

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: **A45-00236**
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 208-673-6634
Address: PO BOX 177
ALBION ID 83311

2. Date of Priority: APR 12, 1892

3. Source: BROAD HOLLOW Trib. to: HOWELL CREEK

4. Point of Diversion:

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

5. Description of diverting works:
DAM AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.100		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is 300.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 RANGE

10. Place of Use:

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

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
12S	25E	8	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: 3/17/1910

JOHN A. BRIDGER, ET.AL.
Decree Plaintiff

HYRUM TREMAYNE, 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 _____ Title

Blackjack Ranch Inc. that I have signed the foregoing Organization document in the space below as Pres. of _____ Title

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

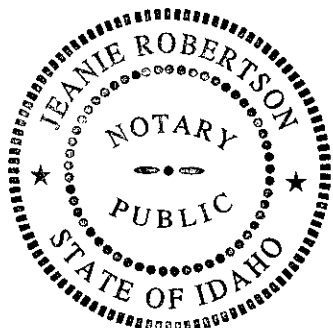
2/25/97
Date

State of Idaho)
County of Twin Falls) SS.

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

Janie 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

~~A45-00240~~, 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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4. Point of Diversion:

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12S	25E	29	NW	NE	SW		CASSIA

5. Description of diverting works:
DAM AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.100		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is 300.0 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
			NE	SE		STOCK	
			NW	SE		IRR	30.0

A45-00236

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	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	
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MICROFILMED

MAR 07 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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11. Place of use in counties: CASSIA

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

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SEE REMARKS.

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A45-00528 *****

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/17/1910

JOHN A. BRIDGER, ET.AL.

Decree Plaintiff

vs

HYRUM TREMAYNE, 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: _____

A45-00236

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
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 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 Ollendick
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7, 1994

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			SW	SE		IRR	40.0

Section Acres 100.0

A45-00236

Page 1

Date: 05/15/89

MICROFILMED

MAR U 7 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	25E	9	NE		SW		IRR	35.0
			NW		SW		IRR	35.0
			SW		SW		IRR	35.0
			SE		SW		IRR	35.0
							Section Acres	140.0
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			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
			SW		SE		IRR	40.0
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			SE		NE		IRR	40.0
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A45-00236 A45-00240 A45-00246 A45-00285A
A45-00287 A45-00290 A45-00291 A45-00518

14. Remarks: Continued

A45-00519

A45-00707

A45-00706

A45-00259

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/17/1910

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Decree Plaintiff

vs

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

Larry Mahoney
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 Chell
Notary Public

Seal

Residing at Twin Falls

My Commission Expires Dec 7, 1994



25E.

A45-00236

12S.

MICROFILMED
MAR 17 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

DEPT INTERNET WEB SITE: [www/idwr.state.id.us](http://www.idwr.state.id.us)

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 3, 2004

LARRY MAHONEY
PO BOX 177
ALBION ID 83311

RE: PENDING SNAKE RIVER BASIN ADJUDICATION CLAIM 45-13769 AND OTHER
ISSUES

Dear Larry

I have generated a temporary claim for the in-stream stockwater use from Rose Creek and the spring. Please review the attached claim form and map to make sure it conforms to your wishes. If it is correct, then complete the signature block and have your signature notarized and then return the claim form along with a \$25.00 check made out to IDWR (Idaho Department of Water Resources). If you have any questions or feel that changes are needed please call me at (208)736-3033.

I started to data enter an in-stream stockwater claim from Howell Creek but I could not find any ground owned by Black Jack that includes Howell Creek. If you were considering the ground owned by the BLM and/or Forest Service that you lease, I would accept the claim but would suggest that you communicate with the appropriate agency before filing. There are areas where the department is recognizing dual claims for the same in-stream use, one by the Federal government and the other by a private individual.

You provided me with a copy of the Hansen vs Carpenter decree regarding the delivery of Broad Hollow water. After reviewing the available maps it appears that Broad Hollow is tributary to Howell Creek, however the last paragraph appears to suggest that Broad Hollow is to NOT be considered when delivering Howell Creek and/or Marsh Creek rights. I have referred this issue to the department legal staff and they are reviewing the available information and will get back to me later.

