BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER NOS. 4221, 4222, 4223, 4224, 4225, 4226, AND 4227 IN THE NAME OF SAGEWILLOW, INC.	))))	**AMENDED FINAL ORDER**

Pursuant to Idaho Department of Water Resources' procedural rule 760, the Director withdraws his Final Order dated June 28, 2004, and substitutes this new Amended Final Order. IDAPA 37.01.01.760

This matter is before the Director of the Idaho Department of Water Resources ("Director" or "Department") on remand from the Idaho Supreme Court in the case of *Sagewillow, Inc. v. Idaho Dept. of Water Resources*, 138 Idaho 831, 70 P.3d 669 (2003).

On April 29, 2004, the parties filed *Applicant's and Protestants' Stipulation to Findings of Fact and Conclusions of Law on Remand to IDWR* ("Stipulation"). On that same date, Sagewillow, Inc. notified the Department and the parties that it was revoking its withdrawal of the above referenced transfers and intended to pursue the transfers as agreed upon by the parties in the Stipulation.

The parties also stipulated to supplementation of the record by Sagewillow, Inc. ("Sagewillow") and waived their right to further hearing in this matter. The Director having considered the Stipulation, other documents and pleadings filed in this matter, the record of the prior proceedings, and the decision of the Idaho Supreme Court, makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

Procedural Background

1. On September 20, 1993, Sagewillow filed multiple transfer applications with the Department seeking to change the place of use and points of diversion for various ground and surface water rights originally authorized for irrigation purposes on a combined total of 2,383 acres. The water rights involved in the proposed transfers were: 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33- 81, 33-82, 33-2007, 33-2008, 33-2090, 33-2091, 33-2057, 33-2083, 33-2086, 33-2133, and 33-7018.

2. James Mays, Mays Land & Livestock, and Blaine County Canal Company filed protests to the transfer applications.

3. A hearing on the transfer applications was held in Idaho Falls, Idaho on January 31, and February 1, 1995.

4. The Director issued a final order on March 12, 1996 ("1996 Order"). On review of the 1996 Order, the Idaho Supreme Court remanded the transfer applications to the Department on April 10, 2003, for further proceedings.

5. By letter dated June 20, 2003, Sagewillow requested that the transfer applications be deemed withdrawn.

6. On April 29, 2004, pursuant to the Stipulation, Sagewillow submitted notice that it wished to revoke the withdrawal of the transfer applications. The notice was accompanied with the Stipulation.

Water Rights Nos. 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82

7. Water rights nos. 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82 are surface water rights with relatively junior priority dates and are diverted for beneficial use from the Little Lost River and Big Spring Creek when available. These water rights are commonly referred to as the "high water" rights. These water rights historically have been used primarily during times of high water, and have been used in combination with water rights nos. 33-2057, 33-2083 and 33-2133.

Water Rights Nos. 33-2007 and 33-2008

8. License no. 33-2007 was issued in the name of Adolph M. Myrup for 3.2 cfs with a February 1, 1909, priority date from the Little Lost River. Water right no. 33-71 was decreed from Spring Creek with a March 15, 1909, priority date to Merchants Trust & Savings Bank to be used on property titled in the decree as "A.M. Myrup Desert Entry." *Blaine County Investment Co. v. Mays,* ¶ XXI (6th Jud. Dist. Idaho, March 4, 1927). The land description in the decree for right no. 33-71 is the same as for licensed right no. 33-2007. License no. 33-2008 was developed in the name of Lillian Myrup for 6.4 cfs from Spring Creek with a June 12, 1909, priority date. Water right no. 33-73 was decreed from Spring Creek with an April 1, 1912, priority date to Merchants Trust & Savings Bank for use on property titled in the decree as "Lillian Myrup Entry." Id. The land description in the decree for right no. 33-73 is the same as for licensed right no. 33-2008. The Director finds that licensed rights nos. 33-2007 and 33-2008 are the same water rights as decreed rights nos. 33-71 and 33-73, respectively.

Water Rights Nos. 33-2090 and 33-2091

9. Uncontradicted, clear, and convincing evidence was introduced at the hearing, including testimony and historical aerial photographs, demonstrating that water had not been diverted or beneficially used under water right no. 33-2090 on the lands to which it was appurtenant (known as the "North of the Road Place") for at least twenty consecutive years.

10. No evidence was presented to suggest that the non-use of water right no. 33-2090 was due to circumstances beyond the right holder's control or that any other defense to forfeiture could be asserted.

11. Uncontradicted, clear, and convincing evidence was introduced at the hearing, including testimony and historical aerial photographs, demonstrating that water had not been diverted or beneficially used under water right no. 33-2091 on the lands to which it was appurtenant (known as the "Homestead Place") for at least twenty consecutive years.

12. No evidence was presented to suggest that the non-use of water right no. 33-2091 was due to circumstances beyond the right holder's control or that any other defense to forfeiture could be asserted, except as set forth below with respect to Sagewillow's partial resumption of use of this water right on 73 acres, pursuant to the Department's approval of transfer no. 3785.

13. The parties stipulate and the Director finds, based on the continued use of water under right no. 33-2133 discussed below, that the resumption of use of water on these additional 73 acres does not cause injury to other water rights.

Water Rights Nos. 33-2057 and 33-2083

14. Water rights nos. 33-2057 and 33-2083 were originally licensed for irrigation of 1,483 acres on properties commonly referred to as the "Bird Ranch" and the "Knollin Ranch." Water right no. 33-2057 has a diversion rate of 24 cfs, and water right no. 33-2083 has a diversion rate of 5 cfs, both from ground water. The record contains conflicting evidence concerning the extent of historical irrigation under these rights and the extent to which water was available for beneficial use on the entire 1,483 acres in the years prior to Sagewillow's purchase of the Knollin Ranch.

15. The record contains substantial evidence that water was applied to a total of 1,182 acres on the Bird Ranch and the Knollin Ranch prior to Sagewillow's purchase of the property. This conclusion is supported by the Director's analysis of Vance Hawley's testimony at the hearing, the Department's shape files, 1987 NAPP photography, 1992 aerial photographs, 1975 orthophotoquad maps, and the topography of the land. The Director concludes that 1,182 acres were irrigated under water rights nos. 33-2057 and 33-2083 prior to Sagewillow's purchase of the property in 1989.

16. The record also contains substantial evidence that water was applied under water rights nos. 33-2057 and 33-2083 on an additional 301 acres after Sagewillow purchased the properties. Thus, Sagewillow resumed irrigation of 301 acres under the two water rights after it purchased the property in 1989. These 301 acres combined with the 1,182 acres that were irrigated prior to the purchase of the property by Sagewillow totals the 1,483 acres authorized to be irrigated under the two licenses.

17. The parties stipulate and the Director finds, based on the continued use of water under right no. 33-2133 discussed below, that the resumption of use of water on these 301 acres does not cause injury to other water rights.

Water Right No. 33-2133

18. Water right no. 33-2133 authorizes the diversion of water from Big Spring Creek and from the Little Lost River during the non-irrigation season for "root zone storage." This use is more properly characterized as recharge during the non-irrigation season and sub-irrigation for pasture grass on the Knollin Ranch during the irrigation season.

19. Water diverted under water right no. 33-2133 for recharge mitigates the effects of ground water diversions during the ensuing irrigation season. Diversion of water under water right no. 33-2133 during the non-irrigation season provides some amount of additional supply to surface and ground water sources downstream from the Knollin Ranch during the ensuing irrigation season. Water diverted under water right no. 33-2133 may not be rediverted during the irrigation season.

20. Historically, for reasons beyond the water user's control, water under water right no. 33-2133 was often difficult to divert through the existing ditch to the place of use because of icing problems. Historically, some portion of this water, therefore, remained in Big Spring Creek during the non-irrigation season, immediately passing downstream as surface water. To the extent this occurred, this water may not have been available to augment ground and surface water supplies during the ensuing irrigation season.

21. After Sagewillow acquired the Knollin Ranch, it installed a pipeline with the capacity to convey 3.71 cfs of surface water from Big Spring Creek under water right no. 33-2133 to several ponds on the Knollin Ranch where the water is allowed to seep into the ground. The pipeline minimizes the historical icing problems and permits Sagewillow to divert 3.71 cfs of the licensed amount of water right no. 33-2133 from Big Spring Creek during the non-irrigation season for recharging ground water and for sub-irrigation uses without the water being rediverted during the irrigation season. In addition, up to 6.71 cfs is diverted from the Little Lost River through a ditch into the same ponds on the Knollin Ranch under water right no. 33-2133, and this water also seeps into the ground. A total of 9.88 cfs, or 2,960 acre-feet annually, can be diverted under water right no. 33-2133 during the non-irrigation season. This development and use has beneficial effects on ground and surface water supplies during the ensuing irrigation season.

Water Rights Nos. 33-2086 and 33-7018

22. Water Rights Nos. 33-2086 and 33-7018, which Sagewillow purchased from David Hawley, were originally licensed for irrigation of a combined total of 260 acres on what is known as the "Frew Place." When Sagewillow purchased 230 of the 260 acres "together with appurtenances" it also purchased the existing wells, the land on which the wells were located, and additional land for access to the authorized points of diversion, including the point of diversion located on the thirty acres retained by David Hawley.

23. Evidence shows that the thirty acres retained by David Hawley have not been irrigated since Sagewillow's purchase of the 230 acres and the appurtenant water rights.

