



RESTRICTED
NO 10000

Patented 7/13/82 Book 7 of Patents page 79

Davis

William E. Harris

7/13/82 William E. Harris to J. E. McCrum et al
Book T of Seeds 338

3/6/89 Mary B. McCrum to Thomas Davis Book U of Seeds page 36

11/7/90 Henry McCrum et al to Mary B. McCrum Book U of Seeds page 6

✓ Fred McCrum to ✓ ✓ Book U of Seeds page 6

✓ Marion McCrum to ✓ ✓ Book U of Seeds page 6

✓ Charles McCrum to ✓ ✓ Book U of Seeds page 6

✓ Marion Soper to ✓ ✓ Book U of Seeds page 6

4/6/89 John E. McCrum Est Secy of Dist. Book 4 of Misc page 4

4/7/1900 Thomas Davis to John Turner Book 2 page 518

E. B. Gaylord to C. E. Gaylord Book T page 496

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3/3/21 Mrs Emma Turner to John Turner Book 15 of Seeds page 2

7/24/29 John Turner Est Secy of Dist. Book 7 of Misc page 36

6/3/57 William Isaac Turner et al to William Isaac Turner et al
Book 49 of Seeds page 186

6/5/57 ✓ ✓ Book 9 of Agreements page 4

6/5/57 Adelaide Maude Turner Hawes et al Roland J. Hawes
Book 9 of Bonds & Agreements

7/8/57 ✓ ✓ Book 49 of Seeds page 217

9/24/58 Roland J. Hawes to Mary Jane A. Hawes
Book 50 page 449

MICROFILMED

NOV 10 1992

Affidavit for Change of Point of Diversion of Decreed Water Right

51-0027

STATE OF IDAHO

County of Blaine

John Turner Estate by Wm. Turner being first duly sworn, deposes and says: That his postoffice address is Blaine, Idaho; That he is the owner of and using a certain water right bearing date of priority of April 18th 1913 for 375 to 400 cubic feet per second of the waters of Blaine River County of Blaine State of Idaho, decreed to John Turner by decree of Judge Edwards of the Third Judicial District of the State of Idaho, in and for the County of Ada in the case of Turner vs. Blaine Cattle Co. said decree bearing date of Feb. 14, 1915 for the purpose of bringing the following described lands, situate, lying and being in Water Dist. No. 57B, in the County of Blaine and State of Idaho, to-wit: E 1/4 SW 1/4 Sec. 25 N 1/4 NE 1/4 SE 1/4 NE 1/4 Sec. 36 Township 6 S Range 6 E B. M.

That he is the person (or representative of the corporation) to whom such right was issued, (or has become the owner thereof in the following manner:

That said waters are now diverted from said stream in the NE 1/4 SW 1/4 Sec. 15 Twp 7 S Range 6 E and conducted to the above described lands through the private ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said water from the point above described to a point located in NE 1/4 of SW 1/4 Sec. 5 Twp 7 S Range 6 E and thereafter conduct same to the above described land through the South Side ditch, as per map above referred to;

That his reasons for desiring to make such change are as follows: The South Side Blaine Canal Company, Limited, has built its point of diversion at the point of diversion formerly used by the affiant

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

Subscribed and sworn to before me this 20th day of August, 19 29

John Turner Est
Wm. Turner

Charles Reese
Notary Public.

NOTE: If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

NOTARIAL

AUG 10 1992

August 27, 1929

Mr. Wm. Turner, Administrator
John Turner Estate
BrunEAU, Idaho

Dear Sir:

This is to acknowledge receipt of your
Affidavit for Change of Point of Diversion of De-
creased Water Right, which has been filed in this
office as of August 26, 1929.

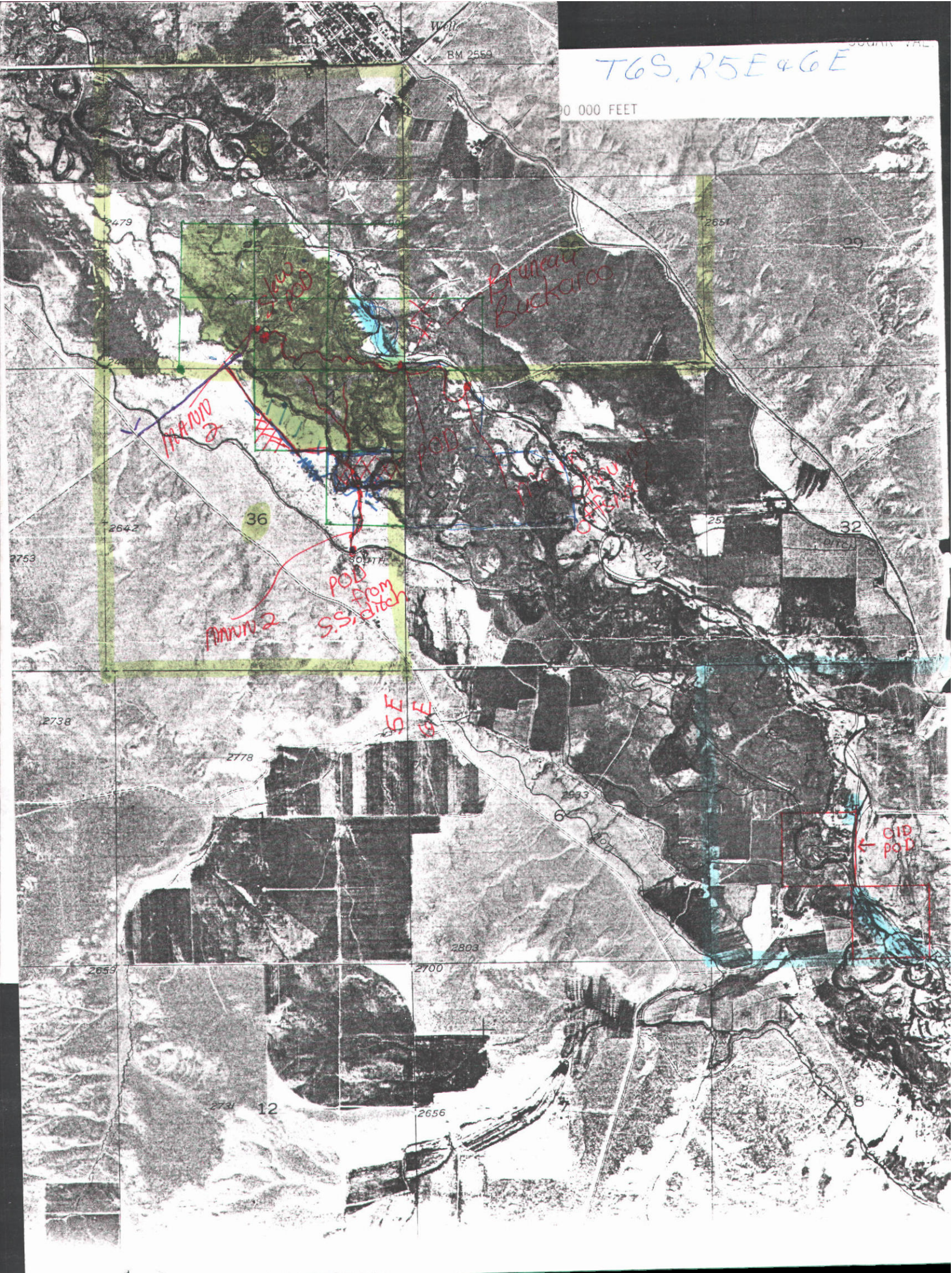
Yours truly,

Assistant Commissioner
of Reclamation

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AUG 1 1932

90 000 FEET



Black

CARD NO. ~~1-2-3-4~~

TOWNSHIP 6S

RANGE 5E ~~EAST~~

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
6S 6E Sec. 30					
30	29	28	27	26	25
31	32	33	34	35	36

19
//
/
/

40 25 33 23
40 40 40 40 25
40 40 40 40 15
40 40 40 40 15
15 15

A51-00027B 215 Ac @ 2.14 cfs
 A51-00028B 215 Ac @ .77 cfs
 A51-00029B 215 Ac @ .58 cfs
 A51-00030 100 Ac @ 2 cfs
 A51-10252 160 Ac @ 3.2 cfs

5.49 cfs 5"
214.5"

/ Decreed POU - 51-27, 28, 29 for 320 acres & 270 inches
 // Decreed POU - 51-00030 for 160 acres & 100 inches

65.5E
(Block

6. NHEL 1.9 NHEL 1.9 NHEL 1.9

563

26	25
35	36

25
36

63.1
NHEL





4-20-93 LRW

Looking NE toward main Bruneau river channel. Could not get to diversion as we were cut off by water.



4-20-93 LRW

Looking NE where ditch & river diverge.



4-20-93 LRW

Ditch heading south



4-20-93 LRW

Diversion in slough. By dirt road to fields toward river.



Place of use from road. looking toward
river. ~~Sas~~ West to east.
4-20-93
LRW

Asa Black
 Pic #s 1-4
 West to East



2



3



4

Place of use from road. looking toward
 river. East West to east.
 4-20-93
 LRU



2



3



4

Place of use from road. looking toward
river. East West to east.
4-20-93
LRW



3



4

Place of use from road. looking toward
river. East West to east.
4-20-93
LRW



Place of use from road. looking toward
river. ~~Sas~~ West to east.
4-20-93
LRW



4-20-93

Point of diversion to Joyce ditch.



4-20-93

Ditch diversion at slough, Section 25, SW $\frac{1}{4}$ SE $\frac{1}{4}$



4-20-93

Place of use- T5S, R6E, Sec. 25, SW $\frac{1}{4}$ SE $\frac{1}{4}$



4-20-93

Diversion ditch off South Side Canal, Manning's site #2. T6S, R5E, Section 36, NE $\frac{1}{4}$ SE $\frac{1}{4}$.



9-24-93 by Maria Minicucci

Diversion from Bruneau river for South Side Canal

7/2/98 Ace Blacks Property Sue Beck



Standing on
1/4 1/4 Sec 16 NE NE
Sec 25 looking
N



looking South

7/2/98 Ace Black's property
Sue Beck



Waste Diversion
for lower end
fields

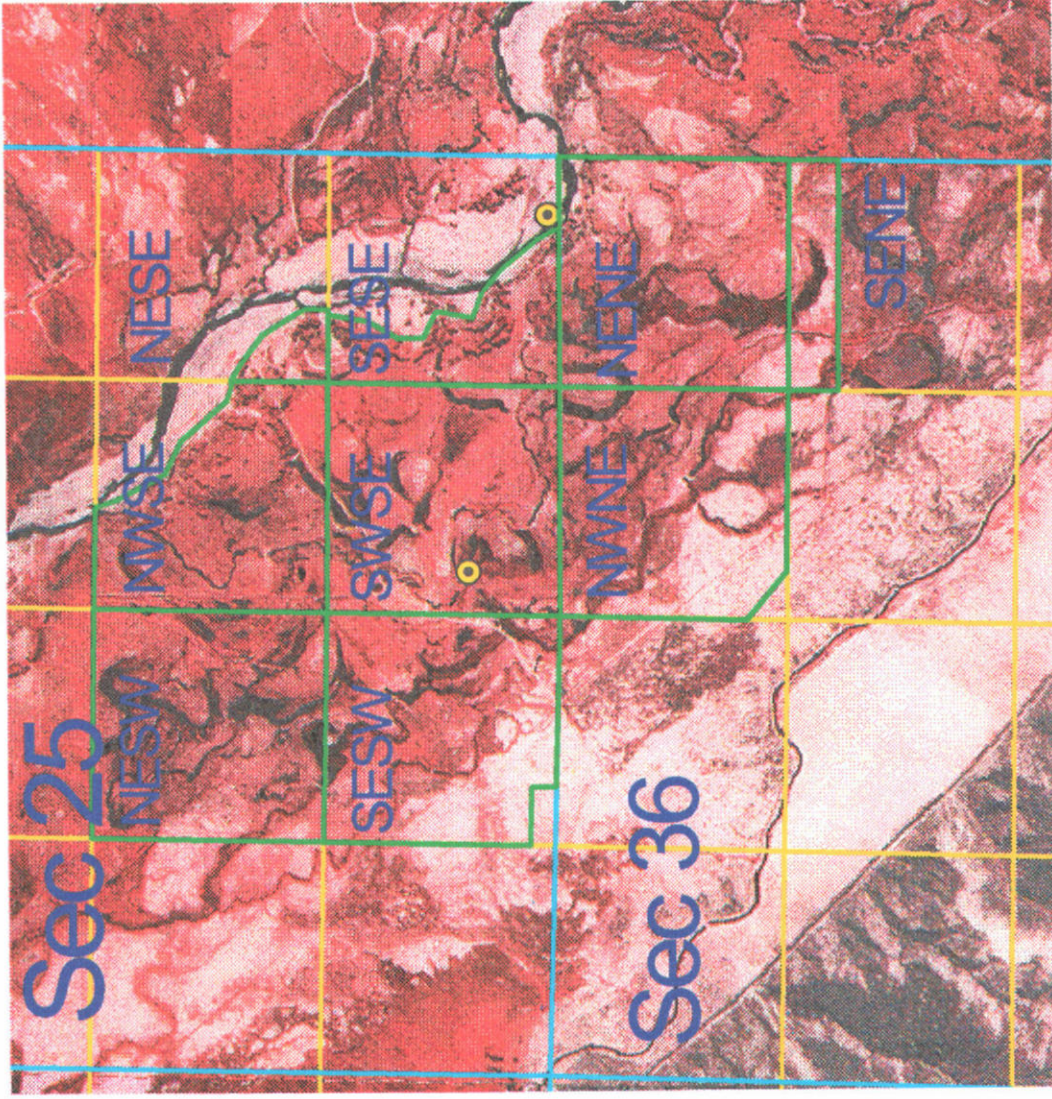


Overview of
Entire POA
facing east

Idaho Dept of Water Resources

T06S, R05E, S 25 & 36
 Claim No(s): 51-00027B, 51-00028B,
 51-00029B, 51-00030, 51-10252,
 Claimant(s): Ace Black
 Prepared by: Sue Bock
 Date: 07/06/1998

-  Place of Use
-  Point of Diversion
-  1/4 1/4 lines
-  Section Lines



1987 NAPP Photo



Idaho Dept of Water Resources

T06S, R05E, S 25 & 36
 Claim No(s): 51-00027B, 51-00028B,
 51-00029B, 51-00030, 51-10252,
 Claimant(s): Ace Black
 Prepared by: Sue Bock
 Date: 07/06/1998



Place of Use



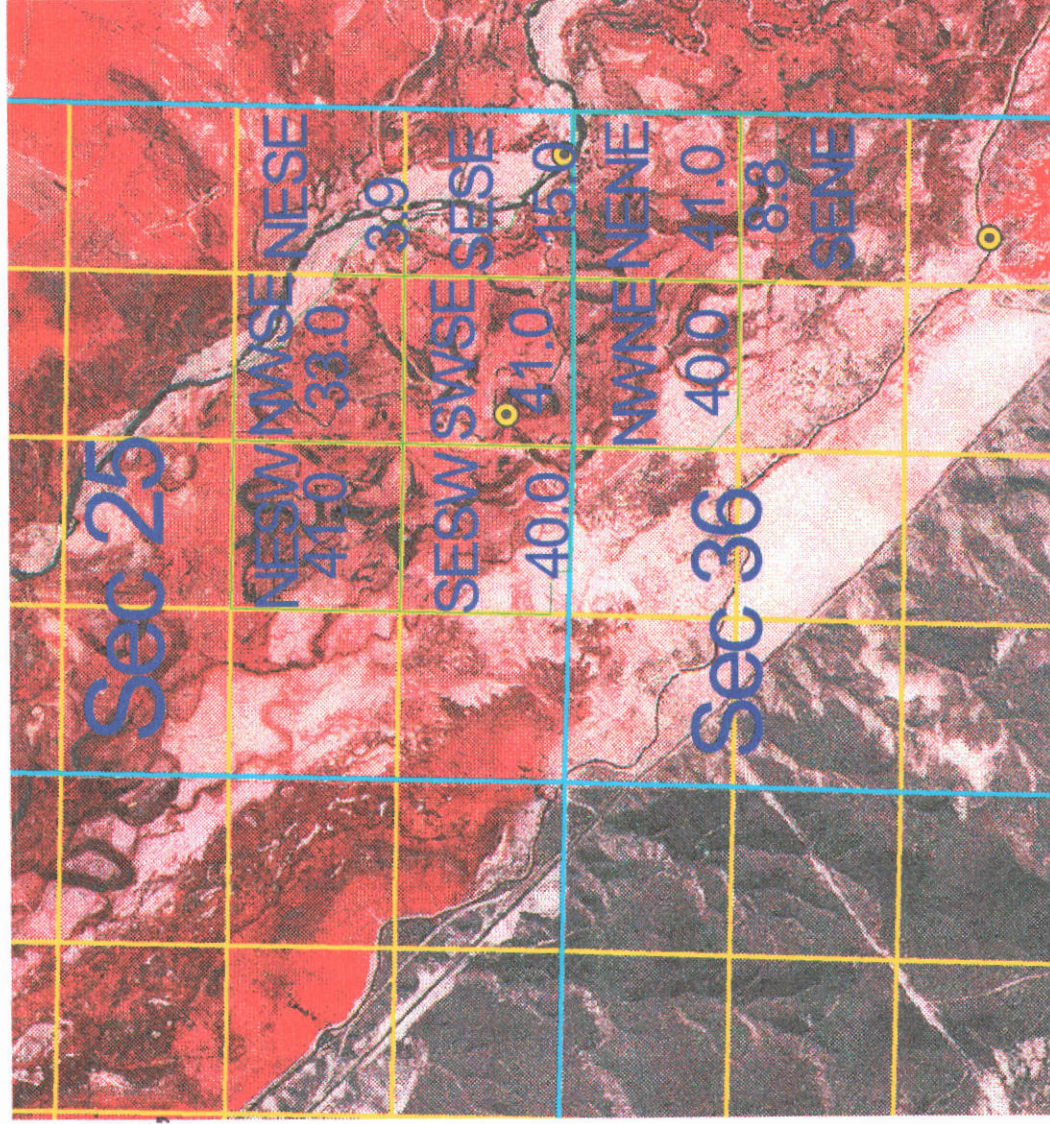
Point of Diversion



1/4 1/4 lines



Section Lines



1987 NAPP Photo

0 0.25 0.5 0.75 1 Miles

Filing Fee 50.00
Clerk's Fee 215.00
265.00

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: A51-00027B
Date Received: 3/27/1989
Receipt No: W002472
Received By: ER

