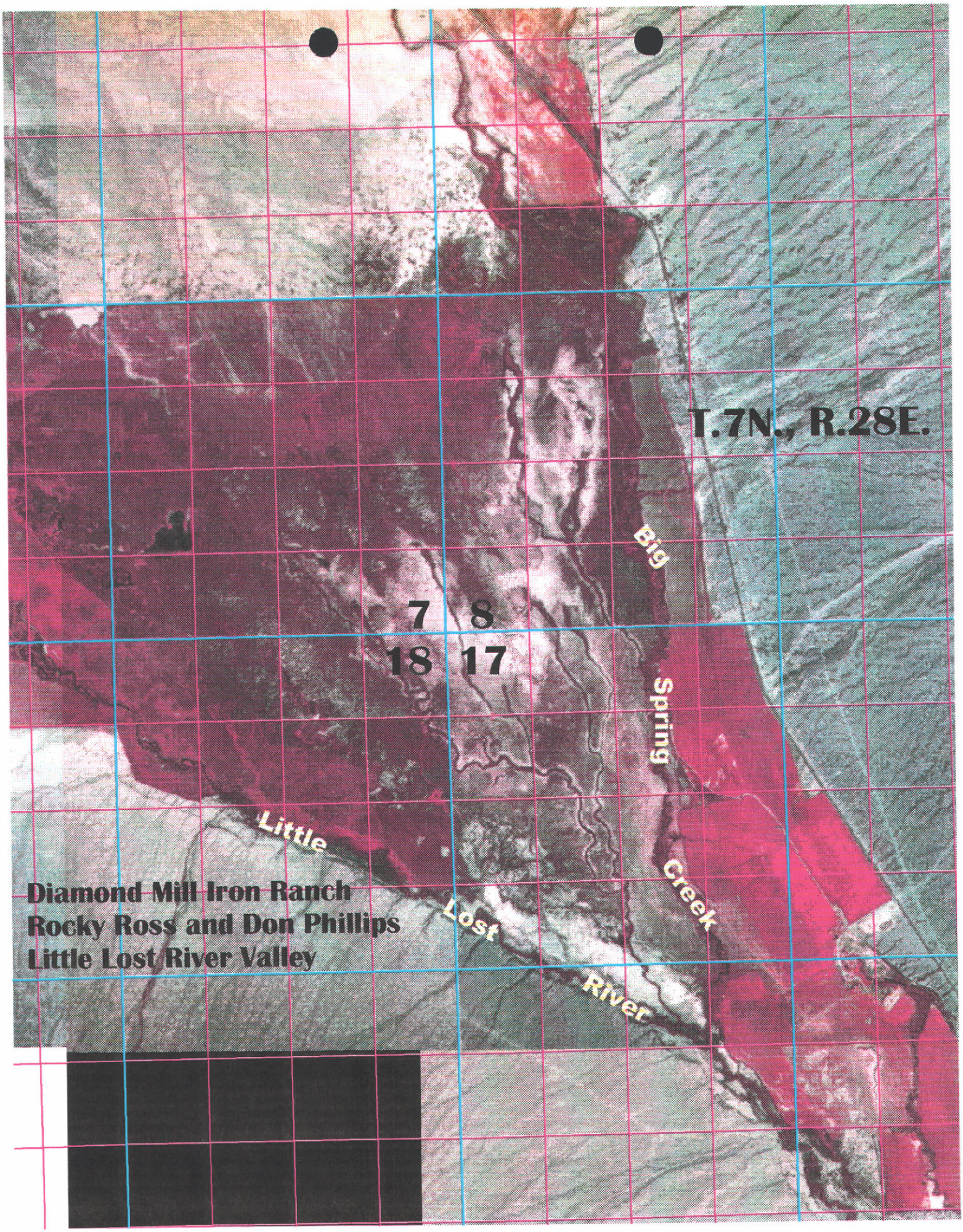
11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

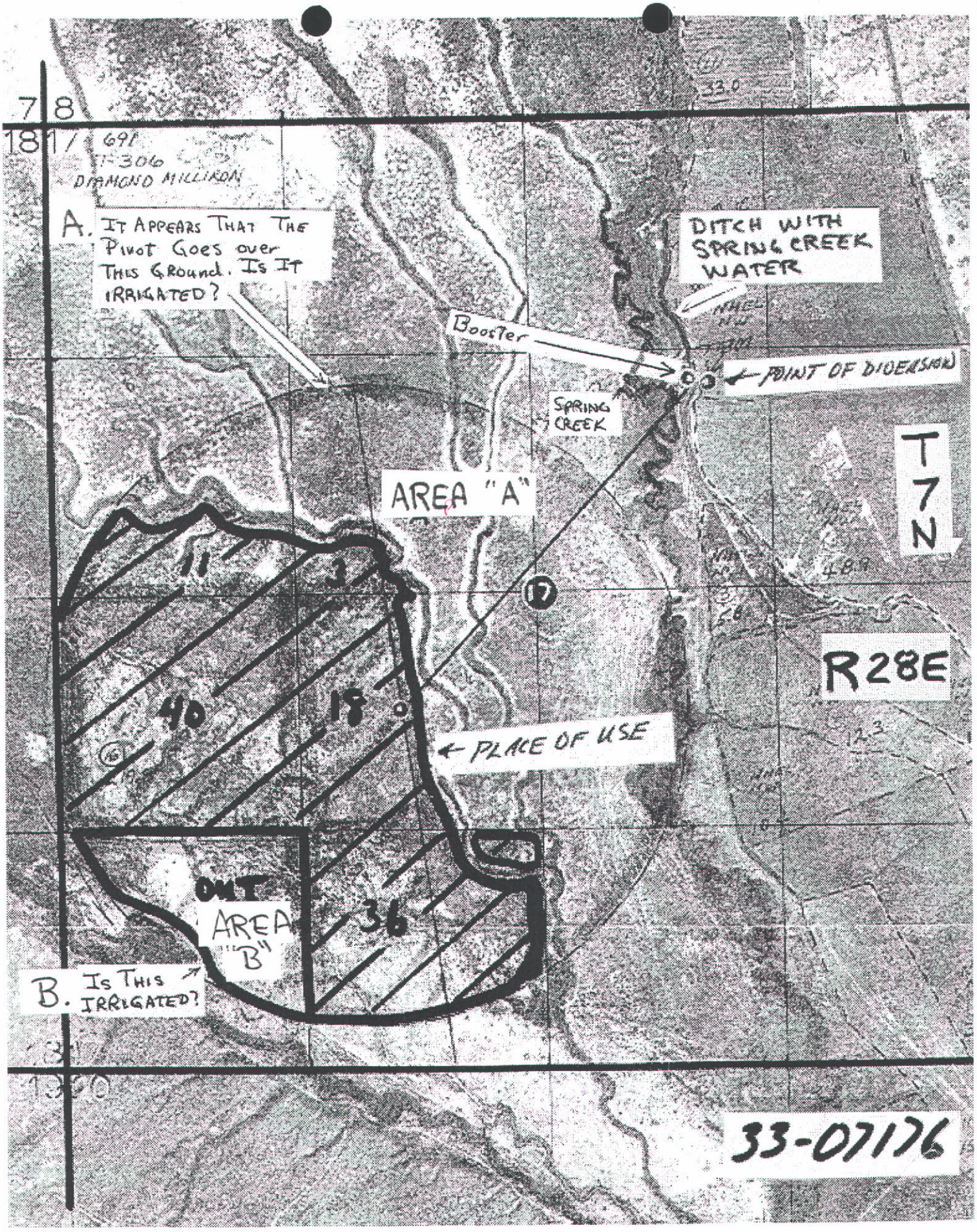
Scale: 2 inches equal 1 mile.

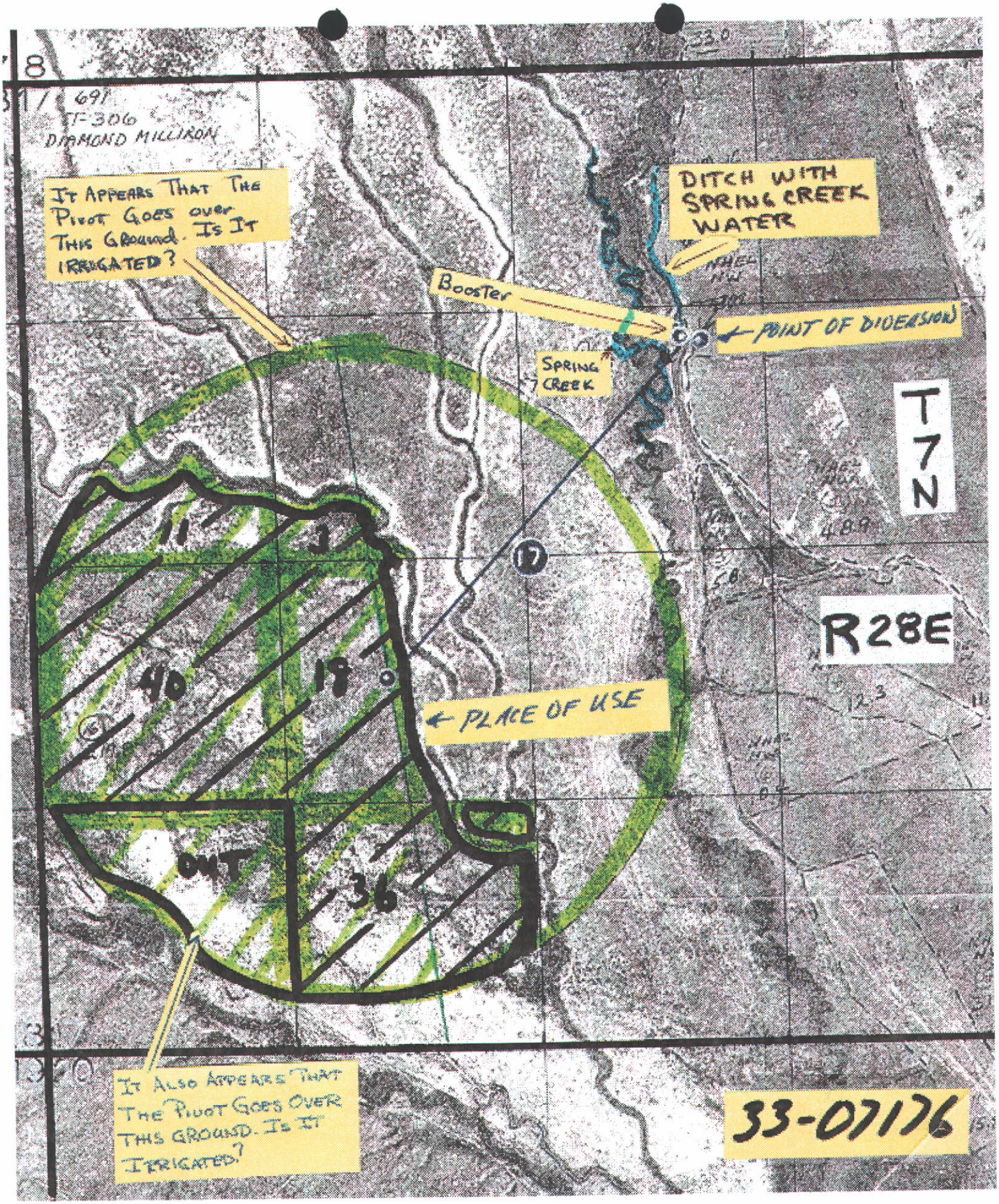
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

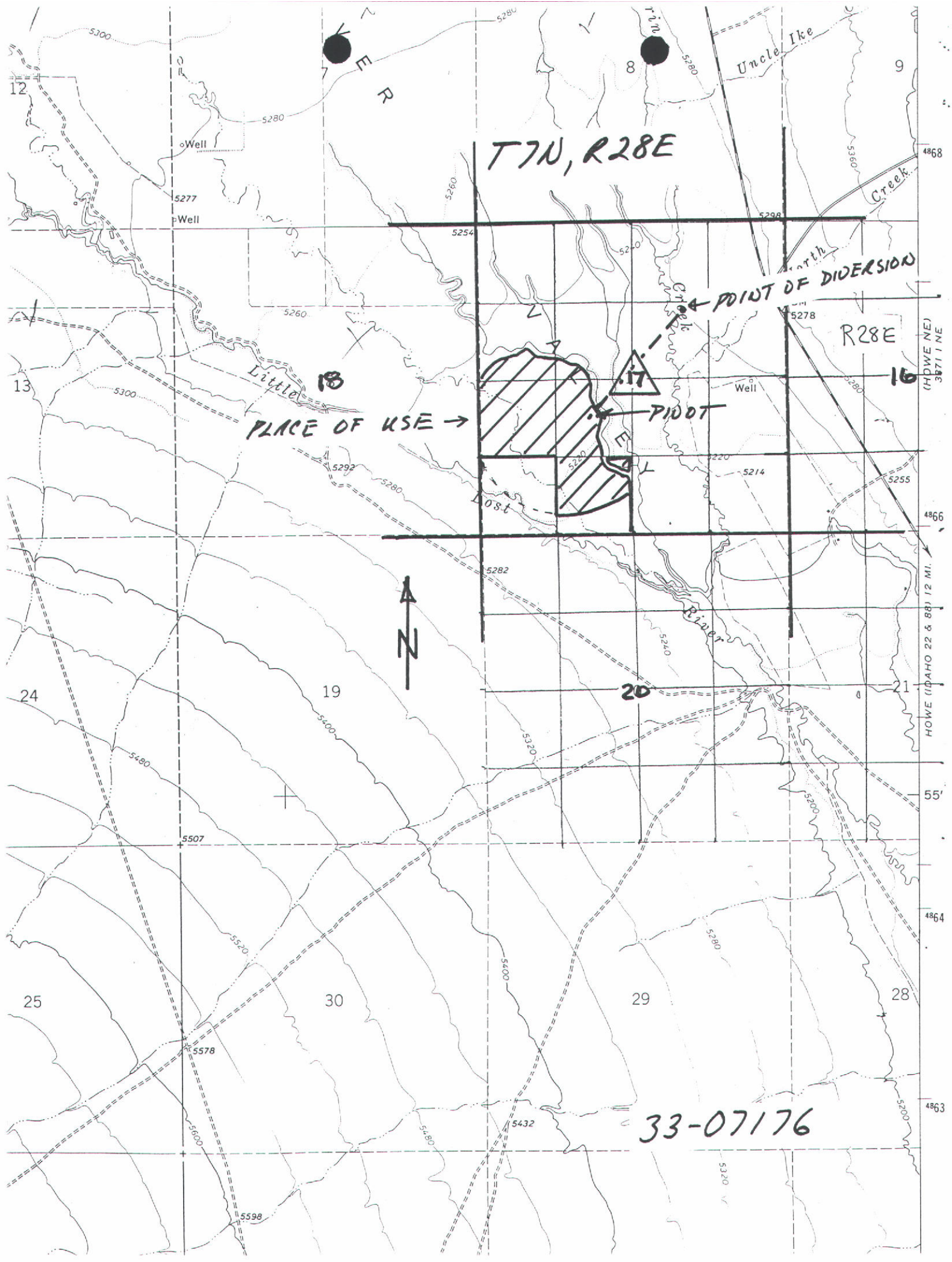
MICROFILMED
SEP 25 1990

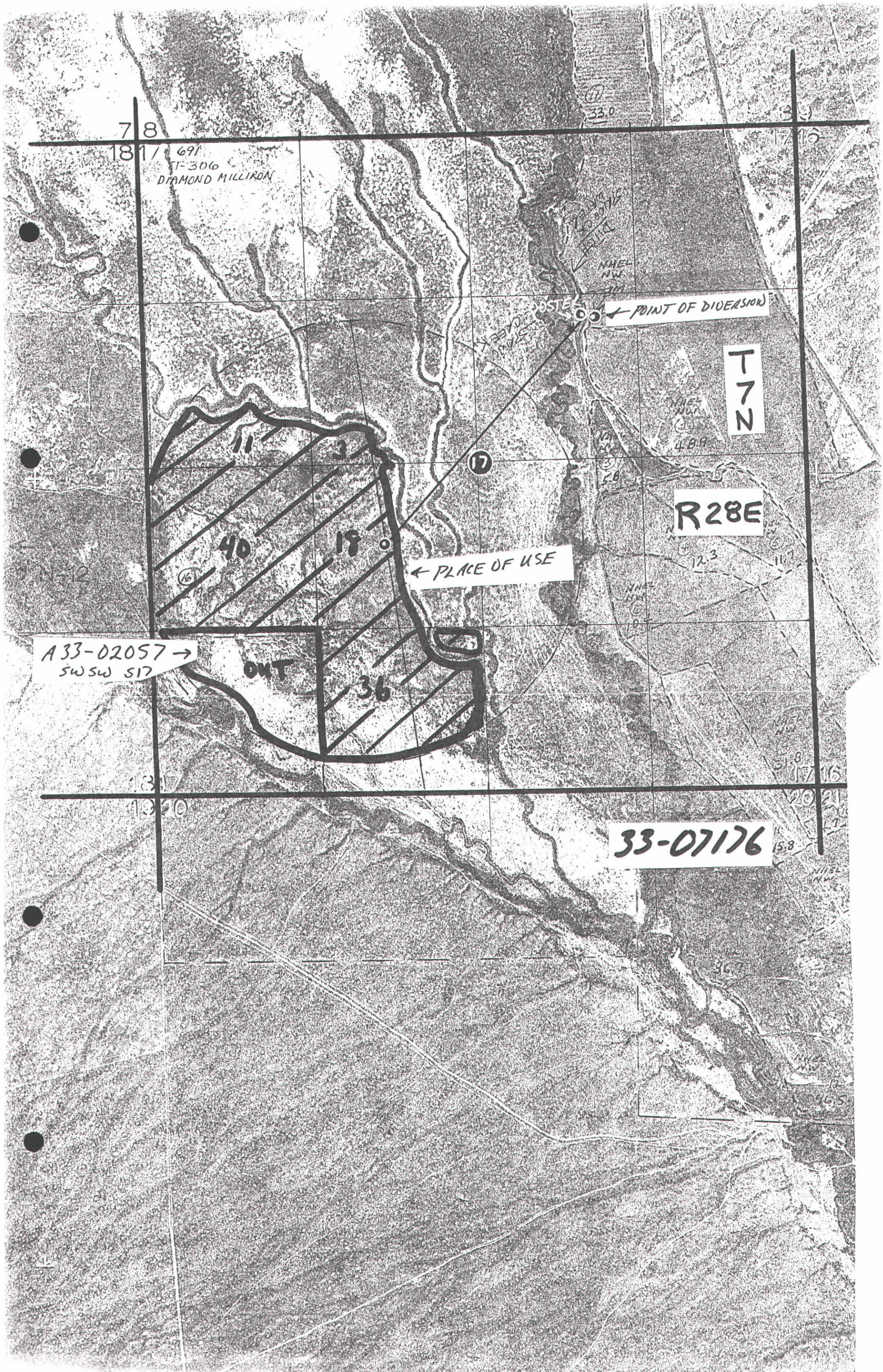
x Norma Robison
(Applicant)

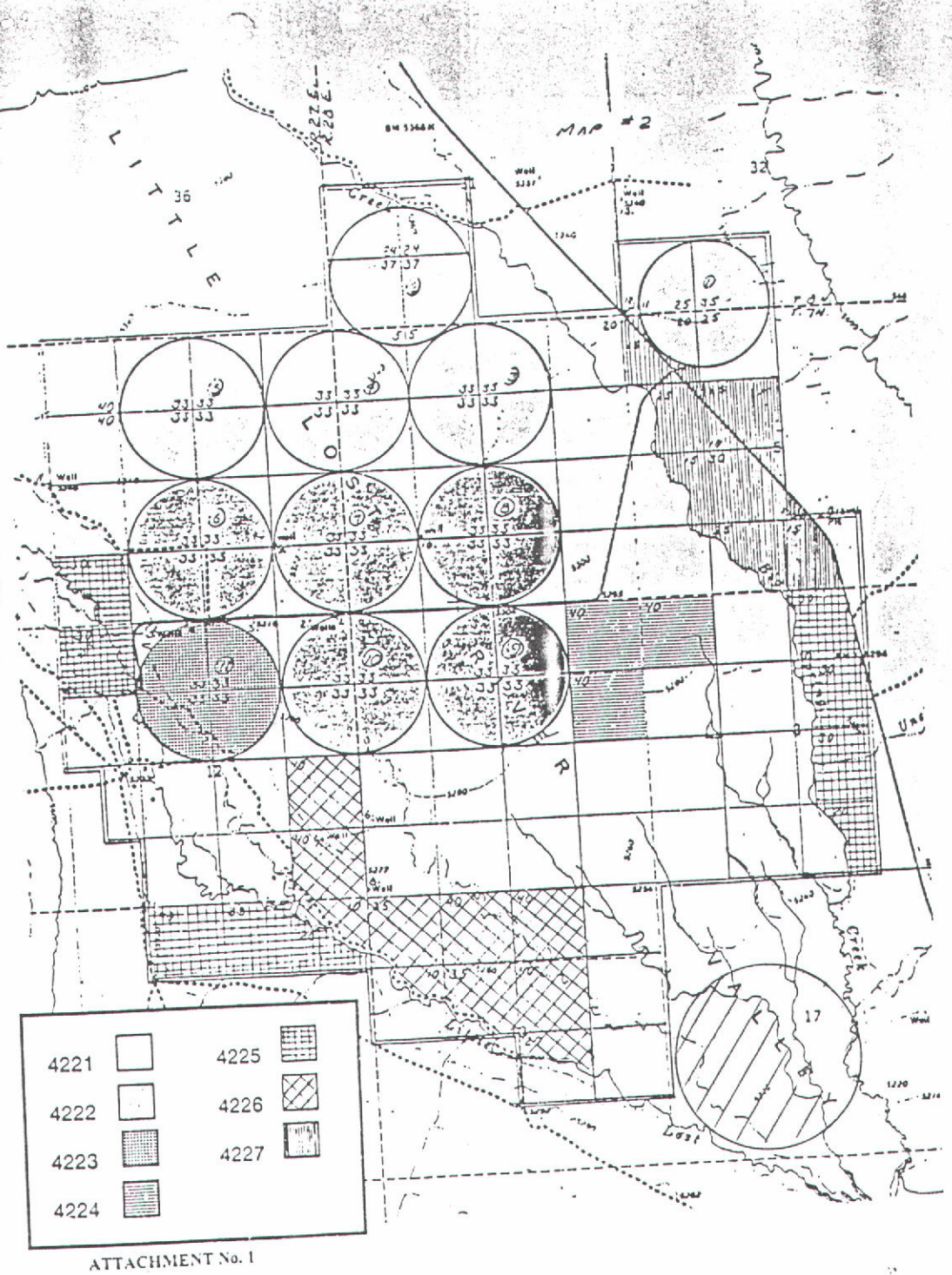

T.7N., R.28E.
7
8
18
17
Big
Spring
Creek
Little
Lost
River
Diamond Mill Iron Ranch
Rocky Ross and Don Phillips
Little Lost River Valley


7
8
18
17
691
T-306
DIAMOND MILLIRON
A. IT APPEARS THAT THE PIVOT GOES OVER THIS GROUND. IS IT IRRIGATED?
DITCH WITH SPRING CREEK WATER
BOOSTER
← POINT OF DIVERSION
SPRING CREEK
AREA "A"
T 7 N
R 28 E
17
40
18
← PLACE OF USE
OUT
AREA "B"
36
B. IS THIS IRRIGATED?
33-07176


691
T-306
DIAMOND MILLIRON
It Appears That The Pivot Goes over This Ground. Is It IRRIGATED?
DITCH WITH SPRING CREEK WATER
Booster
POINT OF DIVERSION
SPRING CREEK
T 7 N
R 28 E
PLACE OF USE
It Also Appears That The Pivot Goes Over This Ground. Is It Irrigated?
33-07176


T7N, R28E
POINT OF DIVERSION
PLACE OF USE
PIVOT
R28E
Uncle Ike
Creek
Little
Lost
River
Well
HOWE (IDAHO 22 & 88) 12 MI.
(HOWE NE) 3671 I NE
33-07176


691
T-306
DIAMOND MILLIRON
POINT OF DIVERSION
T 7 N
R 28 E
PLACE OF USE
40
18
OUT
36
A33-02057 →
SW SW S17
33-07176

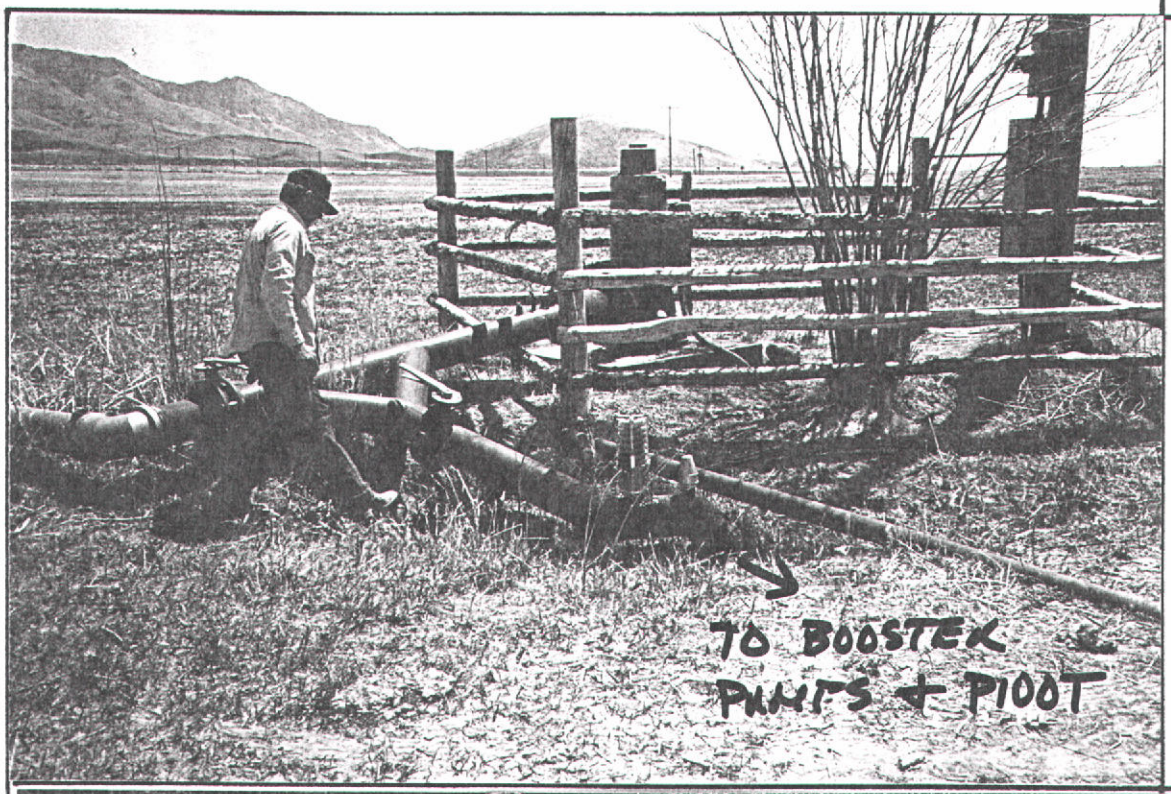


ATTACHMENT No. 1

33-07176

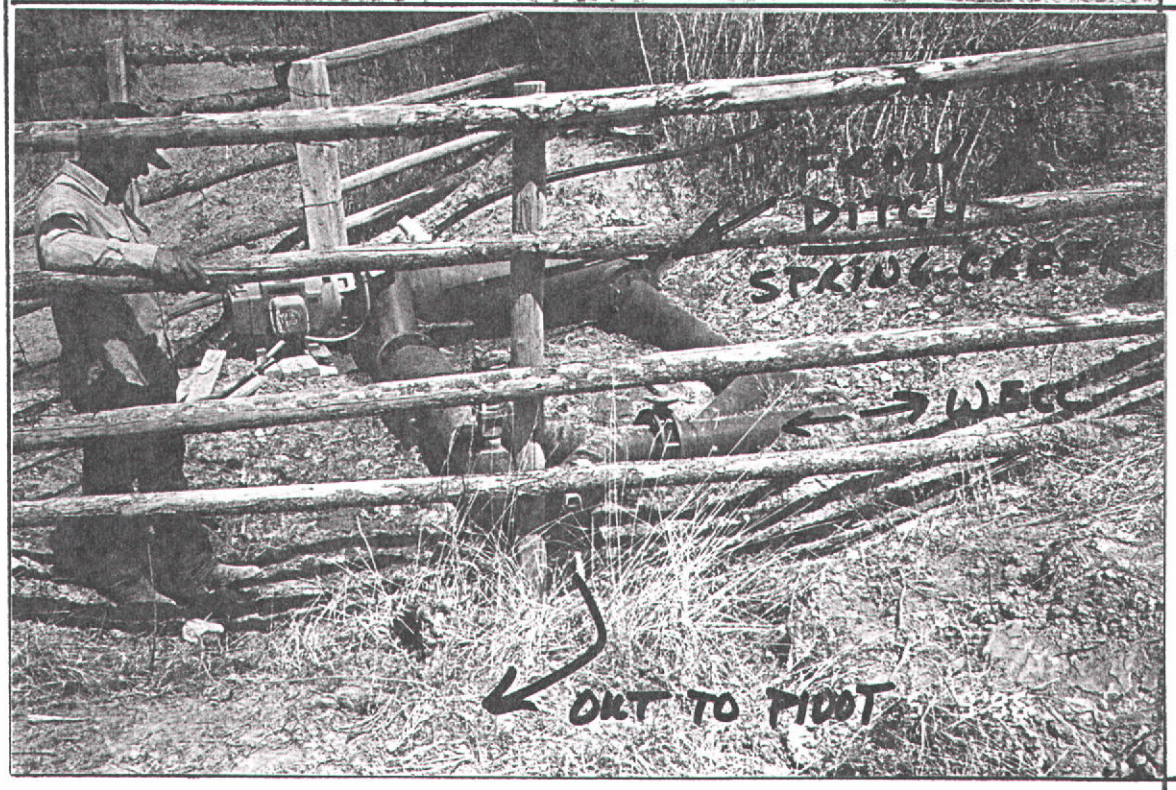
ROCKY ROSS

1 of 4



VIEW SOUTH

POINT OF DIVERSION



BOOSTER PUMP

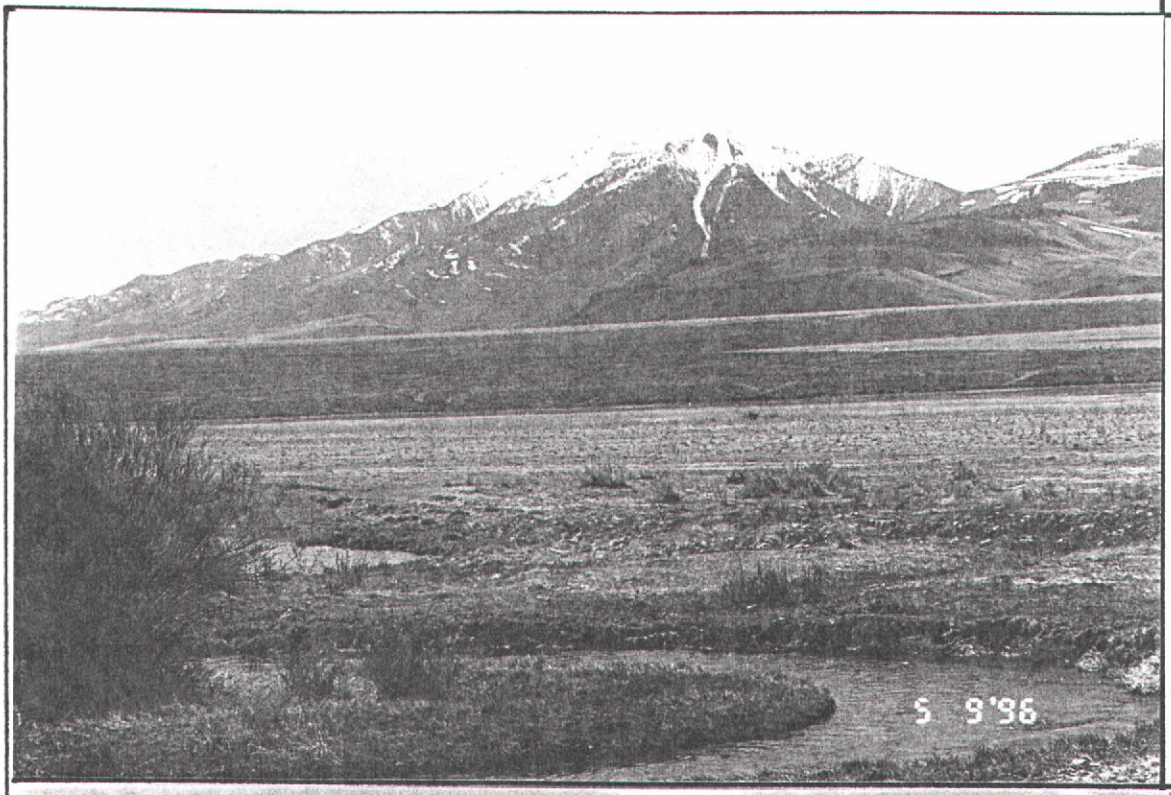
SYSTEM CAN MIX SPRING CREEK WATER WITH WELL WATER

PERMIT NUMBER

33-07176

ROCKY ROSS

2 of 4

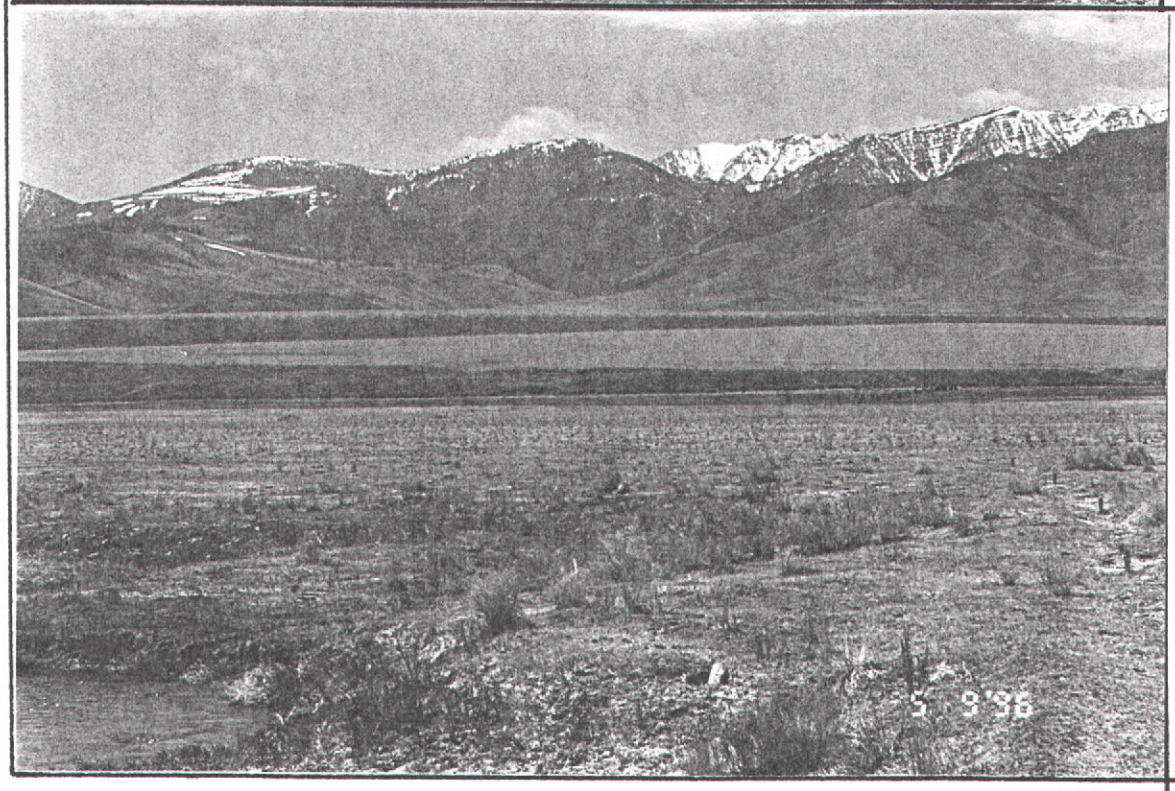


VIEW SOUTH

LEFT VIEW OF PIVOT

NO IRRIGATION IN FOREGROUND

← SPRING CREEK

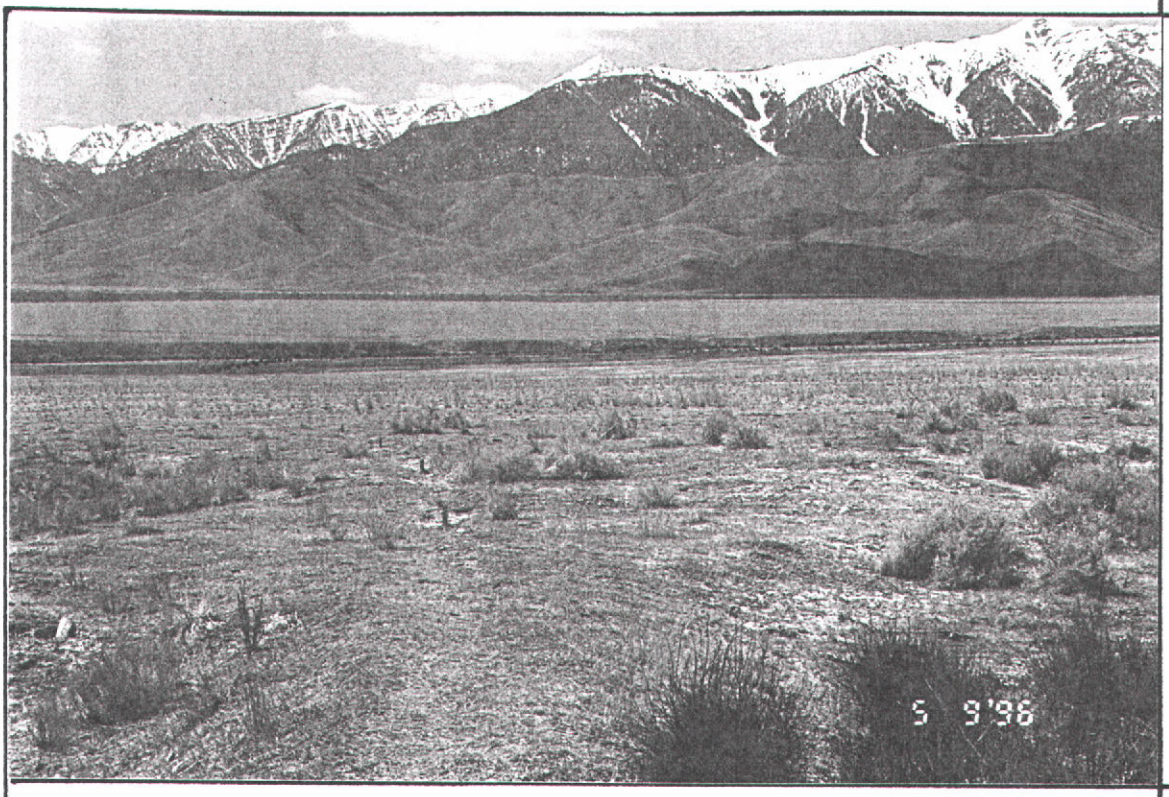


CENTER VIEW OF PIVOT.

PERMIT NUMBER 33-07176

ROCKY ROSS

3 of 4



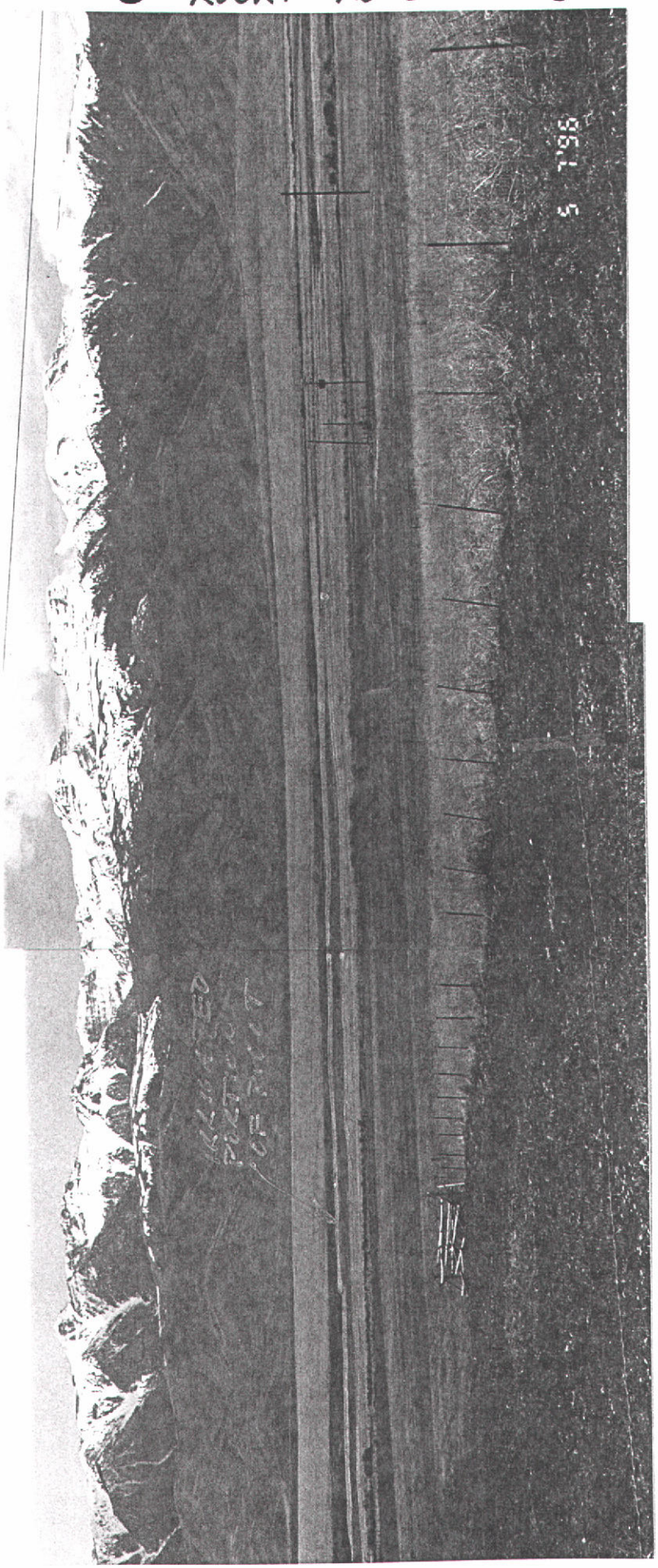
VIEW WEST

EXTREME RIGHT VIEW OF PIDOT.

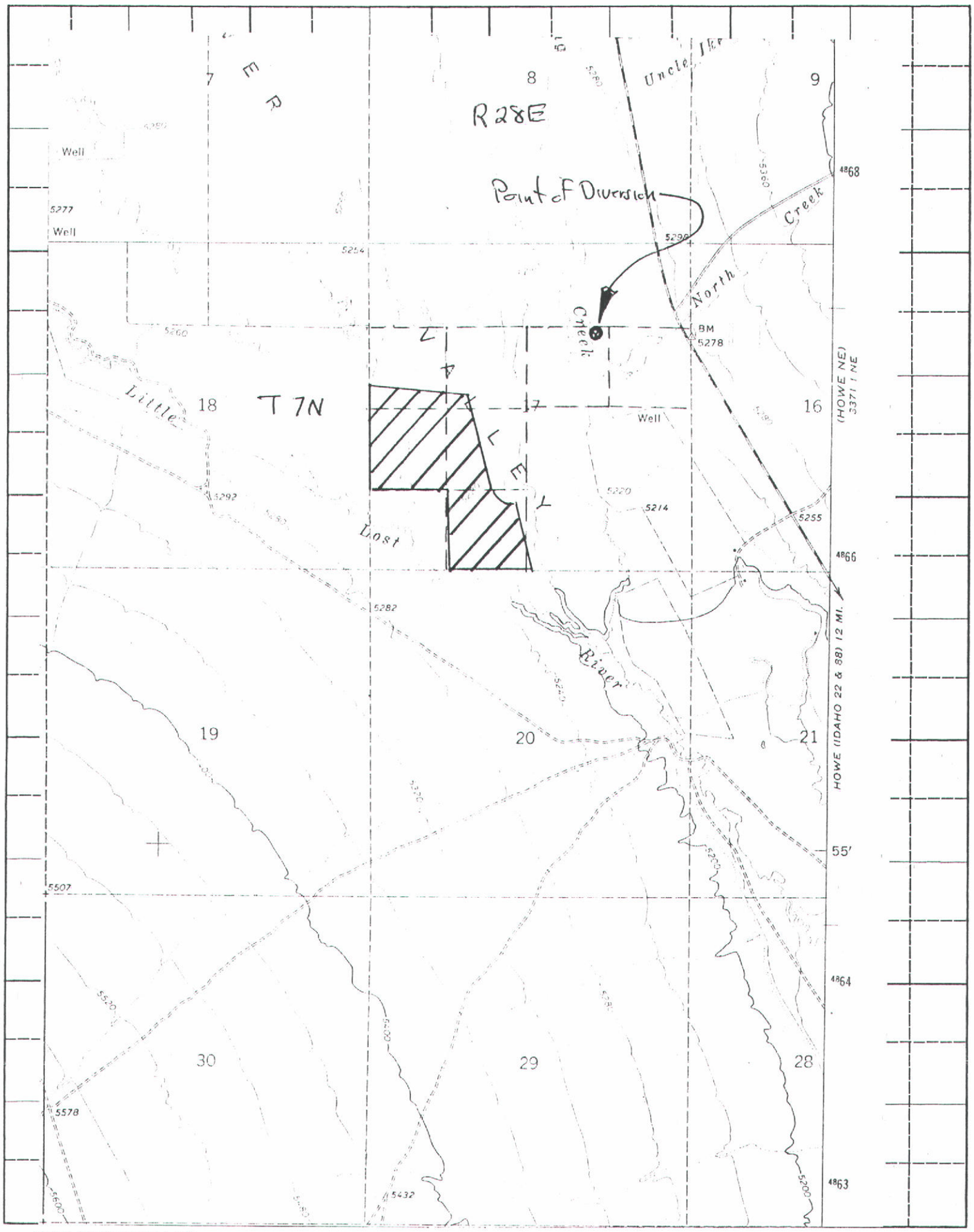
PERMIT NUMBER 33-07176

ROCKY ROSS

4 of 4



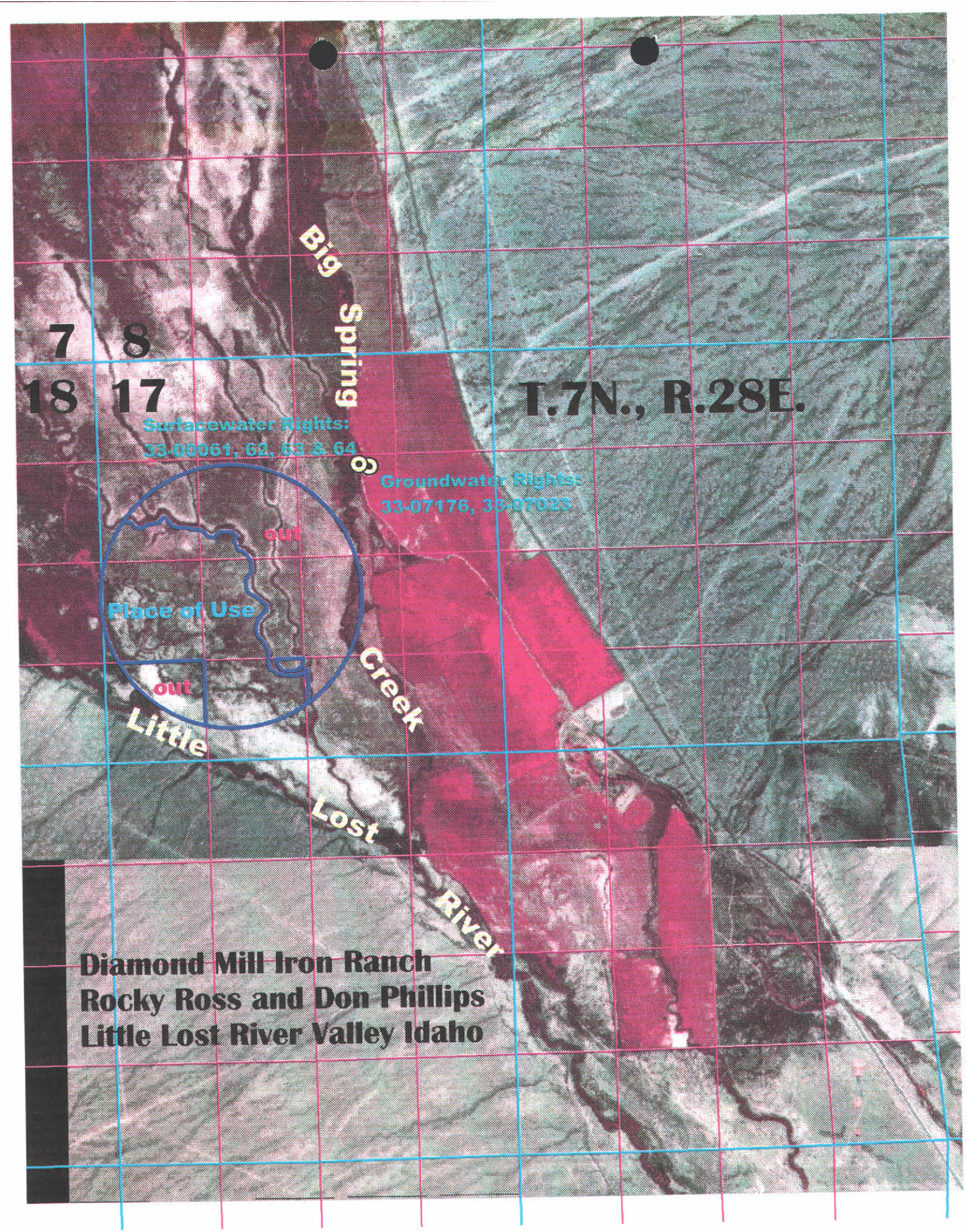
11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

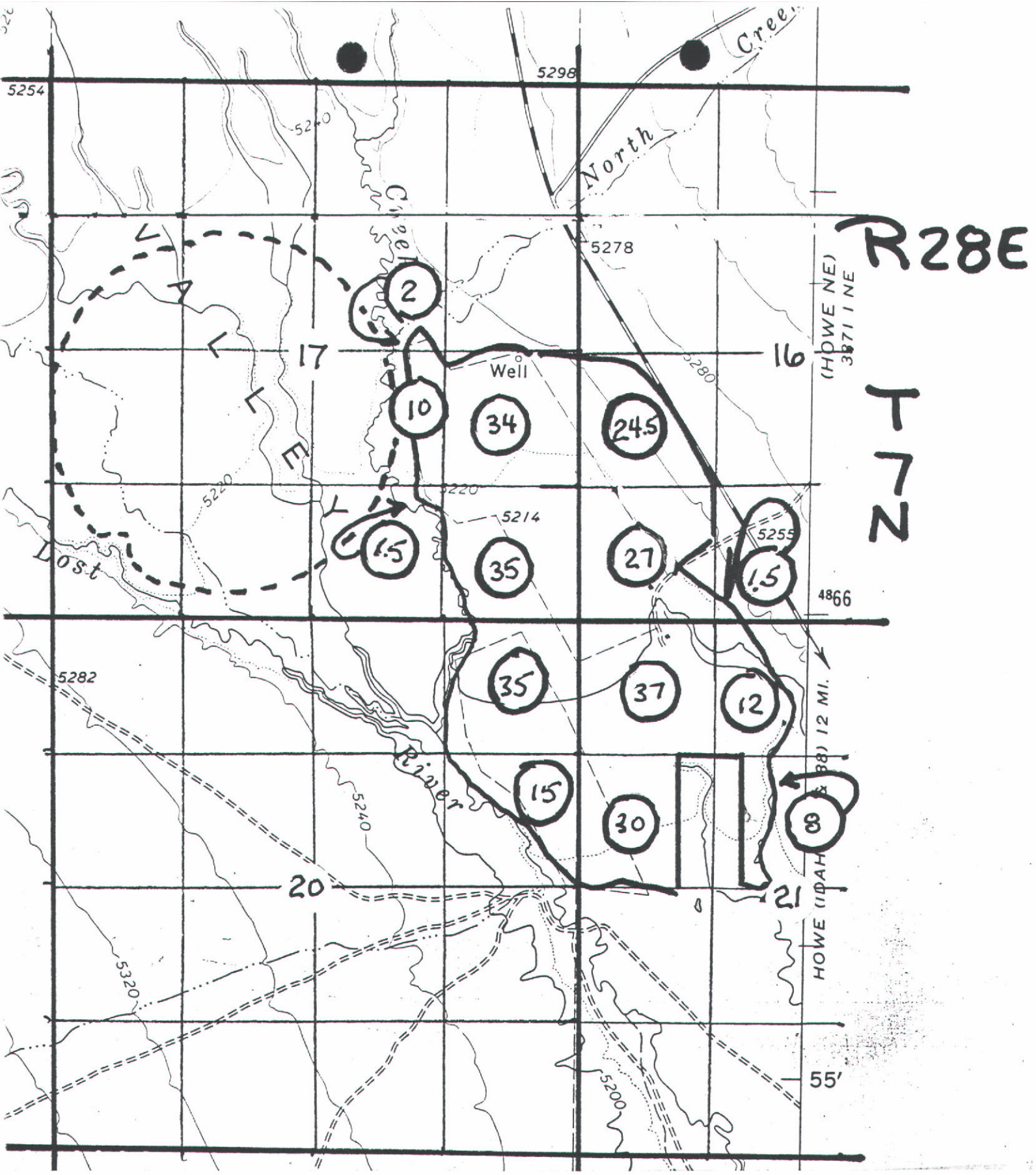


Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

x Norma Robison
(Applicant)


7
8
18
17
T.7N., R.28E.
Big Spring Creek
Surfacewater Rights:
33-00061, 62, 63 & 64
Groundwater Rights:
33-07176, 33-07023
out
Place of Use
out
Little Lost River
Diamond Mill Iron Ranch
Rocky Ross and Don Phillips
Little Lost River Valley Idaho


R28E
T7N
North
Creek
Well
VALLEY
Lost
River
5298
5254
5278
5280
5220
5214
5255
5282
5240
5320
5200
16
17
20
21
2
10
34
24.5
1.5
35
27
1.5
35
37
12
15
30
8
4866
55'
HOWE (IDAHO 88) 12 MI.
(HOWE NE) 3871 I NE

7 8
18 17
691
T-306
DIAMOND MILLIRON

IT APPEARS THAT THE PIVOT GOES over THIS GROUND. IS IT IRRIGATED?

