1. Approval of transfer 69980 does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
2. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
3. Use of the rights listed below is limited to a total combined diversion rate of 89.64 cfs. Combined Right Nos.: 2-103, 2-4021, and all parts of base right 2-2029 including 2-2209B, 2-2209C, 2-2209E, 2-10187, 2-10189, 2-10191, 2-10196, 2-10209, and 2-10337.
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This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 12th day of July, 20 07


Administrator, Water Management Division

WATER RIGHT NO. 2-10338
As Modified by Transfer No. 73568

In accordance with the approval of Transfer No. 73568, Water Right No. 2-10338 is now described as follows.

Right Holder: COTTONWOOD MUTUAL CANAL CO
C/O RINGERT CLARK CHARTERED
PO BOX 2773
BOISE ID 83701

Priority Date: February 25, 1963

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.60 CFS	120.0 AF
			0.60 CFS	120.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER L3 (NESE) Sec. 16 Twp 07S Rge 13E GOODING 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	
07S 13E 15							28.0	37.0	23.0	40.0	40.0	11.0					179.0
							L 5										
07S 13E 16				3.0									20.0				23.0
				L 3									L 3				

Total Acres: 202

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 30 acres within the place of use described above in a single irrigation season.
2. Rights 2-10338, 36-98 and 36-15467 when combined shall not exceed a total diversion rate of 10.55 cfs, a total annual maximum diversion volume of 484.0 af at the field headgate, and the irrigation of 121 acres.
3. Prior to diversion of water under this transfer approval the right holder shall submit to the Department a diagram identifying the specific location of the 121.0 acres authorized for irrigation annually, and prior to the irrigation season any year when irrigated acres will be different than previously identified.
4. All rights combined, when applied to these lands via sprinklers, shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 2-10338
As Modified by Transfer No. 73568

CONDITIONS OF APPROVAL

5. The period of use for the irrigation described in this approval may be extended to a beginning date of 2/15 and an ending date of 11/30 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
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8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the elements and conditions of this water right as authorized under this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 12th day of July, 2007


Administrator, Water Management Division

APR 09 2008
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

APR - 8 2008

By _____
Clerk
Deputy Clerk

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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right: 02-10337
	)	
	)	

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order I*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water right be **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED April 8, 2008

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 02-10337

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

APR - 8 2008

By _____ Clerk
_____ Deputy Clerk

NAME AND ADDRESS: COTTONWOOD MUTUAL CANAL CO
C/O RINGERT CLARK CHARTERED
PO BOX 2773
BOISE, ID 83701

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 48.56 CFS
9712.00 AFY

PRIORITY DATE: 02/25/1963

POINT OF DIVERSION: T06S R11E S09 LOT 6 (NWSW) Within Elmore County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	48.55 CFS 9712.00 AFY

PLACE OF USE:	Irrigation	Within Elmore County
T06S R10E S01	NESW 35.0	SWSW 40.0
	SESW 14.5	
S02	SESE 40.0	
S12	SENE 18.5	NENW 40.0
	NWNW 40.0	SWNW 40.0
	SENW 40.0	NWSW 20.0
	SWSW 40.0	SESW 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
S13	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NENW 40.0	NWNW 40.0
	SWNW 40.0	SENW 40.0
	NESW 40.0	NWSW 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
S24	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NESE 40.0	NWSE 40.0
R11E S06 LOT 7	(SWSW)10.0	
S07	NENE 25.0	NWNE 25.0
	SWNE 40.0	SENE 40.0
	NENW 30.0	LOT 1 (NWNW)38.0
LOT 2	(SWNW)38.0	SENW 40.0
	NESW 40.0	LOT 3 (NWSW)38.0
LOT 4	(SWSW)38.0	SESW 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
S17	NWNW 40.0	SWNW 40.0
	NWSW 40.0	
S18	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NENW 40.0	LOT 1 (NWNW)38.0
LOT 2	(SWNW)38.0	SENW 40.0
	NESW 40.0	LOT 3 (NWSW)38.0
LOT 4	(SWSW)38.0	SESW 40.0
S19 LOT 2	(SWNW)39.0	LOT 3 (NWSW)39.0
2640.0 Acres Total		

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

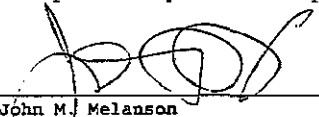
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2428 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

2008 APR 08 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
)
Case No. 39576)

)

CERTIFICATE OF MAILING

Water Right(s): 02-10337

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 02-10337 was mailed
on April 08, 2008, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

COTTONWOOD MUTUAL CANAL CO
C/O RINGERT CLARK CHARTERED
PO BOX 2773
BOISE, ID 83701

JULIE MURPHY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
04/08/08

Place of Use and Point of Diversion for Water Right 2-10337