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALBERT BLACK 208-845-2542
Address: % ACE BLACK
HC 85 BOX 101
BRUNEAU, ID 83604

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:
DAM TO CANAL TO HEADGATES TO LATERALS TO FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.140		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/INSTREAM STOCK WATERING FOR VARIABLE AMOUNTS AND BREEDS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	05E	25	NE	SW		IRR	40.0

A51-00027B

Page 1

Date: 03/27/89

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	05E	25	SE	SW		IRR	40.0
			SW	SE		IRR	40.0
			Section Acres				120.0
		36	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SE	NE		IRR	15.0
			Section Acres				95.0
			Total Acres				215.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
51-00028B, 29B, 30.

14. Remarks:

THIS CLAIM IS A SPLIT OF 51-00027.
WATER DELIVERED VIA SOUTH SIDE CANAL.
DECREE WATER SPLIT PROPORTIONATELY BETWEEN CLAIMANTS USING
ASSUMPTION THAT INCHES DECREE EQUALS ACRES IRRIGATED. ELR.

THIS CLAIM LISTS THE SWSE 1/4 AS LANDS IRRIGATED UNDER THE PARENT
RIGHT WHICH DID NOT LIST THIS 1/4 1/4 AS LANDS OWNED BY JOHN
TURNER. DOCUMENTATION SUPPORTING THAT THE BRUNEAU RIVER DECREE
HAD ERRONEOUSLY OMITTED THIS 1/4 1/4 HAS BEEN FILED BY THE
CLAIMANT AND CAN BE FOUND IN FILE # A65-00027B.
THIS CLAIM REPRESENTS THE ADDITION OF THIS 1/4 1/4 TO THE BRUNEAU
RIVER DECREE AS IRRIGATED LANDS BUT DOES NOT REPRESENT ADDITION
OF INCHES WITHIN THE DECREE FOR THOSE ADDITIONAL LANDS.
THIS 40 ACRES WAS NOT USED IN DETERMINING THE PROPORTION OF
WATER SPLIT AMID THIS AND OTHER CLAIMS. ELR. *****

15. Basis of Claim: DECREE

Case Number:
Court :
Decree date:

GRANDVIEW IRR. DIST.
Decree Plaintiff

vs

BRUNEAU BUCKAROO CO-OP DITCH C
Decree Defendant

A51-00027B

Page

2

Date: 03/27/89

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AUG 10 1992

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): [Signature] Date: Mar 27, 1989
[Signature] Date: _____

State of Idaho

County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 27 day

of March 19 89

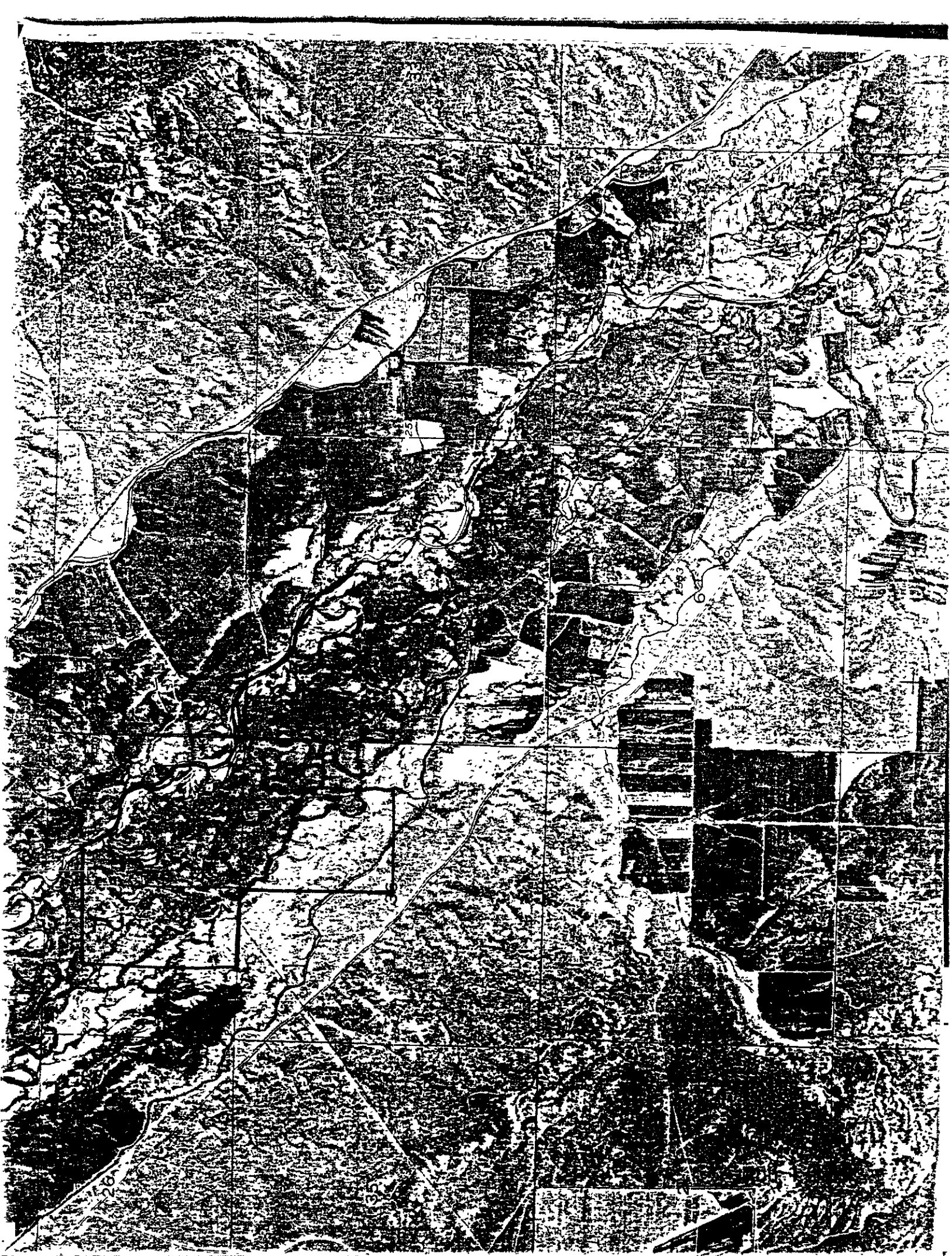
Eldon L. Roush
Notary Public

Seal

Residing at _____

My Commission Expires _____

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



"Water Right"

Notice is hereby given that I, Claude Two thousand (2000) inches of Water, to be taken out of this the Bruceau River, my ditch to convey the same is to be Eight (8) feet wide on the top, three (3) feet deep, and six (6) feet wide on the bottom, my ditch for conveying said water is to commence to receive the said Water on Govt's land in the Bruceau Valley in — Orange County, S.D. and to be two and three quarter miles (2 3/4) long more or less, and to terminate on my land in the said Valley. I claim all the right of way over all lands that the law allows, for the construction of said ditch and for conveying said water. I claim the said water for irrigating and other purposes.

T. E. Harris

N^o. E. Harris

Bruceau Valley, Jan 2^d 1883 }
 Filed Jan 2^d 1883, at 10 o'clock, A.M. }
 Angus Synanon - Recorder }

Water Right

The undersigned claims the Water running in this Reynolds Creek a Stream running through, township and South range no 3 west in Deuel County, S.D. to the extent of Fifteen hundred (1500) inches, for irrigating, mechanical and other purposes, to be conveyed by ditch or flume from the point of this notice to W.H. at a point about a quarter of a mile up the Creek all the Section 22 in said township, thence in the convenient point across Section 15, and to be used upon the west 1/2 of South East 1/4 and S.E. 1/4 of Sec 10, in Township 1, South Range 3 west, and the ditch to convey the same is to be and is three feet broad on the top, two feet deep and 18 inches wide on the bottom

Frederic Muirrell

Dated January 1st 1883

S

Section 31 - T 6 S - R 6 E
NE $\frac{1}{4}$ NW $\frac{1}{4}$

Patent US.

Russell T Hill Acq 7/13/82

Acq William E. Harris - J. E. McCrum et al Book T page 338

Acq J. E. Hill Admin William E. Harris

Thomas Davis to John Turner

Book Z page 518

April 7, 1900

Adelaide Maud
Turner Howe et al

49-199 6/10/57

to
William Isaac Turner et al

Est of John Turner

Misc 9-338

29
57
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AUG 10 1992

4/3/68 Margaret A. Hawes to R. Joseph Hawes Jr. Book 61 page 174

4/8/68 R. Joseph Hawes Jr et al to Albert Black et al page 61 page 181

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AUG 10 1992

Mrs. Emma Turner

to

John Turner

DEED

THIS INDENTURE, Made this 11th day of June, in the year of our Lord one thousand nine hundred nineteen (1919), between Mrs. Emma Turner, of Bruneau, County of Owyhee, State of Idaho, the party of the first part, and John Turner, of Bruneau, County of Owyhee, State of Idaho, the party of the second part.

WITNESSETH, That the said party of the first part, for Love and Affection, and in consideration of the sum of Ten (\$10.00) Dollar lawful money of the United States of America, to me in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all of the following described real estate situate in the County of Owyhee, State of Idaho, to-wit:

The East half (E. $\frac{1}{2}$) of the Southwest quarter (S. W. $\frac{1}{4}$) and the Southwest quarter (S. W. $\frac{1}{4}$) of the Southeast quarter (S. E. $\frac{1}{4}$) of Section Twenty-five (25), in Township Six (6) South, of Range Five (5) East, and also the lots numbered One (1), and Two (2), and the East half (E. $\frac{1}{2}$), of the Northwest quarter (N.W. $\frac{1}{4}$), of Section Thirty-one (31), in Township Six (6) South, of Range Six (6) East, containing in all Two hundred eighty (280) acres, together with all water rights, and rights in ditches thereto appertaining or belonging.

And also the North half (N. $\frac{1}{2}$), of the Southeast quarter (S.E. $\frac{1}{4}$), and the South east quarter (S.E. $\frac{1}{4}$), of the Southeast quarter (S.E. $\frac{1}{4}$), of Section Twenty-five (25), in Township Six (6) South, of Range Five (5) East, and the lot numbered Four (4), of Section Thirty (30), in Township Six (6) South, of Range Six (6) East, B. M. Containing One hundred and sixty (160) acres, together with all water rights, and rights in laterals and ditches thereto appertaining or belonging.

And also the West half (W. $\frac{1}{2}$), of the Southeast quarter (S.E. $\frac{1}{4}$): the East half (E. $\frac{1}{2}$), of the Southwest quarter (S. W. $\frac{1}{4}$), and the lot numbered Three (3), of Section Thirty (30), in Township Six (6) South, of Range Six (6) East, of Boise Meridian,

Containing One hundred and ninety-nine acres, and Ninety-six hundredths of an acre (199.96/100), together with all water rights, and rights in laterals and ditches thereto appertaining or belonging.

And also the Northeast quarter (N.E. $\frac{1}{4}$), of the Southeast quarter (S. E. $\frac{1}{4}$), of Section Thirty (30), in Township Six (6) South, of Range Six (6) East of Boise Meridian, Idaho, containing Forty (40) acres, together with all water rights, and rights in laterals and ditches thereto appertaining or belonging.

And also the Southeast quarter, (S. E. $\frac{1}{4}$), of the Southeast quarter S. E. $\frac{1}{4}$), of Section Thirty (30), in Township Six (6) South, of Range

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AUG 10 1992

Six (6) East of Boise Meridian, Idaho, containing Forty (40) acres, together with all water rights, and rights in laterals and ditches thereto appertaining or belonging.

And also Lots numbered Seven (7), and Eight (8), in Block numbered Forty (40), in the Townsite of Bruneau, County of Owyhee, State of Idaho, according to the plat of said Townsite, on file and of record in the office of the County Recorder of Owyhee County, Idaho.

And also Lots numbered Forty-eight (48), Forty-nine (49), and Fifty (50), in Block numbered One (1), in the Town of Bruneau, as laid down on the official plat of said Town of Bruneau, now on file and of record in the office of the County Recorder of Owyhee County, Idaho.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof, and all estate, right title and interest in and to the said property, as well in law as in equity, of the said party of the first part:

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, together with the appurtenances, unto the said party of the second part, and to his heirs and assigns forever. And the said party of the first part, and her heirs, the said premises in the quiet and peaceful possession of the said party of the second part, his heirs and assigns, against the said party of the first part, and her heirs and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and seal the day and year first above written.

Signed, Sealed and	:		
Delivered in the Presence of	:	Mrs. Emma Turner	(SEAL)
Wm. G. Messersmith	:		

State of Idaho	:	
	:ss.	
County of Ada	:	

On this 11th day of June in the year 1919, before me Wm. G. Messersmith, a Notary Public in and for said County and State, personally appeared Mrs. Emma Turner, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Wm. G. Messersmith

.....
 : Wm. G. MESSERSMITH :
 : Notary Public :
 : State of Idaho :
 :

Notary Public
 Residing at Boise, Idaho

NOT RECORDED

AUG 10 1992

Filed March 3rd, 1921, at 9:40 o'clock A. M., at request of
John Turner.

Arthur W. Fitchell

Ex-Officio Recorder.

Fees, \$1.60

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AUG 10 1992

On the 12th day of July 1882, one thousand eight hundred and eighty two,
personally appeared before me, A. S. Richardson Clerk of the District Court, of the Second Judicial
District of Idaho Territory, in and for Owyhee County Lemmy Regan and Philip A. Regan
whose names are subscribed to the annexed instrument, as parties thereto, personally known to
me to be the same persons described in and who executed the said annexed instrument, as
parties thereto, who duly acknowledged to me that they and each of them executed the same
freely and voluntarily and for the uses and purposes therein mentioned.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of said Court
the day and year in this Certificate first above written.

Filed July 12th 1882 at 45 minutes

First One, O. Clock, P. M.

James Lyman - Recorder

A. S. Richardson - Clerk

By Monk Leonard - Deputy Clerk



Wm E Harris
- To -
J. E. McCreum and
E. B. Gaylord

This Indenture, made the Thirtieth day of June
in the year of Our Lord, One thousand eight hundred and eighty two.

Between, Wm E Harris of Brunson Valley, Owyhee County, Idaho Territory,
the party of the first part, and J. E. McCreum and E. B. Gaylord, of Boise City, Ada
County, Idaho Territory, the parties of the second part.