DITCH WITH SPRING CREEK WATER

Booster

← POINT OF DIVERSION

SPRING CREEK

T7N

R28E

11

3

40

18

OUT

36

← PLACE OF USE

IT ALSO APPEARS THAT THE PIVOT GOES OVER THIS GROUND. IS IT IRRIGATED?

33-07176

A33-02057 →
SW SW S17

IS THIS IRRIGATED? ↗

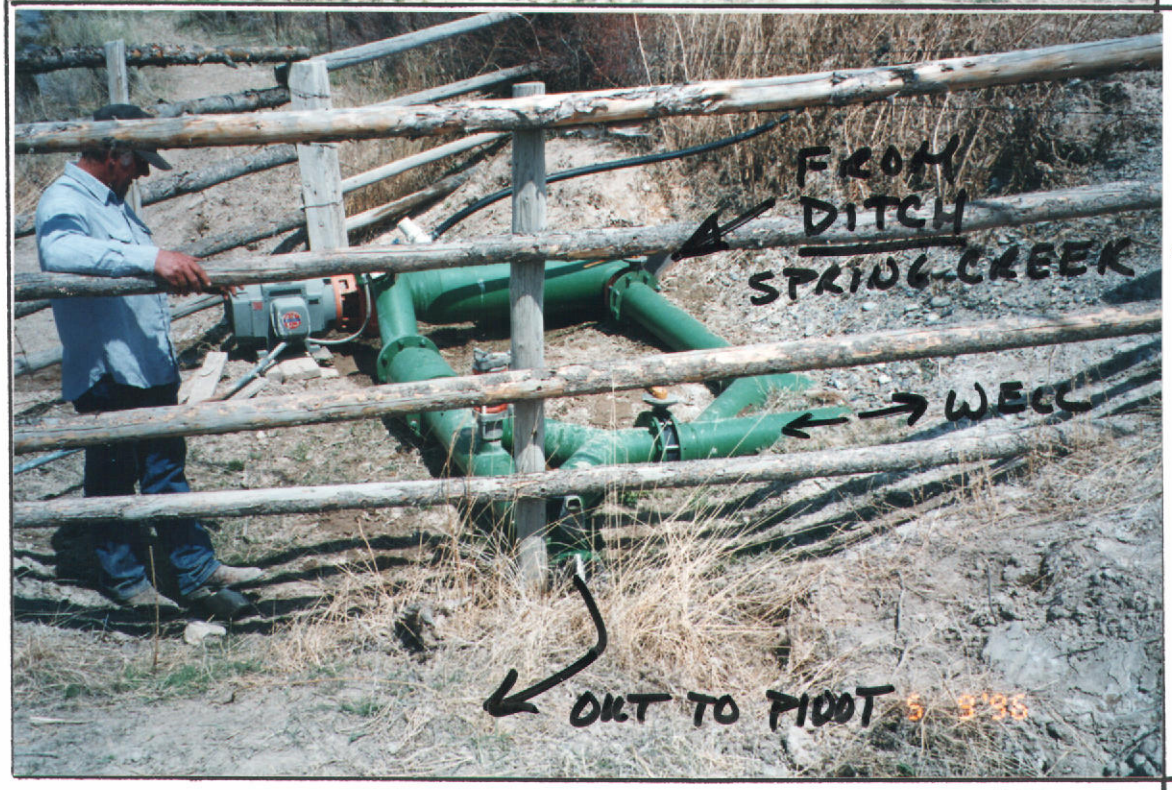
ROCKY ROSS

1 of 4



VIEW SOUTH

POINT OF DIVERSION

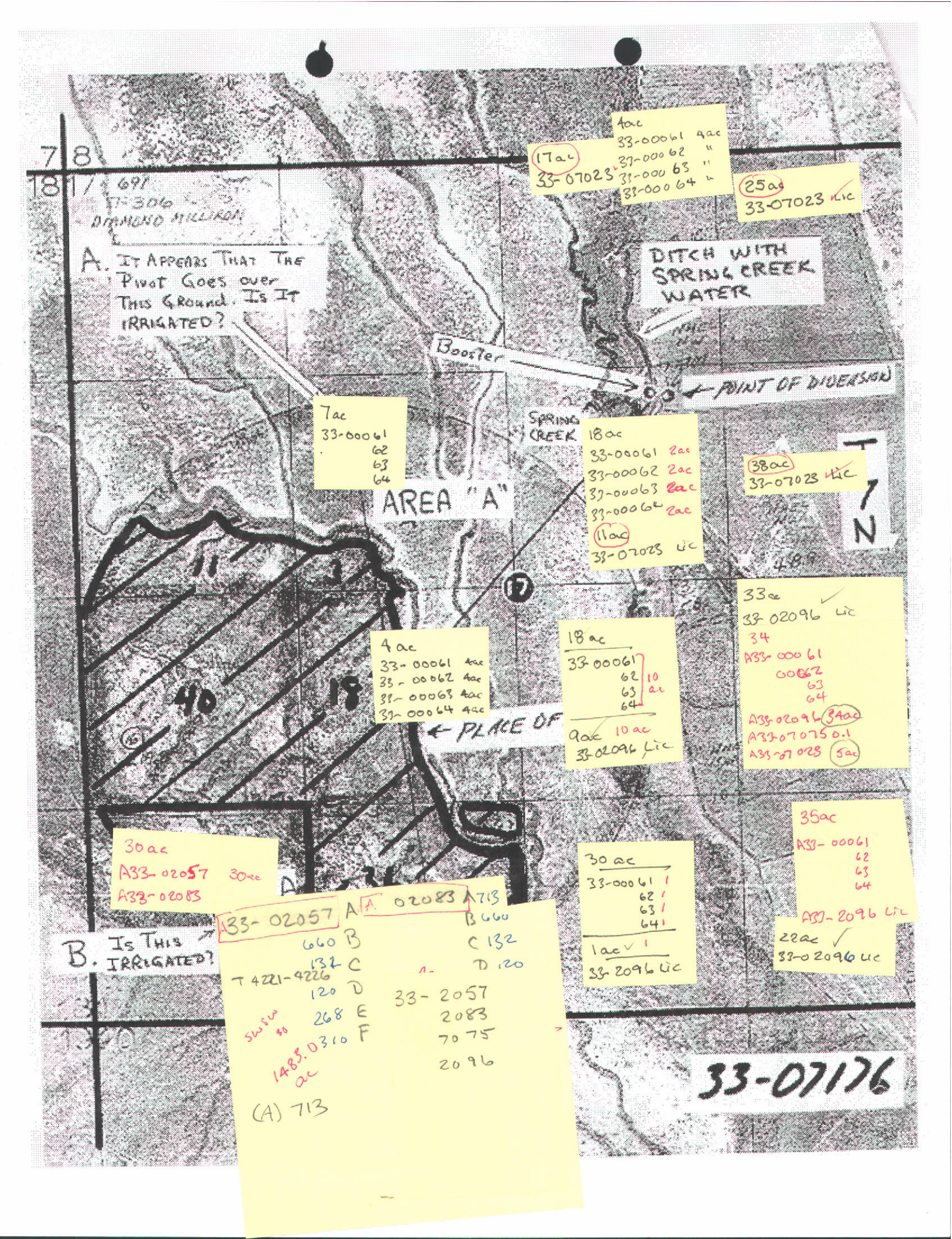


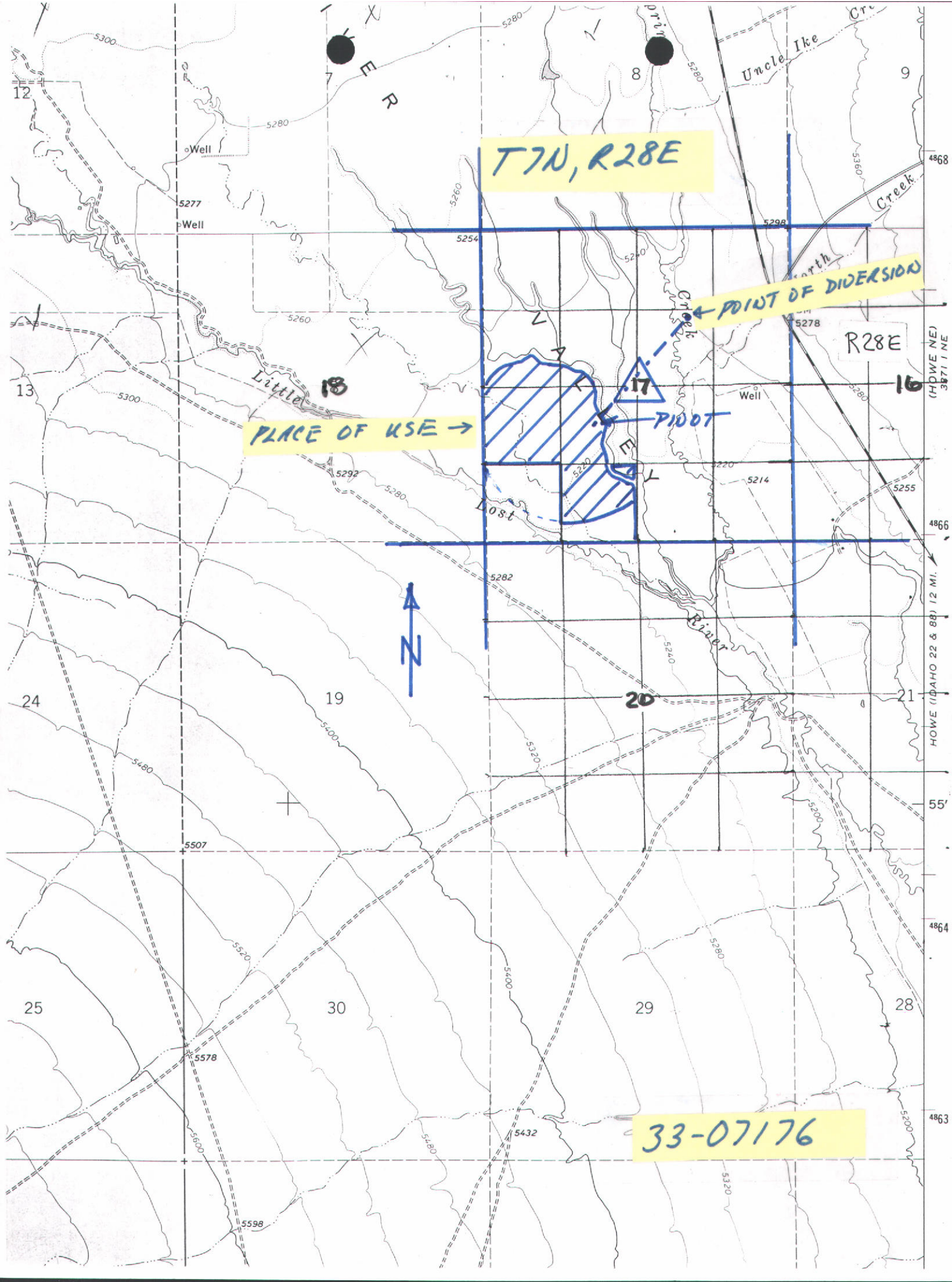
BOOSTER PUMP

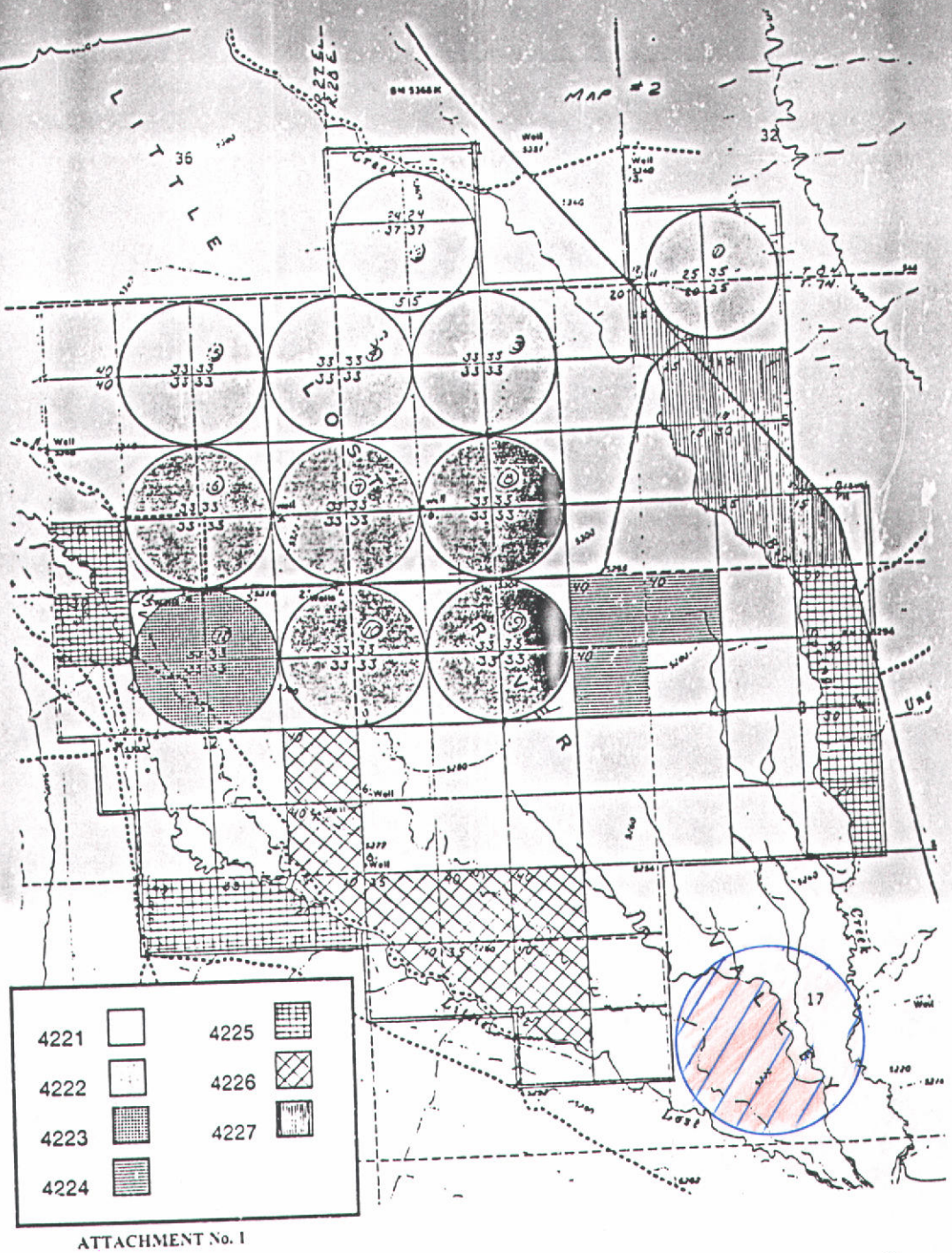
SYSTEM CAN MIX SPRING CREEK WATER WITH WELL WATER

PERMIT NUMBER

33-07176


7 8
18
691
T-306
DIAMOND MILLRON
A. IT APPEARS THAT THE PIVOT GOES over THIS GROUND. IS IT IRRIGATED?
4ac
33-00061 4ac
33-00062 "
33-00063 "
33-00064 "
17ac
33-07023
25ac
33-07023 Lic
DITCH WITH SPRING CREEK WATER
Booster
POINT OF DIVERSION
7ac
33-00061
62
63
64
SPRING CREEK
AREA "A"
18ac
33-00061 2ac
33-00062 2ac
33-00063 2ac
33-00064 2ac
11ac
33-07023 Lic
38ac
33-07023 Lic
T 17 N
11
3
17
40
18
4ac
33-00061 4ac
33-00062 4ac
33-00063 4ac
33-00064 4ac
PLACE OF
18ac
33-00061
62 10 ac
63
64
9ac 10 ac
33-02096 Lic
33ac
33-02096 Lic
34
A33-00061
00062
63
64
A33-02096 34ac
A33-07075 0.1
A33-07023 5ac
30ac
A33-02057 30ac
A33-02083
B. IS THIS IRRIGATED?
A33-02057 A A. 02083 A713
660 B B 660
132 C C 132
T 4221-4226 D 120
120 D
SWSW 40 268 E
1483.0310 F
2ac
(A) 713
33-2057
2083
7075
2096
30ac
33-00061 1
62 1
63 1
64 1
1ac 1
33-2096 Lic
35ac
A33-00061
62
63
64
A33-2096 Lic
22ac
33-02096 Lic
33-07176


T7N, R28E
POINT OF DIVERSION
PLACE OF USE →
PIVOT
R28E
Uncle Ike
Creek
Little
Lost
River
Well
Well
Well
5277
5278
5254
5298
5292
5214
5255
5282
5507
5578
5432
5598
5600
5520
5400
5480
5320
5200
5280
5260
5240
5220
5300
5360
12
13
18
17
16
19
20
21
24
25
30
29
28
55'
4868
4866
4864
4863
HOWE (IDAHO 22 & 88) 12 MI.
(HOWE NE) 3871 I NE
33-07176



ATTACHMENT No. 1

33-07176

ROCKY ROSS

2 of 4



VIEW SOUTH

LEFT VIEW OF PIVOT

NO IRRIGATION IN FOREGROUND

← SPRING CREEK



CENTER VIEW OF PIVOT.

PERMIT NUMBER

33-07176

ROCKY ROSS

3 of 4



VIEW WEST

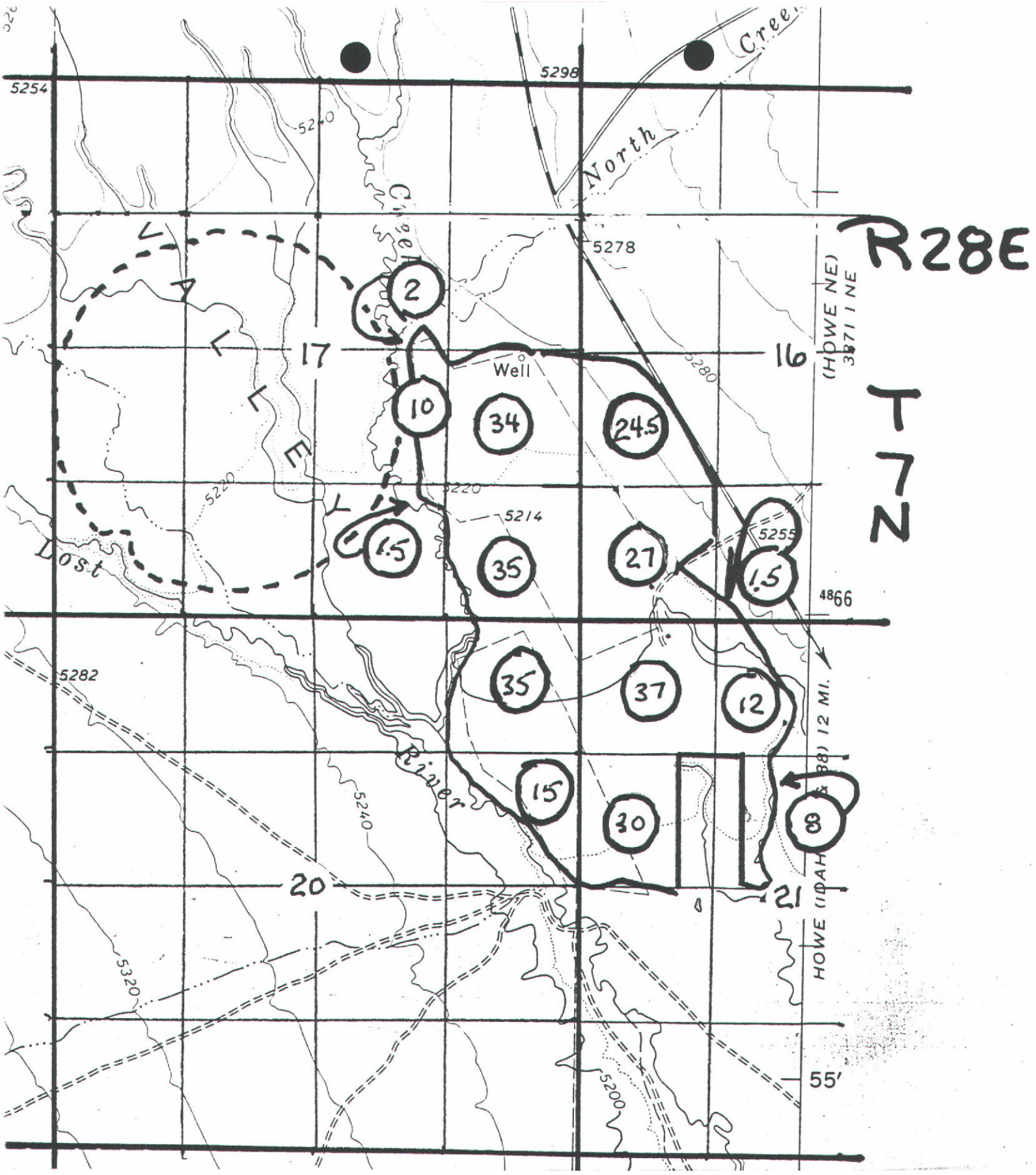
EXTREME RIGHT VIEW OF PIVOT.

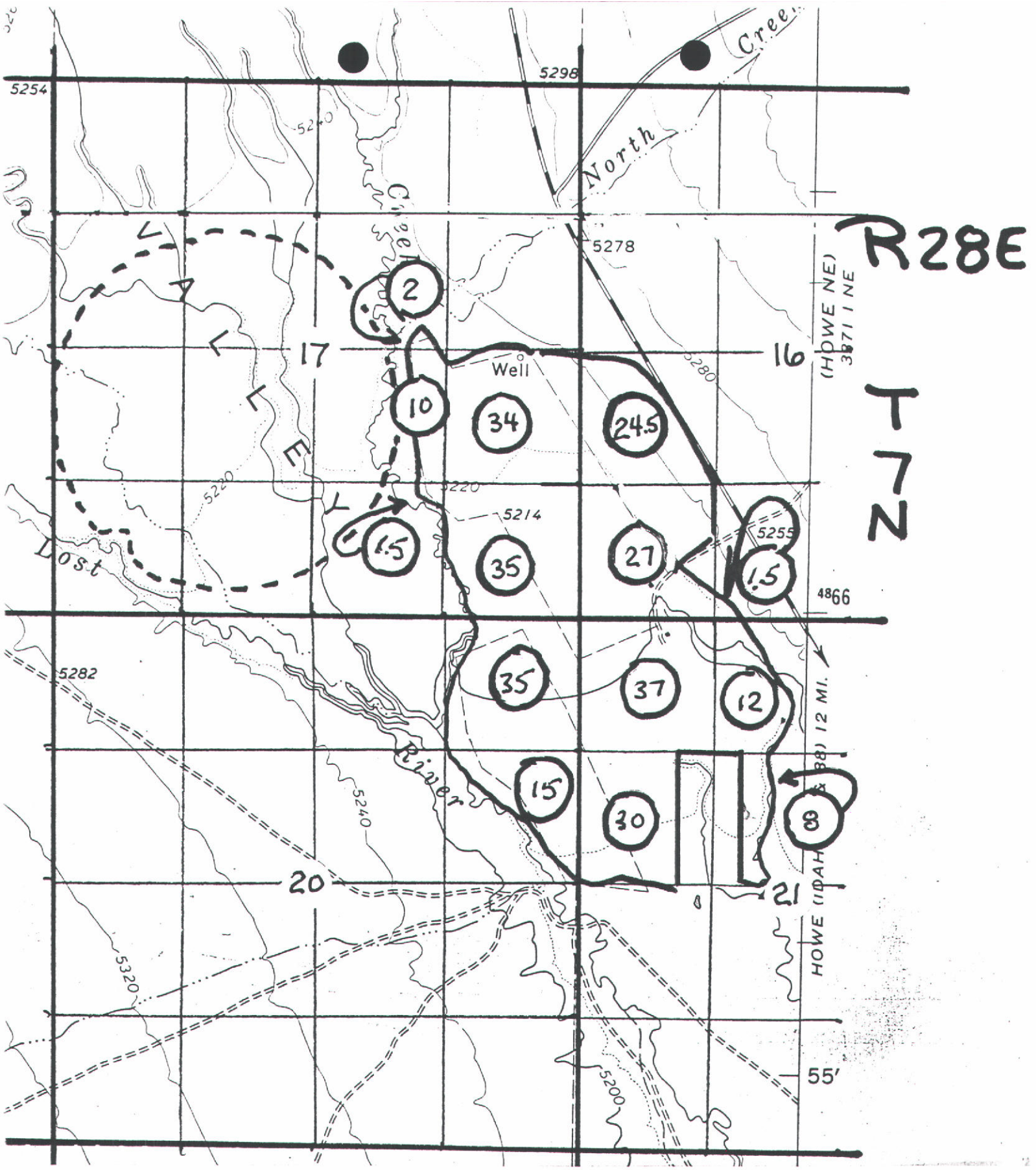
PERMIT NUMBER 33-07176

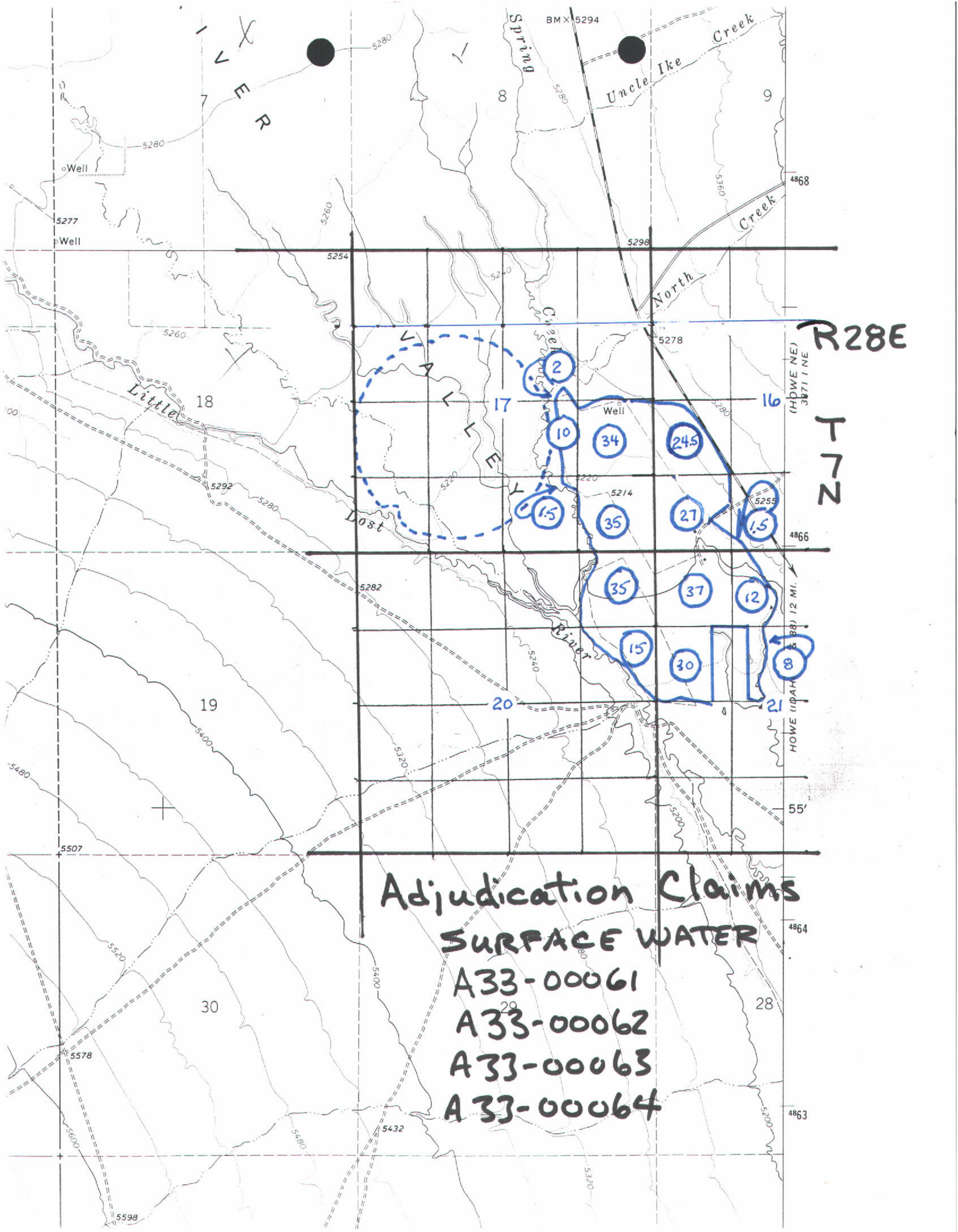
ROCKY ROSS

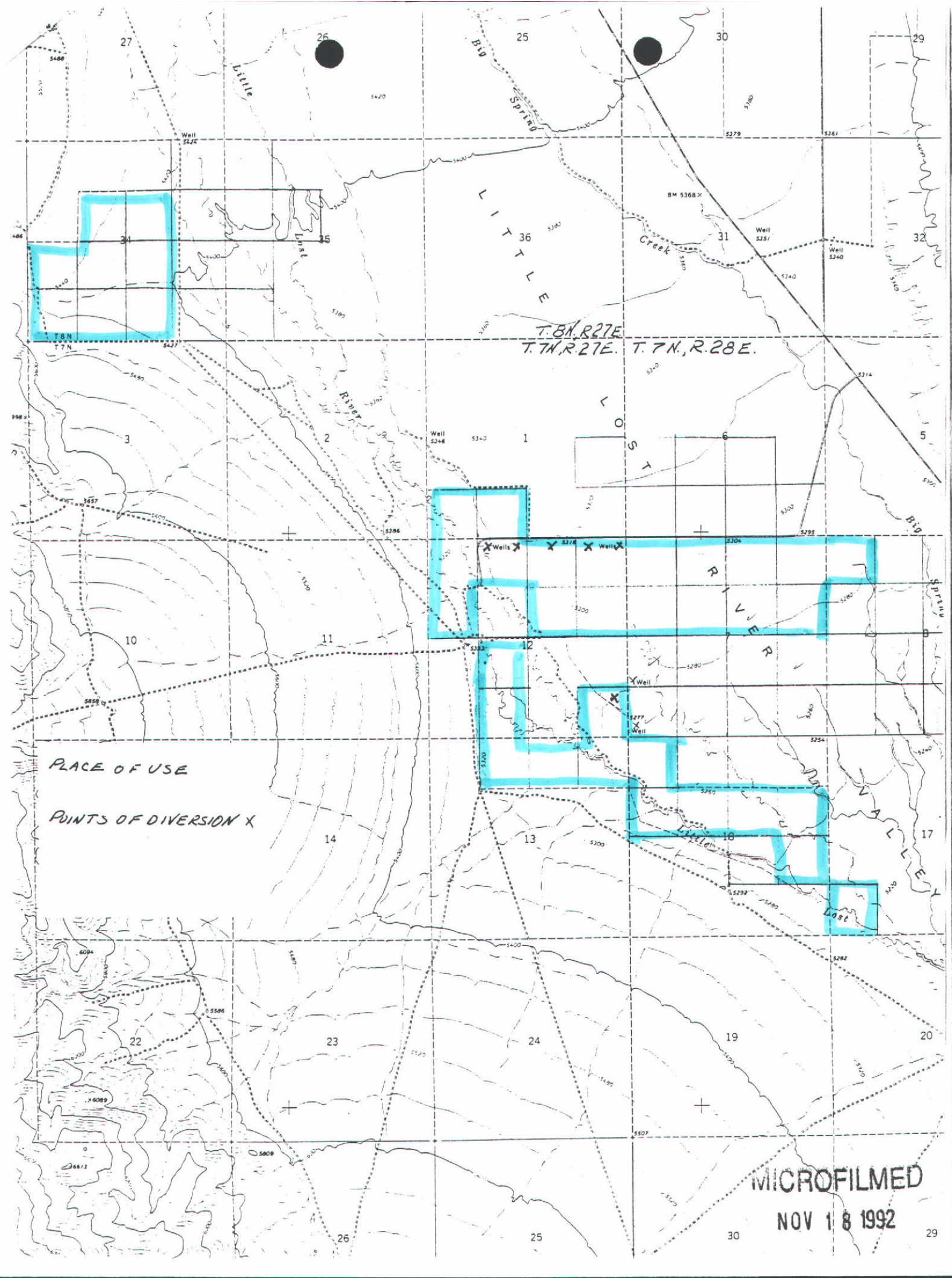
4 of 4

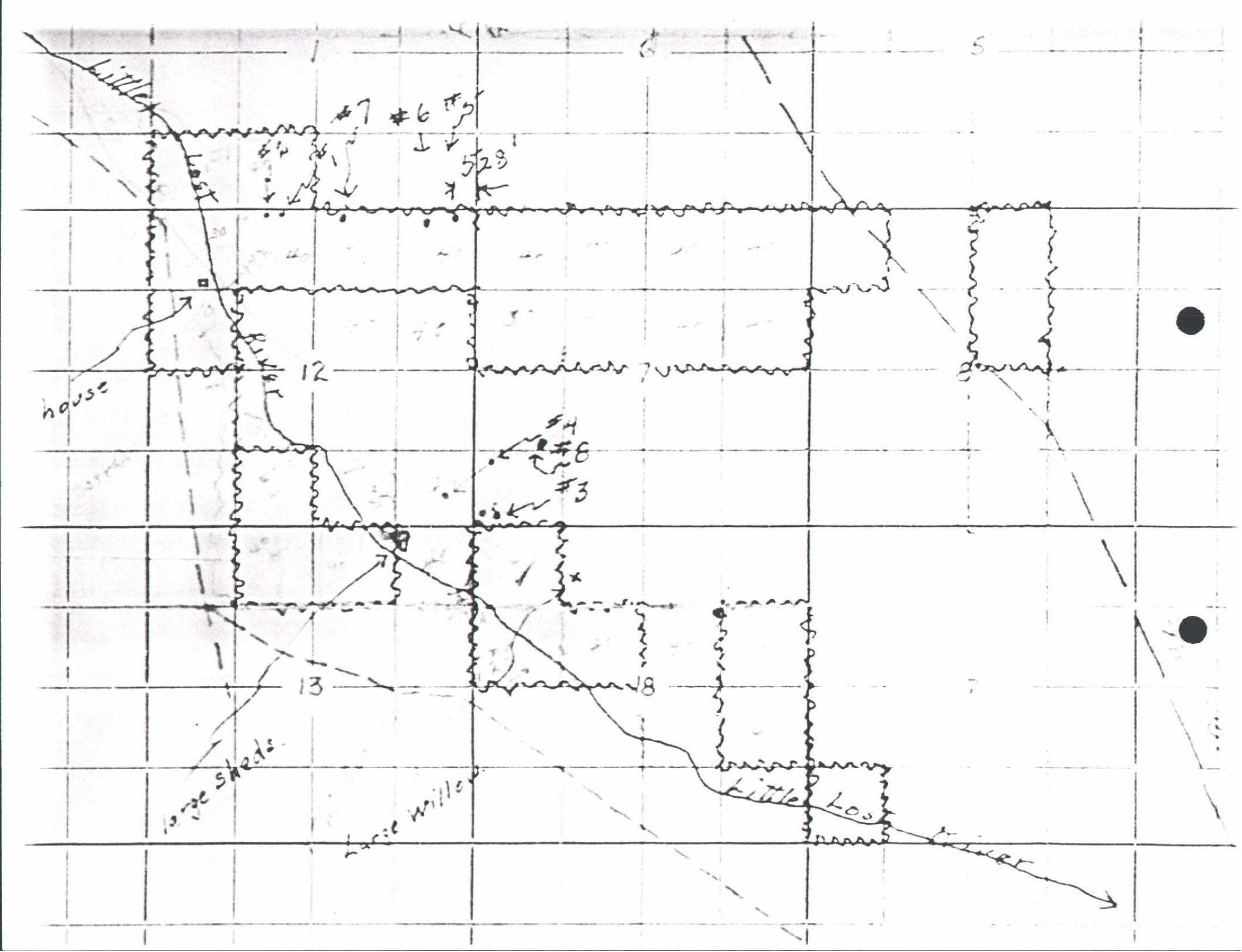
33-07176

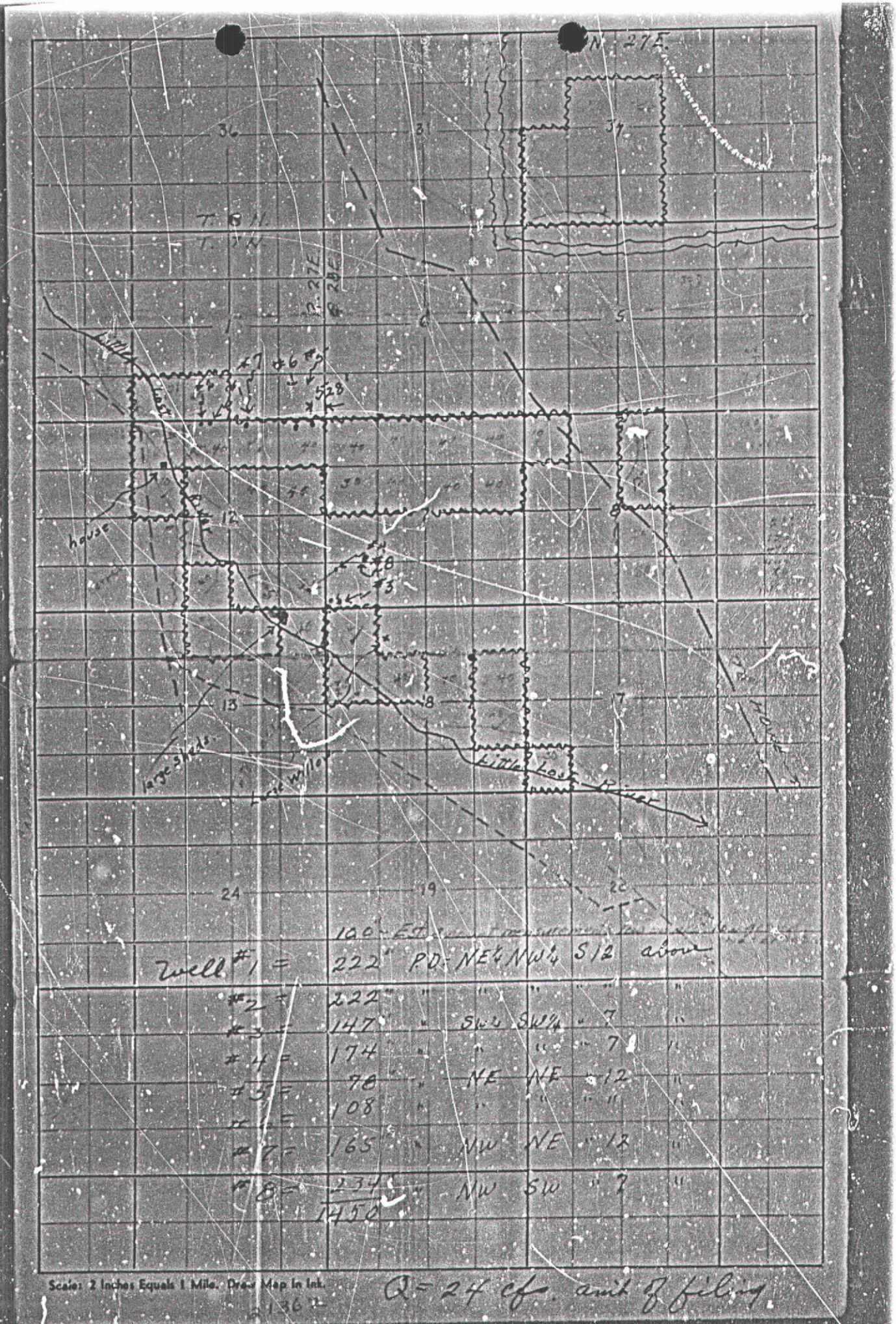

R28E
T7N
VALLEY
Lost
North
River
Well
5298
5254
5240
5278
5280
5220
5214
5255
5282
5320
5200
17
16
20
21
2
10
34
24.5
1.5
35
27
1.5
35
37
12
15
30
8
HOWE (IDAHO) 12 MI.
(HOWE NE)
55'


R28E
T7N
5254
5298
5240
North
5278
VALLEY
17
16
Well
2
10
34
24.5
5220
5214
5255
1.5
35
27
1.5
Lost
4866
5282
35
37
12
River
15
30
8
20
21
5240
5320
5200
55'
HOWE (IDAHO) 12 MI.
(HOWE NE)


Adjudication Claims
SURFACE WATER
A33-00061
A33-00062
A33-00063
A33-00064
R28E
T7N
IVER
VALLEY
Little Lost River
Spring Creek
Uncle Ike Creek
North Creek
BM × 5294
Well
Well
Well
5277
5254
5298
5278
5292
5282
5214
5255
5507
5578
5598
5432
5280
5260
5240
5220
5320
5360
5400
5480
5520
5600
5200
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10
34
24.5
1.5
35
27
1.5
35
37
12
15
30
8
(HOWE NE) 3871 I NE
HOWE (IDAHO 88) 12 MI.
4868
4866
4864
4863
55′


T. 8N. R. 27E.
T. 7N. R. 27E.
T. 7N., R. 28E.
LITTLE LOST RIVER VALLEY
Big Spring Creek
Little Lost River
Big Spring Creek
PLACE OF USE
POINTS OF DIVERSION X
MICROFILMED
NOV 18 1992


Little
Lost
River
#7
#6
#5
#4
#1
#2
528'
12
house
#4
#6
#3
13
18
large sheds
Little Lost River



100' ES

Well #1 = 222' PD - NE¼ NW¼ S12 above

#2 = 222' " " " " "

#3 = 147' " SW¼ SW¼ " 7 "

#4 = 174' " " " " 7 "

#5 = 78' " NE NE " 12 "

#6 = 108' " " " " "

#7 = 165' " NW NE " 12 "

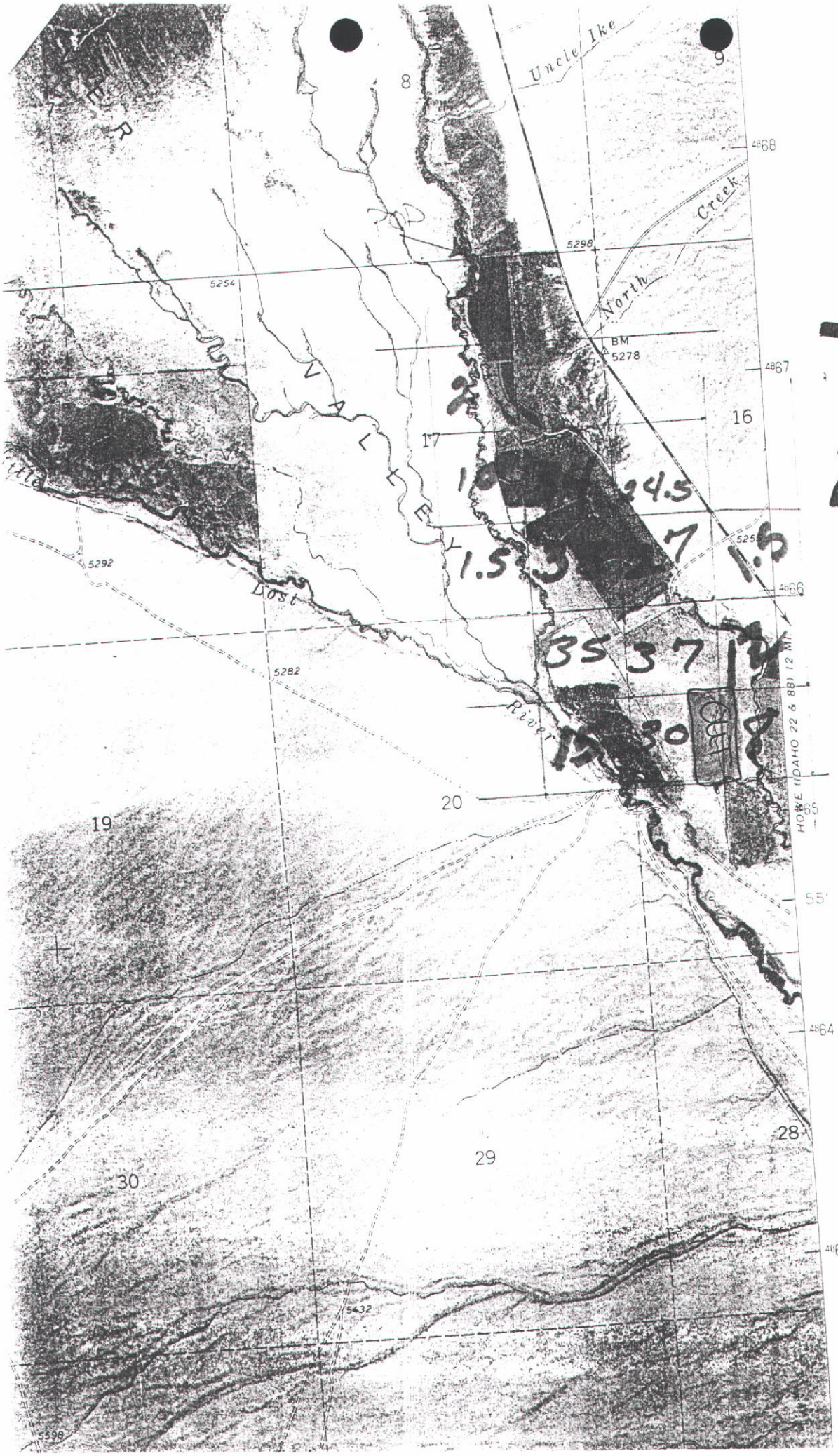
#8 = 234' " NW SW " 7 "

1450

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

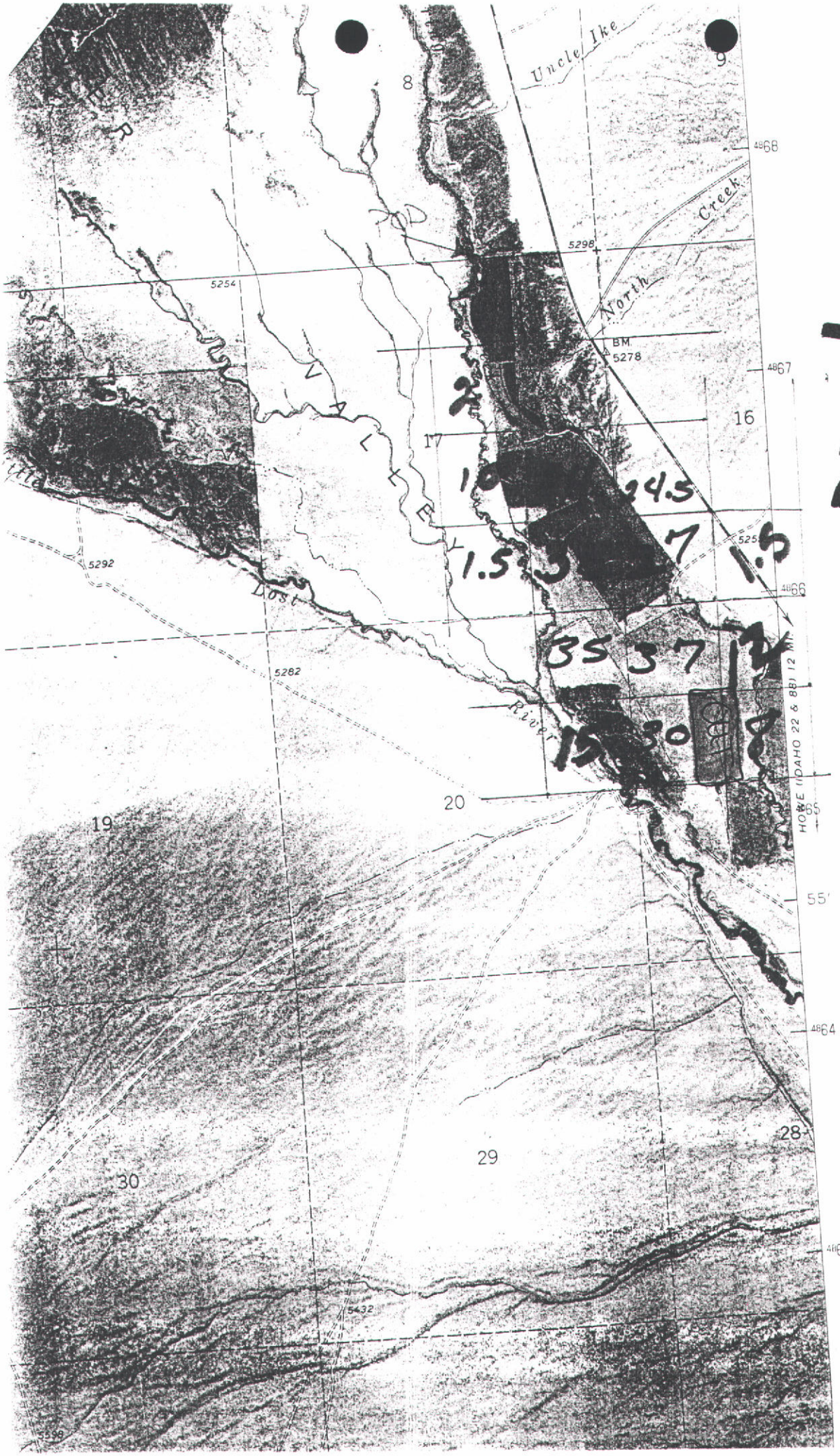
136

Q = 24 cf. and 8 filing.



