

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A45-00290

Date Received: 5/15/1989

Receipt No: S007111

Received By: 

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: BLACK JACK RANCH INC
Address: PO BOX 177
ALBION ID

208-673-6634

83311

2. Date of Priority: MAY 31, 1881

3. Source: HOWELL CREEK

Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	25E	16	NE	NE	SW		CASSIA
		20	NW	NE	SE	R	CASSIA
		29	SE	NE	NE		CASSIA

5. Description of diverting works:
DAM AND DITCHES, VIA BRIM DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		
STOCKWATER	01/01	12/31	0.050		

7. Total Quantity Appropriated is:
0.800 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 175.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	25E	8	NE	SE		IRR	30.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
12S	25E	8	NE		SE		STOCK	
			NW		SE		IRR	30.0
			NW		SE		STOCK	
			SW		SE		IRR	40.0
			SW		SE		STOCK	
							Section Acres	100.0
		9	NE		SW		IRR	35.0
			NE		SW		STOCK	
			NW		SW		IRR	35.0
			NW		SW		STOCK	
			SW		SW		IRR	35.0
			SW		SW		STOCK	
			SE		SW		IRR	35.0
			SE		SW		STOCK	
							Section Acres	140.0
		17	NW		NE		IRR	40.0
			NW		NE		STOCK	
			SW		NE		IRR	40.0
			SW		NE		STOCK	
			SE		NE		IRR	40.0
			SE		NE		STOCK	
			NW		NW		IRR	35.0
			NW		NW		STOCK	
			SW		NW		IRR	40.0
			SW		NW		STOCK	
			SE		NW		IRR	40.0
			SE		NW		STOCK	
			NE		SW		IRR	40.0
			NE		SW		STOCK	
			NW		SW		IRR	40.0
			NW		SW		STOCK	
			SW		SW		IRR	40.0
			SW		SW		STOCK	
			SE		SW		IRR	40.0
			SE		SW		STOCK	
			NE		SE		IRR	40.0
			NE		SE		STOCK	
			NW		SE		IRR	40.0
			NW		SE		STOCK	
			SW		SE		IRR	40.0
			SW		SE		STOCK	
			SE		SE		IRR	40.0
			SE		SE		STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	555.0
		20	NE	NE	IRR	40.0
			NE	NE	STOCK	
			SE	NE	IRR	40.0
			SE	NE	STOCK	
					Section Acres	80.0
					Total Acres	875.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
SEE REMARKS.

14. Remarks:

ALL WR'S ARE USED ON THE P/U LISTED.

OTHER WATER RIGHTS**
 A45-00236 A45-00240 A45-00246B A45-00285A
 A45-00287 A45-00290 A45-00291 A45-00518
 A45-00519 A45-00707 A45-00706 A45-00259
 A45-00528 *****

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/21/1892

R. L. WOOD, ET. AL.
Decree Plaintiff

WM. STOKES, ET. AL.
vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Pres. of Blackhawk Ranch Inc., that I have signed the foregoing document in the space below as Pres. of Blackhawk Ranch Inc. and that the statements contained in the foregoing document are true and correct.

Larry Mahoney
Signature of Authorized Agent
Pres.

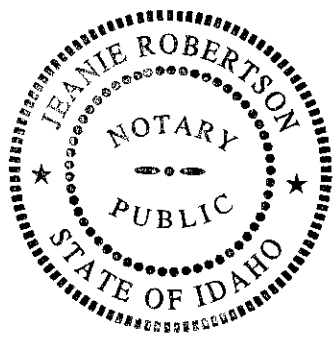
Title and Organization
2/25/97
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 25th day
of February 19 97

Jeanie Robertson
Notary Public

Seal



Residing at Twin Falls, Id
My Commission Expires 9-23-2000

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE

February 25, 1997 2:47pm

CUSTOMER

LARRY MAHONEY/BLACKJACK RANCH INC

A45-00236, A45-00240, A45-00246B,
A45-00259, A45-00285A, A45-00287,
A45-00290, A45-00518, A45-00291,
A45-00519, A45-00528, A45-00706,
A45-00707

SUBJECT: AMENDED CLAIMS...

phone call (.) walk-in (X)

He was in on another matter with Jim Stanton when they discovered these claims were listed in the wrong Township. They all said T11S when they should have said T12S. I corrected them all and he signed and I notarized the amended claims...