Witnesseth, that the said party of the first part, for and in consideration of
the sum of Four thousand Dollars, lawful money of the United States of America, to
him in hand paid by the said parties of the second part, the receipt whereof is hereby
acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed confirmed,
and by these presents does grant, bargain, sell, alien, remise, release, convey and confirm
unto the said parties of the second part, and to their heirs and assigns forever, all the following
described real estate to wit: The East half of the South west quarter, and the South
west quarter of the South east quarter, of Section twenty five in Township six, South
of range five east, Containing One hundred and twenty acres, also, lots numbered One
and two, and the east half of the North west quarter of Section thirty One, in township
six, South of range six east, Containing One hundred and sixty acres, all of the

above property being situated in Pioneer Valley, Owyhee County, Idaho Territory, as per plat on file in the General Land Office of the United States at Washington, D.C.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the reversion and reversions, remainders and remainders, rents, issues and profits thereof; and also all estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said party of the first part; of, in or to the said premises, and every part and parcel thereof, with the appurtenances.

To Have and To Hold, all and singular the said premises, together with the appurtenances unto the said parties of the second part and to their heirs and assigns forever, and the said party of the first part, and his heirs, the said premises, in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said party of the first part and his heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will "Warrant" and by these presents forever Defend!

In Witness Whereof, the said party of the first part has hereunto set his hand, and seal the day and year first above written.

Signed sealed & delivered in presence
of Chas. Haimrod - Thomas Davis

Territory of Idaho }
County of Ada } ss

W^m E. Harris



On this 30th day of June, A.D. 1882, personally appeared before me J. J. Curtis, Probate Judge in and for said County of Ada, W^m E. Harris, who is personally known to me to be the identical person described in, and who executed the foregoing instrument of writing, and acknowledged to me that he had executed the same freely and voluntarily, and for the uses and purposes therein mentioned.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate above written.

Filed July 13th 1882, at 6.00 clock, P.M. }
James Lynam - Recorder }

J. J. Curtis
Probate Judge



NOTED

AUG 10 1892

COMPARED
No. 39669.

Decree of Settlement of Final Account and Final Distribution

IN THE PROBATE COURT

Of Owyhee County, State of Idaho.

In the matter of the Estate of :
John Turner, Deceased : Decree of Settlement of Final
Account and Final Distribution.

William Isaac Turner, Executor of the will of John Turner, deceased, having on the 13th day of September, 1929, rendered and presented for settlement and filed in this Court, his final account and report of his administration of said Estate, which account was for final settlement, and having with said account filed a petition for the final distribution of the Estate;

And the said account and petition this day coming on regularly to be heard, and proof having been made to the satisfaction of the Court, that notice of the day appointed for settlement of said account and hearing of said petition, has been duly given as required by law and the order of this Court, and no exception or objection in writing to said account or petition having been filed or made;

And it appearing to the Court, after having duly examined the said account and the vouchers filed herein and heard the testimony in support thereof, that the said account is in all respect true and correct;

That the residue of money in the hands of the Executor at the time of filing said account, was One Hundred Eighty One Thousand Three Hundred Seven 82/100 (\$181,307.82) Dollars, and that the sum of Eight Thousand Four Hundred Ninety Five 25/100 (\$8,495.25) Dollars, had been expended by said Executor, as necessary charges, debts, claims and expenses of administration at the time of filing said final account, the vouchers whereof have been presented and filed; and the said account is in all respect true and correct and entitled to be settled, allowed and approved and the Court having duly considered all the matters aforesaid;

IT IS ORDERED AND DECREED, That the said final account be and the same hereby is in all respect as the same was rendered and presented for settlement, approved, allowed and settled;

Leaving a residue of One Hundred Eighty One Thousand Three Hundred Seven 82/100 (\$181,307.82) Dollars;

And it appearing that all claims and debts against said decedent, and all taxes on the personal property of said Estate, and all transfer and estate taxes that have attached to or accrued against the said estate, and all debts, expenses and charges of administration have been fully paid and discharged, and that said Estate is ready for distribution and in condition to be closed;

And it further appearing to the Court that the said John Turner died testate in the County of Owyhee, State of Idaho, on the 5th day of January, A. D. 1928, leaving a will, which by its expressed terms, creates a trust, the subject of which said trust being all of the real estate and personal property of every kind, sort and description, owned by the testator at the time of his death, all of said property both real and personal, of every kind, sort and description, being by the testator in the said will, divided and bequeathed in trust and upon trust, to William Isaac Turner, Adelaide Maude Turner Hawes, William Vernon Turner and Roland J. Hawes, to be by them jointly held as joint trustees, in trust and upon trust, for the purposes, uses and eventual distribution as provided for and fully set forth in the will of John Turner, deceased, and subject to the specific terms and limitations hereinafter set forth and in said will contained; which said will is on file in this Court, and to which will reference is hereby made, and by such reference the same is herein incorporated and made a part hereof as fully as if herein fully set forth; to be by them jointly and acting in co-operation each with the others, held, used, managed, administrated and controlled under the name and style of "The John Turner Estate", all of the business of holding, using, managing administering and controlling said estate, to be conducted by said trustees in and by said name, as they in the exercise of their judgment and in the light of what they conceive to be the best interests of the subject of the said trust and of all persons concerned, subject however, to the specific terms herein and hereinafter set forth and in said will contained.

That the said William Isaac Turner, Adelaide Maude Turner Hawes, William Vernon Turner and Roland J. Hawes, as trustees under the will of John Turner, deceased, of "The John Turner Estate", are entitled to all of the residue of said estate in trust and upon trust, to hold the same jointly in trust, to hold conserve, manage, administer, operate and conduct all business in connection with the holding, conserving, managing, administering and operating the same, under the name and style of "The John Turner Estate" and as trustees therefor, for the purposes, uses and eventual distribution as provided for in the will of John Turner, deceased, as hereinafter set forth and in said will contained.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the residue of said estate of John Turner, deceased, and now remaining in the hands of said Executor, William Isaac Turner, be and the same is hereby distributed as follows, to-wit: all of the real property of said John Turner, deceased, owned by him at the time of his death; and particularly described as follows, to-wit:

RECORDED

AUG 10 1992

The east half of the southwest quarter (E $\frac{1}{2}$ S $\frac{1}{4}$) and the southwest quarter of the southeast (S $\frac{1}{4}$ SE $\frac{1}{4}$) of Section twenty-five (25) Township six (6) south, Range five (5) E. B. M. and also Lots one (1) and two (2) and the east half of the northwest quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$) Section thirty-one (31) in Township six (6) south, Range six (6) E. B. M. in Owyhee County, Idaho, together with all water and ditch rights appertaining thereto. Also the north half of the Southeast quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$) and the south east quarter of the southeast quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section twenty-five (25) Township six (6) south, Range five (5) E. B. M. and Lot four of Section thirty (30) Township six (6) south, Range six (6) E. B. M. in Owyhee County, Idaho, together with all water and ditch rights appertaining thereto. Also the west half of the southeast quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$) the east half of the southwest quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$) and Lot three (3) Section thirty (30) Township six (6) south, Range six (6) E. B. M. in Owyhee County, Idaho, together with all ditch and water rights appertaining thereto. Also the northeast quarter of the southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) Section thirty (30) Township six (6) south, Range six (6) E. B. M. in Owyhee County, Idaho, together with all water and ditch rights appertaining thereto. Also Lots numbered seven (7) and eight (8) in Block numbered North (40) in the Townsite of Bruneau, Owyhee County, Idaho and Lots numbered forty-eight (48) forty-nine (49) and fifty (50) in Block numbered one (1) in the Townsite of Bruneau, Owyhee County, Idaho, to William Isaac Turner, Adelaide Maude Turner Hawes, William Vernon Turner and Roland J. Hawes, to be held in trust and upon trust by them jointly as joint trustees, to conserve, manage, operate and conduct all business in connection with the holding, conserving, managing and operating the same under name and style of "The John Turner Estate", without power to sell, exchange or otherwise dispose of the same, and without compensation for their services as such trustees other than each and every one of them, shall during his or her lifetime, have an equal share with all of the other living beneficiaries under the will, and of the trust by it created, in the annual net income and proceeds, of all such real property, as in said will expressly and particularly set forth, which provision in said will in behalf of said trustees, for the sharing by them in the annual net income and proceeds of the said trust, having been under the terms of the said will, expressly made for them by the testator in lieu of, and for any and all compensation for their services as such trustees of said trust.

Said trustees shall have power in case of necessity and after all available proceeds and income of all of the real property held by them in trust, shall first have been exhausted, to borrow money and give as security for the repayment thereof mortgages or other forms of lien upon any or all of said real property, the crops growing thereon, or other appurtenances thereof, to the extent and only to the extent that the indebtedness incurred by such borrowing shall not exceed at any one time the principal sum of Fifteen Hundred (\$1,500.00) Dollars.

Said trustees shall distribute each and every calendar year at a time and date to be fixed by them, the annual net income and proceeds of such real estate, if any net income there be, to William Isaac Turner, if then living, Adelaide Maude Turner Hawes, if then living, William Vernon Turner, if then living, Roland J. Hawes, if then living, Elbeth Turner, if then living, May Agnes Turner, if then living, Emma Marie Turner, if then living, Nina Rose Turner, if then living, Nellie Adelaide Turner, if then living, Joseph Edward Turner, if then living, Ruth Bernice Turner, if then living, Clayton Andrew Turner, if then living, John Phillip Hawes, if then living, Vernon Cornelius Turner, if then living, John William Turner, if then living, Rosalie A. Hawes, if then living, and Shirley A. Hawes, if then living; and if at the time and date of any such annual distribution, one or more of the herein named trustees or beneficiaries of said trust be dead, then his, hers or their share or shares in such annual division and distribution, must then and thereafter be divided equally, share and share alike to the surviving trustees and other beneficiaries as herein and in said will expressly named.

The trust in said real property shall continue until the death of the last surviving of said trustees, and there shall be upon the death of a trustee no replacement of such trustee by another, said trust continuing to be administered after the death of all but the sole surviving member of the trustees of said trust by the surviving members or member thereof as in said will expressly set forth. Immediately after the death of the sole surviving of said trustees, all of the real property then belonging to said trust estate and all income and revenue therefrom accumulated since the date of the last annual division and distribution thereof, shall be divided and distributed in equal parts, share and share alike, between the beneficiaries of said trust living at the time of the death of the last surviving trustee, such division and distribution to be made in accordance with the laws of the State of Idaho, or as the persons sharing in such division and distribution shall elect and agree.

All of the residue of the personal property of the Estate of John Turner, deceased, particularly set forth and described as follows, to-wit:

Cash on hand - One Hundred Eighty One Thousand Three Hundred Seven 82/100 (\$181,307.82) Dollars

The following Notes secured by mortgages

Note of D. W. Dennison for	\$1,000.00
" " J. H. Coberly	174.27
" " I. O. O. F. Lodge	
Bruneau, Idaho	1,600.00

The following Farm Machinery, Equipment, Household Goods and Stock

1 Bay Derrick - 3 Sets Work Harness - 2 Horses

AUG 10 1992

To William Isaac Turner, Adelaide Maude Turner Hawes, William Vernon Turner and Roland J. Hawes, to be held by them in trust and upon trust jointly as joint trustees, to conserve, manage, operate and conduct all business in connection with the holding, conserving, managing and operating the same under the name and style of "The John Turner Estate", and as trustees therefor for the purpose uses and eventual distribution as provided for in the will of John Turner, deceased, as hereinbefore set forth.

Said trustees to have full power and authority to sell, dispose of, encumber or exchange any or all of the chattles which the testator owned at the time of his death, save and except all moneys, notes and other obligations for the payment of money, and all securities for the repayment to the testator of any moneys which moneys, notes and other obligations and indebtedness and all securities for the payment to the testator of moneys which he owned at the time of his death, shall be held by said trustees for the period of Ten (10) Years, following the death of the testator, to be administered by them by loaning the same or the proceeds thereof, or by investing the same in stable and safe securities, convertible into cash.

Said trustees shall continue or renew from time to time, real estate mortgages, outstanding loans, notes or other evidence of indebtedness, or securities for the payment of money owned by the testator at the time of his death, in the discretion of the trustees, on such terms in all respects, as said trustees shall see fit.

Said trustees shall every calendar year at a time and date to be fixed by them, divide and distribute all of the proceeds and income, if any, at such time and date, from the sale or otherwise of any or all of the chattles which the testator owned at the time of his death; as such chattles are distinguished from money, notes and other obligations for the payment of money, and all the securities for the repayment to the testator of any moneys owned by him at the time of his death; together with the annual net income and proceeds of all of the other personal property of said trust, of any and every kind, sort or nature, equally share and share alike, to William Isaac Turner, if then living, Adelaide Maude Turner Hawes, if then living, William Vernon Turner, if then living, Roland J. Hawes, if then living, Ebeth Turner, if then living, May Agnes Turner, if then living, Emma Marie Turner, if then living, Nina Rose Turner, if then living, Nellie Adelaide Turner, if then living, Joseph Edward Turner, if then living, Ruth Bernice Turner, if then living, Clayton Andrew Turner, if then living, John Phillip Hawes, if then living, Vernon Cornelius Turner, if then living, John William Turner, if then living, Rosalie A. Shirley, if then living, and Shirley A. Hawes, if then living; and if at the time and date of any such division and distribution, one or more of the herein named trustees or other beneficiaries of said trust be dead, then his, hers or their share or shares in such division and distribution must then and thereafter be divided equally, share and share alike to the surviving trustees and other beneficiaries as herein and in said will expressly named.

At the end of the Ten (10) Year period of administration of said trust by the trustees thereof, after the death of the testator, said trustees or the survivors or survivor thereof shall convert into cash, all notes, mortgages, securities and other evidence of indebtedness, and all chattles of the estate owned by the testator at the time of his death and not previously disposed of, and all other personal property of said trust of every kind, sort and nature, and together with any and all moneys of this trust, independent of and excluding any and all moneys in any way derived from real estate, and shall divide and distribute the same equally, share and share alike, between the trustees and other beneficiaries of the trust surviving at the end of the said Ten (10) Year period. And if all of said trustees shall die before the end of said ten year (10) period then and immediately after the death of the last surviving trustee, all of the personal property to said trust estate and all income therefrom accumulated since the date of the last annual division and distribution thereof, shall be divided and distributed in equal parts, share and share alike between the beneficiaries of said trust living at the time of the death of the last surviving trustee; such division of said property to be made in accordance with the law and otherwise as the said persons sharing in such division and distribution shall elect and agree.

The hereinbefore named trustees shall receive no compensation for their services in administering the trust in the personal property of the estate of John Turner, deceased, as hereinbefore set forth, other than that each and every one of them shall during his or her lifetime, have an equal share with all of the other living beneficiaries under the will, and the trust by it created, in the annual net income and proceeds of all of the personal property of said trust, as in said will expressly and particularly set forth; which provision in said will on behalf of said trustees for the sharing by them in the annual net income and proceeds of all of the personal property of said trust as in said will expressly and particularly set forth; which provision in said will on behalf of said trustees for the sharing by them in the annual net income and proceeds of the personal property of the said trust, having been made for them by the testator in lieu of, and for any and all compensation for their services as trustees of the said trust, and any other property not now known or discovered, which may belong to the said estate or the which the said estate may have any interest, be and the same is hereby distributed as follows, to-wit: to the said trustees in trust to be administered by them according to the terms of said will.

Done in open Court this 24th day of September, 1929.

R. H. Leonard,

NOTARIAL

AUG 10 1992

STATE OF IDAHO :
: ss.
County of Owyhee :

I, R. H. Leonard, ex-officio Clerk of the Probate Court of the County of Owyhee, State of Idaho, do hereby certify that the foregoing is a true and correct copy of the original DECREE OF SETTLEMENT OF FINAL ACCOUNT AND FINAL DISTRIBUTION, IN THE ESTATE OF THE ESTATE OF JOHN TURNER, deceased, as the same appears on file and of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Probate Court this 24th day of September, 1929.

:::::::::::::
: PROBATE COURT :
: Owyhee County :
: State of Idaho :
: :::::::::::

R. H. Leonard,
Judge and Ex-officio Clerk.

-----:-----

STATE OF IDAHO, :
: ss.
Owyhee County. :

Filed for record this 24th, day of September 1929 at 1:30 o'clock P. M., at request of R. H. Leonard, and recorded in Book 9 of Miscellaneous Records page 338, of the records of said County.

W. A. LEWIS,
Ex-Officio Recorder.

Fees, \$5.20.

MICROFILMED

AUG 10 1992

CONTRACT OF SALE AND PURCHASE

Between: R. JOSEPH HAWES, JR. and
MARILYN L. HAWES,
husband and wife,
Address: 10 Mesa Vista Drive,
Boise, Idaho

SELLERS,

and

ALBERT BLACK and BONNIE
BLACK, husband and wife,
Address: Bruneau, Idaho,

BUYERS.