I believe that this covers the issues we discussed in Burley but if I missed something please let me know.

Sincerely

Kelly K Christensen
Sr Water Resource Agent
E-mail address: kchrste@idwr.state.id.us

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

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SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 26, 2003

COPY

BLACK JACK RANCH INC
PO BOX 177
ALBION ID 83311

RE: SNAKE RIVER BASIN ADJUDICATION CLAIM RECOMMENDATIONS

Dear Larry

Enclosed are the recommendations and related layouts related to the adjudication claims that you have filed. My recommendations are based upon the information I obtained during our visit at your home and existing documents on file here at the department.

Please review the recommendations and if you have any questions please give me a call so that we can discuss them.

Sincerely

Kelly K Christensen
Sr Water Resource Agent
E-mail address: kchrste@idwr.state.id.us

Enclosures

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: 45-236

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):

Trihntamy to Rose Creek NOT Howell Creek

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:

*11th Judicial district decision dated 5 May 1927
permanently enjoined diversion of any water from
Broad Hollow into Howell Creek*

☒ 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

IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CASSIA.

Brigham Hansen,
Plaintiff.

-vs-

Harry D. Carpenter, as
Water Master of Marsh Creek.
Defendant.

JUDGMENT.

This cause came regularly on for hearing before the Court on the 21st day of April, 1920, on the complaint of the plaintiff. The plaintiff appeared in person and by S. T. Lowe, his attorney, and the defendant having failed to appear either in person or by an attorney, and it appearing to the Court that the time for appearing answering or demurring to the complaint of the plaintiff had expired, and no appearance, answer or demurrer had been made or filed by the defendant, on motion of S. T. Lowe, attorney for the plaintiff, the default of the defendant for his failure to appear or answer the complaint of the plaintiff was by the court ordered entered. Thereupon witnesses on behalf of the plaintiff were sworn and examined and documentary evidence introduced and the plaintiff rested, and the evidence being closed and the Court being fully advised in the premises, and it appearing to the court that all of the allegations of the complaint of the plaintiff were true and had been supported by the evidence, it was by the court ordered that judgment be entered in favor of the plaintiff as prayed for in his complaint.

NOW THEREFORE, By virtue of the law and by reason of the premises aforesaid, it is hereby ordered, adjudged and decreed that the plaintiff be, and he is hereby found, adjudged and decreed to be the owner of the use and the right to the use of 120 or 2.4 second feet of the flow of the waters of Broad Canyon or Broad Hollow, the same being a stream flowing variable amounts of water during the early part of the irrigation season, located near Howell Creek, which said Howell Creek is a tributary to Marsh Creek, in the County of Cassia, State of Idaho, in the County of Cassia, State of Idaho, with date of priority of April 15, 1883, upon the following described real estate in the County of Cassia, State of Idaho, to-wit; West half of the Northwest quarter ($W\frac{1}{2}NW\frac{1}{4}$) and the Northwest quarter of the Southwest quarter ($NW\frac{1}{4}SW\frac{1}{4}$) of Section seventeen (17), Township twelve (12) South, Range twenty-five (25) East Boise Meridian.

It is further ordered, adjudged and decreed that the plaintiff Brigham Hansen, be, and he is hereby found, adjudged and decreed to be the owner of the use and the right to the use of 200 inches or 4 second feet of the flow of the waters of said Broad Canyon or Broad Hollow, with date of priority from April 15, 1916 for use upon the following described real estate in the County of Cassia, State of Idaho, to-wit; North half of the Northwest quarter ($N\frac{1}{2}NW\frac{1}{4}$) and the West half of the Northwest quarter ($W\frac{1}{2}NW\frac{1}{4}$) of Section twenty (20), and the Southeast quarter of the Northwest quarter ($SE\frac{1}{4}NW\frac{1}{4}$) and the West half of the Southwest quarter ($W\frac{1}{2}SW\frac{1}{4}$), and the Southwest quarter of the Southwest quarter ($SW\frac{1}{4}SW\frac{1}{4}$) of Section seventeen (17), Township twelve (12) South, Range

45-706

Sec 17
 $W\frac{1}{2}NW\frac{1}{4}$
 $NW\frac{1}{4}SW\frac{1}{4}$

Sec 20
 $N\frac{1}{2}NW\frac{1}{4}$
 $W\frac{1}{2}NE\frac{1}{4}$

Sec 17
 $SE\frac{1}{4}NW\frac{1}{4}$
 $E\frac{1}{2}SW\frac{1}{4}$
12S 25E
45-707

twenty-five (25) East Boise Meridian.