24. Sagewillow provided the Director with an Affidavit of Reed D. Nord, together with documentation from the Frew Place transaction, demonstrating that the intent of the parties to that transaction was that Sagewillow would buy the 230 acres of land, fee access to the wells, and *all* of water right nos. 33-7018 and 33-2086 appurtenant to the 260 acre Frew Place.

25. The original licenses issued to the water users for use on the Knollin Ranch, Bird Ranch, North of Road Place, and Frew Place, together with evidence in the record, demonstrate that the Sagewillow lands require no more than 0.02 cfs per irrigated acre, provided that this limitation should not apply to the diversion of the "high water" rights, identified in Finding No. 7.

Prior Transfer No. 3785

26. In 1992, the Department approved transfer no. 3785 by which Sagewillow proposed to change the place of use under water right no. 33-2091 from the Homestead Place to the North of Road Place. Sagewillow completed a new well, installed mainlines and pivots, and commenced irrigating 320 acres of land, which included 185 acres of the North of Road Place.

27. Sagewillow continued irrigating the 320 acres pursuant to transfer no. 3785 until that transfer was voided by the 1996 Order.

CONCLUSIONS OF LAW

1. The originally authorized place of use under all of the above-described water rights, except for water right no. 33-2133, totals 2,383 irrigated acres. Water right no. 33-2133 originally authorized sub-irrigation of 1,436 acres.

2. Water rights nos. 33-2057 and 33-2083 are recognized as valid to the extent of 0.02 cfs per irrigated acre on the 1,483 acre place of use, 301 acres of which was resumed after Sagewillow purchased the Knollin Ranch.

3. Water rights nos. 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82 are recognized as valid for use on 268 acres within the 1,483-acre place of use described for water rights nos. 33-2057 and 33-2083.

4. Water rights nos. 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82 are recognized as valid for use on 382 acres within the 1,436-acre place of use described for water right no. 33-2133.

5. The Director concludes that licenses for water rights nos. 33-2007 and 33-2008 were superseded by the decree in *Blaine County Investment Co. v. Mays,* (6th Jud. Dist. Idaho, March 4, 1927). These water rights were decreed in that case as water rights nos. 33-71 and 33-73, respectively.

6. Water rights nos. 33-2090 and 33-2091, for irrigation of 640 irrigated acres, were forfeited in their entirety by Slim Hawley before Sagewillow purchased the Homestead Place and the North of Road Place. A portion of water right no. 33-2091 was resumed on 73 acres after Sagewillow purchased the North of Road Place and Knollin Ranch. Water right no. 33-2090 is forfeited entirely.

7. Sagewillow resumed the diversion of ground water under water right no. 33-2091 pursuant to transfer no. 3785. The Department subsequently voided transfer no. 3785. Because Sagewillow resumed its use of water under water right 33-2091 prior to transfer no. 3785 being voided, and because the adverse effects on junior water rights of the resumption were and will continue to be mitigated by historical and continued water diversions under water right no. 33-2133 during the non-irrigation season, the Director recognizes a valid resumption of use under water right no. 33-2091 for irrigation to the extent of 0.02 cfs per acre on 73 acres. The balance of water right no. 33-2091 is forfeited.

8. Facts and applicable law warrant that transfer no. 3785 should remain void.

9. The Director also recognizes a valid resumption of use under water rights nos. 33-2057 and 33-2083 for irrigation to the extent of 0.02 cfs per acre on 301 additional acres, making these water rights valid on a total of 1,483 acres. These water rights are determined to be resumed only up to the extent of their originally licensed quantities and acres.

10. Water rights nos. 33-2086 and 33-7018 are recognized as valid to the extent of 0.02 cfs per acre on a total of 260 acres. Idaho law provides that absent contrary evidence of intent of the parties, it is presumed that a water right will pass as an appurtenance on the sale of the land in parts. Although the deed of the 230 acres from David Hawley to Sagewillow purports to convey only the appurtenant water rights, i.e., that portion of the rights appurtenant to the 230 acres conveyed in the deed, Sagewillow has presented sufficient evidence of the parties' intent that the entire water right was to pass with the 230 acres to rebut the presumption that only a portion was conveyed. Thus, no portion of the water rights remains appurtenant to the 30 acres retained by David Hawley that were part of the original place of use.

11. Clear and convincing evidence of forfeiture of water right no. 33-2133 has not been established. Water right no. 33-2133 is recognized as valid for recharge and sub-irrigation of 1,436 acres, provided that water may not be rediverted for direct irrigation under this water right.

12. The diversion of water under water right no. 33-2133 during the non-irrigation season has a positive effect on ground water levels on the Knollin Ranch and delayed benefits to stream flows and ground water levels downstream from the Knollin Ranch.

13. The resumption of use of water under water rights nos. 33-2057, 33-2083, and 33-2091 will reduce the amount of water available in the Little Lost River downstream from the Knollin Ranch and will reduce accruals to the interconnected ground water source below the Knollin Ranch. The parties have stipulated, and the Director concludes, that the positive hydrologic effects of the diversions under water right no. 33-2133 during the non-irrigation

season described above will offset or mitigate the adverse effects that may be attributable to irrigation of the 73 acres under water right no. 33-2091 and the 301 additional acres under water rights nos. 33-2057 and 33-2083. Therefore, the resumption of water use under these portions of these water rights is recognized.

14. Continued diversion of water under the resumed portions of water rights nos. 33-2057, 33-2083, and 33-2091 are deemed mitigated by, and expressly contingent upon, the continued diversion of water under water right no. 33-2133 during the non-irrigation season to the extent water is available for diversion under that water right.

15. Sagewillow is authorized to irrigate a total of 3,019.8 acres pursuant to this transfer proceeding through a combination of ground water rights, surface water rights, and sub-irrigation. The 3,019.8 acres consist of 1,816 acres irrigated from ground water, 1,436 acres by sub-irrigation under water right no. 33-2133 (less 251 acres overlapped by ground water), and 25 acres irrigated solely by surface water, all more specifically described as follows:

a. 1,816 acres from ground water right nos. 33-2091, 33-2057, 33-2083, 33-2086 and 33-7018. A portion of these acres are also irrigated under surface water rights and 251 acres are sub-irrigated under water right no. 33-2133.

b. 648.8 acres under surface water rights nos. 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82. All but 18.8 of these acres are also irrigated under ground water rights and sub-irrigated under water right no. 33-2133.

c. 1,436 acres under water right no. 33-2133, of which 930 acres are irrigated exclusively by sub-irrigation from water diverted during the non-irrigation season under this water right.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Director hereby orders as follows:

1. Transfer applications nos. 4221, 4222, 4223, 4224, 4225, 4226, and 4227 are **APPROVED** with conditions as set forth herein and as more specifically described and detailed in Attachment 1, consisting of 43 pages, which is appended hereto and incorporated herein by this reference.

2. Sagewillow shall be entitled to irrigate a total of 3,019.8 acres under the water rights that are the subject of this transfer proceeding.

3. Water right no. 33-2090 is forfeited.

4. Except for the continued authorized irrigation of 73 acres, water right no. 33-2091 is forfeited.

5. Transfer no. 3785 shall remain VOID.

6. The resumption of use determinations made in this Final Order are based upon the stipulations of the parties and shall not be cited or relied upon for purposes of precedence.

7. This Order becomes effective upon entry.

DATED this 26th day of July 2004.

Karl J. Dreher
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 28th day of July 2004, I served a true and correct copy of the AMENDED FINAL ORDER by delivering the same to the following by the method indicated below, addressed as follows:

Kent W. Foster, Esq. Holden Kidwell Hahn & Crapo PLLC 330 Shoup Ave. P.O. Box 50130 Idaho Falls, ID 83405-0130	X U. S. Mail ____ Hand Delivered ____ Overnight Mail ____ Facsimile
Michael C. Creamer Givens Pursley & Huntley PO Box 2720 Boise, ID 83701	X U. S. Mail ____ Hand Delivered ____ Overnight Mail ____ Facsimile

Victoria Wigle

Victoria Wigle
Administrative Assistant to the Director
Idaho Department of Water Resources

ATTACHMENT 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NOS. 4221 THRU 4227

This is to certify that: SAGEWILLOW INC
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0130
(208)523-0620