THIS CONTRACT OF SALE AND PURCHASE, made and entered into
this 16th day of November, 1967, by and between R. JOSEPH HAWES, JR.
and MARILYN L. HAWES; husband and wife, parties of the first part,
hereinafter referred to as the sellers, and ALBERT BLACK and
BONNIE BLACK, husband and wife, parties of the second part,
hereinafter referred to as the buyers,

WITNESSETH:

That for and in consideration of the sum of Sixty Thousand
Nine Hundred Dollars (\$60,900.00), (being the down payment
hereinafter mentioned), lawful money of the United States of
America, paid by the buyers to the sellers, the receipt whereof
is hereby acknowledged, and the covenants and agreements herein
contained to be kept and performed by the respective parties
hereto, and the payments to be made, IT IS HEREBY COVENANTED AND
AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

CONVEYANCE OF STATE LAND

The sellers hereby agree to sell and the buyers hereby agree to purchase, that certain property of the sellers identified as follows:

The premises and water rights situate in the County of Owyhee, State of Idaho, particularly described as follows, to-wit:

The east half of the southwest quarter and the southeast quarter of Section 25, the northwest quarter of the northeast quarter and the east half of the northeast quarter of Section 36, Township 6 South, Range 5 East, Boise Meridian; EXCEPTING a tract of land in the southeast quarter of the northeast quarter of Section 36, Township 6 South, Range 5 East, Boise Meridian, Idaho, more particularly described as follows: Beginning at the east quarter corner of Section 36, Township 6 South, Range 5 East, Boise Meridian, Idaho, thence north $0^{\circ}01'$ West, a distance of 1065 feet to a point; thence north $88^{\circ}30'$ west, a distance of 1320.4 feet to a point; thence south $0^{\circ}01'$ east, a distance of 1102.5 feet to a fence line on the south line of the southeast quarter of the northeast quarter; thence north $89^{\circ}52'$ east, a distance of 1320 feet more or less to the point of beginning;

Lots 3 and 4 and the east half of the southwest quarter and the southeast quarter of Section 30, Township 6 South, Range 6 East, Boise Meridian;

A tract of land in the northwest quarter of Section 31, Township 6 South, Range 6 East, Boise Meridian, Idaho, more particularly described as follows: Beginning at the north quarter corner of Section 31, Township 6 South, Range 6 East, Boise Meridian, Idaho, thence south $0^{\circ}01'$ east, a distance of 1474 feet more or less to the right river bank of Bruneau River; thence northwesterly along the meanders of the Bruneau

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said office, at the City of New York, this 20th day of August, 1932.

I, the undersigned, being duly qualified, do hereby certify that the foregoing is a true and correct copy of the original of the same as the same appears from the records of the office of the County Clerk of the County of New York.

And I further certify that the same is a true and correct copy of the original of the same as the same appears from the records of the office of the County Clerk of the County of New York.

And I further certify that the same is a true and correct copy of the original of the same as the same appears from the records of the office of the County Clerk of the County of New York.

And I further certify that the same is a true and correct copy of the original of the same as the same appears from the records of the office of the County Clerk of the County of New York.

Charles B. [Signature]
Notary Public

Mr. E. J. Connel, Administrator
John Turner Smith
Bureau, 1400

This is to acknowledge receipt of
your letter of the 11th of March
concerning the matter of the
Bureau, 1400

Date Received

MAR 21 1989

State of Idaho
Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Ala Black or Albert Black
Name of Claimant

Hc 85 Box 106
Post Office Address

Bruneau Rd 836, 174
City, State, Zip Code

RECEIVED
MAR 27 1989

Department of Water Resources
Western Regional Office

myher
County(s) where Place of Use is located

01/19/89 extended to 03/19/89
Date Claim Originally Due

All Acc Black Rights For Sec 25636 T&S RSE
Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

Discrepancies being worked out by Agent Eldon Roush
Appointment with agent set for 03/24/89. Should be final
meeting.

Claimant requests an extension to March 31, 1989.

Albert Black
Signature

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby

X granted _____ denied,
and the filing deadline extended to 3/31, 1989

Signed this 24 day of March, 1989.

DAVID B. SHAW
Director or his designated agent

DAVID B. SHAW

MICROFILMED

APR 10 1992

RECEIVED

MAR 15 2000

Department of Water Resources

RECEIVED

APR 14 2000

WATER RESOURCES
WESTERN REGION

2000 MAR -6 PM 1:21

2000 MAR -6 PM 1:21
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

) ORDER OF PARTIAL DECREE

) For Water Right 51-00027B

On July 19, 2000, a *Special Master's Report and Recommendation* was filed for the above water right. 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 water right 51-00027B is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED MAR 6 2000.



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

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

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAR - 6 2000

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 51-00027B

Clerk

Deputy Clerk

NAME AND ADDRESS: ALBERT BLACK
C/O ACE BLACK
HC 85 BOX 101
BRUNEAU, ID 83604

SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 1.80 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	1.80 CFS
	Stockwater	01-01 TO 12-31	0.05 CFS

PLACE OF USE:	Irrigation	Within Owyhee County
	T06S R05E S25	SWSE 41.0 SESE 15.0 SESW 40.0 NENE 41.0 SENE 8.8
	S36	NESE 3.9 NESW 41.0 NWSE 33.0 NWNE 40.0
	263.7 Acres Total	

Stockwater Same as Other Use

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 175 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 263.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00028B, 51-00029B,
51-00030, 51-10252.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 175 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHTS: 51-00028B AND 51-00029B.

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

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

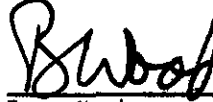
RECEIVED

MAR 15 2000

Department of Water Resources

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

MAR 15 2000

Department of Water Resources

2000 MAR 07 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 51-00027B

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 51-00027B was mailed
on March 07, 2000, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ALBERT BLACK
C/O ACE BLACK
HC 85 BOX 101
BRUNEAU, ID 83604
Phone: 208-845-2542

SOUTH SIDE BRUNEAU CANAL CO
C/O EUGENE C DAVIS
HC 85 BOX 114
BRUNEAU, ID 83604
Phone: 208-845-2088

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
03/06/00

WESTERN REGION

CLAIM NUMBERS 51-00027 000283 000293 00030 51-10252

AGENT SB DATE 7/6/98

TOTAL ACRES FROM RECOMMENDATION _____

GEOGRAPHIC INFO SYSTEM ACRES 21097

READY FOR DECREE ____ (YES) SENT FOR DECREE ____ (YES)

RIGHT NO	TNS	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	15	58	25									41			40	39	33	41	15
GIS			36	41	40		88												
RECOM																			
GIS																			

POLYGON CREATED ON 80 _____

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

ATTRIBUTES OF B51-POU.SHP (113) () () () ()

ATTRIBUTES OF B51-POD.SHP (107) (108) (109) () ()

B51-DBPOU.DBF SB UPDATED BY

B51-DBPOD.DBF SB UPDATED BY

added to B51

RDH GPSTABLE

JUN 14 1999

1999 JUN 11 AM 11: 07

DISTRICT COURT-SRBA
TWIN FALLS COUNTY IDAHO

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

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 51-00027B
51-00028B 51-00029B 51-00030

On June 11, 1999, Special Master FRITZ X HAEMMERLE issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED June 11, 1999.


TERI HRANAC
Deputy Clerk

1999 JUN 11 AM 11:07

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

**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	)	SPECIAL MASTER'S REPORT
	)	
Case No. 39576	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHT 51-00027B
_____	)	

I. FINDINGS OF FACT

A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990). The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

All objections to this water right were resolved by stipulation of the parties with a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that this water right be decreed with the elements as set forth in the *Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 51-00027B*.

DATED: June 11, 1999.



FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

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 51-000278

1997 JUN 11 AM 11:07
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: ALBERT BLACK
C/O ACE BLACK
HC 85 BOX 101
BRUNEAU, ID 83604

SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 1.80 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	1.80 CFS
	Stockwater	01-01 TO 12-31	0.05 CFS

PLACE OF USE:	Irrigation		Within Owyhee County
	T06S R05E S25	SWSE 41.0	NESE 3.9
		SESE 15.0	NESW 41.0
		SESW 40.0	NWSE 33.0
	S36	NENE 41.0	NWNE 40.0
		SENE 8.8	
	263.7 Acres Total		

Stockwater

Same as Other Use

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 175 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 263.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-000288, 51-000298,
51-00030, 51-10252.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 175 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHTS: 51-000288 AND 51-000298.

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.

RECOMMENDATION

JUN 11 1999

SPECIAL MASTER

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

Case No. 39576

Subcase No. 51- 00027B

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

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

Report.

1. **Name and Address**
Should be:
2. **Source**
Should be:
3. **Quantity**
Should be:
4. **Priority Date**
Should be:
5. X **Point(s) of Diversion**
Should be: Only one single point of diversion as is set forth in the Standard Form Five being filed concurrently herewith.
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 place of use with other rights appurtenant to same place of use should be added as set forth in the Standard Form Five being filed 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): This water right has historically been diverted through only one point of diversion and has historically irrigated a place of use in conjunction with other water rights.

VERIFICATION

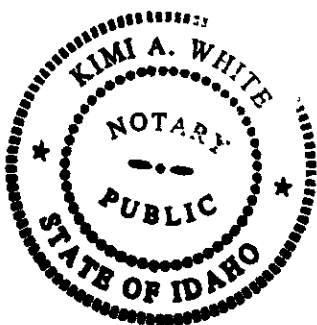
State of Idaho)
)
County of Ada)

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: 04/01/01

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

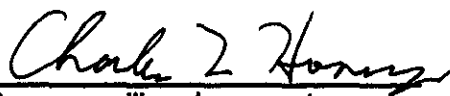
John Urquidi
HC 85, Box 135
Bruneau, ID 83604

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

MEMORANDUM

To: Files 51-00027B/00028B/00029B/00030

From: Kay Walker 

Date: May 14, 1999

RE: Changes to recommendations

.....
.....

Per meeting with South Side Canal representative and water users on May 13, 1999, I have changed the above referenced rights pursuant to agreement that South Side's attorney said Black's were agreeable to. I called the Black's residence this morning and talked with Ace Black's wife and advised her that these changes would be coming from Charles Honsinger, as attorney for South Side. I advised Mrs. Black that if they do not agree with these changes that they should not sign off on them and should come into our office to talk with one of us about the changes. Mrs. Black stated that their son would be reviewing the changes to their rights and she would let him know what I had said.

Black Water Rights

IDWR RECOMMENDATIONS

<u>Right #</u>	<u>Priority</u>	<u>Quantity</u>	<u>Acreage</u>	<u>Diversion Rate</u>
00027B	4/1/1875 (1st)	90	175	.84 inch/acre (These 3 rights
00028B	4/1/1897 (2nd)	33	175	.84 inch/acre (are used in
00029B	4/1/1905 (3rd)	24.5	175	.84 inch/acre (combination
00030	4/1/1905 (3rd)	<u>100</u>	51	1.96 inch/acre
Total		247.5		

*Note, all rights can be used on the same 263.7 acre place of use. As recommended, all rights can be used up to the full acreage amount granted on any acres within that 263.7 acre place of use. IDWR believes that right numbers 27B, 28B, and 29B should be limited to the same 175 acres. Water right number 30 can be used on 51 completely different acres than the 175 acres to which 27B, 28B and 29B are appurtenant.

X — HEAD OF DITCH AGREEMENT - HISTORICAL USE - MEASURED?
 Historical delivery is 170 inches. IDWR recommended 247.5 inches. To reflect historical delivery, 77.5 inches must be removed from the total recommended. Any quantities removed should be from 3rd priority water rights. Also, the per acre diversion rate should be the same for all of the water rights. Thus, the proposal to address the excessive recommendations is as follows:

<u>Right #</u>	<u>Priority</u>	<u>Quantity</u>	<u>Acreage</u>	<u>Diversion Rate</u>
00027B	4/1/1875 (1st)	90 18	175	.75 inch/acre
00028B	4/1/1897 (2nd)	33 0.66	175	.75 inch/acre
00029B	4/1/1905 (3rd)	9 0.18	175	.75 inch/acre
00030	4/1/1905 (3rd)	<u>38 0.76</u>	51	.75 inch/acre
Total		170 <u>3.4</u>		

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

DATE: MAY-14-1999

PAGE: A-1

RIGHTS FROM: SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 51-000278

NAME AND ADDRESS: ALBERT BLACK
C/O ACE BLACK
HC 85 BOX 101
BRUNEAU ID 83604

SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 1.8 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
~~704S R07E S23~~ ~~SWSE~~ ~~(R)~~
~~704S R07E S23~~ ~~SESE~~ ~~(R)~~
~~704S R07E S36~~ ~~NESE~~ ~~(R)~~

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	03-01 11-15	1.8 CFS
	STOCKWATER	01-01 12-31	0.05 CFS

PLACE OF USE:	IRRIGATION	Within Owyhee County			
	T06S R05E S25	NESW 41	SESW 40	NESE 3.9	NWSE 33
		SWSE 41	SESE 15		
	S36	NENE 41	NWNE 40	SENE 8.8	
	263.7 ACRES TOTAL				

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 175 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 263.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-000288, 51-000298,
51-00030, 51-10252.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 175 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-000288 & 51-000298

Place of use for STOCKWATER is same as IRRIGATION

51-00027B (CONT.)

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

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 51:

WATER RIGHT NO.	SOURCE
NONE	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.

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 THE SOUTH SIDE CANAL.

Remarks:

THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 263.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-000208, 51-000298,
51-00030, 51-10252.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 175 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-000208 & 51-000298

EXP WATER IS DELIVERED THROUGH THE SOUTH SIDE CANAL.

Dates: Exam Made Date: Verified Date: 05/14/1999 Objection Filed Date:

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

Comments: Date: 07/06/1998 User-ID: SBOCK Subject: COPIED FROM REMARKS
THIS CLAIM IS A SPLIT OF 51-00027.

WATER DELIVERED VIA SOUTH SIDE CANAL.
DECEED WATER SPLIT PROPORTIONATELY BETWEEN CLAIMANTS USING
ASSUMPTION THAT INCHES DECEED EQUALS ACRES IRRIGATED. ELR.

THIS CLAIM LISTS THE SAME 1/4 AS LANDS IRRIGATED UNDER THE PARENT
RIGHT WHICH DID NOT LIST THIS 1/4 AS LANDS OWNED BY JOHN
TURNER. DOCUMENTATION SUPPORTING THAT THE BRUNEAU RIVER DECREE
HAD ERRONEOUSLY OMITTED THIS 1/4 1/4 HAS BEEN FILED BY THE
CLAIMANT AND CAN BE FOUND IN FILE # A65-000278.
THIS CLAIM REPRESENTS THE ADDITION OF THIS 1/4 1/4 TO THE BRUNEAU

Comments:

Date: 07/06/1998 User-ID: SNOCK Subject: COPIED FROM REMARKS
RIVER DECREE AS IRRIGATED LANDS BUT DOES NOT REPRESENT ADDITION
OF INCHES WITHIN THE DECREE FOR THOSE ADDITIONAL LANDS.
THIS 40 ACRES WAS NOT USED IN DETERMINING THE PROPORTION OF
WATER SPLIT AMID THIS AND OTHER CLAIMS. ELR. *****
7/6/1998 EVEN IF THE LAND LISTED ABOVE SHOULD HAVE BEEN INCLUDED
IN THE DECREE, IT WAS NOT; THEREFORE, I CAN NOT ENTER IT.
ALSO ALL LANDS LOCATED EAST OF THE RIVER SHOULD BE COVERED UNDER
BRUNEAU BUCKAROO AS NO WATER FROM S. SIDE IS APPLIED ON THE
EAST SIDE.

Date: 07/30/1998 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C14 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 05/14/1999 User-ID: KWALKER Subject: REVISION TO RECOMMENDATION
REVISED RECOMMENDATION PER STIPULATION WITH SOUTH SIDE CANAL AND
WATER USERS. REMOVED THE POINTS SHOWN AS REDIVERSIONS SINCE THE
CLAIMANT TOLD CANAL COMPANY THAT THEY ONLY DIVERT FROM THE CANAL
AS PART OF THE "HEAD OF DITCH" AGREEMENT BETWEEN CANAL COMPANY &
WATER USERS WHEN THE CANAL TOOK OVER PRIVATE DIVERSION IN 1920
WHICH ALLOWS THIS USE FROM CANAL WITH NO DELIVERY ASSESSMENT.
ADDED REMARK LIMITING THIS RIGHT TO 175 ACRES WHEN COMBINED WITH
51-000288 AND 51-000298 BECAUSE THE THREE RIGHTS TOGETHER HAVE
HISTORICALLY IRRIGATED ONLY 175 ACRES.

