

T

Harley's

SUGAR VALLEY QUADRANGLE
IDAHO-OWYHEE CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

SE 1/4 BRUNEAU 15' QUADRANGLE

115°45'

42°52'30"

440000
FEET

4747

4746

4745

1.6 S.

1.7 S.

HOT SPRING 3.9 MI.

2869 IV NE
(BRUNEAU)

2479

2498

2499

2500

508 R 5 E. R 6 E. 47'30" 99 490000 FEET

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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: A51-00025B
Date Received: 1/19/1989
Receipt No: W002030
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: STATE OF IDAHO 208-327-7025
Address: DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83720

2. Date of Priority: APR 1, 1897

3. Source: BRUNEAU RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	06E	5	SW	SE			OWYHEE

5. Description of diverting works:
HEADGATES IN CANAL TO DITCHES TO FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.050		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/ INSTREAM STOCKWATER, VARIABLE AMOUNTS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	06E	31	SW	NE		IRR	10.0
			SW	NE		STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	06E	31	NW SE		IRR	28.0
			NW SE		STOCK	
					Section Acres	38.0
					Total Acres	38.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
5100024, 5100026.

14. Remarks:

WATER DELIVERED VIA SOUTH SIDE CANAL.
THIS IS A SPLIT OF 51-00025.
AMENDED 03/21/1989 TO REFLECT POINT OF DIVERSION FOR SOUTH SIDE
CANAL AND NOT LATERALS ORIGINALLY CLAIMED. ELR
OWNERSHIP CHANGED BY KW 10/27/92.
OWNERSHIP CHANGED BY KW 11/16/92.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

GRANDVIEW IRR. DIST. BRUNEAU BUCKAROO CO-OP DITCH
Decree Plaintiff 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 _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____ and that the statements contained in the
_____ foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED
JUL 27 1992

DATE OF CLOSING: 06-17-92

Department of Water Resources
Western Regional Office
See Exhibit "A"

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.

Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
A51-00053A, A51-10166, A51-10169, A51-00024B, A51-00025B, A51-00026B,
- [] Water Right Number(s) A51-10218, A51-10219, A51-10225, A51-00027A, A51-10165, A51-00028A
Assigned by IDWR: A51-00029A, A51-00042A, A51-00043A, A51-00044A, A51-00045A
- [] Name and Address of Former Owner/Claimant(s)(Seller): Bruneau River Wildlife Ranch
P.O. Box 732
Sun Valley, Idaho 83353
- [] New Owner/Claimant (Purchaser): Idaho Department of Fish and Game
- [] New Mailing Address: 600 S. Walnut Avenue
P.O. Box 25
Boise, Idaho 83707
- [] New Telephone Number: (208) 334-3700
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached: Warranty Deed *see in file A51-00053A kw*
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- [] Signature of New Owner/Claimant(s) Stacy G. [Signature] Date 7/22/92
Regional Supervisor Date _____
- [] Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 11/16/92 By: kw

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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: A51-00025B
Date Received: 1/19/1989
Receipt No: W002030
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRUNEAU RIVER WILDLIFE RANCH 208-726-2000
Address: PO BOX 1560
SUN VALLEY ID 83353

2. Date of Priority: APR 1, 1897

3. Source: BRUNEAU RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	06E	5	SW	SE			OWYHEE

5. Description of diverting works:
HEADGATES IN CANAL TO DITCHES TO FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.050		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/ INSTREAM STOCKWATER, VARIABLE AMOUNTS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	06E	31	SW	NE		IRR	10.0
			SW	NE		STOCK	
			NW	SE		IRR	28.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	06E	31	NW	SE		STOCK	
Section Acres							38.0
Total Acres							38.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
5100024, 5100026.

14. Remarks:

WATER DELIVERED VIA SOUTH SIDE CANAL.
THIS IS A SPLIT OF 51-00025.
AMENDED 03/21/1989 TO REFLECT POINT OF DIVERSION FOR SOUTH SIDE
CANAL AND NOT LATERALS ORIGINALLY CLAIMED. ELR
OWNERSHIP CHANGED BY KW 10/27/92.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

GRANDVIEW IRR. DIST.
Decree Plaintiff

BRUNEAU BUCKAROO CO-OP DITCH
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 _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____ and that the statements contained in the
_____ foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



APR 17 1992

DATE OF CLOSING: 12/31/91

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____If you have additional legal descriptions, please attach separate sheet. *LEGAL ATTACHED**Rec'd from
So on
4-21-92*

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s)
Assigned by IDWR: SEE ATTACHED
- [] Name and Address of Former Owner/Claimant(s)(Seller): ALBERT F. HARLEY
9673 PATTIE COURT
BOISE, ID 83704
- [] New Owner/Claimant (Purchaser): BRUNEAU RIVER WILDLIFE RANCH, INC. DATED 1-10-92
- [] New Mailing Address: P.O. Box 1560
SUN VALLEY
IDAHO 83383-83353 kw) 10/27/92
- [] New Telephone Number: (208) 726-2000
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached: COANO NEEDED
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- [] Signature of New Owner/Claimant(s) BRUNEAU RIVER WILDLIFE RANCH Date 4-15-92
by Charles P. Ryan - Managing Partner Date 4-15-92
(TXSON)
- [] Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner*See original
in file
A51-00027A*

SD-33	Last Name: HARLEY	STATE
S	O	
E	W	
L	N	
First Name	Water Right No.	Priority Date
Source	Total Diversion	Use Code Desc
HARLEY		
ALBERT F.	✓C A51-00027A	04/01/1875 BRUNEAU RIV 1.690
✓ALBERT F.	✓C A51-10165	12/31/1949 GROUNDWATER 0.060
ALBERT F.	✓C A51-00028A	04/01/1897 BRUNEAU RIV 0.620
ALBERT F.	✓C A51-00029A	04/01/1905 BRUNEAU RIV 0.460
ALBERT F.	✓C A51-00042A	04/01/1875 BRUNEAU RIV 0.210
ALBERT F.	✓C A51-00043A	04/01/1876 BRUNEAU RIV 0.470
ALBERT F.	✓C A51-00044A	04/01/1897 BRUNEAU RIV 0.280
ALBERT F.	✓C A51-00045A	04/01/1905 BRUNEAU RIV 0.210

(Enter-Continue)

(GOLD7-This Query)

(Menu _____)

SD-33	Last Name: HARLEY				STATE	
S	First	O	Water	Priority	Total	Use
E	Name	W	Right No.	Date	Diversi	Code Desc
L		N			on	
	HARLEY					
	ALBERT F.	✓C	A51-00053A	04/01/1905	BRUNEAU RIV	0.190
	ALBERT F.	✓C	A51-10166	04/01/1875	FLOOD WATER	7.460
	ALBERT F.*	✓C	A51-10169	02/15/1925	BRUNEAU RIV	0.240
	ALBERT F.	✓C	A51-00024B	04/01/1881	BRUNEAU RIV	0.240
	ALBERT F.	✓C	A51-00025B	04/01/1897	BRUNEAU RIV	0.050
	ALBERT F.	✓C	A51-00026B	04/01/1905	BRUNEAU RIV	0.100
	ALBERT F.	O	A51-00050C	04/01/1875	COMBINED RI BRUNEAU RIV SPLIT RIGHT	0.040

