

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 1763, 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. JO
OWYHEE COUNTY RECORDER
BY *B. Johnson*
DEPUTY

REQUEST OF

O.T.C.

FEE *9.00*

INDEXED

MICROFILMED

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

Albert F. Harley
Albert F. Harley

Ana M. Harley
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.

Harry D. Smith
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 m.
this _____ day of _____
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

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

2869 / NW
SAND DUNES)

SUGAR VALLEY QUADRANGLE
IDAHO-OWYHEE CO.

7.5 MINUTE SERIES (TOPOGRAPHIC)

115°45' 42°52'30"

SE/4 BRUNEAU 15' QUADRANGLE

42°52'30"

SE/4 BRUNEAU 13 GUADRANTE
60]

009

DATE 06-17-30 599 1490000 FEET

2869 IV NE
(BRUNEAU)

440000
FEET

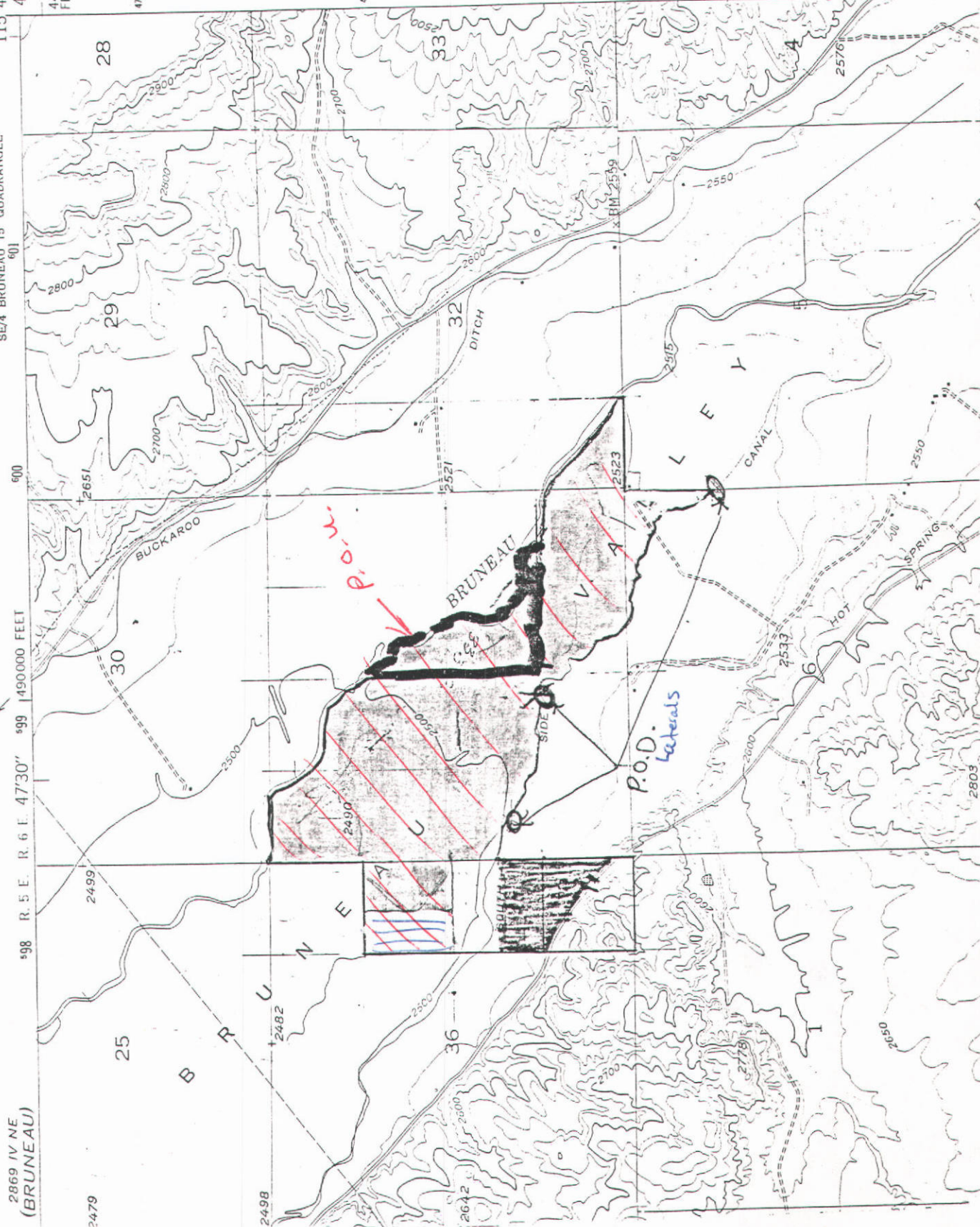
4747

17A6

1745
T. 6 S.
T. 7 S.

T7S

6.1W



Affidavit for Change of Point of Diversion of Decreed Water Right

57-0027

STATE OF IDAHO,

County of San Francisco

John T. Evans Estate, by H. W. Jones, Attorney, being first duly sworn, deposes and says: That his postoffice address is in Brownsville, Edinboro; That he is the owner of and using a certain water right bearing date of priority of April 1875; April 1903 legal, 1905, for 375, 175, 75 cable feet per second of the waters of Brown River, State of Idaho, decreed to John T. Evans County of Canyon, by decree of Judge _____ of the _____ Judicial District of the State of Idaho, in and for the County of Ada, in the case of Township vs. Brown, Bankrupt Liquidator, Idaho Canal, said decree bearing date of Feb. 14, 1925, for the purpose of irrigating the following described lands, situate, lying and being in Water Dist. No. 57 B., in the County of Canyon, and State of Idaho, to-wit: E & SW 4 Sec. 25 N E NE 4, SE NW NE & S E S E Township G S Range 6 E 15 M.

That he is the person (or representative of the corporation) to whom such right was issued, (or has been assigned) and the following manner:

That said waters are now diverted from said stream in the NE 1/4, SW 1/4 of Sec 5
Twp 7 S, Range 6 E, and conducted to the above described lands through the
ditch on ~~the~~ west ~~side~~ side of said ~~land~~ land and of this officer's land (part)

That affiant desires to change the point of diversion of said water from the point above described to a point located in N $\frac{1}{2}$ Sec 3 Twp 7 S Range 1 E and thereafter conduct same to the above described land through the South Side ditch

That his reasons for desiring to make such change are as follows: The L. & N. did not
 purchase Canal Company's land, those with title
 point of dimensions at 1/4th point of dimensions
 was used by the railroad &

That no one will be injured by such change and that such change will be made at affiant's own risk.

Doninger Est
Doninger

Subscribed and sworn to before me this 21st day of August 1888
 63 61
 Charles B. Bane
 Notary Public.

NOTE: If this order right has heretofore been carried jointly in a ditch with other water, affluents, or other water, the owner of the right should secure written consent of other owners or users to removal from its original source. The owner consent with this affidavit.