Audit: 05/14/99 KWALKER

August 4, 1998

**NOTICE OF ERROR
REPLY**

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: September 4, 1998

Water right number: 51-00027B

ALBERT BLACK
C/O ACE BLACK
HC 85 BOX 101
BRUNEAU ID 83604

Daytime Telephone Number:

Evening Telephone Number:

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

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

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

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

DATE:

8/27/98

SIGNATURE:

ASA Black

Please print your name:

ASA BLACK

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

AJ0749NP
No. R51-000278

OWNER CODE: C
NAME & ADDRESS: ALBERT BLACK
C/O ACE BLACK
HC 85 BOX 101
BRUNEAU ID 83604
(208) 845-2542

PRIORITY DATE: 04/01/1975

WATER USE: IRRIGATION
STOCKWATER

USE PERIOD FROM TO: 03-01 11-15
01-01 12-31

DIVERSION RATE: 1.80 CFS
0.05 CFS

DIVERSION VOLUME: 1.80 CFS

TOTAL DIVERSION: 1.80 CFS

Water Source: BRUNEAU RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T07S R06E S05
Point(s) of Re-diversion: T06S R05E S25
S36

NESE
SUSE
NESE

OWNYEE County
OWNYEE County
OWNYEE County

Place of use Legal Description for: IRRIGATION										SE										SW										NE										SUM																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
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Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: OMYEE

Other Rights: 51-000288, 298,30, 51-10252

- Conditions of Approval:
- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
 - N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
 - N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
 - C14 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 51:
 - WATER RIGHT NO. SOURCE
 - NONE
 - 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
 - ALL WATER RIGHTS WITHIN BASIN 51 ARE FROM CONNECTED SOURCES
 - OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

Remarks: POU1

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 175 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 263.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-000288, 51-000298, 51-00030, 51-10252.

EXP WATER IS DELIVERED THROUGH THE SOUTH SIDE CANAL.

Dates: Exam Made Date: 07/02/1998 Verified Date: 08/26/1998 Objection Filed Date:

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

Comments: Date: 07/06/1998 User-ID: SROCK Subject: COPIED FROM REMARKS
THIS CLAIM IS A SPLIT OF 51-00027.
WATER DELIVERED VIA SOUTH SIDE CANAL.
DECREED WATER SPLIT PROPORTIONATELY BETWEEN CLAIMANTS USING
ASSUMPTION THAT INCHES DECREED EQUALS ACRES IRRIGATED. ELR.

THIS CLAIM LISTS THE SUSE 1/4 AS LANDS IRRIGATED UNDER THE PARENT
RIGHT WHICH DID NOT LIST THIS 1/4 1/4 AS LANDS OWNED BY JOHN
TURNER. DOCUMENTATION SUPPORTING THAT THE BRUNEAU RIVER DECREE
HAD ERRONEOUSLY OMITTED THIS 1/4 1/4 HAS BEEN FILED BY THE
CLAIMANT AND CAN BE FOUND IN FILE # A65-000278.
THIS CLAIM REPRESENTS THE ADDITION OF THIS 1/4 1/4 TO THE BRUNEAU
RIVER DECREE AS IRRIGATED LANDS BUT DOES NOT REPRESENT ADDITION

Comments:

Date: 07/06/1998 User-ID: S80CK Subject: COPIED FROM REMARKS
OF INCHES WITHIN THE DECREE FOR THOSE ADDITIONAL LANDS.
THIS 40 ACRES WAS NOT USED IN DETERMINING THE PROPORTION OF
WATER SPLIT AMID THIS AND OTHER CLAIMS. ELR. *****
7/6/1998 EVEN IF THE LAND LISTED ABOVE SHOULD HAVE BEEN INCLUDED
IN THE DECREE, IT WAS NOT; THEREFORE, I CAN NOT ENTER IT.
ALSO ALL LANDS LOCATED EAST OF THE RIVER SHOULD BE COVERED UNDER
BRUNEAU BUCKAROO AS NO WATER FROM S. SIDE IS APPLIED ON THE
EAST SIDE.

Date: 07/30/1998 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C14 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Audit: 08/26/98 S80CK

08:32:39
04/27/98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A51-000278

LAST: BLACK FIRST: ALBERT
ADDRESS: % ACE BLACK
HC 85 BOX 101
CITY: BRUNEAU STATE: ID ZIP: 83604
PHONE NUMBER: 208-845-2542
OWNER CODE: C

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

CLAIM REMARKS: GEN THIS CLAIM IS A SPLIT OF 51-00027.
WATER DELIVERED VIA SOUTH SIDE CANAL.
DECEED WATER SPLIT PROPORTIONATELY BETWEEN CLAIMANTS USING
ASSUMPTION THAT INCHES DECEED EQUALS ACRES IRRIGATED. ELR.

THIS CLAIM LISTS THE SUSE 1/4 AS LANDS IRRIGATED UNDER THE PARENT
RIGHT WHICH DID NOT LIST THIS 1/4 1/4 AS LANDS OWNED BY JOHN
TURNER. DOCUMENTATION SUPPORTING THAT THE BRUNEAU RIVER DECREE
HAD ERRONEOUSLY OMITTED THIS 1/4 1/4 HAS BEEN FILED BY THE
CLAIMANT AND CAN BE FOUND IN FILE # A65-000278.
THIS CLAIM REPRESENTS THE ADDITION OF THIS 1/4 1/4 TO THE BRUNEAU
RIVER DECREE AS IRRIGATED LANDS BUT DOES NOT REPRESENT ADDITION
OF INCHES WITHIN THE DECREE FOR THOSE ADDITIONAL LANDS.
THIS 40 ACRES WAS NOT USED IN DETERMINING THE PROPORTION OF
WATER SPLIT AMID THIS AND OTHER CLAIMS. ELR. *****

CONTACT PERSON: _____ PHONE NUMBER: () - -

DATE OF FIELD EXAM: 4/30/1992 APPOINTMENT MADE: Y() N() TIME: - : - A() P()

ACCOMPANIED BY: _____ PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

Field inspection by Linda Weaver
7120th Field inspection by B-15. Met w/ Terry Black
went over property and discussed location. All lands are East
Side of River situated by Concrete Parkway Ditch.

A. AJ CLAIM: # A51-00027B 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? (IF YES, DESCRIBE BELOW) 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 PRIORITY DATE:

04-01-1875

REVIEWED BY: *[Signature]*

DATE

June 4, 1998

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A51-000278	07S	06E	5		SW		SE		ONYHEE		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX

* 51-10253

R PREFIX

~ R51-00034A - *3.07*

R51-00035A - *1.86*

R51-00036A - *3.35*

R51-00037 - *3.07*

* 47 A PREFIX CLAIMS WITH THIS POD

K.W. has 2.200 canal Davis

SOURCE: BRUNEAU RIVER

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
51-00027	07S	06E	5		NE		SW		ONYHEE		

OTHER WR RECORDS WITH SAME WR POD

A PREFIX

R PREFIX

NONE

NONE

**** 14 WR RECORDS WITH SAME WR POD

SOURCE: BRUNEAU RIVER

TRIB: SNAKE RIVER

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

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

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE 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 SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

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

AJ FIELD EXAM (DATE OF FIELD EXAM 4-20-93) NAME OF EXAMINER Linda Warner Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: A change in POD occurred many years ago as noted
CS Snake River agreement. According to CS field
person earlier it is divided twice. Other divisions
from same POD, need to work until K.W. makes her
recommendations.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()							POD	COUNTY	DIVERSION NAME	DIVERSION NBR
TWP.	RGE.	SEC.	1/4	1/4	1/4	SE	FLAG	DAY/EE		
6S	5E	25	SW	SE			R	adh		
6S	5E	30	NE	SE			R	adh		
		25	SE	SE			R	adh		

SOURCE: BRUNEAU RIVER TRIB: SNAKE RIVER

REVIEWED BY: Sue Beck DATE: 6/5/98
 SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT (X)

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

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
06S	05E	25	NE	SW		BLACK, ALBERT	A51-00027B / 40.0	-	/		39.0
			NE	SW		BLACK, ALBERT	A51-00028B / 40.0	-	/		
			NE	SW		BLACK, ALBERT	A51-00029B / 40.0	-	/		
			NE	SW		BLACK, ALBERT	A51-10252 / 40.0	-	/		
			NE	SW		BLACK, ALBERT	A51-12805 / 40.0	-	/		
			NE	SW		TURNER, JOHN	51-00027 / 40.0	-	/		
			NE	SW		TURNER, JOHN	51-00028 / 40.0	-	/		
			NE	SW		TURNER, JOHN	51-00029 / 40.0	-	/		
06S	05E	25	SE	SW		BLACK, ALBERT	A51-00027B / 40.0	-	/		42.0
			SE	SW		BLACK, ALBERT	A51-00028B / 40.0	-	/		
			SE	SW		BLACK, ALBERT	A51-00029B / 40.0	-	/		
			SE	SW		BLACK, ALBERT	A51-10252 / 40.0	-	/		
			SE	SW		BLACK, ALBERT	A51-12805 / 40.0	-	/		
			SE	SW		TURNER, JOHN	51-00027 / 40.0	-	/		
			SE	SW		TURNER, JOHN	51-00028 / 40.0	-	/		
			SE	SW		TURNER, JOHN	51-00029 / 40.0	-	/		
06S	05E	25	SW	SE		BLACK, ALBERT	A51-00027B / 40.0	-	/		42.0
			SW	SE		BLACK, ALBERT	A51-00028B / 40.0	-	/		
			SW	SE		BLACK, ALBERT	A51-00029B / 40.0	-	/		
			SW	SE		BLACK, ALBERT	A51-10252 / 40.0	-	/		
			SW	SE		BLACK, ALBERT	A51-12805 / 40.0	-	/		
06S	05E	36	NE	NE		BLACK, ALBERT	A51-00027B / 40.0	-	/		39.0
			NE	NE		BLACK, ALBERT	A51-00028B / 40.0	-	/		
			NE	NE		BLACK, ALBERT	A51-00029B / 40.0	-	/		
			NE	NE		BLACK, ALBERT	A51-12805 / 40.0	-	/		
			NE	NE		TURNER, JOHN	51-00027 / 40.0	-	/		
			NE	NE		TURNER, JOHN	51-00028 / 40.0	-	/		
			NE	NE		TURNER, JOHN	51-00029 / 40.0	-	/		
06S	05E	36	NW	NE		BLACK, ALBERT	A51-00027B / 40.0	-	/		39.0
			NW	NE		BLACK, ALBERT	A51-00028B / 40.0	-	/		
			NW	NE		BLACK, ALBERT	A51-00029B / 40.0	-	/		
			NW	NE		BLACK, ALBERT	A51-12805 / 40.0	-	/		
			NW	NE		TURNER, JOHN	51-00027 / 40.0	-	/		
			NW	NE		TURNER, JOHN	51-00028 / 40.0	-	/		
			NW	NE		TURNER, JOHN	51-00029 / 40.0	-	/		
06S	05E	36	SE	NE		BLACK, ALBERT	A51-00027B / 15.0	-	/		39.0
			SE	NE		BLACK, ALBERT	A51-00028B / 15.0	-	/		

P.P.U.
211
15
211
41
210
8.2

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
SE	NE					BLACK, ALBERT	A51-000298 / 15.0	-	/		
SE	NE					STATE OF IDAHO	A51-00027A / 25.0	-	/		
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	A51-12805 / 15.0	-	/		
SE	NE					TURNER, JOHN	51-00027 / 40.0	-	/		
SE	NE					TURNER, JOHN	51-00028 / 40.0	-	/		
SE	NE					TURNER, JOHN	51-00029 / 40.0	-	/		
TOTAL ACRES							A51-00027B	215.00	240.00		

ADDITIONAL POU FOUND

25 SEAS
NESE
NASE
2637

POU COUNTY: ONYHEE

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
A51-00027B	BRUNEAU RIVER	BLACK, ALBERT	2.140	0.009		
A51-00027A	BRUNEAU RIVER	STATE OF IDAHO	1.690	0.012		
A51-00028A	BRUNEAU RIVER	STATE OF IDAHO	0.620	0.004		
A51-00028B	BRUNEAU RIVER	BLACK, ALBERT	0.770	0.003		
A51-00029A	BRUNEAU RIVER	STATE OF IDAHO	0.460	0.003		
A51-00029B	BRUNEAU RIVER	BLACK, ALBERT	0.580	0.002		
A51-10166	FLOOD WATER	STATE OF IDAHO	7.460	0.020		
A51-10252	BRUNEAU RIVER	BLACK, ALBERT	3.200	0.020		
A51-12805	BRUNEAU RIVER	BLACK, ALBERT	9.660	0.030		

NO RIGHTS WITH SAME POJ 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: 51-000288, 298, 30.

E. IS THE CLAIMED POJ 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 POJ, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

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

N/A(☐) Y(☐) N(☒)

G. SHOULD THE CLAIMED POJ 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 POI: 62 ORTHOPHOTOQUAD, IDWR NO. A1602; 62 TOPOGRAPHIC QUAD, IDWR NO. A1602;

62 NAAPP, IDWR NO. A1602; () ASCS PHOTO; () OTHER

NOTES: POI determined from map but used while in the field
Clashed from this side
712 Field exam to B & X W.

RECOMMENDATIONS:

TOTAL ACRES: 263.7 N/A ()

REVIEWED BY: Sam Dyer

DATE: 6/5/00

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
A51-000278 IRRIGATION	FROM <u>3-1</u> TO <u>11-15</u>	<u>2.140 CFS</u>	<u>1.80</u>
A51-000278 STOCKWATER	FROM <u>03-1</u> TO <u>11-15</u>	<u>0.050 CFS</u>	
	FROM 01-01 TO 12-31	<u>2.140 CFS</u>	<u>1.80</u>
TOTAL DIVERSION RATE/VOLUME			

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 <u>4-1</u> TO <u>12-31</u>	<u>3.300 CFS</u>	
51-00027 STOCKWATER	FROM <u>1-1</u> TO <u>12-31</u>		
51-00027 DOMESTIC	FROM <u>not claimed</u>		
TOTAL DIVERSION RATE/VOLUME		<u>3.300 CFS</u>	

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? N/A(☐) 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 IDWR STANDARDS? Y(☐) N(☒)G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☒) N(☐)

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

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) 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? N/A(☐) Y(☒) N(☐)J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) 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? N/A(☐) Y(☐) N(☒)

NOTES:

6/29/98 Current TDR with diversion 3-1-11-15
Diversion Rate, when Elton Dept. W.R's, he did
not get committed Dept. consulting

AJ CLAIM TOTAL DIVERSION RATE: 2.140 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 (X) N ()

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

N/A () Y () N (X)

* 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 (X) 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 (X) N ()

FLOW MEASUREMENT

MEASUREMENT METHOD Manning's 4-20-03 200 gpa, SEE ATTACHED CALCULATIONS.

F.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 175 x 0.02 CFS/ACRE = 3.5 CFS
(Taken from pou review)

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

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

2. IRRIGATION DIVERSION VOLUME N/A

CLAIMED DIVERSION VOLUME =

AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE N/A

CLAIMED CONSUMPTIVE USE =

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

138 acres F+G
175 acres Black
313

NOTES:

27B 28B 29B are all covered under P.P.U.
51-10252 units also be P.P.U. and units cover
Sec. 25 2058 which can not be included because
it was not covered under the decree, even if
left out incorrectly also under P.P.U. 51-00038

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV RATE CFS	REC. DIV VOL. AF/A		REC. COMS. USE
	FROM	TO		DATABASE EXAMINER	DATABASE EXAMINER	
IRRIGATION STOCKWATER	03-15 01-01	11-15 12-31	2.140 0.050			0.0 0.0
IRR	4-1	10-31				
IRR	3-1	11-15				
of water						
TOTAL FOR THIS RIGHT						

NON-IRRIGATION USES CLAIMED: S/INSTREAM STOCK WATERING FOR VARIABLE AMOUNTS AND BREEDS.

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

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE): NP8
FOD CFS FOD 1 E14, KOL
QNT E04

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED ()
NEEDS REVIEW ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 51-00027

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE 3.300 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
726	A51-00027A	1.690	150		51-00027	3.300
	A51-00027B	2.140	180			
TOTAL CFS		3.830				3.300

DIVERSION RATE REVIEW

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 ()?