(Enter-Continue)

(GOLD7-This Query)

(Menu _____)

Post-It™ brand fax transmittal memo 7871 # of pages = 5

To	Charlie Tyson	From	David Smith
Co.		Co.	
Dept.		Phone #	1-800-451-4129
Fax #	726-2002	Fax #	

SD-33	Last Name: HARLEY		STATE				
S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
-	HARLEY						
-	ALBERT F.	✓C	A51-10218	04/01/1875	BRUNEAU RIV	0.100	01 IRR 04 STOCK
-	ALBERT F.	✓C	A51-10219	04/01/1876	BRUNEAU RIV	0.580	01 IRR 04 STOCK
-	ALBERT F.	✓C	A51-10225	04/01/1897	BRUNEAU RIV	0.160	01 IRR 04 STOCK
-	ALBERT F	✓C	R51-10165	12/31/1949	GROUNDWATER	0.060	43 DOMEST
-	~~HARLEY RANCHES~~						
-		~~C~~	~~A51-04017~~	~~08/05/1887~~	~~JACKS CREEK~~	~~4.000~~	~~01 IRR~~
-		~~C~~	~~A51-04018~~	~~01/01/1914~~	~~GROUNDWATER~~	~~0.200~~	~~01 IRR~~
-							~~04 STOCK~~
-		~~C~~	~~A51-04019~~	~~01/01/1928~~	~~GROUNDWATER~~	~~0.580~~	~~01 IRR~~
-							~~04 STOCK~~
-		~~C~~	~~A51-04020~~	~~01/01/1912~~	~~GROUNDWATER~~	~~0.100~~	~~01 IRR~~
-							~~04 STOCK~~

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

WARRANTY DEED

For Value Received

ALBERT F. HARLEY and ANA M. HARLEY, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto
BRUNEAU RIVER WILDLIFE RANCH, an Idaho limited partnership

the grantee, whose current address is, P.O. Box 732, Sun Valley, ID 83353
the following described premises, to-wit:

As more fully set forth in Exhibit "A" attached hereto and by
reference made a part hereof:

SUBJECT TO exceptions and reservations contained in patents
from the United States.

SUBJECT TO all easements, restrictions and reservations of
record and of use.

SUBJECT TO any change in the location of the Bruneau River and
the Bruneau South Side Canal.

SUBJECT TO any rights of the United States, or any governmental
agency to any part of the land lying within the mean high water
line of the Bruneau River.

SUBJECT TO an unrecorded lease to Ron Prow through the year 1991.

204201

FILED-RECORDED

JAN 2 10 48 AM '91

BARBARA J. O
CLERK COUNTY CLERK
BY *[Signature]*
DEPUTY

INDEXED

RECORDED

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
its heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantee, that they are the owners in fee simple of said premises, that said
premises are free from all incumbrances except taxes and assessments for the year 1991
and subsequent years.

and that they will warrant and defend the same from all lawful claims whatsoever.
Dated: December 31, 1990

[Signature]
Albert F. Harley

[Signature]
Ana M. Harley

STATE OF IDAHO, COUNTY OF Owyhee

On this 31st day of December, 1990,
before me, a Notary Public in and for said State, personally
appeared Albert F. Harley
Ana M. Harley

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

[Signature]
Notary Public
Residing at Wilder, Idaho
Comm. Expires 7/10/93

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of

at _____ minutes past _____ o'clock in
this _____ day of _____
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.
Fees \$ _____
Mail to: _____

EXHIBIT "A"

IN TOWNSHIP 6 SOUTH, RANGE 5 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 36: E½SE½
EXCEPTING THEREFROM all that portion of the SE½SE½
lying South and West of the public road.

Section 36: That portion of the SE½NE½ bounded and described
as follows: Beginning at the East quarter corner
of Section 36, T6S, R5E, B. M.; thence North 0°01'
West a distance of 1,065 feet to a point; thence
North 88°30' West a distance of 1,320.4 feet to a
point; thence South 0°01' East a distance of
1,102.5 feet to a fence line on the south line of
SE½NE½; thence North 89°52' East a distance of
1,320 feet, more or less, to the point of
beginning.

IN TOWNSHIP 6 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 31: All that part of the SW½NE½ and all that part of
the NW½SE½ and all that part, if any, of the
NE½SE½ lying South and West of the Bruneau River;

Section 31: Lots 1 and 2, and the E½NW½
EXCEPTING AND EXCLUDING that portion thereof
described as follows: A tract of land in the NW½
of Section 31, T6S, R6E, B. M., more particularly
described as follows: BEGINNING at the North
quarter corner of Section 31, T6S, R6E, B. M.;
thence South 0°01' East a distance of 1,474 feet,
more or less, to the right river bank of the
Bruneau River; thence Northwesterly along the
meanders of the Bruneau River to a point on the
North section line of Section 31, T6S, R6E, B. M.,
said point being North 89°34' West a distance of
1,905 feet, more less, from the point of
beginning; thence South 89°34' East a distance of
1,905 feet, more or less, to the POINT OF
BEGINNING.

Section 31: Lots 3 and 4 and the E½SW½ lying North of the
centerline of the South Side Canal

Section 31: SW½SE½ lying North of the Centerline of the South
Side Canal

AND

IN TOWNSHIP 6 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 31 and

Section 32: A portion of the SE½SE½ of Section 31 and
A portion of SW½SW½ of Section 32, bounded and
described as follows:

Beginning at the section corner common to
Sections 31 and 32, T6S, R6E, B. M.; thence North
89°48' West a distance of 47.5 feet to the TRUE
POINT OF BEGINNING;
thence North 9°18' West a distance of 162.0 feet
to a point in existing fence line;
thence North 58°12' East a distance of 477.7 feet
along existing fence line to a point;
thence North 62°27' East a distance of 380.0 feet,
more or less, to the Bruneau River;
thence South 41°55' East a distance of 878.2 feet
along meander of Bruneau River;
thence North 00°11' West a distance of 1,320 feet
to the North boundary line of the SW½SW½ of said
Section 32;
thence South 89°48' West a distance of 1,320
feet, more or less, to the section line between
Sections 31 and 32;

(continued)

Attest: Lament Warranty Deed
Hobby/Bruneau River Wildlife Ranch
Exhibit "A" continued

thence North 89°48' West a distance of 1,335 feet,
more or less, to the West boundary line of the
SE¼SE¼ of said Section 31;
thence South 00°11' East a distance of 1,320 feet,
more or less, to the South section line of said
Section 31;
thence South 89°48' East a distance of 1,287.5
feet, more or less, to the POINT OF BEGINNING;
EXCEPTING THEREFROM all that portion of the SW¼SW¼
of Section 32, T6S, R6E, B.M. lying North and East
of the Bruneau River.