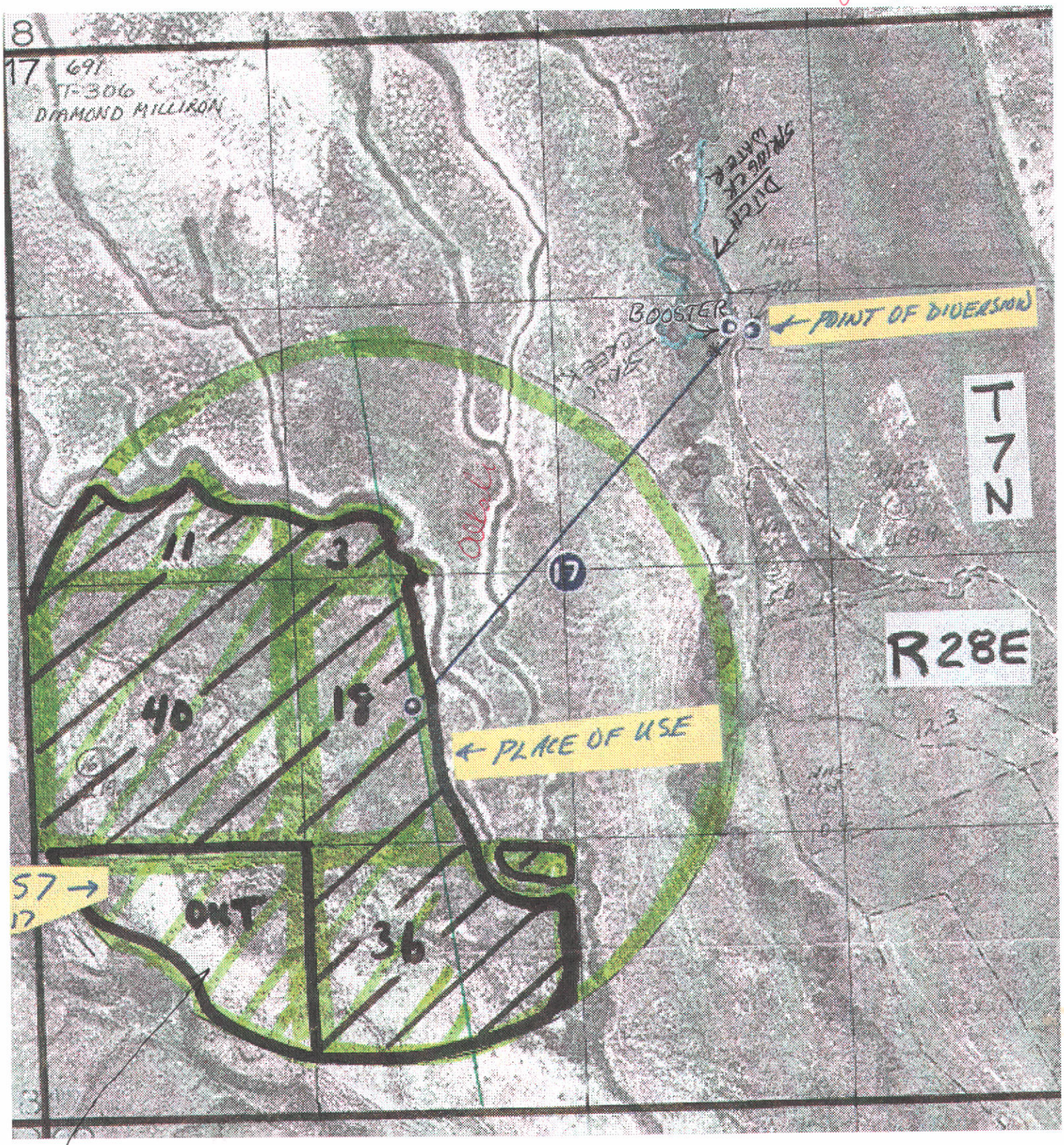
7N
28E

MICROFILMED
DEC 09 1992



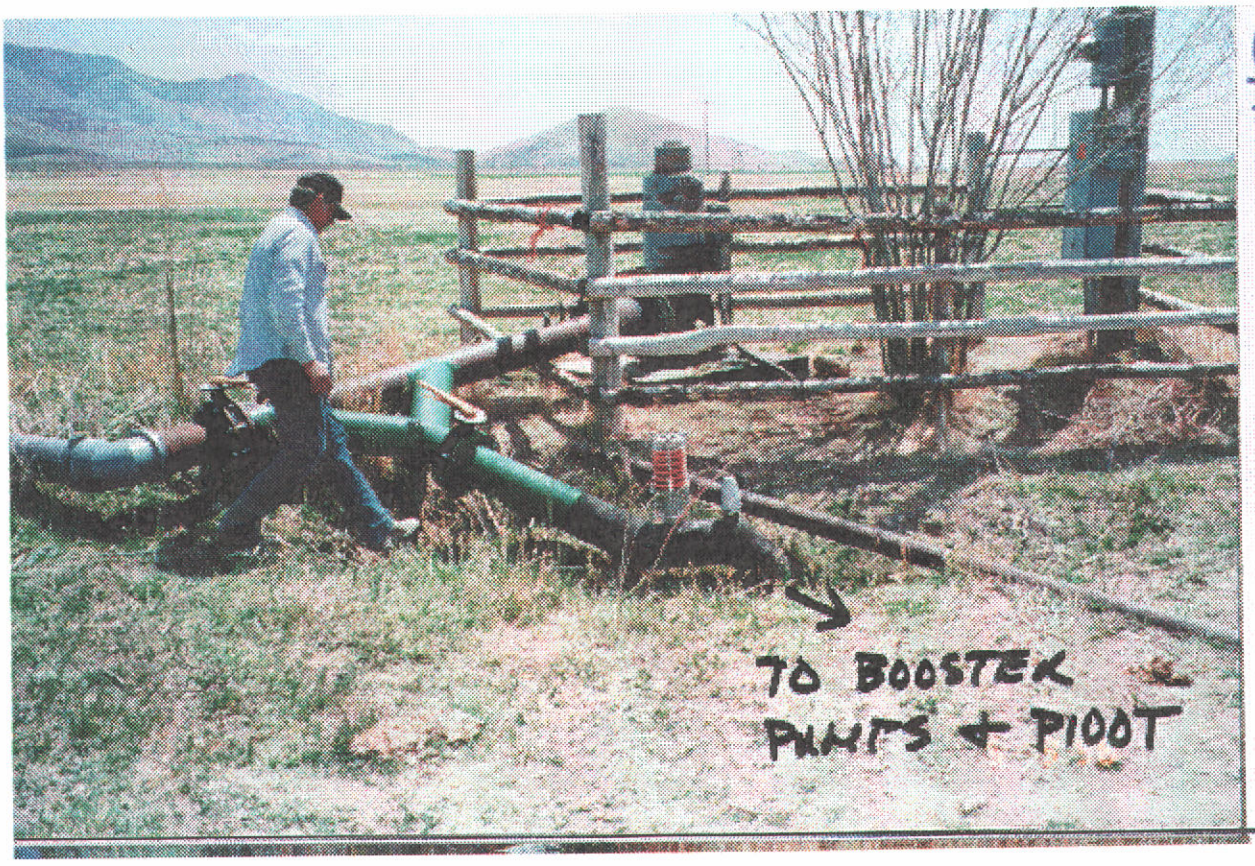
7N
28E

MICROFILMED
DEC 09 1992



A33-02057
A33-02083

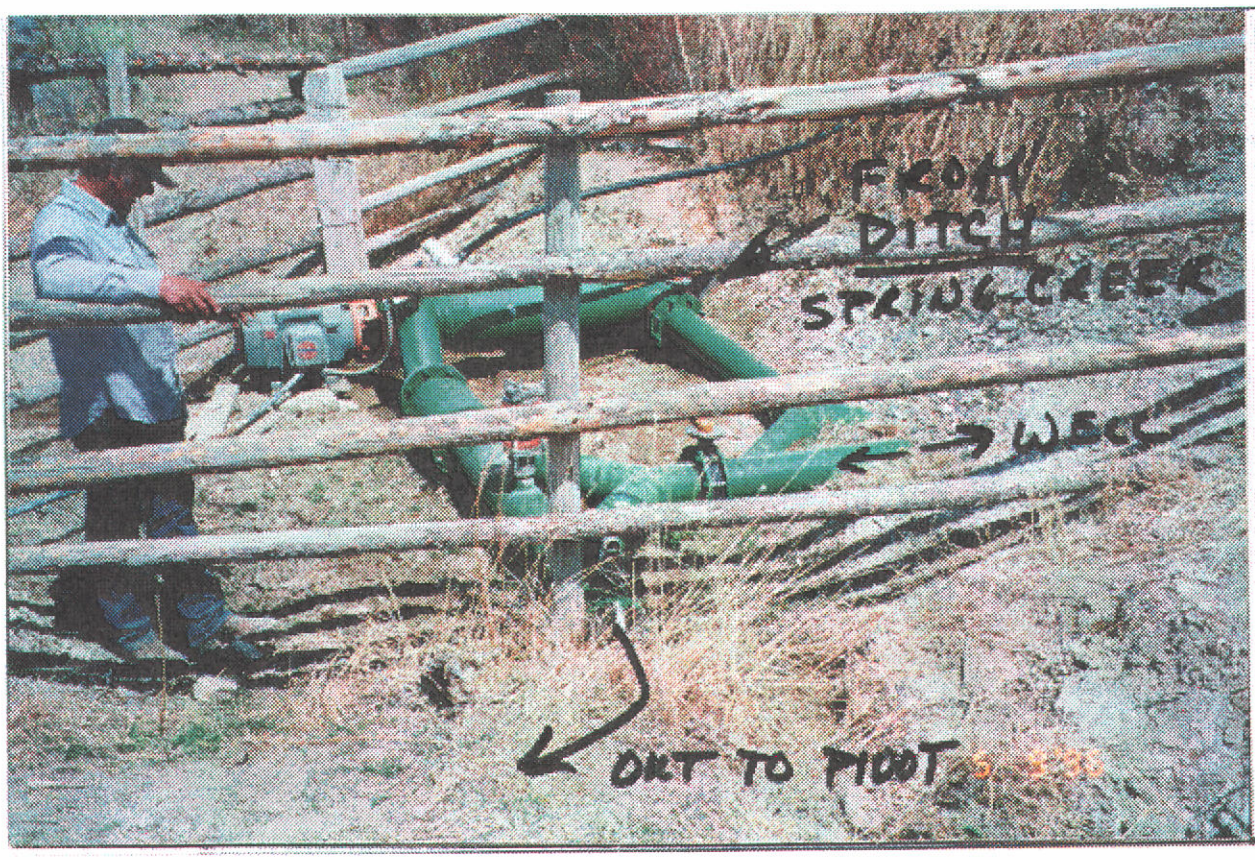
33-07176



VIEW SOUTH

POINT OF DIVERSION

33-07176



BOOSTER PUMP

SYSTEM CAN MIX SPRING CREEK WATER WITH WELL WATER

33-07176

Water Right Number - 33-02057A Prefix Translation: WATER RIGHT Old (D) Number - 21362

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SAGEWILLOW INC		1 - C/O KENT FOSTER 2 - PO BOX 50130 3 - City- IDAHO FALLS State- ID Zip- 83405 Phone - 208-523-0620
*** O - ORIGINAL OWNER ***		
HAWLEY	LAWRENCE R	1 - 2 - 3 - City- HOWE State- ID Zip- 83244 Phone - 208-000-0000

Priority Date	Region	Stage	Status
02/01/1950	15 EASTERN	L - LICENSE	

Source	Tributary
GROUNDWATER	

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
07N	27E	2	SE NE		(23)	BUTTE	WELL NO. 11		
08N	28E	32	SW SW		(23)	BUTTE	WELL NO. 12		

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15	5.060	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
5.060			0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	27E	1	NE NE		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	NW NE		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	SW NE		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	SE NE		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	NE NW		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	NW NW		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	SW NW		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	SE NW		33.0	01	IRRIGATION	(23) BUTTE
07N	28E	5	NE NW		25.0	01	IRRIGATION	(23) BUTTE
07N	28E	5	NW NW		20.0	01	IRRIGATION	(23) BUTTE
07N	28E	6	NW NE		33.0	01	IRRIGATION	(23) BUTTE
07N	28E	6	SW NE		33.0	01	IRRIGATION	(23) BUTTE
07N	28E	6	NE NW		38.0	01	IRRIGATION	(23) BUTTE
07N	28E	6	NW NW		38.0	01	IRRIGATION	(23) BUTTE

Water Right Number - 33-02057B Prefix Translation: WATER RIGHT Old (D) Number - 21362

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SAGEWILLOW INC		1 - C/O KENT FOSTER 2 - PO BOX 50130 3 - City- IDAHO FALLS State- ID Zip- 834050130 Phone - 208-523-0620
*** O - ORIGINAL OWNER ***		
HAWLEY	LAWRENCE R	1 - 2 - 3 - City- HOWE State- ID Zip- 83244 Phone - 208-000-0000

Priority Date	Region	Stage	Status
02/01/1950	15 EASTERN	L - LICENSE	

Source	Tributary
GROUNDWATER	

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
07N	27E	1	NE SE			(23) BUTTE	WELL NO. 9		
		12	NE NE			(23) BUTTE	WELL NO. 1		
	28E	6	NE SW			(23) BUTTE	WELL NO. 10		

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15	5.500	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
5.500			0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	27E	1	NE SW		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	SE SW		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	NE SE		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	NW SE		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	SW SE		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	SE SE		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	NE NE		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	SE NE		33.0	01	IRRIGATION	(23) BUTTE
07N	28E	6	NE SW		33.0	01	IRRIGATION	(23) BUTTE
07N	28E	6	NW SW		33.0	01	IRRIGATION	(23) BUTTE
07N	28E	6	SW SW		33.0	01	IRRIGATION	(23) BUTTE
07N	28E	6	SE SW		33.0	01	IRRIGATION	(23) BUTTE
07N	28E	6	NW SE		33.0	01	IRRIGATION	(23) BUTTE

Water Right Number - 33-02057C Prefix Translation: WATER RIGHT Old (D) Number - 21362

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SAGEWILLOW INC		1 - C/O KENT FOSTER 2 - BOX 50130 3 - City- IDAHO FALLS State- ID Zip- 83405 Phone - 208-523-0620
*** O - ORIGINAL OWNER ***		
HAWLEY	LAWRENCE R	1 - 2 - 3 - City- HOWE State- ID Zip- 83244 Phone - 208-000-0000

Priority Date	Region	Stage	Status
02/01/1950	15 EASTERN	L - LICENSE	

Source	Tributary
GROUNDWATER	

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
07N	27E	12	NE NE			(23) BUTTE	WELL NO. 2		

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15	2.130	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
2.130			0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	27E	12	NW NE		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	SW NE		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	NE NW		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	SE NW		33.0	01	IRRIGATION	(23) BUTTE

Total Acres: 132.0

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

GEN Transfer Nos. 4221 through 4227 were conditionally approved on 3/12/1996, provided the applicant does not irrigate more than 1,412 acres within the place of use proposed by the applications,

Water Right Number - 33-02057D Prefix Translation: WATER RIGHT Old (D) Number - 21362

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SAGEWILLOW INC		1 - C/O KENT FOSTER 2 - BOX 50130 3 - City- IDAHO FALLS State- ID Zip- 83405 Phone - 208-523-0620
*** O - ORIGINAL OWNER ***		
HAWLEY	LAWRENCE R	1 - 2 - 3 - City- HOWE State- ID Zip- 83244 Phone - 208-000-0000

Priority Date	Region	Stage	Status
02/01/1950	15 EASTERN	L - LICENSE	

Source: GROUNDWATER

Tributary:

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
07N	27E	2	SW NE			(23) BUTTE	KNOLLIN HEADGATE		
		12	NW NE			(23) BUTTE	WELL NO. 3		
			SW NW			(23) BUTTE	LAKE HEADGATE		
	28E	5	NW SW			(23) BUTTE	BIG SPRING CREEK HEADGATE		

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15	1.940	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
1.940			0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	28E	7	NE NE		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	SE NE		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	NW NW		40.0	01	IRRIGATION	(23) BUTTE

Total Acres: 120.0

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Water Right Number - 33-02057E Prefix Translation: WATER RIGHT Old (D) Number - 21362

Last Name	First Name	Address
*** C - CURRENT OWNER *** SAGEWILLOW INC		1 - C/O KENT FOSTER 2 - PO BOX 50130 3 - City- IDAHO FALLS State- ID Zip- 83405 Phone - 208-523-0620
*** O - ORIGINAL OWNER *** HAWLEY	LAWRENCE R	1 - 2 - 3 - City- HOWE State- ID Zip- 83244 Phone - 208-000-0000

Priority Date	Region	Stage	Status
02/01/1950	15 EASTERN	L - LICENSE	

Source: GROUNDWATER

Tributary:

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
07N	27E	2	SW NE			(23) BUTTE	KNOLLIN HEADGATE		
		12	NW NE			(23) BUTTE	WELL NO. 3		
			NE NW			(23) BUTTE	WELL NOS. 4 & 5		
			SW NW			(23) BUTTE	LAKE HEADGATE		
	28E	5	NW SW			(23) BUTTE	BIG SPRING CREEK HEADGATE		
	27E	12	NW NW		I	(23) BUTTE			

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15	4.340	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
4.340			0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	27E	1	SW SW		30.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	NW NW		30.0	01	IRRIGATION	(23) BUTTE
07N	27E	13	NE NE		20.0	01	IRRIGATION	(23) BUTTE
07N	27E	13	NW NE		38.0	01	IRRIGATION	(23) BUTTE
07N	27E	13	NE NW		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	NW NE		30.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	SW NE		30.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	NW SE		30.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	SW SE		20.0	01	IRRIGATION	(23) BUTTE

Total Acres: 268.0

Water Right Number - 33-02057F Prefix Translation: WATER RIGHT Old (D) Number - 21362

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SAGEWILLOW INC		1 - C/O KENT FOSTER 2 - PO BOX 50130 3 - City- IDAHO FALLS State- ID Zip- 83405 Phone - 208-523-0620
*** O - ORIGINAL OWNER ***		
HAWLEY	LAWRENCE R	1 - 2 - 3 - City- HOWE State- ID Zip- 83244 Phone - 208-000-0000

Priority Date	Region	Stage	Status
02/01/1950	15 EASTERN	L - LICENSE	

Source	Tributary
GROUNDWATER	

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
07N	27E	2	SW NE			(23) BUTTE	KNOLLIN HEADGATE		
		12	NW NE			(23) BUTTE	WELL NO. 3		
			NE NW			(23) BUTTE	WELL NOS. 4 & 5		
			SW NW			(23) BUTTE	LAKE HEADGATE		
			SE SE			(23) BUTTE	WELL NO. 6		
	28E	5	NW SW			(23) BUTTE	BIG SPRING CREEK HEADGATE		
		7	NW SW			(23) BUTTE	WELL NO. 7		
			SW SW			(23) BUTTE	WELL NO. 8		

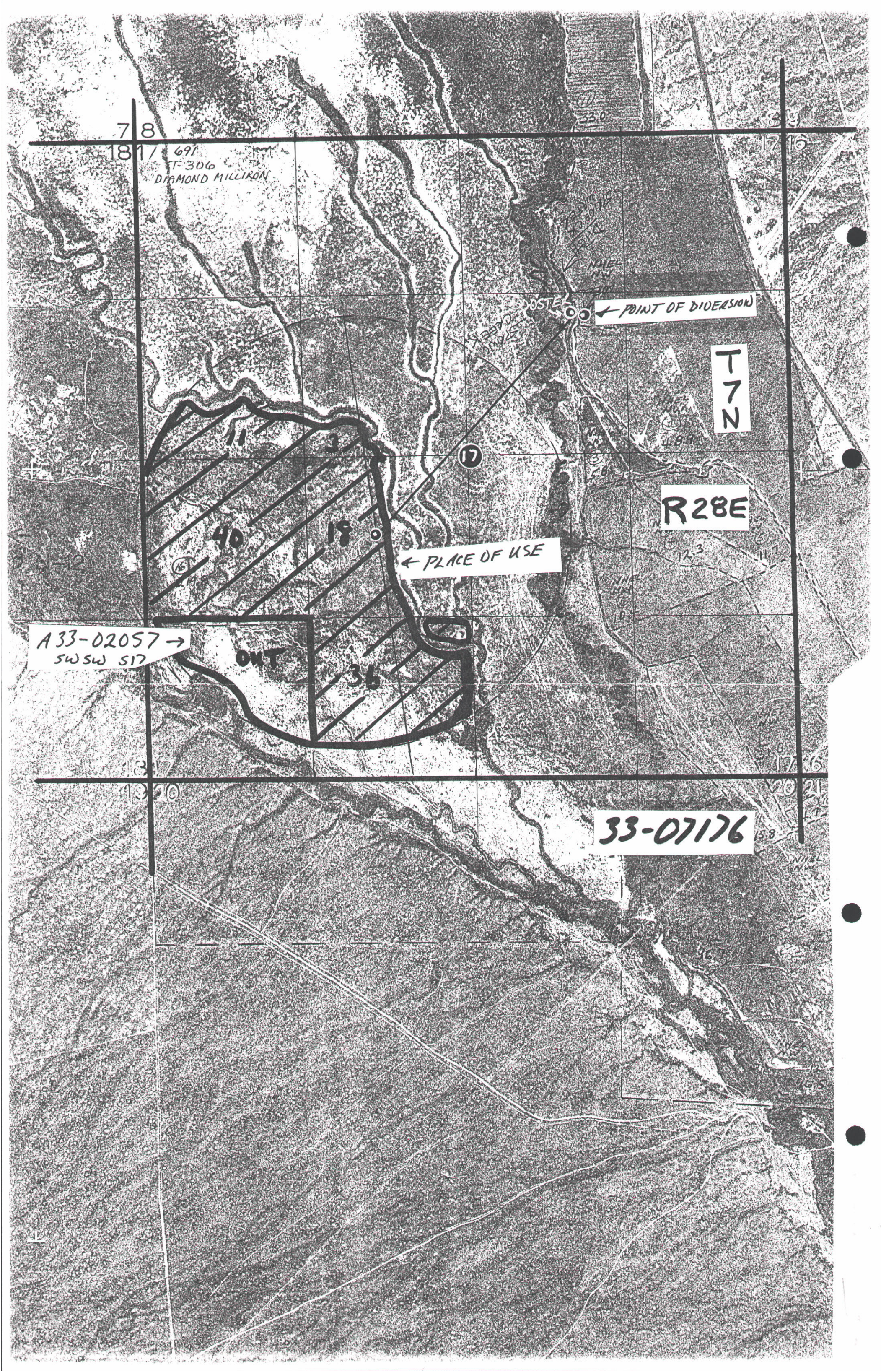
Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15	5.030	
16	WILDLIFE				

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
5.030			0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	27E	12	NE SE		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	SE SE		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	13	NE NE		10.0	01	IRRIGATION	(23) BUTTE
07N	27E	18	NW NE		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	18	SW NE		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	18	NE NW		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	18	NW NW		35.0	01	IRRIGATION	(23) BUTTE


691
T-306
DIAMOND MILLIRON
POINT OF DIVERSION
T 7 N
R 28 E
PLACE OF USE
A33-02057 →
SW SW S17
OUT
33-07176

33-02057A
33-02057B
33-02057C

MAP #2

33-02057A 4221
33-02057B 4222
33-02057C 4223
33-02057D 4224
33-02057E 4225
33-02057F 4226
33-07018 33-02091B 4227
33-02086B

ATTACHMENT No. 1

Jeff
33-2057 D
2083 D
Same P/U
2083 D has SENE Sec 8 + N W NW

R27E R28E

MAP #2

33-2057A
2083A
33-2057B
33-2057C
33-2057D
33-2057E
33-2057F
33-7018
2091B
2082B

T8N
T7N

T 36 T

31 32

Creek

Well

24 24
37 37

515

25 35
30 25

33 33
33 33

Well

Well

Well

Well

Well

40 40
40

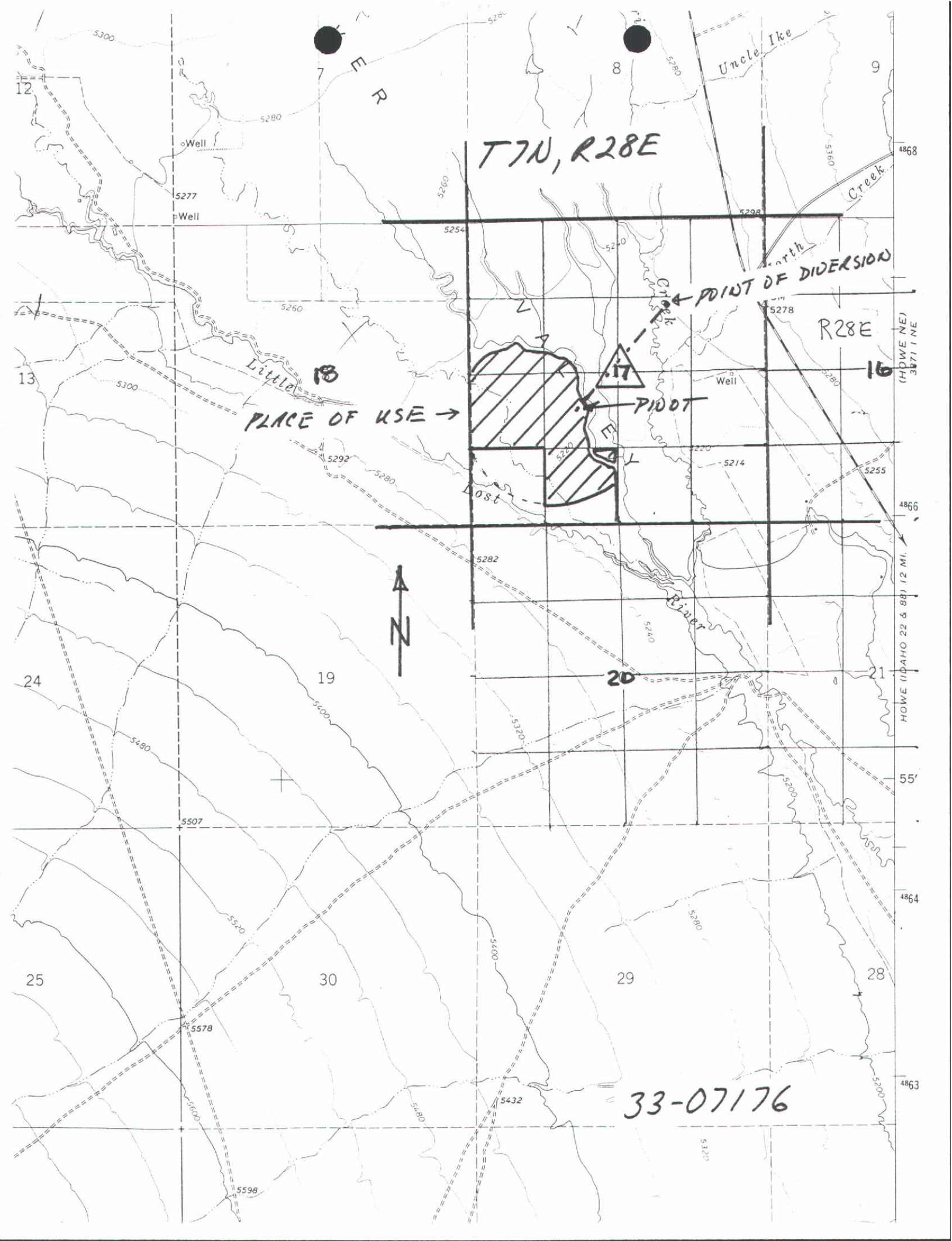
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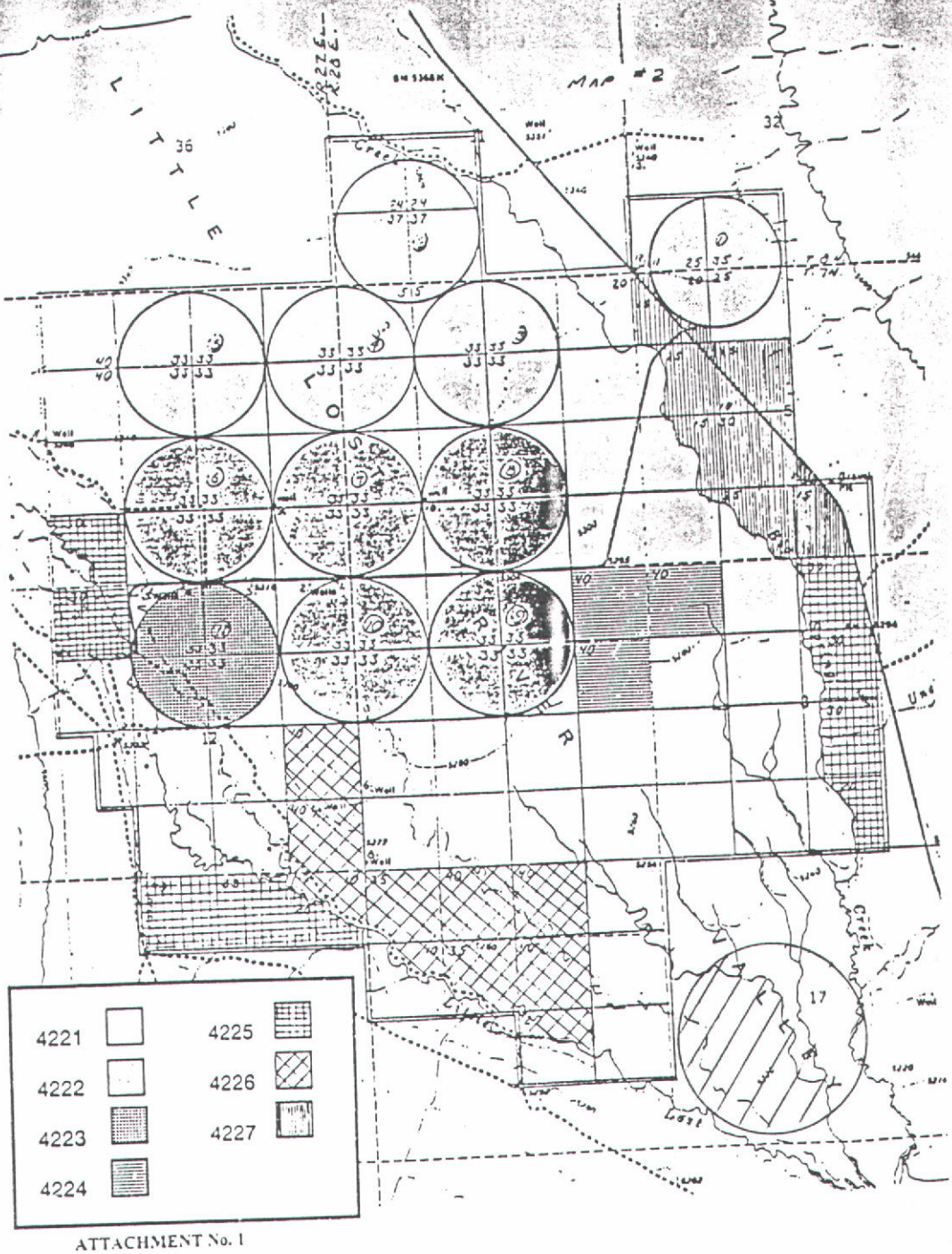
4221
4222
4223
4224
4225
4226
4227

ATTACHMENT No. 1

R27E R28E

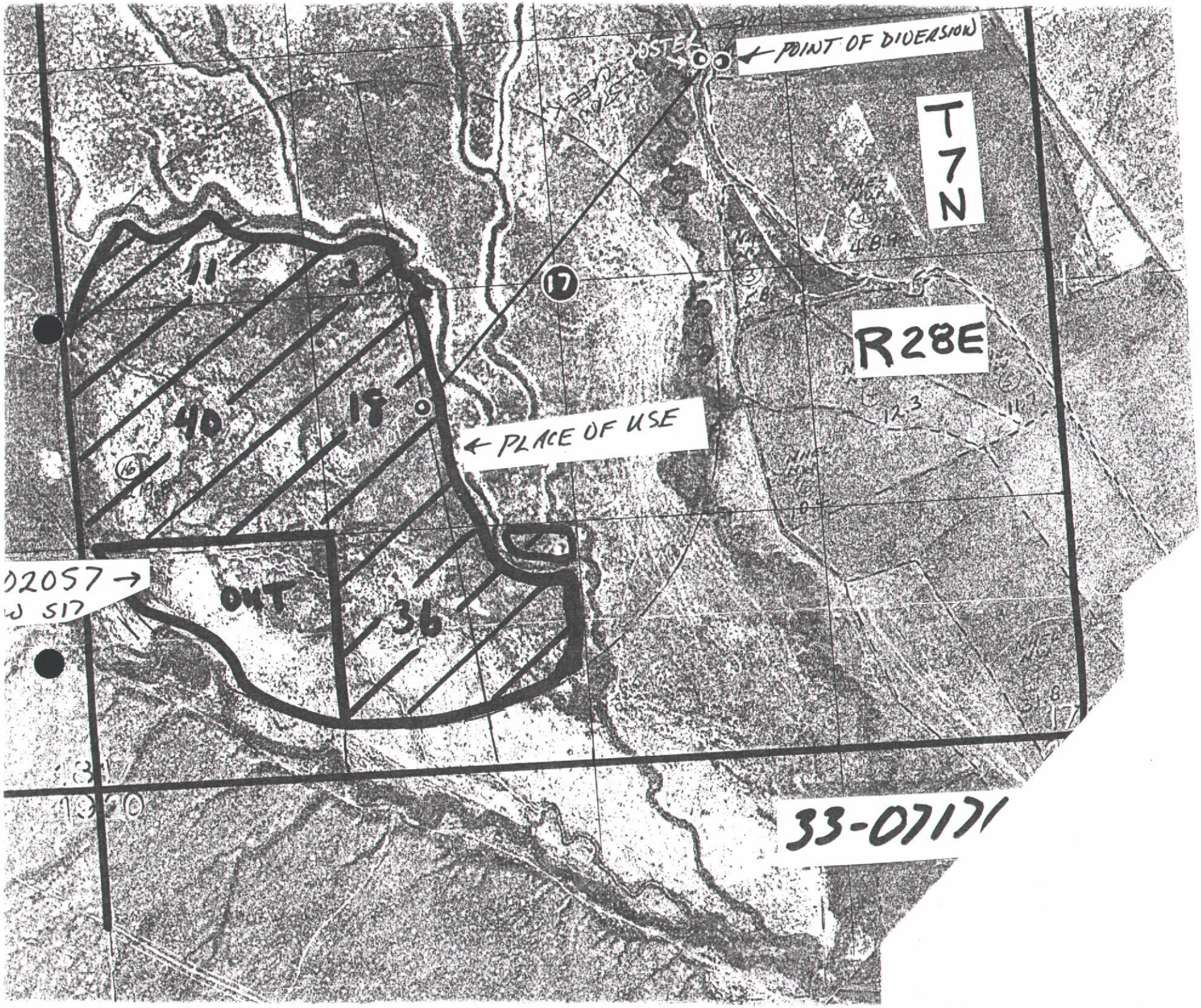
A33-2083/2057


T7N, R28E
POINT OF DIVERSION
PLACE OF USE →
PIVOT
R28E
Uncle Ike
Creek
Little
Lost
River
Well
Well
HOWE (IDAHO 22 & 88) 12 MI.
(HOWE NE) 3871 I NE
33-07176



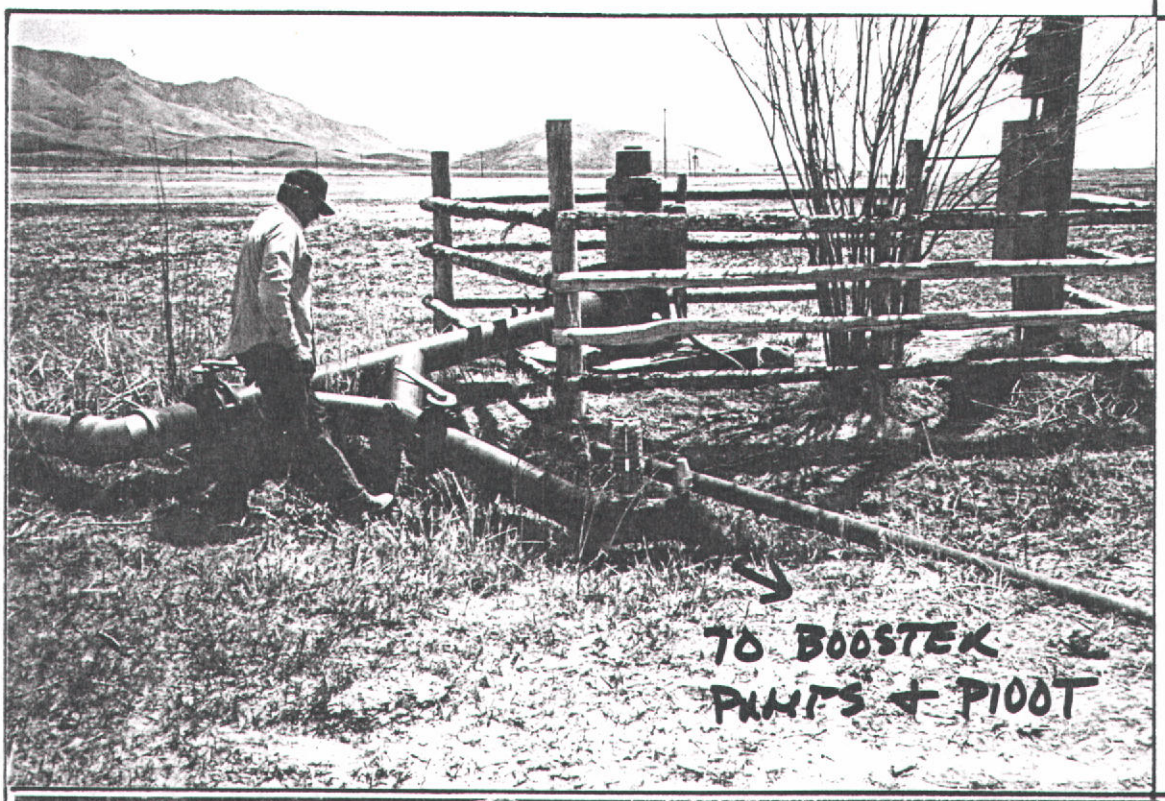
ATTACHMENT No. 1

33-07176


POINT OF DIVERSION
T7N
R28E
PLACE OF USE
40
18
OUT
36
33-07171

ROCKY ROSS

1 of 4



VIEW SOUTH

POINT OF DIVERSION



BOOSTER PUMP

SYSTEM CAN MIX SPRING CREEK WATER WITH WELL WATER

PERMIT NUMBER

33-07176

ROCKY ROSS

2 of 4

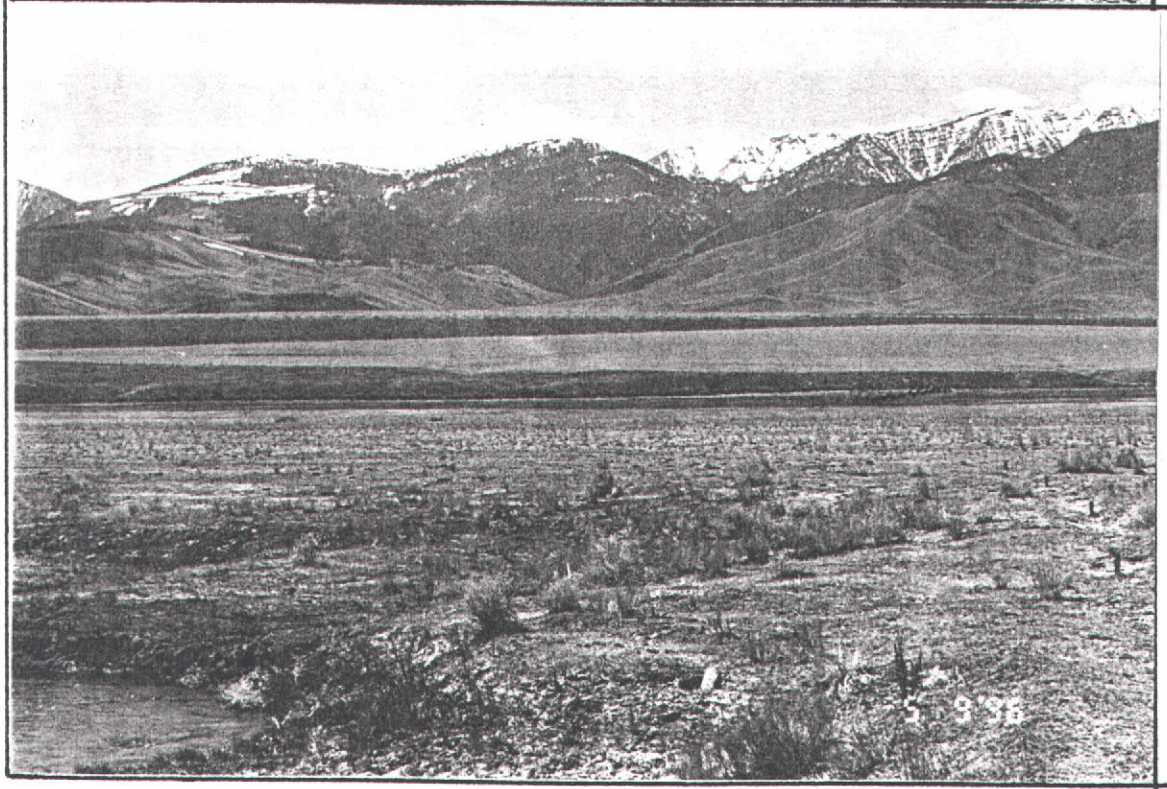


VIEW SOUTH

LEFT VIEW OF PIVOT

NO IRRIGATION IN FOREGROUND

← SPRING CREEK

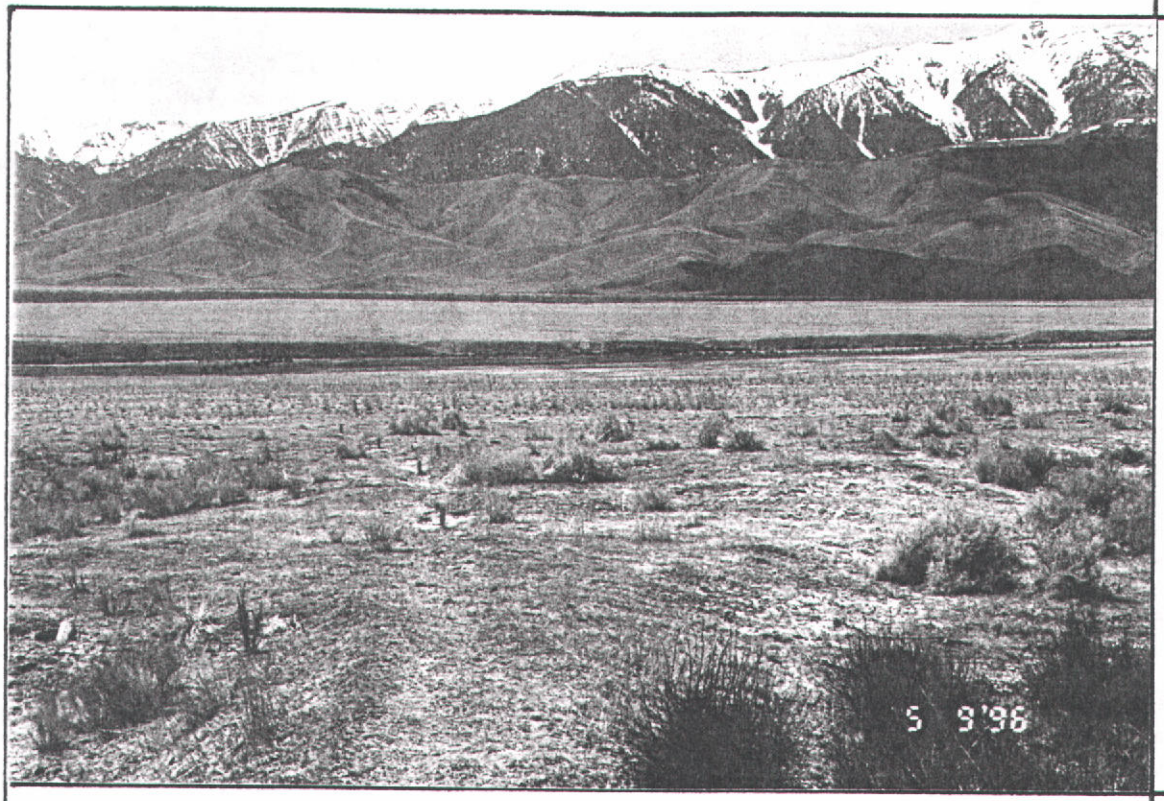


CENTER VIEW OF PIVOT.

PERMIT NUMBER 33-07176

ROCKY ROSS

3 of 4



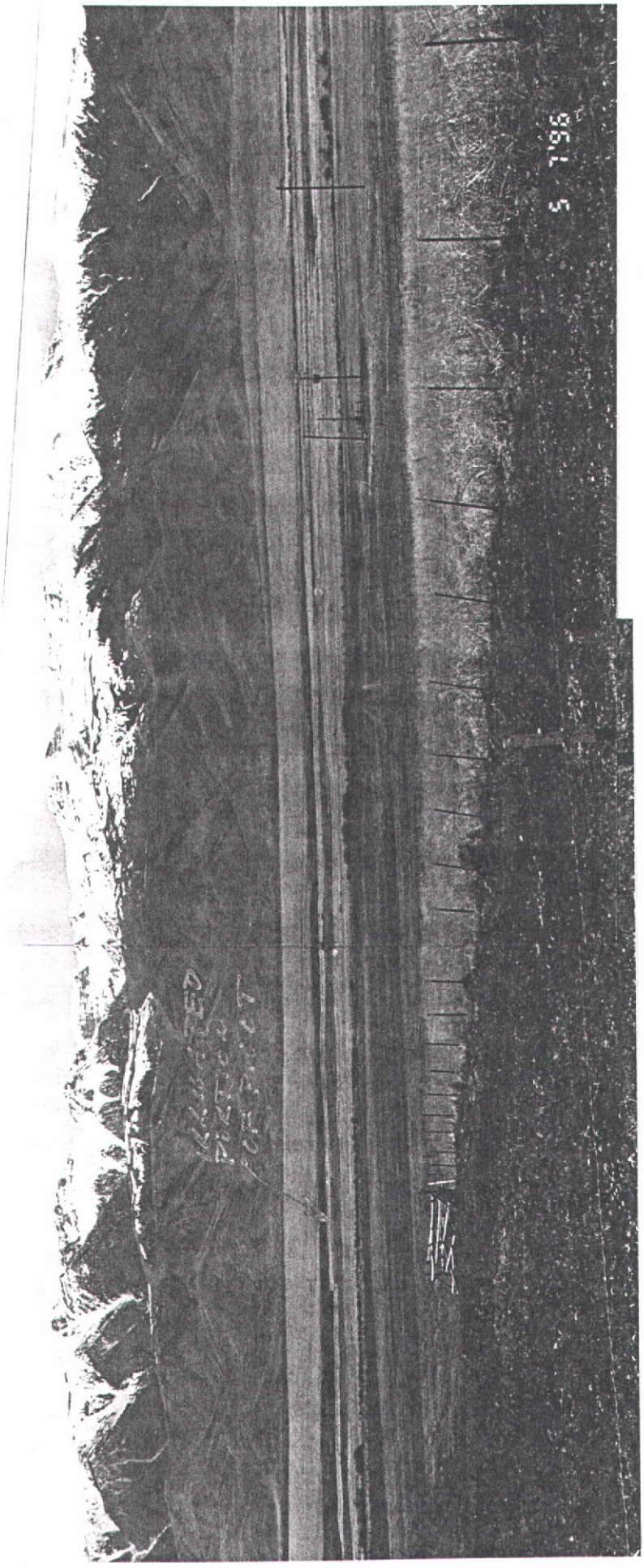
VIEW WEST

EXTREME RIGHT VIEW OF PIVOT.