It is further ordered, adjudged and decreed that the temporary injunction heretofore issued in the above entitled cause be, and the same is hereby made permanent, and the said defendant, and his successors in office is hereby perpetually enjoined and restrained from turning the said water, or any part or parcel thereof, into Howell Creek, which is a tributary of Marsh Creek.

DATED this 5th day of May, 1927.

Wm A. Babcock
District Judge.

08/14/2003

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

RIGHT NUMBER: 45-236

NAME AND ADDRESS: BLACK JACK RANCH INC
PO BOX 177
ALBION ID 83311

SOURCE: BROAD HOLLOW CREEK

QUANTITY: 2.100 CFS

TRIBUTARY: HOWELL CREEK

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.

PRIORITY DATE: 04/12/1892

POINT OF DIVERSION: T12S R25E S29 NWNESW Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	2.100 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			

732.5 ACRES TOTAL

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 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

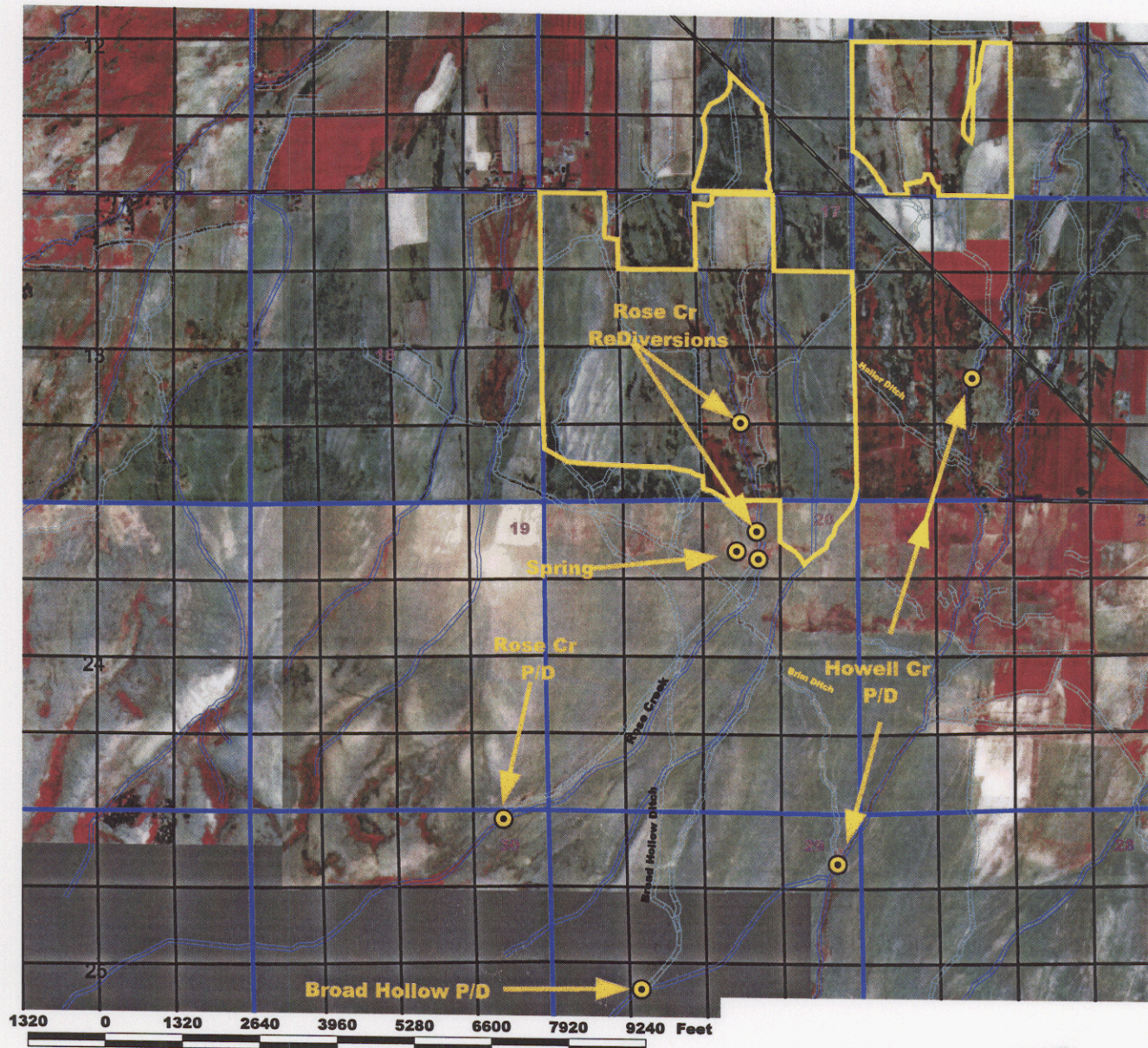
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