1987 NAPP PHOTO

IDAHO DEPT OF WATER RESOURCES

1987 NAPP PHOTO

T06S, R05E, S36
T06S, R06E, S31

**CLAIM(S): 51-00027A,
51-00028A & 51-00029A**

Owner(s): Idaho Dept.
of Fish & Game

Prepared by: KAY WALKER
Date: July 25, 1998



Place of Use



Point(s) of Diversion



Section Lines

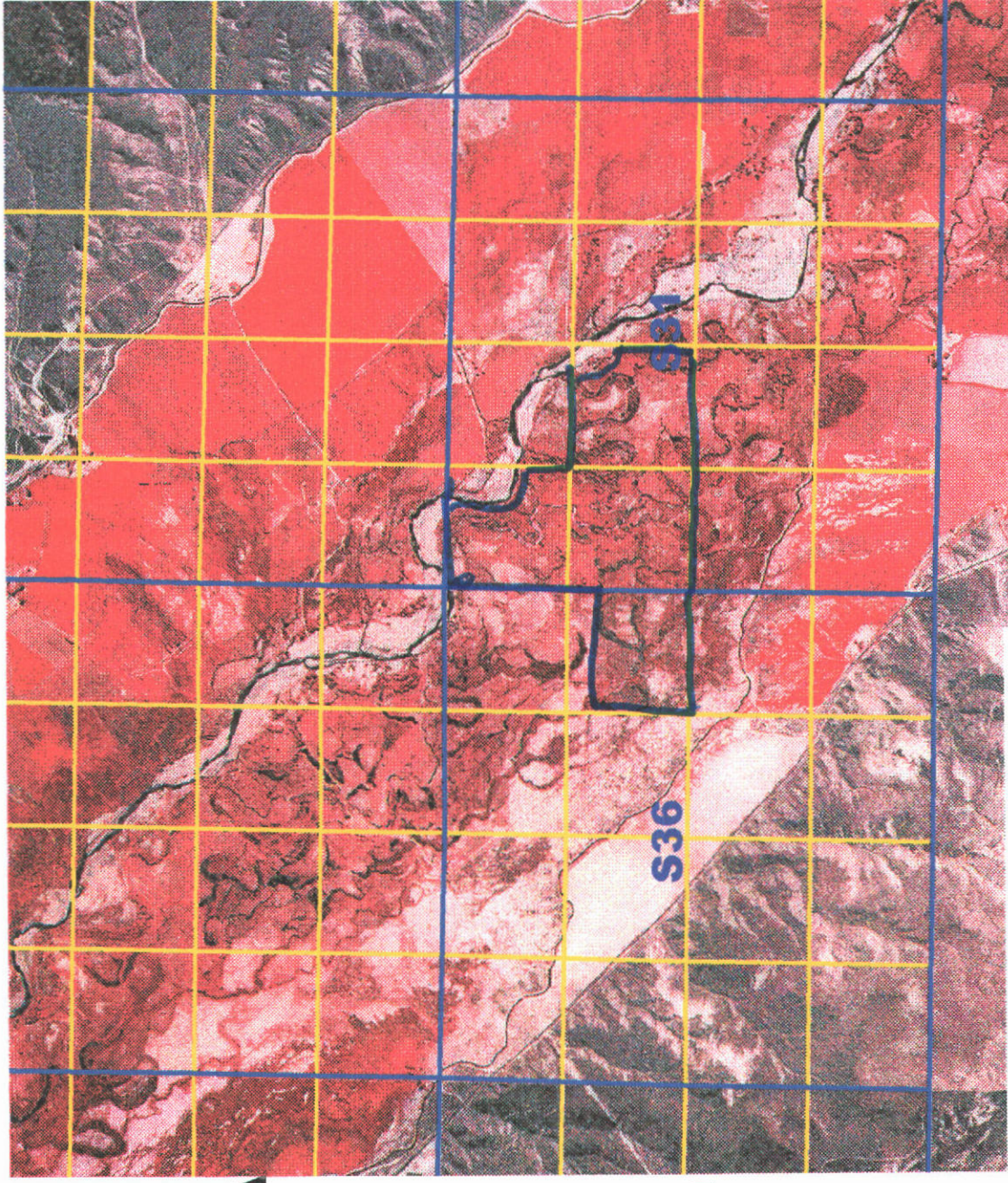


1/4 1/4's

N



S



0 0.25 0.5 0.75 1 1.25 Miles



5E 6E

SPR. SAU. 0.8 MI

65
75

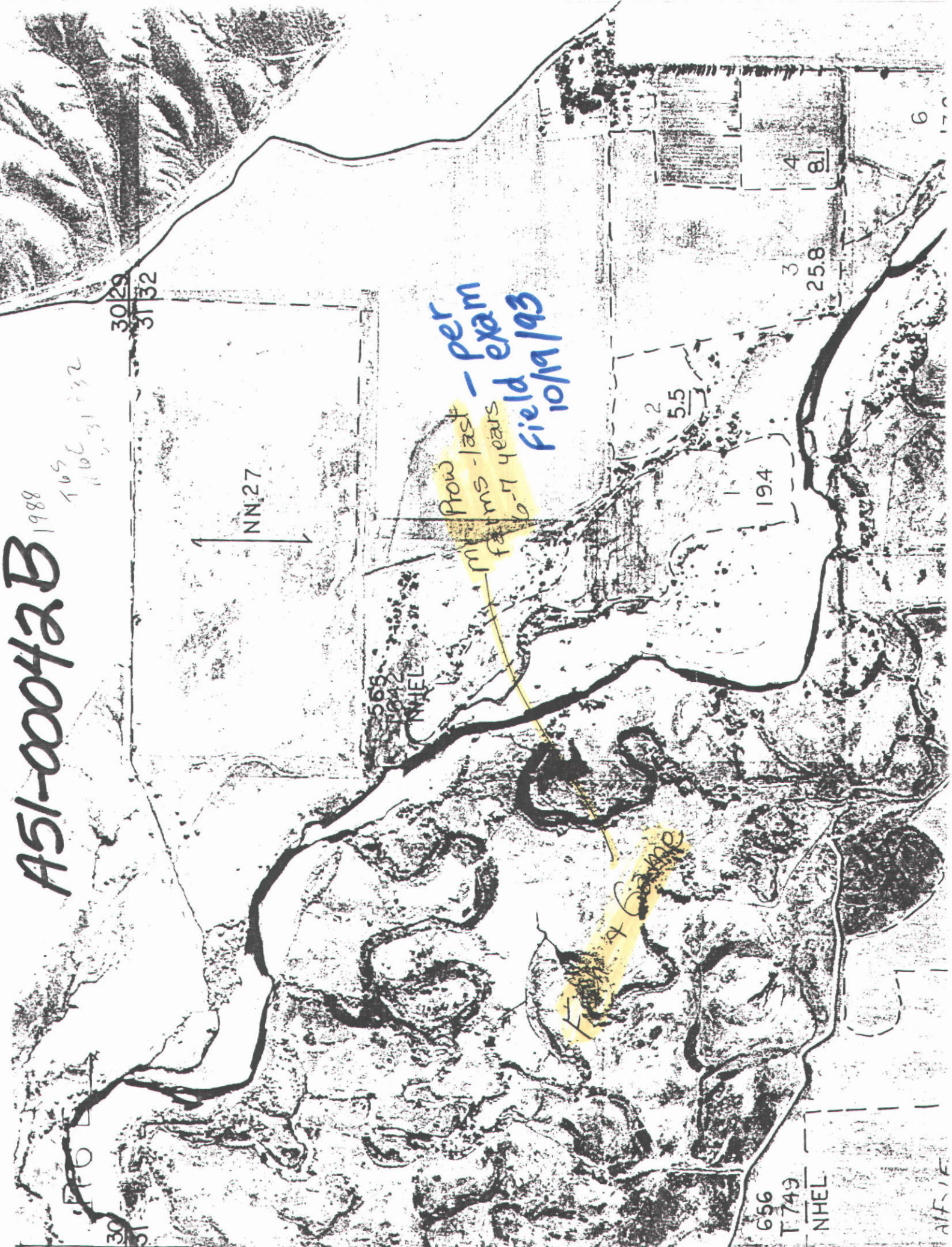
AA63
(1974)



ASI-00042B

1988

165
1106
31
192



NN:27

Prox - last - per
ms - years
field exam
10/19/93

Fish & Game

656
T749
NHCL

AIR 1E

① of 2



PHOTOGRAPHER: KAY WALKER

DATE OF PHOTOS 12-2-1993

FILE NO(S). A51-00027A/00028A/00029A



Simplots
place -
per Dick
P. Orcutt
9-2-98
claimed
in NW 1/4,
~~S23~~ S31,
T6S, R6E
(North of
Brow's
place).



Photos (3)
taken from
hill to the
west above
South Side
Ditch &
Hot Creek
Road.
facing SE
towards
river.

② of 2



PHOTOGRAPHER: KAY WALKER

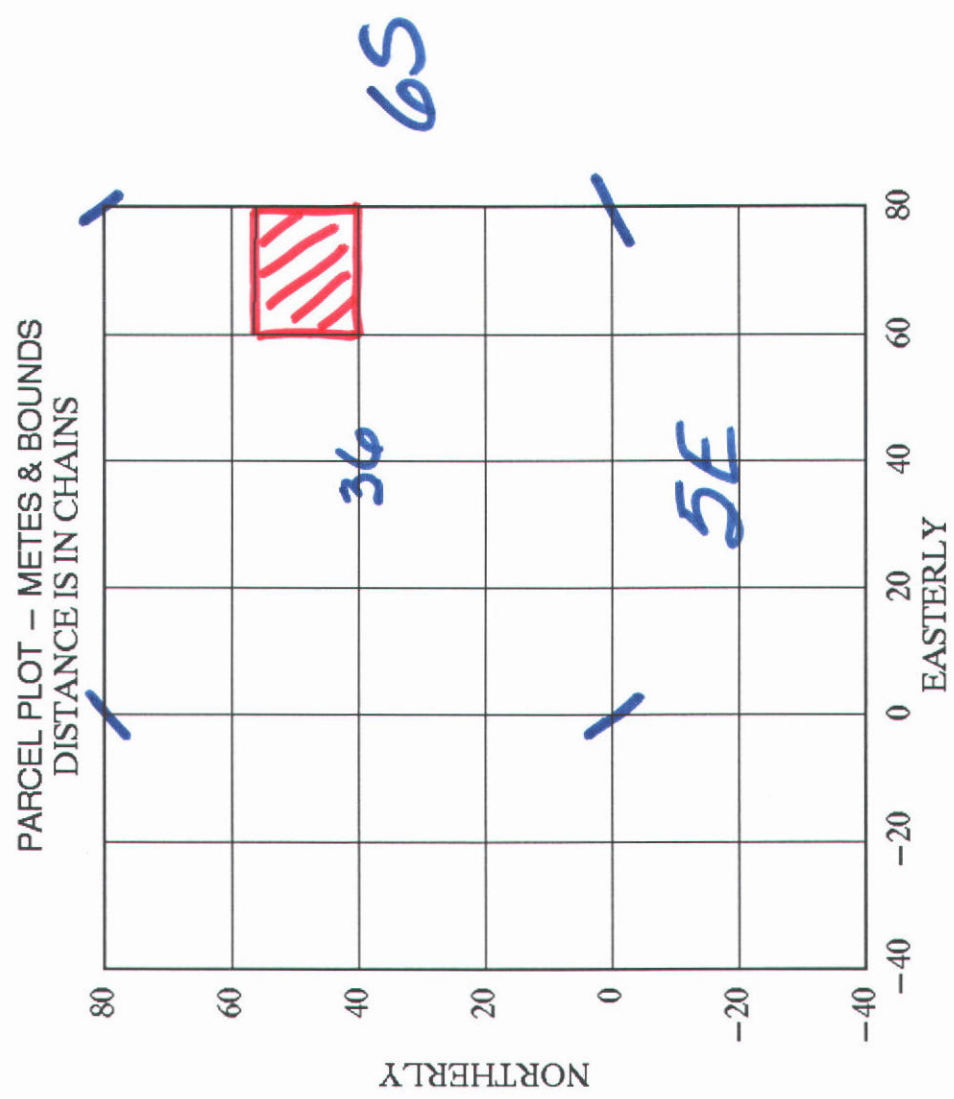
DATE OF PHOTOS 12-2-1993

FILE NO(S). A51-00027A/00028A/00029A



Not
F & M
per
Dick
Okcutt-
is Simplot
land.
KW
9/2/98

per
 Exhibit A -
 Exhibit 1 - red
 pg. 100
 station
 65



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: A51-00027A
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, 1875

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 IRRIGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.690		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/INSTREAM STOCK WATER VARIABLE AMOUNTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	05E	36	SE	NE		IRR	25.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	25.0
	06E	31	NW	NW	IRR	37.0
			SW	NW	IRR	38.2
			SE	NW	IRR	38.3
					Section Acres	113.5
					Total Acres	138.5

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:
51-00028, 51-00029.

14. Remarks:

THIS IS A SPLIT RIGHT OF 51-00027.

WATER DELIVERED VIA SOUTH SIDE CANAL.

AMENDED 03/20,21/1989 TO REFLECT THE FOLLOWING:

*P.O.D. IN ORIGINAL CLAIM LISTED LAND DESCRIPTION AS THAT OF THE
LATERALS. AMENDED TO REFLECT THAT OF THE SOUTH SIDE CANAL.

*ACRES CLAIMED IN SECTION 36 T06S R05E LISTED 40 ACRES. PROPER
ACRES SHOULD HAVE BEEN 25. CHANGED ACCORDINGLY.

*QUANTITY OF WATER APPROPRIATED IN ORIGINAL CLAIM HAD REFLECTED
THE AMOUNT OF SPLIT BASED ON ERRONEOUS ACRES AS OUTLINED ABOVE.
CHANGED ACCORDINGLY. 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.

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
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
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. Hladik 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: bw

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: A51-00027A
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, 1875

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 IRRIGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.690		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/INSTREAM STOCK WATER VARIABLE AMOUNTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	05E	36	SE	NE		IRR	25.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	25.0
	06E	31	NW	NW	IRR	37.0
			SW	NW	IRR	38.2
			SE	NW	IRR	38.3
					Section Acres	113.5
					Total Acres	138.5

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:
51-00028, 51-00029.

14. Remarks:

THIS IS A SPLIT RIGHT OF 51-00027.

WATER DELIVERED VIA SOUTH SIDE CANAL.

AMENDED 03/20,21/1989 TO REFLECT THE FOLLOWING:

*P.O.D. IN ORIGINAL CLAIM LISTED LAND DESCRIPTION AS THAT OF THE
LATERALS. AMENDED TO REFLECT THAT OF THE SOUTH SIDE CANAL.

*ACRES CLAIMED IN SECTION 36 T06S R05E LISTED 40 ACRES. PROPER
ACRES SHOULD HAVE BEEN 25. CHANGED ACCORDINGLY.