DATABASE N
FIELD EXAMINER Y() N()

NOTES:

The claims did not list the SUSEV4 as WR under parent right. will not be included under these rights. Eldon did not figure splits correctly.

AUTHENTICATION:

SIGNATURE: Don Butler DATE: 6/29/98

NAME OF FIELD EXAMINER: _____ TITLE: _____

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 _____ IDWR ID NO. _____	Y() N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
☐ NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
☒ ASCS AERIAL PHOTO	DATE OF PHOTO _____ 1987 _____	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 _____	DATE _____	Y() N()
☐ OTHER _____	DATE _____	Y() N()
☐ OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	PAGES	NO. OF	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____	_____
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____	_____
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____	_____
☐ SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____	_____
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	4-20-93	4
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____	_____
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____	_____
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____	_____
☒ OTHER GIS maps	DATE _____	_____	_____	_____
☐ OTHER _____	DATE _____	_____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

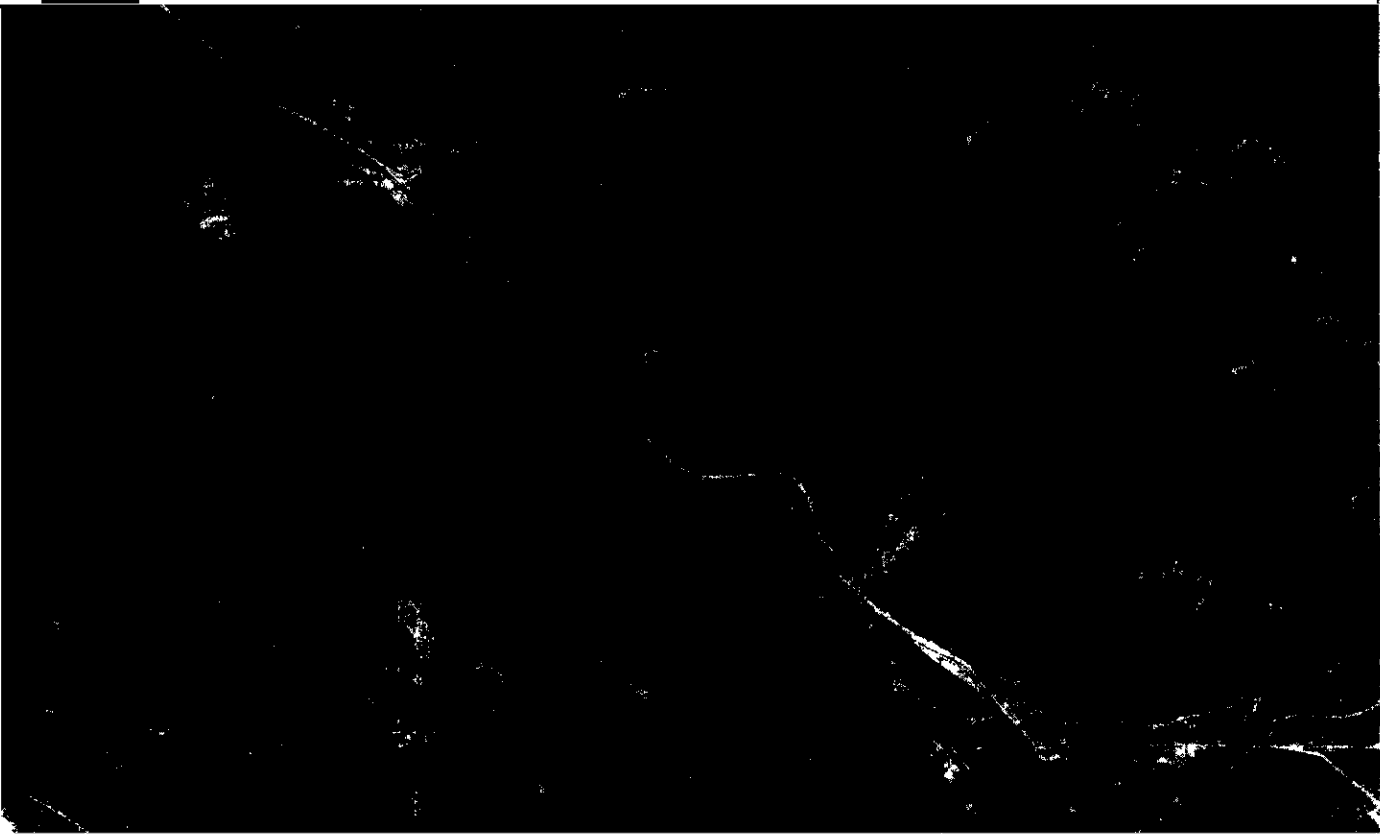
08:32:39
04/27/98

PAGE: 17
QUICKLOOK INFORMATION

17
CLAIM NUMBER: A51-000278

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			4-28-98	2	done	done		
POINT OF DIV				✓				
SOURCE				2				
PLACE OF USE	Y			✓				
DIV. AMOUNT CFS/VOLUME	Y			✓				
CONSUMPTIVE USE	-			4 2				
PURPOSES OF USE	Y			2	done			
PERIOD OF USE	Y			✓	done			
BASIS OF CLAIM	Y			2				
REMARKS	Y			✓				

BARCODE UPDATED
WHOM/DATE



TGS, R5E46E

10 000 FEET



RANGE ~~52 EAST~~

5E-

51-10252 160 Ac @ 5.252
I Decreed POU - 51-27, 28, 29 For 320 acres + 270 inches
II Decreed POU - 51-00030 For 160 acres + 100 inches

aining 160 acres. Out of the waters of the Bruneau River:

51 0025	7 inches as of February 21; 1879.
	55 inches as of November 1; 1895.
51 0025	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 0025	25 inches as of April 1; 1881.
51 0025	5 inches as of April 1; 1897.
51 0025	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, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section
25, Township 6 South, Range 6 East, Boise Meridian, containing
160 acres. Out of the waters of the Bruneau River:

51 0030 100 inches as of April 1, 1905.

JOHN TURNER: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 33, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$,
Section 36, Township 6 South, Range 6 East, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec-
tion 31, Township 6 South, Range 6 East, Boise Meridian, contain-
ing 320 acres. Out of the waters of the Bruneau River:

51 0027	165 inches as of April 1; 1875.
51 0028	60 inches as of April 1; 1897.
51 0029	45 inches as of April 1, 1905.
	<u>270</u>

65,5E
(Black)

6.1 NHEL

6.9 NHEL

NHEL

6.0

U

563

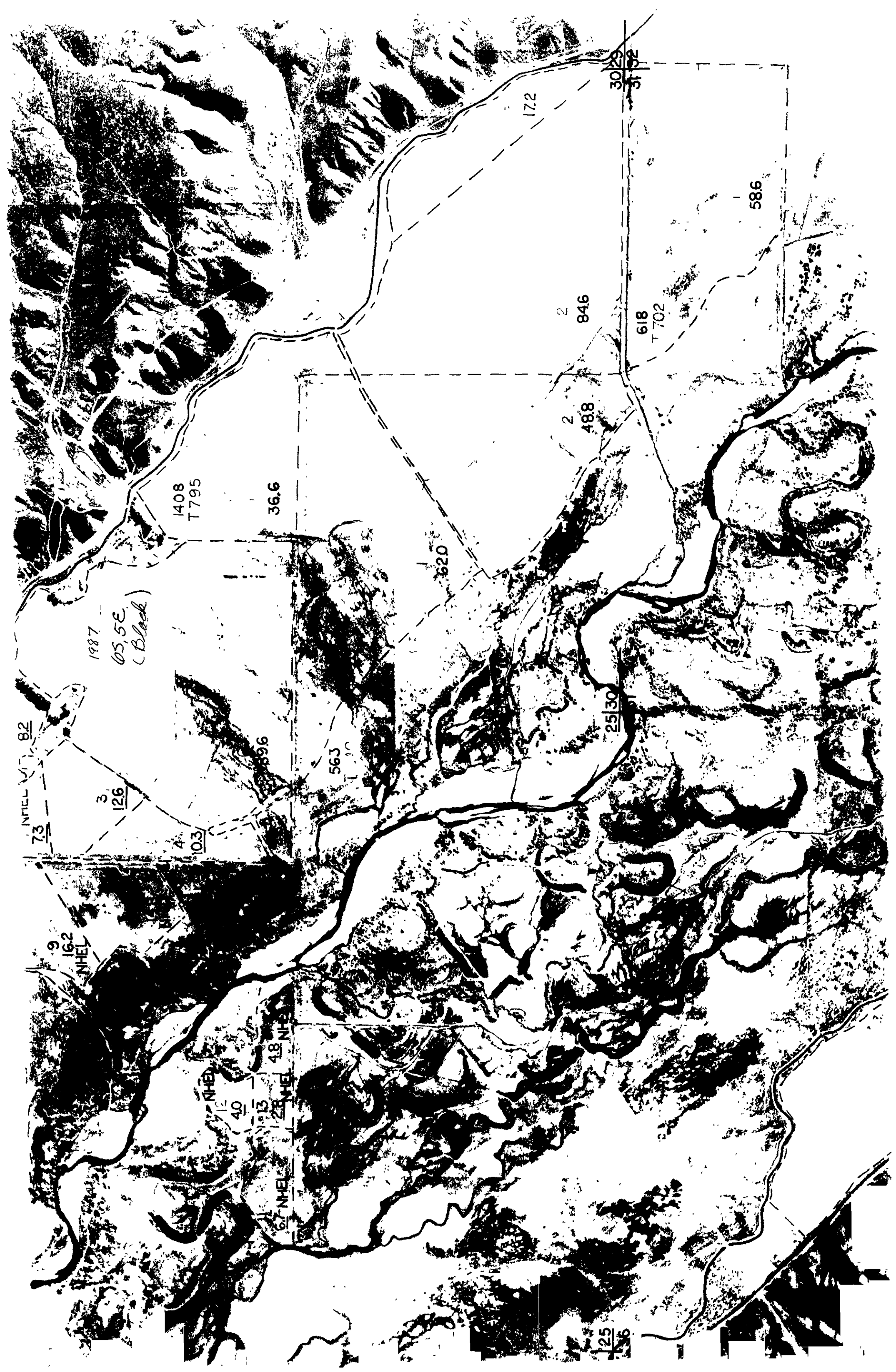
25
5 26

25

63.1

NHEL







9-20-73 LKW

Looking NE toward main Bruneau river
channel. Could not get to diversion as we were
cut off by water.



9-20-73 LKW

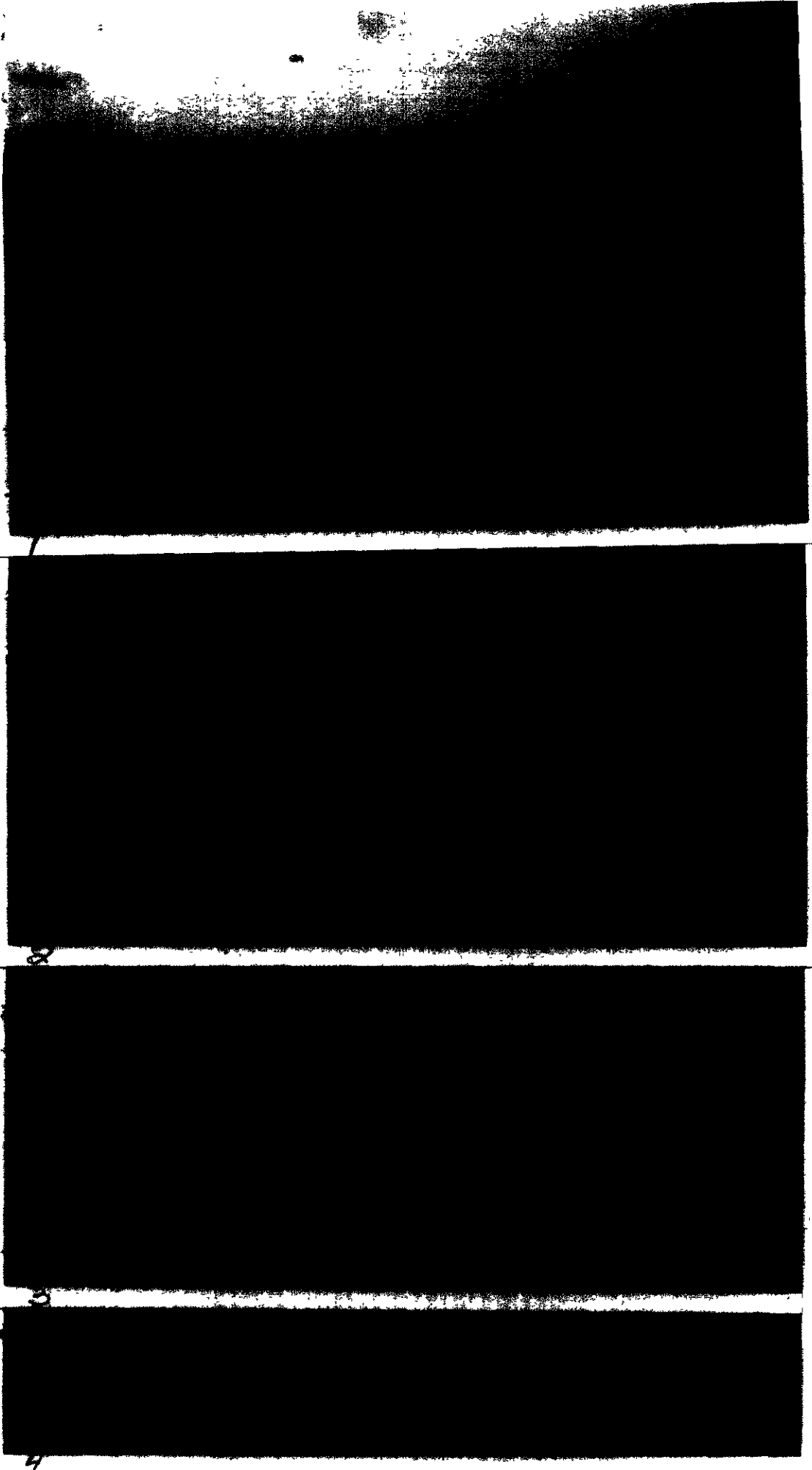
Looking NE where ditch & river diverge



Ditch heading south

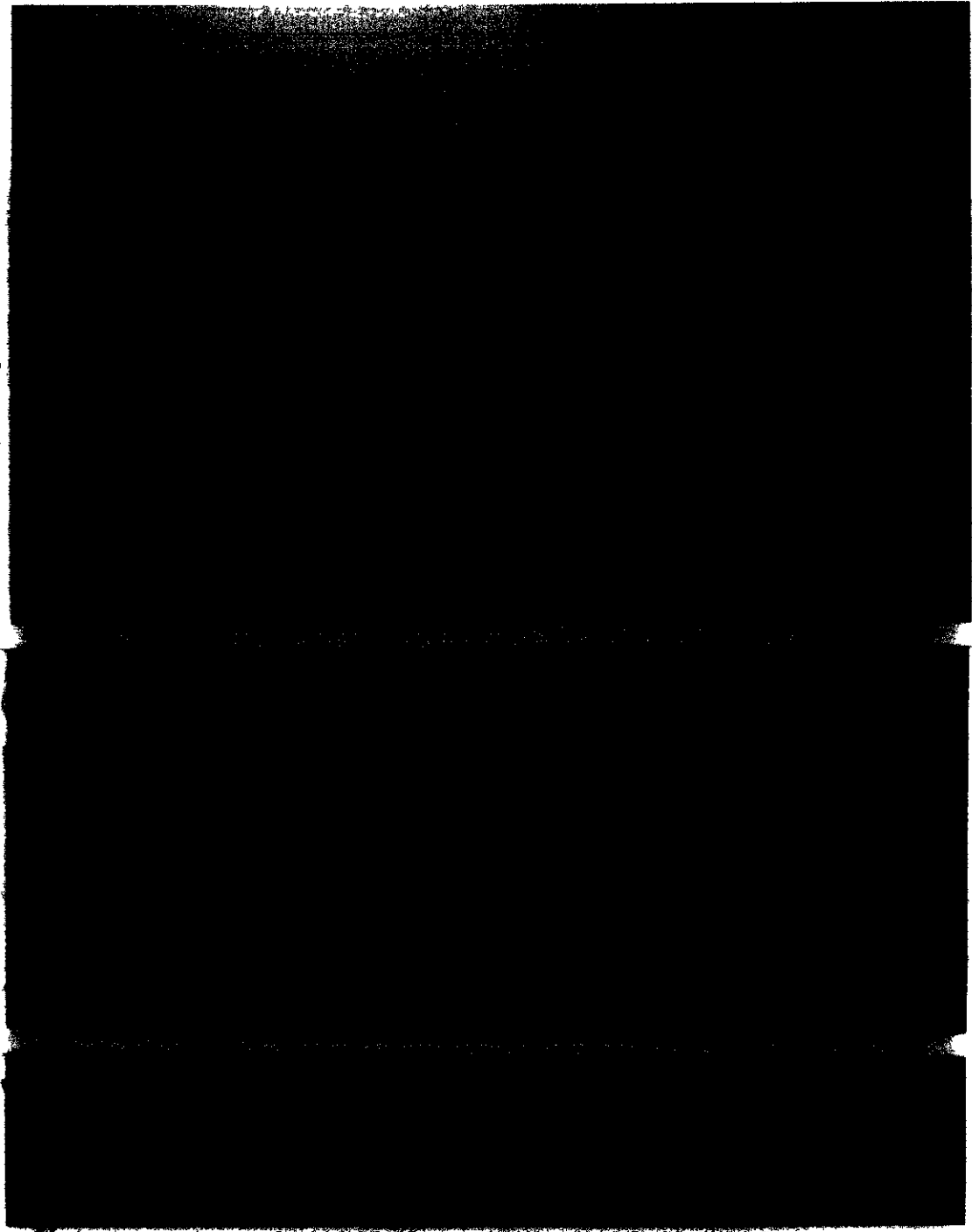


Diversion in slough. By dirt road to fields
toward river.