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IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
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CIVIL CASE NUMBER: 39576

Ident. Number: A45-00290
Date Received: 5/15/1989
Receipt No: S007111
Received By: SCC

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ACQUIRED UNDER STATE LAW

AMENDED

1. Name: BLACK JACK RANCH, INC. 208-673-6634
Address: P.O. BOX 177
ALBION, ID 83311

2. Date of Priority: MAY 31, 1881

3. Source: HOWELL CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	25E	16	NE	NE	SW		CASSIA
		20	NW	NE	SE	R	CASSIA
		29	SE	NE	NE		CASSIA

5. Description of diverting works:
DAM AND DITCHES, VIA BRIM DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		
STOCKWATER	01/01	12/31	0.050		

7. Total Quantity Appropriated is:
0.800 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 175.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	25E	8	NE	SE		IRR	30.0

A45-00290

Page 1

Date: 02/20/91

MICROFILMED
MAR 07 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	25E	8	NE		SE		STOCK	
			NW		SE		IRR	30.0
			NW		SE		STOCK	
			SW		SE		IRR	40.0
			SW		SE		STOCK	
			Section Acres 100.0					
		9	NE		SW		IRR	35.0
			NE		SW		STOCK	
			NW		SW		IRR	35.0
			NW		SW		STOCK	
			SW		SW		IRR	35.0
			SW		SW		STOCK	
			SE		SW		IRR	35.0
			SE		SW		STOCK	
			Section Acres 140.0					
		17	NW		NE		IRR	40.0
			NW		NE		STOCK	
			SW		NE		IRR	40.0
			SW		NE		STOCK	
			SE		NE		IRR	40.0
			SE		NE		STOCK	
			NW		NW		IRR	35.0
			NW		NW		STOCK	
			SW		NW		IRR	40.0
			SW		NW		STOCK	
			SE		NW		IRR	40.0
			SE		NW		STOCK	
			NE		SW		IRR	40.0
			NE		SW		STOCK	
			NW		SW		IRR	40.0
			NW		SW		STOCK	
			SW		SW		IRR	40.0
			SW		SW		STOCK	
			SE		SW		IRR	40.0
			SE		SW		STOCK	
			NE		SE		IRR	40.0
			NE		SE		STOCK	
			NW		SE		IRR	40.0
			NW		SE		STOCK	
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					Section Acres	80.0
					Total Acres	875.0

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A45-00519 A45-00707 A45-00706 A45-00259
A45-00528 *****

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/21/1892

R. L. WOOD, ET. AL.

Decree Plaintiff

vs

WM. STOKES, ET. AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

A45-00290

Page

3

Date: 02/20/91

MICROFILMED
MAR 07 1993

For Organizations:

I do solemnly swear or affirm that I am Pres of
Blackjack Ranch Inc. , that I have signed the foregoing
Organization document in the space below as Pres of
Blackjack Ranch Inc. and that the statements contained in the
Organization foregoing document are true and correct.

Larry Mahoney
Signature of Authorized Agent
Pres
Title and Organization
2/20/91
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of February 19 91
Steve Cell
Notary Public

Seal

Residing at Twin Falls, Idaho

My Commission Expires December 7, 1994

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A45-00290

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Date: 05/15/89

MICROFILMED

MAR 07 1993

10. Place of Use: Continued

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			SW	SE		IRR	40.0
					Section Acres		100.0
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			NW	SW		IRR	35.0
			SW	SW		IRR	35.0
			SE	SW		IRR	35.0
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			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NW	NW		IRR	35.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
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			SE	NE		IRR	40.0
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14. Remarks: Continued

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Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Pres. of Blackjack Ranch Inc., that I have signed the foregoing document in the space below as Pres. of Blackjack Ranch Inc. and that the statements contained in the foregoing document are true and correct.

Larry McManis
Signature of Authorized Agent
Pres. Blackjack Ranch Inc.
Title and organization
5/15/89
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of May 19 89

Steve Cello
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7, 1994



01/13/2004

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: See cover letter

Water right number: 45-290

BLACK JACK RANCH INC

PO BOX 177

ALBION ID 83311

Telephone Number: (208) 673-6634

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Stockwater 1/1 - 12/31 rather than
4/1 to 10/31

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4/22/04

SIGNATURE:

Larry Mahoney

Please print your name:

Larry Mahoney

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

08/15/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-290

NAME AND ADDRESS: BLACK JACK RANCH INC
PO BOX 177
ALBION ID 83311VERIFIED BY *KKC*

SOURCE: HOWELL CREEK

TRIBUTARY: MARSH CREEK

QUANTITY: 0.530 CFS

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707.