PERMIT NUMBER 33-07176

ROCKY ROSS

4 of 4



Form No. 217
7/94

Amt. of Fee $: 150.00
Receipt No. C033198
Receipt By: JW
Date Receipted: 7-17-95

RECEIVED
JUL 17 1995
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 33-07176 Telephone No. 208 - 767-3124

2. Name(s) of Permit Holder(s): Rocky Ross & Don Phillips

3. Mailing Address: P. O. Box 10 Howe, ID. 83244

4. Source of Water: Groundwater If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. prior to 1987

a. Well Driller: _____ Drilling Permit Number: ____ - ____ - ____ - ____

b. ***OPTIONAL:***
Pump Horsepower: 75 HP Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 108 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 2.16 cfs **OR** _____ acre feet

7. Measuring Device Requirement: **(refer to the approval conditions on your permit and respond accordingly)**
*(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)*

Measuring Device:	Is a measuring device required?	Yes ____ or	No X
	Has the measuring device been installed?	Yes ____ or	No ____
Flow Measurement Port:	Is a flow measurement port required?	Yes ____ or	No X
	Has the measurement port been installed?	Yes ____ or	No ____

8. Fee Enclosed: $ 150.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Rocky Ross Telephone Number: 767-3124 (208)

Address: P. O. Box 10 Howe, ID. 83244

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Rocky Ross Date: 7/10/95
(include your title, if on behalf of company of organization)

RECEIVED
AUG 08 1995

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 33-07176

Proposed Priority: June 28, 1985 Maximum Diversion Rate: 2.16 CFS

This is to certify, that **ROCKY ROSS**
DON PHILLIPS
P.O. BOX 10
HOWE, ID 83244

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
IRRIGATION	04/01 to 11/01	2.16 CFS

LOCATION OF POINT(S) OF DIVERSION: SWNE Sec. 17, Township 07N, Range 28E
BUTTE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
07N	28E	17	SWNW	11	SENW	3	NESW	18	
			NWSW	40	SESW	36			108

Total number of acres irrigated: 108

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1995.**
2. Subject to all prior water rights.
3. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
4. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
5. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
6. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
8. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

MICROFILMED
SEP 2 5 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 33-07176

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

13th day of September, 1990.

R. Keith Higginson, Director

for

MICROFILMED

SEP 25 1990

RECEIVED
JUL 5 1990
Department of Water Resources

State of Idaho
Department of Water Resources

RECEIVED
JUL - 2 1990
Department of Water Resources
Eastern District Office

ASSIGNMENT OF PERMIT

I, William and Norma Robison hereby assign to Rocky Ross and Don Phillips

of P. O. Box 10 Howe, Idaho 83244
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 33-07176 to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

Made this 21st day of June, 19 90.

William B Robison
Permit Holder

Norma Robison
Spouse of Permit Holder

State of Idaho)
ss.
County of Jefferson)

On this 21st day of June, 19 90, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Connie Jones
Notary Public residing at: Rigby Id.
Com. Exp: 1-18-94

seal

My commission expires:
1-18-94

MICROFILMED
SEP 25 1990

Form 202
3/78

Ident. No. 33 7176

ASSIGNED TO:
Rocky Ross &
Don Phillips

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant WILLIAM B. or NORMA ROBISON Phone 767-3458

   Post office address P.O. Box 22, Howe, ID 83244

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is SW ¼ of NE ¼ of Section 17 Township 7N

   Range 28E B.M. Butte County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

   Amount 2.16 (cfs ~~or acre-feet per annum~~) for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)

   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:

   a. 2.16 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. Well/pump to mainline and sprinklers

   b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

   Period of year when water will be diverted to storage _____ (Month/Day) to _____ (Month/Day) inclusive.

   c. Proposed well diameter is NA inches; proposed depth of well is NA feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years *(minimum 1 year – maximum 5 years).*

8. Description of proposed uses:
   a. If water is **not** for irrigation:
      (1) Give the place of use of water: _____ ¼ of _____ ¼ of Section _____ Township _____

      Range _____ B.M.

      (2) Amount of power to be generated: _____ horsepower under _____ feet of head.

      (3) List number of each kind of livestock to be watered _____

      (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

      (5) If water is to be used for other purposes describe: _____

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SEP 25 1990

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	28E	17							11	3	18	40		36					108

Total number of acres to be irrigated 108

c. Describe any other water rights used for the same purposes as described above. None.

9. a. Who owns the property at the point of diversion Applicant

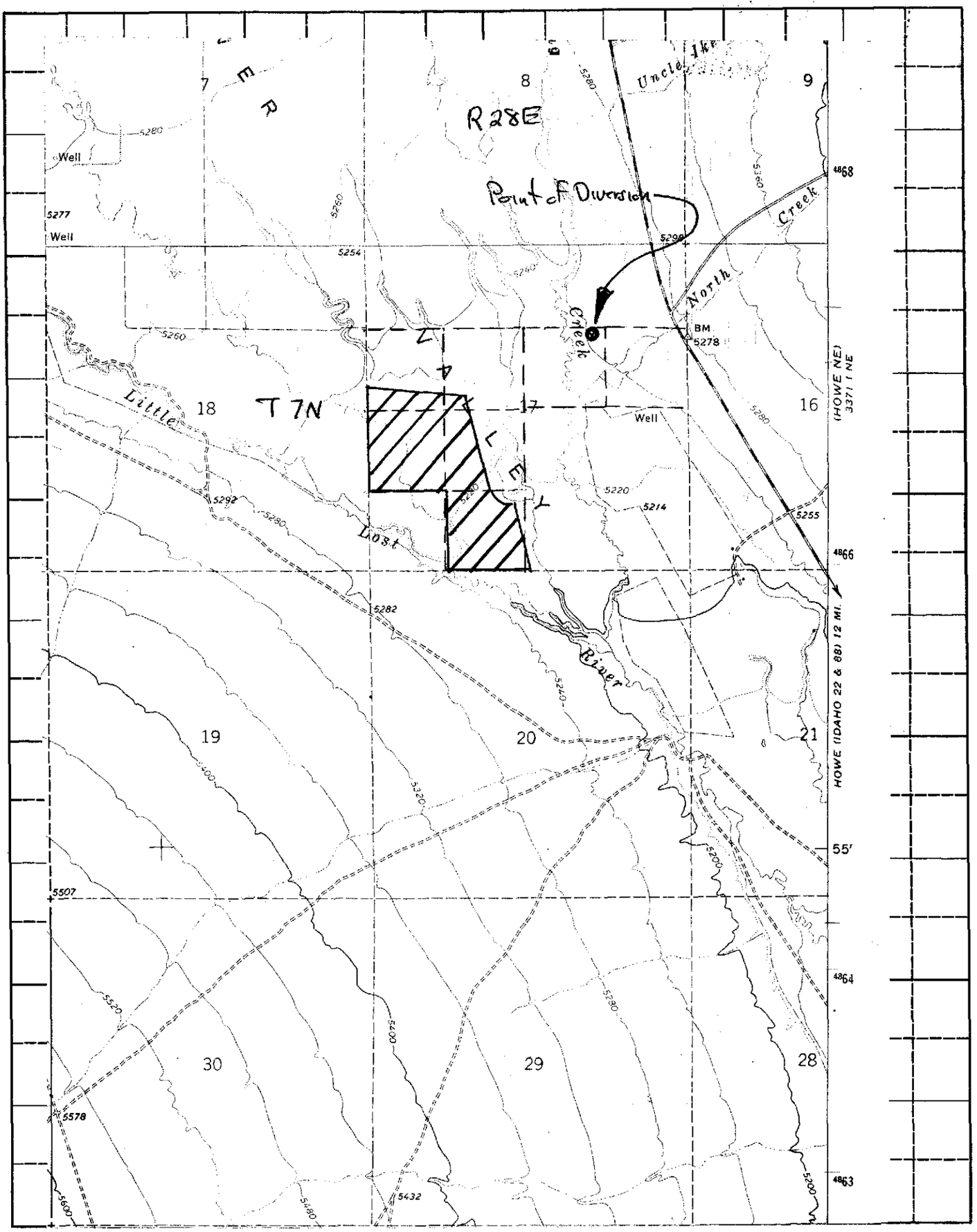
b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks This point of diversion is shared by 33-7023.

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SEP 25 1990

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED
SEP 25 1990

x Norma Robison
(Applicant)

Received by HWJ Date 6-28-85 Time 1:55 pm

Preliminary check by _____ Fee $ 85.00 # 35401

Receipted by ct Date 6-28-85

Publication prepared by gg Date 8-1-85

Published in _____

Publication dates _____

Publication approved _____ Date _____

Protests filed by: none

_____

_____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by tw

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____ , and said application is hereby _____ .

1. Approval of said application is subject to the following limitations and conditions:

   a. SUBJECT TO ALL PRIOR WATER RIGHTS.

   b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

   c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

   d. Other:

MICROFILMED
SEP 25 1990

AFFIDAVIT OF PUBLICATION

I, Colleen Babcock
of the Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with

the issue dated Aug. 16, 1990

and ending with the issue dated

Aug. 23, 1990

Colleen Babcock

STATE OF IDAHO }
COUNTY OF BUTTE }

On this 27 day of August

in the year of 1990, before me, a Notary Public,

personally appeared

Colleen Babcock

known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Thomas D. Cannon

Notary Public for Idaho

Residing at Arco, Id

My commission expires: 12-17-91

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

88-07176

PHILLIPS, DON
ROSS, ROCKY
P.O. BOX 10
HOWE, ID 83244
Source: GROUNDWATER
Diversion Pt: SWNE Sec 17 T 07N R 28E
Use: IRRIGATION (2.160 CFS)
Total Diversion: (2.160 CFS)
Date Filed: 6/28/1985
In: T07N R28E S17 SWNW SENW,NESW NWSW SESW
106.0 ACRES TOTAL

The permit will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before SEPTEMBER 3, 1990.

R. KEITH HIGGINSON
Director

Published 8/16/1990 & 8/23/1990

OK GJ 8-28-90

MICROFILMED
SEP 25 1990

Keen, Shelley

From: Wilson, Keith
Sent: Monday, January 31, 2000 3:10 PM
To: Keen, Shelley
Cc: Wilson, Keith
Subject: Continuing Saga of 33-07176

Thought that you may want to include this in the permit file for 33-07176.

I found a memo dated December 8, 1998, apparently answering your memo of 10/21/1998 in reference to 33-07176. Your memo requested information (●), and my answer (→) follows:

● Under what water right is the surface water picked up for coverage for the acres irrigated by the pivot? In looking at the attached place of use comparison report, it appears, that the surface water rights decreed for these lands were filed in the SRBA as covering different lands and removing the lands previously overlapping to place of use in question.

→Answer: According to Rocky Ross the land under the pivot is currently irrigated under the surface water (ditch) rights 33-00061/62/63/64. Only when his "ditch" water rights run out does he use the well in the SW¼NE¼ Sec 17, T07N, R28E. Rocky indicated that when he filed for the groundwater right for 33-07176, he was told that he could irrigate his pasture when he was not using the water to irrigate the hay. Also, it appears to me that Rocky Ross thinks that the four "ditch" rights total 272.5 ac of irrigation (see adjudication claims).

● How can a place of use be justified and recommended for a pivot based on the irregular shape depicted by the examiner?

→Answer: Unknown. As stated above Rocky indicated that when he filed for the groundwater right for 33-07176, he was told that he could irrigate his pasture when he was not using the water to irrigate the hay. He said in our conversation today that using a low pressure system saved all kinds of water so he should be able to use the saved water. One cannot second guess what was said, but someone could have told him this thinking that he was just going to walk the pivot over the ground not covered under the permit. Now I've second guessed what was said.

● Along the same line as above, how can we not include the SW¼SW¼? And after it's inclusion, the place of use will exceed the number of acres covered by the groundwater right. How will the additional acres receive adequate water right coverage?

→Answer: Unknown. As far a water rights for the SW¼SW¼, I would again look at the approved transfers (T4221 - T4227). Were the conditions of the transfers met, and in fact were there any changes in the effected water rights?

→Answer: Note that adjudication claims A33-02057 & A33-02083 do not reflect the changes produced by transfers #4221-#4227. Were all of the conditions of the transfers actually accomplished? The SW¼SW¼ Sec 17, T07N, R28E, is currently under these two adjudication claims.

UPDATE: January 31, 2000:

A33-02057 & A33-02083 No longer lists the SW¼SW¼ Sec 17, T07N, R28E, as a place of use. Looks like the SRBA has caught up with A33-02057 & A33-02083. Now there are no water rights on the SW¼SW¼ Sec 17, T07N, R28E, in either the allocation or adjudication data base.

Note: Adjudication data base lists 33-00061-00064, & 33-02096 as being on ground other than the SW¼SW¼ Sec 17, T07N, R28E.

RECEIVED
JAN 2 4 2000
Department of Water Resources

TO: Shelley Keen

January 20, 2000

FROM: Keith C. Wilson

RE: Permit 33-07176

As we discussed in our e-mail attached is a copy of the deed showing ownership of the SWSW Sec 17, T07N, R28E. It seems that ownership of the SWSW was of concern because the pivot may go over the ground and irrigate it. Seems that the place of use appeared unusual in that it was under a pivot yet did not appear as a circle. This may have to do with the ground being very alkaline in the NESW, and maybe even in the SESW.

Since I do not have a copy of the exam, and (I'm just guessing) I'd expect that the permit holder may irrigate the SWSW (if he's not already doing so.)

The department may need to license 33-07176 as soon as possible. I don't know, you folks would need to look at the complete file and make that decision.

Keith C. Wilson
Senior Resource Agent

33-07176

FURNISHED BY FIRST AMERICAN TITLE COMPANY
FORMERLY THE BINGHAM TITLE & TRUST CO.

WARRANTY DEED

For Value Received VENICE HAWLEY, a widow, and VENICE HAWLEY as personal representative of the estate of Lawrence R. Hawley aka L. R. Hawley aka "Slim" Hawley, whose full name was Lawrence Roy Hawley

the grantorS , do hereby grant, bargain, sell, and convey unto DON PHILLIPS and BILLIE PHILLIPS, husband and wife, and ROCKY ROSS and CAROL ROSS, husband and wife,

the granteeS , whose current address is Howe, Idaho 83244.

the following described premises, to-wit:

In Township 7 North, Range 28 East of the Boise Meridian:
Section 17: The Southwest Quarter of the Southwest Quarter
Section 20: The Northwest Quarter of the Northeast Quarter; and the North half of the Northwest Quarter.

This deed does not convey any water rights.

SUBJECT TO taxes and assessments for the year 1989, to easements, roads and rights of way, to building and zoning ordinances and use regulations and restrictions, to reservations in federal patents and state deeds, and to any liens suffered or created by the grantees.

No. 22893
FILED
DEC 1 1989
11:30 A.M. _____ P.M.
BUTTE COUNTY RECORDER
Judith D. Bailey

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said GranteeS , their heirs and assigns forever. And the said GrantorS do hereby covenant to and with the said GranteeS , that they are the ownerS in fee simple of said premises; that said premises are free from all incumbrances except as hereinabove set forth and that theY will warrant and defend the same from all lawful claims whatsoever.
Dated:

Venice Hawley
Venice Hawley, a widow

Venice Hawley
Venice Hawley as personal representative of the estate of Lawrence R. Hawley aka L. R. ~~Hawley aka "Slim" Hawley, whose full name was Lawrence Roy Hawley.~~

STATE OF IDAHO, COUNTY OF Bingham
On this 18th **day of** April **, 1989, before me, a notary public in and for said State, personally appeared** Venice Hawley, a widow,

known to me to be the person who se name is subscribed to the within instrument, and acknowledged to me that she **executed the same.**

Robert M Kerr Jr.
Notary Public
Residing at Blackfoot **, Idaho**
Comm. Expires 1/19/92

STATE OF IDAHO, COUNTY OF BINGHAM
On this 18th day of April, 1989, before me, a notary public in and for said State, personally appeared Venice Hawley, known or identified to me to be the person whose name is subscribed to the within instrument as personal representative of the estate of Lawrence R. Hawley aka L. R. Hawley aka "Slim" Hawley, whose full name was Lawrence Roy Hawley, deceased, and acknowledged to me that she executed the same as such personal representative.

Robert M Kerr Jr.
Notary Public
Residing at Blackfoot, Idaho
Comm. Expires 1/19/92

INSTRUMENT NO.

Speed Message

To Dept Water Resources
Attn Keith Wilson

From Rocky Ross
PO Box 10
Howe, Id. 83244

Subject 33-07176

Date 1/18 2000

Enclosed please find a copy of the warranty deed we talked about. We would like to get this straighten out as soon as possible.

Thanks

RECEIVED
JAN 20 2000
Department of Water Resources
Eastern Region

Signed

WilsonJones
44-911 3-PART PRINTED IN U.S.A.
Carbonless

DIAMOND MILLIRON RANCH
P.O. Box 10
Howe, ID 83244

POCATELLO ID 832
PM
19 JAN
2000

USA
2000
83244

Dept. of Water Resources
Attn: Keith Wilson
900 N. Skyline Dr.
Idaho Falls, Id. 83402

83402+1718

Keen, Shelley

From: Wilson, Keith
Sent: Tuesday, January 18, 2000 3:46 PM
To: Keen, Shelley
Subject: RE: Ownership of place of use under 33-07176

Shelley,

Should have been permit 33-07176.

Ownership of the SWSW Sec 17, T07N, R28E. Apparently a pivot in the SW ¼ of Sec 17 crosses the SWSW. It seems that the issue of ownership came up in correspondence with your office. [The SWSW may have been owned by BLM or some one else (Sagewillow?) has a lot of transfers associated with the SWSW]

If Mr. Ross owns the SWSW the acreage in each ¼ - ¼ under the pivot may need to be changed. Maybe a licensing amendment/transfer is in order, especially if he is irrigating or wants to irrigate the SWSW. At this time I'm not sure. After I receive the deed I'll check with Mr. Ross as to his intentions. Then we'll go from there. Licensing...transfer...etc?

I'm in no hurry to have the permit licensed I'd just like a copy of the field exam for the file, at least until the permit is licensed (the map & aerial photo really help in research.)

I checked the microfiche diazo for 33-07176 the last entry was the proof acknowledgement dated August 1, 1995. I forgot to check the microfiche because a lot of the diazos that I've come across were updated some time ago (1987-88-89).

-----Original Message-----
From: Keen, Shelley
Sent: Tuesday, January 18, 2000 3:04 PM
To: Wilson, Keith
Subject: RE: Ownership of place of use under 33-07161

Keith,

I'm a little confused by your message. Are you referring to 33-07161 or 33-07176? What exactly does Mr. Ross want us to do? Does he need to file an assignment of permit or a Notice of Change of Water Right Ownership? Did he file an application for transfer?

For copies of items from files, I encourage you to refer to your microfiche diazos. The microfiche diazos contain the entire water right record, not just the bits and pieces represented by permits and field reports. If you do not refer to the microfiche diazo, you may miss an important element of the record. If the microfiche is unclear, please ask Darla to print you a new diazo. I know that they do deteriorate after some exposure to light. If you need a copy of a field report, which is not microfilmed until the license is issued, please ask us to issue the license ASAP.

Shelley

-----Original Message-----
From: Wilson, Keith
Sent: Tuesday, January 18, 2000 12:14 PM
To: Keen, Shelley
Cc: Wilson, Keith
Subject: Ownership of place of use under 33-07161

Shelley,

Rocky Ross called today about ownership of the place of use under the pivot under 33-07176. He stated that he owned all of the place of use, including area "B"? If my memory serves me correctly that would have been in the SWSW of the section.

I told Mr. Ross that we needed a copy of the deed or last years tax notice to confirm his ownership. He

indicated that he has a de[redacted]nd would send me a copy.

I will forward the deed to you as soon as possible.

For some reason our office does not seem to have a copy of the permit or of the field exam. It would be appreciated if you would send this office a copy of both.

Thanks,

Keith

TO: Shelley W. Keen

December 8, 1998

RECEIVED
MAY 10 1999
Department of Water Resources

FROM: Keith C. Wilson

RE: Memorandum dated 10/21/1998 for exam 33-07176

---

(1) ● Under what water right is the surface water picked up for coverage for the acres irrigated by the pivot? In looking at the attached place of use comparison report, it appears that the surface water rights decreed for these lands were filed in the SRBA as covering different lands and removing the lands previously overlapping the place of use in question.

☞ According to Rocky Ross the land under the pivot is currently irrigated under the surface water (ditch) rights (33-00061/62/63/64). Only when his "ditch" water rights run out does he use the well in the SW¼NE¼ Sec 17, T07N, R28E. Rocky indicated that when he filed for the groundwater right for 33-07176, he was told that he could irrigate his pasture when he was not using the water to irrigate the hay. Also, it appears to me that Rocky Ross thinks that the four "ditch" rights total 272.5 ac of irrigation (see adjudication claims).

(2) ● How can a place of use be justified and recommended for a pivot based on the irregular shape depicted by the examiner?

☞ Unknown. As stated above Rocky indicated that when he filed for the groundwater right for 33-07176, he was told that he could irrigate his pasture when he was not using the water to irrigate the hay. He said in our conversation today that using a low pressure system saved all kinds of water so he should be able to use the saved water. One cannot second guess what was said, but someone could have told him this thinking that he was just going to walk the pivot over the ground not covered under the permit. Now I've second guessed what was said. The place of use under the pivot is highly alkaline in areas. Those crop friendly areas were outlined in the irregular shape shown on the map. KWW

(3) ● Along the same line as above, how can we not include the SW¼SW¼? And after it's inclusion, the place of use will exceed the number of acres covered by the groundwater right. How will the additional acres receive adequate water right coverage?

☞ Unknown. As far as water rights for the SW¼SW¼, I would again look at the approved transfers (T4221 - T4227). Were the conditions of the transfers met, and in fact were there any changes in the effected water rights?

☞ Note that adjudication claims A33-02057 & A33-02083 do not reflect the changes produced by transfers #4221-#4227. Were all of the conditions of the transfers actually accomplished? The SW¼SW¼, Sec 17, T07N, R28E, is currently under these two adjudication claims. The swsw is owned by Sage Willow (Ed Dumpke) & should not be included in this license. The applicant would not want his neighbors land licensed & Sage Willow has its own adjudication claims on the swsw. KWW

T2N-R28E
Big
Spring
Creek
7
8
17
Little
Lost
River
Diamond M Iron Ranch
Rocky Ross and Don Phillips
Little Lost River Valley

T4221 SAGE WILLOW

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

RECEIVED
JUN 27 1995
Department of Water Resources
Eastern District Office

IN THE MATTER OF APPLICATION FOR TRANSFER NOS. 4221, 4222, 4223, 4224, 4225, 4226, AND 4227 IN THE NAME OF SAGE WILLOW, INC.

ORDER GRANTING PETITION FOR RECONSIDERATION

On June 5, 1995, Sage Willow, Inc. filed a petition for reconsideration and a supporting brief. Rule 720.a. of the Department's Rules of Procedure states that the hearing officer must dispose of any petition for reconsideration within 21 days of its receipt or the petition will be considered denied by operation of law. This order responds to the petition for reconsideration.

Counsel for Sage Willow raises legal issues which I struggled with while preparing the recommended decision. I will discuss the issues in the following analysis section.

ANALYSIS

Resumption Use

Sage Willow's analysis of the Idaho cases which discuss resumption of use in greater detail is not convincing. Although resumption of use is mentioned in several cases, the legal theory is not used as a basis for a decision in most of them. Nevertheless, it is worth discussing how resumption of use fits into the doctrine of prior appropriation and hydrologic reality.

The recommended decision does not attempt to abrogate the resumption defense. It narrowly limits its application. If the resumption defense is liberally applied as proposed by Sage Willow,

it will conflict with prior appropriation doctrine, it will conflict with sound hydrologic reasoning, and it will all but prevent a prior appropriator from ever contesting a resumption of use.

Where many waterusers divert water from a stream, a single junior appropriator cannot monitor all of the senior uses of water, and file specific claims to forfeited water when a five year forfeiture period has passed. Furthermore, if the water is delivered by a watermaster in a water district, Idaho law prevents ownership by adverse possession. Difficulty of monitoring is aggravated when the relationship between ground water and surface water is recognized. Not only would the junior user be required to monitor the use of surface water by senior water right holders, but would also be required to monitor all uses of ground water in the basin. Holding a water right ought to be enough.

The Department of Water Resources has been criticized in recent years for ignoring the relationship between surface water flows and tributary ground water, and for not developing regulations for the conjunctive management of related water resources. It has also been criticized for liberally issuing ground water permits without thought of the effect on other waterusers. If each isolated permit were reviewed without consideration of all other permits an expert might conclude the impact is minimal, and lawyers could argue there is no actual injury. But when the cumulative effect of all permits is considered the injury could be substantial.

Recent legal action and legislative enactments have prompted

the Department to initiate a broad water measurement program, and to promulgate rules and regulations to deliver water rights to both surface water and ground water users who are being injured by ground water withdrawals. This may result in curtailment of some ground water diversions.

Sage Willow proposes that because there are no specific claims to the Sage Willow ground water rights, the Department should ignore the certain hydrologic relationships and ignore the cumulative effect that Sage Willow's proposed resumption, and all other resumptions (if the resumption defense is liberally applied), would have on other water users.

I recognize that no one has filed a petition for delivery call and asked for conjunctive management. The Department should not ignore hydrologic reality in approving a resumption of use, only to cause a greater delivery problem later when the rights may be conjunctively managed. The Department would be inconsistent if it recognized the resumption of use as proposed by Sage Willow. Sage Willow does not persuade me that the conclusions of law in the recommended decision regarding the resumption of use should be reconsidered.

Voiding of Transfer No. 3785

It is clear that water right no. 33-02091 was forfeited/abandoned. Failure to respond to the forfeiture question on the application for transfer form, combined with testimony at the hearing reveals that the forfeiture issue was not addressed by the applicant. The forfeiture issue was also not explored by the Department prior to approval.

On the other hand, the application was properly published, giving interested parties notice regarding the proposed change. Furthermore, the transfer was approved by the Department although the conditions imply that some issues, including forfeiture, might be reviewed by the adjudication court.

I am troubled by Sage Willow's implicit allegations that because the Department assisted in the preparation of the application, that perhaps the Department should be estopped from raising the forfeiture issue. The applicant goes so far as to state that "[w]e are puzzled as to why IDWR, which has access to the records, transferred right no. 33-02091 to land, most of which was already covered by right no. 33-02090." Much of Sage Willow's discussion attempts to absolve the applicant of any responsibility for ensuring the correctness of the application, to blame the Department for its inadequacies. It is sad that the Department may need to withdraw from assisting the public to insulate itself from accusations that it was responsible for an applicant's decisions. The applicant should bear the responsibility of properly completing an application, and when signing a document, know what is being represented.

Nonetheless, the Department approved transfer no. 3785, and Sage Willow should be able to rely on the Department's decision in proceeding with the project. Perhaps there should be some application of res judicata with respect to administrative matters. Or perhaps the resumption of use doctrine should be invoked if the Department approved the transfer, and the wateruser resumed the use prior to an objection.

I debated whether I should issue a decision regarding this issue, immediately or whether I should grant the petition for reconsideration, and notify the parties. After reviewing Rule 720.a., I conclude that if the hearing officer is willing to reconsider a decision, both parties should be apprised of the decision, and an opportunity should be given to brief the issues. I note that late on June 22, 1995, I received a brief from James Mays, and Mays Land & Livestock, which I have not fully reviewed. This issue along with one other issue will be reconsidered. A briefing schedule will follow in the order portion.

The Frew Place

I followed the findings and recommendations of Terry Scanlin regarding the place of use rather than the findings of Dr. Charles Brockway because: (1) Scanlin was attempting to define historical use, and Brockway analyzed what could be physically irrigated; and (2) Scanlin's place of use estimates were supported by Vance Hawley's testimony of historical use. Because the decision was based on an analysis of historical use, not what could be physically irrigated, and because of Hawley's supporting testimony, Scanlin's numbers were more credible. My finding of credibility does not imply that Dr. Brockway is dishonest. On the contrary, I've always found Brockway to be honest and forth right. The decision simply judges that historical use, not what can be physically irrigated, is the basis of my review.

Sage Willow rightfully points out, however, that Hawley did not testify about irrigation of the Frew place, and, without the supporting evidence, the estimate by Scanlin may not rise to the

level of clear and convincing evidence justifying a reduction in acreage. This issue may also be addressed by the parties.

ORDER

IT IS HEREBY ORDERED that Sage Willow's petition for reconsideration is GRANTED with respect to the issue of whether use of water pursuant to right no. 33-2091 should be authorized because of the approval of transfer no. 3785, and whether the number of acres authorized for irrigation pursuant to rights nos. 33-02086 and 33-07018 (Frew place) was correct.

IT IS FURTHER ORDERED that any briefs, in addition to those already filed, must be filed on or prior to July 14, 1995.

Dated this 23rd day of June, 1995.

Gary Spackman
Hearing Officer

I hereby do certify that on this 23rd day of June, 1995, I mailed a true and correct copy of the foregoing ORDER GRANTING PETITION FOR RECONSIDERATION to the following.

Kris Rhodes
Secretary

Kent Foster
PO Box 50130
330 Shoup Ave. 3rd floor
Idaho Falls ID 83405

Michael C. Creamer
Givens Pursely & Huntley
PO Box 2720
Boise ID 83701

Blaine County Canal Co
C/O Wade T Williams
HC 65 Box 1032
Howe ID 83244

Eastern Region

SD-0604-2 Township: 07N Range: 28E Section: 17 Tract: SWSW Lot:

STATE Max # Records 38

SEL	Tract	LOT	Water Right No.	Name Last, First	OWN	AC	STG	Priority Date	Use Code	Use Desc
_	SWSW		A33-02057	HAWLEY, LAWRENCE R	O	30	L	02/01/1950	01	IRR
				SAGE WILLOW INC	C					
				FOSTER, KENT W	A					
_	SWSW		A33-02083	SAGE WILLOW INC	C	30	L	08/23/1957	01	IRR
				FOSTER, KENT W	A					
				HAWLEY, LAWRENCE	O					

(Enter=Continue) (GOLD7=This Query) (Menu _____)

SD-0861-2 Starting Transfer No.: 4221

S E L	Trans No.	Last Name	S T	Status Date	Call-Up Date	Affected Rights	Proposed Rights
_	4221	SAGEWILLOW INC	A	03/12/1996	00/00/0000	33-02057	33-02057A
						33-02083	33-02083A
						33-02086	33-02086A
						33-02091	33-02091A
_	4222	SAGEWILLOW INC	A	03/12/1996	00/00/0000	33-02057	33-02090
						33-02083	33-02057B
						33-02090	33-02083B
_	4223	SAGEWILLOW INC	A	03/12/1996	00/00/0000	33-02057	33-02057C
						33-02083	33-02083C
_	4224	SAGEWILLOW INC	A	03/12/1996	00/00/0000	33-02057	33-02057D
						33-02083	33-02083D
						33-00069	33-00069A
						33-00070	33-00070A
						33-00071	33-00071A
						33-00073	33-00073A
						33-00074	33-00074A

(Enter=Continue) (GOLD 7=This Query) (Menu _____)

SD-0861-2 Starting Transfer No.: 4221

SEL	Trans No.	Last Name	ST	Status Date	Call-Up Date	Affected Rights	Proposed Rights
_	4225	SAGEWILLOW INC	A	03/12/1996	00/00/0000	33-00073	33-00073B
_						33-00074	33-00074B
_						33-00076	33-00076B
_						33-00078	33-00078B
_						33-00079	33-00079B
_						33-00080	33-00080B
_						33-00081	33-00081B
_						33-00082	33-00082B
_						33-02007	33-02007B
_							33-02008B
_							33-02133B
_	4226	SAGEWILLOW INC	A	03/12/1996	00/00/0000	33-02057	33-02057F
_						33-02083	33-02083F
_						33-00069	33-00069C
_						33-00070	33-00070C
_						33-00071	33-00071C

(Enter=Continue) (GOLD 7=This Query) (Menu _____)

SD-0861-2 Starting Transfer No.: 4221

S E L	Trans No.	Last Name	S T	Status Date	Call-Up Date	Affected Rights	Proposed Rights
_	4226	SAGEWILLOW INC	A	03/12/1996	00/00/0000	33-00072	33-00072C
						33-00073	33-00073C
						33-00074	33-00074C
						33-00076	33-00076C
						33-00078	33-00078C
						33-00079	33-00079C
						33-00080	33-00080C
						33-00081	33-00081C
						33-00082	33-00082C
						33-02007	33-02007C
						33-02008	33-02008C
						33-02133	33-02133C
_	4227	SAGEWILLOW INC	A	03/12/1996	00/00/0000	33-02086	33-02086B
						33-02091	33-02091B
						33-07018	33-07018
_	4230	LITTLE CATTLE COMPANY	A	12/21/1993	00/00/0000	63-03173	63-03173

(Enter=Continue) (GOLD 7=This Query) (Menu _____)

8. Total consumptive use is 681.2 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
07N	28E	16	NW	SW		IRR	24.5
			SW	SW		IRR	27.0
			SE	SW		IRR	1.5
					Section Acres		53.0
		17	SW	NE		IRR	2.0
			NE	SE		IRR	34.0
			NW	SE		IRR	10.0
			SW	SE		IRR	1.5
			SE	SE		IRR	35.0
					Section Acres		82.5
		20	NE	NE		IRR	35.0
			SE	NE		IRR	15.0
					Section Acres		50.0
		21	NE	NW		IRR	12.0
			NW	NW		IRR	37.0
			SW	NW		IRR	30.0
			SE	NW		IRR	8.0
					Section Acres		87.0
					Total Acres		272.5

11. Place of use in counties: BUTTE

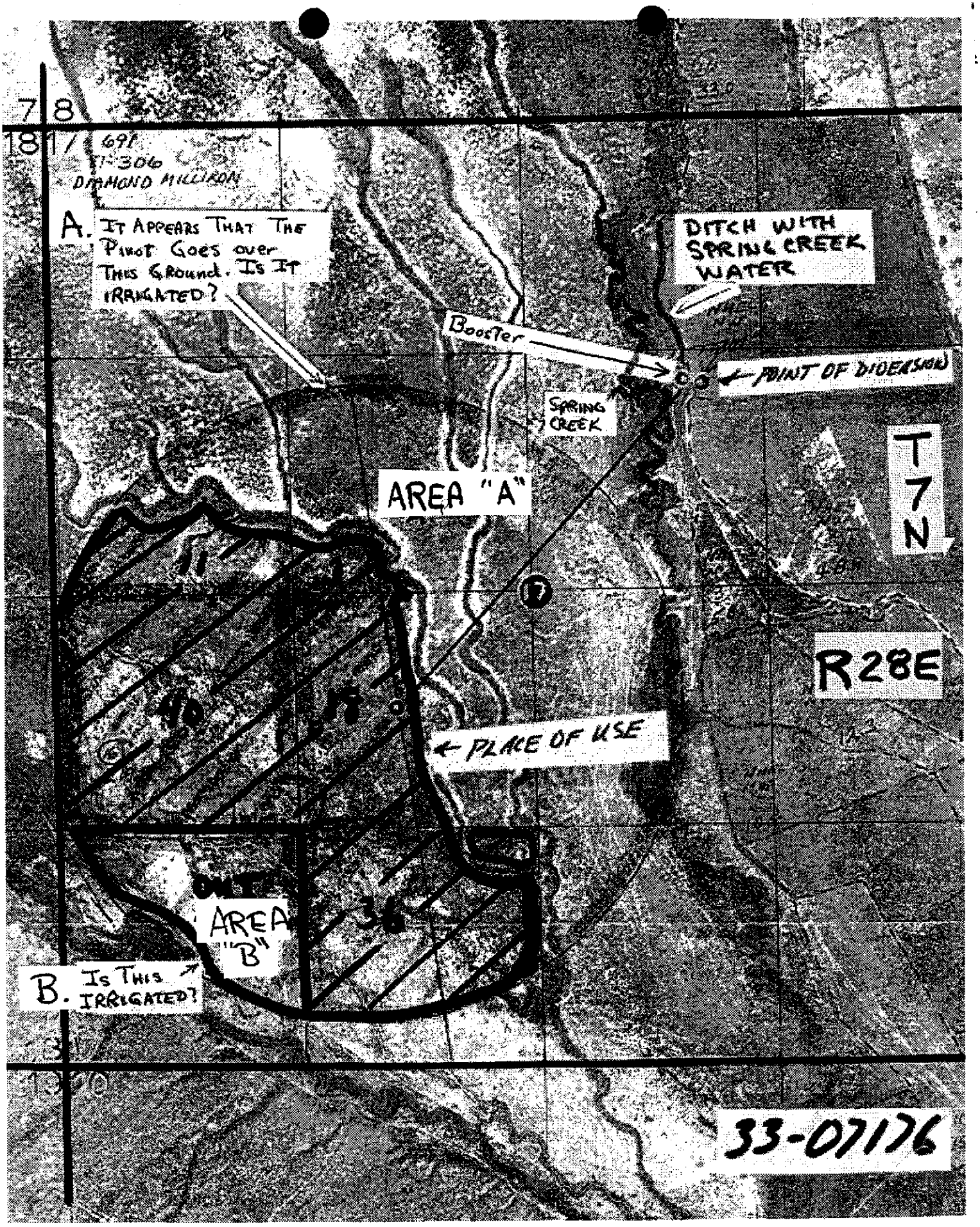
12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
33-0061/0062/0064, 33-07075, 33-02096

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

MICROFILMED
DEC 0 9 1992


7 8
18
691
T-306
DIAMOND MILLIRON
A. IT APPEARS THAT THE PIVOT GOES OVER THIS GROUND. IS IT IRRIGATED?
DITCH WITH SPRING CREEK WATER
BOOSTER
POINT OF DIVERSION
SPRING CREEK
AREA "A"
T 7 N
R 28 E
PLACE OF USE
AREA "B"
B. IS THIS IRRIGATED?
33-07176

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 20, 1998

Rocky Ross & Don Phillips
P.O. Box 10
Howe, ID 83244

767-3124

RE: Licensing examination of ~~32~~ 33-07176

Dear Sirs:

Boise has raised some questions about the licensing examination of permit 32-07176. For your convenience I have enclosed a copy of the aerial photo of the place of use. The area cross-hatched matches the place of use of the permit and the licensing exam.

Item #1: Boise would like justification of the irregular shape of the irrigated place of use since the pivot also appears to go over areas "A" & "B". Are Areas "A" & "B" irrigated, and if so under what water right?

Item #2: The licensing examination also indicated the following:

"Water is pumped via an eight inch buried main line to a booster pump, then on to the pivot. At the point of the booster pump water can be also pumped form the ditch and combined."

Under what water right is the surface water picked up for coverage for the acres irrigated by the pivot?

The licensing of 32-07176 cannot continue until these items are answered. Please contact me on or before **December 4, 1998**, with the information on these two items. Your prompt response will be appreciated.

Thank you,

Keith C Wilson

12/7/1998 1342 hrs message machine

Keith W. Wilson
Senior Resource Agent

TO: Shelley W. Keen December 8, 1998

FROM: Keith C. Wilson

RE: Memorandum dated 10/21/1998 for exam 33-07176

- Under what water right is the surface water picked up for coverage for the acres irrigated by the pivot? In looking at the attached place of use comparison report, it appears that the surface water rights decreed for these lands were filed in the SRBA as covering different lands and removing the lands previously overlapping the place of use in question.

☞ According to Rocky Ross the land under the pivot is currently irrigated under the surface water (ditch) rights (33-00061/62/63/64). Only when his "ditch" water rights run out does he use the well in the SW¼NE¼ Sec 17, T07N, R28E. Rocky indicated that when he filed for the groundwater right for 33-07176, he was told that he could irrigate his pasture when he was not using the water to irrigate the hay. Also, it appears to me that Rocky Ross thinks that the four "ditch" rights total 272.5 ac of irrigation (see adjudication claims).

- How can a place of use be justified and recommended for a pivot based on the irregular shape depicted by the examiner?

☞ Unknown. As stated above Rocky indicated that when he filed for the groundwater right for 33-07176, he was told that he could irrigate his pasture when he was not using the water to irrigate the hay. He said in our conversation today that using a low pressure system saved all kinds of water so he should be able to use the saved water. One cannot second guess what was said, but someone could have told him this thinking that he was just going to walk the pivot over the ground not covered under the permit. Now I've second guessed what was said.

- Along the same line as above, how can we not include the SW¼SW¼? And after it's inclusion, the place of use will exceed the number of acres covered by the groundwater right. How will the additional acres receive adequate water right coverage?

☞ Unknown. As far as water rights for the SW¼SW¼, I would again look at the approved transfers (T4221 - T4227). Were the conditions of the transfers met, and in fact were there any changes in the effected water rights?

☞ Note that adjudication claims A33-02057 & A33-02083 do not reflect the changes produced by transfers #4221-#4227. Were all of the conditions of the transfers actually accomplished? The SW¼SW¼, Sec 17, T07N, R28E, is currently under these two adjudication claims.

33-07176

MEMORANDUM

RECEIVED
OCT 2 6 1998
Department of Water Resources
Eastern Region

To: Skip Jones

FROM: Shelley Keen SWK

DATE: October 21, 1998

RE: Exam (33-07176) Returned to Region

I am sending this exam back for further review and information. The following is a list of questions and concerns raised by the field report.

- Under what water right is the surface water picked up for coverage of the acres irrigated by the pivot? In looking at the attached place of use comparison report, it appears that the surface water rights decreed for these lands were filed in the SRBA as covering different lands and removing the lands previously overlapping the place of use in question.

- How can a place of use be justified and recommended for a pivot based on the irregular shape depicted by the examiner?

- Along the same line as above, how can we not include the SWSW? And after it's inclusion, the place of use will exceed the number of acres covered by the groundwater right. How will the additional acres receive adequate water right coverage?

-

12-8-98
Talk to Allen R.
about true location
of surface water
use.
Thx

CK 33-07075
33-02091
Source + P/U

TO: Shelley W. Keen December 8, 1998

FROM: Keith C. Wilson

RE: Memorandum dated 10/21/1998 for exam 33-07176

- Under what water right is the surface water picked up for coverage for the acres irrigated by the pivot? In looking at the attached place of use comparison report, it appears that the surface water rights decreed for these lands were filed in the SRBA as covering different lands and removing the lands previously overlapping the place of use in question.

☞ According to Rocky Ross the land under the pivot is currently irrigated under the surface water (ditch) rights (33-00061/62/63/64). Only when his "ditch" water rights run out does he use the well in the SW¼NE¼ Sec 17, T07N, R28E. Rocky indicated that when he filed for the groundwater right for 33-07176, he was told that he could irrigate his pasture when he was not using the water to irrigate the hay. He said in our conversation today that using a low pressure system saved all kinds of water so he should be able to use the saved water. Also, it appears to me that Rocky Ross thinks that the four "ditch" rights total 272.5 ac of irrigation (see adjudication claims).

- How can a place of use be justified and recommended for a pivot based on the irregular shape depicted by the examiner?

☞ The land under the pivot w/in the SW¼NE¼, S½NW¼, NE¼SW¼, & W½SE¼, Sec 17, T07N, R28E, is very alkaline. Therefore, if irrigated, no beneficial use would be realized even if the pivot remained on as it traveled over the land.

- Along the same line as above, how can we not include the SW¼SW¼? And after it's inclusion, the place of use will exceed the number of acres covered by the groundwater right. How will the additional acres receive adequate water right coverage?

☞ Adjudication claims A33-02057 & A33-02083, cover the SW¼SW¼, Sec 17, T07N, R28E. Note that A33-02057 & A33-02083 do not reflect the changes in the rights produced by transfers #T4221-#T4227. Were all of the conditions of these transfers actually accomplished? Were there actually any changes in these water rights?


691
T-306
DIAMOND MILLIRON
It Appears That The Pivot Goes over This Ground. Is It IRRIGATED?
DITCH WITH SPRING CREEK WATER
Booster
POINT OF DIVERSION
Spring Creek
T7N
R28E
PLACE OF USE
It Also Appears That The Pivot Goes Over This Ground. Is It Irrigated?
33-07126

Water Right Number - 33-07176 Prefix Translation: WATER RIGHT Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
ROSS	ROCKY	1 - PO BOX 10 2 - 3 - City- HOWE State- ID Zip- 83244 Phone - 208-767-3124
PHILLIPS	DON	1 - P.O. BOX 10 2 - 3 - City- HOWE State- ID Zip- 83244 Phone - 208-000-0000
*** O - ORIGINAL OWNER ***		
ROBISON	WILLIAM B	1 - PO BOX 22 2 - 3 - City- HOWE State- ID Zip- 83244 Phone - 208-767-3124
ROBISON	NORMA	1 - P.O. BOX 22 2 - 3 - City- HOWE State- ID Zip- 83244 Phone - 208-000-0000

Priority Date	Region	Stage	Status
06/28/1985	15 EASTERN	P - PERMIT	

Source: GROUNDWATER

Tributary:

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
07N	28E	17	SW NE			(23) BUTTE			

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/01	11/01	2.160	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
2.160			0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	28E	17	SW NW		11.0	01	IRRIGATION	(23) BUTTE
07N	28E	17	SE NW		3.0	01	IRRIGATION	(23) BUTTE
07N	28E	17	NE SW		18.0	01	IRRIGATION	(23) BUTTE
07N	28E	17	NW SW		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	17	SE SW		36.0	01	IRRIGATION	(23) BUTTE

Water right number - 33-07176 Prefix Translation: WATER RIGHT

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County

Total Acres: 108.0

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

No Remarks found.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

051 - Any license issued by IDWR pursuant to the right or portion
- thereof for the use of trust water is subject to a term review
- of 20 years after the date of this approval to determine
- availability of water for the use and to re-evaluate the public
- interest at the end of the term.
052 - Diversion and use of water under this right is subject to an
- annual use fee if rules are subsequently promulgated which
- provide for the submittal of the fee.
053 - The Director retains jurisdiction over this right and may
- change, add, or remove any requirement as determined to be
- appropriate.
046 - Right holder shall comply with the drilling permit
- requirements of Section 42-235, Idaho Code.
026 - Permit holder shall commence the excavation or construction of
- diverting works within one year of the date this permit is issued
- and shall proceed diligently until the project is complete.
03A - The rate of diversion of water for irrigation under this right
- and all other water rights on the same land shall not exceed 0.02
- cubic feet per second for each acre of land.

Decree Plaintiff

Decree Defendant

Decree Date

00/00/0000

-Comments-

No Comments Found

Audit Fields - 09/22/87 05/22/88 CONVERT 07/13/90 CURTIS 08/08/90 CURTIS 09/10/90 CURTIS
08/01/95 JYARBROU 05/20/96 KWILSON 01/14/98 KWILSON 10/21/98 SCURTIS

Water right number - 33-07176 Prefix Translation: WATER RIGHT

+ - Water Rights Dates and Flags Area - +

Proof Due Date	- 09/01/1995	Field Exam Made	- 05/09/1996	Field Exam Fee	- R
Approved/Denied	- 09/13/1990	Protested Date	- 00/00/0000	Swan Falls	- 7
Proof Made Date	- 07/17/1995	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- C033198	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 06/28/1985	Transfer/Amended	-
Presumption Flag	-	Name Connector	-	POU Ownership Flag	- Y
SRBA Decreed Flag	-				

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 33-07176

1. Owner: ROCKY ROSS / DON PHILLIPS Phone No. (208)-767-3124

Current Address: P.O. BOX 10, HOWE, IDAHO 83244

2. Accompanied by: ROCKY ROSS EXAM DATE: 5/9/96

Address: _____ Phone No. _____

Relationship to Permit Holder: OWNER

3. Source: GROUND WATER ~~SPRING CREEK~~ tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: A33-02057 + A33-02083

2. Other water rights with the same point of diversion: 33-07023, ~~33-07176~~

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:** NO GOV. LOTS

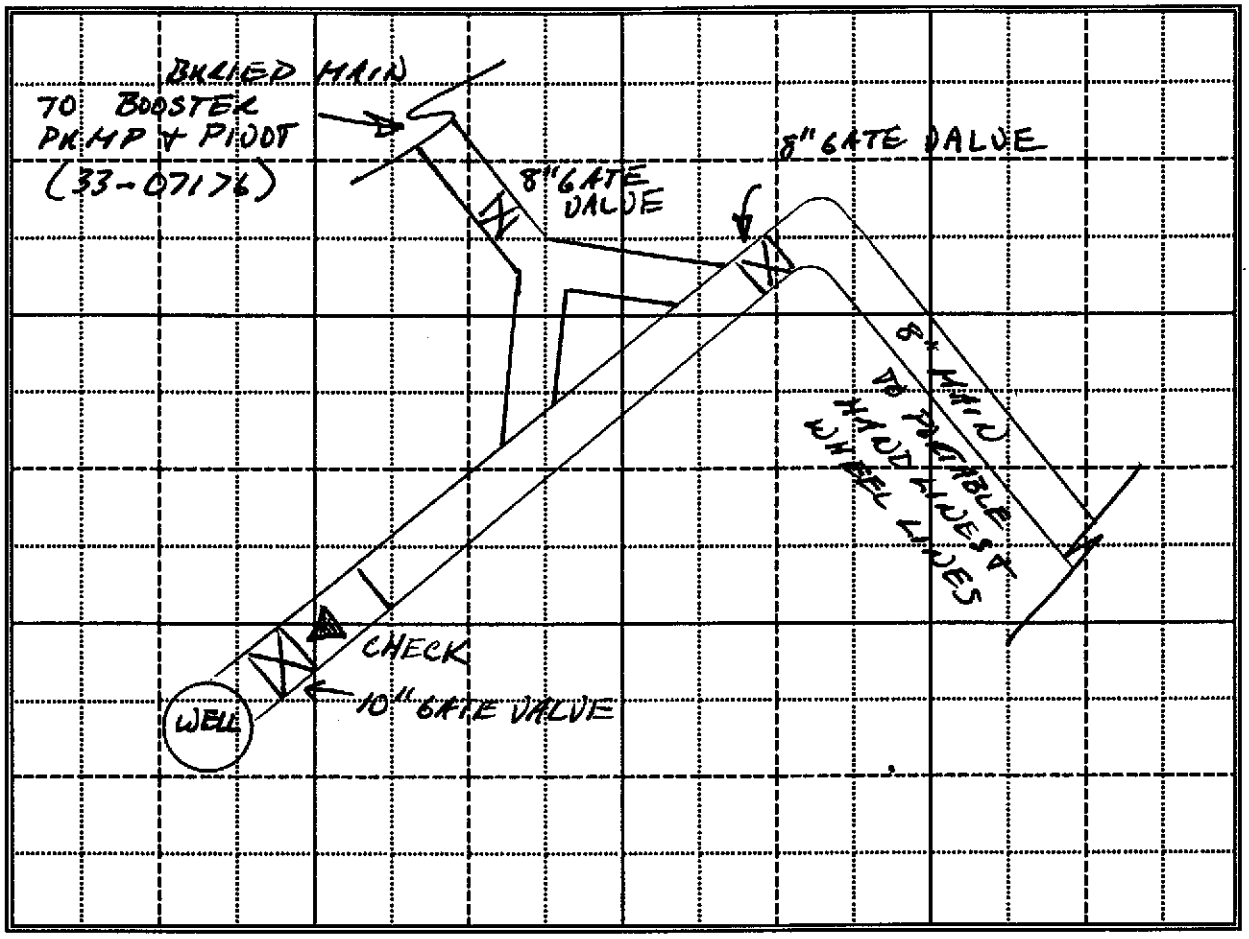
Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	SW	NE	17	T7N	28E	BUTTE	U.S.G.S. TOPO MAP / NAPP PHOTOS

2. **Place(s) of Use:** NO GOV. LOTS Indicate Method of Determination ON SITE INSP.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	28E	17							11	3	18	40		36					108

TOTAL 108

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____.