IN TOWNSHIP 7 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 6: That part of Lot 1 and Lot 2 lying North of the
centerline of the South Side Canal;
EXCEPTING AND EXCLUDING that portion thereof
bounded as follows: Beginning at the section
corner common to Sections 5 and 6, T7S, R6E, B.M.;
thence S 84°02' W a distance of 159.3 feet to the
Northwest corner of the barn located on said
premises; thence South 16°57' West a distance of
303.7 feet to the northwest corner of the corral;
thence South 0°17' West a distance of 118.5 feet
to a point on said corral; thence North 35°00'
East a distance of 127.9 feet to a point on said
corral; thence North 28°42' East a distance of
365.7 feet to the POINT OF BEGINNING.
ALSO EXCEPTING AND EXCLUDING that portion of
Lot 1 of Section 6 lying Easterly of the following
described line; Beginning at the Section corner
common to Sections 5 and 6, T7S, R6E, B. M., the
POINT OF BEGINNING; thence South 28°42' West a
distance of 365.7 feet; thence South 35°00' West a
distance of 160.5 feet; thence South 13°28' West a
distance of 302.0 feet; thence South 07°32' East a
distance of 316.0 feet to the South Side Canal and
terminus of said line.

* * *

A7 ad

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: A51-00025B
Date Received: 1/19/1989
Receipt No: W002030
Received By: ETH

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ALBERT F. HARLEY
Address: 9673 PATTIE COURT
BOISE, ID

83704

2. Date of Priority: APR 01, 1897

3. Source: BRUNEAU RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	06E	5	SW	SE			OWYHEE

5. Description of diverting works:
HEADGATES IN CANAL TO DITCHES TO FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.050		
STOCKWATER	01/01	12/31	0.050		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

S/ INSTREAM STOCKWATER, VARIABLE AMOUNTS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	06E	31	SW	NE		IRR	10.0
			SW	NE		STOCK	

A51-00025B

Page 1

Date: 03/21/89

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	06E	31	NW NW	SE SE	IRR STOCK	28.0
Section Acres						38.0
Total Acres						38.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
5100024, 5100026.

14. Remarks:

WATER DELIVERED VIA SOUTH SIDE CANAL.
THIS IS A SPLIT OF 51-00025.
WRA51-00025 CLAIMED BY LESLIE D. GENNETTE ON 12/6/1988 FOR A
PORTION OF ORIGINAL DECREE.
WRA51-00025B CLAIMED 1/3/1989 BY ALBERT F. HARLEY FOR HIS PORTION
OF RIGHT (38 ACRES 0.05 CFS)
A51-00025 NEEDS TO BE SPLIT DURING REVIEW. ELR.
AMENDED 03/21/1989 TO REFLECT POINT OF DIVERSION FOR SOUTH SIDE
CANAL AND NOT LATERALS ORIGINALLY CLAIMED. ELR

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

GRANDVIEW IRR. DIST.
Decree Plaintiff

vs

BRUNEAU BUCKAROO CO-OP DITCH C
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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Albert F. Hawley Date: March 22, 89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 22 day
of March 19 89

Eldon L. Roush
Notary Public

Seal

Eldon L. Roush
Residing at _____ Residing at Boise, Idaho
My Commission Expires September 8, 1994

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: A51-00025B
Date Received: 01/19/89
Receipt No: W000203002031
Received By: EHR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Filing Fee \$50.00
Uncable Fee 0
overlap
w/ A51-000248
\$50.00

1. Name: ALBERT F. HARLEY
Address: 9673 PATTIE COURT
BOISE, ID

83704

2. Date of Priority: APR 01, 1897

3. Source: BRUNEAU RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	06E	31	NW	SW			OWYHEE
			SE	SW			OWYHEE
07S	06E	55	SE	NE			OWYHEE

5. Description of diverting works:
HEADGATES IN CANAL TO DITCHES TO FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.050		
STOCKWATER	01/01	12/31	0.050		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

S/ INSTREAM STOCKWATER, VARIABLE AMOUNTS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	06E	31	SW	NE		IRR	10.0
			SW	NE		STOCK	
			NW	SE		IRR	28.0
			NW	SE		STOCK	
						Section Acres	38.0
						Total Acres	38.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
5100024, 5100026.

14. Remarks:

THE POINT OF DIVERSION HAS BEEN ENTERED AS IT IS PRESENTLY; NOT
DEFINED IN W.R. DECREE. WATER DELIVERED VIA SOUTH SIDE CANAL.
THIS IS A SPLIT OF 51-00025.

WR # A51-00025 CLAIMED BY LESLIE D. GENNETTE ON 12/06/1988 FOR A
PORTION OF ORIGINAL DECREE.

WR # A51-00025B CLAIMED 01/03/1989 BY ALBERT F. HARLEY FOR HIS
PORTION OF RIGHT (38 ACRES 0.05CFS).

** A51-00025 NEEDS TO BE SPLIT DURING REVIEW. ELR.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

GRANDVIEW IRR. DIST.
Decree Plaintiff

vs

BRUNEAU BUCKAROO CO-OP DITCH C
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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): x Albert F Hanley Date: x 1/10/89

Date: _____

State of Idaho)
County of Ada) ss.

Subscribed and sworn (or affirmed) before me this 10 day
of Jan 19 89

Elda J. Fausch
Notary Public

Seal

Residing at Bosc
My Commission Expires 07/08/1997

T

Harley's

SUGAR VALLEY QUADRANGLE
IDAHO-OWYHEE CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