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/31/1881

POINT OF DIVERSION:

T12S R25E S16 NWNE Within CASSIA County

T12S R25E S29 SENENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.530 CFS
STOCKWATER	04/01 10/31	0.050 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T12S R25E S08	NWSE	8.5	T12S R25E S08	SWSE	34.0
T12S R25E S09	NESW	38.0	T12S R25E S09	NWSW	41.0
T12S R25E S09	SWSW	32.0	T12S R25E S09	SESW	39.0
T12S R25E S17	NWNE	39.0	T12S R25E S17	SWNE	41.0
T12S R25E S17	SENE	40.0	T12S R25E S17	NWNW	36.0
T12S R25E S17	SWNW	41.0	T12S R25E S17	SENE	41.0
T12S R25E S17	NESW	40.0	T12S R25E S17	NWSW	41.0
T12S R25E S17	SWSW	19.0	T12S R25E S17	SESW	24.0
T12S R25E S17	NESE	40.0	T12S R25E S17	NWSE	40.0
T12S R25E S17	SWSE	38.0	T12S R25E S17	SESE	40.0
T12S R25E S20	NENE	20.0			

STOCKWATER Within CASSIA County

T12S R25E S08	SESW		T12S R25E S08	NWSE	
T12S R25E S08	SWSE		T12S R25E S09	SENE	
T12S R25E S09	NESW		T12S R25E S09	NWSW	
T12S R25E S09	SWSW		T12S R25E S09	SESW	
T12S R25E S16	SWNW		T12S R25E S17	NWNE	
T12S R25E S17	SWNE		T12S R25E S17	SENE	
T12S R25E S17	NENW		T12S R25E S17	NWNW	
T12S R25E S17	SWNW		T12S R25E S17	SENE	
T12S R25E S17	NESW		T12S R25E S17	NWSW	
T12S R25E S17	SWSW		T12S R25E S17	SESW	
T12S R25E S17	NESE		T12S R25E S17	NWSE	
T12S R25E S17	SWSE		T12S R25E S17	SESE	
T12S R25E S20	NENE				

732.5 ACRES TOTAL

08/15/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 732.5 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287,
45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

The quantity of water decreed for this water right for stockwater use is
not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

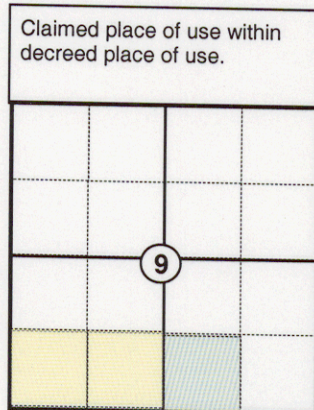
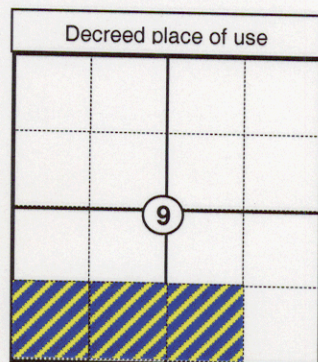
**Idaho Dept of Water Resources
Claims review notes and narrative**

Date: 8-27-2002

File: 45-290 decree split analysis

Prepared by Kelly K Christensen

SPLIT ANALYSIS OF 45-290



45-290 Black Jack Ranch claim.
Claimed within an 875 acre ppu. The
claimed source is Howell Cr and is
delivered through the Brim Ditch and/or
a point of diversion near the center of
Sec 16 (NENESW).

45-290A Norman Dayley claim.
Claimed within a 65 acre ppu. The
claimed source is Howell Cr located in
Sec 16 NWNWNE. Howell Cr splits the
SWSE and it is not clear if one point of
diversion serves both sides of the Creek.

	Right Number	rate	Proportionate share based upon gross decreed P/U
Decree right	45-290	0.80 cfs	
Black Jack Ranch Claim	45-290	0.80 cfs	$0.80 * 2/3 = 0.528 \text{ cfs}$
Dayley claim	45-209A	0.27 cfs	$0.80 * 1/3 = 0.264 \text{ cfs}$