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

Idaho Department of Water Resources

**RECOMMENDED PLACE OF USE FOR
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**



PLACE OF USE

TWP 12S, RNG 25E, SEC 8, 9, 17 and 20

Data entry on August 19, 2003

- RECOMMENDED POINT OF DIVERSION
- RECOMMENDED PLACE OF USE
- SECTION LINES
- QUARTER/QUARTER LINES

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN



CASSIA CO



Black Jack Ranch Claims

45-236 some question as to # of actual irrigated acres within the decreed P/U. Decreed P/U entirely within claimed P/U.

45-240. 75% of decreed P/U owned by Black Jack. The other 25% is owned by Hawker. Hawker has claimed 4.2 CFS and 25% of the decreed rate is 1.115 CFS. Black Jack has claimed the entire right but only 3.345 CFS is appurtenant to ground owned by Black Jack. 2 of the decreed 40-acre tracts are not claimed in 2nd? Actual irrigation of Hawker property is questionable.

Based upon 2 facts from Hawker does not irrigate ground

45-246B The decreed P/U is owned by 3 different individuals. Kempton's portion is not claimed by him. Bell owns 2 40-acre tracts and Black Jack owns 3 40-acre tracts. On a proportionate basis Bell would have 1.03 CFS and Black Jack would have 1.54 CFS. Black Jack ground within decreed P/U appears to be fairly well irrigated.

45-259 Claimed by both Black Jack & Six S Ranch. The Six S Ranch claim has been recommended for disallowal. I am recognizing the entire right for Black Jack. Claimed P/U appears to be fairly well irrigated.

- 45-285A The decreed P/A is split & claimed in a 50% ratio between Arduan & BlackJack. No apparent other claimants are observed with the claim against this right.
- 45-287 The decreed P/A is within the claimed P/A. No other claimants against this right. Some question regarding irrigated areas within the P/A.
- 45-290 BlackJack owns 2 40-acre tracts of the decreed P/A and Dailey owns 1 40-acre tract of the decreed P/A. Based upon a proportionate share:
 receive $\frac{2}{3} \cdot .80 \text{ CFS} \approx .53 \text{ CFS}$ BLACK JACK.
 receive $\frac{1}{3} \cdot .80 \text{ CFS} \approx .27 \text{ CFS}$ Dailey
- 45-291 The entire decreed P/A is within the claimed P/A. No other claimants against this right. P/A appears irrigated.
- 45-518 The decreed P/A is within the claimed P/A. No other claimants against right. The entire decreed P/A overlaps with 45-240. 1 Forty acre tract also overlaps with 45-237 (20 Rose Cr Source claims) some questions regarding flow rates.
- 45-519 Spring Source. Diversion system and delivery system not clear. P/A also questionable.