*QUANTITY OF WATER APPROPRIATED IN ORIGINAL CLAIM HAD REFLECTED
THE AMOUNT OF SPLIT BASED ON ERRONEOUS ACRES AS OUTLINED ABOVE.
CHANGED ACCORDINGLY. 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
_____,
Organization document in the space below as _____ of
_____,
Organization Title 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
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): ANDREW F. HARLEY

91.73 PATTIE COURT
BOISE, ID 83704

[] New Owner/Claimant (Purchaser): BRUNEAU RIVER WILDLIFE RANCH, INCORPORATED PARTNERSHIP

[] 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: LAND DEED

(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 Peterson - Managing Partner Date 4-15-92
(PETERSON)

[] 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

RECEIVED
SEP 7 1984

INSTRUCTIONS

Instructions when to transfer

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409, 7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing the form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is ESSENTIAL and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions; and this information must be included on the form. If you also have available a plat description based upon a townsit or subdivision and lot and block number, please also include this additional information. A lot and block legal description is NOT a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box, complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for BOTH the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records; then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

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	A51-00027A	04/01/1875	BRUNEAU RIV	1.690	01 IRR 04 STOCK
-	✓ALBERT F.	✓C	A51-10165	12/31/1949	GROUNDWATER	0.060	43 DOMEST
-	ALBERT F.	✓C	A51-00028A	04/01/1897	BRUNEAU RIV	0.620	01 IRR 04 STOCK
-	ALBERT F.	✓C	A51-00029A	04/01/1905	BRUNEAU RIV	0.460	01 IRR 04 STOCK
-	ALBERT F.	✓C	A51-00042A	04/01/1875	BRUNEAU RIV	0.210	01 IRR 04 STOCK
-	ALBERT F.	✓C	A51-00043A	04/01/1876	BRUNEAU RIV	0.470	01 IRR 04 STOCK
-	ALBERT F.	✓C	A51-00044A	04/01/1897	BRUNEAU RIV	0.280	01 IRR 04 STOCK
-	ALBERT F.	✓C	A51-00045A	04/01/1905	BRUNEAU RIV	0.210	01 IRR 04 STOCK

(Enter-Continue)

(GOLD7-This Query)

(Menu _____)

Post-It brand fax transmittal (Form 787) # of pages 5	
To <i>Charles J. ...</i>	From <i>...</i>
Co	Phone <i>1-800-451-4129</i>
Dept	Fax <i>206-2002</i>

SD-33

Last Name: HARLEY

STATE

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

(Enter-Continue)

(GOLD7-This Query)

(Menu _____)

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

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

SD-33	Last Name: HARLEY		STATE				
S	O	W	Water	Priority	Total	Use	
E	First	N	Right No.	Date	Diversion	Code Desc	
L	Name						
-	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 1765, 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 L. COOPER
OWYHEE COUNTY RECORDER
BY *[Signature]*
DEPUTY
REQUEST OF
O.F.H.
FEE 9.00
INDEXED
MICROFILMED

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 years 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 duly 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 *[Address]*, Idaho
Comm. Expires 1/10/93

STATE OF IDAHO, COUNTY OF

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

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

Ex-Officio Recorder

By _____ Deputy.
Fees \$ _____
Mail to _____

- Attachment Warranty Deed
Harley/Bruneau River Wildlife Ranch

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)

AT- (signature)

Attachment Warranty Deed
Harley/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.

* * *

AT OH

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: A51-00027A
Date Received: 1/19/1989
Receipt No: W002030
Received By: EAR

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, 1875

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 IRRIGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.690		
STOCKWATER	01/01	12/31	0.050		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

S/INSTREAM STOCK WATER VARIABLE AMOUNTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	05E	36	SE	NE		IRR	25.0

Section Acres 25.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	06E	31	NW	NW		IRR	37.0
			SW	NW		IRR	38.2
			SE	NW		IRR	38.3
						Section Acres	113.5
						Total Acres	138.5

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:
51-00028, 51-00029.

14. Remarks:

THIS IS A SPLIT RIGHT OF 51-00027.

WATER DELIVERED VIA SOUTH SIDE CANAL.

AMENDED 03/20,21/1989 TO REFLECT THE FOLLOWING:

*P.O.D. IN ORIGINAL CLAIM LISTED LAND DESCRIPTION AS THAT OF THE
LATERALS. AMENDED TO REFLECT THAT OF THE SOUTH SIDE CANAL.

*ACRES CLAIMED IN SECTION 36 T06S R05E LISTED 40 ACRES. PROPER
ACRES SHOULD HAVE BEEN 25. CHANGED ACCORDINGLY.

*QUANTITY OF WATER APPROPRIATED IN ORIGINAL CLAIM HAD REFLECTED
THE AMOUNT OF SPLIT BASED ON ERRONEOUS ACRES AS OUTLINED ABOVE.
CHANGED ACCORDINGLY. 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. Henley 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

Residing at _____ Eldon L. Roush
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: A51-00027A
Date Received: 01/19/89
Receipt No: W0020306203/
Received By: ER

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Filing Fee 50⁰⁰
Variable Fee 157⁰⁰
\$ 207⁰⁰

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

83704

2. Date of Priority: APR 01, 1875

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
06S	06E	31	NW	SW			OWYHEE
			SE	SW			OWYHEE
07S	06E	05	SE	NE			OWYHEE

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	~~1.620~~	~~1.36~~	
STOCKWATER	01/01	12/31	0.050	~~1.69~~	1.69

7. Total Quantity Appropriated is:

~~1.620~~ C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acres Feet Per Annum.

9. Non-irrigation uses:

S/INSTREAM STOCK WATER VARIABLE AMOUNTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	05E	36	SE	NE		IRR	~~40.0~~ 25
							Section Acres ~~40.0~~ 25
	06E	31	NW	NW		IRR	37.0
			SW	NW		IRR	~~40.0~~ 38.25
			SE	NW		IRR	~~40.0~~ 38.25
							Section Acres 117.0
							Total Acres ~~137.0~~ 138.50

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:
51-00028, 51-00029.

14. Remarks:
THIS IS A SPLIT RIGHT OF 51-00027.
WATER DELIVERED VIA SOUTH SIDE CANAL.

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 Harley Date: 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

Eldon J. Pouch
Notary Public

Seal

Residing at Boise

My Commission Expires 09/02/1997

2869 / NW
ND DUNES)

SUGAR VALLEY QUADRANGLE
IDAHO-OWYHEE CO.

7.5 MINUTE SERIES (TOPOGRAPHIC)

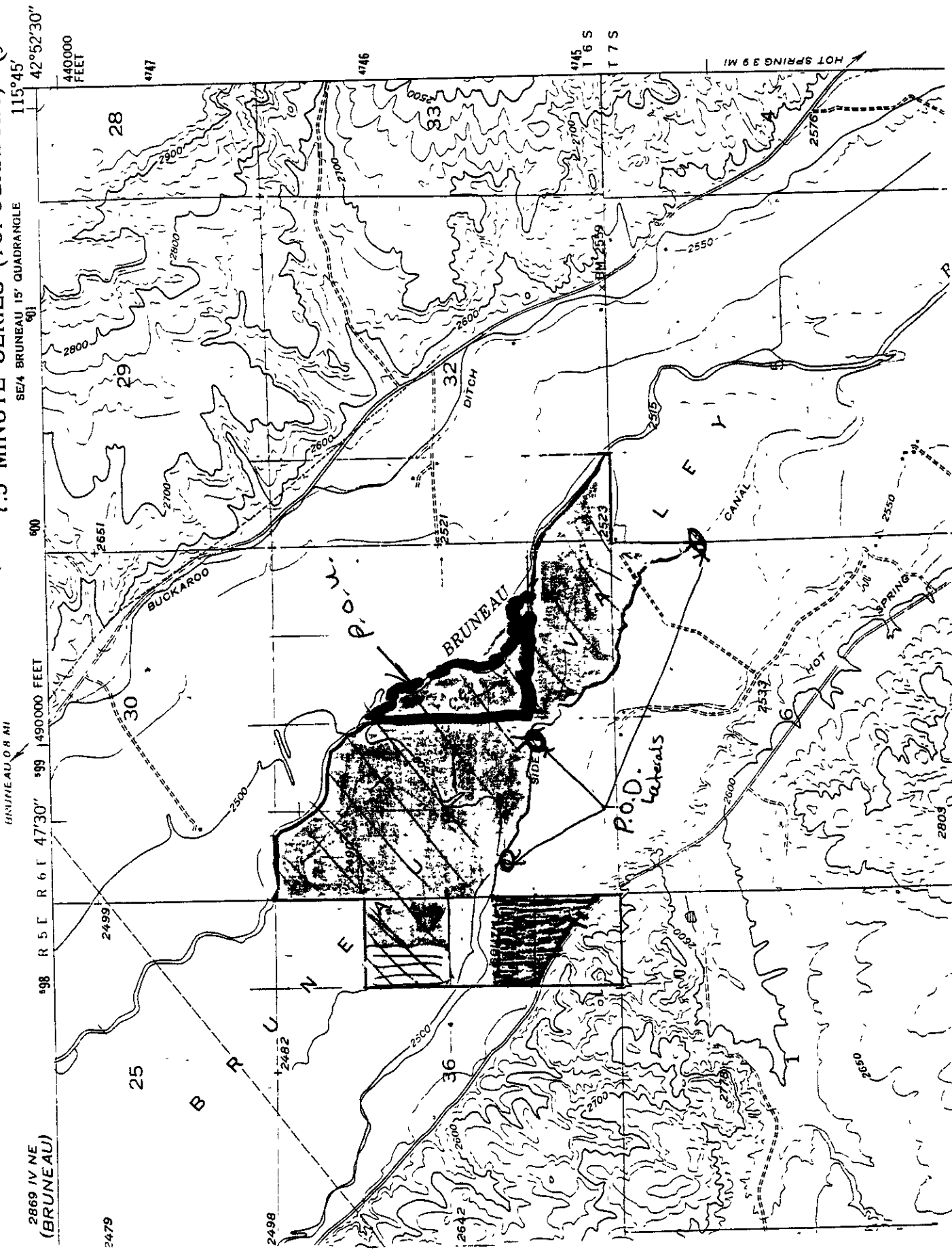


EXHIBIT A

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 $89^{\circ}48'$ West a distance of 47.5 feet to the true point of beginning; running thence North $9^{\circ}18'$ West a distance of 162 feet to a point in existing fence lines; thence North $58^{\circ}12'$ East a distance of 477.7 feet along existing fence line to a point; thence North $62^{\circ}27'$ East a distance of 380 feet, more or less, to the Bruneau River; thence South $41^{\circ}55'$ East a distance of 878.2 feet along the meander line of Bruneau River; thence North $00^{\circ}11'$ 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 $89^{\circ}48'$ West a distance of 1,320 feet, more or less, to the section line between said Sections Thirty-one and Thirty-two; thence North $89^{\circ}48'$ 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 $00^{\circ}11'$ East a distance of 1,320 feet, more or less, to the South Section line of said Section Thirty-one; thence South $89^{\circ}48'$ 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 $84^{\circ}02'$ West a distance of 159.3 feet to the Northwest corner of the barn located on said property; thence South $16^{\circ}57'$ West a distance of 303.7 feet to the Northwest corner of the corral; thence South $0^{\circ}17'$ West a distance of 118.5 feet to a point on said corral; thence North $35^{\circ}00'$ East a distance of 127.9 feet to a point on said corral; thence North $28^{\circ}42'$ 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.

Approved for Release by NSA on 08-20-2013 pursuant to E.O. 13526

SECRET

01110

11/11/50

11/11/50

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 01-11-00 BY 1043

tion 9, Township 7 South, Range 6 East, Boise Meridian, containing 160 acres. Out of the waters of the Bruneau River:

51 0022	7 inches as of February 21, 1879.
51 0023	55 inches as of November 1, 1882.
51 0024	23 inches as of April 1, 1905.
	<u>85</u>

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 0022	25 inches as of April 1, 1881.
51 0023	5 inches as of April 1, 1897.
51 0024	10 inches as of April 1, 1905.
	<u>40</u>

JOHN TURNER: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, 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 $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, Section 31, Township 6 South, Range 6 East, Boise Meridian, containing 320 acres. Out of the waters of the Bruneau River:

51 0027	165 inches as of April 1, 1878.
51 0028	60 inches as of April 1, 1897.
51 0029	45 inches as of April 1, 1905.
	<u>270</u>

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 8 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 51-00027A

200 MAR -6 PM 1:19

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 1.50 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 04/01/1875

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	1.50 CFS
	Stockwater	01-01 TO 12-31	0.05 CFS

PLACE OF USE: Irrigation Within Owyhee County
T06S R05E S36 SENE 25.0
R06E S31 LOT 01 (NWNW)32.0 LOT 02 (SWNW)41.0
SENE 40.0
138.0 Acres Total

Stockwater Same as Other Use

USE OF THIS RIGHT WITH RIGHT 51-00028A IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 138.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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 1.5 CFS WILL NOT INJURE
OTHER WATER RIGHTS, AND (3) ANY QUANTITY ABOVE 1.5 CFS WILL NOT
BE SUBJECT TO A PRIORITY CALL UNDER THIS WATER RIGHT ON JUNIOR
WATER RIGHTS.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

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 01 1999

Department of Water Resources

RECEIVED

JUN 22 1999

WATER RESOURCES
WESTERN REGION

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

Subcase No. 51- 00027A

Case No. 39576

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.