_____ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

_____ Aerial Photo Attached (required for irrigation of 10+ acres)

_____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GENERAL ELECTRIC	75	ALJ108587		8"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
POLYSONIC	TYME-FLYTE		TF-P	7M0263		1997

2. **Measurements:** SEE SONIC TAPE

E. NARRATIVE/REMARKS/COMMENTS

WATER FOR THIS PERMIT IS SUPPLIED BY AN EXISTING WELL & PUMP; THIS WELL ALSO SUPPLIES WATER FOR WATER RIGHT # 33-07023.

WATER IS PUMPED VIA AN EIGHT INCH BURIED MAIN LINE TO A * SEE NOTE BOOSTER PUMP, THEN ON TO THE PIVOT. AT THE POINT OF THE BOOSTER PUMP WATER CAN BE ALSO PUMPED FROM THE ~~CREEK~~ DITCH AND COMBINED * BOOSTER PUMP; THIS PUMPS PRIMARY PURPOSE IS TO PUMP DITCH WATER BUT CAN, BECAUSE OF VALVING & PIPING, BE USED AS A BOOSTER PUMP.

PIVOT IS A 10 TOWER, LOW PRESSURE SYSTEM WITH AN END GUN. (1260 GPM ENGINEERED SPECKS.) APPROX. LENGTH 1,644 FEET.

NOTE: IN THE SW SW 517 THERE IS OVERLAP OF THIS WATER RIGHT WITH ANOTHER RIGHT THAT ~~DOES NOT~~ IS NOT FROM THIS POD.

Have conditions of permit approval been met? ✓ yes ___ no

F. FLOW CALCULATIONS ____ Additional Computation Sheets Attached

Measured Method:

POLYSONIC READING = 1.088 36PH = 1088 GPH / 448.8 = 2.42 CFS

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = 108 X 3.5 = 378 AFA

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = 1.24 CFS X 183 X1.9835 = 450.82

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 378 AFA

2. Volume Calculations for Other Uses:

108 ACRES 33-07176
100.9 ACRES 33-07023
209 ACRES

209 AC | 2.42 CFS = 0.0115 CFS/AC X 108 ACRES

= 1.24 CFS FOR 33-07176

POLYSONIC 2.42 CFS AT PUMP

33-07023

H. RECOMMENDATIONS THIS PERMIT WHEN USED IN COMBINATION WITH OTHER ~~WATER RIGHTS~~ NOT TO EXCEED 2.42 CFS.

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRRIGATION	4/15	10/15	1.24 CFS	378 AFA
		Totals:	1.24 CFS	378 AFA

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above ✓ None

___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Field Examiner's Name SIMPKINS Date 1/7/97

Reviewer _____ Date _____ SEAL

FIELD EXAM NOTES

EXAM # 33-07176

DATE OF EXAM 5/9/96

PERMITEE NAME ROCKY ROSS

OTHER WATER RIGHTS SAME POD YES - FIELDS ABOVE (EAST) PUMP

OTHER WATER RIGHTS SAME POU YES

PUMP #1 HP ~~25~~ 75 MAKE GE SERIAL # ALJ 108587
COLOR AND DESCRIPTION Red/Gray - Gray - Yellow Cream
OUTPUT DIAMETER 8" SYSTEM PRESSURE 60 PSI WELL DEPTH 100' APP.
STATIC H2O 50'? WELL DEPTH _____ DYNAMIC PUMP _____
PSI GAGE TYPE Rain Bird CHECK VALVE (Y) [N] GATE VALVE (Y) [N]

PUMP #2 HP _____ MAKE _____ SERIAL # _____
COLOR AND DESCRIPTION _____
OUTPUT DIAMETER _____ SYSTEM PRESSURE _____PSI WELL DEPTH _____
STATIC H2O _____ WELL DEPTH _____ DYNAMIC PUMP _____
PSI GAGE TYPE _____ CHECK VALVE [Y] [N] GATE VALVE [Y] [N]

BOOSTER PUMP #1 HP _____ MAKE _____ SERIAL # _____
COLOR AND DESCRIPTION _____

BOOSTER PUMP #2 HP _____ MAKE _____ SERIAL # _____
COLOR AND DESCRIPTION _____

CIRCLE PIVOT (Y) [N] NUMBER OF TOWERS 10 PIVOT LENGTH 1668 3/5
PRESSURE [H] (L) + End Gun
1260 GPM Engineering Spec.

HAND LINES [Y] [N] NUMBER OF LINES _____ LENGTH OF LINES _____

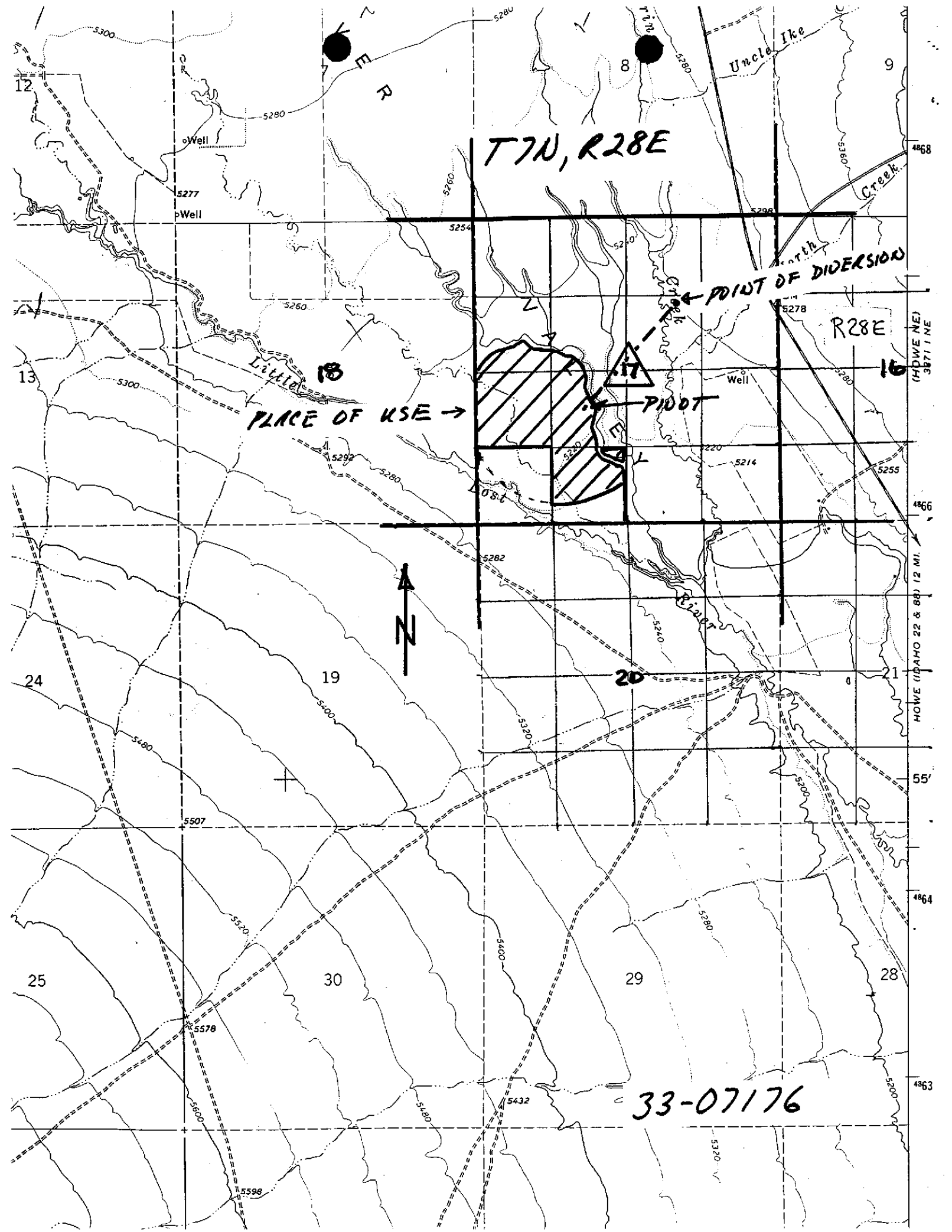
RAIN BIRDS PER LINE _____ NOZZEL DIAMETER _____

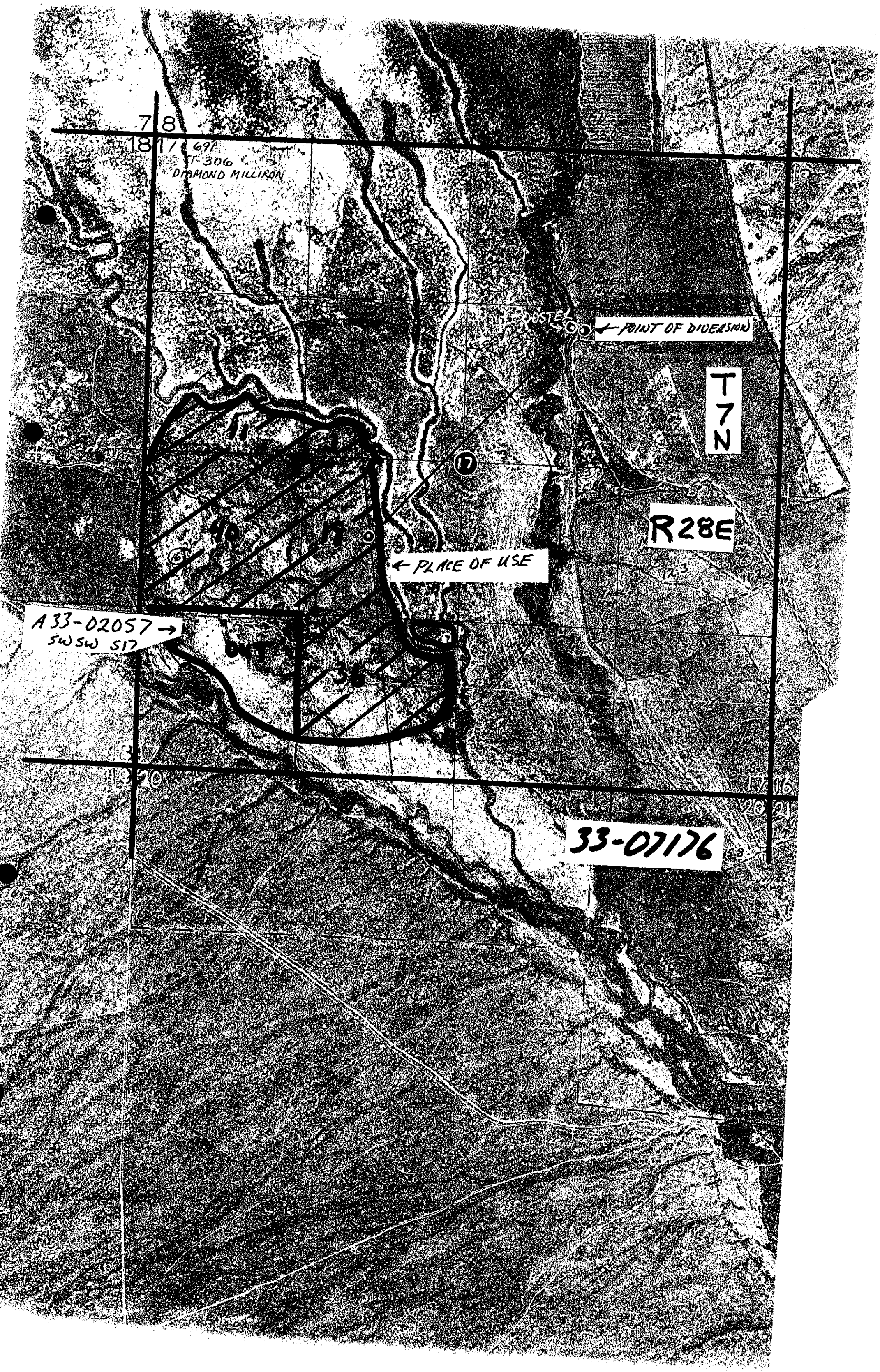
SURFACE WATER TYPE OF MEASUREING DEVICE _____

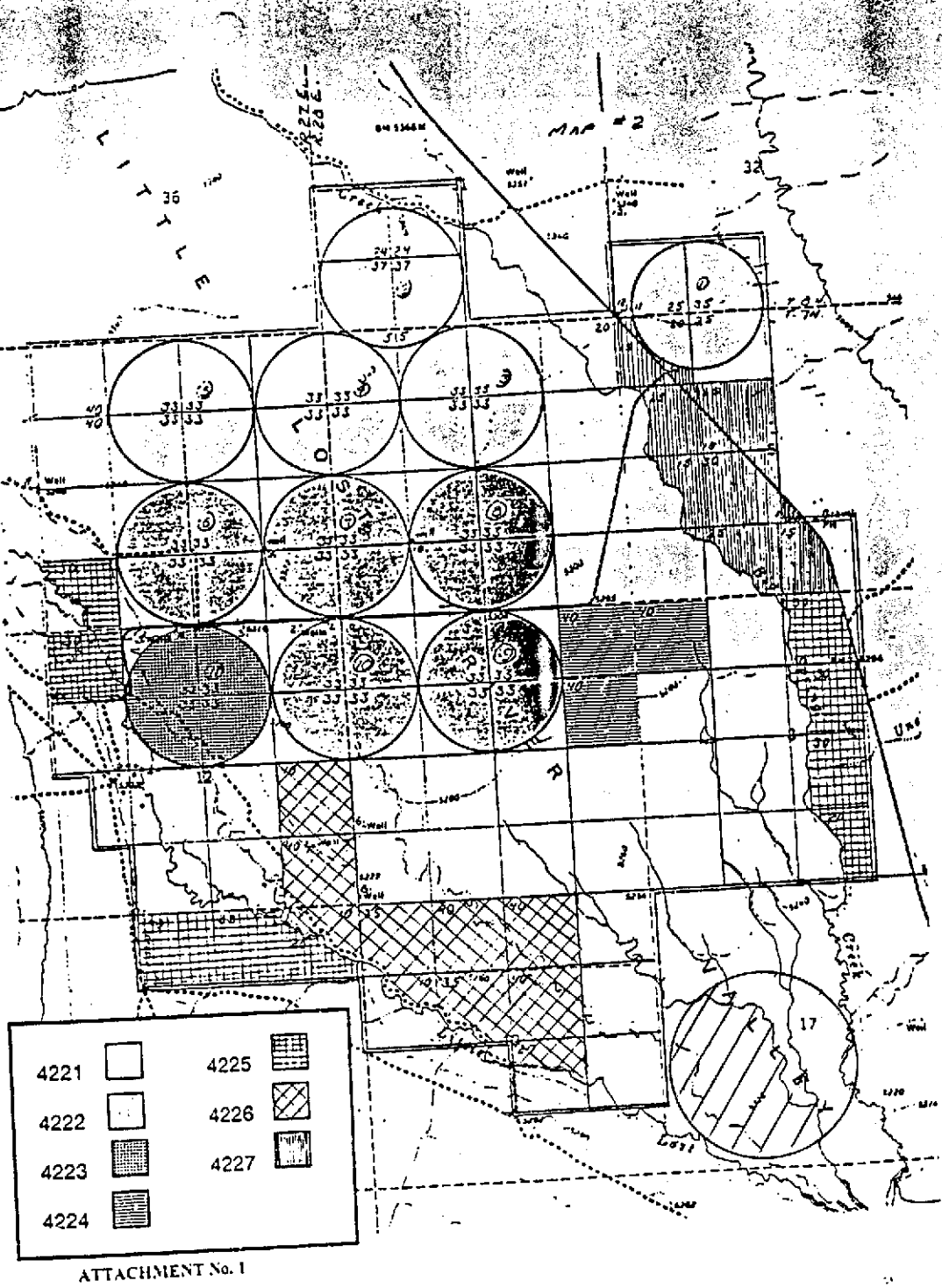
AA METER PIGMY METER WEIR OR FLUME BUCKET/WATCH _____/___

33-07176

USE BACK OF PAGE FOR SKETCH AND MEASUREMENTS OF SYSTEM


T7N, R28E
POINT OF DIVERSION
PLACE OF USE
PIVOT
R28E
Uncle Ike
Creek
Little
Well
River
HOWE (IDAHO 22 & 88) 12 MI.
(HOWE NE) 3871 I NE
33-07176


7 8
18 17
691
T-306
DIAMOND MILLIRON
POST
← POINT OF DIVERSION
T 7 N
R 28 E
← PLACE OF USE
A33-02057 →
SW SW S17
33-07176



ATTACHMENT No. 1

33-07176

33-7176
ROCKY KOSS

```
MODE SELECT
        INPUT

MODE SELECT
        DATA SET

DATA SET MODE
?       PRINTER

PRINTER USE
?       YES

MODE SELECT
        INPUT

OUTER DIAMETER
8.0098    IN

PIPE MATERIAL
?       CS,SS

WALL THICKNESS
0.1110    IN

INNER LINING
?       NO LING.

KIND OF FLUID
?       ANOTHER

SOUND VELOCITY
1460      M/S-

SENSOR MOUNTING
?       V

TYPE OF SENSOR
?       SMALL

DATA CHANGE
?       NO

SPACING
5.704     IN V

ZERO MODE
        CLEAR

ZERO MODE
        AUT ZERO

05-09 13:2800 *R
+002.90 %  AI2

MODE SELECT
        T0 CHECK

0294.3   MMSEC
100.03   % T0
```

60 PSI

```
05-09 13:2900 *R
+949.170E 0GPM

05-09 13:3100 *R
+  1.088E 3GPM
```

33-07176

ROCKY ROSS

1 of 4



VIEW SOUTH

POINT OF DIVERSION



BOOSTER PUMP

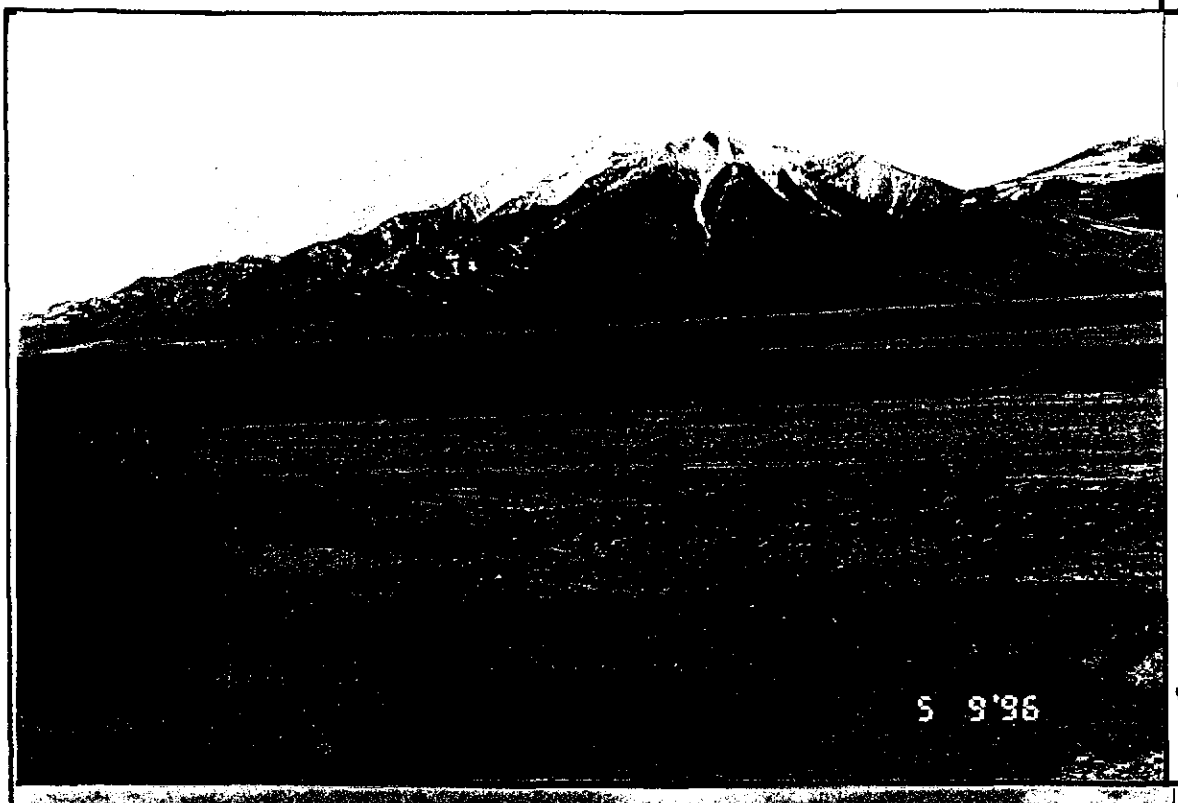
SYSTEM CAN MIX SPRING CREEK WATER WITH WELL WATER

PERMIT NUMBER

33-07176

ROCKY ROSS

2 of 4

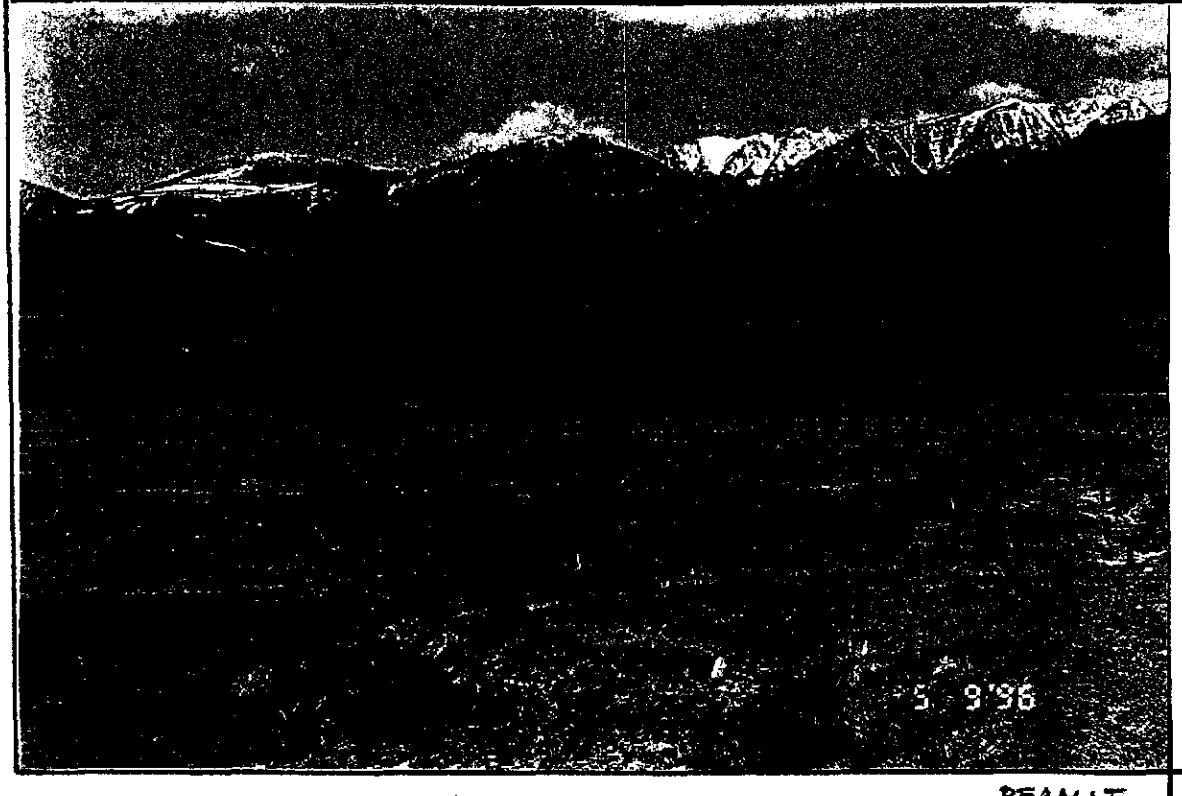


VIEW SOUTH

LEFT VIEW OF PIVOT

NO IRRIGATION IN FOREGROUND

← SPRING CREEK

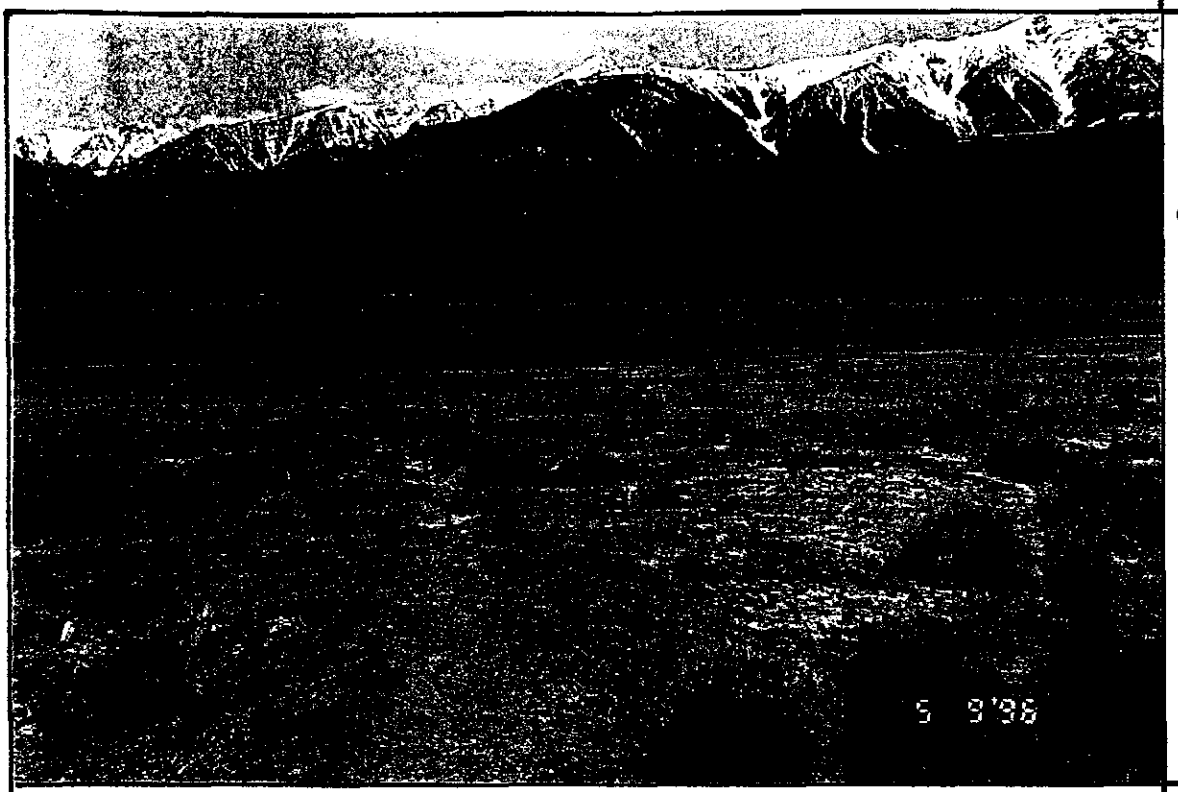


CENTER VIEW OF PIVOT.

PERMIT NUMBER 33-07176

ROCKY ROSS

3 of 4



VIEW WEST

EXTREME RIGHT VIEW OF PILOT.

PERMIT NUMBER 33-07176

ROCKY ROSS

4 of 4

33-7176

RECEIVED
SEP 19 1990
Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 33-07176

Proposed Priority: June 28, 1985 Maximum Diversion Rate: 2.16 CFS

This is to certify, that ROCKY ROSS
DON PHILLIPS
P.O. BOX 10
HOWE, ID 83244

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
IRRIGATION	04/01 to 11/01	2.16 CFS

LOCATION OF POINT(S) OF DIVERSION: SWNE Sec. 17, Township 07N, Range 28E
BUTTE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
07N	28E	17	SWNW	11	SENW	3	NESW	18	
			NWSW	40	SESW	36			108

Total number of acres irrigated: 108

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1995.**
2. Subject to all prior water rights.
3. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
4. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
5. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
6. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
8. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 33-07176

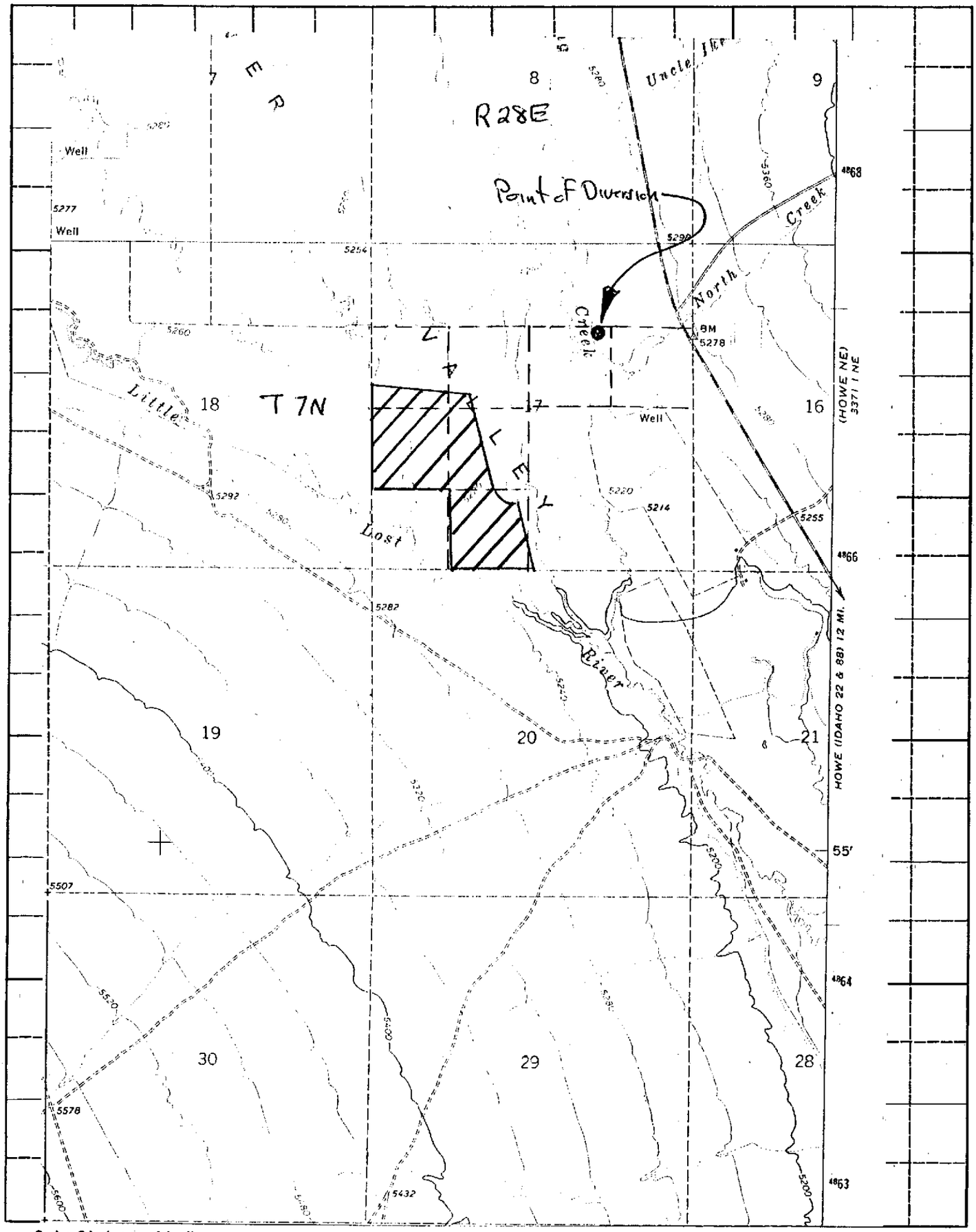
This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this

13th day of September, 1990.

R. Keith Higginson, Director

for

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

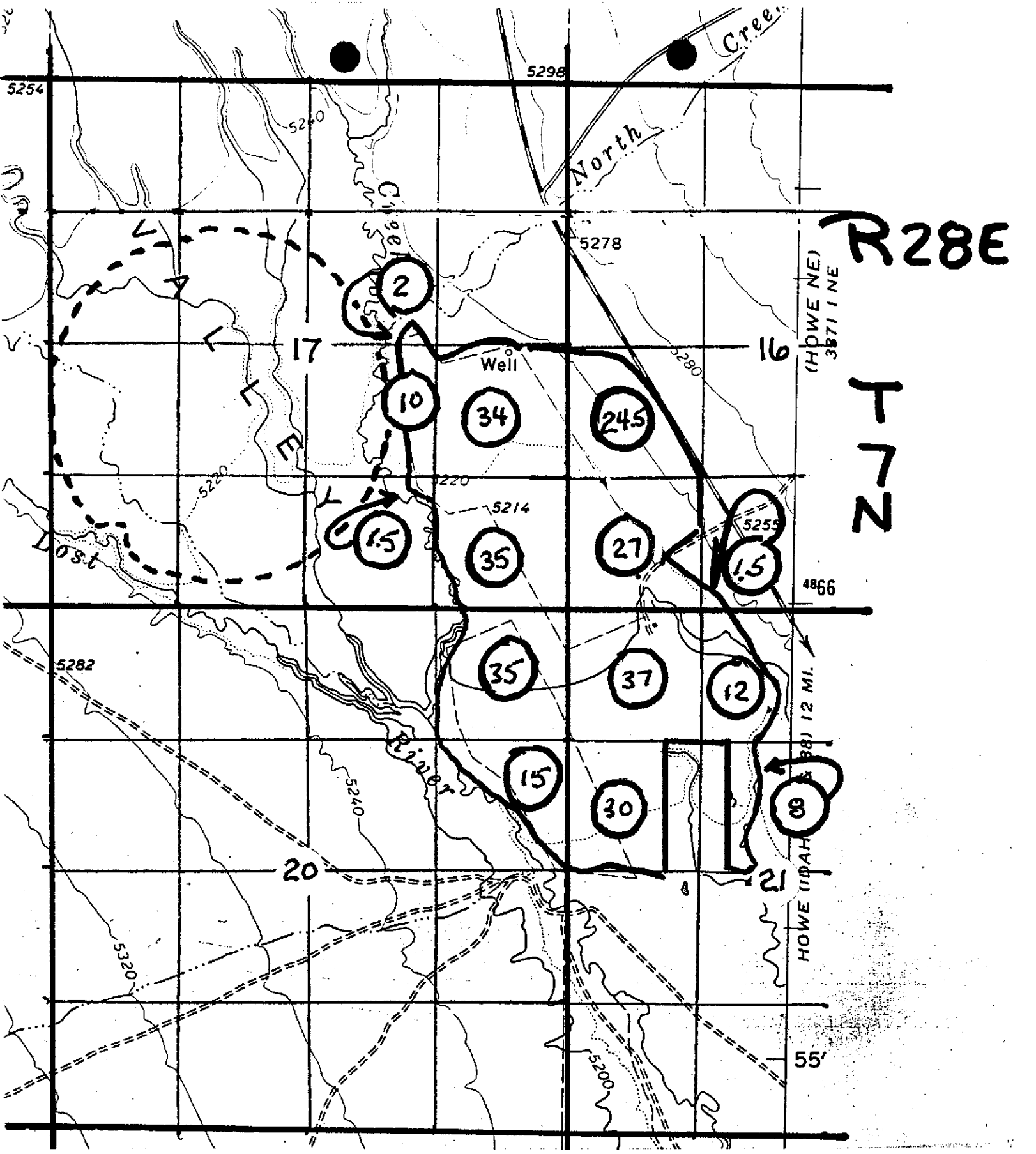


Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

x Norma Robison
(Applicant)

Diamond Mill Iron Ranch
Rocky Ross and Don Phillips
Little Lost River Valley Idaho


R28E
T7N
North
Creek
5298
5254
5240
5278
5280
5220
5214
5259
5282
5240
5320
5200
17
16
20
21
Well
2
10
34
245
15
35
27
1.5
35
37
12
15
30
8
4866
55'
(HOWE NE) 12 MI.
HOWE (IDAHO) 12 MI.
Lost
River

7 8
18 17
69
T-306 &
DIAMOND MILLIRON

IT APPEARS THAT THE PIVOT GOES OVER THIS GROUND. IS IT IRRIGATED?

DITCH WITH SPRING CREEK WATER

Booster

← POINT OF DIVERSION

SPRING CREEK

T 7 N

R 28E

← PLACE OF USE

IT ALSO APPEARS THAT THE PIVOT GOES OVER THIS GROUND. IS IT IRRIGATED?

33-07176

135-02057 →
SW SW SW

IS THIS IRRIGATED?

ROCKY ROSS

1 of 4



VIEW SOUTH

POINT OF DIVERSION

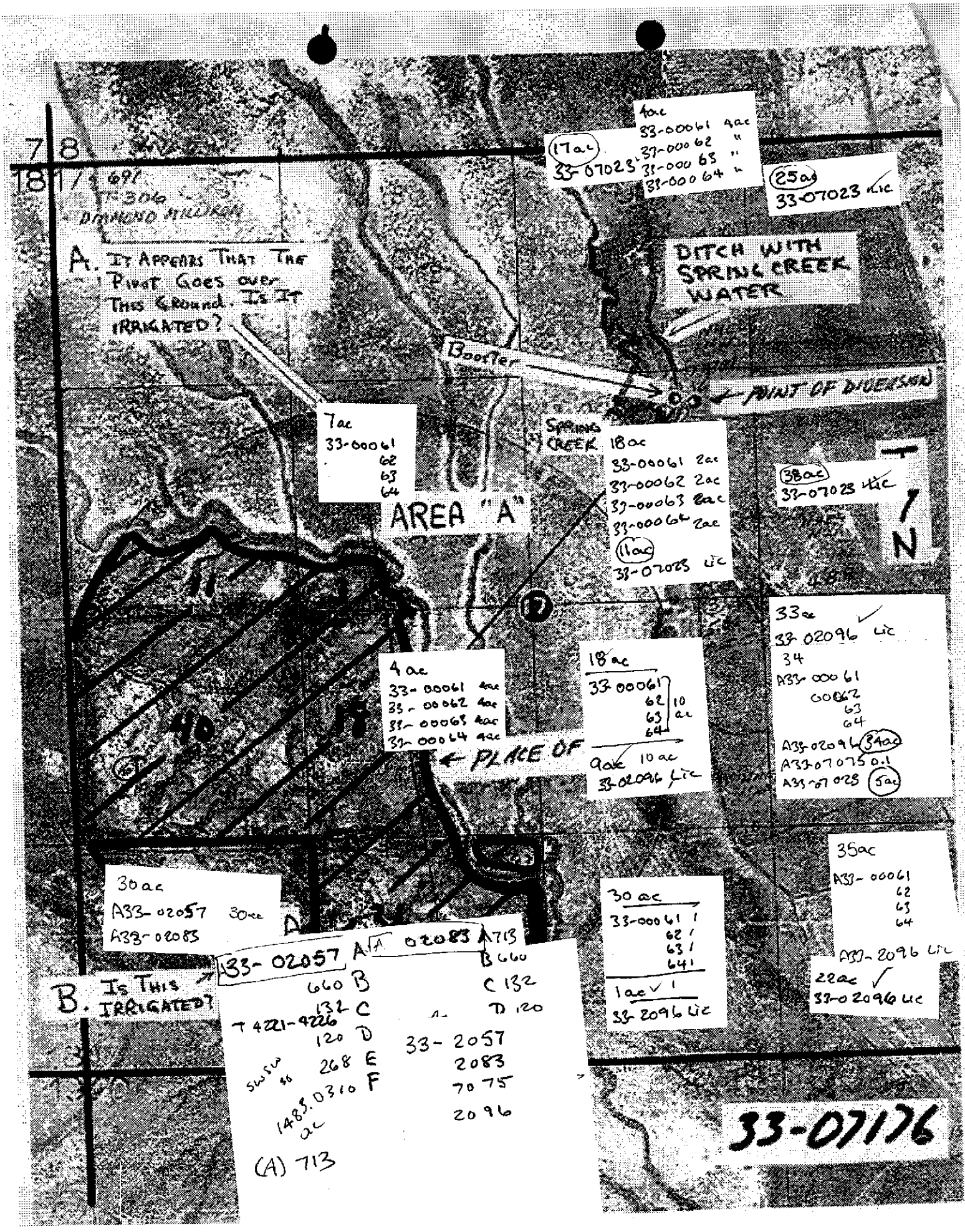


BOOSTER PUMP

SYSTEM CAN MIX SPRING CREEK WATER WITH WELL WATER

PERMIT NUMBER

33-07176


7 8
18
1/4 691'
T-306
DIAMOND MILLORK
A. IT APPEARS THAT THE PIVOT GOES OVER THIS GROUND. IS IT IRRIGATED?
B. IS THIS IRRIGATED?
17ac
33-07023
4ac
33-00061 4ac
33-00062 "
33-00063 "
33-00064 "
25ac
33-07023 LIC
DITCH WITH SPRING CREEK WATER
Booster
POINT OF DIVERSION
7ac
33-00061
62
63
64
AREA "A"
SPRING CREEK
18ac
33-00061 2ac
33-00062 2ac
33-00063 2ac
33-00064 2ac
11ac
33-07023 LIC
38ac
33-07023 LIC
N
33ac
33-02096 LIC
34
A33-00061
00062
63
64
A33-02096 34ac
A33-07075 0.1
A33-07023 5ac
4ac
33-00061 4ac
33-00062 4ac
33-00063 4ac
33-00064 4ac
PLACE OF
18ac
33-00061
62 10
63 ac
64
9ac 10ac
33-02096 LIC
30ac
A33-02057 30ac
A33-02083
A
A33-02057 A
660 B
132 C
T 4221-4226
120 D
SWSW 40 268 E
1485.0310 F
2ac
(A) 713
A 02083 A 713
B 660
C 132
D 120
33-2057
2083
7075
2096
30ac
33-00061 1
62 1
63 1
64 1
1ac 1
33-2096 LIC
35ac
A33-00061
62
63
64
A33-2096 LIC
22ac
33-02096 LIC
33-07176

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 16 1998
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 33-07176

1. Owner: ROCKY ROSS / DON PHILLIPS Phone No. (208) 767-3124
Current Address: P.O. BOX 10, HOWE, IDAHO 83244

2. Accompanied by: ROCKY ROSS EXAM DATE: 8/9/96
Address: _____ Phone No. _____
Relationship to Permit Holder: OWNER

3. Source: GROUND WATER ~~SPRING CREEK~~ tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: A33-02057 + A33-02083
2. Other water rights with the same point of diversion: 33-07023, ~~33-07176~~

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:** NO GOV. LOTS

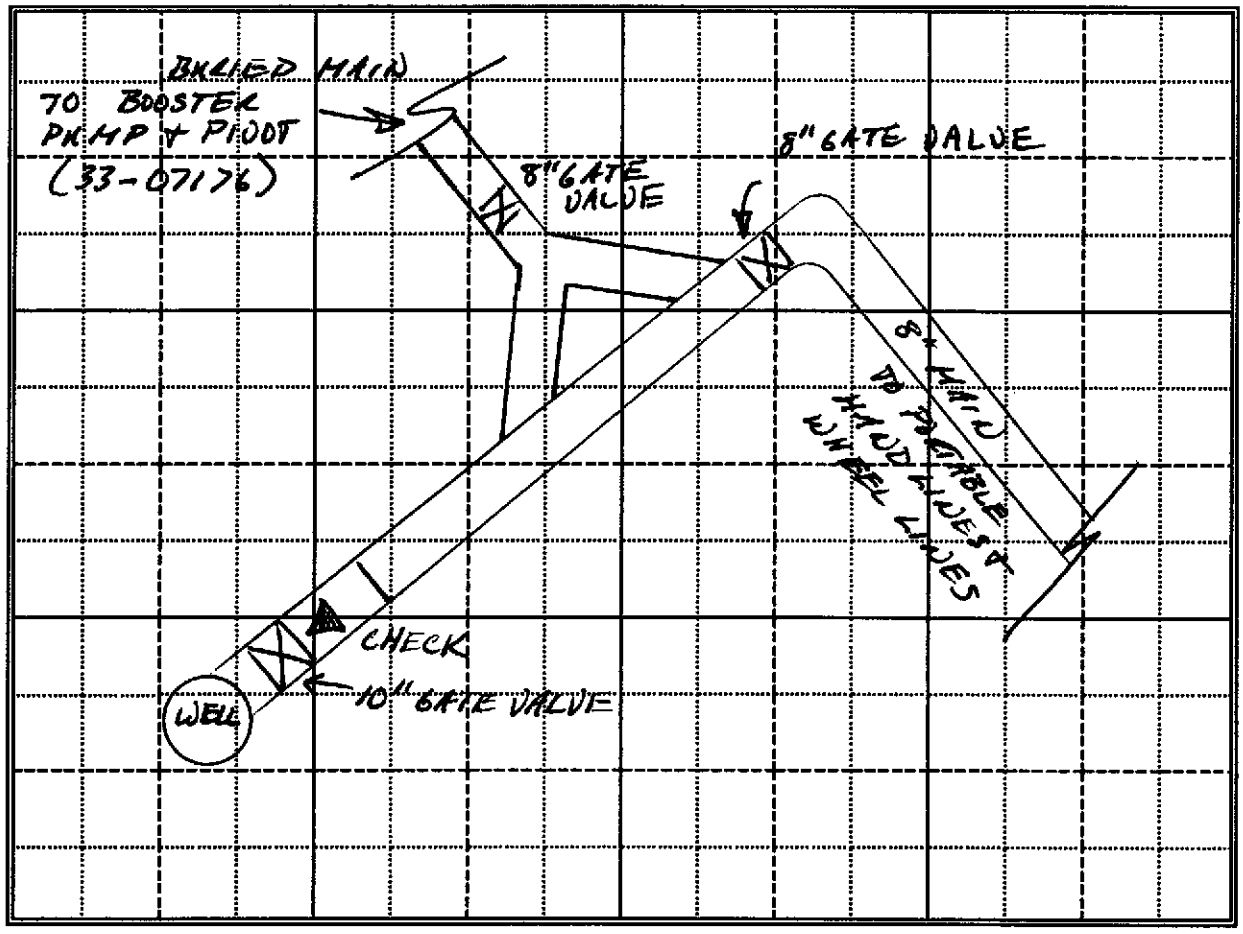
Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	SW	NE	17	T7N	28E	BUTTE	U.S.G.S. TOPO MAP / NRCS PHOTOS

2. **Place(s) of Use:** NO GOV. LOTS Indicate Method of Determination ON SITE INSP.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	28E	17							11	3	18	40		36					108

TOTAL 108

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____.

_____ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

_____ Aerial Photo Attached (required for irrigation of 10+ acres)

_____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GENERAL ELECTRIC	75	ALJ108587		8"

Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
POLYSONIC	TYME-FLYTE		TF-P	7M0263		1997

2. **Measurements:** SEE SONIC TAPE

```
MODE SELECT
        INPUT

MODE SELECT
        DATA SET

DATA SET MODE
?       PRINTER

PRINTER USE
?       YES

MODE SELECT
        INPUT

OUTER DIAMETER
8.0098    IN

PIPE MATERIAL
?       CS,SS

WALL THICKNESS
0.1110    IN

INNER LINING
?       NO LING.

KIND OF FLUID
?       ANOTHER

SOUND VELOCITY
1460      M/S-

SENSOR MOUNTING
?       V

TYPE OF SENSOR
?       SMALL

DATA CHANGE
?       NO

SPACING
5.704     IN V

ZERO MODE
        CLEAR

ZERO MODE
        AUT ZERO

05-09 13:2800 *R
+002.90 %  AI2

MODE SELECT
        T0 CHECK

0294.3  MMSEC
100.03  % T0

05-09 13:2900 *R
+949.170E 0GPM

05-09 13:3100 *R
+  1.088E 3GPM
```

33-7176
Rocky Ross

60 psi

33-07176

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Water District No. 1
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

ROCKY ROSS
33-07176
SONIC METER TAPE

FIELD EXAM NOTES

EXAM # 33-07176

DATE OF EXAM 5/9/96

PERMITEE NAME ROCKY ROSS

OTHER WATER RIGHTS SAME POD YES - FIELDS ABOVE (EAST) PUMP

OTHER WATER RIGHTS SAME POU YES

PUMP #1 HP ~~25~~ 75 MAKE GE SERIAL # ALJ 108587
COLOR AND DESCRIPTION Red/Gray - Gray - Yellow Cream
OUTPUT DIAMETER 8" SYSTEM PRESSURE 60 PSI WELL DEPTH 100' APP.
STATIC H2O 50'? WELL DEPTH _____ DYNAMIC PUMP _____
PSI GAGE TYPE Rain Bird CHECK VALVE (Y) [N] GATE VALVE (Y) [N]

PUMP #2 HP _____ MAKE _____ SERIAL # _____
COLOR AND DESCRIPTION _____
OUTPUT DIAMETER _____ SYSTEM PRESSURE _____PSI WELL DEPTH _____
STATIC H2O _____ WELL DEPTH _____ DYNAMIC PUMP _____
PSI GAGE TYPE _____ CHECK VALVE [Y] [N] GATE VALVE [Y] [N]

BOOSTER PUMP #1 HP _____ MAKE _____ SERIAL # _____
COLOR AND DESCRIPTION _____

BOOSTER PUMP #2 HP _____ MAKE _____ SERIAL # _____
COLOR AND DESCRIPTION _____

CIRCLE PIVOT (Y) [N] NUMBER OF TOWERS 10 PIVOT LENGTH 1668 3/4
PRESSURE [H] (L) + End Gun
1260 GPM Engineering Spec.