- 45-528 This right was claimed by Black Jack & Diamond. A transfer moved the entire right to Black Jack's property. I disallowed Diamond's claim. I am recognizing this right for Black Jack only.
- 45-706 Decreed P/U is within the claimed P/U. No other claimants Recon to Black Jack
- 45-707 Black Jack owns 6 40-acre tracts of the decreed P/U. but have only claimed 4 of the tracts. Hawker owns 2 40-acre tracts but has not claimed against this right.
- 45-2004 } see question sent to legal. 4-17-03
-2049 }

Idaho Dept of Water Resources
Claims review notes and narrative

Date: 8-5-2003 File: 45-236 etaj Black Jack Ranch short claims summary

Mahoney field meeting
Aug 12, 03 in Albion.
Prepared by Kelly K Christensen

Black Jack Ranch (B.J.)

P/D lamp Shapefile
45-236 Black Jack pds.

45-236 BJ only claimant. # of acres irrigated is a minor issue. Broad Hollow 2.10 cfs / 102 = 105 ac
decreed to 120 ac Aprox 1/2 now in reveg
120 ac? no stockwater.

B # P/D (1) = Sec 29 NW 1/4 SW #4

45-240 Also claimed by Hawker but Hawker does not use right. decreed to 320 ac @ 4.46 cfs
8 40-acre tracts are owned by BJ not all acres are irr. Recognize full rate
at 1" per acre or limit to 223 ac within P/U. Claimant Pipes Rose Cr for approx 1000 ft
Rose Cr diversions - "3" # 3, 8, 9 and returns flow to Rose Cr and then
Point of injection - "1" # 7 and diverts that flow downstream at
2 other points. no stockwater

45-246B Also claimed by Bell. Decreed to 7 40-acre tracts @ 3.60 cfs

Bell owns 2 40-acre tracts claims 2.40 cfs
B.J. owns 3 40-acre tracts claims 3.60 cfs
Kempton owns 2 40-acre tracts no claim filed

	AT	Based on 5 tracts
Proportionate share 2/7 * 3.60 cfs = 1.03 cfs	2/3	1.20
Proportionate share 3/7 * 3.60 cfs = 1.54 cfs	2/3	2.40
Proportionate share 2/7 * 3.60 cfs = 1.03 cfs		

Recom 2.40 @ 120 ac (acreage @ 1"/ac)

Source = Howell Cr.

Recognize 2 P/Ds # 1 & 2

no stockwater

Recom

45-259 Also claimed by Six S Ranch. Six S Recommendation is for disallowal. Recommend entire right to B.J.
Rose Cr decreed to 160 ac @ 0.60 cfs on 80 ac P/U per indenture dated Oct 2, 1895
the Benjamin Mahoney & Margaret Mahoney.
limit to 0.60 cfs on 80 ac stockwater

P/Ds see 240 Anderson

45-285A Also claimed by ~~BJ~~. Ownership of decreed place of use is split 50-50 between the two claimants. The
claimed rates reflect the 50-50 split, no apparent problems. Howell Cr

Recom split rate @ Howell Cr P/Ds. 15 cfs

limit to 30 ac (the ~~max~~)

287 Rose Cr
1.40 cfs decreed to 160 ac
virtually all of P/U irrigated dam limiting this right to 60 ac within the P/U.
stockwater

45-290 Also claimed by Dayley. Decreed to 3 40-acre tracts @ 0.80 cfs

Dayley owns 1 40-acre tract claimed 0.27 cfs
B.J. owns 2 40-acre tracts claimed 0.80 cfs

Proportionate share 1/3 * 0.80 cfs = 0.27 cfs
Proportionate share 2/3 * 0.80 cfs = 0.53 cfs

Recognize Split. as shown

BJ owns 80 acres within decreed P/U. a small portion of P/U is
not irr recognize 80 ac @ an unrecorded transfer
Howell Cr Source. Recognize 2 Howell Cr P/Ds # 1 & 2 stockwater.

45-291 B.J. only claimant. No apparent problems.