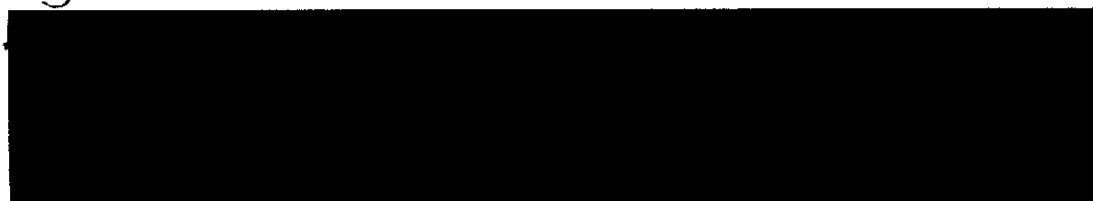


Place of use from road- looking toward
river. Gas West to east.
4-20-93
LRW

Asa Black
Pic #'s 1-4
West to East



Place of use from road. Looking toward
river. ~~East~~ West to east.
4-20-93
LRW

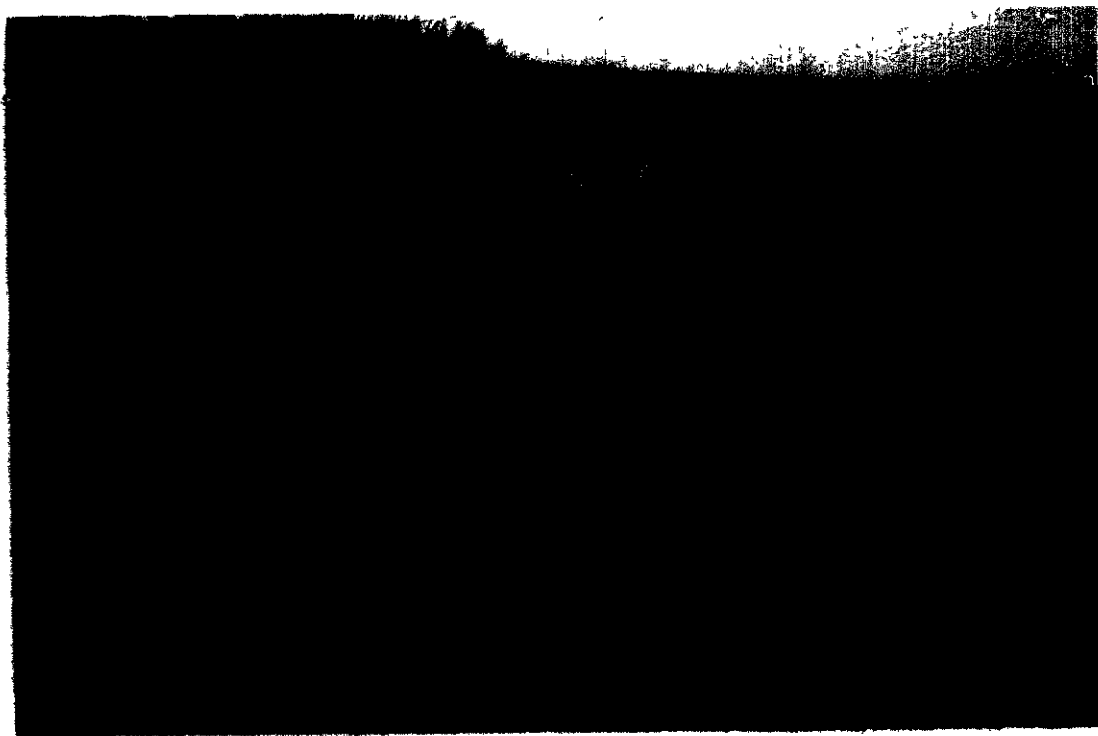


Place of use from road- Looking toward
river. ~~See~~ West to east.
4-20-93
LRW

Place of use from road. Looking toward
river. ~~Sas~~ West to east.
4-20-93
LRW



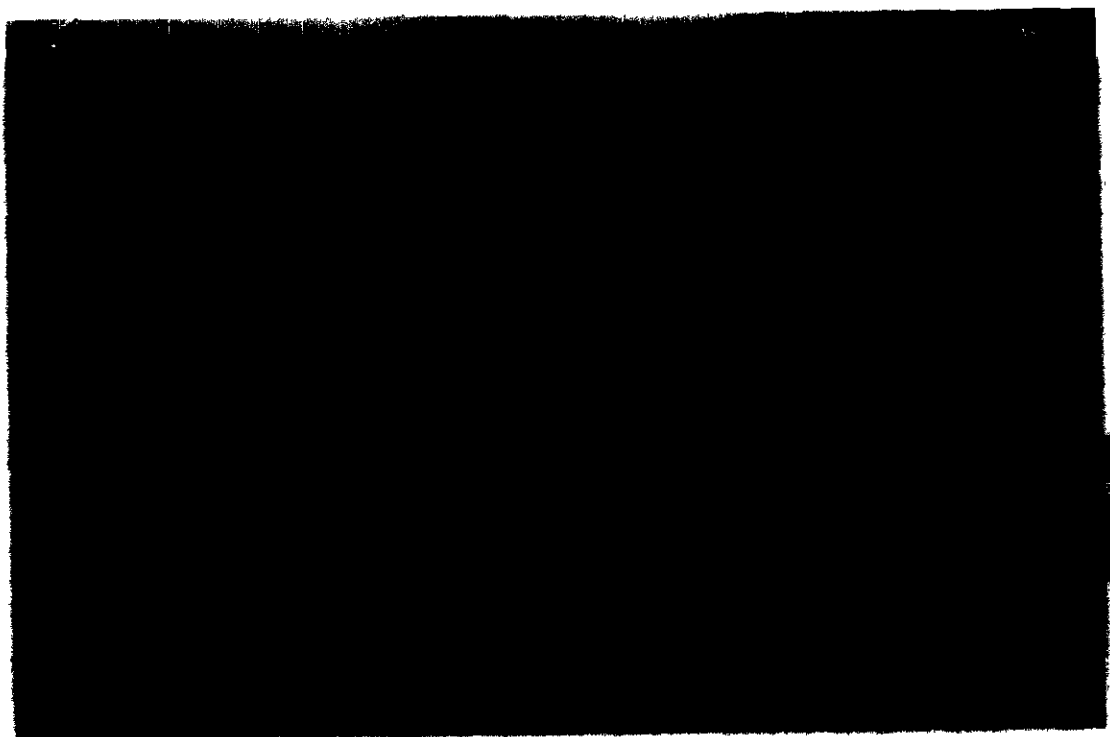
Point of diversion to Joyce ditch.



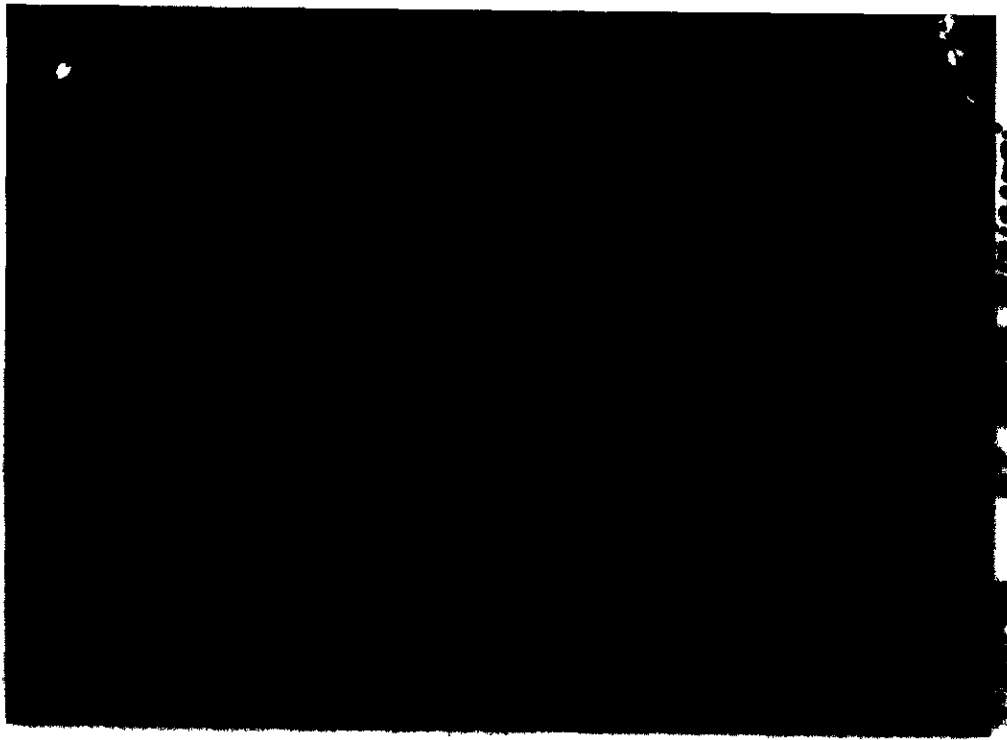
Ditch diversion at slough, Section 25. SW $\frac{1}{4}$ SE $\frac{1}{4}$



Place of use. T5S, R6E, Sec. 25, SW $\frac{1}{4}$ SE $\frac{1}{4}$



Diversion ditch off South Side Canal, Manning's
site #2. T6S, R5E, Section 36, NE $\frac{1}{4}$ SE $\frac{1}{4}$.



Diversion from Bruneau river for South Side Canal

FIELD EXAM PHOTO INDEX SUMMARY

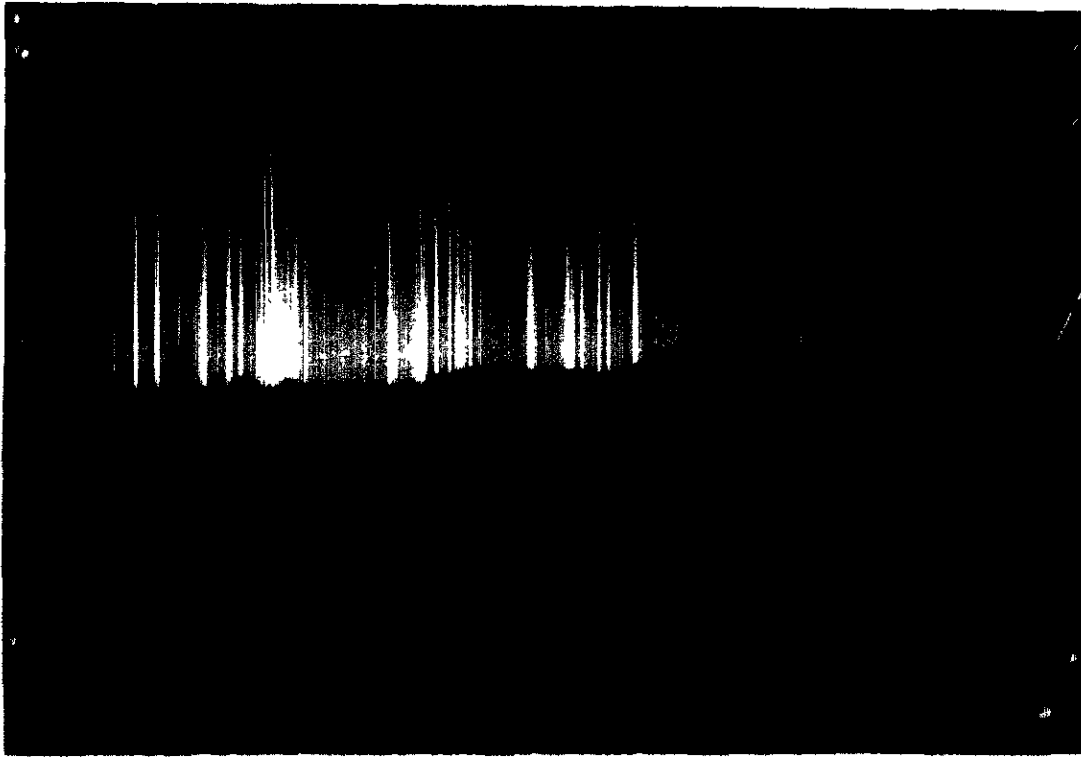
Date: 4-20-93

Roll No.: _____

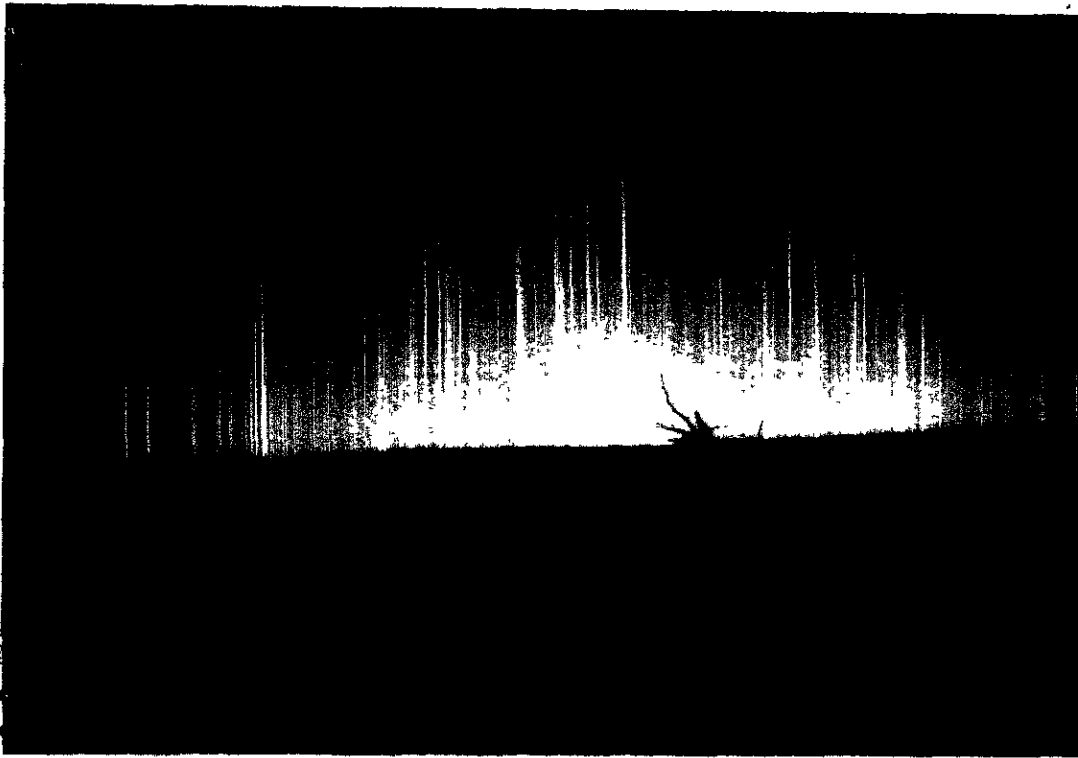
Photographer: Linda Werner

PHOTO NO.	SUBJECT
1	<u>Diversion in skew - (Cement headgate)</u>
2	<u>Blocks diversion from skew to ditch - easterly</u>
3	<u>Portion of land in sec. 26 - SW SE</u>
4	<u>Ditch off of main channel - looking south</u>
5	<u>looking north & east toward main channel</u>
6	<u>Second river to river self w/ ditch - note house on N side some trees on S side</u>
7	<u>looking just N of ditch & river come apart</u>
8	<u>looking south to determine direction of ditch</u>
9	<u>POB in Sec. 29, SW SE - Note house & corral</u>
10	<u>At first M. ment. - note bush</u>
11	<u>Ham. #2 - off S. S. canal - Block ditch</u>
12	_____
13	_____
14	_____
15	<u>May need a standard remark on re-</u>
16	<u>necessity of changing directions due to</u>
17	<u>channel changes.</u>
18	_____
19	<u>Terry - phone - 2601</u>
20	_____
21	_____
22	_____
23	_____
24	_____