HAND LINES [Y] [N] NUMBER OF LINES _____ LENGTH OF LINES _____

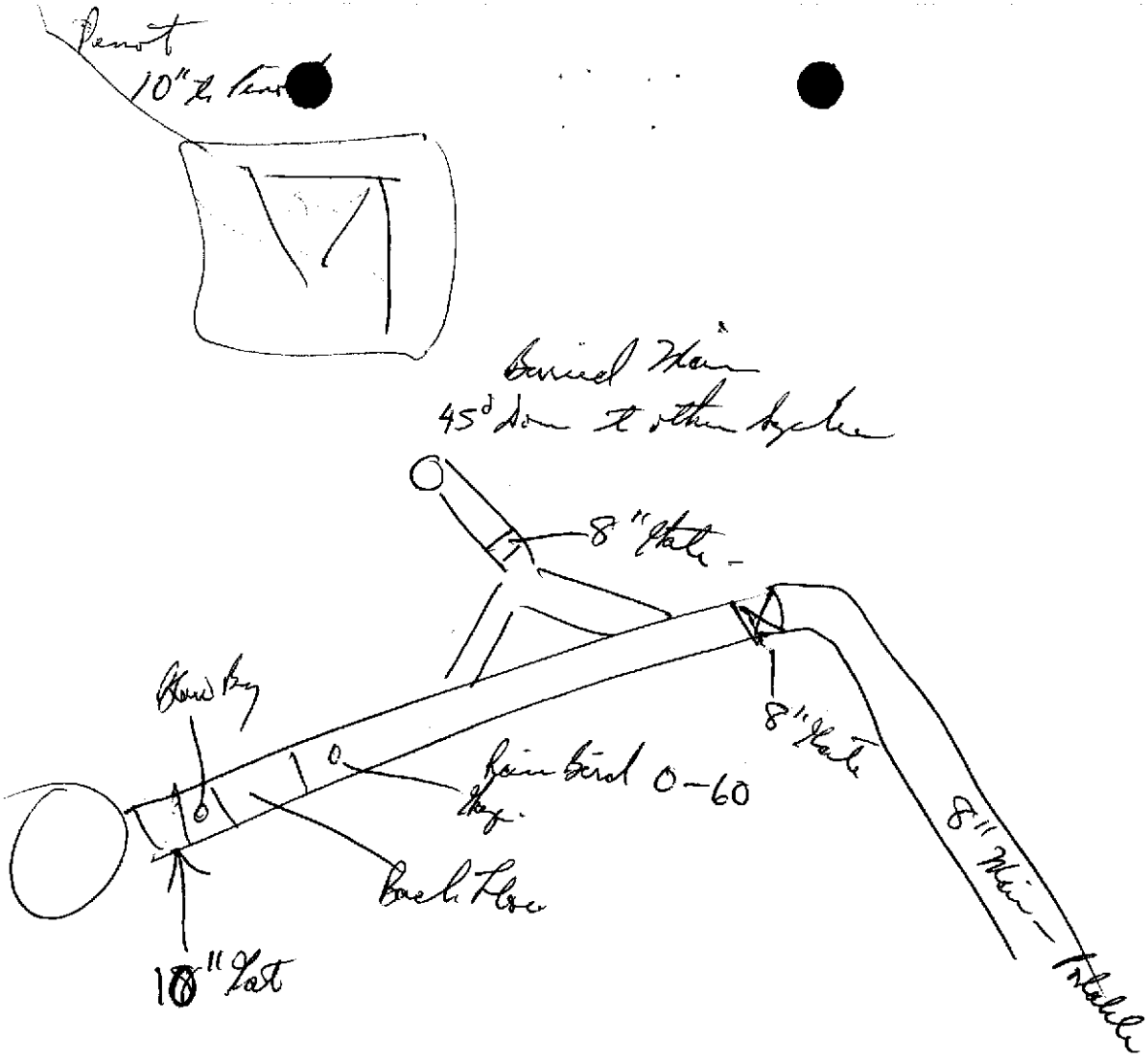
RAIN BIRDS PER LINE _____ NOZZEL DIAMETER _____

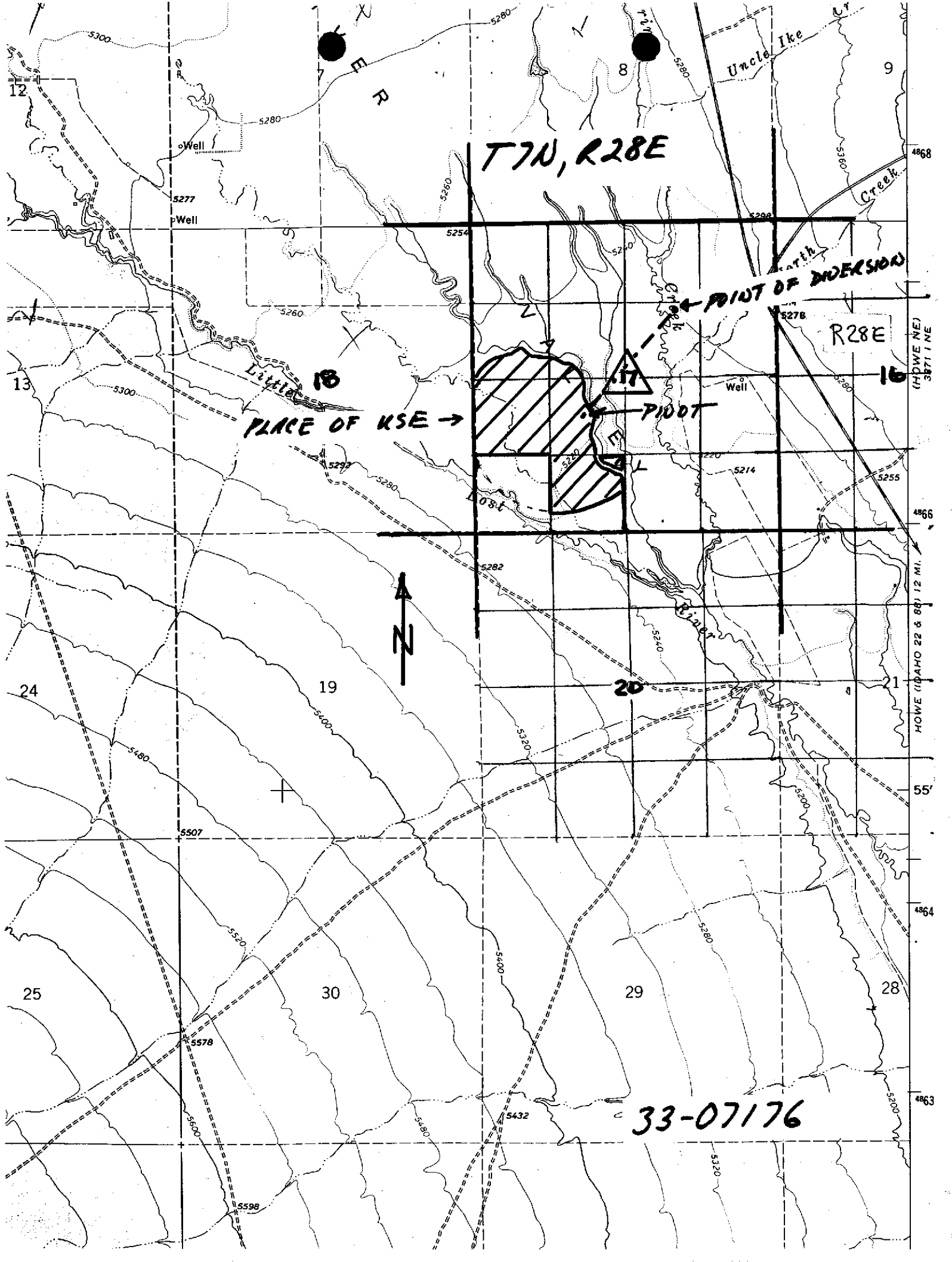
SURFACE WATER TYPE OF MEASUREING DEVICE _____

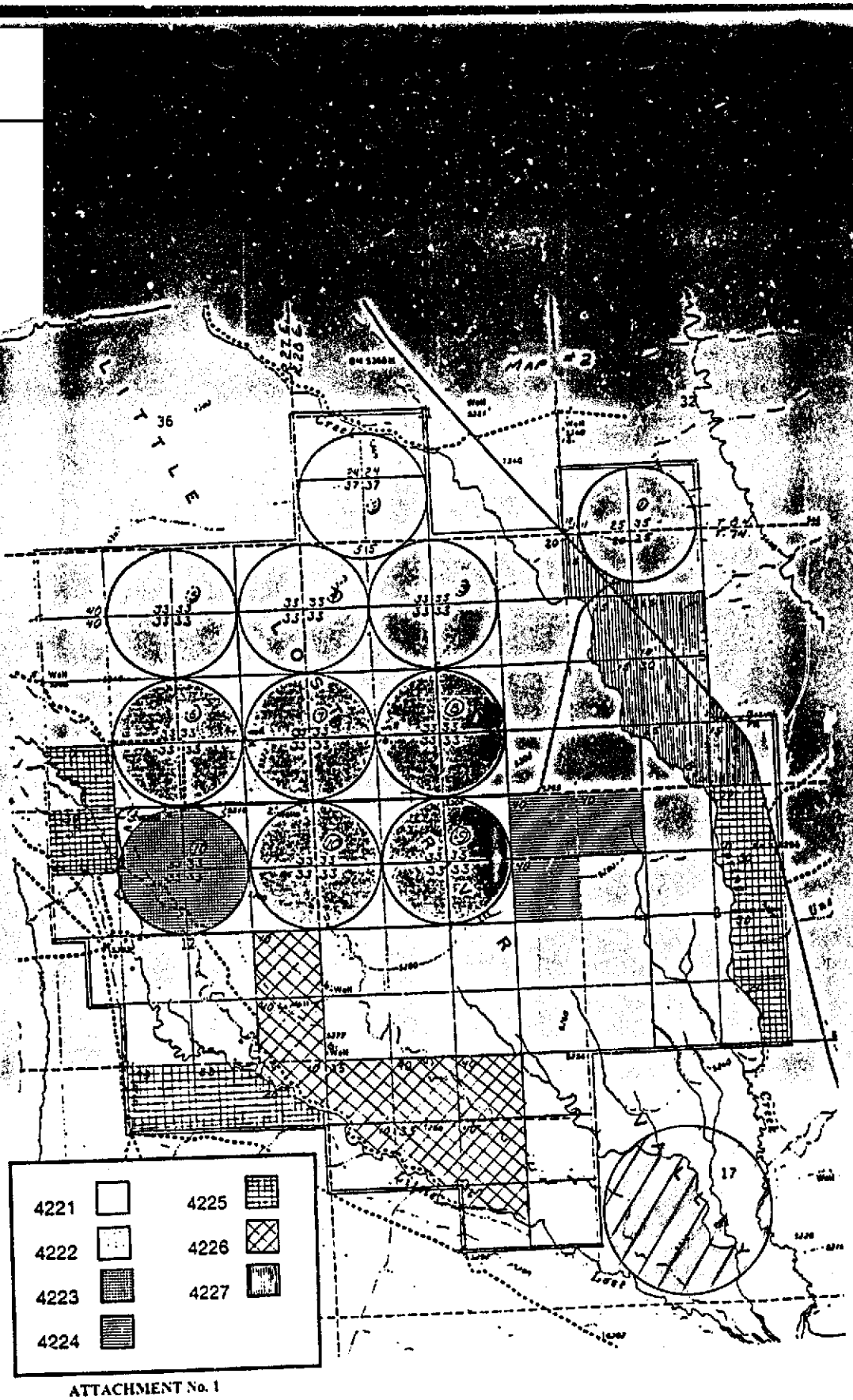
AA METER PIGMY METER WEIR OR FLUME BUCKET/WATCH ____/____

33-07176

USE BACK OF PAGE FOR SKETCH AND MEASUREMENTS OF SYSTEM


Permit
10" Ductile Iron
Buried Main
45° down to other bypass
8" Flange
Hand Valve
Rain Bird 0-60
Sprinkler
8" Flange
8" Main - Potable
Backflow
18" Post


T7N, R28E
R28E
PLACE OF USE
POINT OF DIVERSION
PIVOT
Little Lost River
Uncle Ike Creek
Creek
Well
Well
Well
HOWE (IDAHO 22 & 88) 12 MI.
HOWE NE
33-07176



ATTACHMENT No. 1

33-07176

ROCKY ROSS

2 of 4

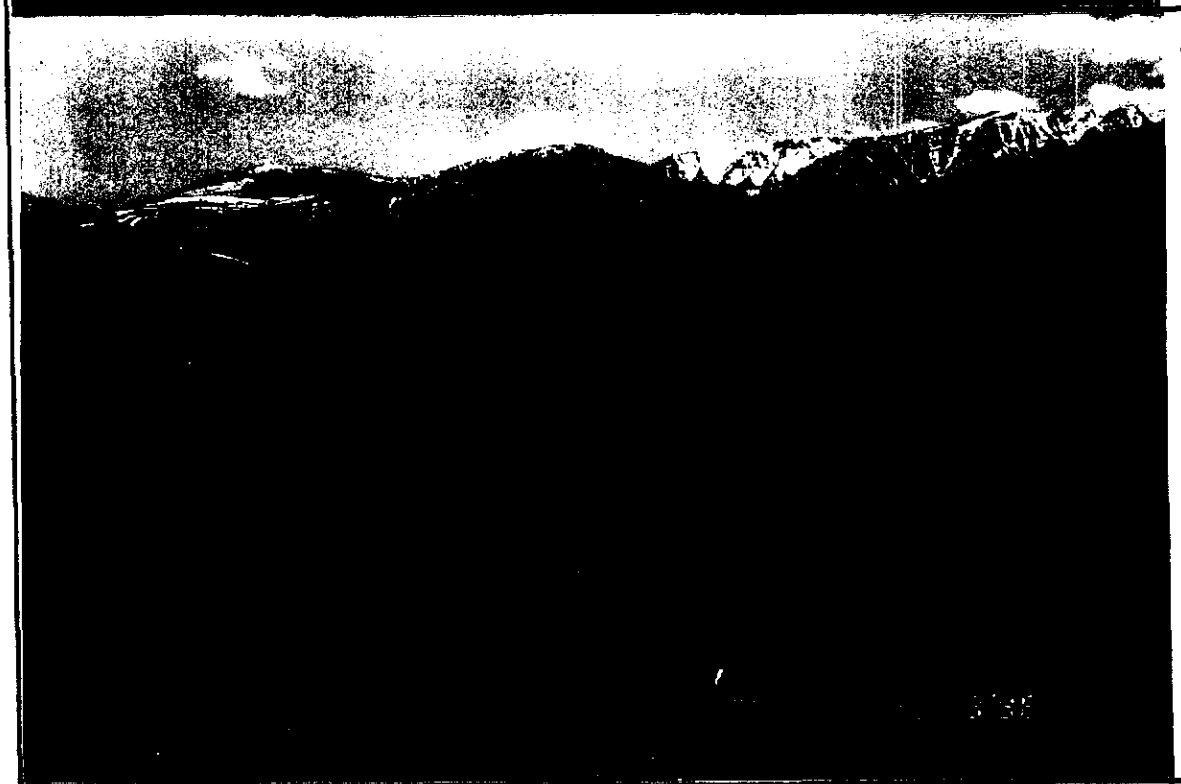


VIEW SOUTH

LEFT VIEW OF PIVOT

NO IRRIGATION IN FORE GROUND

← SPRING CREEK



CENTER VIEW OF PIVOT.

PERMIT NUMBER 33-07176

ROCKY KOSS

3 of 4



VIEW WEST
EXTREME
RIGHT VIEW
OF PIDOT.

PERMIT
NUMBER

33-07176

ROCKY ROSS

4 of 4

33-07176

E. NARRATIVE/REMARKS/COMMENTS

WATER FOR THIS PERMIT IS SUPPLIED BY AN EXISTING WELL & PUMP; THIS WELL ALSO SUPPLIES WATER FOR WATER RIGHT # 33-07023.

WATER IS PUMPED VIA AN EIGHT INCH BURIED MAIN LINE TO A * SEE NOTE BOOSTER PUMP, THEN ON TO THE PIVOT. AT THE POINT OF THE BOOSTER PUMP WATER CAN BE ALSO PUMPED FROM THE ~~CREEK~~ DITCH AND COMBINED * BOOSTER PUMP; THIS PUMPS PRIMARY PURPOSE IS TO PUMP DITCH WATER BUT CAN, BECAUSE OF VALVING & PIPING, BE USED AS A BOOSTER PUMP.

PIVOT IS A 10 TOWER, LOW PRESSURE SYSTEM WITH AN END GUN. (1260 GPM ENGINEERED SPECKS.) APPROX. LENGTH 1,644 FEET.

NOTE: IN THE SW SW 517 THERE IS OVERLAP OF THIS WATER RIGHT WITH ANOTHER RIGHT THAT ~~DOES NOT~~ IS NOT FROM THIS POD.

Have conditions of permit approval been met? ✓ yes ___ no

F. FLOW CALCULATIONS ____ Additional Computation Sheets Attached

Measured Method:

POLYSONIC READING = 1.088 GPM = 1088 GPM / 448.8 = 2.42 CFS

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R}$ = (Acres Irrigated) x (Irrigation Requirement) = 108 X 3.5 = 378 AFA

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = 1.24½ CFS X 183 X 1.9835 = 450.82

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 378 AFA

2. Volume Calculations for Other Uses:

108 ACRES 33-07176
100.9 ACRES 33-07023
209 ACRES

209 AC ⟌ 2.42 CFS = 0.0115 CFS/AC X 108 ACRES

= 1.24½ CFS FOR 33-07176

POLYSONIC 2.42 CFS AT PUMP

H. RECOMMENDATIONS THIS PERMIT WHEN USED IN COMBINATION WITH OTHER 33-07023 WATER RIGHTS NOT TO EXCEED 2.42 CFS.

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRRIGATION	4/15	10/15	1.24 CFS	378 AFA
		Totals:	1.24 CFS	378 AFA

2. Recommended Amendments

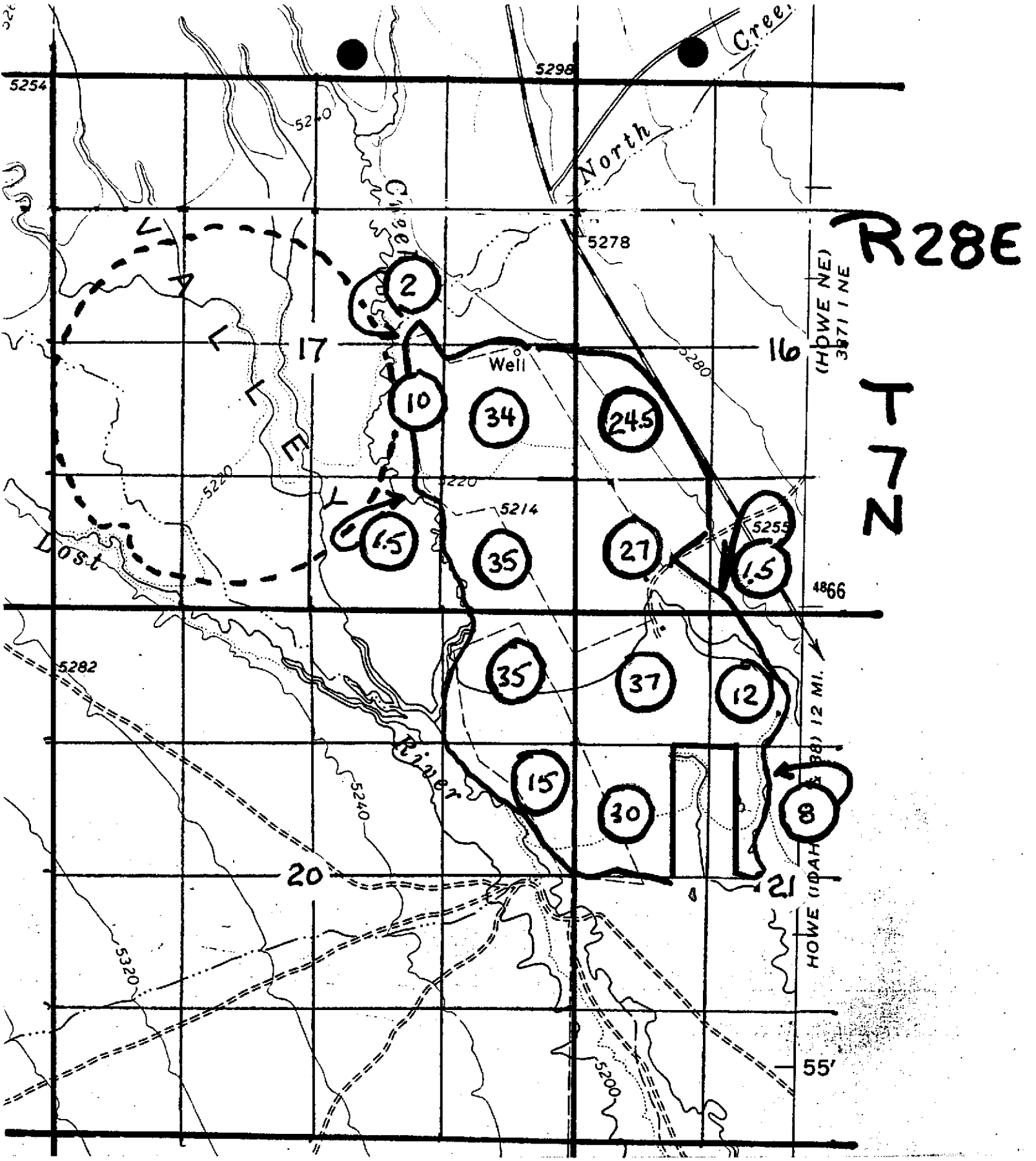
___ Change P.D. as reflected above ___ Add P.D. as reflected above ✓ None

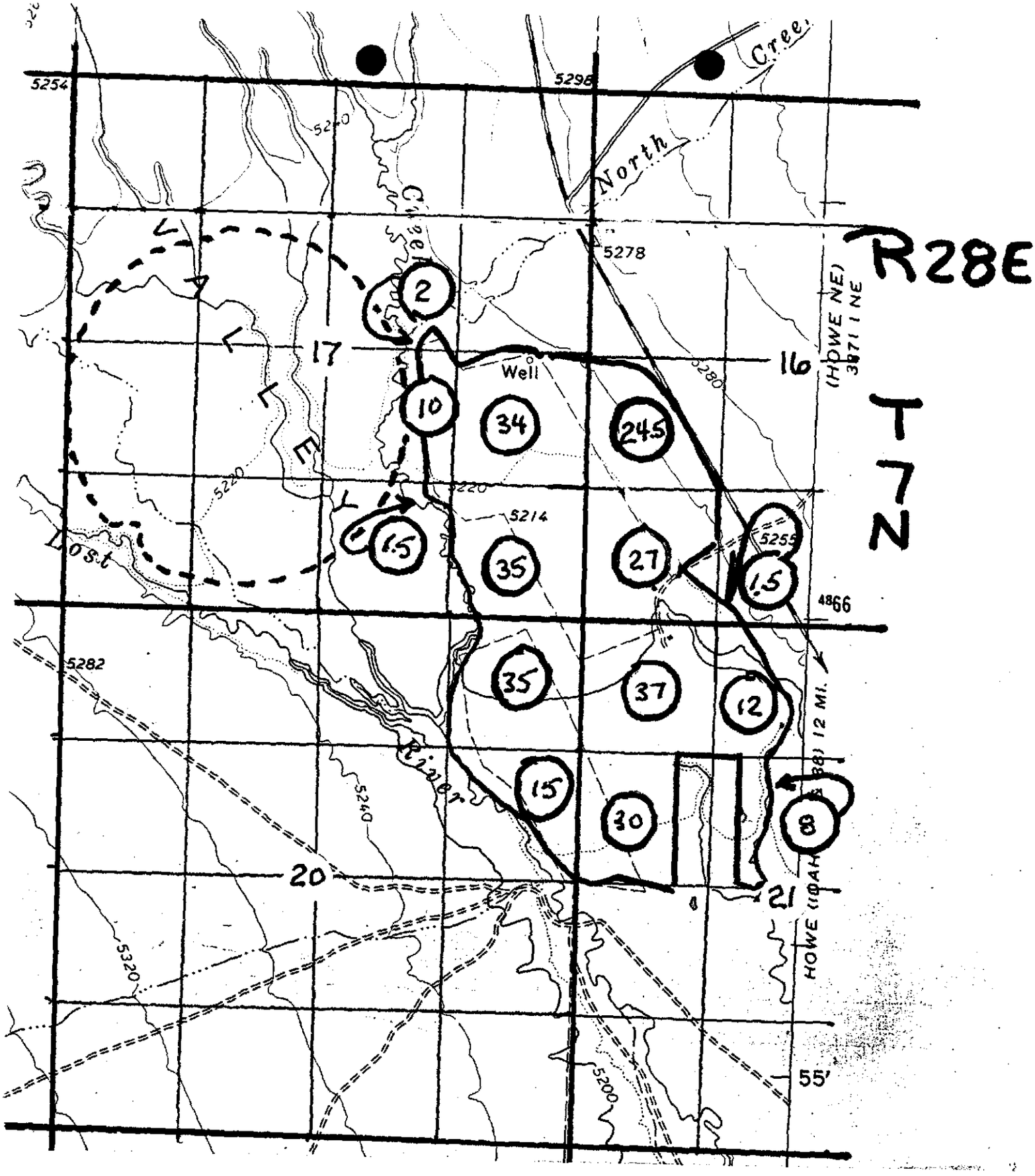
___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

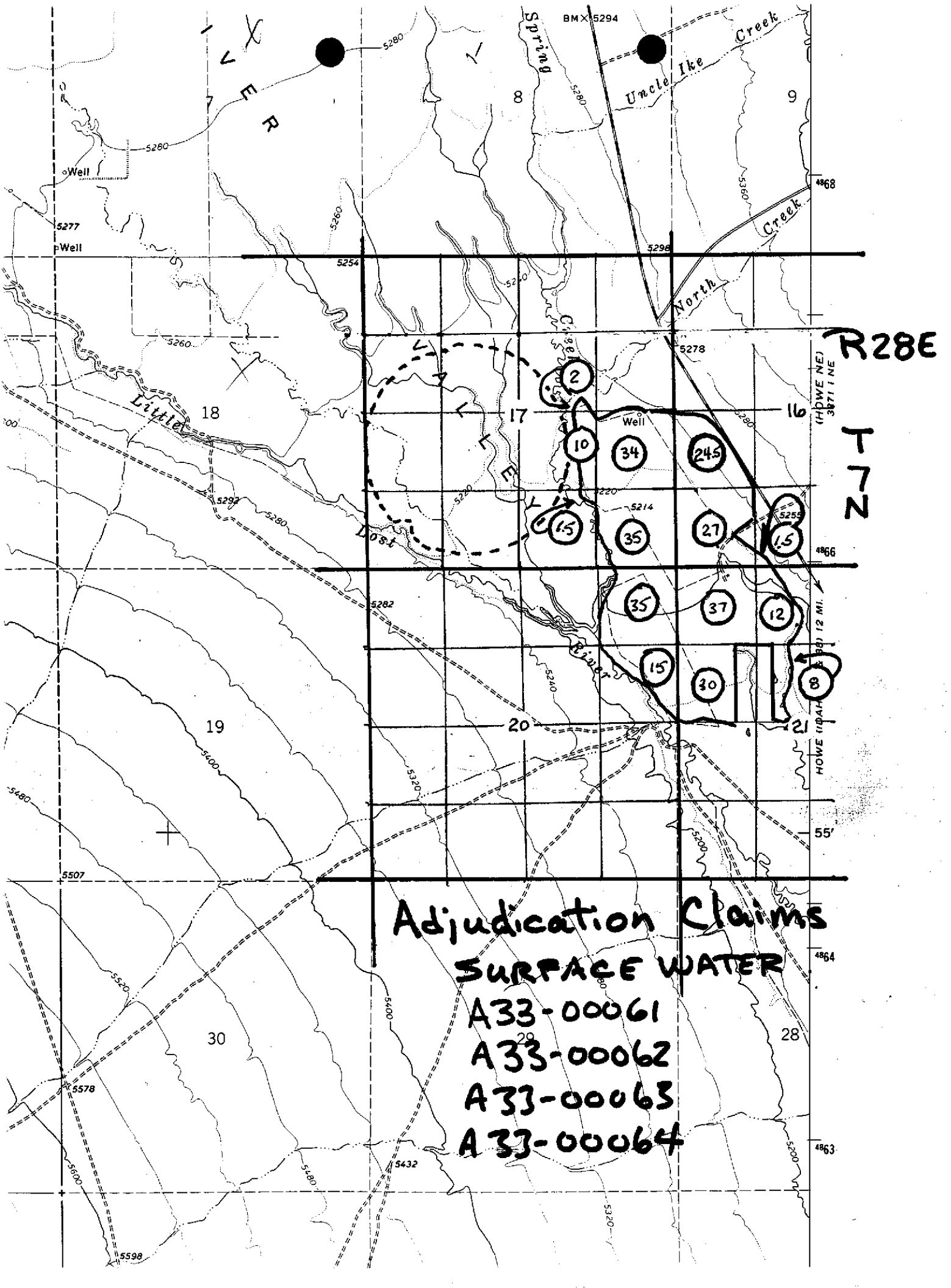
I. AUTHENTICATION

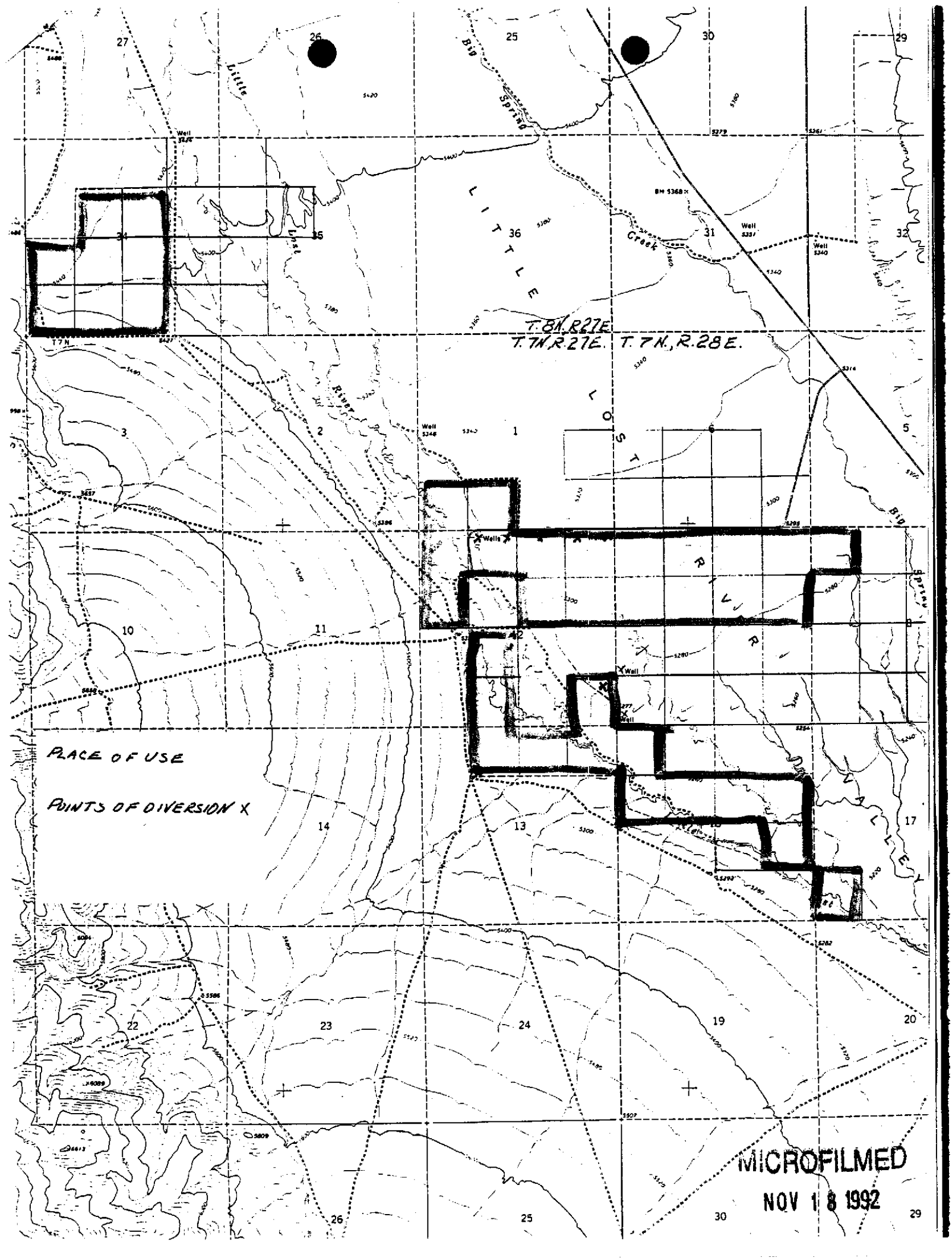
Field Examiner's Name SIMPKINS Date 1/7/97

Reviewer _____ Date _____ SEAL

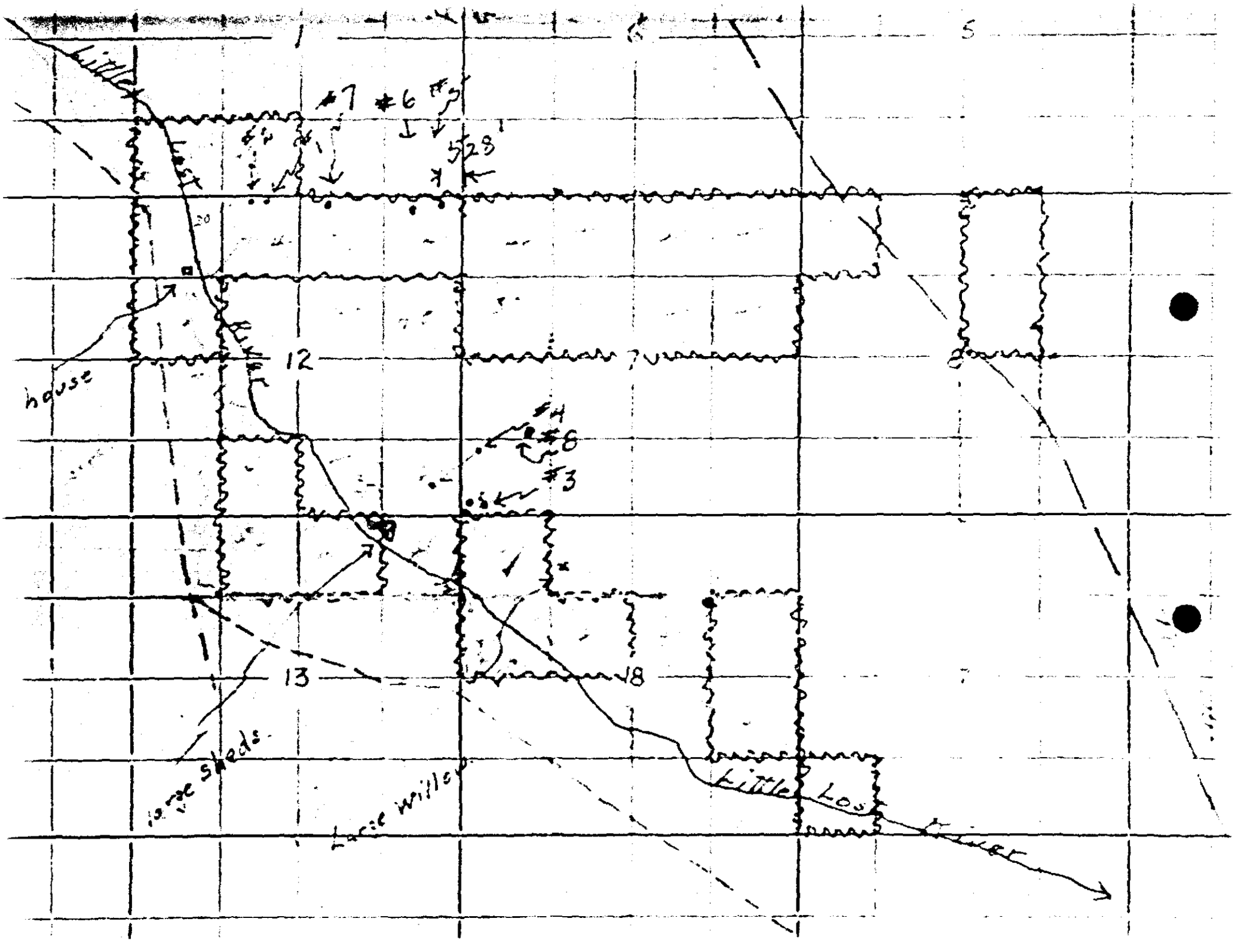

R28E
T7N
North
Creek
Well
17
16
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24.5
1.5
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1.5
35
37
12
15
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5298
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5280
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5214
5255
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5320
5200
4866
55'
HOWE (IDAHO) 12 MI.
(HOWE NE)
3871 I NE
Dost
River

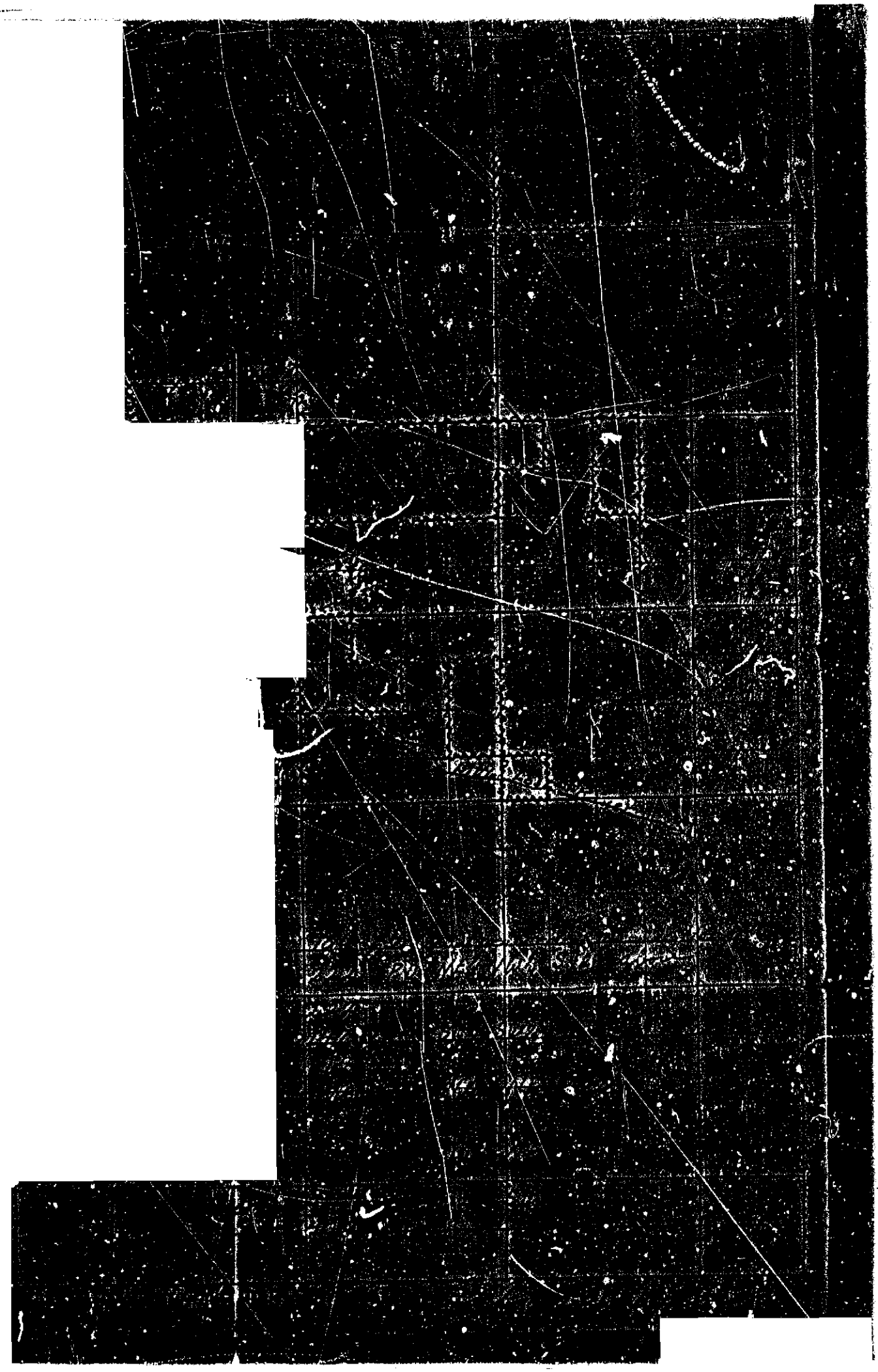

R28E
T7N
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5240
North
Creek
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River
5240
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20
21
HOWE (IDAHO) 12 MI.
(HOWE NE)
3871 I NE
5320
5200
55'


R28E
T7N
Adjudication Claims
SURFACE WATER
A33-00061
A33-00062
A33-00063
A33-00064



MICROFILMED
NOV 18 1992


little
#7
#6
#5
528'
Lost
River
house
12
#4
#6
#3
13
18
large sheds
Lost Willow
little
Lost
River



Water Right Number - 33-02083D Prefix Translation: WATER RIGHT Old (D) Number - 27052

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SAGEWILLOW INC		1 - C/O KENT FOSTER 2 - PO BOX 50130 3 - City- IDAHO FALLS State- ID Zip- 83405 Phone - 208-523-0620
*** O - ORIGINAL OWNER ***		
HAWLEY	LAWRENCE	1 - 2 - 3 - City- HOWE State- ID Zip- 83244 Phone - 208-000-0000

Priority Date	Region	Stage	Status
08/23/1957	15 EASTERN	L - LICENSE	

Source: GROUNDWATER

Tributary:

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
07N	27E	2	SW NE			(23) BUTTE	KNOLLING HEADGATE		
		12	NW NE			(23) BUTTE	WELL NO. 3		
			SW NW			(23) BUTTE	LAKE HEADGATE		
	28E	5	NW SW			(23) BUTTE	BIG SPRING CREEK HEADGATE		

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15	0.410	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
0.410			0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	28E	7	NE NE		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	SE NE		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	NW NW		40.0	01	IRRIGATION	(23) BUTTE

Total Acres: 120.0

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Water right number - 33-02083D Prefix Translation: WATER RIGHT

Remarks

GEN Transfer Nos. 4221 through 4227 were conditionally approved on 3/12/1996, provided the applicant does not irrigate more than 1,412 acres within the place of use proposed by the applications, and the applicant complies with the following:

1) A plan must be submitted to IDWR within 56 days of the final disposition of this dispute or after any final appeal period has run identifying 1,412 acres that will be irrigated together with the individual water rights that will be appurtenant to the acreage. The plan must also be provided to the protestants for review and comment. Comments from the protestants must be submitted to the department and to the applicant one month following submittal of the plan. A hearing may be requested by either party within sixty (60) days of submittal of the plan.

2) Failure to submit the plan is cause for the department to revoke its conditional approval of the applications for transfer.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Comments

Date: 09/23/1993 User Id: JOHNSON Subject: TRANSFER NO. 4224
This is one of seven transfers filed by Sagewillow Inc. changing the point of diversion and place of use.
Date: 10/20/1993 User Id: SKAGGS Subject: TRANSFER NO. 4224
Transfer No. 4224 was filed to change the point of diversion and the place of use of a portion of Right Nos. 33-00069/70/71/72/73/74/76/78/79/80/81/82/2007/2008/2057/2083 and 2133.

Audit Fields - 10/20/93 SKAGGS 10/27/93 SKAGGS 10/11/94 PSKAGGS 05/22/95 RLOVEALL 11/02/95 SCURTIS 03/19/96 SCURTIS 03/19/96 SCURTIS

Water Rights Dates and Flags Area

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- C028624	Water District	-
Licensed Date	- 04/19/1979	Appl Received	- 00/00/0000	Transfer/Amended	- I
Presumption Flag	-	Name Connector	-	POU Ownership Flag	- Y
SRBA Decreed Flag	-				

Water Right Number - A33-02007 Prefix Translation: ADJUDICATION CLAIM Old (D) Number - 4442

Last Name	First Name	Address
*** A - ATTORNEY ***		
FOSTER	KENT W	1 - HOLDEN KIDWELL HAHN & CRAPO 2 - PO BOX 50130 3 - City- IDAHO FALLS State- ID Zip- 83405 Phone - 208-000-0000
*** C - CURRENT OWNER ***		
SAGE WILLOW INC		1 - 545 SHOUP AVE 2 - 3 - City- IDAHO FALLS State- ID Zip- 83402 Phone - 208-522-7784
*** O - ORIGINAL OWNER ***		
MYRUP	ADOLPH M	1 - 2 - 3 - City- HOWE State- ID Zip- 99999 Phone - 208-000-0000

Priority Date	Region	Stage	Status
02/15/1909	15 EASTERN	L - LICENSE	

Source	Tributary
LITTLE LOST RIVER	SINKS

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name
07N	27E	2	SW NE			(23) BUTTE	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/01	11/01	2.900	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
2.900			508.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	28E	18	SW NE		30.0	01	IRRIGATION	(23) BUTTE
07N	28E	18	SE NW		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	18	NE SE		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	18	NW SE		35.0	01	IRRIGATION	(23) BUTTE

Total Acres: 145.0

Diversion Means - HEADGATE/DITCH

Non-Irrigation Use - NONE

Water right number - A33-02007 Prefix Translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use - 33-2057/2083.

+ - - - - - - - - - - - - - - - - Remarks - - - - - - - - - - - - - - - - +

GEN CONFORMED ATTORNEY MAILING ADDRESS DMS

+ - - - - - - - - - - - - - - Old Water Right Numbers - - - - - - - - - - - - - - +

No Old Water Right Numbers found.

+ - - - - - - - - - - - - - - Conditions of Approval - - - - - - - - - - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

+ - - Audit Fields - 10/25/89 OLENICHA 03/30/95 DSMITH 03/30/95 POST-STD

+ - - - - - - - - - - - - - - - - -Comments- - - - - - - - - - - - - - - - - +

No Comments Found

+ - - - - - - - - - - - Adjudication Rights Dates and Flags Area - - - - - - - - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 10/06/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 33
Licensed Date	- 00/00/0000	Receipt Number	- E010978	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

Water Right Number - A33-02008 Prefix Translation: ADJUDICATION CLAIM Old (D) Number - 4759

Last Name	First Name	Address
*** A - ATTORNEY ***		
FOSTER	KENT W	1 - HOLDEN KIDWELL HAHN & CRAPO 2 - PO BOX 50130 3 - City- IDAHO FALLS State- ID Zip- 83405 Phone - 208-000-0000
*** C - CURRENT OWNER ***		
SAGE WILLOW INC		1 - 545 SHOUP AVE 2 - 3 - City- IDAHO FALLS State- ID Zip- 83402 Phone - 208-522-7784
*** O - ORIGINAL OWNER ***		
MYRUP	LILLIAN G	1 - 2 - 3 - City- HOWE State- ID Zip- 99999 Phone - 208-000-0000

Priority Date	Region	Stage	Status
06/12/1909	15 EASTERN	L - LICENSE	

Source	Tributary
SPRING CREEK	LITTLE LOST RIVER

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name
07N	28E	5	NW SW			(23) BUTTE	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/01	11/01	6.400	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
6.400			1120.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	28E	8	NE NW		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	SW NW		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	SE NW		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	NE SW		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	NW SW		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	SE SW		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	NW SE		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	SW SE		40.0	01	IRRIGATION	(23) BUTTE

Total Acres: 320.0

Water right number - A33-02008 Prefix Translation: ADJUDICATION CLAIM

+ - - Diversion Means - HEADGATE/DITCH

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - NONE

+ - Remarks - +

GEN CONFORMED ATTORNEY MAILING ADDRESS DMS

+ - Old Water Right Numbers - +

No Old Water Right Numbers found.

+ - Conditions of Approval - +

No Conditions of Approval found.