Recommendation

Log for claim A45-00290

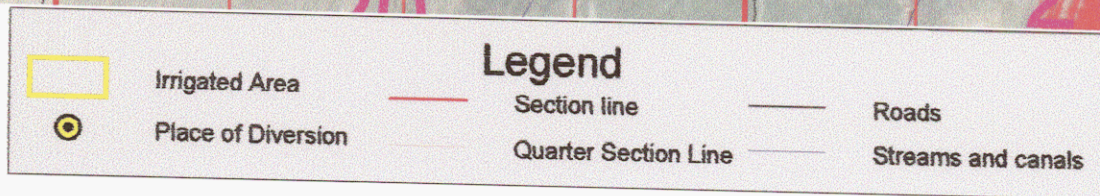
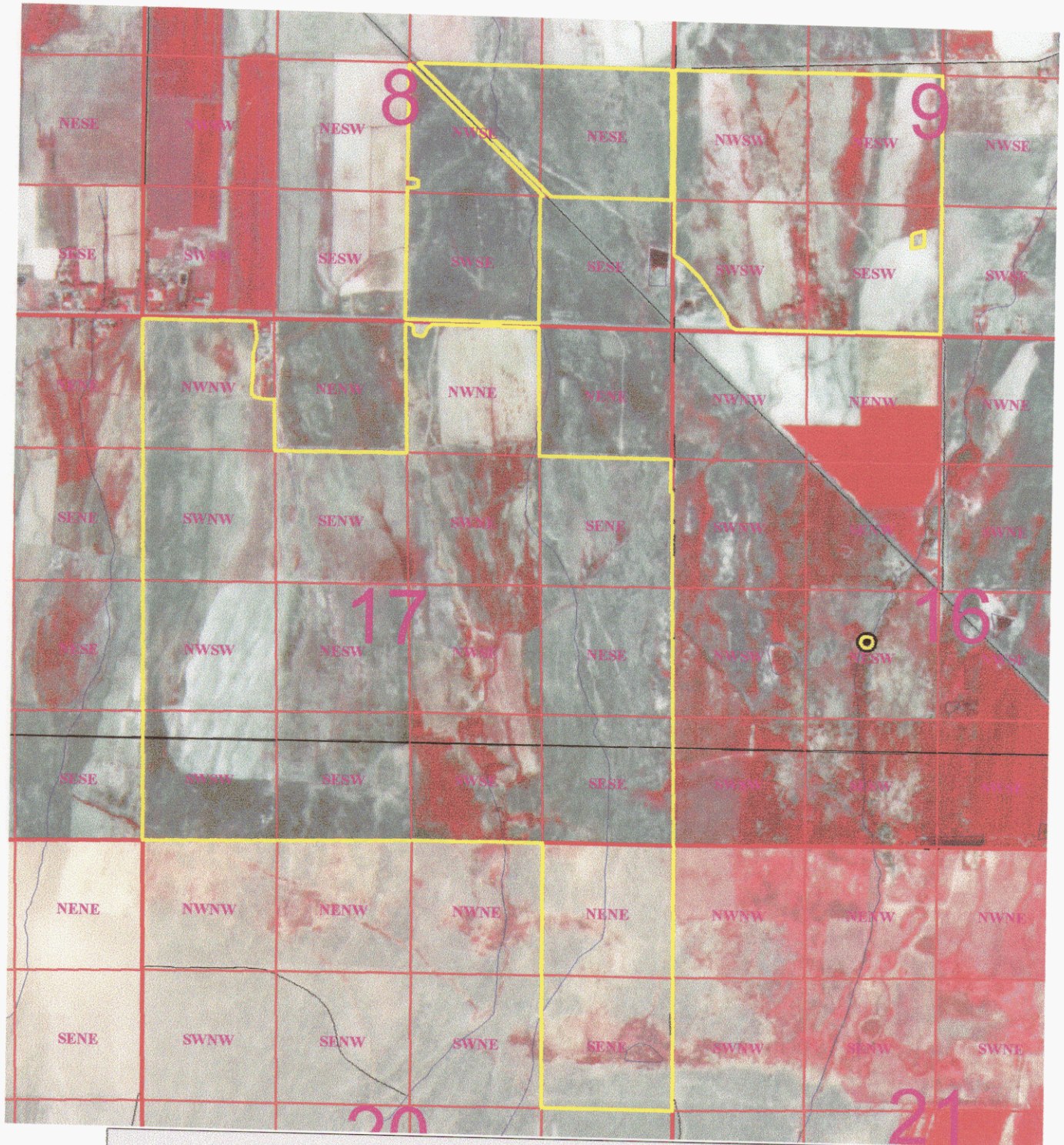
Spatial Dynamics MWY

4/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s25e	8	NESE	30	40	
12s25e	8	NWSE	30	37	
12s25e	8	SWSE	40	40	
12s25e	9	NESW	35	41	
12s25e	9	NWSW	35	41	
12s25e	9	SWSW	35	34	
12s25e	9	SESW	35	40	
12s25e	17	NWNE	40	40	
12s25e	17	SWNE	40	41	
12s25e	17	SENE	40	40	
12s25e	17	NWNW	35	36	
12s25e	17	SWNW	40	41	
12s25e	17	SENW	40	41	
12s25e	17	NESW	40	40	
12s25e	17	NWSW	40	41	
12s25e	17	SWSW	40	41	
12s25e	17	SESW	40	41	
12s25e	17	NESE	40	40	
12s25e	17	NWSE	40	40	
12s25e	17	SWSE	40	40	
12s25e	17	SESE	40	40	
12s25e	20	NENE	40	41	
12s25e	20	SENE	40	41	
Totals:			875	917	

Problems with
split claims against
the original decreed right.

Township , 12S25E



1000 0 1000 2000 Feet