VERIFICATION

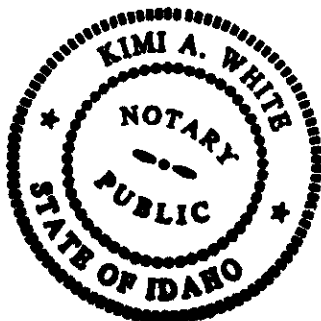
State of Idaho)
)
County of Ada)

Charles L. Honsinger, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I. C. §§ 42-1401A (1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Charles L. Honsinger
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: May 28, 1999



Kimi A. White
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 04/01/04

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

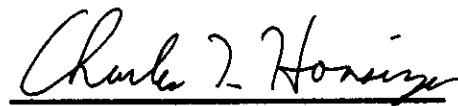
John Urquidi
HC 85, Box 135
Bruneau, ID 83604

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: 51-00027A

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

SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 1.5 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 04/01/1875

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 11-15	1.5 CFS
	STOCKWATER	01-01 12-31	0.05 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T06S R05E S36 SENE 25
R06E S31 Lot 1 (NNW)32 Lot 2 (SWW)41 SENW 40
138 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 51-00028A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 138.0 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 138.0 ACRES IN A SINGLE
IRRIGATION SEASON/ COMBINED RIGHT NOS// 51/00028A & 51/00029A

Place of use for STOCKWATER is same as IRRIGATION

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
-----------------	--------

SF5 - 51-00027A

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: MAY-27-1999
PAGE: A-2

51-00027A (CONT.)

NONE NONE

THE 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	NONE

ALL WATER RIGHTS WITHIN BASIN 51 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

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 1.5 CFS WILL NOT INJURE OTHER
WATER RIGHTS. (3) ANY QUANTITY ABOVE 1.5 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

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

WATER IS DELIVERED THROUGH SOUTH SIDE BRUNEAU CANAL COMPANY.

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

AJ0749NP
No. R51-00027A

Remarks: IRRIGATION OF A COMBINED TOTAL OF 138.0 ACRES IN A SINGLE IRRIGATION SEASON.

GEN 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 1.5 CFS WILL NOT INJURE OTHER WATER RIGHTS, (3) ANY QUANTITY ABOVE 1.5 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: C
Presumption Flag:

Comments: Date: 06/27/1998 User-ID: KWALKER Subject: COPIED FROM REMARKS
THIS IS A SPLIT RIGHT OF 51-00027.
WATER DELIVERED VIA SOUTH SIDE CANAL.
AMENDED 03/20,21/1989 TO REFLECT THE FOLLOWING:
*P.O.D. IN ORIGINAL CLAIM LISTED LAND DESCRIPTION AS THAT OF THE LATERALS. AMENDED TO REFLECT THAT OF THE SOUTH SIDE CANAL.
*ACRES CLAIMED IN SECTION 36 T6S R05E LISTED 40 ACRES. PROPER ACRES SHOULD HAVE BEEN 25. CHANGED ACCORDINGLY.
*QUANTITY OF WATER APPROPRIATED IN ORIGINAL CLAIM HAD REFLECTED THE AMOUNT OF SPLIT BASED ON ERRONEOUS ACRES AS OUTLINED ABOVE.
CHANGED ACCORDINGLY. ELR
OWNERSHIP CHANGED BY KW 10/27/92.
OWNERSHIP CHANGED BY KW 11/16/92.

Date: 05/27/1999 User-ID: KWALKER Subject: RECOMMENDATION
CHANGES TO 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: 51-00027A

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

Source: BRUNEAU RIVER

Tributary: SNAKE RIVER

Quantity: 1.5 CFS

Priority Date: 04/01/1875

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

1.5 CFS

STOCKWATER

01/01 to 12/31

0.05 CFS

Place of Use: IRRIGATION

Within OWYHEE County

T06S R05E S36

SENE

25

R06E S31 LOT 1

(NWNW)

32

LOT 2 (SWNW)

41

SENE

40

138 ACRES TOTAL

STOCKWATER

SAME AS OTHER USE

USE OF THIS RIGHT WITH RIGHT NO. 51-00028A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 138.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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

OFFER OF COMPROMISE

Page 1 of 2

GOVERNED BY IDAHO RULE OF EVIDENCE 408

DRAFT

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 1.5 CFS WILL NOT INJURE OTHER WATER RIGHTS, (3) ANY QUANTITY ABOVE 1.5 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	$10.5 = 0.21^{\checkmark}$	50.1	.62 inches/acre
00043A	4/1/1876	$21 = 0.42^{\checkmark}$	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 $\checkmark$	$75 = 1.5^{\checkmark}$	138	.62 inches/acre
00028A	4/1/1897	$10.7 \times 0.21^{\checkmark}$	138	.62 inches/acre
00029A	Does not exist			
		<u>85.7</u>		
<u>Group #3</u>				
00024B	4/1/1881	$12 = 0.24^{\checkmark}$	24.4	.62 inches/acre
00025B	4/1/1897	$2.5 = 0.05^{\checkmark}$	24.4	.62 inches/acre
00026B	4/1/1905	$7 = 0.014^{\checkmark}$	24.4	.62 inches/acre
		<u>15.2</u>		
<u>Group #4</u>				
10218	4/1/1875	$8.5 = 0.17^{\checkmark}$	101	.62 inches/acre
10219	4/1/1876	$50 = 1.00^{\checkmark}$	101	.62 inches/acre
10225	4/1/1897	$4.3 \times 0.08^{\checkmark}$	101	.62 inches/acre
00053A	Does not exist			
		<u>62.9</u>		
<u>Group #5</u>				
00034B	Do not exist			
00068B				
00035B				
00036B				
		<u>195.2</u>		
TOTAL		$195.2 = 3.904 \text{ cfs}$		.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

WESTERN REGION

CLAIM NUMBERS 51-00027A/00028A/00029A

AGENT Ray DATE 9-8-98

TOTAL ACRES FROM RECOMMENDATION _____

GEOGRAPHIC INFO SYSTEM ACRES 138

READY FOR DECREE _____ (YES) SENT FOR DECREE _____ (YES)

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM																			
GIS																			
RECOM																			
GIS																			

POLYGON CREATED ON 80 _____

POLYGON # (384) () () () _____ UPDATED BY

ATTRIBUTES OF B51-POU.SHP (384) () () () ()

ATTRIBUTES OF B51-POD.SHP (16) () () () ()

B51-DBPOU.DBF kw UPDATED BY 9/8/98

B51-DBPOD.DBF kw UPDATED BY 9/30/98

DATE: 09/23/98
PAGE: 1

Remarks: POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO

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

Remarks:

THE IRRIGATION OF A COMBINED TOTAL OF 138.0 ACRES IN A SINGLE
IRRIGATION SEASON, COMBINED RIGHT NOS.: 51-00028A & 51-00029A

EXP

WATER IS DELIVERED THROUGH SOUTH SIDE BRUNEAU CANAL COMPANY.

Dates:

Exam Made Date: 12/02/1993 Verified Date: 09/23/1998 Objection Filed Date:

Misc:

Water District Number: Field Inspection Flag: C
Presumption Flag:

Comments:

Date: 06/27/1998 User-ID: KWALKER Subject: COPIED FROM REMARKS
THIS IS A SPLIT RIGHT OF 51-00027.
WATER DELIVERED VIA SOUTH SIDE CANAL.
AMENDED 03/20,21/1989 TO REFLECT THE FOLLOWING:
*P.O.D. IN ORIGINAL CLAIM LISTED LAND DESCRIPTION AS THAT OF THE
LATERALS. AMENDED TO REFLECT THAT OF THE SOUTH SIDE CANAL.
*ACRES CLAIMED IN SECTION 36 T06S R05E LISTED 40 ACRES. PROPER
ACRES SHOULD HAVE BEEN 25. CHANGED ACCORDINGLY.
*QUANTITY OF WATER APPROPRIATED IN ORIGINAL CLAIM HAD REFLECTED
THE AMOUNT OF SPLIT BASED ON ERRONEOUS ACRES AS OUTLINED ABOVE.
CHANGED ACCORDINGLY. ELR
OWNERSHIP CHANGED BY KW 10/27/92.
OWNERSHIP CHANGED BY KW 11/16/92.

Audit:

09/23/98 KWALKER

PAGE: 18
PROFILE REPORT

CLAIM NUMBER: A51-00027A

OWNER CODE: C STATE OF IDAHO
NAME & ADDRESS: C STATE OF IDAHO
PRIORITY DATE: 04/01/1975
WATER USE: IRRIGATION
USE PERIOD FROM TO: 03-15 11-15
DIVERSION RATE: 1.89 CFS
DIVERSION VOLUME: 1.5
TOTAL DIVERSION: 1.5

Water Source: BRUNEAU RIVER
Point(s) of Diversion: 107S R06E S05
Tributary to: SNAKE RIVER
Stage: DECREED
COUNTY: OMYNEE

Place of use Legal Description for: IRRIGATION									
NAME		NAME		NAME		NAME		NAME	
S		S		S		S		S	
T		T		T		T		T	
06S 05E 36	25	06S 06E 31	25	06S 05E 36	25	06S 06E 31	25	06S 05E 36	25
06S 06E 31	25	06S 05E 36	25	06S 06E 31	25	06S 05E 36	25	06S 06E 31	25
TOTAL ACRES		TOTAL ACRES		TOTAL ACRES		TOTAL ACRES		TOTAL ACRES	
138		138		138		138		138	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: OMYNEE

Non-Irrigation Uses: S/INSTREAM STOCK WATER VARIABLE AMOUNTS

Other Rights: 51-00028, 51-00029.

Remarks:

THIS IS A SPLIT RIGHT OF 51-00027.
WATER DELIVERED VIA SOUTH SIDE CANAL.
AMENDED 03/20, 21/1989 TO REFLECT THE FOLLOWING:
*P.O.D. IN ORIGINAL CLAIM LISTED LAND DESCRIPTION AS THAT OF THE
LATERALS. AMENDED TO REFLECT THAT OF THE SOUTH SIDE CANAL.
*ACRES CLAIMED IN SECTION 36 T06S R06E LISTED 40 ACRES. PROPER
ACRES SHOULD HAVE BEEN 25. CHANGED ACCORDINGLY.
*QUANTITY OF WATER APPROPRIATED IN ORIGINAL CLAIM HAD REFLECTED
THE AMOUNT OF SPLIT BASED ON ERRONEOUS ACRES AS OUTLINED ABOVE.
CHANGED ACCORDINGLY. ELR
OWNERSHIP CHANGED BY KW 10/27/92.
OWNERSHIP CHANGED BY KW 11/16/92.

Objection Filed Date:

Verified Date:

Dates: Exam Made Date:

Field Inspection Flag:
Presumption Flag:

Misc: Water District Number:

Comments
Paul: EHA (158)
Paul: For 10/15/98
Exp: 11/16/98

08:13:50
09/07/98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A51-00027A

LAST: TURNER
ADDRESS: STATE: ID ZIP: 000000000
CITY: XXXXXXXX
PHONE NUMBER: 208-000-0000

OWNER CODE: 0

LAST: HARLEY
ADDRESS: 9673 PATTIE COURT
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST: ALBERT F.