+ - - - - - Decree Plaintiff - - - + + - - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

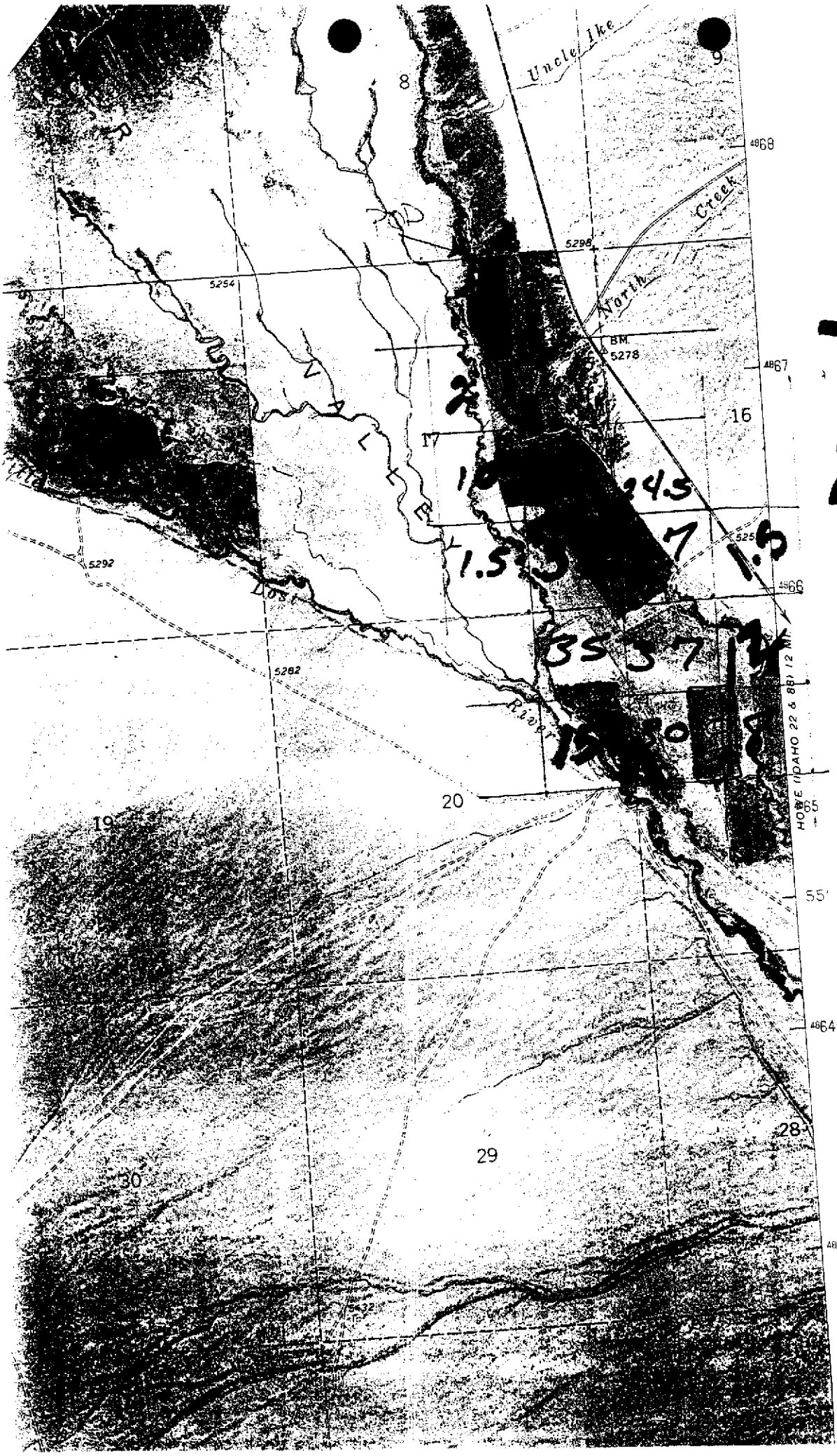
+ - - Audit Fields - 10/25/89 OLENICHA 03/30/95 DSMITH 03/30/95 POST-STD

+ -Comments- +

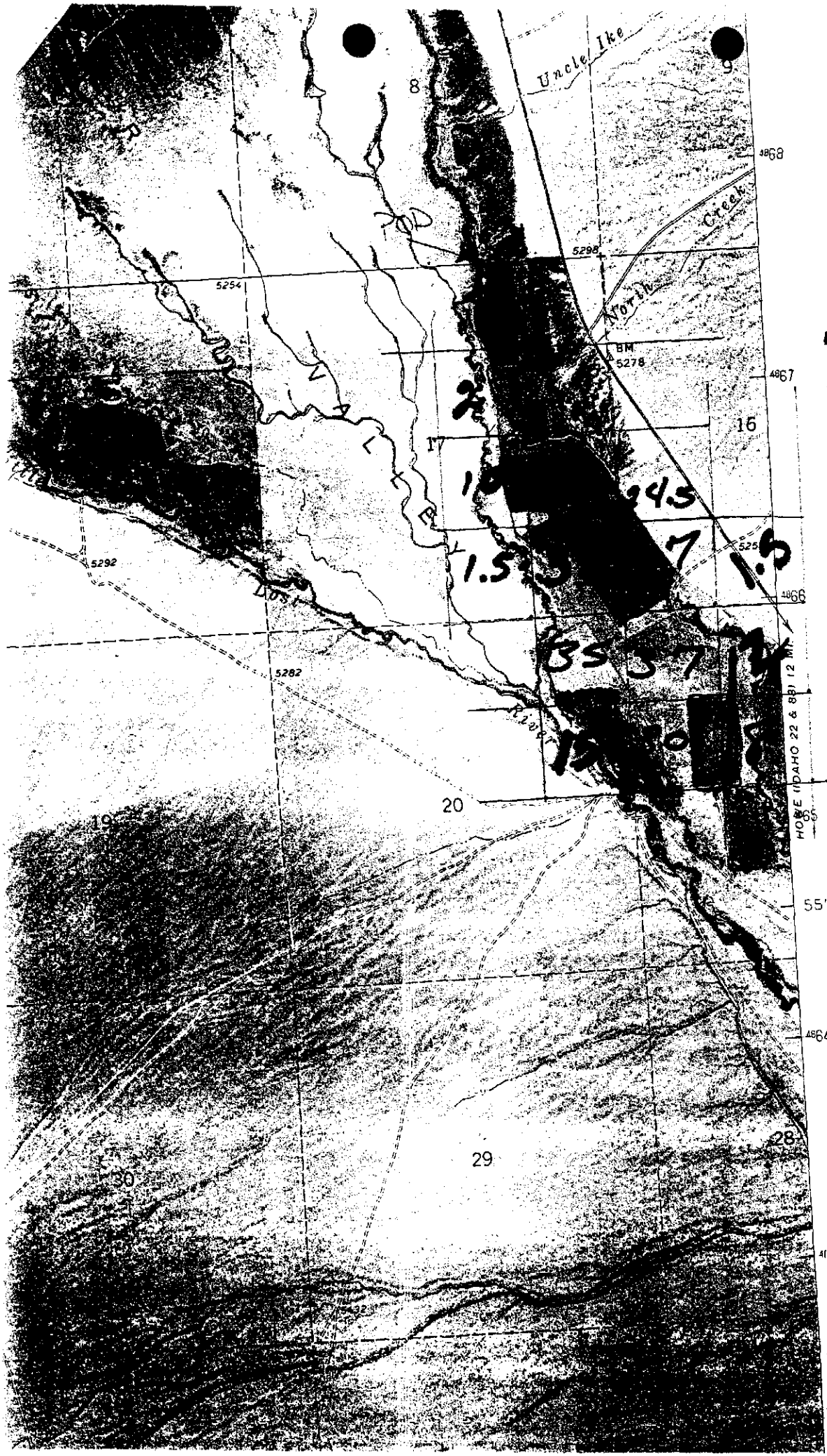
No Comments Found

+ - Adjudication Rights Dates and Flags Area - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 10/06/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 33
Licensed Date	- 00/00/0000	Receipt Number	- E010978	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-



MICROFILMED
DEC 0 9 1992



7N
28E

MICROFILMED
DEC 0 9 1992

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 20, 1998

Rocky Ross & Don Phillips
P.O. Box 10
Howe, ID 83244

RE: Licensing examination of ~~32~~ 33-07176

Dear Sirs:

Boise has raised some questions about the licensing examination of permit 32-07176. For your convenience I have enclosed a copy of the aerial photo of the place of use. The area cross-hatched matches the place of use of the permit and the licensing exam.

Item #1: Boise would like justification of the irregular shape of the irrigated place of use since the pivot also appears to go over areas "A" & "B". Are Areas "A" & "B" irrigated, and if so under what water right?

Pasture

Item #2: The licensing examination also indicated the following:

> "Water is pumped via an eight inch buried main line to a booster pump, then on to the pivot. At the point of the booster pump water can be also pumped form the ditch and combined."
>
> Under what water right is the surface water picked up for coverage for the acres irrigated by the pivot?

The licensing of 32-07176 cannot continue until these items are answered. Please contact me on or before **December 4, 1998**, with the information on these two items. Your prompt response will be appreciated.

Thank you,

Keith W. Wilson
Senior Resource Agent

IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE 1/4 1/4 COMPARISON REPORT

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

		NE								NW								SW								SE				
		NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE	
WR-NUMBER	SOURCE	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
L3307176	T07N R28E S17	GROUNDWATER																														
														11	03			18	40	18	30											120
3300061	SPRING CRE			04	18										07			04										18	30		81
A3300061	LITTLE LOS				02																					34	10	01	35		82
3300062	SPRING CRE			04	18										07			04										18	30		81
A3300062	LITTLE LOS				02																					34	10	01	35		82
3300063	SPRING CRE			04	18										07			04										18	30		81
A3300063	SPRING CRE				02																					34	10	01	35		82
3300064	SPRING CRE			04	18										07			04										18	30		81
A3300064	SAW MILL C				02																					34	10	01	35		82
A3302057	GROUNDWATE																			30											30
A3302083	GROUNDWATE																			30											30
3302096	GROUNDWATE																									33	09	01	22		65
A3302096	GROUNDWATE																									34	10	01	20		65
3307023	GROUNDWATE	25	17	11	38																					05					96
A3307023	GROUNDWATE	25	17	11	38																					05					96
R3307023	GROUNDWATE	25	17	11	38																					05					96
3307075	GROUNDWATE																									0					
A3307075	GROUNDWATE																									0					
R3307075	GROUNDWATE																									0					
~~3307176~~	~~GROUNDWATE~~													~~11~~	~~03~~			~~18~~	~~40~~		~~36~~											~~108~~
--86 MAP--	C23Q-W 33	30	40	41	40					40	43	39	40					40	29	02	11					39	40	37	40		551

ACTION REQUIRED

10/30/98

FROM: Allen

TO: KEITH

Allen are you familiar with this System? It is in the name Rocky Ross / Don Phillips.
According to the exam the "Booster" is used to pump ditch water (Spring Creek) to [redacted] center Pivot.

Keith

alkali
soil
alkalinity
alkaline



A33-02057
A33-02083

33-07176



VIEW SOUTH

POINT OF
DIVERSION

33-07176



BOOSTER PUMP

SYSTEM CAN MIX SPRING CREEK WATER WITH WELL WATER

33-07176

Water Right Number - 33-02057A Prefix Translation: WATER RIGHT Old (D) Number - 21362

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SAGEWILLOW INC		1 - C/O KENT FOSTER 2 - PO BOX 50130 3 - City- IDAHO FALLS State- ID Zip- 83405 Phone - 208-523-0620
*** O - ORIGINAL OWNER ***		
HAWLEY	LAWRENCE R	1 - 2 - 3 - City- HOWE State- ID Zip- 83244 Phone - 208-000-0000

Priority Date	Region	Stage	Status
02/01/1950	15 EASTERN	L - LICENSE	

Source	Tributary
GROUNDWATER	

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
07N	27E	2	SE NE			(23) BUTTE	WELL NO. 11		
08N	28E	32	SW SW			(23) BUTTE	WELL NO. 12		

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15	5.060	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
5.060			0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	27E	1	NE NE		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	NW NE		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	SW NE		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	SE NE		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	NE NW		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	NW NW		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	SW NW		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	SE NW		33.0	01	IRRIGATION	(23) BUTTE
07N	28E	5	NE NW		25.0	01	IRRIGATION	(23) BUTTE
07N	28E	5	NW NW		20.0	01	IRRIGATION	(23) BUTTE
07N	28E	6	NW NE		33.0	01	IRRIGATION	(23) BUTTE
07N	28E	6	SW NE		33.0	01	IRRIGATION	(23) BUTTE
07N	28E	6	NE NW		38.0	01	IRRIGATION	(23) BUTTE
07N	28E	6	NW NW		38.0	01	IRRIGATION	(23) BUTTE

Water right number - 33-02057A Prefix Translation: WATER RIGHT

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	28E	6	SW NW		33.0	01	IRRIGATION	(23) BUTTE
07N	28E	6	SE NW		33.0	01	IRRIGATION	(23) BUTTE
08N	28E	31	NE SW		24.0	01	IRRIGATION	(23) BUTTE
08N	28E	31	NW SW		24.0	01	IRRIGATION	(23) BUTTE
08N	28E	31	SW SW		37.0	01	IRRIGATION	(23) BUTTE
08N	28E	31	SE SW		37.0	01	IRRIGATION	(23) BUTTE
08N	28E	32	SW SW		25.0	01	IRRIGATION	(23) BUTTE
08N	28E	32	SE SW		35.0	01	IRRIGATION	(23) BUTTE

Total Acres: 713.0

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

GEN Transfer Nos. 4221 through 4227 were conditionally approved on 3/12/1996, provided the applicant does not irrigate more than 1,412 acres within the place of use proposed by the applications, and the applicant complies with the following:
1) A plan must be submitted to IDWR within 56 days of the final disposition of this dispute or after any final appeal period has run identifying 1,412 acres that will be irrigated together with the individual water rights that will be appurtenant to the acreage. The plan must also be provided to the protestants for review and comment. Comments from the protestants must be submitted to the department and to the applicant one month following submittal of the plan. A hearing may be requested by either party within sixty (60) days of submittal of the plan.
2) Failure to submit the plan is cause for the department to revoke its conditional approval of the applications for transfer.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff Decree Defendant Decree Date

00/00/0000

Water right number - 33-02057A Prefix Translation: WATER RIGHT

-Comments-

Date: 09/22/1993 User Id: JOHNSON Subject: TRANSFER NO. 4221
This transfer is one of seven transfers filed by Sagewillow Inc. Purpose of the transfers is to move the place of use and points of diversion from land historically flood irrigated to lands that will be irrigated via circle sprinkler systems. Portion of Right Nos. 33-02057/2083/2086 and 2091 are affected under this transfer, creating Part A.

Audit Fields - 09/22/93 JOHNSON 09/23/93 JOHNSON 10/21/93 SKAGGS 05/22/95 RLOVEALL 11/02/95 SCURTIS 03/19/96 SCURTIS 03/19/96 SCURTIS

Water Rights Dates and Flags Area

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- C028620	Water District	-
Licensed Date	- 04/19/1979	Appl Received	- 00/00/0000	Transfer/Amended	- I
Presumption Flag	-	Name Connector	-	POU Ownership Flag	- Y
SRBA Decreed Flag	-				

Water Right Number - 33-02057B Prefix Translation: WATER RIGHT Old (D) Number - 21362

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SAGEWILLOW INC		1 - C/O KENT FOSTER 2 - PO BOX 50130 3 - City- IDAHO FALLS State- ID Zip- 834050130 Phone - 208-523-0620
*** O - ORIGINAL OWNER ***		
HAWLEY	LAWRENCE R	1 - 2 - 3 - City- HOWE State- ID Zip- 83244 Phone - 208-000-0000

Priority Date	Region	Stage	Status
02/01/1950	15 EASTERN	L - LICENSE	

Source	Tributary
GROUNDWATER	

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
07N	27E	1	NE SE			(23) BUTTE	WELL NO. 9		
		12	NE NE			(23) BUTTE	WELL NO. 1		
	28E	6	NE SW			(23) BUTTE	WELL NO. 10		

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15	5.500	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
5.500			0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	27E	1	NE SW		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	SE SW		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	NE SE		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	NW SE		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	SW SE		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	SE SE		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	NE NE		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	SE NE		33.0	01	IRRIGATION	(23) BUTTE
07N	28E	6	NE SW		33.0	01	IRRIGATION	(23) BUTTE
07N	28E	6	NW SW		33.0	01	IRRIGATION	(23) BUTTE
07N	28E	6	SW SW		33.0	01	IRRIGATION	(23) BUTTE
07N	28E	6	SE SW		33.0	01	IRRIGATION	(23) BUTTE
07N	28E	6	NW SE		33.0	01	IRRIGATION	(23) BUTTE

Water right number - 33-02057B Prefix Translation: WATER RIGHT

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	28E	6	SW SE		33.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	NW NE		33.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	SW NE		33.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	NE NW		33.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	NW NW		33.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	SW NW		33.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	SE NW		33.0	01	IRRIGATION	(23) BUTTE

Total Acres: 660.0

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

GEN Transfer Nos. 4221 through 4227 were conditionally approved on 3/12/1996, provided the applicant does not irrigate more than 1,412 acres within the place of use proposed by the applications, and the applicant complies with the following:
1) A plan must be submitted to IDWR within 56 days of the final disposition of this dispute or after any final appeal period has run identifying 1,412 acres that will be irrigated together with the individual water rights that will be appurtenant to the acreage. The plan must also be provided to the protestants for review and comment. Comments from the protestants must be submitted to the department and to the applicant one month following submittal of the plan. A hearing may be requested by either party within sixty (60) days of submittal of the plan.
2) Failure to submit the plan is cause for the department to revoke its conditional approval of the applications for transfer.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff | Decree Defendant | Decree Date

00/00/0000

Comments

Date: 09/23/1993 User Id: JOHNSON Subject: TRANSFER NO. 4222

This is one of seven transfers filed by Sagewillow Inc. Transfer No. 4222 was filed to change and add diversion points, and change the place of use under Right No. 33-02090, and a portion of Right Nos. 33-02057 and 33-02083. (Part B is the transferred portion of these rights.)

Water right number - 33-02057B Prefix Translation: WATER RIGHT

+ - - Audit Fields - 09/22/93 JOHNSON 10/08/93 ZIMMERMA 10/20/93 SKAGGS 05/22/95 RLOVEALL 11/02/95 SCURTIS
03/19/96 SCURTIS 03/19/96 SCURTIS

+ - Water Rights Dates and Flags Area - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- C028624	Water District	-
Licensed Date	- 04/19/1979	Appl Received	- 00/00/0000	Transfer/Amended	- I
Presumption Flag	-	Name Connector	-	POU Ownership Flag	- Y
SRBA Decreed Flag	-				

Water Right Number - 33-02057C Prefix Translation: WATER RIGHT Old (D) Number - 21362

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SAGEWILLOW INC		1 - C/O KENT FOSTER 2 - BOX 50130 3 - City- IDAHO FALLS State- ID Zip- 83405 Phone - 208-523-0620
*** O - ORIGINAL OWNER ***		
HAWLEY	LAWRENCE R	1 - 2 - 3 - City- HOWE State- ID Zip- 83244 Phone - 208-000-0000

Priority Date	Region	Stage	Status
02/01/1950	15 EASTERN	L - LICENSE	

Source	Tributary
GROUNDWATER	

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
07N	27E	12	NE NE			(23) BUTTE	WELL NO. 2		

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15	2.130	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
2.130			0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	27E	12	NW NE		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	SW NE		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	NE NW		33.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	SE NW		33.0	01	IRRIGATION	(23) BUTTE

Total Acres: 132.0

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

GEN Transfer Nos. 4221 through 4227 were conditionally approved on 3/12/1996, provided the applicant does not irrigate more than 1,412 acres within the place of use proposed by the applications,

Water right number - 33-02057C Prefix Translation: WATER RIGHT

Remarks

and the applicant complies with the following:
1) A plan must be submitted to IDWR within 56 days of the final disposition of this dispute or after any final appeal period has run identifying 1,412 acres that will be irrigated together with the individual water rights that will be appurtenant to the acreage. The plan must also be provided to the protestants for review and comment. Comments from the protestants must be submitted to the department and to the applicant one month following submittal of the plan. A hearing may be requested by either party within sixty (60) days of submittal of the plan.
2) Failure to submit the plan is cause for the department to revoke its conditional approval of the applications for transfer.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Comments

Date: 09/23/1993 User Id: JOHNSON Subject: TRANSFER NO. 4223
This transfer is one of seven changing place of use and point of diversion from flood irrigation to several circle sprinkler systems. Transfer No. 4223 affects a portion of Right Nos. 33-02057 and 33-02083, creating Part C.

Audit Fields - 09/23/93 JOHNSON 10/14/93 JOHNSON 10/20/93 SKAGGS 05/22/95 RLOVEALL 11/02/95 SCURTIS 03/19/96 SCURTIS 03/19/96 SCURTIS

Water Rights Dates and Flags Area

Proof Due Date	00/00/0000	Field Exam Made	00/00/0000	Field Exam Fee	-
Approved/Denied	00/00/0000	Protested Date	00/00/0000	Swan Falls	-
Proof Made Date	00/00/0000	Hearing Date	00/00/0000	Temporary Right	P
Exam to S.O. Date	00/00/0000	Verified Date	00/00/0000	DLE/Carey Act	-
Order Show Cause	00/00/0000	Receipt Number	C028624	Water District	-
Licensed Date	04/19/1979	Appl Received	00/00/0000	Transfer/Amended	I
Presumption Flag	-	Name Connector	-	POU Ownership Flag	Y
SRBA Decreed Flag	-				

Water Right Number - 33-02057D Prefix Translation: WATER RIGHT Old (D) Number - 21362

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SAGEWILLOW INC		1 - C/O KENT FOSTER 2 - BOX 50130 3 - City- IDAHO FALLS State- ID Zip- 83405 Phone - 208-523-0620
*** O - ORIGINAL OWNER ***		
HAWLEY	LAWRENCE R	1 - 2 - 3 - City- HOWE State- ID Zip- 83244 Phone - 208-000-0000

Priority Date	Region	Stage	Status
02/01/1950	15 EASTERN	L - LICENSE	

Source	Tributary
GROUNDWATER	

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
07N	27E	2	SW NE			(23) BUTTE	KNOLLIN HEADGATE		
		12	NW NE			(23) BUTTE	WELL NO. 3		
			SW NW			(23) BUTTE	LAKE HEADGATE		
	28E	5	NW SW			(23) BUTTE	BIG SPRING CREEK HEADGATE		

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15	1.940	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
1.940			0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	28E	7	NE NE		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	SE NE		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	NW NW		40.0	01	IRRIGATION	(23) BUTTE

Total Acres: 120.0

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Water right number - 33-02057D Prefix Translation: WATER RIGHT

Remarks

GEN Transfer Nos. 4221 through 4227 were conditionally approved on 3/12/1996, provided the applicant does not irrigate more than 1,412 acres within the place of use proposed by the applications, and the applicant complies with the following:

1) A plan must be submitted to IDWR within 56 days of the final disposition of this dispute or after any final appeal period has run identifying 1,412 acres that will be irrigated together with the individual water rights that will be appurtenant to the acreage. The plan must also be provided to the protestants for review and comment. Comments from the protestants must be submitted to the department and to the applicant one month following submittal of the plan. A hearing may be requested by either party within sixty (60) days of submittal of the plan.

2) Failure to submit the plan is cause for the department to revoke its conditional approval of the applications for transfer.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Comments

Date: 10/20/1993 User Id: SKAGGS Subject: TRANSFER NO. 4224
Transfer No. 4224 was filed to change the point of diversion and the place of use of a portion of Right Nos. 33-00069/70/71/72/73/74/76/78/79/80/81/82/2007/2008/2057/2083 and 2133.

Audit Fields - 09/22/93 JOHNSON 09/23/93 JOHNSON 10/20/93 SKAGGS 10/27/93 SKAGGS 05/22/95 RLOVEALL 11/02/95 SCURTIS 03/19/96 SCURTIS 03/19/96 SCURTIS

Water Rights Dates and Flags Area

Proof Due Date	00/00/0000	Field Exam Made	00/00/0000	Field Exam Fee	-
Approved/Denied	00/00/0000	Protested Date	00/00/0000	Swan Falls	-
Proof Made Date	00/00/0000	Hearing Date	00/00/0000	Temporary Right	P
Exam to S.O. Date	00/00/0000	Verified Date	00/00/0000	DLE/Carey Act	-
Order Show Cause	00/00/0000	Receipt Number	C028624	Water District	-
Licensed Date	04/19/1979	Appl Received	00/00/0000	Transfer/Amended	I
Presumption Flag	-	Name Connector	-	POU Ownership Flag	Y
SRBA Decreed Flag	-				

Water Right Number - 33-02057E Prefix Translation: WATER RIGHT Old (D) Number - 21362

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SAGEWILLOW INC		1 - C/O KENT FOSTER 2 - PO BOX 50130 3 - City- IDAHO FALLS State- ID Zip- 83405 Phone - 208-523-0620
*** O - ORIGINAL OWNER ***		
HAWLEY	LAWRENCE R	1 - 2 - 3 - City- HOWE State- ID Zip- 83244 Phone - 208-000-0000

Priority Date	Region	Stage	Status
02/01/1950	15 EASTERN	L - LICENSE	

Source	Tributary
GROUNDWATER	

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
07N	27E	2	SW NE			(23) BUTTE	KNOLLIN HEADGATE		
		12	NW NE			(23) BUTTE	WELL NO. 3		
			NE NW			(23) BUTTE	WELL NOS. 4 & 5		
			SW NW			(23) BUTTE	LAKE HEADGATE		
	28E	5	NW SW			(23) BUTTE	BIG SPRING CREEK HEADGATE		
	27E	12	NW NW		I	(23) BUTTE			

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15	4.340	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
4.340			0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	27E	1	SW SW		30.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	NW NW		30.0	01	IRRIGATION	(23) BUTTE
07N	27E	13	NE NE		20.0	01	IRRIGATION	(23) BUTTE
07N	27E	13	NW NE		38.0	01	IRRIGATION	(23) BUTTE
07N	27E	13	NE NW		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	NW NE		30.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	SW NE		30.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	NW SE		30.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	SW SE		20.0	01	IRRIGATION	(23) BUTTE

Total Acres: 268.0

Water right number - 33-02057E   Prefix Translation: WATER RIGHT

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - - - - - - Remarks - - - - - - - - - - - - - - - - +

GEN Two points of diversion are located within NENW, S12, T07N, R27E. Transfer Nos. 4221 through 4227 were conditionally approved on 3/12/1996, provided the applicant does not irrigate more than 1,412 acres within the place of use proposed by the applications, and the applicant complies with the following:

1) A plan must be submitted to IDWR within 56 days of the final disposition of this dispute or after any final appeal period has run identifying 1,412 acres that will be irrigated together with the individual water rights that will be appurtenant to the acreage. The plan must also be provided to the protestants for review and comment. Comments from the protestants must be submitted to the department and to the applicant one month following submittal of the plan. A hearing may be requested by either party within sixty (60) days of submittal of the plan.

2) Failure to submit the plan is cause for the department to revoke its conditional approval of the applications for transfer.

+ - - - - - - - - - - - - - - - - Old Water Right Numbers - - - - - - - - - - - - - - - - +

No Old Water Right Numbers found.

+ - - - - - - - - - - - - - - - - Conditions of Approval - - - - - - - - - - - - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +   + - - - - Decree Defendant - - - +   + - - Decree Date - - +

00/00/0000

+ - - - - - - - - - - - - - - - - -Comments- - - - - - - - - - - - - - - - - +

Date: 10/21/1993 User Id: SKAGGS Subject: TRANSFER NO. 4225
Transfer No. 4225 was filed to change the place of use and points of diversion of a portion of Right Nos. 33-02057/2083/69/70/71/72/73/74/76/78/79/80/81/82/2007/2008 and 2133. Under 33-02057 and 33-02083, Part E is created. Under all other rights, Part B is created. (10-21-93 Skaggs)

+ - - Audit Fields - 09/23/93 JOHNSON 10/20/93 SKAGGS 10/21/93 SKAGGS 10/27/93 SKAGGS 05/22/95 RLOVEALL
11/02/95 SCURTIS 03/19/96 SCURTIS 03/19/96 SCURTIS

+ - - - - - - - - - - - - - - - - Water Rights Dates and Flags Area - - - - - - - - - - - - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- C028624	Water District	-
Licensed Date	- 04/19/1979	Appl Received	- 00/00/0000	Transfer/Amended	- I
Presumption Flag	-	Name Connector	-	POU Ownership Flag	- Y



Water Right Number - 33-02057F Prefix Translation: WATER RIGHT Old (D) Number - 21362

Last Name	First Name	Address
*** C - CURRENT OWNER *** SAGEWILLOW INC		1 - C/O KENT FOSTER 2 - PO BOX 50130 3 - City- IDAHO FALLS State- ID Zip- 83405 Phone - 208-523-0620
*** O - ORIGINAL OWNER *** HAWLEY	LAWRENCE R	1 - 2 - 3 - City- HOWE State- ID Zip- 83244 Phone - 208-000-0000

Priority Date	Region	Stage	Status
02/01/1950	15 EASTERN	L - LICENSE	

Source	Tributary
GROUNDWATER	

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
07N	27E	2	SW NE			(23) BUTTE	KNOLLIN HEADGATE		
		12	NW NE			(23) BUTTE	WELL NO. 3		
			NE NW			(23) BUTTE	WELL NOS. 4 & 5		
			SW NW			(23) BUTTE	LAKE HEADGATE		
			SE SE			(23) BUTTE	WELL NO. 6		
	28E	5	NW SW			(23) BUTTE	BIG SPRING CREEK HEADGATE		
		7	NW SW			(23) BUTTE	WELL NO. 7		
			SW SW			(23) BUTTE	WELL NO. 8		

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15	5.030	
16	WILDLIFE				

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
5.030			0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	27E	12	NE SE		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	SE SE		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	13	NE NE		10.0	01	IRRIGATION	(23) BUTTE
07N	27E	18	NW NE		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	18	SW NE		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	18	NE NW		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	18	NW NW		35.0	01	IRRIGATION	(23) BUTTE

Water right number - 33-02057F Prefix Translation: WATER RIGHT

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	27E	18	SW NW		10.0	01	IRRIGATION	(23) BUTTE
07N	27E	18	SE NW		35.0	01	IRRIGATION	(23) BUTTE
07N	27E	18	NW SE		20.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	SE NE			16	WILDLIFE	(23) BUTTE
07N	27E	12	NW SE			16	WILDLIFE	(23) BUTTE
07N	27E	12	SW SE			16	WILDLIFE	(23) BUTTE
07N	27E	12	SE SE			16	WILDLIFE	(23) BUTTE
07N	27E	18	NW NE			16	WILDLIFE	(23) BUTTE
07N	27E	18	SW NE			16	WILDLIFE	(23) BUTTE
07N	27E	18	SE NE			16	WILDLIFE	(23) BUTTE
07N	28E	7	NW SW			16	WILDLIFE	(23) BUTTE
07N	28E	7	SW SW			16	WILDLIFE	(23) BUTTE
07N	28E	7	SE SW			16	WILDLIFE	(23) BUTTE
07N	28E	7	NE SE			16	WILDLIFE	(23) BUTTE

Total Acres: 310.0

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

GEN Two points of diversion are located within NENW, S12, T07N, R27E. Transfer Nos. 4221 through 4227 were conditionally approved on 3/12/1996, provided the applicant does not irrigate more than 1,412 acres within the place of use proposed by the applications, and the applicant complies with the following:

1) A plan must be submitted to IDWR within 56 days of the final disposition of this dispute or after any final appeal period has run identifying 1,412 acres that will be irrigated together with the individual water rights that will be appurtenant to the acreage. The plan must also be provided to the protestants for review and comment. Comments from the protestants must be submitted to the department and to the applicant one month following submittal of the plan. A hearing may be requested by either party within sixty (60) days of submittal of the plan.

2) Failure to submit the plan is cause for the department to revoke its conditional approval of the applications for transfer.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Water right number - 33-02057F Prefix Translation: WATER RIGHT

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Comments

Date: 10/12/1993 User Id: JOHNSON Subject:
Date: 10/12/1993 User Id: JOHNSON Subject: TRANSFER NO. 4226
This is one of seven transfers filed by Sagewillow Inc. Transfer No. 4226 changes the point of diversion and place of use under a portion of Right Nos. 33-02057/2083/69/70/71/72/73/74/76/ 78/79/80/81/82/2007/2008 and 2133.
Under 33-02057 and 33-02083, Parts F are created. Under all other rights, Parts C are created.

Audit Fields - 09/23/93 JOHNSON 10/08/93 JOHNSON 10/20/93 SKAGGS 10/25/93 SKAGGS 10/27/93 SKAGGS
11/02/95 SCURTIS 03/19/96 SCURTIS 03/19/96 SCURTIS

Water Rights Dates and Flags Area

Proof Due Date	00/00/0000	Field Exam Made	00/00/0000	Field Exam Fee	-
Approved/Denied	00/00/0000	Protested Date	00/00/0000	Swan Falls	-
Proof Made Date	00/00/0000	Hearing Date	00/00/0000	Temporary Right	P
Exam to S.O. Date	00/00/0000	Verified Date	00/00/0000	DLE/Carey Act	-
Order Show Cause	00/00/0000	Receipt Number	C028624	Water District	-
Licensed Date	04/19/1979	Appl Received	00/00/0000	Transfer/Amended	I
Presumption Flag	-	Name Connector	-	POU Ownership Flag	Y
SRBA Decreed Flag	-				

Water Right Number - 33-07018 Prefix Translation: WATER RIGHT Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SAGEWILLOW INC		1 - C/O KENT FOSTER 2 - PO BOX 50130 3 - City- IDAHO FALLS State- ID Zip- 83405 Phone - 208-523-0620
*** O - ORIGINAL OWNER ***		
FREW	WILLIAM	1 - 2 - 3 - City- HOWE State- ID Zip- 83244 Phone - 208-000-0000

Priority Date	Region	Stage	Status
09/12/1972	15 EASTERN	L - LICENSE	

Source: GROUNDWATER

Tributary:

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
08N	28E	32	NW SW			(23) BUTTE			

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15	3.260	489.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
3.260	489.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	28E	5	NW NW		15.0	01	IRRIGATION	(23) BUTTE
07N	28E	5	SW NW		25.0	01	IRRIGATION	(23) BUTTE
07N	28E	5	SE NW		35.0	01	IRRIGATION	(23) BUTTE
07N	28E	5	NE SW		30.0	01	IRRIGATION	(23) BUTTE
07N	28E	5	NW SW		15.0	01	IRRIGATION	(23) BUTTE
07N	28E	5	SE SW		25.0	01	IRRIGATION	(23) BUTTE
07N	28E	5	SW SE		15.0	01	IRRIGATION	(23) BUTTE
07N	28E	6	NE NE		20.0	01	IRRIGATION	(23) BUTTE

Total Acres: 180.0

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Water right number - 33-07018 Prefix Translation: WATER RIGHT

Remarks

GEN Transfer Nos. 4221 through 4227 were conditionally approved on 3/12/1996, provided the applicant does not irrigate more than 1,412 acres within the place of use proposed by the applications, and the applicant complies with the following:
1) A plan must be submitted to IDWR within 56 days of the final disposition of this dispute or after any final appeal period has run identifying 1,412 acres that will be irrigated together with the individual water rights that will be appurtenant to the acreage. The plan must also be provided to the protestants for review and comment. Comments from the protestants must be submitted to the department and to the applicant one month following submittal of the plan. A hearing may be requested by either party within sixty (60) days of submittal of the plan.
2) Failure to submit the plan is cause for the department to revoke its conditional approval of the applications for transfer.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Comments

Date: 09/23/1993 User Id: JOHNSON Subject: TRANSFER NO. 4227
This is one of seven transfers filed by Sagewillow Inc. Transfer No. 4227 was filed to change the point of diversion and place of use of a portion of Right Nos. 33-02086 and 33-02091, and Right No. 33-07018. (10-20-93 Skaggs)

Audit Fields - 03/12/85 05/22/88 CONVERT 10/20/93 SKAGGS 05/22/95 RLOVEALL 11/02/95 SCURTIS 03/19/96 SCURTIS 03/19/96 SCURTIS

Water Rights Dates and Flags Area

Proof Due Date	10/01/1977	Field Exam Made	00/00/0000	Field Exam Fee	-
Approved/Denied	00/00/0000	Protested Date	00/00/0000	Swan Falls	-
Proof Made Date	00/00/0000	Hearing Date	00/00/0000	Temporary Right	P
Exam to S.O. Date	00/00/0000	Verified Date	00/00/0000	DLE/Carey Act	-
Order Show Cause	00/00/0000	Receipt Number	C028624	Water District	-
Licensed Date	04/12/1982	Appl Received	00/00/0000	Transfer/Amended	-
Presumption Flag	-	Name Connector	-	POU Ownership Flag	Y
SRBA Decreed Flag	-				

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

Water Right Number - 33-02091B Prefix Translation: WATER RIGHT Old (D) Number - 28692

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SAGEWILLOW INC		1 - C/O KENT FOSTER 2 - PO BOX 50130 3 - City- IDAHO FALLS State- ID Zip- 834050130 Phone - 208-523-0620
*** O - ORIGINAL OWNER ***		
HAWLEY	VENICE H	1 - 2 - 3 - City- State- ID Zip- Phone - 208-000-0000

Priority Date	Region	Stage	Status
01/22/1960	15 EASTERN	L - LICENSE	

Source	Tributary
GROUNDWATER	

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
08N	28E	32	NW SW			(23) BUTTE	WELL NO. 13		

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15	0.100	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
0.100			0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	28E	5	NW NW		15.0	01	IRRIGATION	(23) BUTTE
07N	28E	5	SW NW		25.0	01	IRRIGATION	(23) BUTTE
07N	28E	5	SE NW		35.0	01	IRRIGATION	(23) BUTTE
07N	28E	5	NE SW		30.0	01	IRRIGATION	(23) BUTTE
07N	28E	5	NW SW		15.0	01	IRRIGATION	(23) BUTTE
07N	28E	5	SE SW		25.0	01	IRRIGATION	(23) BUTTE
07N	28E	5	SW SE		15.0	01	IRRIGATION	(23) BUTTE
07N	28E	6	NE NE		20.0	01	IRRIGATION	(23) BUTTE

Total Acres: 180.0

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Water right number - 33-02091B Prefix Translation: WATER RIGHT

Remarks

GEN Right No. 33-02091B is limite to the irrigation of 7 acres in the place of use described above in a single irrigation season. Transfer Nos. 4221 through 4227 were conditionally approved on 3/12/1996, provided the applicant does not irrigate more than 1,412 acres within the place of use proposed by the applications, and the applicant complies with the following:
1) A plan must be submitted to IDWR within 56 days of the final disposition of this dispute or after any final appeal period has run identifying 1,412 acres that will be irrigated together with the individual water rights that will be appurtenant to the acreage. The plan must also be provided to the protestants for review and comment. Comments from the protestants must be submitted to the department and to the applicant one month following submittal of the plan. A hearing may be requested by either party within sixty (60) days of submittal of the plan.
2) Failure to submit the plan is cause for the department to revoke its conditional approval of the applications for transfer.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

T07 - The right holder shall accomplish the change authorized by this - transfer within one (1) year of the date of this approval.
T08 - Failure of the right holder to comply with the conditions of this - transfer is cause for the Director to rescind approval of the - transfer.
T09 - Approval of this transfer does not preclude the opportunity for - review of the validity of the water right(s) in the ongoing - Snake River Basin Adjudication.
046 - Right holder shall comply with the drilling permit - requirements of Section 42-235, Idaho Code.
R30 - This right when combined with all other rights shall provide no - more than .02 cfs per acre nor more than 3.5 afa per acre for - irrigation of the lands above.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Comments

Date: 09/23/1993 User Id: JOHNSON Subject: TRANSFER NO. 4227
This is one of seven transfers filed by Sagewillow Inc. of diversion of a portion of Right Nos. 33-02086, 33-02091, Transfer No. 4227 was filed to change the place of use and point creating Part B, and Right No. 33-07018. (10-20-93 Skaggs)

Audit Fields - 09/22/93 JOHNSON 10/08/93 ZIMMERMA 10/20/93 SKAGGS 10/21/93 SKAGGS 05/22/95 RLOVEALL 11/02/95 SCURTIS 03/19/96 SCURTIS 03/19/96 SCURTIS

Water right number - 33-020918 Prefix Translation: WATER RIGHT

Water Rights Dates and Flags Area

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- C028624	Water District	-
Licensed Date	- 04/19/1979	Appl Received	- 00/00/0000	Transfer/Amended	- I
Presumption Flag	-	Name Connector	-	POU Ownership Flag	- Y
SRBA Decreed Flag	-				

Water Right Number - 33-02057D Prefix Translation: WATER RIGHT Old (D) Number - 21362

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SAGEWILLOW INC		1 - C/O KENT FOSTER 2 - BOX 50130 3 - City- IDAHO FALLS State- ID Zip- 83405 Phone - 208-523-0620
*** O - ORIGINAL OWNER ***		
HAWLEY	LAWRENCE R	1 - 2 - 3 - City- HOWE State- ID Zip- 83244 Phone - 208-000-0000

Priority Date	Region	Stage	Status
02/01/1950	15 EASTERN	L - LICENSE	

Source	Tributary
GROUNDWATER	

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
07N	27E	2	SW NE			(23) BUTTE	KNOLLIN HEADGATE		
		12	NW NE			(23) BUTTE	WELL NO. 3		
			SW NW			(23) BUTTE	LAKE HEADGATE		
	28E	5	NW SW			(23) BUTTE	BIG SPRING CREEK HEADGATE		

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15	1.940	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
1.940			0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	28E	7	NE NE		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	SE NE		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	NW NW		40.0	01	IRRIGATION	(23) BUTTE
				Total Acres:	120.0			

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Water right number - 33-02057D Prefix Translation: WATER RIGHT

Remarks

GEN Transfer Nos. 4221 through 4227 were conditionally approved on 3/12/1996, provided the applicant does not irrigate more than 1,412 acres within the place of use proposed by the applications, and the applicant complies with the following:
1) A plan must be submitted to IDWR within 56 days of the final disposition of this dispute or after any final appeal period has run identifying 1,412 acres that will be irrigated together with the individual water rights that will be appurtenant to the acreage. The plan must also be provided to the protestants for review and comment. Comments from the protestants must be submitted to the department and to the applicant one month following submittal of the plan. A hearing may be requested by either party within sixty (60) days of submittal of the plan.
2) Failure to submit the plan is cause for the department to revoke its conditional approval of the applications for transfer.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Comments

Date: 10/20/1993 User Id: SKAGGS Subject: TRANSFER NO. 4224
Transfer No. 4224 was filed to change the point of diversion and the place of use of a portion of Right Nos. 33-00069/70/71/72/73/74/76/78/79/80/81/82/2007/2008/2057/2083 and 2133.

Audit Fields - 09/22/93 JOHNSON 09/23/93 JOHNSON 10/20/93 SKAGGS 10/27/93 SKAGGS 05/22/95 RLOVEALL 11/02/95 SCURTIS 03/19/96 SCURTIS 03/19/96 SCURTIS

Water Rights Dates and Flags Area

Proof Due Date	00/00/0000	Field Exam Made	00/00/0000	Field Exam Fee	-
Approved/Denied	00/00/0000	Protested Date	00/00/0000	Swan Falls	-
Proof Made Date	00/00/0000	Hearing Date	00/00/0000	Temporary Right	P
Exam to S.O. Date	00/00/0000	Verified Date	00/00/0000	DLE/Carey Act	-
Order Show Cause	00/00/0000	Receipt Number	C028624	Water District	-
Licensed Date	04/19/1979	Appl Received	00/00/0000	Transfer/Amended	I
Presumption Flag	-	Name Connector	-	POU Ownership Flag	Y
SRBA Decreed Flag	-				

Water Right Number - 33-02086B Prefix Translation: WATER RIGHT Old (D) Number - 27717

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SAGEWILLOW INC		1 - C/O KENT FOSTER 2 - PO BOX 50130 3 - City- IDAHO FALLS State- ID Zip- 834050130 Phone - 208-523-0620
*** O - ORIGINAL OWNER ***		
HAWLEY	CLARENCE	1 - 2 - 3 - City- HOWE State- ID Zip- Phone - 208-000-0000

Priority Date	Region	Stage	Status
01/12/1959	15 EASTERN	L - LICENSE	

Source	Tributary
GROUNDWATER	

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
08N	28E	32	NW SW			(23) BUTTE	WELL NO. 13		

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15	2.730	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
2.730			0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	28E	5	NW NW		15.0	01	IRRIGATION	(23) BUTTE
07N	28E	5	SW NW		25.0	01	IRRIGATION	(23) BUTTE
07N	28E	5	SE NW		35.0	01	IRRIGATION	(23) BUTTE
07N	28E	5	NE SW		30.0	01	IRRIGATION	(23) BUTTE
07N	28E	5	NW SW		15.0	01	IRRIGATION	(23) BUTTE
07N	28E	5	SE SW		25.0	01	IRRIGATION	(23) BUTTE
07N	28E	5	SW SE		15.0	01	IRRIGATION	(23) BUTTE
07N	28E	6	NE NE		20.0	01	IRRIGATION	(23) BUTTE

Total Acres: 180.0

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Water right number - 33-02086B Prefix Translation: WATER RIGHT

Remarks

GEN Right No. 33-02086B is limited to the irrigation of 173 acres in the place of use described above in a single irrigation season. Transfer Nos. 4221 through 4227 were conditionally approved on 3/12/1996, provided the applicant does not irrigate more than 1,412 acres within the place of use proposed by the applications, and the applicant complies with the following:

1) A plan must be submitted to IDWR within 56 days of the final disposition of this dispute or after any final appeal period has run identifying 1,412 acres that will be irrigated together with the individual water rights that will be appurtenant to the acreage. The plan must also be provided to the protestants for review and comment. Comments from the protestants must be submitted to the department and to the applicant one month following submittal of the plan. A hearing may be requested by either party within sixty (60) days of submittal of the plan.

2) Failure to submit the plan is cause for the department to revoke its conditional approval of the applications for transfer.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Comments

Date: 09/23/1993 User Id: JOHNSON Subject: TRANSFER NO. 4227

This is one of seven transfers filed by Sagewillow Inc. Transfer No. 4227 was filed to change the place of use of a portion of Right Nos. 33-02086, 33-02091, creating Part B, and Right No. 33-07018. (10-20-93 Skaggs)

Audit Fields - 09/22/93 JOHNSON 09/22/93 JOHNSON 10/08/93 ZIMMERMA 10/20/93 SKAGGS 10/21/93 SKAGGS 05/22/95 RLOVEALL 11/02/95 SCURTIS 03/19/96 SCURTIS 03/19/96 SCURTIS

Water Rights Dates and Flags Area

Proof Due Date	00/00/0000	Field Exam Made	00/00/0000	Field Exam Fee	-
Approved/Denied	00/00/0000	Protested Date	00/00/0000	Swan Falls	-
Proof Made Date	00/00/0000	Hearing Date	00/00/0000	Temporary Right	P
Exam to S.O. Date	00/00/0000	Verified Date	00/00/0000	DLE/Carey Act	-
Order Show Cause	00/00/0000	Receipt Number	C028624	Water District	-
Licensed Date	04/19/1979	Appl Received	00/00/0000	Transfer/Amended	D
Presumption Flag	-	Name Connector	-	POU Ownership Flag	Y
SRBA Decreed Flag	-				

Water Right Number - A33-02083 Prefix Translation: ADJUDICATION CLAIM Old (D) Number - 27052

Last Name	First Name	Address
*** A - ATTORNEY ***		
FOSTER	KENT W	1 - HOLDEN KIDWELL HAHN & CRAPO 2 - PO BOX 50130 3 - City- IDAHO FALLS State- ID Zip- 83405 Phone - 208-000-0000
*** C - CURRENT OWNER ***		
SAGE WILLOW INC		1 - 545 SHOUP AVE 2 - 3 - City- IDAHO FALLS State- ID Zip- 83402 Phone - 208-522-7784
*** O - ORIGINAL OWNER ***		
HAWLEY	LAWRENCE	1 - 2 - 3 - City- HOWE State- ID Zip- 83244 Phone - 208-000-0000

Priority Date	Region	Stage	Status
08/23/1957	15 EASTERN	L - LICENSE	

Source	Tributary
GROUNDWATER	

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name
07N	27E	12	NE NE			(23) BUTTE	
			NW NE			(23) BUTTE	
			NE NW			(23) BUTTE	
			SE SE			(23) BUTTE	
	28E	7	NW SW			(23) BUTTE	
			SW SW			(23) BUTTE	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/01	11/01	5.000	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
5.000			5191.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	27E	1	SW SW		31.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	SE SW		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	NE NE		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	NW NE		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	SW NE		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	SE NE		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	NE NW		40.0	01	IRRIGATION	(23) BUTTE

Water right number - A33-02083 Prefix Translation: ADJUDICATION CLAIM

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	27E	12	NW NW		30.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	SW NW		10.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	NE SW		15.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	SE SW		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	SE SE		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	13	NE NE		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	13	NW NE		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	13	NE NW		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	NE NE		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	NW NE		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	SW NE		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	SE NE		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	NE NW		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	NW NW		38.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	SW NW		38.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	SE NW		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	NW NE		5.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	SW NE		15.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	NW NW		10.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	NW SE		30.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	SW SE		30.0	01	IRRIGATION	(23) BUTTE
07N	28E	17	SW SW		30.0	01	IRRIGATION	(23) BUTTE
07N	28E	18	SW NE		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	18	SE NE		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	18	NW NW		39.0	01	IRRIGATION	(23) BUTTE
07N	28E	18	SW NW		25.0	01	IRRIGATION	(23) BUTTE
07N	28E	18	SE NW		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	18	NE SE		40.0	01	IRRIGATION	(23) BUTTE
08N	27E	34	SW NE		37.0	01	IRRIGATION	(23) BUTTE
08N	27E	34	SE NW		40.0	01	IRRIGATION	(23) BUTTE
08N	27E	34	NE SW		40.0	01	IRRIGATION	(23) BUTTE
08N	27E	34	NW SW		35.0	01	IRRIGATION	(23) BUTTE
08N	27E	34	SW SW		30.0	01	IRRIGATION	(23) BUTTE
08N	27E	34	SE SW		35.0	01	IRRIGATION	(23) BUTTE
08N	27E	34	NW SE		40.0	01	IRRIGATION	(23) BUTTE
08N	27E	34	SW SE		40.0	01	IRRIGATION	(23) BUTTE

Total Acres: 1483.0

Diversion Means - 8 WELLS AND PUMPS

Non-Irrigation Use - NONE

Other Rights for Same Use - 33-0069/0080/2007/2008/2083.

Remarks

GEN CONFORMED ATTORNEY MAILING ADDRESS DMS

Water right number - A33-02083   Prefix Translation: ADJUDICATION CLAIM

+ - - - - - - - - - - - - - - - Old Water Right Numbers - - - - - - - - - - - - - - - +

+ - - - - - - - - - - - - - - - Old Water Right Numbers - - - - - - - - - - - - - - - +
No Old Water Right Numbers found.