Recom Howell Cr P/Ds

decreed on 80 ac recognize @ 80 ac virtually all of 80 ac irr. stockwater

45-518 B.J. only claimant. Overlap questions, system not clear, irr acres not clear. Rose Cr @ 1.90 cfs
decreed to ~~518~~ 160 ac 36 ac not irr
limit P/u to 124 ac
use Rose Cr P/Ds.
stockwater

45-519 B.J. only claimant. Source is spring. Diversion system and delivery system not clear. Irr p/u also
questionable decreed rate = .04 cfs
same P/u as 518 limit 124 ac
P/D - Sec 20 SW NWNE (#5)
stockwater

45-528 Also claimed by Diamond. A transfer moved the entire right to B.J. property. Diamond claim
recommended for disallowal. Right recognized for B.J. only Rose Cr Source .60 cfs
T-411 moved this right to 40 ac (Sec 17 NWNE)
limit right to 40 ac @ .60 cfs
Rose Cr P/Ds
stockwater

45-706 B.J. only claimant. Claimed p/u is within decreed p/u. No apparent problems 2.40 cfs
decreed P/u - 120 ac basically all irr.
limit to 120 ac @ 2.40 cfs
Source Broad Hollow.
P/D(1) = Sec 29 NW NE SW (#4)

45-707 B.J. only claimant. Decreed to 8 40-acre tracts.
B.J. owns 6 40-acre tracts and has claimed 4 of the decreed 40-acre tracts within a ppu as the
irrigated place of use for the entire right.
Hawker owns 2 of the 40-acre tracts but is not irrigating that ground nor has he claimed against
this right. 4.00 cfs @ 1" = 200 ac
limit to 160 ac

45-2004 B.J. only claimant. Upon review it appears that 45-246 superceded this right, as Pratt was a party to
the Bridger vs. Tremayne decree. Both 45-246 and 45-2004 were recorded with Pratt as the owner.
disallow

45-2049 B.J. only claimant. This claim is not part of the ppu of a majority of the rights claimed by B.J. Property
is northeast of Albion. This right does not appear to be a part of the Bridger vs. Tremayne decree,
however, there is some question as to the extent of the irrigation practices.

recognize instream stock only.

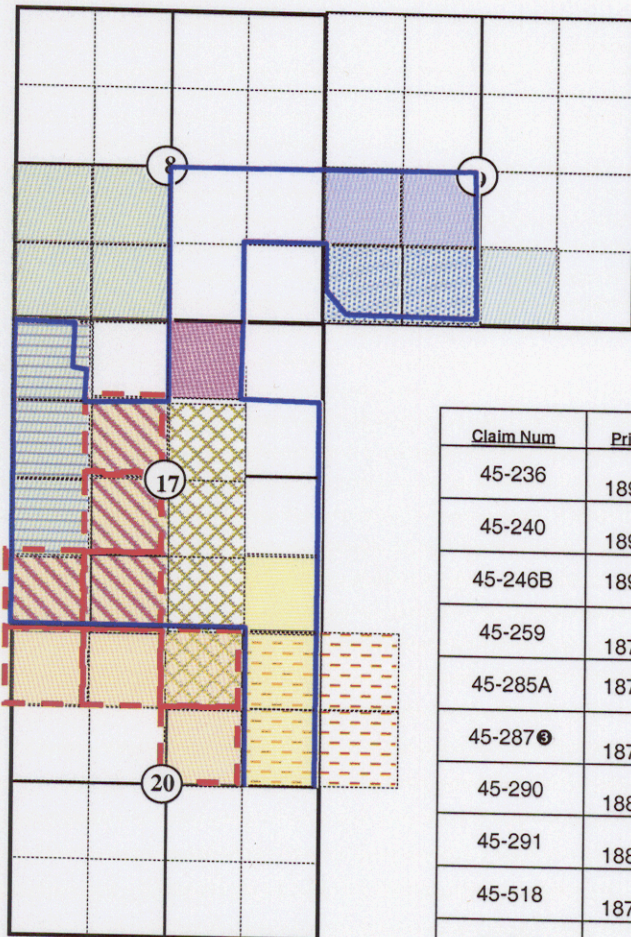
Idaho Dept of Water Resources
Claims review notes and narrative

Date: 8-23-2002

File: black jack ranch decreed pu

Prepared by Kelly K Christensen

45-236, 45-240, 45-246B, 45-259 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528 45-706,
45-707, 45-2004, and 45-2049



45-236

45-240

45-246

45-259 is decreed to T1S, 25E, Sec 11 SW¼.
Warranty deeds indicate an unrecorded transfer to Sec 9 S½SW¼