2869 IV NE (BRUNEAU) 115°45' 42°52'30" 440000 FEET 4747 4746 4745 T 6 S T 7 S

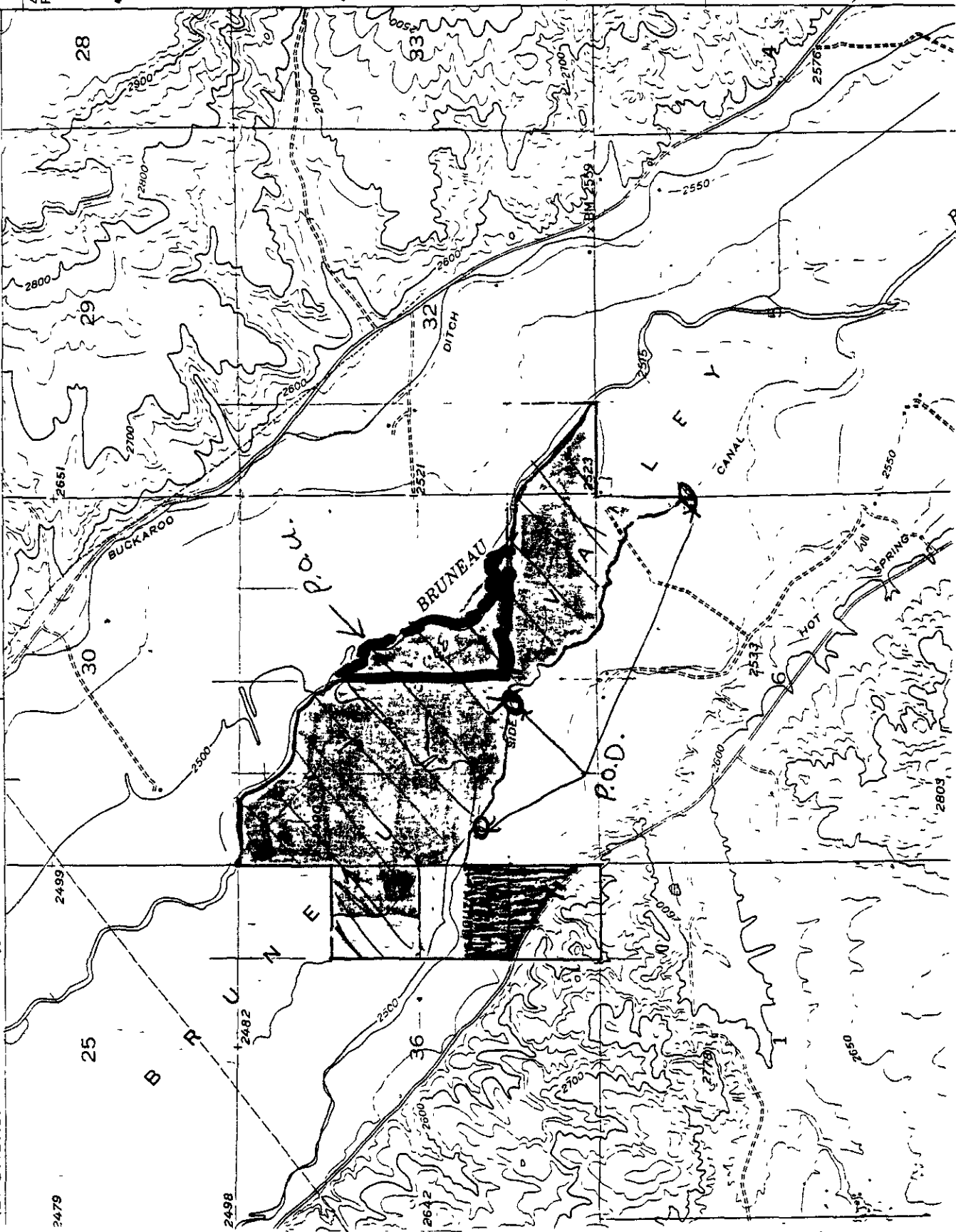


EXHIBIT A

REAL PROPERTY LOCATED IN OWYHEE COUNTY, IDAHO,
DESCRIBED AS FOLLOWS:

In Township Six South, Range Five East,
Boise Meridian:

In Section Thirty-six: The East Half of
the Southeast Quarter and that portion
of the Southeast Quarter of the Northeast
Quarter bounded and described as follows:

Beginning at the East Quarter corner
of Section Thirty-six, Township Six
South, Range Five East, Boise Meridian,
and running thence North 0°01' West a
distance of 1,065 feet to a point, thence
North 88°30' West a distance of 1,320.4
feet to a point; thence South 0°01' East
a distance of 1,102.5 feet to a fence line
on the South line of the Southeast Quarter
of the Northeast Quarter; thence North
89°52' East a distance of 1,320 feet,
more or less, to the point of beginning.

In Township Six South, Range Six East,
Boise Meridian:

In Section Thirty-one: That part of the Northwest
Quarter of the Southeast Quarter and that part of
the Southwest Quarter of the Northeast Quarter lying
South and West of the Bruneau River; and that part
of Lots One, Two, Three and Four and the East Half
of the Southwest Quarter and the Southwest Quarter
of the Southeast Quarter and the East Half of the
Northwest Quarter of said Section Thirty-one lying
North of the centerline of the South Side Canal,
SAVING and EXCEPTING and EXCLUDING that portion
thereof described as follows:

A tract of land in the Northwest Quarter
of said Section Thirty-One bounded and
described as follows:

Beginning at the North Quarter corner
of Section Thirty-One and running thence
South 0°01' East a distance of 1,474 feet,
more or less, to the right river bank of
Bruneau River; thence Northwesterly along
the meander line of the Bruneau River to
a point on the North section line of said
Section Thirty-one, said point being North
89°34' West a distance of 1,905 feet, more
or less, from the point of beginning; thence
South 89°34' East a distance of 1,905 feet,
more or less, to the point of beginning.

In Section Thirty-one: All of that portion, if any,
of the Northeast Quarter of the Southeast Quarter of
said Section Thirty-one lying South and West of the
Bruneau River.

In Sections Thirty-One and Thirty-Two: A portion of the Southeast Quarter of the Southeast Quarter of Section Thirty-One and a portion of the Southwest Quarter of the Southwest Quarter of Section Thirty-Two, bounded and described as follows:

Beginning at the Section corner common to Sections Thirty-one and Thirty-two, Township Six South, Range Six East, Boise Meridian, and running thence North 89°48' West a distance of 47.5 feet to the true point of beginning; running thence North 9°18' West a distance of 162 feet to a point in existing fence lines; thence North 58°12' East a distance of 477.7 feet along existing fence line to a point; thence North 62°27' East a distance of 380 feet, more or less, to the Bruneau River; thence South 41°55' East a distance of 878.2 feet along the meander line of Bruneau River; thence North 00°11' West a distance of 1,320 feet to the North boundary line of the Southwest Quarter of the Southwest Quarter of said Section Thirty-two; thence South 89°48' West a distance of 1,320 feet, more or less, to the section line between said Sections Thirty-one and Thirty-two; thence North 89°48' West a distance of 1,335 feet, more or less, to the West boundary line of the Southeast Quarter of the Southeast Quarter of Section Thirty-one; thence South 00°11' East a distance of 1,320 feet, more or less, to the South Section line of said Section Thirty-one; thence South 89°48' East a distance of 1,287.5 feet, more or less, to the point of beginning;

SAVING and EXCEPTING and EXCLUDING all portions of the above-described real property lying North and East of the Bruneau River.

In Township Seven South, Range Six East, Boise Meridian:

In Section Six: That part of Lot One and Lot Two lying North of the centerline of the South Side Canal;

SAVING and EXCEPTING and EXCLUDING that portion thereof bounded as follows: Beginning at the section corner common to Sections Five and Six, Township Seven South, Range Six East, Boise Meridian, and running thence South 84°02' West a distance of 159.3 feet to the Northwest corner of the barn located on said property; thence South 16°57' West a distance of 303.7 feet to the Northwest corner of the corral; thence South 0°17' West a distance of 118.5 feet to a point on said corral; thence North 35°00' East a distance of 127.9 feet to a point on said corral; thence North 28°42' East a distance of 365.7 feet to the point of beginning;

Also SAVING and EXCEPTING and EXCLUDING that portion thereon described in that certain correction Deed, dated March 19, 1963 in which Joseph E. Turner and Leona Turner, husband and wife, are grantors and Clayton A. Turner and Betty Turner are Grantees, recorded March 26, 1963, records of Owyhee County, Idaho, Instrument No. 108846, Book 56 of Deeds, page 141.