STATE: ID ZIP: 83704

OWNER CODE: 0

LAST: STATE OF IDAHO
ADDRESS: DEPT OF FISH & GAME
PO BOX 25

FIRST:

CITY: BOISE
PHONE NUMBER: 208-327-7025

STATE: ID ZIP: 83720

OWNER CODE: C1

LAST: FISH & GAME
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000

FIRST:

STATE: ID ZIP: 0

OWNER CODE: K1

FIELD EXAM REQUIRED? FIELD EXAMINER
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE Y () N ()

CLAIM REMARKS: GEN THIS IS A SPLIT RIGHT OF 51-00027.
WATER DELIVERED VIA SOUTH SIDE CANAL.
AMENDED 03/20,21/1989 TO REFLECT THE FOLLOWING:
*P.O.D. IN ORIGINAL CLAIM LISTED LAND DESCRIPTION AS THAT OF THE
LATERALS. AMENDED TO REFLECT THAT OF THE SOUTH SIDE CANAL.
*ACRES CLAIMED IN SECTION 36 T06S R05E LISTED 40 ACRES. PROPER
ACRES SHOULD HAVE BEEN 25. CHANGED ACCORDINGLY.
*QUANTITY OF WATER APPROPRIATED IN ORIGINAL CLAIM HAD REFLECTED
THE AMOUNT OF SPLIT BASED ON ERRONEOUS ACRES AS OUTLINED ABOVE.
CHANGED ACCORDINGLY. ELR
OWNERSHIP CHANGED BY KV 10/27/92.
OWNERSHIP CHANGED BY KV 11/16/92.

A. AJ CLAIM: # A51-00027A PRIORITY DATE: 04-01-1875 STAGE: D
B. WR RECORD: # 51-00027 PRIORITY DATE: 04-01-1875 STAGE: D
C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(✓) N()
D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N(✓)
E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? Y(✓) N()
F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?
PROOF OF BENEFICIAL USE SUBMITTED N/A() Y() N()
FIELD EXAM COMPLETED N/A() Y() N()
FIELD EXAM SENT TO STATE OFFICE N/A() Y() N()
LICENSE ISSUED N/A() Y() N()
* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.
G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED? N/A(✓) Y() N()
* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.
H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(✓) N()
NOTES: Recommended as decided.

RECOMMENDED PRIORITY DATE:

04-01-1875

REVIEWED BY

KW

DATE

9/23/98

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____) NAME OF EXAMINER Kew Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: accomplished change in pld-

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD	COUNTY	DIVERSION NAME	DIVERSION NBR
07S	06E	5	NW	SW	SE		FLAG	ONTHEE		
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—

SOURCE: BRUNEAU RIVER

TRIB: SNAKE RIVER

REVIEWED BY: Kew

DATE: 9/23/98

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A51-00027A
A51-000278
R51-000278

B. POU LISTING

TMP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	LR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
06S	05E	36	SE	NE		STATE OF IDAHO	A51-00027A / 25.0	-	39.0		25
			SE	NE		BLACK, ALBERT	A51-000278 / 15.0	-			
			SE	NE		BLACK, ALBERT	R51-10252 / 8.8	-			
			SE	NE		BLACK, ALBERT	A51-000288 / 15.0	-			
			SE	NE		BLACK, ALBERT	A51-000298 / 15.0	-			
			SE	NE		STATE OF IDAHO	A51-00028A / 25.0	-			
			SE	NE		STATE OF IDAHO	A51-00029A / 25.0	-			
			SE	NE		STATE OF IDAHO	A51-10166 / 40.0	-			
			SE	NE		BLACK, ALBERT	R51-000288 / 8.8	-			
			SE	NE		BLACK, ALBERT	R51-000298 / 8.8	-			
			SE	NE		BLACK, ALBERT	R51-000278 / 8.8	-			
			SE	NE		TURNER, JOHN	R51-00030 / 8.8	-			
			SE	NE		TURNER, JOHN	51-00027 / 40.0	-			
			SE	NE		TURNER, JOHN	51-00028 / 40.0	-			
			SE	NE		TURNER, JOHN	51-00029 / 40.0	-			
06S	06E	31	NW	NW		STATE OF IDAHO	A51-00027A / 37.0	-			32
			NW	NW		BRUNEAU BUCKAROO DITCH CO	A51-10271 / 5.0	-			
			NW	NW		STATE OF IDAHO	A51-00028A / 37.0	-			
			NW	NW		STATE OF IDAHO	A51-00029A / 37.0	-			
			NW	NW		STATE OF IDAHO	A51-10166 / 37.0	-			
			NW	NW		BRUNEAU BUCKAROO DITCH CO	A51-00003 / 5.0	-			
			NW	NW		BRUNEAU BUCKAROO DITCH CO	A51-00005 / 5.0	-			
			NW	NW		BRUNEAU BUCKAROO DITCH CO	A51-10350 / 5.0	-			
			NW	NW		TURNER, JOHN	51-00027 / 40.0	-			
			NW	NW		TURNER, JOHN	51-00028 / 40.0	-			
			NW	NW		TURNER, JOHN	51-00029 / 40.0	-			
			NW	NW		1 ACE BLACK RANCH	51-07318 / 2.0	-			
06S	06E	31	SW	NW		STATE OF IDAHO	A51-00027A / 38.2	-			41
			SW	NW		STATE OF IDAHO	A51-00028A / 38.2	-			
			SW	NW		STATE OF IDAHO	A51-00029A / 38.2	-			
			SW	NW		STATE OF IDAHO	A51-10166 / 40.0	-			
			SW	NW		TURNER, JOHN	51-00027 / 40.0	-			
			SW	NW		TURNER, JOHN	51-00028 / 40.0	-			
			SW	NW		TURNER, JOHN	51-00029 / 40.0	-			
06S	06E	31	SE	NW		STATE OF IDAHO	A51-00027A / 38.3	-	37.0		40
			SE	NW		STATE OF IDAHO	A51-00028A / 38.3	-			
			SE	NW		STATE OF IDAHO	A51-00029A / 38.3	-			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	MR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
SE	W					STATE OF IDAHO TURNER, JOHN	A51-10166 / 40.0	51-00027 / 40.0			
SE	W					TURNER, JOHN		51-00028 / 40.0			
SE	W					TURNER, JOHN		51-00029 / 40.0			
SE	W										

ADDITIONAL POU FOUND

TOTAL ACRES A51-00027A 138.50 76.00 138

POU COUNTY: OMYHEE

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

Y() N()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A51-00027A	BRUNEAU RIVER	STATE OF IDAHO	1.690	0.012		
A51-00003	BRUNEAU RIVER	BRUNEAU BUCKAROO DITCH CO	20.000	0.009		
A51-00005	BRUNEAU RIVER	BRUNEAU BUCKAROO DITCH CO	16.400	0.007		
R51-00027B	BRUNEAU RIVER	BLACK, ALBERT	1.800	0.006		
A51-00027B	BRUNEAU RIVER	BLACK, ALBERT	2.140	0.009		
A51-00028A	BRUNEAU RIVER	STATE OF IDAHO	0.620	0.004		
A51-00028B	BRUNEAU RIVER	BLACK, ALBERT	0.660	0.002		
A51-00029A	BRUNEAU RIVER	BLACK, ALBERT	0.770	0.003		
A51-00029B	BRUNEAU RIVER	STATE OF IDAHO	0.460	0.003		
R51-00029B	BRUNEAU RIVER	BLACK, ALBERT	0.580	0.002		
R51-00030	BRUNEAU RIVER	BLACK, ALBERT	0.490	0.001		
A51-10166	FLOOD WATER	STATE OF IDAHO	2.000	0.007		
R51-10252	BRUNEAU RIVER	BLACK, ALBERT	11.460	0.020		
A51-10271	BRUNEAU RIVER	BRUNEAU BUCKAROO DITCH CO	42.600	0.043		
A51-10350	BRUNEAU RIVER	BRUNEAU BUCKAROO DITCH CO	13.540	0.013		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y(✓) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 51-00028, 51-00029.

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

M/A() Y(✓) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

M/A() Y(✓) N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N(✓)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y(✓) N()

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDNR NO. _____; () TOPOGRAPHIC QUAD, IDNR NO. _____;

() NAAPP, IDNR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: 138 N/A()

REVIEWED BY:

DATE: 9/23/98

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A51-00027A IRRIGATION	FROM 03-15 TO 11-15	1.690 CFS	
A51-00027A STOCKWATER	FROM 01-01 TO 12-31	0.050 CFS	
TOTAL DIVERSION RATE/VOLUME		1.690 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
51-00027 IRRIGATION	FROM TO	3.300 CFS	
51-00027 STOCKWATER	FROM TO		
51-00027 DOMESTIC	FROM TO		
TOTAL DIVERSION RATE/VOLUME		3.300 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDMR STANDARDS?

Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDMR STANDARDS?

Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDMR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

Y() N()

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 1.690 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 3.300 CFS

- A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A () Y () N ()
B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A () Y () N ()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

- C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y () N ()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

- D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y () N ()

E. MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.
FLOW MEASUREMENT

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 138 x 0.02 CFS/ACRE = 2.76 CFS
(Taken from pou review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y () N ()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y () N ()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = N/A AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = N/A AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

1b. CALCULATIONS

$$\begin{aligned} 51-00027A &= 1.50 \\ 00028A &= 0.54 \\ 00029A &= 0.41 \\ \hline &2.45 \end{aligned}$$

NOTES: _____

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. A/F/A		REC. CONS. USE	
			DATABASE	EXAMINER	DATABASE	EXAMINER
IRRIGATION	3/11 01-01 11-15	1.690	1.50		0.0	
STOCKWATER	12-31	0.050	0.05		0.0	
TOTAL FOR THIS RIGHT		1.50		N/A		N/A

NON-IRRIGATION USES CLAIMED: S/INSTREAM STOCK WATER VARIABLE AMOUNTS ✓

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: KW DATE: 9/23/98

FLAG: C

STANDARD CONDITIONS (CODE):

C14, N05, N08

STANDARD REMARKS (CODE):

C03

EXPLANATORY CONDITIONS (CODE):

P0011-E14

EXPLANATORY REMARKS (CODE):

F01

A. CHECK ONLY THE FOLLOWING THAT APPLY:

ACCEPTED AS CLAIMED ☒ NEEDS REVIEW ☐
() ()
() ()
() ()

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 51-00027

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE 3.300 EXAMINER 3.30 CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A51-00027A	1.690	R51-00027B	1.800	51-00027	3.300 ✓
-	A51-00027B	2.140	51-00027A	1.50		
TOTAL CFS		3.830		4.000		3.300 ✓

DIVERSION RATE REVIEW

FIELD EXAMINER Y() N()
DATABASE M

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

NOTES:

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

Ray Walker 9/23/98
Ray Walker Sr. Agent

IDAHO DEPT OF WATER RESOURCES

1987 NAPP PHOTO

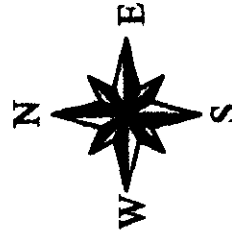
T06S, R06E, S31
T06S, R05E, S36

**CLAIM(S): 51-00027A,
51-00028A & 51-00029A**

Owner(s): FISH & GAME

Prepared by: KAY WALKER
Date: September 22, 1998

☐ Place of Use
☒ Section Lines
☐ 1/4 1/4's



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.