45-285

45-287

45-290

45-291

45-518 45-519

45-528 Thru T-89 & 411

45-706

45-707

Claimed P/U

Claim Num	Priority Date	Diversion Rate	Source List	Water Use List	Comments
45-236	1892-04-12	2.10	BROAD HOLLOW CR	IRR, STOCK	No other claimants
45-240	1892-04-12	4.46	ROSE CR	IRR, STOCK	Conflict 240A Hawker
45-246B	1892-04-12	3.60	HOWELL CR	IRR, STOCK	Conflict 246A Bell
45-259	1875-03-01	0.60	ROSE CR	IRR, STOCK	Conflict 259B Dewey Ac
45-285A	1878-04-01	0.15	HOWELL CR	IRR, STOCK	Conflict 285 Anderson
45-287③	1875-06-05	1.40	ROSE CR	IRR, STOCK	No other claimants
45-290	1881-05-31	0.80	HOWELL CR	IRR, STOCK	Conflict 290A Dayley
45-291	1884-05-01	0.50	HOWELL CR	IRR, STOCK	No other claimants
45-518	1876-04-01	1.90	ROSE CR	IRR, STOCK	No other claimants
45-519	1875-04-01	0.04	SPRINGS	IRR, STOCK	No other claimants
45-528 ①	1875-03-01	0.60	ROSE CR	IRR, STOCK	Conflict 528A Dimond (disallowed)
45-706②	1883-04-15	2.40	BROAD HOLLOW CR	IRR, STOCK	No other claimants
45-707	4/15/1916	4.00	BROAD HOLLOW CR	IRR, STOCK	No other claimants
45-2004	5/24/1904	0.80	HOWELL CR	IRR, STOCK	Possible conflict with Bridger vs Treymayne
45-2049	11/13/1908	0.60	DOMINION MINE SPRINGS	IRR, STOCK	Independent system

① P/U changed through T-89 and T-411 from the original decreed P/U to ground within Black Jack's claimed P/U

② 45-2004 – Licensed P/U is within the decreed P/U for Bridger Vs Tremayne (Decree date 3-17-1910) The licensed priority date = 5-24-1904 and the license date is 9-15-1909. Question – Has this right been superceded by the decree?

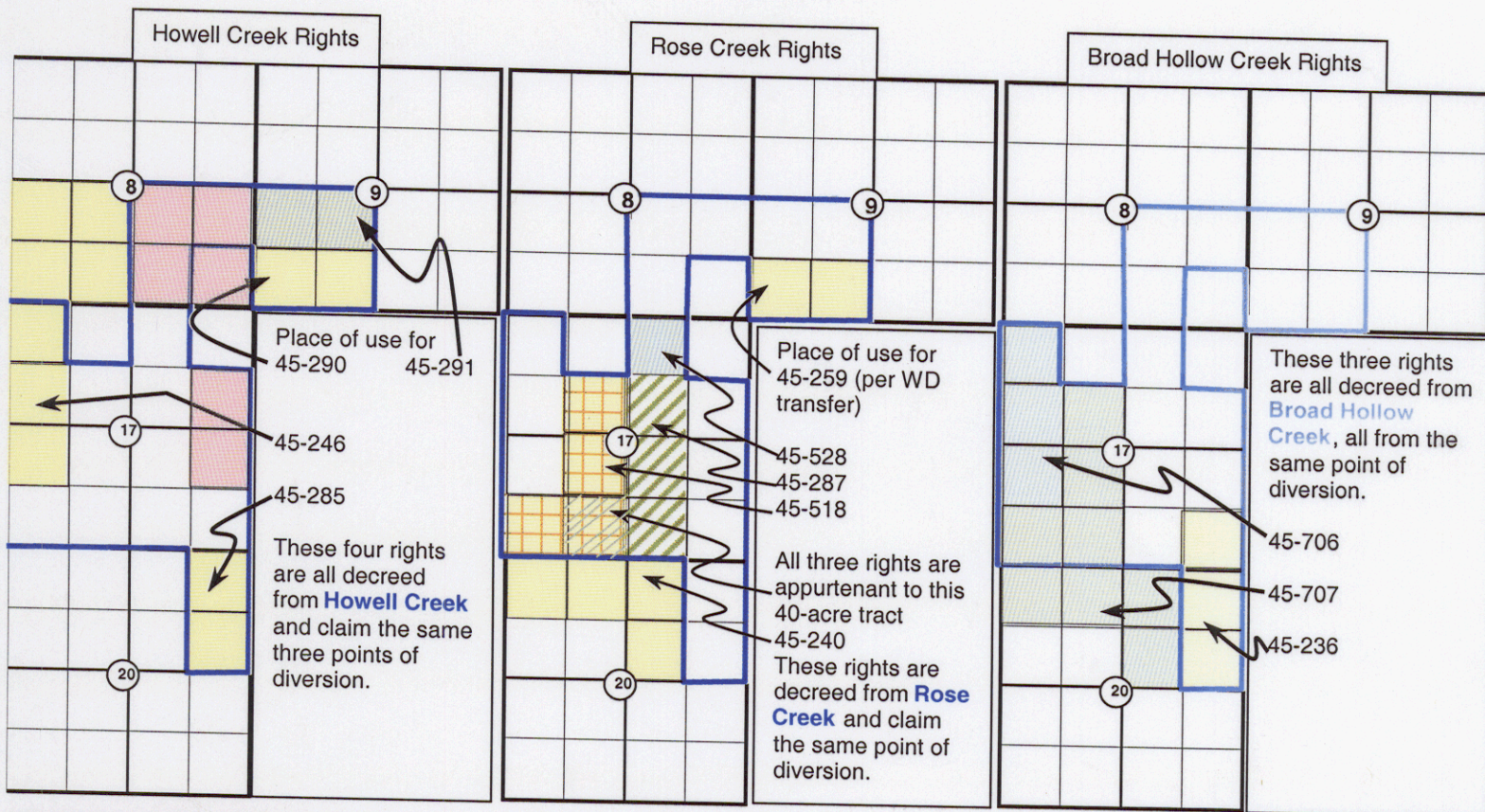
③ There has been a lot of confusion concerning the correct place of use for this right. Apparently the decree stated Sec 7 rather than Sec 17. This right was then included in T-2511 for the rights