ALL TOGETHER with all water rights and ditch rights appurtenant to said property, including 195.5 shares of the corporate stock of South Side Canal Company and 33-1/3 shares of the corporate stock of Hot Springs Ditch Company, and together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, but SAVING and EXCEPTING and RESERVING all grazing rights for grazing livestock upon the public domain.

51 0018 35 inches as of April 1, 1882.
 51 0019 5 inches as of April 1, 1897.
 51 0020 20 inches as of April 1, 1905.
 50

FRED B. HALL: NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9, Township 7 South, Range 6 East, Boise Meridian, containing 160 acres. Out of the waters of the Bruneau River:

51 0021 7 inches as of February 21, 1879.
 51 0022 55 inches as of November 1, 1882.
 51 0023 23 inches as of April 1, 1905.
 85

DELIA HEWITT: SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, Township 6 South, Range 6 East, Boise Meridian, containing 80 acres. Out of the waters of the Bruneau River:

51 0024 25 inches as of April 1, 1881.
 51 0025 5 inches as of April 1, 1897.
 51 0028 10 inches as of April 1, 1905.
 40

JOHN TURNER: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 50, Township 6 South, Range 6 East, Boise Meridian, E $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, Township 6 South, Range 5 East, Boise Meridian, containing 160 acres. Out of the waters of the Bruneau River:

51 0030 100 inches as of April 1, 1905.

Transfer JOHN TURNER: E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 23, E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 36, Township 6 South, Range 5 East, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 31, Township 6 South, Range 6 East, Boise Meridian, containing 320 acres. Out of the waters of the Bruneau River:

51 0031 165 inches as of April 1, 1875.
 51 0032 60 inches as of April 1, 1897.
 51 0033 45 inches as of April 1, 1905.
 270

200 MAR -6 PM 1:19

FILED
TWIN FALLS CO., IDAHO

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

In Re SRBA	)	CONSOLIDATED ORDER FOR ENTRY OF
	)	PARTIAL DECREES
Case No. 39576	)	
	)	Subcases: 51-00024B, 51-00025B, 51-00026B,
	)	51-00027A, 51-00042A, 51-00043A, 51-10218,
	)	51-10219, 51-10225

On July 2, 1999, a *Special Master's Report and Recommendation* was filed for the above listed water rights. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that each of the water rights list above are hereby separately decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*. IT IS FURTHER ORDERED that this *Consolidated Order for Entry of Partial Decrees* is entered for the purpose of judicial economy so as to not require the Court to enter an individual order for each separate partial decree. Therefore, in the event of an appeal of a specific partial decree, the record on appeal will be limited to the record established in that specific subcase, and not all of the subcases enumerated in this Consolidated Order.

DATED MAR 6 2000


BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the CONSOLIDATED ORDER FOR ENTRY OF PARTIAL DECREES was mailed on March 06, 2000, with sufficient first-class postage to the following:

DEPT OF FISH & GAME

Represented by:

PETER J. AMPE

PO BOX 83720

BOISE, ID 83720-0010

Phone: 208-334-2400

SOUTH SIDE BRUNEAU CANAL CO

C/O EUGENE C DAVIS

HC 85 BOX 114

BRUNEAU, ID 83604

Phone: 208-845-2088

DEPT OF FISH & GAME

P O BOX 25

BOISE, ID 83707

Phone: 208-327-7025

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 51-000258

200 MAR -6 PM 1:19
FILED
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: DEPT OF FISH & GAME
PO BOX 25
BOISE, ID 83720

SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.05 CFS

PRIORITY DATE: 04/01/1897

POINT OF DIVERSION: T07S R06E S05 NWSWSE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.05 CFS

PLACE OF USE:	Irrigation		Within Owyhee County
	T06S R06E S31	SWNE 6.4	NWSE 18.0
	24.4 Acres Total		

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 24.4 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-000248 & 51-000268

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

THE APPROPRIATOR IS ENTITLED TO DIVERT UP TO THE QUANTITY OF
3.904 CFS AT THE FIELD HEADGATE TO MEET PEAK CROP DEMAND SO LONG
AS (1) THE APPROPRIATOR IS ABLE TO MAKE THAT QUANTITY AVAILABLE
THROUGH A VOLUNTARY ROTATION AGREEMENT AMONG SOME OR ALL OTHER
USERS OF WATER FROM THE SAME SOURCE OR BY ROTATING SOME OR ALL OF
THE APPROPRIATOR'S OTHER WATER RIGHTS FROM THE SAME SOURCE,
(2) DIVERSION OF ANY QUANTITY ABOVE 0.05 CFS WILL NOT INJURE
OTHER WATER RIGHTS, AND (3) ANY QUANTITY ABOVE 0.05 CFS WILL NOT
BE SUBJECT TO A PRIORITY CALL UNDER THIS WATER RIGHT ON JUNIOR
WATER RIGHTS.

RULE 54(b) CERTIFICATE

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


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

JUN 22 1999

WATER RESOURCES
WESTERN REGION

RECEIVED

JUN 01 1999

Department of Water Resources

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

In Re SRBA)

Case No. 39576)

Subcase No. 51- 00025B

STANDARD FORM 1
OBJECTION

NAME AND ADDRESS OF PERSON OBJECTING

Name: South Side Bruneau Canal Co., Ltd.
Address: C/O Eugene C. Davis
HC 85, Box 114
Bruneau, ID 83604
Daytime Phone: (208) 845-2088

Name & Address of Attorney:

Charles L. Honsinger
Ringert Clark, Chartered
P.O. Box 2773
Boise, ID 93701

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTORS'S REPORT

Name: State of Idaho
Dept. Of Fish and Game
Address: P.O. Box 25
Boise, ID 83702

I object to the following elements as recommended in the Director's Report.

1. **Name and Address**
Should be:
2. **Source**
Should be:
3. **X Quantity**
Should be: Remark should be added to allow use of water right in rotation with other water rights diverted through South Side Bruneau Canal.
4. **Priority Date**
Should be:
5. **Point(s) of Diversion**
6. **Instream Flow Description**
Should be:
7. **Purpose(s) of Use**
Should be:
8. **Period of Year**
Should be:
9. **X Place of Use**
Should be: Combined diversion remarks should be changed to reflect withdrawal of water right claims as is stipulated in the Standard Form Five submitted concurrently herewith.
10. **I object because:**

This water right should not exist.

This water right was not recommended, but should be recommended with the elements described above.

REASONS SUPPORTING OBJECTION (S): The suggested remarks reflect historical use of this water right.