7/2/78 Ace Black's Property Sue Rock

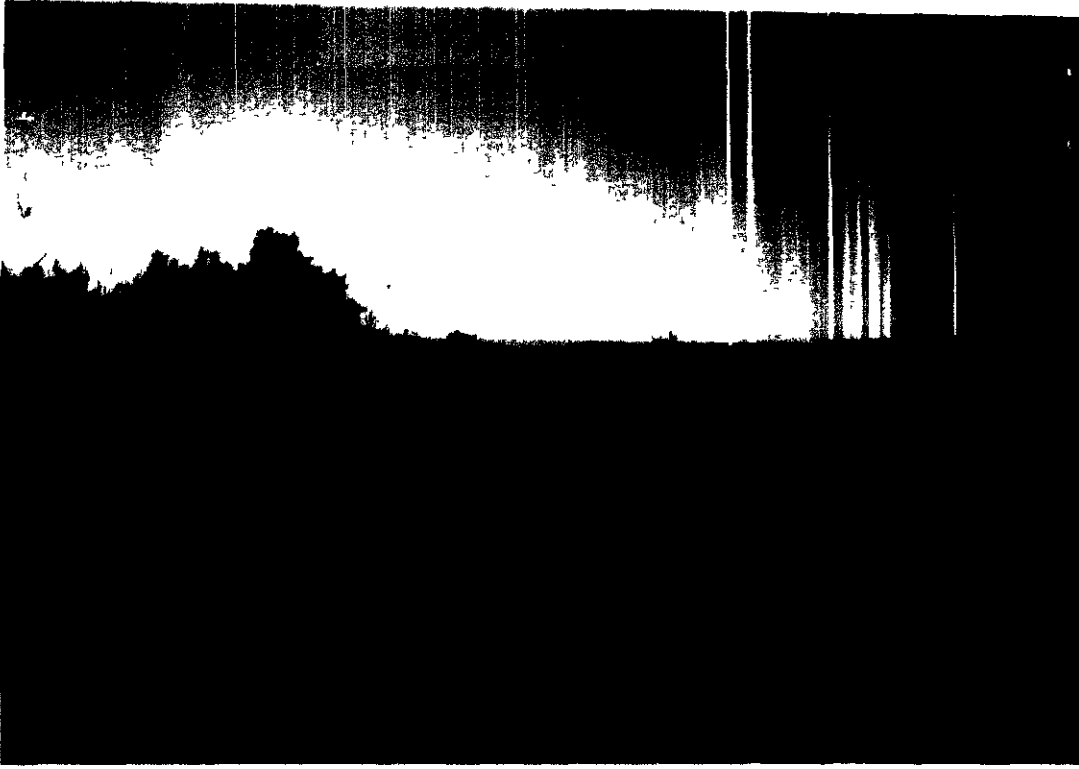


Standing on
1/4 1/4 Sec 25 NENE
Sec 25 looking
N

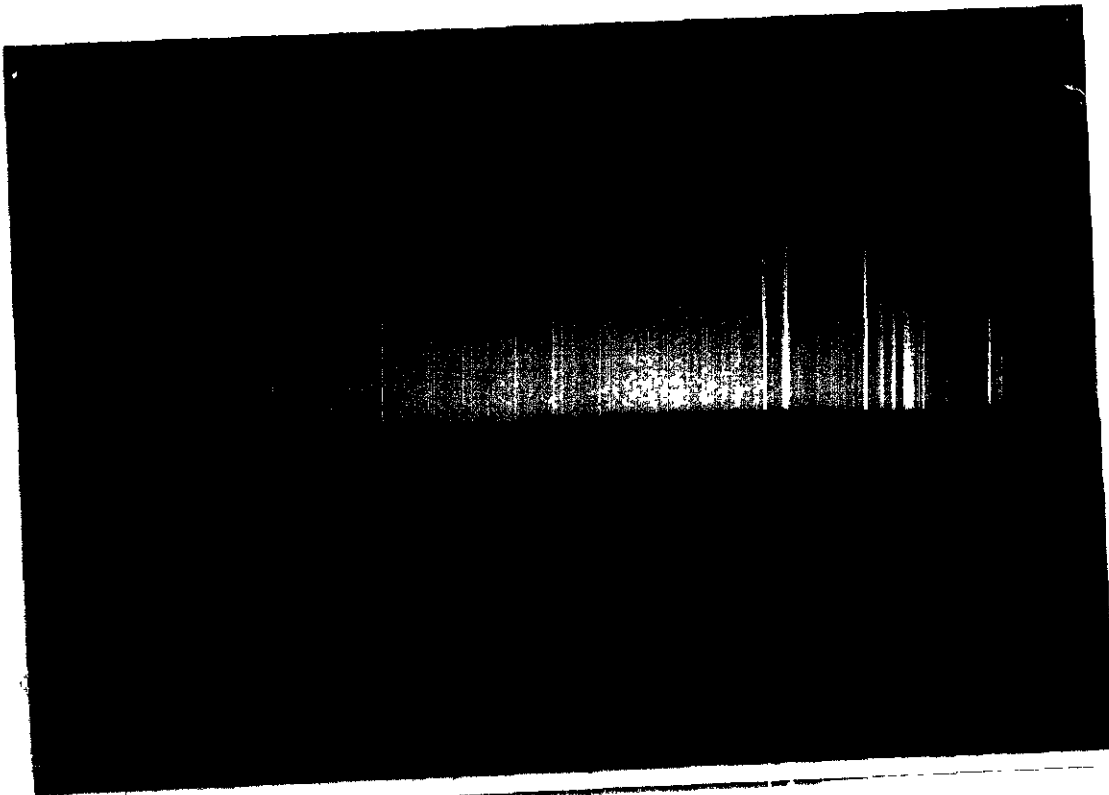


looking South

-12/98 Ace Black's property
Sue Beck



Waste Diversion
for lower end
fields



Overview of
Antarctic
Facing East

Idaho Dept of Water Resources

T06S, R05E, S 25 & 36
Claim No(s): 51-00027B, 51-00028B,
51-00029B, 51-00030, 51-10252,
Claimant(s): Ace Black
Prepared by: Sue Bock
Date: 07/06/1998



Place of Use



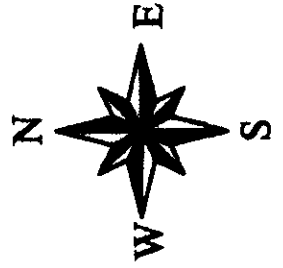
Point of Diversion



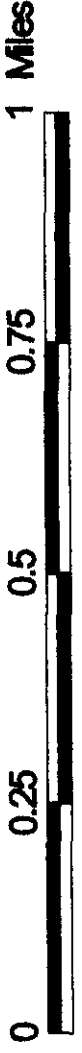
1/4 1/4 lines



Section Lines



1987 NAPP Photo



Idaho Dept of Water Resources

T06S, R05E, S 25 & 36
Claim No(s): 51-00027B, 51-00028B,
51-00029B, 51-00030, 51-10252,
Claimant(s): Ace Black
Prepared by: Sue Bock
Date: 07/06/1998



Place of Use



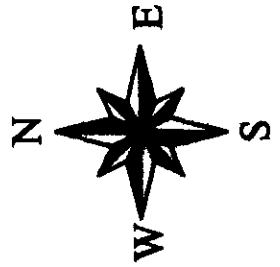
Point of Diversion



1/4 1/4 lines



Section Lines



1987 NAPP Photo



BRUNEAU RIVER DECREE

SUMMARY OF SRBA CLAIMS

AS OF 03/21/1989

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

Proportionate
Shares per
ownership of
decreee P/W
6/26/98

Part A Fish & Game
Part B

<u>DECREE#</u>	<u>TURNER</u>	<u>PROW</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"		

MANNING EQUATION CHANNEL CAPACITY RESULTS

04-28-1993

File Number:

Claimant: ASA BLACK

Channel measured: DITCH DIVERSION FROM SOUTH SIDE CANAL

Date of measurement: 4/20/93

Measurement location:

Calculation prepared by: LINDA WERNER

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 238 feet.

The upstream and downstream rod readings are 7.66 and 8.14 feet.

The channel cross section is 3.38 ft-sq.

The wetted perimeter is 6.11 feet.

The hydraulic radius is 0.55 feet.

The slope is 0.0020

The roughness coefficient is 0.0350

The flow velocity is 1.288 ft/sec.

The rate of flow is 4.35 cfs.

CROSS SECTION NUMBER 1

For File Number for the DITCH DIVERSION FROM SOUTH SIDE CANAL

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.50	0.50	0.50
3	0.90	0.90	1.00
4	0.90	0.90	2.50
5	0.72	0.72	4.00
6	0.60	0.60	5.00
7	0.00	0.00	5.60

The area for this cross section is 3.88 square feet
and the wetted perimeter is 6.21 feet.

CROSS SECTION NUMBER 2

For File Number for the DITCH DIVERSION FROM SOUTH SIDE CANAL

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.46	0.46	0.50
3	0.79	0.79	1.00
4	0.60	0.60	2.50
5	0.60	0.60	3.50
6	0.48	0.48	4.50
7	0.00	0.00	5.60

The area for this cross section is 2.87 square feet
and the wetted perimeter is 6.00 feet.

MANNING EQUATION-DATA COLLECTION

Claim No(s)::

Name of Claimant:

Ace Black

Name of Ditch, Canal, or Stream Name:

Ditch off S.S. canal

Date of Measurement:

4-20-93

Data Collected By:

M.M. & L.W.

Measurement Location:

1/4

1/4

Section

T

R

General Description and Comments

Cross-section Data

Basis: High water mark ☒ Maximum capacity ()

Note: A minimum of five readings is necessary; first and last rod reading must be equal or zero.

Depth or Rod Reading	Dist. from Initial Point	Depth or Rod Reading	Dist. from Initial Point
1. <u>LED 0</u>	<u>0</u>	11. <u>LED 0</u>	<u>0</u>
2. <u>.5</u>	<u>.5</u>	12. <u>.46</u>	<u>.5</u>
3. <u>.9</u>	<u>1.0</u>	13. <u>.79</u>	<u>1.0</u>
4. <u>.9</u>	<u>2.5</u>	14. <u>.6</u>	<u>2.5</u>
5. <u>.72</u>	<u>4.0</u>	15. <u>.6</u>	<u>3.5</u>
6. <u>.6</u>	<u>5.0</u>	16. <u>.48</u>	<u>4.5</u>
7. <u>0</u>	<u>5.6</u>	17. <u>0</u>	<u>5.6</u>
8. _____	_____	18. _____	_____
9. _____	_____	19. _____	_____
10. _____	_____	20. _____	_____

Slope Data

Basis: High water mark ☒ Channel bottom () Land surface ()

Channel length from cross section: Upstream

110

Downstream

138128

Total channel length used for slope measurement:

240238

Rod reading at engineers level:

Upstream rod reading 7.66

- High Water Mark(if taken from channel bottom)

= 7.66

Downstream rod reading 8.14

- High Water Mark(if taken from channel bottom)

= 8.14

Note: The downstream rod reading must be higher than the upstream rod reading.

Are maps and/or photos attached? Yes ()

Upstream: TXH 8.22
 MXH 7.66
 BXH 7.12
7.02 1.10

Downstream: TXH 8.78
 MXH 8.14
 BXH 7.50
1.38 1.28

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020	✓	(1)	negligible	.000	✓	(1)
rock	.025		(2)	minor	.010		(2)
fine gravel	.024		(3)		.015		(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
SURFACE IRREGULARITY				VEGETATION			
smooth	.000		(1)	low	.005		(1)
minor	.005	✓	(2)		.010	✓	(2)
moderate	.010		(3)	medium	.015		(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
				VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION			
gradual	.000	✓	(1)	minor	1.00	✓	(1)
occasional	.005		(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

MANNING EQUATION CHANNEL CAPACITY RESULTS

04-28-1993

File Number:
Claimant: ASA BLACK
Channel measured: DITCH FROM BRUNEAU RIVER
Date of measurement: 4/20/93
Measurement location:

Calculation prepared by: LINDA WERNER
Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 196 feet.
The upstream and downstream rod readings are 5.37 and 6.10 feet.
The channel cross section is 3.84 ft-sq.
The wetted perimeter is 5.76 feet.
The hydraulic radius is 0.67 feet.
The slope is 0.0037
The roughness coefficient is 0.0690
The flow velocity is 1.006 ft/sec.
The rate of flow is 3.86 cfs.

CROSS SECTION NUMBER 1

For File Number for the DITCH FROM BRUNEAU RIVER

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	1.30	1.30	0.50
3	0.80	0.80	2.00
4	1.00	1.00	3.00
5	1.20	1.20	4.00
6	0.14	0.14	5.90

The area for this cross section is 5.17 square feet
and the wetted perimeter is 7.19 feet.

CROSS SECTION NUMBER 2

For File Number for the DITCH FROM BRUNEAU RIVER

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.88	0.88	0.50
3	1.26	1.26	1.00
4	1.08	1.08	1.50
5	0.70	0.70	2.00
6	0.84	0.84	2.50
7	0.12	0.12	3.20

The area for this cross section is 2.51 square feet
and the wetted perimeter is 4.32 feet.

MANNING EQUATION-DATA COLLECTION

Claim No(s):

Name of Claimant: Ace Black

Name of Ditch, Canal, or Stream Name:

Date of Measurement: 4-20-93 Data Collected By: M. M. & L. W.

Measurement Location: 1/4 1/4 Section T R

General Description and Comments

Cross-section Data

Basis: High water mark ☒ Maximum capacity ()

Note: A minimum of five readings is necessary; first and last rod reading must be equal or zero.

Depth or Rod Reading	Dist. from Initial Point	Depth or Rod Reading	Dist. from Initial Point
1. <u>FEW 0</u>	<u>0</u>	11. <u>LEAD 0</u>	<u>0</u>
2. <u>1.3</u>	<u>.5</u>	12. <u>.88</u>	<u>.5</u>
3. <u>.8</u>	<u>2.0</u>	13. <u>1.26</u>	<u>1.0</u>
4. <u>1.0</u>	<u>3.0</u>	14. <u>1.08</u>	<u>1.5</u>
5. <u>1.2</u>	<u>4.0</u>	15. <u>.70</u>	<u>2.0</u>
REW <u>.14</u>	<u>5.9</u>	16. <u>.84</u>	<u>2.5</u>
7. <u></u>	<u></u>	17. <u>RED .12</u>	<u>3.2</u>
8. <u></u>	<u></u>	18. <u></u>	<u></u>
9. <u></u>	<u></u>	19. <u></u>	<u></u>
10. <u></u>	<u></u>	20. <u></u>	<u></u>

Slope Data

Basis: High water mark ☒ Channel bottom () Land surface ()

Channel length from cross section: Upstream 102 Downstream 146' 94'

Total channel length used for slope measurement: 248' 196

Rod reading at engineers level:

Upstream rod reading 5.37 - High Water Mark(if taken from channel bottom) =

Downstream rod reading 6.10 - High Water Mark(if taken from channel bottom) =

Note: The downstream rod reading must be higher than the upstream rod reading.

Are maps and/or photos attached? Yes ()

Downstream TXH: 5.92 TXH: 6.58 Upstream TXH: 5.88
 (MXH: 5.19) (MXH: 6.10) (MXH: 5.37)
 BXH: 4.46 BXH: 5.64 BXH: 4.86
146 94 102'

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020	✓	(1)	negligible	.000		(1)
rock	.025	✓	(2)	minor	.010		(2)
fine gravel	.024		(3)		.015	✓	(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
SURFACE IRREGULARITY				VEGETATION			
smooth	.000		(1)	low	.005		(1)
minor	.005		(2)		.010	✓	(2)
moderate	.010	✓	(3)	medium	.015		(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000		(1)	minor	1.00		(1)
occasional	.005	✓	(2)	appreciable	1.15	✓	(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				