IDAHO DEPT OF WATER RESOURCES

1987 NAPP PHOTO

T06S, R05E, S36
T06S, R06E, S31

**CLAIM(S): 51-00027A,
51-00028A & 51-00029A**

Owner(s): Idaho Dept.
of Fish & Game

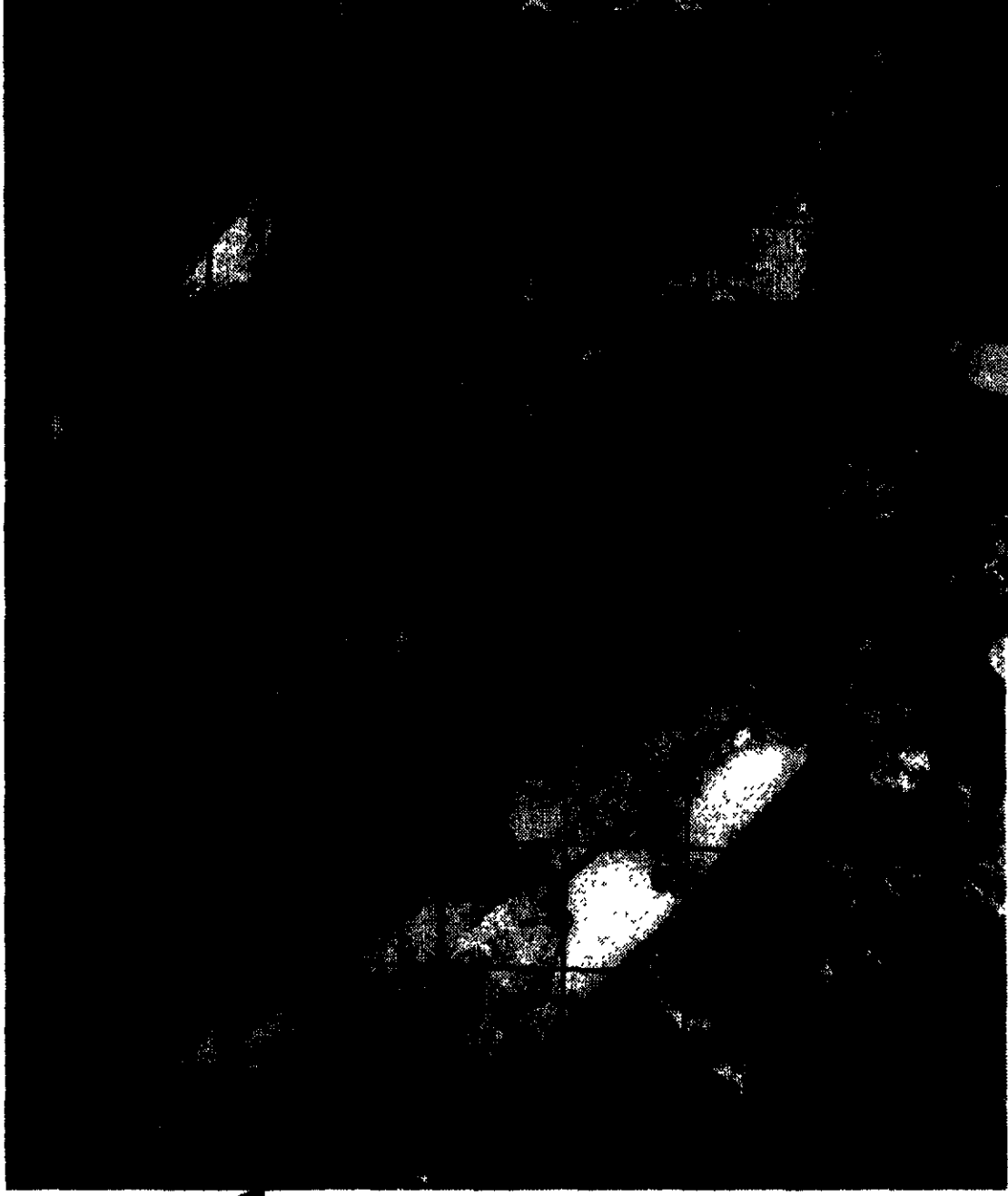
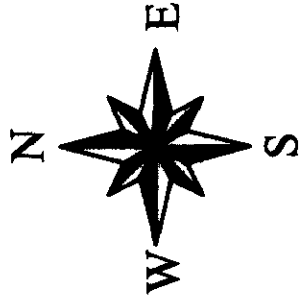
Prepared by: KAY WALKER
Date: July 25, 1998

 Place of Use

● Point(s) of Diversion

 Section Lines

 1/4 1/4's



0 0.25 0.5 0.75 1 1.25 Miles



BRUNEAU RIVER DECREE

SUMMARY OF SERA CLAIMS

AS OF 03/21/1989

Prepared by
Eldon L. Roush
Senior Water Resource Agent
Western Region

proportionate
shares per
ownership of
decreed plus
RW
6/26/98

Part A Fish &
Game
Part B

<u>DECREE#</u>	<u>TURNER</u>	<u>PROV</u>	<u>HARLEY</u>	<u>BLACK</u>	<u>TOTAL</u>	<u>DECREE TOTAL</u>
51-00027 B		1.50	1.69	1.61	1.80	3.30
51-00028 B		0.54	0.62	0.58	0.66	1.20
51-00029 B		0.41	0.46	0.44	0.49	0.90
51-00042	0.44	0.35	0.21		1.00	1.00
51-00043	0.95	0.78	0.47		2.20	2.20
51-00044	0.57	0.45	0.28		1.30	1.30
51-00045	0.44	0.35	0.21		1.00	1.00
51-00046	1.40				1.40	1.40
51-00047	0.30				0.30	0.30
51-00048	0.20				0.20	0.20
51-00049	0.20				0.20	0.20
51-00050		0.20	0.10		0.30	0.30
51-00051		1.22	0.58		1.80	1.80
51-00052		0.34	0.16		0.50	0.50
51-00053		0.41	0.19		0.60	0.60
CFS	4.50	4.10	4.97	2.63		
M.I.	225"	205"	248.5"	131.5"		

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: 51-00027A

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 water 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 10:04:36
Page 1

Water Right Number - R51-00027A Prefix Translation: RESEARCH Old (D) Number -

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

*** C - CURRENT OWNER ***
STATE OF IDAHO

1 - DEPT OF FISH & GAME
2 - PO BOX 25
3 -
City- BOISE State- ID Zip- 83720
Phone - 208-327-7025

1 -
2 -
3 -
City- X State- ID Zip- 0
Phone - 208-000-0000

1 -
2 -
3 -
City- XXXXXXXX State- ID Zip- 000000000
Phone - 208-000-0000
1 - 9673 PATTIE COURT
2 -
3 -

1 -
2 -
3 -
City- BOISE State- ID Zip- 83704
Phone - 208-000-0000

*** D - ORIGINAL OWNER ***
TURNER

JOHN

ALBERT F.

HARLEY

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
04/01/1875 14 WESTERN I - DISALLOWED

+ - - - - Source - - - - + + - - - - Tributary - - - - - +
BRUNEAU RIVER SNAKE RIVER

+ - - - - Point of Diversion - - - - - +

Tw	Rng	Sec	Tract	Lot	Rflg	County
07S	06E	5	SW SE		(73)	ONYNEE

+ - - - - Description Period From Period To Water Use Diversion Rate Diversion Volume

01 - IRRIGATION	03/01	11/15	1.500		
04 - STOCKWATER	01/01	12/31	0.050		

+ - - Total Div. Rate - - + + - - Total Div. Volume - - + + - - Total Consumptive Use - - + + - - KW Usage - - +
1.500 0.0

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06S	05E	36	SE NE	25.0	01	01	IRRIGATION	(73) ONYNEE
06S	06E	31	NW NW	1	32.0	01	IRRIGATION	(73) ONYNEE
06S	06E	31	SW NW	2	41.0	01	IRRIGATION	(73) ONYNEE
06S	06E	31	SE NW	40.0	01	01	IRRIGATION	(73) ONYNEE

Water right number - R51-00027A

Prefix Translation: RESEARCH

+ - - Diversion Means - HEADGATES IN CANAL TO DITCHES TO FLOOD IRRIGATE

+ . . Non-Irrigation Use -

+ - - Other Rights for Same Use - 51-00028, 51-00029.

Remarks

GEN **FORFEITED/ABANDONED.**
DUE TO NON-USE 1987 - 1998.

Old Water Right Numbers

5100027

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

+ - - - Decree Plaintiff - - +
 GRANDVIEW IRR. DIST.
 + - - - Decree Defendant - - +
 BRUNEAU BUCKAROD CO-OP DITCH CO.
 + - Decree Date - +
 00/00/0000

• • • • • Comments • • • • •

Date: 06/27/1998 User Id: KWALKER Subject: COPIED FROM REMARKS
THIS IS A SPLIT RIGHT OF 51-00027.

AMENDED 03/20,21/1989 TO REFLECT THE FOLLOWING:
LATERALS. AMENDED TO REFLECT THAT OF THE SOUTH SIDE CANAL.
ACRES SHOULD HAVE BEEN 25. CHANGED ACCORDINGLY.

THE AMOUNT OF SPLIT BASED ON ERRONEOUS ACRES AS OUTLINED ABOVE. OWNERSHIP CHANGED BY KW 10/27/92.

CHANGED ACCORDINGLY. ELR
OWNERSHIP CHANGED BY KW 11/16/92.

WATER DELIVERED VIA SOUTH SIDE CANAL.
 *P.O.D. IN ORIGINAL CLAIM LISTED DESCRIPTION AS THAT OF THE
 *ACRES CLAIMED IN SECTION 36 T6S R05E LISTED 40 ACRES. PROPER
 *QUANTITY OF WATER APPROPRIATED IN ORIGINAL CLAIM WAS REFLECTED
 CHANGED ACCORDINGLY. ELR
 OWNERSHIP CHANGED BY KU 11/16/92.

+ - - Audit Fields - - + 07/25/98 KWALKER

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 12/02/1993	Civil Case Number	-
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	- 03/21/1989	Temporary Right	- P
		Receipt Number	- W002030	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	-

CLAIM NUMBER: A51-00027A

TOTAL DIVERSION: 1.69 CFS

Tributary to: SNAKE RIVER

T07S R06E S05

IRRIGATION

III

天

for: IRRIGATION

nty: 04YHEE

WATER VARIABLE AMOUNTS

Fights: 51-00028, 51-00029.

FOLLOWING:
 1. DESCRIPTION AS THAT OF THE
 2. THE SOUTH SIDE CANAL.
 3. BE LISTED 40 ACRES. PROPER
 4. ACCORDINGLY.
 5. ORIGINAL CLAIM HAD REFLECTED
 6. 100 ACRES AS OUTLINED ABOVE.

Objection Filed Date:

Verified Date:
Field Inspection Flag:
Resumption Flag:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:27:06
07/25/98

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A51-00027A

LAST: TURNER
ADDRESS: XXXXXXXX
CITY: XXXXXXXX
PHONE NUMBER: 208-000-0000
STATE: ID ZIP: 000000000

OWNER CODE: 0

LAST: HARLEY
ADDRESS: 9673 PATTIE COURT
CITY: BOISE
PHONE NUMBER: 208-000-0000
STATE: ID ZIP: 83704

OWNER CODE: 0

LAST: STATE OF IDAHO
ADDRESS: DEPT OF FISH & GAME
PO BOX 25
CITY: BOISE
PHONE NUMBER: 208-327-7025
STATE: ID ZIP: 83720

OWNER CODE: C

LAST: FISH & GAME
ADDRESS: X
CITY: X
PHONE NUMBER: 208-000-0000
STATE: ID ZIP: 0

OWNER CODE: K

FIELD EXAM REQUIRED? FIELD EXAMINER
VERIFICATION REQUIRED DUE TO REMARKS? Y () N (✓)

CLAIM REMARKS: GEN THIS IS A SPLIT RIGHT OF 51-00027.
WATER DELIVERED VIA SOUTH SIDE CANAL.
AMENDED 03/20,21/1989 TO REFLECT THE FOLLOWING:
*P.O.D. IN ORIGINAL CLAIM LISTED LAND DESCRIPTION AS THAT OF THE
LATERALS. AMENDED TO REFLECT THAT OF THE SOUTH SIDE CANAL.
*ACRES CLAIMED IN SECTION 36 T04S R05E LISTED 40 ACRES. PROPER
ACRES SHOULD HAVE BEEN 25. CHANGED ACCORDINGLY.
*QUANTITY OF WATER APPROPRIATED IN ORIGINAL CLAIM HAD REFLECTED
THE AMOUNT OF SPLIT BASED ON ERRONEOUS ACRES AS OUTLINED ABOVE.
CHANGED ACCORDINGLY. ELR
OWNERSHIP CHANGED BY KU 10/27/92.
OWNERSHIP CHANGED BY KU 11/16/92.