CERTIFICATE OF MAILING

I certify that on 05/28, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

Director, Idaho Department of Water Resources
1301 N. Orchard
Boise, ID 83712

Albert Black
C/O Ace Black
HC 85 Box 101
Bruneau, ID 83604

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

State of Idaho
Dept. of Fish and Game
P.O. Box 25
Boise, ID 83720

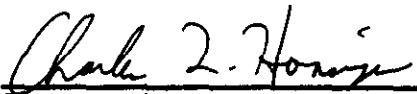
John Urquidi
HC 85, Box 135
Bruneau, ID 83604

George Turner
Betty L. Turner
HC 85 Box 123
Bruneau, ID 83604

Simplot Self Declaration Revocable Trust
Attn: Ronald Graves
P.O. Box 27
Boise, ID 83707

Ronald E. Prow
HC 85 Box 127
Bruneau, ID 83604

Jo Beeman
Beeman and Hofstetter
P.O. Box 1427
Boise, ID 83701-1427


Person mailing documents

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: MAY-27-1999

PAGE: A-1

RIGHTS FROM: SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 51-00025B

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83720

SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.05 CFS

PRIORITY DATE: 04/01/1897

POINT OF DIVERSION: T07S R06E S05 NWSWSE Within OMYHEE County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 03-01 11-15 0.05 CFSPLACE OF USE: IRRIGATION Within OMYHEE County
T06S R06E S31 SWNE 6.4 NWSE 18
24.4 ACRES TOTALUSE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 24.4 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00024B & 51-00026B

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 51:WATER RIGHT NO. SOURCE
NONE NONETHE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:WATER RIGHT NO. SOURCE
NONE NONEALL WATER RIGHTS WITHIN BASIN 51 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.THE APPROPRIATOR IS ENTITLED TO DIVERT UP TO THE QUANTITY OF

51-00025B (CONT.)

3.904 CFS AT THE FIELD HEADGATE TO MEET PEAK CROP DEMAND SO LONG AS (1) THE APPROPRIATOR IS ABLE TO MAKE THAT QUANTITY AVAILABLE THROUGH A VOLUNTARY ROTATION AGREEMENT AMONG SOME OR ALL OTHER USERS OF WATER FROM THE SAME SOURCE OR BY ROTATING SOME OR ALL OF THE APPROPRIATOR'S OTHER WATER RIGHTS FROM THE SAME SOURCE, (2) DIVERSION OF ANY QUANTITY ABOVE 0.05 CFS WILL NOT INJURE OTHER WATER RIGHTS, (3) ANY QUANTITY ABOVE 0.05 CFS WILL NOT BE SUBJECT TO A PRIORITY CALL UNDER THIS WATER RIGHT ON JUNIOR WATER RIGHTS, AND (4) DIVERSION OF THAT QUANTITY DOES NOT CONSTITUTE WASTE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
WATER IS DELIVERED THROUGH SOUTH SIDE BRUNEAU CANAL COMPANY.

Remarks:

DIVERSION OF ANY QUANTITY ABOVE 0.05 CFS WILL NOT INJURE OTHER WATER RIGHTS, (3) ANY QUANTITY ABOVE 0.05 CFS WILL NOT BE SUBJECT TO A PRIORITY CALL UNDER THIS WATER RIGHT ON JUNIOR WATER RIGHTS, AND (4) DIVERSION OF THAT QUANTITY DOES NOT CONSTITUTE WASTE.

EXP WATER IS DELIVERED THROUGH SOUTH SIDE BRUNEAU CANAL COMPANY.

Dates:

Exam Made Date: Verified Date: 05/27/1999 Objection Filed Date:

Misc:

Water District Number: Field Inspection Flag:
Presumption Flag:

Comments:

Date: 06/22/1998 User-ID: KWALKER Subject: COPIED FROM REMARKS
WATER DELIVERED VIA SOUTH SIDE CANAL.
THIS IS A SPLIT OF 51-00025.
AMENDED 03/21/1989 TO REFLECT POINT OF DIVERSION FOR SOUTH SIDE
CANAL AND NOT LATERALS ORIGINALLY CLAIMED. ELR
OWNERSHIP CHANGED BY KM 10/27/92.
OWNERSHIP CHANGED BY KM 11/16/92.

Date: 09/23/1998 User-ID: KWALKER Subject: STOCKWATER USE
STOCKWATER RECOMMENDED UNDER 51-000248, EARLIEST PRIORITY, SAME
LANDS.

Date: 05/27/1999 User-ID: KWALKER Subject: RECOMMENDATION
REVISED RECOMMENDATION PURSUANT TO STIPULATION BETWEEN CLAIMANT
AND SOUTH SIDE CANAL COMPANY.

Audit:

05/27/99 KWALKER

DRAFT

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 51-00025B

Name and Address: STATE OF IDAHO
DEPT OF FISH & GAME
P.O. BOX 25
BOISE, ID 83720

Source: BRUNEAU RIVER Tributary: SNAKE RIVER

Quantity: .05 CFS

Priority Date: 04/01/1897

Point of Diversion: T07S R06E S05 NWSWSE Within OWYHEE County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	IRRIGATION	03/01 to 11/15	0.05 CFS

Place of Use: IRRIGATION		Within OWYHEE County
T06S R06E S31	SWNE	6.4 NWSE 18

24.4 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 24.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00024B & 51-00026B

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

THE APPROPRIATOR IS ENTITLED TO DIVERT UP TO THE QUANTITY OF 3.904 CFS AT THE FIELD HEADGATE TO MEET PEAK CROP DEMAND SO LONG AS (1) THE APPROPRIATOR IS ABLE TO MAKE THAT QUANTITY AVAILABLE THROUGH A VOLUNTARY ROTATION AGREEMENT AMONG SOME OR ALL OTHER USERS OF WATER FROM THE SAME SOURCE OR BY ROTATING SOME OR ALL OF THE APPROPRIATOR'S OTHER WATER RIGHTS FROM THE SAME SOURCE, (2) DIVERSION OF ANY QUANTITY ABOVE 0.05 CFS WILL NOT INJURE OTHER WATER RIGHTS, (3) ANY QUANTITY ABOVE

OFFER OF COMPROMISE
GOVERNED BY IDAHO RULE OF EVIDENCE 408

Page 1 of 2

DRAFT

0.05 CFS WILL NOT BE SUBJECT TO A PRIORITY CALL UNDER THIS WATER
RIGHT ON JUNIOR WATER RIGHTS, AND (4) DIVERSION OF THAT QUANTITY
DOES NOT CONSTITUTE WASTE.