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

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
33-69	AJC/Decreed	06/01/1908	3.20 cfs	N/A	160	655	BIG SPRING CREEK LITTLE LOST RIVER
33-70	AJC/Decreed	10/01/1906	2.80 cfs	N/A	140	655	BIG SPRING CREEK LITTLE LOST RIVER
33-71	AJC/Decreed	03/15/1909	3.20 cfs	N/A	160	655	BIG SPRING CREEK LITTLE LOST RIVER
33-72	AJC/Decreed	05/01/1908	0.80 cfs	N/A	40	655	BIG SPRING CREEK LITTLE LOST RIVER
33-73	AJC/Decreed	04/01/1912	6.40 cfs	N/A	N/A	655	BIG SPRING CREEK LITTLE LOST RIVER
33-74	AJC/Decreed	08/06/1913	1.60 cfs	N/A	N/A	655	BIG SPRING CREEK LITTLE LOST RIVER
33-76	AJC/Decreed	04/01/1913	6.80 cfs	N/A	N/A	655	BIG SPRING CREEK LITTLE LOST RIVER
33-78	AJC/Decreed	10/15/1913	3.20 cfs	N/A	N/A	655	BIG SPRING CREEK LITTLE LOST RIVER
33-79	AJC/Decreed	04/01/1912	1.60 cfs	N/A	N/A	655	BIG SPRING CREEK LITTLE LOST RIVER
33-80	AJC/Decreed	05/01/1908	0.80 cfs	N/A	40	655	BIG SPRING CREEK LITTLE LOST RIVER
33-81	AJC/Decreed	05/01/1908	0.80 cfs	N/A	40	655	BIG SPRING CREEK LITTLE LOST RIVER
33-82	AJC/Decreed	05/01/1908	0.80 cfs	N/A	40	655	BIG SPRING CREEK LITTLE LOST RIVER
33-2133	AJC/License	06/22/1949	N/A	2960.0 af	N/A	1,436	BIG SPRING CREEK LITTLE LOST RIVER
33-2057	AJC/License	02/01/1950	24.00 cfs	5190.5 af	1,483	1,816	GROUND WATER
33-2083	AJC/License	08/23/1957	5.00 cfs	1983.0 af	1,483	1,816	GROUND WATER
33-2086	AJC/License	01/12/1959	4.00 cfs	910.0 af	260	1,816	GROUND WATER
33-2091	AJC/License	01/22/1960	0.99 cfs	255.5 af	73	1,816	GROUND WATER
33-7018	AJC/License	09/12/1972	3.26 cfs	489.0 af	163	1,816	GROUND WATER
33-2007	AJC/License	02/15/1909	2.90 cfs	N/A	N/A	145	LITTLE LOST RIVER
33-2008	AJC/License	06/12/1909	6.40 cfs	N/A	N/A	320	SPRING CREEK
33-2090	AJC/License	12/21/1959	5.93 cfs	960.0 af	N/A	320	GROUND WATER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NOS. 4221 THRU 4227

Purpose of Transfer (Changes Proposed)

Split	POD	POU	Add POD	Period of Use	Nature of Use
NO	YES	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
33-69	**33-69**	3.20 cfs	N/A	160	648.8		N/A	N/A	N/A	N/A
33-70	**33-70**	2.80 cfs	N/A	140	648.8		N/A	N/A	N/A	N/A
33-71	**33-71**	3.20 cfs	N/A	160	648.8		N/A	N/A	N/A	N/A
33-72	**33-72**	0.80 cfs	N/A	40	648.8		N/A	N/A	N/A	N/A
33-73	**33-73**	6.40 cfs	N/A	N/A	648.8		N/A	N/A	N/A	N/A
33-74	**33-74**	1.60 cfs	N/A	N/A	648.8		N/A	N/A	N/A	N/A
33-76	**33-76**	6.80 cfs	N/A	N/A	648.8		N/A	N/A	N/A	N/A
33-78	**33-78**	3.20 cfs	N/A	N/A	648.8		N/A	N/A	N/A	N/A
33-79	**33-79**	1.60 cfs	N/A	N/A	648.8		N/A	N/A	N/A	N/A
33-80	**33-80**	0.80 cfs	N/A	40	648.8		N/A	N/A	N/A	N/A
33-81	**33-81**	0.80 cfs	N/A	40	648.8		N/A	N/A	N/A	N/A
33-82	**33-82**	0.80 cfs	N/A	40	648.8		N/A	N/A	N/A	N/A
33-2133	**33-2133**	9.88 cfs	2960.0 af	N/A	1436.1		N/A	N/A	N/A	N/A
33-2057	**33-2057**	24.00 cfs	5190.5 af	1483	1816		N/A	N/A	N/A	N/A
33-2083	**33-2083**	5.00 cfs	1983.0 af	1483	1816		N/A	N/A	N/A	N/A
33-2086	**33-2086**	4.00 cfs	910.0 af	260	1816		N/A	N/A	N/A	N/A
33-2091	**33-2091**	0.99 cfs	255.5 af	73	1816		N/A	N/A	N/A	N/A
33-7018	**33-7018**	3.26 cfs	489.0 af	163	1816		N/A	N/A	N/A	N/A
33-2007	**33-2007**	N/A	N/A	N/A	N/A	(Superceded)	N/A	N/A	N/A	N/A
33-2008	**33-2008**	N/A	N/A	N/A	N/A	(Superceded)	N/A	N/A	N/A	N/A
33-2090	**33-2090**	N/A	N/A	N/A	N/A	(Forfeited)	N/A	N/A	N/A	N/A
COMBINED TOTALS		**67.19 cfs**	**N/A**	**3019.8**	**3019.8**		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

WATER RIGHT NO. 33-69

As Modified by Transfer Nos. 4221 thru 4227

In accordance with the approval of Transfer Nos. 4221 thru 4227, Water Right No. 33-69 is now described as follows.

Right Holder: SAGEWILLOW INC
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0130

Priority Date: June 01, 1908

Source: LITTLE LOST RIVER
BIG SPRING CREEK

Tributary: SINKS
LITTLE LOST RIVER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/01	to 11/01	3.20 CFS	
			3.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER	SWSENE	Sec. 2	Twp 07N	Rge 27E	BUTTE County
LITTLE LOST RIVER	NESWNW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
BIG SPRING CREEK	NENWSW	Sec. 5	Twp 07N	Rge 28E	BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	27E	1											26.0	40.0					66.0
07N	27E	12					.2	19.0	7.6					.9	2.5	7.6	5.0	29.0	71.8
07N	27E	13	32.0	32.0			2.0												66.0
07N	28E	7	40.0	40.0	40.0	36.0	30.0			1.9			.1 L 4						188.0
07N	28E	8		2.8	19.0			22.0	6.2							27.0	16.0		93.0
07N	28E	18			25.0	.2	1.8	34.0 L 1	25.0 L 2	31.0					31.0	16.0			164.0

Total Acres: 648.8

CONDITIONS OF APPROVAL

1. Right 33-69 is limited to the irrigation of 160.0 acres within the place of use described above in a single irrigation season.

2. The total instantaneous diversion of water from all points of diversion under Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81 and 33-82 shall not exceed 32.00 cfs for the irrigation of 648.8 acres.

3. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091 and 33-7018 when combined shall not exceed a total diversion rate of 67.19 cfs, and the irrigation of 2089.8 acres. The 2089.8 acres are comprised of 1816 acres irrigated by ground water and 648.8 acres irrigated by surface water sources that overlap 375.0 of the ground water acres.

4. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82 overlap 268.0 acres within the 1483.0 acres authorized under Rights 33-2057 and 33-2083; and overlap 382.0 acres within the 1436.1 acre place of use described under Right 33-2133.

WATER RIGHT NO. 33-69

As Modified by Transfer Nos. 4221 thru 4227

CONDITIONS OF APPROVAL

5. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091, 33-2133 and 33-7018 when combined shall not exceed the irrigation of 3019.8 acres.

6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.

7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the lands above.

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

WATER RIGHT NO. 33-70

As Modified by Transfer Nos. 4221 thru 4227

In accordance with the approval of Transfer Nos. 4221 thru 4227, Water Right No. 33-70 is now described as follows.

Right Holder: SAGEWILLOW INC
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0130

Priority Date: October 01, 1906

Source: LITTLE LOST RIVER
BIG SPRING CREEK

Tributary: SINKS
LITTLE LOST RIVER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	4/01	to 11/01	2.80 CFS	
			2.80 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER	SWSENE	Sec. 2	Twp 07N	Rge 27E	BUTTE County
LITTLE LOST RIVER	NESWNW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
BIG SPRING CREEK	NENWSW	Sec. 5	Twp 07N	Rge 28E	BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	27E	1											26.0	40.0					66.0
07N	27E	12					.2	19.0	7.6					.9	2.5	7.6	5.0	29.0	71.8
07N	27E	13	32.0	32.0			2.0												66.0
07N	28E	7	40.0	40.0	40.0	36.0	30.0			1.9			.1 L 4						188.0
07N	28E	8		2.8	19.0			22.0	6.2							27.0	16.0		93.0
07N	28E	18			25.0	.2	1.8	34.0 L 1	25.0 L 2	31.0					31.0	16.0			164.0

Total Acres: 648.8

CONDITIONS OF APPROVAL

1. Right 33-70 is limited to the irrigation of 140.0 acres within the place of use described above in a single irrigation season.

2. The total instantaneous diversion of water from all points of diversion under Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81 and 33-82 shall not exceed 32.00 cfs for the irrigation of 648.8 acres.

3. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091 and 33-7018 when combined shall not exceed a total diversion rate of 67.19 cfs, and the irrigation of 2089.8 acres. The 2089.8 acres are comprised of 1816 acres irrigated by ground water and 648.8 acres irrigated by surface water sources that overlap 375.0 of the ground water acres.

4. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82 overlap 268.0 acres within the 1483.0 acres authorized under Rights 33-2057 and 33-2083; and overlap 382.0 acres within the 1436.1 acre place of use described under Right 33-2133.

WATER RIGHT NO. 33-70

As Modified by Transfer Nos. 4221 thru 4227

CONDITIONS OF APPROVAL

5. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091, 33-2133 and 33-7018 when combined shall not exceed the irrigation of 3019.8 acres.

6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.

7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the lands above.

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

WATER RIGHT NO. 33-71

As Modified by Transfer Nos. 4221 thru 4227

In accordance with the approval of Transfer Nos. 4221 thru 4227, Water Right No. 33-71 is now described as follows.