CONTACT PERSON: _____ PHONE NUMBER: (____) ____-____
DATE OF FIELD EXAM: ____/____/____ APPOINTMENT MADE: Y(____) N(____) TIME: ____:____ A(____) P(____)
ACCOMPANIED BY: _____ PHONE NUMBER: (____) ____-____
RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

*Visited property 12/12/93 - no sign of
user. Viewed property again on
1/12/98 and did not see any
user taking place.*

A. AJ CLAIM: # A51-00027A PRIORITY DATE: 04-01-1875 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

FIELD EXAM COMPLETED

FIELD EXAM SENT TO STATE OFFICE

LICENSE ISSUED

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

NOTES:

RECOMMENDED PRIORITY DATE:

REVIEWED BY

DATE

Y(✓) N()

Y() N(✓)

Y(✓) N()

N/A() Y() N()

N/A() Y() N()

N/A() Y() N()

N/A() Y() N()

N/A(✓) Y() N()

Y(✓) N()

8/5/98

A. ROOT WATER RIGHT NUMBERS:		A51-00027A
		A51-00027B
		R51-00027A
		R51-00027B

B. POI LISTING						
TWP	RNG	SEC	1/4	1/4	LOT	NAME
06S	05E	36	SE	NE		STATE OF IDAHO
06S	06E	31	NW	NW		STATE OF IDAHO
06S	06E	31	SW	NW		STATE OF IDAHO
06S	06E	31	SE	NW		STATE OF IDAHO

AJ	WR	LANDSAT	FIELD	RECOMM.
#/ACRES	#/ACRES	DATA	EXAM.	ACRES
A51-00027A / 25.0	-	/		
A51-00027A / 37.0	-	/		
A51-00027A / 38.2	-	/		
A51-00027A / 38.3	-	/		

TOTAL ACRES A51-00027A 138.50

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED? Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POI AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A51-00027A	BRUNEAU RIVER	STATE OF IDAHO	1.690	0.012		
A51-00003	BRUNEAU RIVER	BRUNEAU BUCKAROO DITCH CO	20.000	0.009		
A51-00005	BRUNEAU RIVER	BRUNEAU BUCKAROO DITCH CO	16.400	0.007		
R51-00027A	BRUNEAU RIVER	STATE OF IDAHO	1.500	0.010		
R51-00027B	BRUNEAU RIVER	BLACK, ALBERT	1.800	0.006		
A51-000278	BRUNEAU RIVER	BLACK, ALBERT	2.140	0.009		
R51-00028A	BRUNEAU RIVER	STATE OF IDAHO	0.540	0.003		
A51-00028A	BRUNEAU RIVER	STATE OF IDAHO	0.620	0.004		

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A51-000288	BRUNEAU RIVER	BLACK, ALBERT	0.770	0.003		
R51-000288	BRUNEAU RIVER	BLACK, ALBERT	0.660	0.002		
A51-00029A	BRUNEAU RIVER	STATE OF IDAHO	0.460	0.003		
R51-00029A	BRUNEAU RIVER	STATE OF IDAHO	0.410	0.002		
R51-000298	BRUNEAU RIVER	BLACK, ALBERT	0.490	0.001		
A51-000298	BRUNEAU RIVER	BLACK, ALBERT	0.580	0.002		
R51-00030	BRUNEAU RIVER	BLACK, ALBERT	1.040	0.003		
A51-10166	FLOOD WATER	STATE OF IDAHO	7.460	0.020		
R51-10252	BRUNEAU RIVER	BLACK, ALBERT	1.280	0.004		
A51-10271	BRUNEAU RIVER	BRUNEAU BUCKAROO DITCH CO	42.600	0.013		
A51-10350	BRUNEAU RIVER	BRUNEAU BUCKAROO DITCH CO	13.540	0.006		

NO RIGHTS WITH SAME POI BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 51-00028, 51-00029.

E. IS THE CLAIMED POI THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POI, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POI BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POI BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

CHECK DOCUMENTS USED TO VERIFY POB: ☒ ORTHOPHOTOQUAD, IDAR NO. AH62; () TOPOGRAPHIC QUAD, IDAR NO. _____;

() MAP, IDAR NO. _____; ☒ ASCS PHOTO; () OTHER _____

NOTES: No indication of use on this property.

RECOMMENDATIONS:

TOTAL ACRES: _____ N/A ()

REVIEWED BY: KW

DATE: 8/15/88

PAGE: 8
PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A51-00027A IRRIGATION	FROM 03-15 TO 11-15	1.690 CFS	
A51-00027A STOCKWATER	FROM 01-01 TO 12-31	0.050 CFS	
TOTAL DIVERSION RATE/VOLUME		1.690 CFS	

NOTES:

NOTES: No irrigation occurring. No
stock present 12/2/93 or 7/2/98.

AJ CLAIM TOTAL DIVERSION RATE: 1.690 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 3.300 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE?

N/A() Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE?

Y() N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM?

Y() N()

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A		REC. COMS. USE	
			DATABASE	EXAMINER	DATABASE	EXAMINER
IRRIGATION	03-15 11-15	1.690			0.0	
STOCKWATER	01-01 12-31	0.050			0.0	
TOTAL FOR THIS RIGHT		1.690			0.0	

NON-IRRIGATION USES CLAIMED: S/INSTREAM STOCK WATER VARIABLE AMOUNTS

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: KW

DATE: 8/5/98

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

*Recommend disallow -
POH*

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
()	()
()	()
()	()

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

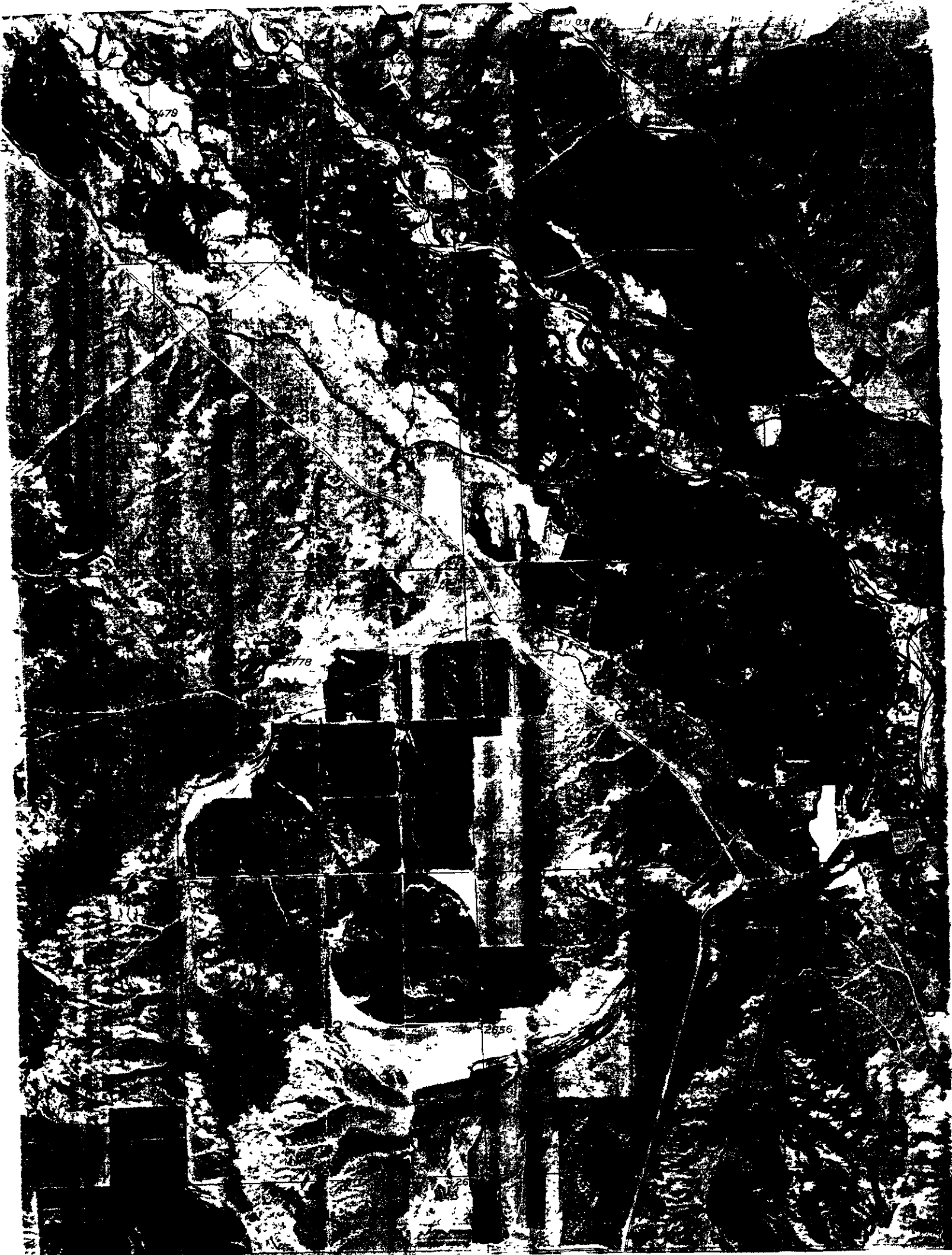
TITLE: _____

Ray Walker *8/5/98*
Ray Walker *Sr. Agent*

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO 1974 IDMR ID NO. 8862	Y() N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED IDMR ID NO.	Y() N()
☐ MAP	DATE OF PHOTO IDMR ID NO.	Y() N()
☒ ASCS AERIAL PHOTO	DATE OF PHOTO 1988	Y() N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO	Y() N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO	Y() N()
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY	Y() N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED	Y() N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP	Y() N()
☒ OTHER G/S area	DATE 7/25/98	Y() N()
☐ OTHER	DATE	Y() N()
☐ OTHER	DATE	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM		
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED		
☐ IDMR APPROVED TRANSFER	DATE TRANSFER APPROVED		
☐ SYSTEM DESCRIPTION	DATE DRAIN		
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN 12/24/93	2	
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED		
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED		
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED		
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED		
☐ OTHER	DATE		
☐ OTHER	DATE		