EXPLANATORY MATERIAL: BASIS OF CLAIM – DECREE

WATER IS DELIVERED THROUGH SOUTH SIDE BRUNEAU CANAL COMPANY

<u>Right #</u>	<u>Priority</u>	<u>Quantity</u>	<u>Acreage</u>	<u>Diversion Rate</u>
<u>Group #1</u>				
00042A	4/1/1875	$10.5 = 0.21$	50.1	.62 inches/acre
00043A	4/1/1876	$21 = 0.42$	50.1	.62 inches/acre
00044A	Does not exist			
00045A	Does not exist			
		<u>31.5</u>		
<u>Group #2</u>				
00027A	4/1/1875 ✓	$75 = 1.5$	138	.62 inches/acre
00028A	4/1/1897	10.7×0.21	138	.62 inches/acre
00029A	Does not exist			
		<u>85.7</u>		
<u>Group #3</u>				
00024B	4/1/1881	$12 = 0.24$	24.4	.62 inches/acre
00025B	4/1/1897	$2.5 = 0.05$	24.4	.62 inches/acre
00026B	4/1/1905	$7 = 0.014$	24.4	.62 inches/acre
		<u>15.2</u>		
<u>Group #4</u>				
10218	4/1/1875	$8.5 = 0.17$	101	.62 inches/acre
10219	4/1/1876	$50 = 1.00$	101	.62 inches/acre
10225	4/1/1897	4.3×0.08	101	.62 inches/acre
00053A	Does not exist			
		<u>62.8</u>		
<u>Group #5</u>				
00034B	Do not exist			
00068B				
00035B				
00036B				
<u>TOTAL</u>				
		$195.2 = 3.904 \text{ cfs}$		.62 inches/acre

One possible shortfall with this approach is that Fish and Game may need to apply high diversion rates of water to those acreages with the higher decreed per/acre diversion rates. Nevertheless, I believe this is a fair and accurate way to at least come up with a starting point

AJ0749NP
No. R51-00025B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 09/23/98
PAGE: 2

Comments:

Date: 06/22/1998 User-ID: KWALKER Subject: COPIED FROM REMARKS
WATER DELIVERED VIA SOUTH SIDE CANAL.
THIS IS A SPLIT OF 51-00025.
AMENDED 03/21/1989 TO REFLECT POINT OF DIVERSION FOR SOUTH SIDE
CANAL AND NOT LATERALS ORIGINALLY CLAIMED. ELR
OWNERSHIP CHANGED BY KW 10/27/92.
OWNERSHIP CHANGED BY KW 11/16/92.

Date: 09/23/1998 User-ID: KWALKER Subject: STOCKWATER USE
STOCKWATER RECOMMENDED UNDER 51-000248, EARLIEST PRIORITY, SAME
LANDS.

Audit: 09/23/98 KWALKER

Memorandum

To: FILES

From: Kay Walker 

Date: 09/22/98

Re: IRRIGATION OF FISH & GAME LANDS

I went out to visit the Fish and Game Lands claimed on September 2, 1998 after receiving the Notice of Errors they submitted in response to my proposed recommendations. I met with Dick Orcutt of the Bruneau Fish and Game office. He took me out to the property located in the SE1/4, Sec. 31, T06S, R06E.

The land shown to me in SE1/4, Sec. 31, T06S, R06E was being irrigated and had crops growing on it. I will re-evaluate my recommendations for that property.

Since the land shown to me on September 2, was not the entire property, I obtained a 1995 ASCS photo of the entire property. I could not see any more lands irrigated as found in the SE1/4, S31. I called Dick Orcutt this morning and discussed this with him. He stated that all the property claimed is irrigated. The lands over and above the SE1/4, Sec. 31 are irrigated to produce natural grasses for grazing, wildlife cover, etc. These lands do not appear as other irrigated lands in the area because the fields are not plowed or worked as most irrigated lands. However, according to Mr. Orcutt, the use on these lands could not happen if they did not irrigate. In regard to this, I will re-evaluate all the claims submitted and prepare recommendations for decree.

August 4, 1998

NOTICE OF ERROR
REPLY

RECEIVED

SEP 01 1998

WATER RESOURCES
WESTERN REGION

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: September 4, 1998

Water right number: 51-00025B

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83720

Daytime Telephone Number 334-2597

Evening Telephone Number:

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

The disallowal of the claim.

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

Recommend the water right as originally claimed

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

water stock
This right has been used to irrigate crops, and provide wildlife habitat since the Department acquired the property in 1992.

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

DATE: 27 Aug 98 SIGNATURE: Cindy Robertson

Please print your name: Cindy Robertson

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)07/25/98 09:26:46
Page 1

Water Right Number - R51-000258 Prefix Translation: RESEARCH Old (D) Number -

+ - - - - Last Name - - - + + - - - - First Name - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
STATE OF IDAHO1 - DEPT OF FISH & GAME
2 - PO BOX 25
3 -
City- BOISE
Phone - 208-327-7025

State- ID Zip- 83720

*** K - ALSO KNOWN AS ***
FISH & GAME1 -
2 -
3 -

State- ID Zip- 0

City- X
Phone - 208-000-0000*** O - ORIGINAL OWNER ***
HARLEY

ALBERT F.

1 - 9673 PATTIE COURT
2 -
3 -

State- ID Zip- 83704

City- BOISE
Phone - 208-000-0000

HEWITT

DELIA

1 -
2 -
3 -

State- ID Zip- 00000

City- N/A
Phone - 208-000-0000+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
04/01/1897 14 WESTERN I - DISALLOWED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BRUNEAU RIVER SNAKE RIVER+ - - - - - - - - - - - Point of Diversion - - - - - +
Turn Rng Sec Tract Lot Rflg County

07S 06E 5 SW SE (73) OMYHEE

+ - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume01 - IRRIGATION 03/01 11/15 0.050
04 - STOCKWATER 01/01 12/31 0.050+ - - Total Div. Rate - - + + - - Total Div. Volume - - + + - - Total Consumptive Use - - + + - - KM Usage - - +
0.050 0.0+ - - - - - - - - - - - Place of Use - - - - - +
Turn Rng Sec Tract Lot Acres Code Description County06S 06E 31 SW NE 6.2 01 IRRIGATION (73) OMYHEE
06S 06E 31 NW SE 18.0 01 IRRIGATION (73) OMYHEE
06S 06E 31 SW NE 04 STOCKWATER (73) OMYHEE
06S 06E 31 NW SE 04 STOCKWATER (73) OMYHEE

Prefix Translation: RESEARCH

| | | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|-----|-------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 12/02/1993 | Civil Case Number | - | 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - | |
| Response Filed Date | - 00/00/0000 | Verified Date | - 07/25/1998 | Old Judicial District | - | |
| Claim Received Date | - 01/19/1989 | Last Amended Date | - 00/00/0000 | Temporary Right | - P | |
| | | Receipt Number | - 4002030 | Water District | - | |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S | |
| | | Name Connector | - | Presumption Flag | - C | |
| | | | | Notice of Error Flag | - | |

TOTAL DIVERSION: 0.05 CFS

Stage: DECREE

OWYHEE County

POJ County: OUYHEE

Other Rights: 5100024. 5100026.