Right Holder: SAGEWILLOW INC
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0130

Priority Date: March 15, 1909

Source: LITTLE LOST RIVER
BIG SPRING CREEK

Tributary: SINKS
LITTLE LOST RIVER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	4/01 to	11/01	3.20 CFS	
			3.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER	SWSENE	Sec. 2	Twp 07N	Rge 27E	BUTTE County
LITTLE LOST RIVER	NESWNW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
BIG SPRING CREEK	NENWSW	Sec. 5	Twp 07N	Rge 28E	BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge	Sec	NE				NW				SW				SE				Totals
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 27E	1											26.0	40.0					66.0
07N 27E	12					.2	19.0	7.6					.9	2.5	7.6	5.0	29.0	71.8
07N 27E	13	32.0	32.0			2.0												66.0
07N 28E	7	40.0	40.0	40.0	36.0	30.0			1.9			.1 L 4						188.0
07N 28E	8		2.8	19.0			22.0	6.2							27.0	16.0		93.0
07N 28E	18			25.0	.2	1.8	34.0 L 1	25.0 L 2	31.0					31.0	16.0			164.0

Total Acres: 648.8

CONDITIONS OF APPROVAL

1. Right 33-71 is limited to the irrigation of 160.0 acres within the place of use described above in a single irrigation season.

2. The total instantaneous diversion of water from all points of diversion under Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81 and 33-82 shall not exceed 32.00 cfs for the irrigation of 648.8 acres.

3. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091 and 33-7018 when combined shall not exceed a total diversion rate of 67.19 cfs, and the irrigation of 2089.8 acres. The 2089.8 acres are comprised of 1816 acres irrigated by ground water and 648.8 acres irrigated by surface water sources that overlap 375.0 of the ground water acres.

4. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82 overlap 268.0 acres within the 1483.0 acres authorized under Rights 33-2057 and 33-2083; and overlap 382.0 acres within the 1436.1 acre place of use described under Right 33-2133.

WATER RIGHT NO. 33-71

As Modified by Transfer Nos. 4221 thru 4227

CONDITIONS OF APPROVAL

5. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091, 33-2133 and 33-7018 when combined shall not exceed the irrigation of 3019.8 acres.

6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.

7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the lands above.

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

WATER RIGHT NO. 33-72

As Modified by Transfer Nos. 4221 thru 4227

In accordance with the approval of Transfer Nos. 4221 thru 4227, Water Right No. 33-72 is now described as follows.

Right Holder: SAGEWILLOW INC
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0130

Priority Date: May 01, 1908

Source: LITTLE LOST RIVER
BIG SPRING CREEK

Tributary: SINKS
LITTLE LOST RIVER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	4/01 to	11/01	0.80 CFS	
			0.80 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER	SWSENE	Sec. 2	Twp 07N	Rge 27E	BUTTE County
LITTLE LOST RIVER	NESWNW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
BIG SPRING CREEK	NENWSW	Sec. 5	Twp 07N	Rge 28E	BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 27E 1											26.0	40.0					66.0
07N 27E 12					.2	19.0	7.6					.9	2.5	7.6	5.0	29.0	71.8
07N 27E 13	32.0	32.0			2.0												66.0
07N 28E 7	40.0	40.0	40.0	36.0	30.0			1.9			.1 L 4						188.0
07N 28E 8		2.8	19.0			22.0	6.2							27.0	16.0		93.0
07N 28E 18			25.0	.2	1.8	34.0 L 1	25.0 L 2	31.0					31.0	16.0			164.0

Total Acres: 648.8

CONDITIONS OF APPROVAL

1. Right 33-72 is limited to the irrigation of 40.0 acres within the place of use described above in a single irrigation season.

2. The total instantaneous diversion of water from all points of diversion under Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81 and 33-82 shall not exceed 32.00 cfs for the irrigation of 648.8 acres.

3. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091 and 33-7018 when combined shall not exceed a total diversion rate of 67.19 cfs, and the irrigation of 2089.8 acres. The 2089.8 acres are comprised of 1816 acres irrigated by ground water and 648.8 acres irrigated by surface water sources that overlap 375.0 of the ground water acres.

WATER RIGHT NO. 33-72

As Modified by Transfer Nos. 4221 thru 4227

CONDITIONS OF APPROVAL

4. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82 overlap 268.0 acres within the 1483.0 acres authorized under Rights 33-2057 and 33-2083; and overlap 382.0 acres within the 1436.1 acre place of use described under Right 33-2133.

5. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091, 33-2133 and 33-7018 when combined shall not exceed the irrigation of 3019.8 acres.

6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.

7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the lands above.

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

WATER RIGHT NO. 33-73

As Modified by Transfer Nos. 4221 thru 4227

In accordance with the approval of Transfer Nos. 4221 thru 4227, Water Right No. 33-73 is now described as follows.

Right Holder: SAGEWILLOW INC
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0130

Priority Date: April 01, 1912

Source: LITTLE LOST RIVER
BIG SPRING CREEK

Tributary: SINKS
LITTLE LOST RIVER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/01 to	11/01	6.40 CFS	
			6.40 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER	SWSENE	Sec. 2	Twp 07N	Rge 27E	BUTTE County
LITTLE LOST RIVER	NESWNW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
BIG SPRING CREEK	NENWSW	Sec. 5	Twp 07N	Rge 28E	BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 27E 1											26.0	40.0					66.0
07N 27E 12					.2	19.0	7.6					.9	2.5	7.6	5.0	29.0	71.8
07N 27E 13	32.0	32.0			2.0												66.0
07N 28E 7	40.0	40.0	40.0	36.0	30.0			1.9			.1 L 4						188.0
07N 28E 8		2.8	19.0			22.0	6.2							27.0	16.0		93.0
07N 28E 18			25.0	.2	1.8	34.0 L 1	25.0 L 2	31.0					31.0	16.0			164.0

Total Acres: 648.8

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81 and 33-82 shall not exceed 32.00 cfs for the irrigation of 648.8 acres.

2. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091 and 33-7018 when combined shall not exceed a total diversion rate of 67.19 cfs, and the irrigation of 2089.8 acres. The 2089.8 acres are comprised of 1816 acres irrigated by ground water and 648.8 acres irrigated by surface water sources that overlap 375.0 of the ground water acres.

3. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82 overlap 268.0 acres within the 1483.0 acres authorized under Rights 33-2057 and 33-2083; and overlap 382.0 acres within the 1436.1 acre place of use described under Right 33-2133.

WATER RIGHT NO. 33-73

As Modified by Transfer Nos. 4221 thru 4227

CONDITIONS OF APPROVAL

4. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091, 33-2133 and 33-7018 when combined shall not exceed the irrigation of 3019.8 acres.

5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.

6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the lands above.

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

WATER RIGHT NO. 33-74

As Modified by Transfer Nos. 4221 thru 4227

In accordance with the approval of Transfer Nos. 4221 thru 4227, Water Right No. 33-74 is now described as follows.

Right Holder: SAGEWILLOW INC
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0130

Priority Date: August 06, 1913

Source: LITTLE LOST RIVER
BIG SPRING CREEK

Tributary: SINKS
LITTLE LOST RIVER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	4/01 to	11/01	1.60 CFS	
			1.60 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER	SWSENE	Sec. 2	Twp 07N	Rge 27E	BUTTE County
LITTLE LOST RIVER	NESWNW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
BIG SPRING CREEK	NENWSW	Sec. 5	Twp 07N	Rge 28E	BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 27E 1											26.0	40.0					66.0
07N 27E 12					.2	19.0	7.6					.9	2.5	7.6	5.0	29.0	71.8
07N 27E 13	32.0	32.0			2.0												66.0
07N 28E 7	40.0	40.0	40.0	36.0	30.0			1.9			.1 L 4						188.0
07N 28E 8		2.8	19.0			22.0	6.2							27.0	16.0		93.0
07N 28E 18			25.0	.2	1.8	34.0 L 1	25.0 L 2	31.0					31.0	16.0			164.0

Total Acres: 648.8

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81 and 33-82 shall not exceed 32.00 cfs for the irrigation of 648.8 acres.

2. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091 and 33-7018 when combined shall not exceed a total diversion rate of 67.19 cfs, and the irrigation of 2089.8 acres. The 2089.8 acres are comprised of 1816 acres irrigated by ground water and 648.8 acres irrigated by surface water sources that overlap 375.0 of the ground water acres.

3. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82 overlap 268.0 acres within the 1483.0 acres authorized under Rights 33-2057 and 33-2083; and overlap 382.0 acres within the 1436.1 acre place of use described under Right 33-2133.

WATER RIGHT NO. 33-74

As Modified by Transfer Nos. 4221 thru 4227

CONDITIONS OF APPROVAL

4. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091, 33-2133 and 33-7018 when combined shall not exceed the irrigation of 3019.8 acres.

5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.

6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the lands above.

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

WATER RIGHT NO. 33-76

As Modified by Transfer Nos. 4221 thru 4227

In accordance with the approval of Transfer Nos. 4221 thru 4227, Water Right No. 33-76 is now described as follows.

Right Holder: SAGEWILLOW INC
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0130

Priority Date: April 01, 1913

Source: LITTLE LOST RIVER
BIG SPRING CREEK

Tributary: SINKS
LITTLE LOST RIVER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	4/01 to	11/01	6.80 CFS	
			6.80 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER	SWSENE	Sec. 2	Twp 07N	Rge 27E	BUTTE County
LITTLE LOST RIVER	NESWNW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
BIG SPRING CREEK	NENWSW	Sec. 5	Twp 07N	Rge 28E	BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge	Sec	NE				NW				SW				SE				Totals
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 27E	1											26.0	40.0					66.0
07N 27E	12					.2	19.0	7.6					.9	2.5	7.6	5.0	29.0	71.8
07N 27E	13	32.0	32.0			2.0												66.0
07N 28E	7	40.0	40.0	40.0	36.0	30.0			1.9			.1 L 4						188.0
07N 28E	8		2.8	19.0			22.0	6.2							27.0	16.0		93.0
07N 28E	18			25.0	.2	1.8	34.0 L 1	25.0 L 2	31.0					31.0	16.0			164.0

Total Acres: 648.8

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81 and 33-82 shall not exceed 32.00 cfs for the irrigation of 648.8 acres.

2. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091 and 33-7018 when combined shall not exceed a total diversion rate of 67.19 cfs, and the irrigation of 2089.8 acres. The 2089.8 acres are comprised of 1816 acres irrigated by ground water and 648.8 acres irrigated by surface water sources that overlap 375.0 of the ground water acres.

3. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82 overlap 268.0 acres within the 1483.0 acres authorized under Rights 33-2057 and 33-2083; and overlap 382.0 acres within the 1436.1 acre place of use described under Right 33-2133.

WATER RIGHT NO. 33-76

As Modified by Transfer Nos. 4221 thru 4227

CONDITIONS OF APPROVAL

4. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091, 33-2133 and 33-7018 when combined shall not exceed the irrigation of 3019.8 acres.

5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.

6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the lands above.

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

WATER RIGHT NO. 33-78

As Modified by Transfer Nos. 4221 thru 4227

In accordance with the approval of Transfer Nos. 4221 thru 4227, Water Right No. 33-78 is now described as follows.

Right Holder: SAGEWILLOW INC
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0130

Priority Date: October 15, 1913

Source: LITTLE LOST RIVER
BIG SPRING CREEK

Tributary: SINKS
LITTLE LOST RIVER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	4/01 to	11/01	3.20 CFS	
			3.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER	SWSENE	Sec. 2	Twp 07N	Rge 27E	BUTTE County
LITTLE LOST RIVER	NESWNW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
BIG SPRING CREEK	NENWSW	Sec. 5	Twp 07N	Rge 28E	BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge	Sec	NE				NW				SW				SE				Totals
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 27E	1											26.0	40.0					66.0
07N 27E	12					.2	19.0	7.6					.9	2.5	7.6	5.0	29.0	71.8
07N 27E	13	32.0	32.0			2.0												66.0
07N 28E	7	40.0	40.0	40.0	36.0	30.0			1.9			.1 L 4						188.0
07N 28E	8		2.8	19.0			22.0	6.2							27.0	16.0		93.0
07N 28E	18			25.0	.2	1.8	34.0 L 1	25.0 L 2	31.0					31.0	16.0			164.0

Total Acres: 648.8

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81 and 33-82 shall not exceed 32.00 cfs for the irrigation of 648.8 acres.

2. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091 and 33-7018 when combined shall not exceed a total diversion rate of 67.19 cfs, and the irrigation of 2089.8 acres. The 2089.8 acres are comprised of 1816 acres irrigated by ground water and 648.8 acres irrigated by surface water sources that overlap 375.0 of the ground water acres.

3. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82 overlap 268.0 acres within the 1483.0 acres authorized under Rights 33-2057 and 33-2083; and overlap 382.0 acres within the 1436.1 acre place of use described under Right 33-2133.

WATER RIGHT NO. 33-78

As Modified by Transfer Nos. 4221 thru 4227

CONDITIONS OF APPROVAL

4. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091, 33-2133 and 33-7018 when combined shall not exceed the irrigation of 3019.8 acres.

5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.

6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the lands above.

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

WATER RIGHT NO. 33-79

As Modified by Transfer Nos. 4221 thru 4227

In accordance with the approval of Transfer Nos. 4221 thru 4227, Water Right No. 33-79 is now described as follows.

Right Holder: SAGEWILLOW INC
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0130

Priority Date: April 01, 1912

Source: LITTLE LOST RIVER
BIG SPRING CREEK

Tributary: SINKS
LITTLE LOST RIVER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	4/01 to	11/01	1.60 CFS	
			1.60 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER	SWSENE	Sec. 2	Twp 07N	Rge 27E	BUTTE County
LITTLE LOST RIVER	NESWNW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
BIG SPRING CREEK	NENWSW	Sec. 5	Twp 07N	Rge 28E	BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 27E 1											26.0	40.0					66.0
07N 27E 12					.2	19.0	7.6					.9	2.5	7.6	5.0	29.0	71.8
07N 27E 13	32.0	32.0			2.0												66.0
07N 28E 7	40.0	40.0	40.0	36.0	30.0			1.9			.1 L 4						188.0
07N 28E 8		2.8	19.0			22.0	6.2							27.0	16.0		93.0
07N 28E 18			25.0	.2	1.8	34.0 L 1	25.0 L 2	31.0					31.0	16.0			164.0

Total Acres: 648.8

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81 and 33-82 shall not exceed 32.00 cfs for the irrigation of 648.8 acres.

2. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091 and 33-7018 when combined shall not exceed a total diversion rate of 67.19 cfs, and the irrigation of 2089.8 acres. The 2089.8 acres are comprised of 1816 acres irrigated by ground water and 648.8 acres irrigated by surface water sources that overlap 375.0 of the ground water acres.

3. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82 overlap 268.0 acres within the 1483.0 acres authorized under Rights 33-2057 and 33-2083; and overlap 382.0 acres within the 1436.1 acre place of use described under Right 33-2133.

WATER RIGHT NO. 33-79

As Modified by Transfer Nos. 4221 thru 4227

CONDITIONS OF APPROVAL

4. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091, 33-2133 and 33-7018 when combined shall not exceed the irrigation of 3019.8 acres.

5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.

6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the lands above.

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

WATER RIGHT NO. 33-80

As Modified by Transfer Nos. 4221 thru 4227

In accordance with the approval of Transfer Nos. 4221 thru 4227, Water Right No. 33-80 is now described as follows.

Right Holder: SAGEWILLOW INC
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0130

Priority Date: May 01, 1908

Source: LITTLE LOST RIVER
BIG SPRING CREEK

Tributary: SINKS
LITTLE LOST RIVER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	4/01	to 11/01	0.80 CFS	
			0.80 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER	SWSENE	Sec. 2	Twp 07N	Rge 27E	BUTTE County
LITTLE LOST RIVER	NESWNW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
BIG SPRING CREEK	NENWSW	Sec. 5	Twp 07N	Rge 28E	BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	27E	1											26.0	40.0					66.0
07N	27E	12					.2	19.0	7.6					.9	2.5	7.6	5.0	29.0	71.8
07N	27E	13	32.0	32.0			2.0												66.0
07N	28E	7	40.0	40.0	40.0	36.0	30.0			1.9			.1 L 4						188.0
07N	28E	8		2.8	19.0			22.0	6.2							27.0	16.0		93.0
07N	28E	18			25.0	.2	1.8	34.0 L 1	25.0 L 2	31.0					31.0	16.0			164.0

Total Acres: 648.8

CONDITIONS OF APPROVAL

1. Right 33-80 is limited to the irrigation of 40.0 acres within the place of use described above in a single irrigation season.

2. The total instantaneous diversion of water from all points of diversion under Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81 and 33-82 shall not exceed 32.00 cfs for the irrigation of 648.8 acres.

3. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091 and 33-7018 when combined shall not exceed a total diversion rate of 67.19 cfs, and the irrigation of 2089.8 acres. The 2089.8 acres are comprised of 1816 acres irrigated by ground water and 648.8 acres irrigated by surface water sources that overlap 375.0 of the ground water acres.

4. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82 overlap 268.0 acres within the 1483.0 acres authorized under Rights 33-2057 and 33-2083; and overlap 382.0 acres within the 1436.1 acre place of use described under Right 33-2133.

WATER RIGHT NO. 33-80

As Modified by Transfer Nos. 4221 thru 4227

CONDITIONS OF APPROVAL

5. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091, 33-2133 and 33-7018 when combined shall not exceed the irrigation of 3019.8 acres.

6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.

7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the lands above.

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

WATER RIGHT NO. 33-81

As Modified by Transfer Nos. 4221 thru 4227

In accordance with the approval of Transfer Nos. 4221 thru 4227, Water Right No. 33-81 is now described as follows.

Right Holder: SAGEWILLOW INC
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0130

Priority Date: May 01, 1908

Source: LITTLE LOST RIVER
BIG SPRING CREEK

Tributary: SINKS
LITTLE LOST RIVER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	4/01 to	11/01	0.80 CFS	
			0.80 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER	SWSENE	Sec. 2	Twp 07N	Rge 27E	BUTTE County
LITTLE LOST RIVER	NESWNW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
BIG SPRING CREEK	NENWSW	Sec. 5	Twp 07N	Rge 28E	BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 27E 1											26.0	40.0					66.0
07N 27E 12					.2	19.0	7.6					.9	2.5	7.6	5.0	29.0	71.8
07N 27E 13	32.0	32.0			2.0												66.0
07N 28E 7	40.0	40.0	40.0	36.0	30.0			1.9			.1 L 4						188.0
07N 28E 8		2.8	19.0			22.0	6.2							27.0	16.0		93.0
07N 28E 18			25.0	.2	1.8	34.0 L 1	25.0 L 2	31.0					31.0	16.0			164.0

Total Acres: 648.8

CONDITIONS OF APPROVAL

1. Right 33-81 is limited to the irrigation of 40.0 acres within the place of use described above in a single irrigation season.

2. The total instantaneous diversion of water from all points of diversion under Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81 and 33-82 shall not exceed 32.00 cfs for the irrigation of 648.8 acres.

3. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091 and 33-7018 when combined shall not exceed a total diversion rate of 67.19 cfs, and the irrigation of 2089.8 acres. The 2089.8 acres are comprised of 1816 acres irrigated by ground water and 648.8 acres irrigated by surface water sources that overlap 375.0 of the ground water acres.

4. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82 overlap 268.0 acres within the 1483.0 acres authorized under Rights 33-2057 and 33-2083; and overlap 382.0 acres within the 1436.1 acre place of use described under Right 33-2133.

WATER RIGHT NO. 33-81

As Modified by Transfer Nos. 4221 thru 4227

CONDITIONS OF APPROVAL

5. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091, 33-2133 and 33-7018 when combined shall not exceed the irrigation of 3019.8 acres.

6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.

7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the lands above.

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

WATER RIGHT NO. 33-82

As Modified by Transfer Nos. 4221 thru 4227

In accordance with the approval of Transfer Nos. 4221 thru 4227, Water Right No. 33-82 is now described as follows.

Right Holder: SAGEWILLOW INC
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0130

Priority Date: May 01, 1908

Source: LITTLE LOST RIVER
BIG SPRING CREEK

Tributary: SINKS
LITTLE LOST RIVER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	4/01 to	11/01	0.80 CFS	
			0.80 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER	SWSENE	Sec. 2	Twp 07N	Rge 27E	BUTTE County
LITTLE LOST RIVER	NESWNW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
BIG SPRING CREEK	NENWSW	Sec. 5	Twp 07N	Rge 28E	BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	27E	1											26.0	40.0					66.0
07N	27E	12					.2	19.0	7.6					.9	2.5	7.6	5.0	29.0	71.8
07N	27E	13	32.0	32.0			2.0												66.0
07N	28E	7	40.0	40.0	40.0	36.0	30.0			1.9			.1 L 4						188.0
07N	28E	8		2.8	19.0			22.0	6.2							27.0	16.0		93.0
07N	28E	18			25.0	.2	1.8	34.0 L 1	25.0 L 2	31.0					31.0	16.0			164.0

Total Acres: 648.8

CONDITIONS OF APPROVAL

1. Right 33-82 is limited to the irrigation of 40.0 acres within the place of use described above in a single irrigation season.

2. The total instantaneous diversion of water from all points of diversion under Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81 and 33-82 shall not exceed 32.00 cfs for the irrigation of 648.8 acres.

3. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091 and 33-7018 when combined shall not exceed a total diversion rate of 67.19 cfs, and the irrigation of 2089.8 acres. The 2089.8 acres are comprised of 1816 acres irrigated by ground water and 648.8 acres irrigated by surface water sources that overlap 375.0 of the ground water acres.

4. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82 overlap 268.0 acres within the 1483.0 acres authorized under Rights 33-2057 and 33-2083; and overlap 382.0 acres within the 1436.1 acre place of use described under Right 33-2133.

WATER RIGHT NO. 33-82

As Modified by Transfer Nos. 4221 thru 4227

CONDITIONS OF APPROVAL

5. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091, 33-2133 and 33-7018 when combined shall not exceed the irrigation of 3019.8 acres.

6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.

7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the lands above.

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

WATER RIGHT NO. 33-2133

As Modified by Transfer Nos. 4221 thru 4227

In accordance with the approval of Transfer Nos. 4221 thru 4227, Water Right No. 33-2133 is now described as follows.

Right Holder: SAGEWILLOW INC
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0130

Priority Date: June 22, 1949

Source: LITTLE LOST RIVER
BIG SPRING CREEK

Tributary: SINKS
LITTLE LOST RIVER

BENEFICIAL USE	From		To	Diversion Rate	Volume
GROUND WATER RECHARGE	11/01	to	4/01	9.88 cfs	2,960.0 AF
IRRIGATION					2,960.0 AF
					2,960.0 AF

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER	SWSENE	Sec. 2	Twp 07N	Rge 27E	BUTTE County
LITTLE LOST RIVER	NESWNW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
BIG SPRING CREEK	NENWSW	Sec. 5	Twp 07N	Rge 28E	BUTTE County

PLACE OF USE: GROUND WATER RECHARGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 27E 12				X												X	
07N 28E 7							X			X	X	X					
07N 27E 18		X	X	X		X							X				

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 27E 1											2.0						2.0
07N 27E 12		21.0	40.0	35.0	36.0	30.0	6.9	26.0	32.0			30.0	40.0	32.0	27.0	39.0	394.9
07N 27E 13	32.0	34.0			2.1												68.1
07N 28E 7	2.1		35.0	40.0			35.0	38.0	40.0	39.0	39.0	40.0	40.0	40.0	40.0	40.0	468.1
							L 2			L 3	L 4						
07N 28E 8					5.0	13.0	40.0	20.0		40.0	32.0						150.0
07N 28E 18	40.0	40.0	40.0	40.0	40.0	39.0	28.0	36.0					34.0	16.0			353.0
						L 1	L 2										

Total Acres: 1436.1

WATER RIGHT NO. 33-2133

As Modified by Transfer Nos. 4221 thru 4227

CONDITIONS OF APPROVAL

1. Right 33-2133 is for non-irrigation season diversion of the above referenced sources for ground water recharge purposes to provide water for mitigation and sub-irrigation during the irrigation season. Water may not be diverted for direct irrigation under Right 33-2133.

2. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82 overlap 268.0 acres within the 1483.0 acres authorized under Rights 33-2057 and 33-2083; and overlap 382.0 acres within the 1436.1 acre place of use described under Right 33-2133.

3. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091, 33-2133 and 33-7018 when combined shall not exceed the irrigation of 3019.8 acres.

4. Continued diversion of water under the resumed portions of Rights 33-2057 and 33-2083 (301 acres), and Right 33-2091 (73 acres) are deemed mitigated by, and therefore are expressly contingent upon, continued diversion of winter water use under this right to the extent water is available for diversion under this water right.

5. The total instantaneous diversion of water from all points of diversion under Rights 33-2133 shall not exceed 9.88 cfs, nor a total combined annual volume of 2960.0 af

6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.

7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

WATER RIGHT NO. 33-2057

As Modified by Transfer Nos. 4221 thru 4227

In accordance with the approval of Transfer Nos. 4221 thru 4227, Water Right No. 33-2057 is now described as follows.

Right Holder: SAGE WILLOW INC
545 SHOUP AVE
IDAHO FALLS ID 83402

Priority Date: February 01, 1950

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/15	to 10/31	24.00 CFS	5,190.5 AF
			24.00 CFS	5,190.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNESE	Sec. 1	Twp 07N	Rge 27E	BUTTE County
GROUND WATER (Rediversion)	SWSENE	Sec. 2	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	SESENE	Sec. 2	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NENENE	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NWNENE	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NENWNE	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NENENW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NWNENW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER (Injection)	SENWNW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	SESE	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER (Rediversion)	NENWSW	Sec. 5	Twp 07N	Rge 28E	BUTTE County
GROUND WATER	SWNESW	Sec. 6	Twp 07N	Rge 28E	BUTTE County
GROUND WATER	L3 (SWNWSW)	Sec. 7	Twp 07N	Rge 28E	BUTTE County
GROUND WATER	L4 (SWSWSW)	Sec. 7	Twp 07N	Rge 28E	BUTTE County
GROUND WATER	NWNWSW	Sec. 32	Twp 08N	Rge 28E	BUTTE County
GROUND WATER	SWSWSW	Sec. 32	Twp 08N	Rge 28E	BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 27E 1	31.0	31.0	32.0	32.0	32.0			32.0	35.0	2.6	32.0	36.0	36.0	35.0	33.0	34.0	433.6
07N 27E 12	39.0			32.0		27.0						8.4					106.4
07N 27E 13		34.0			30.0												64.0
07N 28E 5					27.0	33.0	17.0	31.0	38.0			30.0			12.0		188.0
07N 28E 6		31.0	32.0	26.0	31.0	31.0	32.0	32.0	37.0	34.0	31.0	35.0		36.0	34.0		422.0
07N 28E 7	40.0	40.0	34.0	32.0	40.0	39.0	24.0	35.0									284.0
07N 28E 8		19.0	25.0			31.0	32.0							32.0	21.0		160.0
08N 28E 31									18.0	24.0	34.0	25.0					101.0
08N 28E 32											39.0	18.0					57.0

Total Acres: 1816

WATER RIGHT NO. 33-2057

As Modified by Transfer Nos. 4221 thru 4227

CONDITIONS OF APPROVAL

1. Rights 33-2057 and 33-2083 when combined shall not exceed a total diversion rate of 29.00 cfs, a total annual maximum diversion volume of 5190.5 af at the field headgate, and the irrigation of 1483.0 acres.

2. The total instantaneous diversion of water from all points of diversion under Rights 33-2057, 33-2083, 33-2086, 33-2091, and 33-7018 shall not exceed 35.19 cfs, nor a total combined annual volume of 6356.0 af for the irrigation of 1816 acres.

3. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091 and 33-7018 when combined shall not exceed a total diversion rate of 67.19 cfs, and the irrigation of 2089.8 acres. The 2089.8 acres are comprised of 1816 acres irrigated by ground water and 648.8 acres irrigated by surface water sources that overlap 375.0 of the ground water acres.

4. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82 overlap 268.0 acres within the 1483.0 acres authorized under Rights 33-2057 and 33-2083; and overlap 382.0 acres within the 1436.1 acre place of use described under Right 33-2133.

5. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091, 33-2133 and 33-7018 when combined shall not exceed the irrigation of 3019.8 acres.

6. Continued diversion of water under the resumed portions of Rights 33-2057 and 33-2083 (301 acres), and Right 33-2091 (73 acres) are deemed mitigated by, and therefore are expressly contingent upon, continued diversion of winter water use under Right 33-2133 to the extent water is available for diversion under that water right.

7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

9. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.

10. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for the authorized point of injection into Little Lost River and at the points of rediversion from Little Lost River and Big Spring Creek. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

11. This right when combined with all other rights shall provide no more than 0.02 cfs and 3.5 afa per acre at the field headgate for irrigation of the lands above.

12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

WATER RIGHT NO. 33-2057
As Modified by Transfer Nos. 4221 thru 4227

CONDITIONS OF APPROVAL

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

14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

WATER RIGHT NO. 33-2083

As Modified by Transfer Nos. 4221 thru 4227

In accordance with the approval of Transfer Nos. 4221 thru 4227, Water Right No. 33-2083 is now described as follows.

Right Holder: SAGE WILLOW INC
545 SHOUP AVE
IDAHO FALLS ID 83402

Priority Date: August 23, 1957

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/15	to 10/31	5.00 CFS	1,983.0 AF
			5.00 CFS	1,983.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNESE	Sec. 1	Twp 07N	Rge 27E	BUTTE County
GROUND WATER (Rediversion)	SWSENE	Sec. 2	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	SESENE	Sec. 2	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NENENE	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NWNENE	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NENWNE	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NENENW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NWNENW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER (Injection)	SENWNW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	SESE	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER (Rediversion)	NENWSW	Sec. 5	Twp 07N	Rge 28E	BUTTE County
GROUND WATER	SWNESW	Sec. 6	Twp 07N	Rge 28E	BUTTE County
GROUND WATER	L3 (SWNWSW)	Sec. 7	Twp 07N	Rge 28E	BUTTE County
GROUND WATER	L4 (SWSWSW)	Sec. 7	Twp 07N	Rge 28E	BUTTE County
GROUND WATER	NWNWSW	Sec. 32	Twp 08N	Rge 28E	BUTTE County
GROUND WATER	SWSWSW	Sec. 32	Twp 08N	Rge 28E	BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 27E 1	31.0	31.0	32.0	32.0	32.0			32.0	35.0	2.6	32.0	36.0	36.0	35.0	33.0	34.0	433.6
07N 27E 12	39.0			32.0		27.0						8.4					106.4
07N 27E 13		34.0			30.0												64.0
07N 28E 5					27.0	33.0	17.0	31.0	38.0			30.0			12.0		188.0
07N 28E 6		31.0	32.0	26.0	31.0	31.0	32.0	32.0	37.0	34.0	31.0	35.0		36.0	34.0		422.0
07N 28E 7	40.0	40.0	34.0	32.0	40.0	39.0	24.0	35.0									284.0
07N 28E 8		19.0	25.0			31.0	32.0							32.0	21.0		160.0
08N 28E 31									18.0	24.0	34.0	25.0					101.0
08N 28E 32											39.0	18.0					57.0

Total Acres: 1816

WATER RIGHT NO. 33-2083

As Modified by Transfer Nos. 4221 thru 4227

CONDITIONS OF APPROVAL

1. Rights 33-2057 and 33-2083 when combined shall not exceed a total diversion rate of 29.00 cfs, a total annual maximum diversion volume of 5190.5 af at the field headgate, and the irrigation of 1483.0 acres.

2. The total instantaneous diversion of water from all points of diversion under Rights 33-2057, 33-2083, 33-2086, 33-2091, and 33-7018 shall not exceed 35.19 cfs, nor a total combined annual volume of 6356.0 af for the irrigation of 1816 acres.

3. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091 and 33-7018 when combined shall not exceed a total diversion rate of 67.19 cfs, and the irrigation of 2089.8 acres. The 2089.8 acres are comprised of 1816 acres irrigated by ground water and 648.8 acres irrigated by surface water sources that overlap 375.0 of the ground water acres.

4. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, and 33-82 overlap 268.0 acres within the 1483.0 acres authorized under Rights 33-2057 and 33-2083; and overlap 382.0 acres within the 1436.1 acre place of use described under Right 33-2133.

5. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091, 33-2133 and 33-7018 when combined shall not exceed the irrigation of 3019.8 acres.

6. Continued diversion of water under the resumed portions of Rights 33-2057 and 33-2083 (301 acres), and Right 33-2091 (73 acres) are deemed mitigated by, and therefore are expressly contingent upon, continued diversion of winter water use under Right 33-2133 to the extent water is available for diversion under that water right.

7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

9. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.

10. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for the authorized point of injection into Little Lost River and at the points of rediversion from Little Lost River and Big Spring Creek. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

11. This right when combined with all other rights shall provide no more than 0.02 cfs and 3.5 afa per acre at the field headgate for irrigation of the lands above.

12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

WATER RIGHT NO. 33-2083
As Modified by Transfer Nos. 4221 thru 4227

CONDITIONS OF APPROVAL

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

14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

WATER RIGHT NO. 33-2086

As Modified by Transfer Nos. 4221 thru 4227

In accordance with the approval of Transfer Nos. 4221 thru 4227, Water Right No. 33-2086 is now described as follows.

Right Holder: SAGEWILLOW INC
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0130

Priority Date: January 12, 1959

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/15	to 10/31	4.00 CFS	910.0 AF
			4.00 CFS	910.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNESE	Sec. 1	Twp 07N	Rge 27E	BUTTE County
GROUND WATER (Rediversion)	SWSENE	Sec. 2	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	SESENE	Sec. 2	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NENENE	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NWNENE	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NENWNE	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NENENW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NWNENW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER (Injection)	SENWNW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	SESE	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER (Rediversion)	NENWSW	Sec. 5	Twp 07N	Rge 28E	BUTTE County
GROUND WATER	SWNESW	Sec. 6	Twp 07N	Rge 28E	BUTTE County
GROUND WATER	L3 (SWNWSW)	Sec. 7	Twp 07N	Rge 28E	BUTTE County
GROUND WATER	L4 (SWSWSW)	Sec. 7	Twp 07N	Rge 28E	BUTTE County
GROUND WATER	NWNWSW	Sec. 32	Twp 08N	Rge 28E	BUTTE County
GROUND WATER	SWSWSW	Sec. 32	Twp 08N	Rge 28E	BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 27E 1	31.0	31.0	32.0	32.0	32.0			32.0	35.0	2.6	32.0	36.0	36.0	35.0	33.0	34.0	433.6
07N 27E 12	39.0			32.0		27.0						8.4					106.4
07N 27E 13		34.0			30.0												64.0
07N 28E 5					27.0	33.0	17.0	31.0	38.0			30.0			12.0		188.0
07N 28E 6		31.0	32.0	26.0	31.0	31.0	32.0	32.0	37.0	34.0	31.0	35.0		36.0	34.0		422.0
07N 28E 7	40.0	40.0	34.0	32.0	40.0	39.0	24.0	35.0									284.0
07N 28E 8		19.0	25.0			31.0	32.0							32.0	21.0		160.0
08N 28E 31									18.0	24.0	34.0	25.0					101.0
08N 28E 32											39.0	18.0					57.0

Total Acres: 1816

WATER RIGHT NO. 33-2086

As Modified by Transfer Nos. 4221 thru 4227

CONDITIONS OF APPROVAL

1. Rights 33-2086 and 33-7018 when combined shall not exceed a total diversion rate of 5.20 cfs, a total annual maximum diversion volume of 910.0 af at the field headgate, and the irrigation of 260.0 acres.

2. The total instantaneous diversion of water from all points of diversion under Rights 33-2057, 33-2083, 33-2086, 33-2091, and 33-7018 shall not exceed 35.19 cfs, nor a total combined annual volume of 6356.0 af for the irrigation of 1816 acres.

3. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091 and 33-7018 when combined shall not exceed a total diversion rate of 67.19 cfs, and the irrigation of 2089.8 acres. The 2089.8 acres are comprised of 1816 acres irrigated by ground water and 648.8 acres irrigated by surface water sources that overlap 375.0 of the ground water acres.

4. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091, 33-2133 and 33-7018 when combined shall not exceed the irrigation of 3019.8 acres.

5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.

6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for the authorized point of injection into Little Lost River and at the points of rediversion from Little Lost River and Big Spring Creek. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

7. This right when combined with all other rights shall provide no more than 0.02 cfs and 3.5 afa per acre at the field headgate for irrigation of the lands above.

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

WATER RIGHT NO. 33-2091

As Modified by Transfer Nos. 4221 thru 4227

In accordance with the approval of Transfer Nos. 4221 thru 4227, Water Right No. 33-2091 is now described as follows.