Jaho Dept of Water Resources Claims review notes and narrative

Date: 4-16-2003

File: 25-236 et al black jack dec right review

Prepared by Kelly K Christensen



The pink shaded areas represent ground where **NO** decreed rights are appurtenant.

The blue outline represents the claimed place of use.

<u>Claim Num</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Source List</u>	<u>Water Use List</u>	<u>Comments</u>
45-236	1892-04-12	2.10	BROAD HOLLOW CR	IRR, STOCK	No other claimants
45-240	1892-04-12	4.46	ROSE CR	IRR, STOCK	Conflict 240A Hawker
45-246B	1892-04-12	3.60	HOWELL CR	IRR, STOCK	Conflict 246A Bell
45-259	1875-03-01	0.60	ROSE CR	IRR, STOCK	Conflict 259B Dewey Ac
45-285A	1878-04-01	0.15	HOWELL CR	IRR, STOCK	Conflict 285 Anderson
45-287	1875-06-05	1.40	ROSE CR	IRR, STOCK	No other claimants
45-290	1881-05-31	0.80	HOWELL CR	IRR, STOCK	Conflict 290A Dayley
45-291	1884-05-01	0.50	HOWELL CR	IRR, STOCK	No other claimants
45-518	1876-04-01	1.90	ROSE CR	IRR, STOCK	No other claimants
45-519	1875-04-01	0.04	SPRINGS	IRR, STOCK	No other claimants
45-528 ①	1875-03-01	0.60	ROSE CR	IRR, STOCK	Conflict 528A Dimond (disallowed)
45-706	1883-04-15	2.40	BROAD HOLLOW CR	IRR, STOCK	No other claimants
45-707	4/15/1916	4.00	BROAD HOLLOW CR	IRR, STOCK	No other claimants
45-2004 ②	5/24/1904	0.80	HOWELL CR	IRR, STOCK	Possible conflict with Bridger vs Treymanne
45-2049	11/13/1908	0.60	DOMINION MINE SPRINGS	IRR, STOCK	Independent system

Log for claim A45-00236

Spatial Dynamics MWY

3/29/00

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	

Township , 12S25E