479

478

2856

26

ASI-00042B 1988

105
106
107

3029
3132

NN:27

per
exam
field
10/19/93

2
5.5

194

3
258

656
T-749
NHCL

6

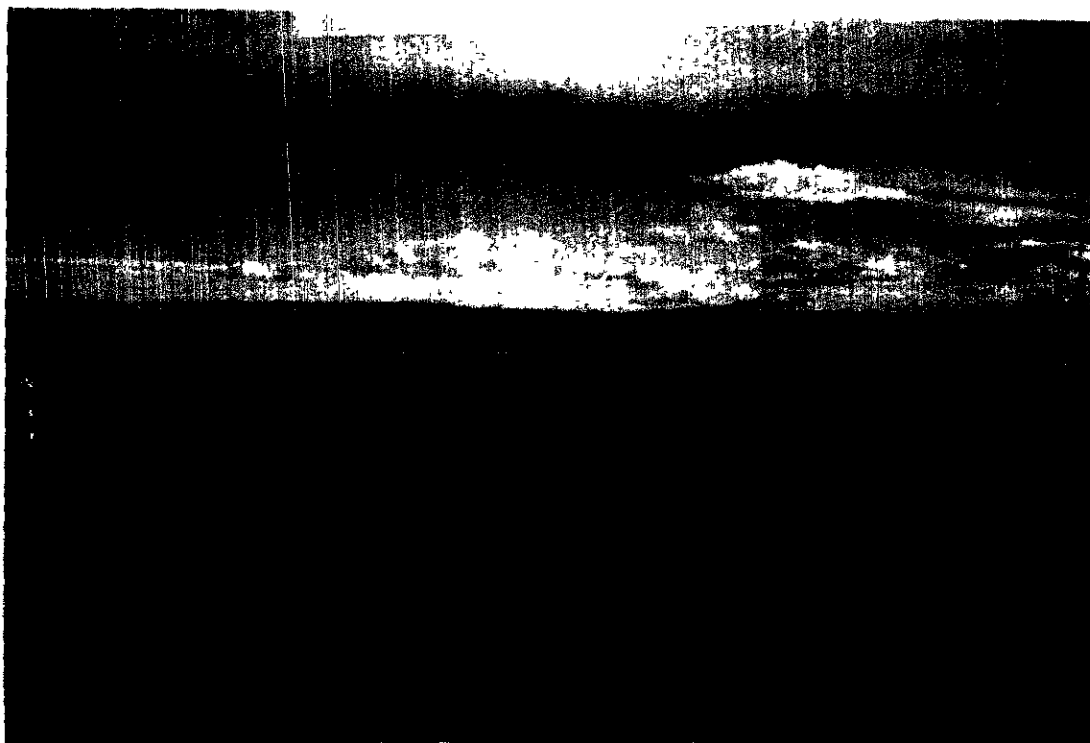
① of 2



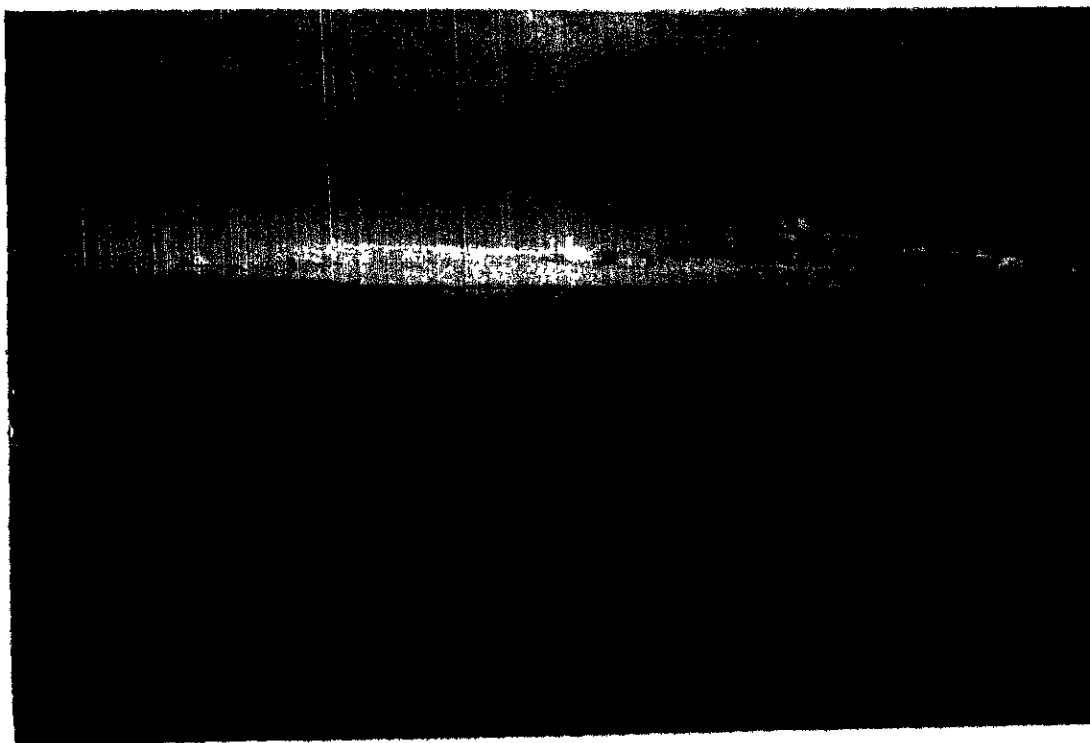
PHOTOGRAPHER: KAY WALKER

DATE OF PHOTOS 12-2-1993

FILE NO(S). A51-00027A/00028A/00029A



Simplots
place -
per Dick
per
Orcutt
9-2-98
claimed
in NW 1/4,
~~S23~~ S31,
T6S, R6E
(North of
Brow's
place).



Photos (3)
taken from
hill to the
west above
South Side
Ditch &
Hot Creek
Road.
facing SE
towards
river.

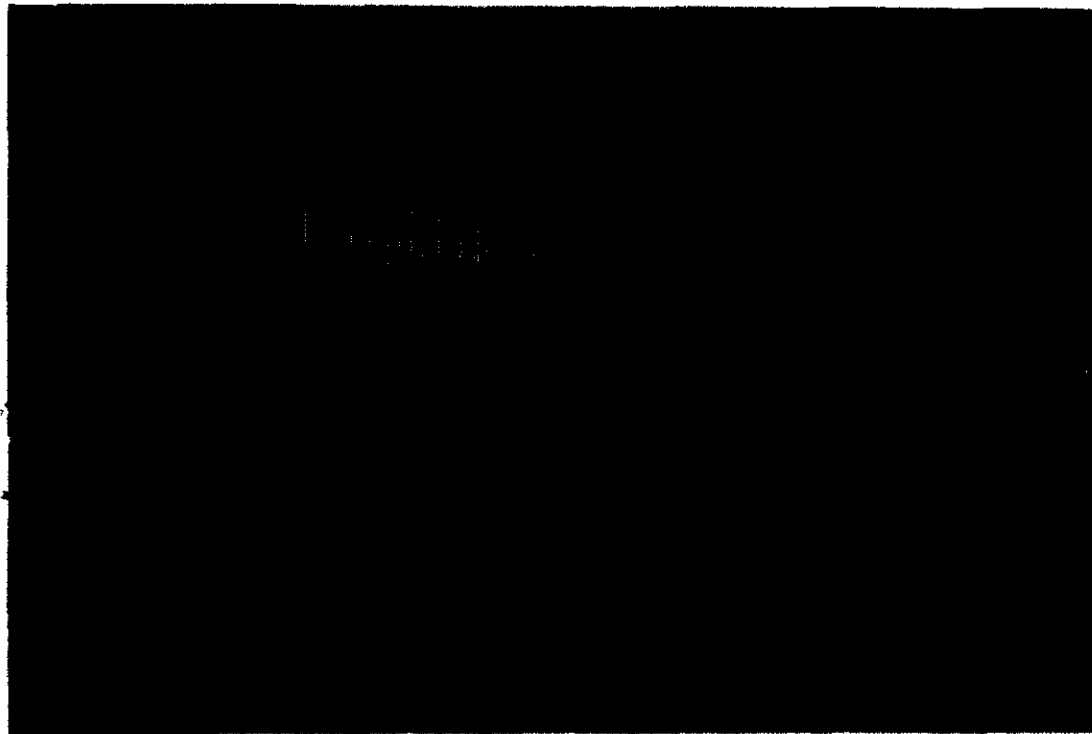
② of 2



PHOTOGRAPHER: KAY WALKER

DATE OF PHOTOS 12-2-1993

FILE NO(S). A51-00027A/00028A/00029A



Not
F & M
per
Dick
Orcutt-
is simple
land.
KW
9/2/98

Water Right Number - 51-00027 ✓

prefix Translation:

Old (D) Number -

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

*** C - CURRENT OWNER ***
TURNER

JOHN

1	-
2	-
3	-
Cit	
Pho	

**State-
zip-**

zip-

+ - - Priority Date	- / - +	+ - - Region	- - - +	+ - - Stage	- - - +	+ - - Status
04/01/1875	/	14 WESTERN		D - DECEED ✓		

+ Source ✓	+ Tributary ✓
BRUNEAU RIVER	SNAKE RIVER

[illegible]

07S 06E 5 NE SW (73) 04YHEE

Code	Description	Period From	Water Use Period To	Diversion Rate	Diversion Volume
------	-------------	-------------	------------------------	----------------	------------------

01 - IRRIGATION
04 - STOCKWATER
43 - DOMESTIC

3.300 ✓

+ - Total Div. Rate	- +	+ - Total Div. Volume	- +	+ - Total Consumptive Use	- +	+ - KU Usage
						0.0

Town	Rng	Sec	Tract	Lot	Acres	Code	Description	County
							Place of Use	

[illegible]

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

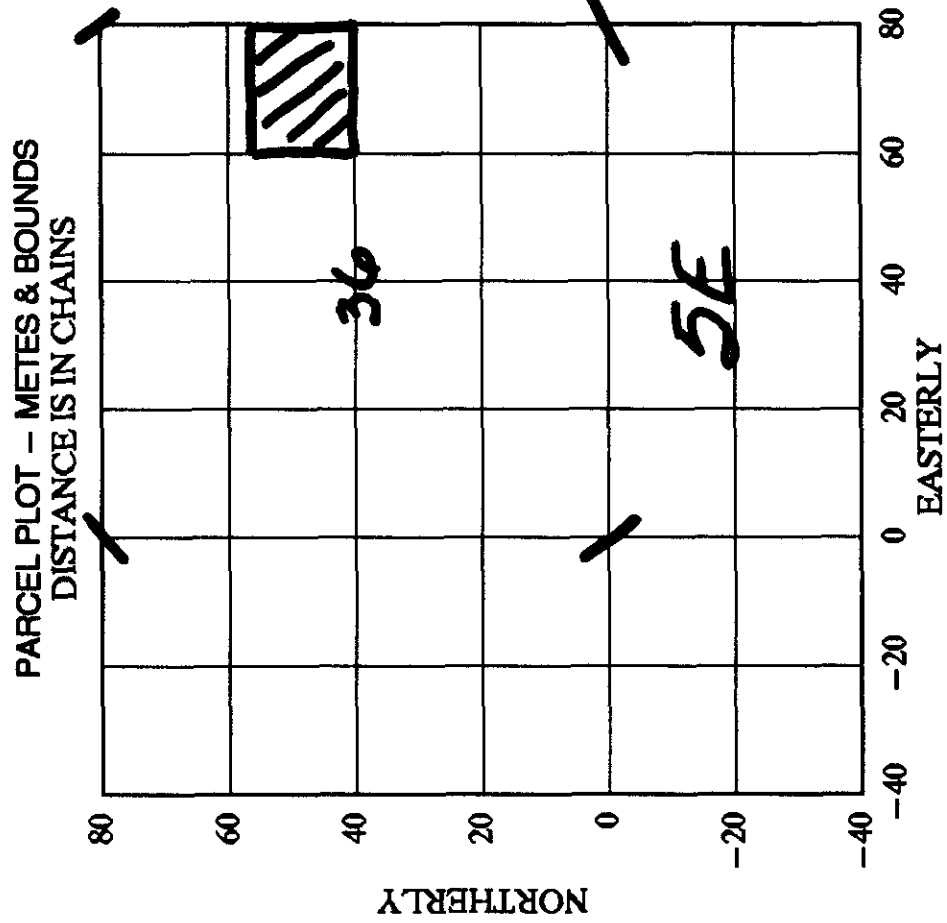
+	-----	Remarks	-----	+
		No Remarks found.		

$$B_{\text{out}} = 75 \text{ ac}$$

1458

370 total

Per A-
Exhibit 1-
pg. 100
attached
to
join



MEMORANDUM

DATE: 10-Dec-1992 15:26

TO: FILE *A51-00027A*

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

PO BOX 1560
SUN VALLEY, IDAHO 83353

TELEPHONE (208) 726-3384

NOV 12 1992

November 6, 1992

Dear Mr. Walker,

Department of Water Resources
Western Regional Office

(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