Right Holder: SAGEWILLOW INC
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0130

Priority Date: January 22, 1960

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/15	to 10/15	0.99 CFS	255.5 AF
			0.99 CFS	255.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNESE	Sec. 1	Twp 07N	Rge 27E	BUTTE County
GROUND WATER (Rediversion)	SWSENE	Sec. 2	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	SESENE	Sec. 2	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NENENE	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NWNENE	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NENWNE	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NENENW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NWNENW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER (Injection)	SENWNW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	SESE	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER (Rediversion)	NENWSW	Sec. 5	Twp 07N	Rge 28E	BUTTE County
GROUND WATER	SWNESW	Sec. 6	Twp 07N	Rge 28E	BUTTE County
GROUND WATER	L3 (SWNWSW)	Sec. 7	Twp 07N	Rge 28E	BUTTE County
GROUND WATER	L4 (SWSWSW)	Sec. 7	Twp 07N	Rge 28E	BUTTE County
GROUND WATER	NWNWSW	Sec. 32	Twp 08N	Rge 28E	BUTTE County
GROUND WATER	SWSWSW	Sec. 32	Twp 08N	Rge 28E	BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 27E 1	31.0	31.0	32.0	32.0	32.0			32.0	35.0	2.6	32.0	36.0	36.0	35.0	33.0	34.0	433.6
07N 27E 12	39.0			32.0		27.0						8.4					106.4
07N 27E 13		34.0			30.0												64.0
07N 28E 5					27.0	33.0	17.0	31.0	38.0			30.0			12.0		188.0
07N 28E 6		31.0	32.0	26.0	31.0	31.0	32.0	32.0	37.0	34.0	31.0	35.0		36.0	34.0		422.0
07N 28E 7	40.0	40.0	34.0	32.0	40.0	39.0	24.0	35.0									284.0
07N 28E 8		19.0	25.0			31.0	32.0							32.0	21.0		160.0
08N 28E 31									18.0	24.0	34.0	25.0					101.0
08N 28E 32											39.0	18.0					57.0

Total Acres: 1816

WATER RIGHT NO. 33-2091

As Modified by Transfer Nos. 4221 thru 4227

CONDITIONS OF APPROVAL

1. Right 33-2091 is limited to the irrigation of 73.0 acres within the place of use described above in a single irrigation season.

2. The remainder of this right, in the amount of 3.37 cfs and 247.0 acres, was forfeited for non-use from 1969 to 1989.

3. The total instantaneous diversion of water from all points of diversion under Rights 33-2057, 33-2083, 33-2086, 33-2091, and 33-7018 shall not exceed 35.19 cfs, nor a total combined annual volume of 6356.0 af for the irrigation of 1816 acres.

4. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091 and 33-7018 when combined shall not exceed a total diversion rate of 67.19 cfs, and the irrigation of 2089.8 acres. The 2089.8 acres are comprised of 1816 acres irrigated by ground water and 648.8 acres irrigated by surface water sources that overlap 375.0 of the ground water acres.

5. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091, 33-2133 and 33-7018 when combined shall not exceed the irrigation of 3019.8 acres.

6. Continued diversion of water under the resumed portions of Rights 33-2057 and 33-2083 (301 acres), and Right 33-2091 (73 acres) are deemed mitigated by, and therefore are expressly contingent upon, continued diversion of winter water use under Right 33-2133 to the extent water is available for diversion under that water right.

7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.

8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for the authorized point of injection into Little Lost River and at the points of rediversion from Little Lost River and Big Spring Creek. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

9. This right when combined with all other rights shall provide no more than 0.02 cfs and 3.5 afa per acre at the field headgate for irrigation of the lands above.

10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

WATER RIGHT NO. 33-7018

As Modified by Transfer Nos. 4221 thru 4227

In accordance with the approval of Transfer Nos. 4221 thru 4227, Water Right No. 33-7018 is now described as follows.

Right Holder: SAGEWILLOW INC
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0130

Priority Date: September 12, 1972

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/01	to 11/01	3.26 CFS	489.0 AF
			3.26 CFS	489.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNESE	Sec. 1	Twp 07N	Rge 27E	BUTTE County
GROUND WATER (Rediversion)	SWSENE	Sec. 2	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	SESENE	Sec. 2	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NENENE	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NWNENE	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NENWNE	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NENENW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	NWNENW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER (Injection)	SENWNW	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER	SESE	Sec. 12	Twp 07N	Rge 27E	BUTTE County
GROUND WATER (Rediversion)	NENWSW	Sec. 5	Twp 07N	Rge 28E	BUTTE County
GROUND WATER	SWNESW	Sec. 6	Twp 07N	Rge 28E	BUTTE County
GROUND WATER	L3 (SWNWSW)	Sec. 7	Twp 07N	Rge 28E	BUTTE County
GROUND WATER	L4 (SWSWSW)	Sec. 7	Twp 07N	Rge 28E	BUTTE County
GROUND WATER	NWNWSW	Sec. 32	Twp 08N	Rge 28E	BUTTE County
GROUND WATER	SWSWSW	Sec. 32	Twp 08N	Rge 28E	BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 27E 1	31.0	31.0	32.0	32.0	32.0			32.0	35.0	2.6	32.0	36.0	36.0	35.0	33.0	34.0	433.6
07N 27E 12	39.0			32.0		27.0						8.4					106.4
07N 27E 13		34.0			30.0												64.0
07N 28E 5					27.0	33.0	17.0	31.0	38.0			30.0			12.0		188.0
07N 28E 6		31.0	32.0	26.0	31.0	31.0	32.0	32.0	37.0	34.0	31.0	35.0		36.0	34.0		422.0
07N 28E 7	40.0	40.0	34.0	32.0	40.0	39.0	24.0	35.0									284.0
07N 28E 8		19.0	25.0			31.0	32.0							32.0	21.0		160.0
08N 28E 31									18.0	24.0	34.0	25.0					101.0
08N 28E 32											39.0	18.0					57.0

Total Acres: 1816

WATER RIGHT NO. 33-7018

As Modified by Transfer Nos. 4221 thru 4227

CONDITIONS OF APPROVAL

1. Right 33-7018 is limited to the irrigation of 163.0 acres within the place of use described above in a single irrigation season.

2. Rights 33-2086 and 33-7018 when combined shall not exceed a total diversion rate of 5.20 cfs, a total annual maximum diversion volume of 910.0 af at the field headgate, and the irrigation of 260.0 acres.

3. The total instantaneous diversion of water from all points of diversion under Rights 33-2057, 33-2083, 33-2086, 33-2091, and 33-7018 shall not exceed 35.19 cfs, nor a total combined annual volume of 6356.0 af for the irrigation of 1816 acres.

4. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091 and 33-7018 when combined shall not exceed a total diversion rate of 67.19 cfs, and the irrigation of 2089.8 acres. The 2089.8 acres are comprised of 1816 acres irrigated by ground water and 648.8 acres irrigated by surface water sources that overlap 375.0 of the ground water acres.

5. Rights 33-69, 33-70, 33-71, 33-72, 33-73, 33-74, 33-76, 33-78, 33-79, 33-80, 33-81, 33-82, 33-2057, 33-2083, 33-2086, 33-2091, 33-2133 and 33-7018 when combined shall not exceed the irrigation of 3019.8 acres.

6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.

7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for the authorized point of injection into Little Lost River and at the points of rediversion from Little Lost River and Big Spring Creek. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

8. This right when combined with all other rights shall provide no more than 0.02 cfs and 3.5 afa per acre at the field headgate for irrigation of the lands above.

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

WATER RIGHT NO. 33-2007
As Modified by Transfer Nos. 4221 thru 4227

In accordance with the approval of Transfer Nos. 4221 thru 4227, Water Right No. 33-2007 is now described as follows.

Right Holder: SAGE WILLOW INC
545 SHOUP AVE
IDAHO FALLS ID 83402

****SUPERCEDED****

Priority Date: February 15, 1909

Source: LITTLE LOST RIVER **Tributary:** SINKS

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	4/01 to	11/01	2.90 CFS	
			2.90 CFS	

LOCATION OF POINT(S) OF DIVERSION:
LITTLE LOST RIVER SWNE Sec. 2 Twp 07N Rge 27E BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N 28E 18			30.0					40.0					40.0	35.0			145.0

Total Acres: 145

CONDITIONS OF APPROVAL

1. Right 33-2007 is superceded by the 03-04-1927 decree of Right 33-71.

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

WATER RIGHT NO. 33-2008

As Modified by Transfer Nos. 4221 thru 4227

In accordance with the approval of Transfer Nos. 4221 thru 4227, Water Right No. 33-2008 is now described as follows.

Right Holder: SAGE WILLOW INC
545 SHOUP AVE
IDAHO FALLS ID 83402

****SUPERCEDED****

Priority Date: June 12, 1909

Source: SPRING CREEK **Tributary:** LITTLE LOST RIVER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	4/01 to	11/01	6.40 CFS	
			6.40 CFS	

LOCATION OF POINT(S) OF DIVERSION:
SPRING CREEK NWSW Sec. 5 Twp 07N Rge 28E BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 28E 8					40.0		40.0	40.0	40.0	40.0		40.0		40.0	40.0		320.0

Total Acres: 320

CONDITIONS OF APPROVAL

1. Right 33-2008 is superceded by the 03-04-1927 decree of Right 33-73.

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

WATER RIGHT NO. 33-2090

As Modified by Transfer Nos. 4221 thru 4227

In accordance with the approval of Transfer Nos. 4221 thru 4227, Water Right No. 33-2090 is now described as follows.

Right Holder: SAGE WILLOW INC
545 SHOUP AVE
IDAHO FALLS ID 83402

****FORFEITED****

Priority Date: December 21, 1959

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	4/01 to	11/01	5.93 CFS	960.0 AF
			5.93 CFS	960.0 AF

LOCATION OF POINT(S) OF DIVERSION:
GROUND WATER NWSW Sec. 1 Twp 07N Rge 27E BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	27E	1													40.0				40.0
07N	28E	6									40.0	40.0	40.0	40.0		40.0	40.0	40.0	280.0

Total Acres: 320

CONDITIONS OF APPROVAL

1. Right 33-2090 was forfeited for non-use from 1969 to 1989.

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