Misc:

| | |
|-------------------------------|-------------------------------|
| Water District Number: | Field Inspection Flag: |
| | Presumption Flag: |

No evidential
beneficial
of Lee HB
use - 0024B
A51-0024B
for information
8/5/98

Split Tree A51-00025
Priority date: 4-1-1897

A51-00025 DR: .10

POB: Not Specified

POU: 6S, 6E, S31, SWNE - 40_{ac}

NWSE - 40

A51-00025A - DR: .10 - Ir (Linnette)

.05 - ST

POB: 6S, 6E, S31, SWNESE

POU: 6S, 6E, S31, SWNE - 20 (S)

NWSE - 20 (S)

-00025B - ID Fe G

DR: .05 - Ir, .05 - Stock

POB: 7S, 6E, S5, SWSE

POU: 6S, 6E, S31, SWNE - 10 (S)

NWSE - 28 (S)

R51-00025A (N/O Linnette)

Dr: In = .05 of Stock = .05 of

POB: 6S, 6E, S31, SWNESE

POU: 6S, 6E, S31, SWNE = 9_{ac} SEWE - 1_{ac}

NWSE - 3 NESE - 12

prepared by
Mel Shulte

MEMORANDUM TO FILE

FILES: A51-00024A, -00025A, -00026A

NAME OF AGENT: MEL SCHULTE

DATE: JANUARY 16, 1997

ON THIS DATE THE OWYHEE COUNTY ASSESSOR'S OFFICE CONFIRMED THE OWNERSHIP OF THE FOLLOWING DESCRIBED PARCELS. THIS LAND DESCRIPTION INCLUDES THE PLACE OF USE FOR THE ABOVE CLAIMS AND IS AS FOLLOWS:

T06S, R06E, SEC 31, SWNE, SENE, NWSE, NESE

THE BRUNEAU RIVER DISSECTS THREE OF THESE PARCELS. ACCORDING TO THE OWYHEE COUNTY ASSESSOR'S RECORDS THE IDAHO DEPT OF FISH & GAME OWNS THE LAND ON THE SOUTH SIDE OF THE RIVER AND LESLIE GENNETTE OWNS THE LAND ON THE NORTH SIDE OF THE RIVER.

THE DECREED DIVERSION RATES FOR RIGHTS 51-00024, -00025 & -00026 SHOULD BE PRORATED BETWEEN THE ABOVE CLAIMS AND A51-00024B, -00025B & -00026B IN THE NAME OF IDAHO DEPT OF FISH & GAME. WHEN THE FINAL LAND LISTS ARE DETERMINED FOR THE FISH & GAME CLAIMS, THE PRORATION OF THE DIVERSION RATES BETWEEN THE "A" AND "B" SPLITS SHOULD BE CALCULATED.

MTS

A 51-000248
A 51-000253
A 51-000263

INTER-DEPARTMENT MEMO

TO: Kay Walker
FROM: Linda Warner
SUBJECT: Forfeiture
DATE: 5-21-93

On May 18 I conducted a field visit of property owned by Linda Amette & claimed under A 51-000249, 25A & 26A. Dept of Fish & Game has the other portion of these claims so I asked Mr. Amette if he could show me the POD & POA for these lands. He told me at that time that F & A was not sure they had bought the property a year ago & the previous owners had not wr. for many years prior.

☒ For your information
☐ Response required

Linda Warner
signature

MEMORANDUM

DATE: 10-Dec-1992 15:26

TO: FILE *A51-00025B*

FROM: KAY WALKER *KW*

RE: CONTACT PEOPLE FOR FIELD EXAMINATIONS

Cindy Robertson of the Dept. of Fish and Game has reviewed the copies of the claims they obtained ownership of (originally in the name of Albert Harley) and called me today about these claims. We discussed her questions and she gave me the phone numbers of contacts for our field examinations.

The number one contact is:
Tom Parker 334-2920

If he is not available we can ask for Cindy:
Cindy Robertson 334-2597

They will, in turn, contact the field representative who will be showing us the water systems. It will most likely be Dick Orcutt who is the C.J. Strike area manager.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

November 16, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RE: Notice of Claims to Water Right Nos. A51-00024B, A51-00025B, A51-00026B, A51-00027A, A51-00028A, A51-00029A, A51-00042A, A51-00043A, A51-00044A, A51-00045A, A51-00053A, A51-10165, A51-10166, A51-10169, A51-10218, A51-10219 and A51-10225

State of Idaho
Dept. of Fish & Game
Attn: Tom Parker
P.O. Box 25
Boise, ID 83720

Dear Mr. Parker:

We are in receipt of correspondence which changes the ownership of the above referenced Notice of Claims to Water Rights, from Bruneau River Wildlife Ranch to the Dept. of Fish and Game. Enclosed, for your records, are copies of the claims which reflect the change in ownership of the lands and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any questions in regard to this matter, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker".

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

PEREGRINE INVESTMENT MANAGEMENT CORPORATION

P.O. BOX 1560
SUN VALLEY, IDAHO 83353
TELEPHONE (208) 726-3384

NOV 12 1992

November 6, 1992

Department of Water Resources
Western Regional Office

Dear Mr. Walker,

(as per ^{attached} letter of
10/27/92 - kw)

Please be advised that the subject [↑] property
was sold in its entirety to the Idaho
Department of Fish and Game, 600 Walnut
St., Boise, Idaho 83707 (attn: Mr. Tom
Parker) in the summer of 1992.

Please address all subsequent correspondence
to them, and delete Brunan River Wildlife
Ranch from your address files.

As we made the initial submission, I have signed
the "Amended Claim" as requested and
returned same to you.

cc: Charles P. Tyson
Mr. Tom Parker

Cordially,
Lee R. Mortimer,
President, PIMC
Partner, BRWR



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

October 27, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RE: Notice of Claims to Water Right Nos. A51-00024B, A51-00025B, A51-00026B, A51-00027A, A51-00028A, A51-00029A, A51-00042A, A51-00043A, A51-00044A, A51-00045A, A51-00053A, A51-10165, A51-10166, A51-10169, A51-10218, A51-10219 and A51-10225

Bruneau River Wildlife Ranch
P.O. Box 1560
Sun Valley, ID 83353

Gentlemen:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the lands and appurtenant water rights covered under the original filings which were in the name of Albert F. Harley.

Please be advised that I found an error on Claim No. A51-10166 which needs to be corrected. This claim identifies a place of use within the SWSW, Section 32, Twp. 06S, Rge. 05E. Please be advised that the map shows the place of use within the SWSW, Section 32, Twp. 06S, Rge. 06E. Enclosed, for your convenience, is an amended Claim to Water Right No. A51-10166, which will correct the error in the legal description and also describe lands you have purchased from Mr. Harley. Please sign this amended claim form in the presence of a notary public and return it to my attention at your earliest convenience.

The Department will contact you in the future concerning any other requirements that may be needed in order to process these claims for final court decree.

If you have any questions concerning the enclosed claims, please feel free to contact me.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

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