+ - - - - - - - - - - - - - - - Conditions of Approval - - - - - - - - - - - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +   + - - - - Decree Defendant - - - +   + - Decree Date - +
00/00/0000

+ - - Audit Fields - 10/26/89 OLENICHA 03/30/95 DSMITH 03/30/95 POST-STD

+ - - - - - - - - - - - - - - - -Comments- - - - - - - - - - - - - - - - +
No Comments Found

+ - - - - - - - - - - - - Adjudication Rights Dates and Flags Area - - - - - - - - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 10/06/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- E010978	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

Water Right Number - A33-02057 Prefix Translation: ADJUDICATION CLAIM Old (D) Number - 21362

Last Name	First Name	Address
*** A - ATTORNEY ***		
FOSTER	KENT W	1 - HOLDEN KIDWELL HAHN & CRAPO 2 - PO BOX 50130 3 - City- IDAHO FALLS State- ID Zip- 83405 Phone - 208-000-0000
*** C - CURRENT OWNER ***		
SAGE WILLOW INC		1 - 545 SHOUP AVE 2 - 3 - City- IDAHO FALLS State- ID Zip- 83402 Phone - 208-522-7784
*** O - ORIGINAL OWNER ***		
HAWLEY	LAWRENCE R	1 - 2 - 3 - City- HOWE State- ID Zip- 83244 Phone - 208-000-0000

Priority Date	Region	Stage	Status
02/01/1950	15 EASTERN	L - LICENSE	

Source	Tributary
GROUNDWATER	

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name
07N	27E	12	NE NE			(23) BUTTE	
			NW NE			(23) BUTTE	
			NE NW			(23) BUTTE	
			SE SE			(23) BUTTE	
	28E	7	NW SW			(23) BUTTE	
			SW SW			(23) BUTTE	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/01	11/01	24.000	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
24.000			5191.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	27E	1	SW SW		31.0	01	IRRIGATION	(23) BUTTE
07N	27E	1	SE SW		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	NE NE		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	NW NE		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	SW NE		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	SE NE		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	NE NW		40.0	01	IRRIGATION	(23) BUTTE

Water right number - A33-02057 Prefix Translation: ADJUDICATION CLAIM

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07N	27E	12	NW NW		30.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	SW NW		10.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	NE SW		15.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	SE SW		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	12	SE SE		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	13	NE NE		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	13	NW NE		40.0	01	IRRIGATION	(23) BUTTE
07N	27E	13	NE NW		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	NE NE		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	NW NE		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	SW NE		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	SE NE		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	NE NW		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	NW NW		38.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	SW NW		38.0	01	IRRIGATION	(23) BUTTE
07N	28E	7	SE NW		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	NW NE		5.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	SW NE		15.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	NW NW		10.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	NW SE		30.0	01	IRRIGATION	(23) BUTTE
07N	28E	8	SW SE		30.0	01	IRRIGATION	(23) BUTTE
07N	28E	17	SW SW		30.0	01	IRRIGATION	(23) BUTTE
07N	28E	18	SW NE		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	18	SE NE		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	18	NW NW		39.0	01	IRRIGATION	(23) BUTTE
07N	28E	18	SW NW		25.0	01	IRRIGATION	(23) BUTTE
07N	28E	18	SE NW		40.0	01	IRRIGATION	(23) BUTTE
07N	28E	18	NE SE		40.0	01	IRRIGATION	(23) BUTTE
08N	27E	34	SW NE		37.0	01	IRRIGATION	(23) BUTTE
08N	27E	34	SE NW		40.0	01	IRRIGATION	(23) BUTTE
08N	27E	34	NE SW		40.0	01	IRRIGATION	(23) BUTTE
08N	27E	34	NW SW		35.0	01	IRRIGATION	(23) BUTTE
08N	27E	34	SW SW		30.0	01	IRRIGATION	(23) BUTTE
08N	27E	34	SE SW		35.0	01	IRRIGATION	(23) BUTTE
08N	27E	34	NW SE		40.0	01	IRRIGATION	(23) BUTTE
08N	27E	34	SW SE		40.0	01	IRRIGATION	(23) BUTTE

Total Acres: 1483.0

- Diversion Means - 8 WELLS AND PUMPS

- Non-Irrigation Use - NONE

- Other Rights for Same Use - 33-0080/0069/2007/2008/2083.

Remarks

GEN CONFORMED ATTORNEY MAILING ADDRESS DMS

Water right number - A33-02057 Prefix Translation: ADJUDICATION CLAIM

+ - Old Water Right Numbers - +

+ - Old Water Right Numbers - +
No Old Water Right Numbers found.

+ - Conditions of Approval - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - - +

+ - - - - Decree Defendant - - - - +

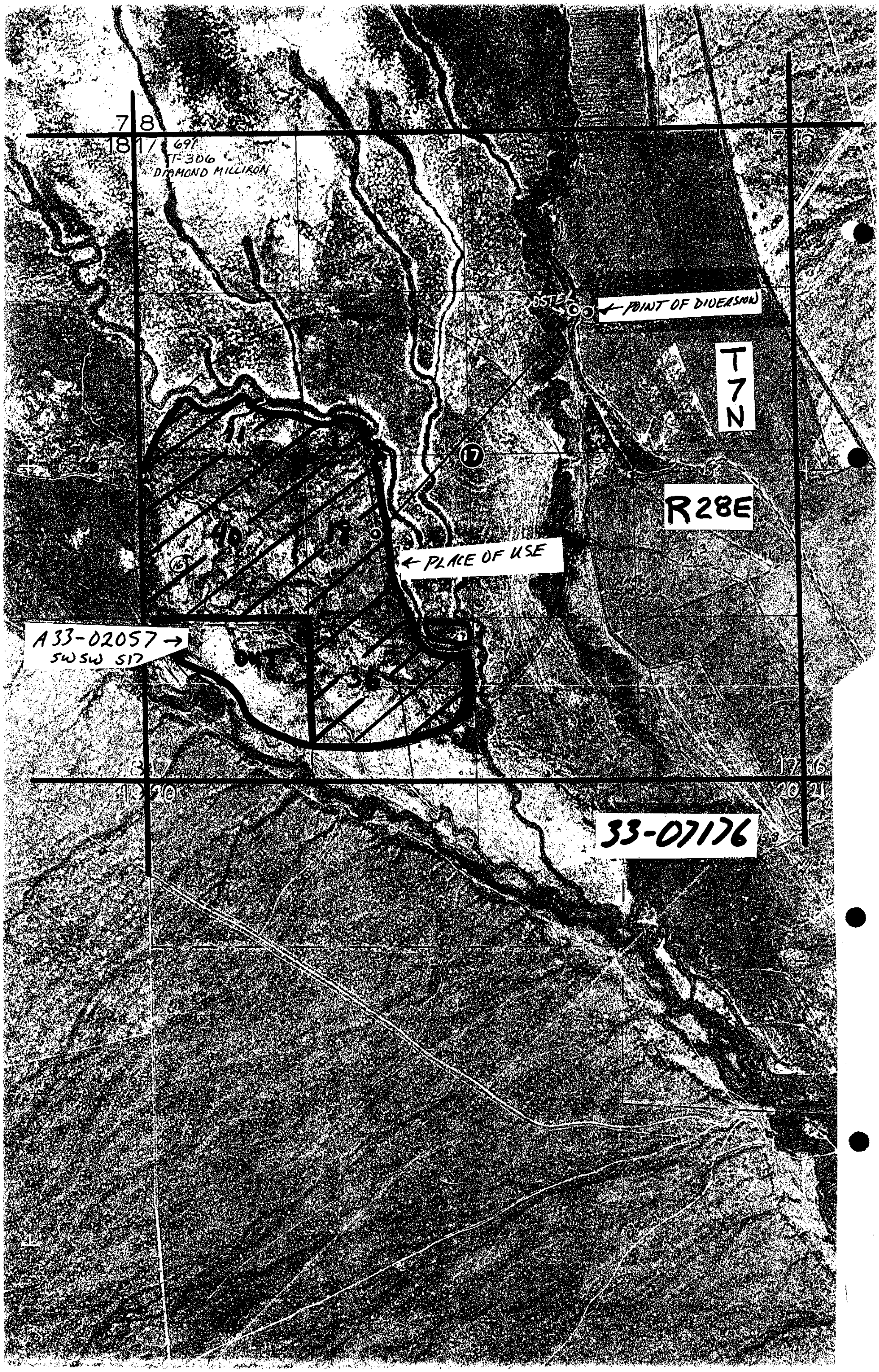
+ - - Decree Date - - +
00/00/0000

+ - - Audit Fields - 10/25/89 OLENICHA 03/30/95 DSMITH 03/30/95 POST-STD

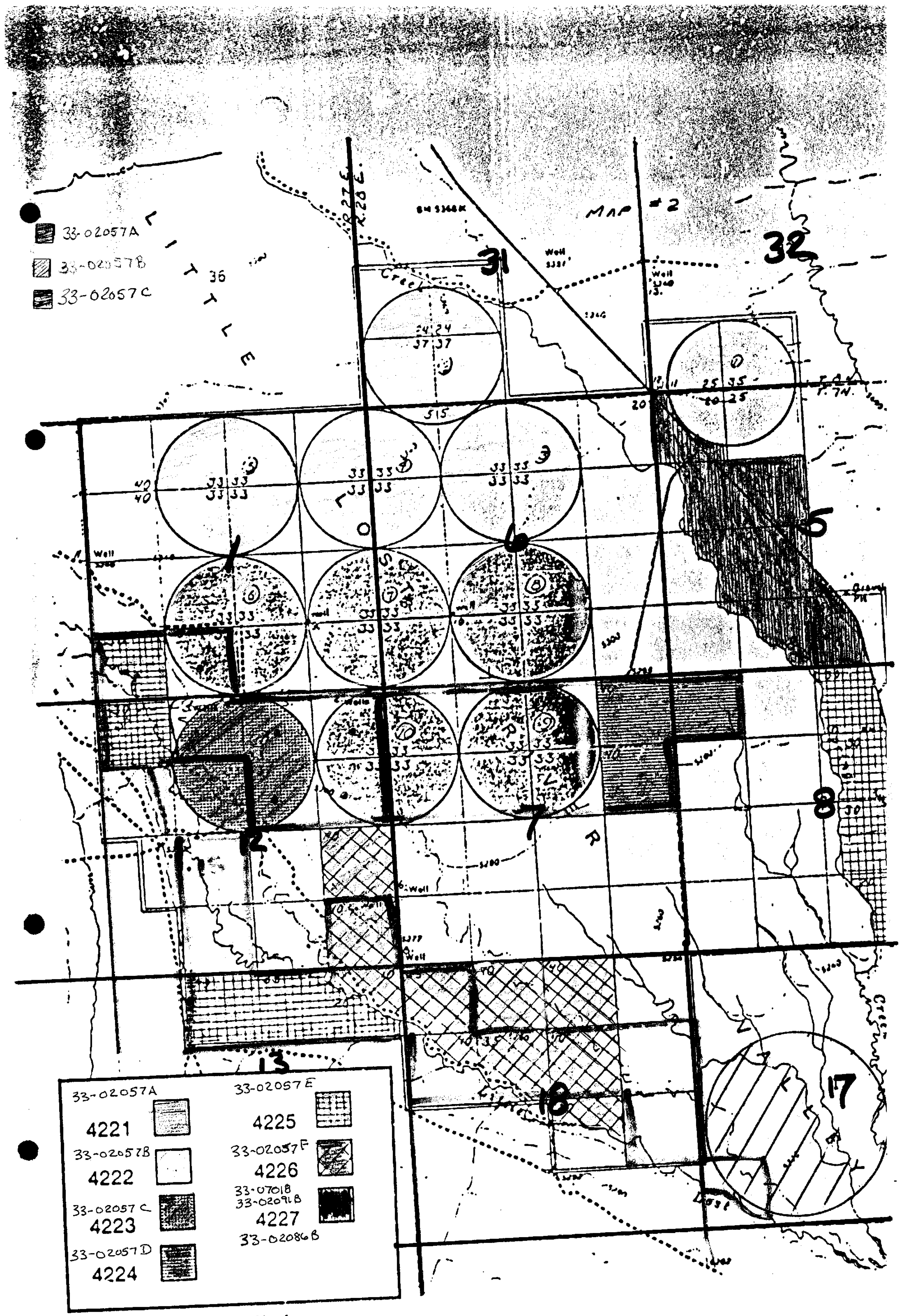
+ -Comments- +
No Comments Found

+ - Adjudication Rights Dates and Flags Area - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	-	39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-	
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-	
Claim Received Date	- 10/06/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P	
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-	
Licensed Date	- 00/00/0000	Receipt Number	- E010978	Federal/State Indicator	- S	
		POU Ownership Flag	- Y	Presumption Flag	-	
		Name Connector	-	Notice of Error Flag	-	


7 8
18 17
69f
T-306
DIAMOND MILLIRON
POINT OF DIVERSION
T7N
R28E
PLACE OF USE
A33-02057 →
SWSW S17
33-07176

WATER RIGHT NUMBER	NAME	CFS
33-02083	Split into 33-02083A/B/C/D/E/F by Trans. Nos. 4221 through 4226.	
33-02083A	SAGEWILLOW INC	1.06
33-02083B	SAGEWILLOW INC	1.15
33-02083C	SAGEWILLOW INC	0.45
33-02083D	SAGEWILLOW INC	0.41
33-02083E	SAGEWILLOW INC	0.90
33-02083F	SAGEWILLOW INC	1.03



ATTACHMENT No. 1

DM
33-2057 D
2083 D
Same Plu
2083 D has SENE Sec 8
+ N W NW

R27E R28E

MAP #2

33-2057A
2083A
33-2057B
33-2057C
33-2057D
33-2057E
33-2057F
33-7018
2091B
2092B

T8N

T7N

4221
4222
4223
4224
4225
4226
4227

ATTACHMENT No. 1

R27E R28E

A33-2083/2057

MEMORANDUM

To: Skip Jones

FROM: Shelley Keen SWK

DATE: October 21, 1998

RE: Exam (33-07176) Returned to Region

I am sending this exam back for further review and information. The following is a list of questions and concerns raised by the field report.

- Under what water right is the surface water picked up for coverage of the acres irrigated by the pivot? In looking at the attached place of use comparison report, it appears that the surface water rights decreed for these lands were filed in the SRBA as covering different lands and removing the lands previously overlapping the place of use in question.

- How can a place of use be justified and recommended for a pivot based on the irregular shape depicted by the examiner?

- Along the same line as above, how can we not include the SWSW? And after it's inclusion, the place of use will exceed the number of acres covered by the groundwater right. How will the additional acres receive adequate water right coverage?

-

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 16 1998
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 33-07176

1. Owner: ROCKY ROSS / DON PHILLIPS Phone No. (208) 767-3124
Current Address: P.O. BOX 10, HOWE, IDAHO 83244

2. Accompanied by: ROCKY ROSS EXAM DATE: 5/9/96
Address: _____ Phone No. _____
Relationship to Permit Holder: OWNER

3. Source: GROUND WATER ~~SPRING CREEK~~ tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: A33-02057 + A33-02083
2. Other water rights with the same point of diversion: 33-07023, ~~33-07176~~

C. DIVERSION AND DELIVERY SYSTEM

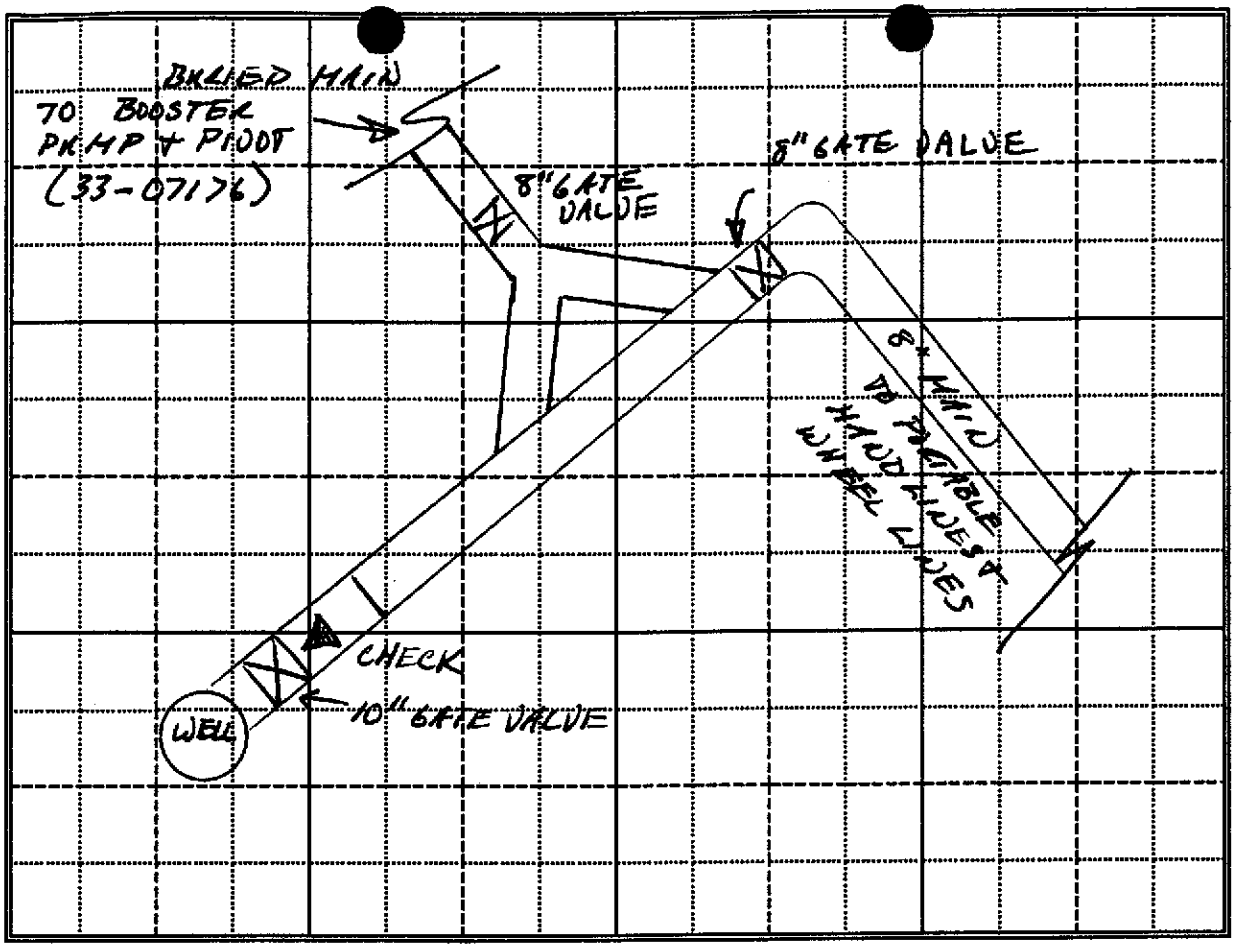
1. **Point(s) of Diversion:** NO GOV. LOTS

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	SW	NE	17	T7N	28E	BUTTE	U.S.G.S. TOPO MAP / NAPP PHOTOS

2. **Place(s) of Use:** NO GOV. LOTS Indicate Method of Determination ON SITE INSP.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	28E	17							11	3	18	40		36					108

TOTAL 108



Scale: 1" = _____.

____ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GENERAL ELECTRIC	75	A2J108587		8"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
POLYSONIC	TYME-FLYTE		TF-P	7H0263		1997

2. Measurements: SEE SONIC TAPE

E. NARRATIVE/REMARKS/COMMENTS

WATER FOR THIS PERMIT IS SUPPLIED BY AN EXISTING WELL & PUMP; THIS WELL ALSO SUPPLIES WATER FOR WATER RIGHT # 33-07023.

WATER IS PUMPED VIA AN EIGHT INCH BURIED MAIN LINE TO A * SEE NOTE BOOSTER PUMP, THEN ON TO THE PIVOT. AT THE POINT OF THE BOOSTER PUMP WATER CAN BE ALSO PUMPED FROM THE ~~CREEK~~ DITCH AND COMBINED * BOOSTER PUMP: THIS PUMPS PRIMARY PURPOSE IS TO PUMP DITCH WATER BUT CAN, BECAUSE OF VALVING & PIPING, BE USED AS A BOOSTER PUMP.

PIVOT IS A 10 TOWER, LOW PRESSURE SYSTEM WITH AN END GUN. (1260 GPM ENGINEERED SPECKS.) APPROX. LENGTH 1,644 FEET.

NOTE: IN THE SW SW 517 THERE IS OVERLAP OF THIS WATER RIGHT WITH ANOTHER RIGHT THAT ~~DOES NOT~~ IS NOT FROM THIS POD.

Have conditions of permit approval been met? ✓ yes ___ no

F. FLOW CALCULATIONS ____ Additional Computation Sheets Attached

Measured Method:

POLYSONIC READING = 1.088 36PH = 1088 6PH/448.8 = 2.42 CFS

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = 108 X 3.5 = 378 AFA

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = 1.24 CFS X 183 X1.9835 = 450.82

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 378 AFA

2. Volume Calculations for Other Uses:

108 ACRES 33-07176
100.9 ACRES 33-07023
209 ACRES

209 ac | 2.42 CFS = 0.0115 CFS/AC X 108 ACRES

= 1.242 CFS FOR 33-07176

POLYSONIC 2.42 CFS AT PUMP

H. RECOMMENDATIONS THIS PERMIT WHEN USED IN COMBINATION WITH ~~OTHER~~ 33-07023 WATER RIGHTS NOT TO EXCEED 2.42 CFS.

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRRIGATION	4/15	10/15	1.24 CFS	378 AFA
		Totals:	1.24 CFS	378 AFA

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above ✓ None

___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Field Examiner's Name SIMPKINS Date 1/7/97

Reviewer _____ Date _____ SEAL

```
MODE SELECT
        INPUT

MODE SELECT
        DATA SET

DATA SET MODE
?       PRINTER

PRINTER USE
?       YES

MODE SELECT
        INPUT

OUTER DIAMETER
8.0098    IN

PIPE MATERIAL
?       CS,SS

WALL THICKNESS
0.1110    IN

INNER LINING
?       NO LING.

KIND OF FLUID
?       ANOTHER

SOUND VELOCITY
1460      M/S-

SENSOR MOUNTING
?       V

TYPE OF SENSOR
?       SMALL

DATA CHANGE
?       NO

SPACING
5.704     IN V

ZERO MODE
        CLEAR

ZERO MODE
        AUT ZERO

05-09 13:2800 *R
+002.90 %  AI2

MODE SELECT
        T0 CHECK

0294.3  MMSEC
100.03  % T0


05-09 13:2900 *R
+949.170E 06PM

05-09 13:3100 *R
+  1.088E 3GPM
```

33-7176 ROCKY KOSS

60791

33-07176

FIELD EXAM NOTES

EXAM # 33-07176

DATE OF EXAM 5/9/96

PERMITEE NAME ROCKY ROSS

OTHER WATER RIGHTS SAME POD YES – FIELDS ABOVE (EAST) PUMP

OTHER WATER RIGHTS SAME POU YES

PUMP #1 HP ~~25~~ 75 MAKE GE SERIAL # ALJ 108587
COLOR AND DESCRIPTION Red/Gray – Gray – Yellow Cream
OUTPUT DIAMETER 8" SYSTEM PRESSURE 60 PSI WELL DEPTH 100' APP.
STATIC H2O 50'? WELL DEPTH _____ DYNAMIC PUMP _____
PSI GAGE TYPE Rain Bird CHECK VALVE (Y) [N] GATE VALVE (Y) [N]

PUMP #2 HP _____ MAKE _____ SERIAL # _____
COLOR AND DESCRIPTION _____
OUTPUT DIAMETER _____ SYSTEM PRESSURE _____PSI WELL DEPTH _____
STATIC H2O _____ WELL DEPTH _____ DYNAMIC PUMP _____
PSI GAGE TYPE _____ CHECK VALVE [Y] [N] GATE VALVE [Y] [N]

BOOSTER PUMP #1 HP _____ MAKE _____ SERIAL # _____
COLOR AND DESCRIPTION _____

BOOSTER PUMP #2 HP _____ MAKE _____ SERIAL # _____
COLOR AND DESCRIPTION _____

CIRCLE PIVOT (Y) [N] NUMBER OF TOWERS 10 PIVOT LENGTH 1668 3
PRESSURE [H] (L) + End Gun
1260 GPM Engineering Speck.

HAND LINES [Y] [N] NUMBER OF LINES _____ LENGTH OF LINES _____

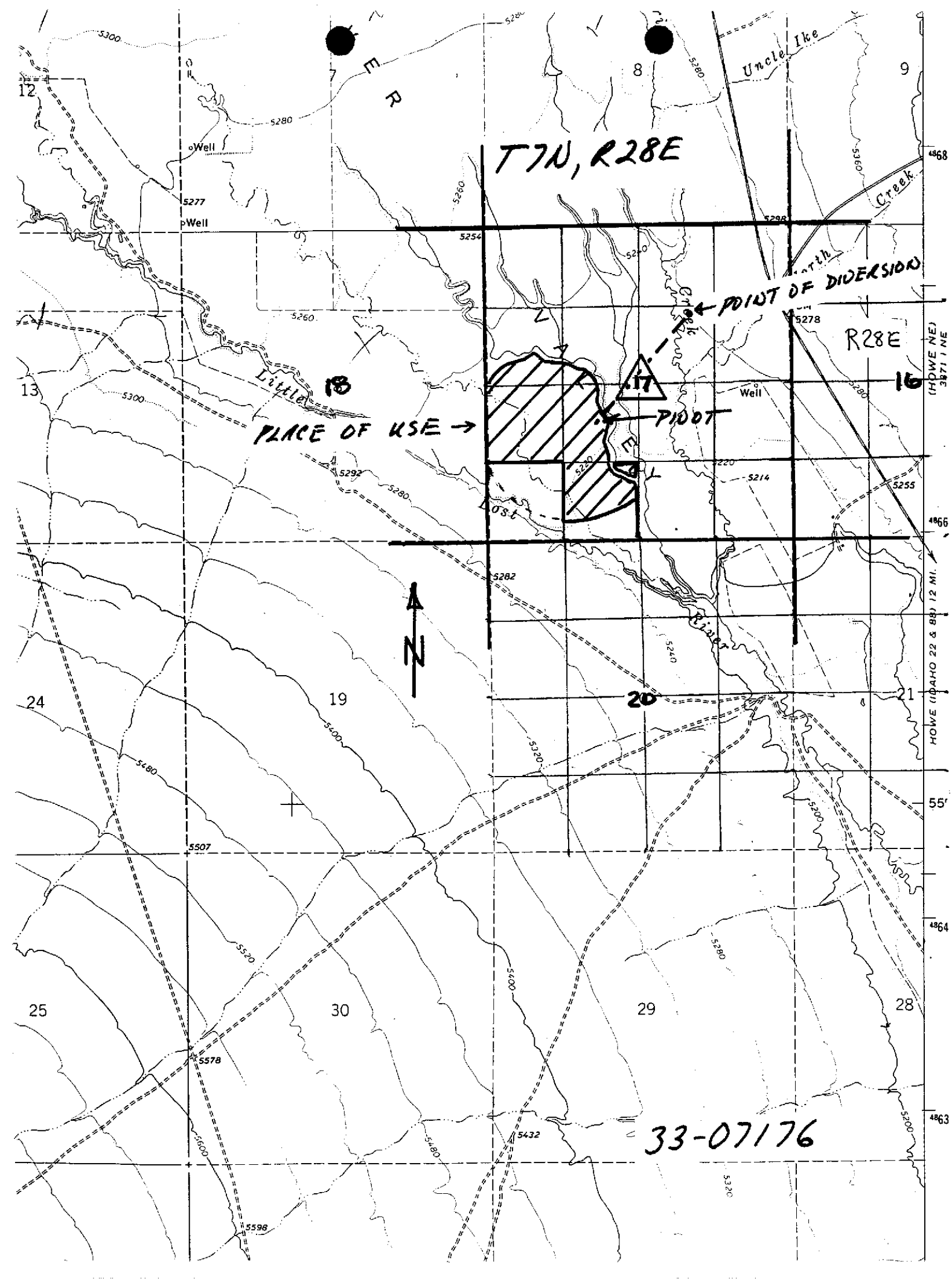
RAIN BIRDS PER LINE _____ NOZZEL DIAMETER _____

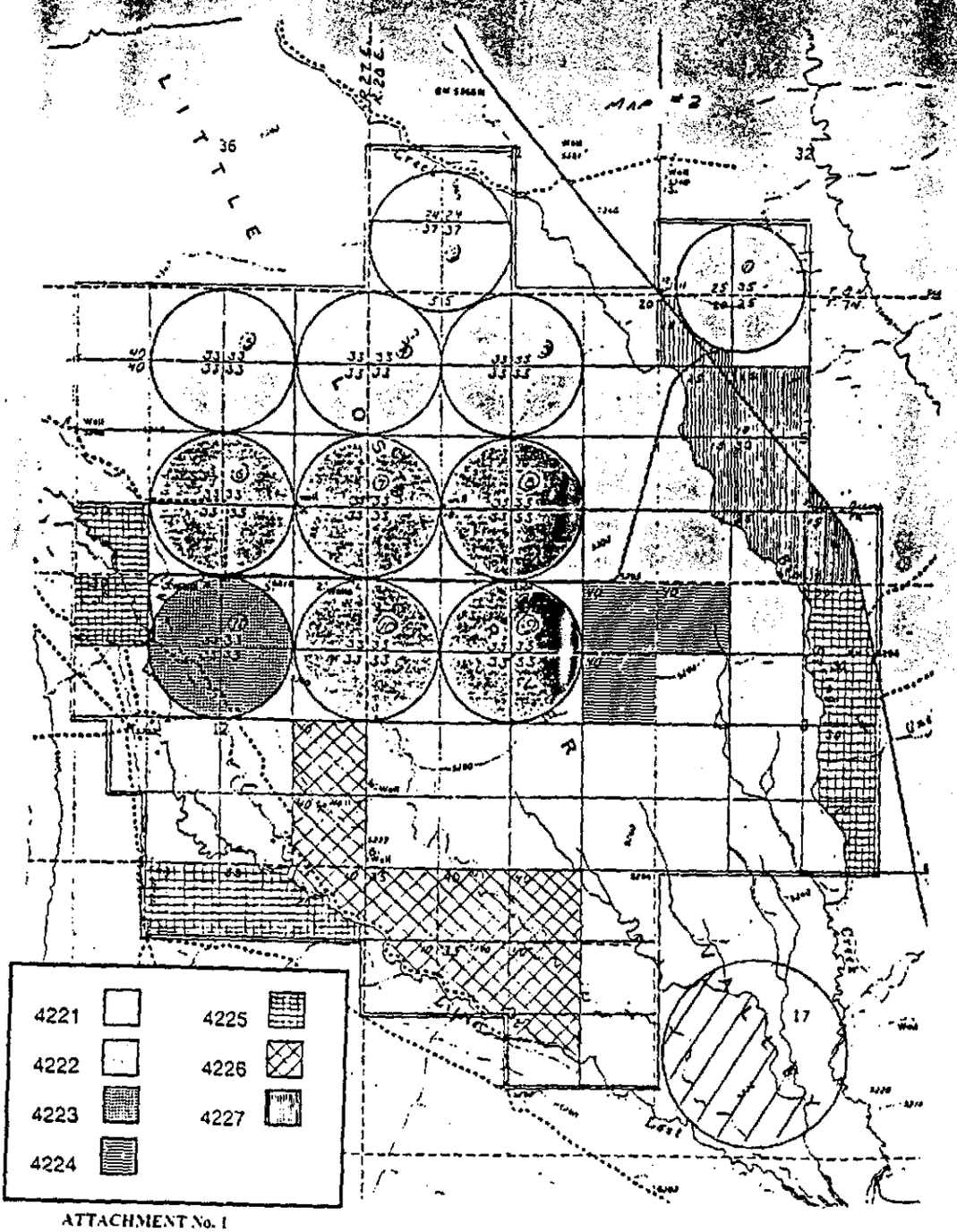
SURFACE WATER TYPE OF MEASUREING DEVICE _____

AA METER PIGMY METER WEIR OR FLUME BUCKET/WATCH _____/___

33-07176

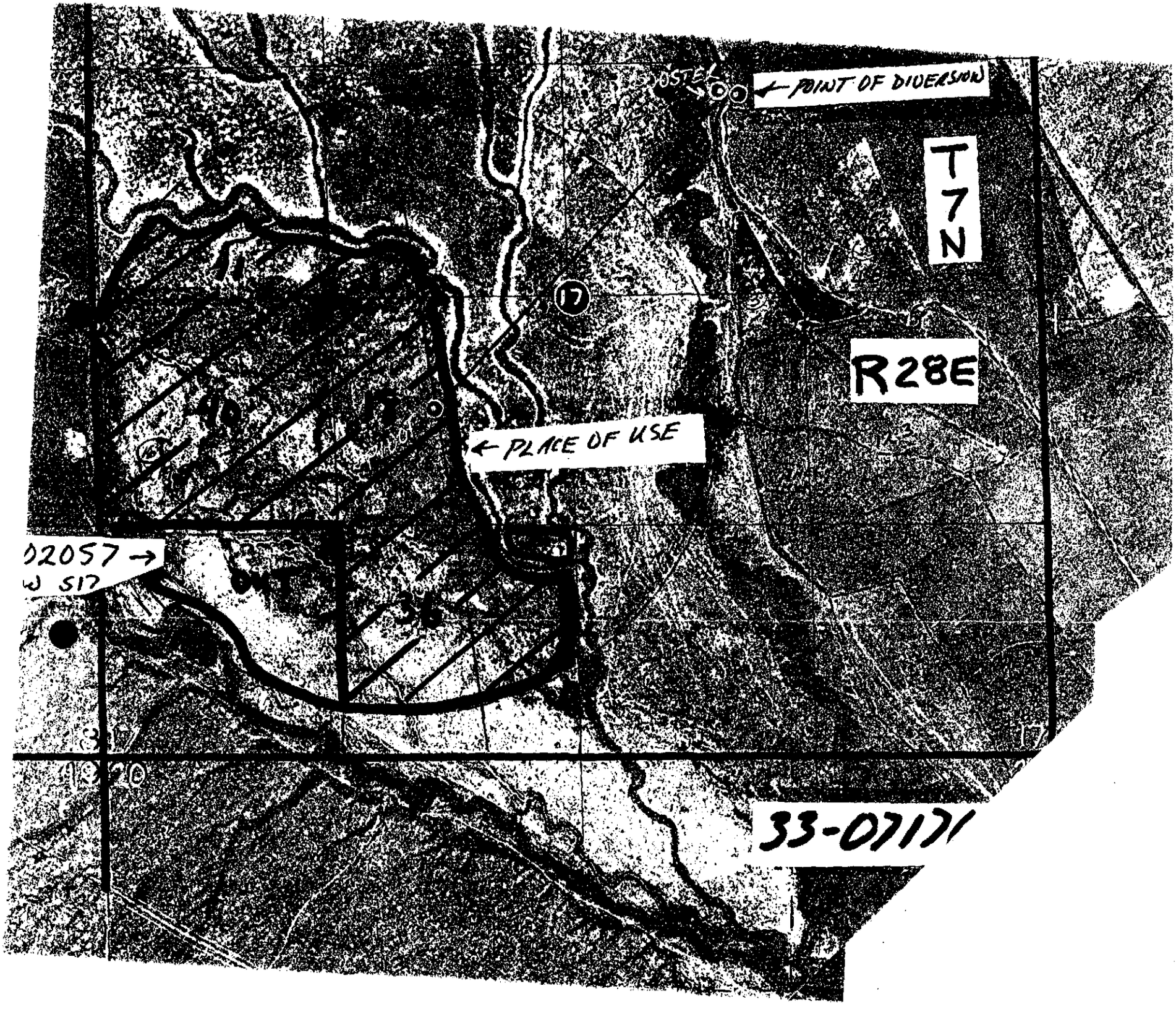
USE BACK OF PAGE FOR SKETCH AND MEASUREMENTS OF SYSTEM


T7N, R28E
R28E
POINT OF DIVERSION
PLACE OF USE
PIVOT
Uncle Ike
Creek
Little
Lost
River
Well
Well
5277
5254
5278
5292
5214
5255
5282
5507
5578
5432
5598
5600
5480
5400
5320
5280
5260
5240
5220
5200
5300
5360
5680
18
16
17
20
13
12
7
8
9
24
19
21
25
30
29
28
4868
4866
4864
4863
55'
HOWE (IDAHO 22 & 88) 12 MI.
(HOWE NE) 3871 I NE
N
33-07176



ATTACHMENT No. 1

33-07176


← POINT OF DIVERSION
T7N
R28E
17
← PLACE OF USE
02057 →
W SIP
17
33-07171

ROCKY ROSS

1 of 4



VIEW SOUTH

POINT OF DIVERSION



BOOSTER PUMP

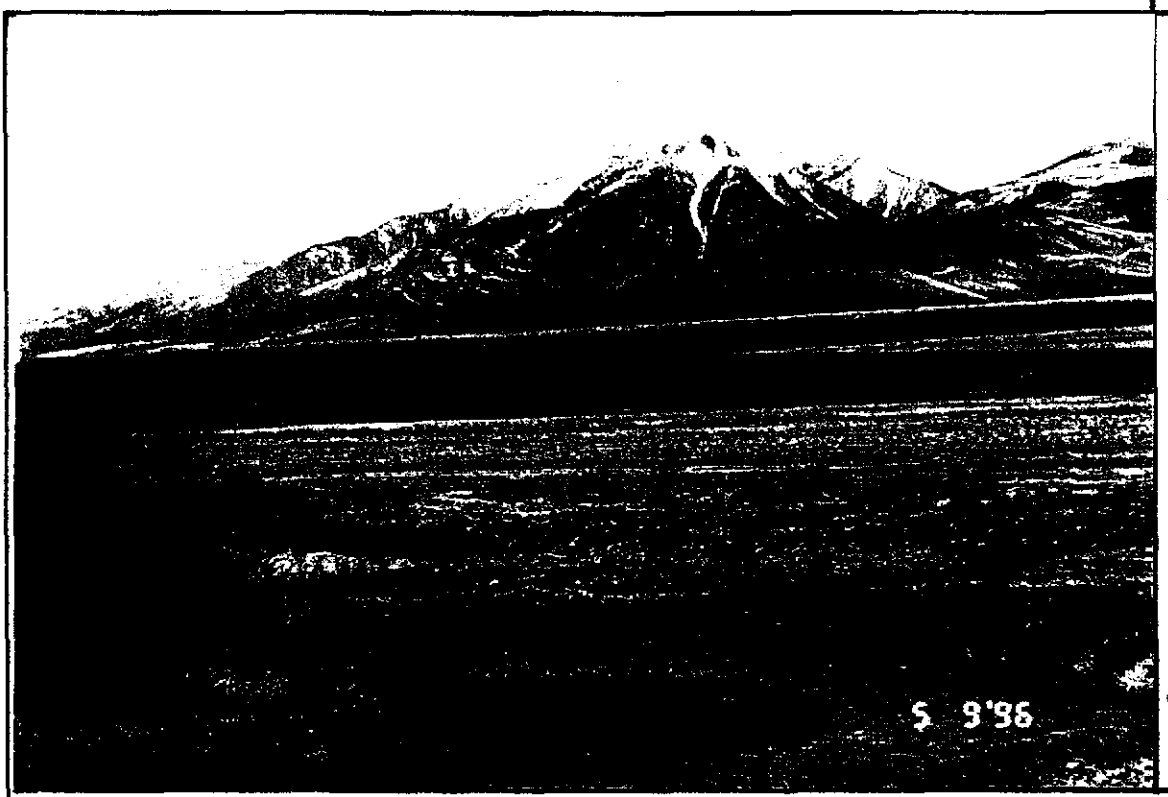
SYSTEM CAN MIX SPRING CREEK WATER WITH WELL WATER

PERMIT NUMBER

33-07176

ROCKY ROSS

2 of 4



VIEW SOUTH

LEFT VIEW OF PIVOT

NO IRRIGATION IN FORE GROUND

← SPLINE CREEK

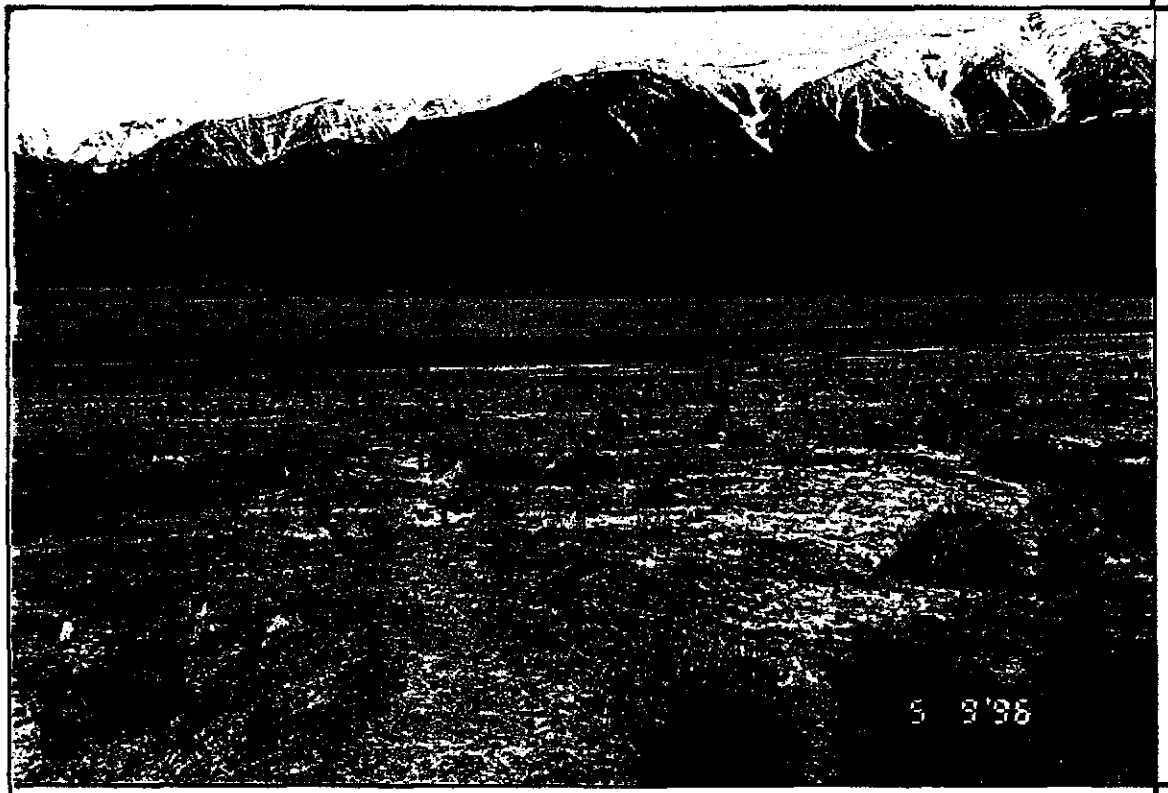


CENTER VIEW OF PIVOT.

PERMIT NUMBER 33-07176

ROCKY ROSS

3 of 4



VIEW WEST

EXTREME RIGHT VIEW OF PIDOT.

PERMIT NUMBER 33-07176

ROCKY ROSS

4 of 4

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 33-7176 Reviewed by [signature] Date 8-1-95

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

TYPES OF USE

Irr.

SOURCE OF WATER

_____ Surface water source
✓ Ground water source
no Drilling permit required?
_____ Copy in the file? Drilling Permit No._____
_____ Amount paid for permit _____Correct?
_____ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
150- Amount Submitted
yes Correct?

MEASURING DEVICE

no Required?
_____ Installed?
_____ Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	_____
Date proof due	_____	_____
No. of days late	_____	_____
Priority Date	_____	_____
New Priority Date	_____	_____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address _____ Proof Made 7-17-95
_____

August 1, 1995

DON PHILLIPS
ROCKY ROSS
P.O. BOX 10
HOWE ID 83244

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 33-07176

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED
AUG 08 1995

June 30, 1995

DON PHILLIPS
ROCKY ROSS
P.O. BOX 10
HOWE ID 83244

PROOF DUE NOTICE

RE: PERMIT NO. 33-07176

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 1, 1995. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
AUG 08 1995
CERTIFIED MAIL
NO. 142160

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
September 13, 1990

DON PHILLIPS
ROCKY ROSS
P.O. BOX 10
HOWE, ID 83244

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 33-07176

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

MICROFILMED

SEP 25 1990

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ: SC
Enclosures

MICROFILMED
SEP 25 1990

Form No. 202a
3/79

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: G. F. RAMSEY APPLICATION NUMBER: 33-7176

CHECK: JUL 1 1985

- ☑ Source.
- ☑ Point of diversion.
- ☑ County.
- ☑ Quantity of water and period of use.
- ☑ Description of diverting works.
- ☑ Time required for beneficial use of water.
- ☑ Place of use or acres irrigated.
- ☑ Map.
- ☑ Signature.
- ☑ Fee.

Field check by: _____
Date: _____
Comments: _____

- ☐ Yes ☑ No Field check required.
- ☐ Yes ☑ No Critical groundwater area.
- ☐ Yes ☑ No Request dam safety information. Sent by: _____ Date: _____
- ☑ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
- ☐ Idaho Fish and Game Department.
- ☐ Idaho Department of Lands.
- ☐ U.S. Bureau of Land Management.
- ☐ U.S. Forest Service.
- ☐ Other _____

PROCESSING:

- ☐ Yes ☑ No Platted by: _____ Map No. _____
- ☐ Yes ☑ No Other rights on same place of use. _____
- ☑ Yes ☐ No* In form for advertising.
  Final date for protests: _____
- ☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☑ Affidavit of publication received. Date: _____
- ☐ Application published correctly. If not, record action taken: _____
- ☑ Fee amount, receipt date & number, recorded on application.
- ☐ Publication dates and paper, recorded on application.
- ☑ Protests, dates, withdrawal, etc., recorded on application.
- ☑ Recommendation & initial, recorded on application.
- ☐ Yes ☑ No Measuring device required.
- ☐ Yes ☑ No Access port required. Flow Task Force Memo
- ☑ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 33-P05
  6-28-85 Date of priority recommended.

Special conditions of approval or cover letter. _____

Trust Water App.

OK to allow 5 yrs. to develop

By: _____ Date: _____

STATE OFFICE REVIEW: P05, P23 P17 51 52 53 ~~46~~ ~~96~~

☐ See attached sheet for more information.
By: KW Date: 9-6-90

RECEIVED
MAY 19 1990
Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
_____	__	___	___	__	_	____.__

IDAHO STREAM CODE INDEX

_____.____.____.____.____.____.____.____.____.__

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
_____	__	___	___	__	_	____.__

IDAHO STREAM CODE INDEX

_____.____.____.____.____.____.____.____.____.__

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
_____	__	___	___	__	_	____.__

IDAHO STREAM CODE INDEX

_____.____.____.____.____.____.____.____.____.__

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
_____	__	___	___	__	_	____.__

IDAHO STREAM CODE INDEX

_____.____.____.____.____.____.____.____.____.__

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
_____	__	___	___	__	_	____.__

IDAHO STREAM CODE INDEX

_____.____.____.____.____.____.____.____.____.__

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

AUGUST 8, 1990

Arco Advertiser
Box "C"
Arco, ID 83213

Dear Legal Dept.:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 3, 1990.

Yours truly,

SHARLA CURTIS
Secretary

Encl.

MICROFILMED
SEP 2 8 1990

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

33-07176

PHILLIPS, DON

ROSS, ROCKY
P.O. BOX 10
HOWE, ID 83244

Source: GROUNDWATER

Diversion Pt: SWNE Sec 17 T 07N R 28E

Use: IRRIGATION (2.160 CFS)
Total Diversion: (2.160 CFS)

Date Filed: 6/28/ 1985

In: T07N R28E S17 SWNW SENW NESW NWSW SESW

108.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before SEPTEMBER 3, 1990.

R. Keith Higginson, Director

Published 8/16/1990 & 8/23/1990

MICROFILMED
SEP 25 1990

RECEIVED
AUG 3 1990
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

Application No. 33-7176

INSTRUCTIONS: IF YOU ARE NOT INTERESTED IN HAVING THE APPLICATION PROCESSED, PLEASE COMPLETE AND RETURN THE ENCLOSED WITHDRAWAL FORM.

IF YOU WISH TO HAVE THE APPLICATION PROCESSED, PLEASE ANSWER THE FOLLOWING QUESTIONS AS THOROUGHLY AS POSSIBLE. FAILURE TO RETURN EITHER THE WITHDRAWAL FORM OR QUESTIONNAIRE IS CAUSE FOR THE DEPARTMENT TO VOID THE APPLICATION.

1a. Are you the current owner of the land or place of use described under this application? Yes X No____
b. If you are not the propoerty owner, please descibe the arrangement enabling you to develop the proposed project.

2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes____ No X
b. If yes, please describe the extent of development and number of acres irrigated.(Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain restrictions and/or conditions. You may be asked to verify uses established prior to October, 1984.)

---

3. If you answered NO to ques #2a, please state the number of acres you have irrigated with this source after October 1, 1984. 0

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete. 120 acres

5. If the permit is a supplemental filing please identify other water rights which are used on the same land.

Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.)

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application.

Applicant Rocky Ross Date 7-21-90

MICROFILMED
SEP 2 5 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

~~July 6, 1990~~ Re-sent July 13, 1990
Assignment had not been updated to Computer Records. Was sent to former owners.

RE: APPLICATION FOR PERMIT NO. 33-7176

Dear APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (in particular, Rules 4,5,3. thru 4,5,3,5, apply to your project if it is more than 200 acres).

MICROFILMED
SEP 2 5 1990

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is also shown on the enclosed questionnaire.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

Enclosures

MICROFILMED
SEP 25 1990

33-2126

ROBISON, WILLIAM B. &/or NORMA

P.O. BOX 22, HOWE, ID 83244

Source: GROUNDWATER

Date Filed: 06/28/1985

Diversion Pt: SWNE Sec 17 T 07N R 28E

Use: IRRIGATION (2.16 CFS)

In: SWNW SENW NESW NWSW SESW Sec 17 T 07N R 28E FOR 108 ACRES

MICROFILMED
SEP 25 1990

T. NO. 33 7176

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT DATA ENTRY LOG

Initials	Date	Item
gg	8-1-85	Original form entered
d	8-2-85	Edit Report Correct
		Date Protested
		Date of Hearing
		Date Approved/Denied (Proof due date, stage and/or status, conditions of approval, water district)
		Record Verified
		Amendment Approved
		Extension Approved
		Partial Proof
		Proof Complete
		Field Exam Received
		Field Exam Accepted and changes entered
		License Updated
		Transfer Updated
		Keypunched by State Office