

T

Harley's

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

115°45'
42°52'30"

SE 1/4 BRUNEAU 15' QUADRANGLE

600

490000 FEET

2869 IV NE
(BRUNEAU)

440000
FEET

2479

25

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Affidavit for Change of Point of Diversion
of Decreed Water Right

51-0028

STATE OF IDAHO,
County of Blaine } ss.

John Turner of the County of Blaine, 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 1885, for 375,175 cubic feet per second of the waters of Blaine River, County of Blaine, State of Idaho, decreed to John Turner by decree of Judge of the Judicial District of the State of Idaho, in and for the County of Blaine, in the case of Turner vs. Blaine River, said decree bearing date of Feb. 14, 1925, for the purpose of irrigating the following described lands, situate, lying and being in Water Dist. No. 57B, in the County of Blaine, and State of Idaho, to-wit: E 1/2 SW 1/4 Sec 25 NE 1/4 SE 1/4 NE 1/4 Sec 34 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 of Sec 35, 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 party

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 35, Twp. 7 S, Range 6 E, and thereafter conduct same to the above described land through the Southside ditch, as per map above referred to:

That his reasons for desiring to make such change are as follows: The Southside
Blaine River is located at the point of diversion
of the water right and the point of diversion
is located at the point of diversion
That no one will be injured by such change and that such change will be made at affiant's own risk.

John Turner
Blaine, Idaho

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A51-00028A
Date Received: 1/19/1989
Receipt No: W002030
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: APR 1, 1897

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

4. Point of Diversion:

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

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.620		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

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

10. Place of Use:

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

10. Place of Use: Continued

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

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
51-00027, 51-00029.

14. Remarks:

THIS IS A SPLIT RIGHT OF 51-00028.

WATER DELIVERED VIA SOUTH SIDE CANAL.

AMENDED 03/21/1989 TO REFLECT THE FOLLOWING:

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

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

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

OWNERSHIP CHANGED BY KW 10/27/92.

OWNERSHIP CHANGED BY KW 11/16/92.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

GRANDVIEW IRR. DIST.
Decree Plaintiff

BRUNEAU BUCKAROO CO-OP DITCH
vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED
JUL 27 1992

DATE OF CLOSING: 06-17-92

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

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

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

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

- ☐ Attach proof of ownership, describe proof attached: Warranty Deed *→ all in file A51-00053A kw*

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

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

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

FOR IDWR USE ONLY:

Initial Review and Data Entry

Date 11/16/92 By kw

Further Action Needed

Further Action Taken

Date _____ By _____

Final Review and Data Entry

Date _____ By _____

Claim Numbers of Split, if any:

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

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A51-00028A
Date Received: 1/19/1989
Receipt No: W002030
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: APR 1, 1897

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

4. Point of Diversion:

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

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.620		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

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

10. Place of Use:

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

10. Place of Use: Continued

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

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
51-00027, 51-00029.

14. Remarks:

THIS IS A SPLIT RIGHT OF 51-00028.

WATER DELIVERED VIA SOUTH SIDE CANAL.

AMENDED 03/21/1989 TO REFLECT THE FOLLOWING:

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

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

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

OWNERSHIP CHANGED BY KW 10/27/92.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

GRANDVIEW IRR, DIST.
Decree Plaintiff

BRUNEAU BUCKAROO CO-OP DITCH
vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

DATE OF CLOSING: 12/31/91

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
 Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
 Lot _____, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet. **LEGAL ATTACHED**

Rec'd from
 So on
 4-21-92

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

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

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry
 Date: _____ By: _____
 Further Action Needed:

Further Action Taken
 Date: _____ By: _____

Final Review and Data-Entry
 Date: _____ By: _____

Claim Numbers of Split, if any:

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

See original
 in file
 A51-00027A

SD-33	Last Name: HARLEY						STATE
S	First	O	Water	Priority		Total	Use
E	Name	N	Right No.	Date	Source	Diversion	Code Desc
L							
-	HARLEY						
-	ALBERT F.	✓C	A51-00027A	04/01/1875	BRUNEAU RIV	1.690	01 IRR
-							04 STOCK
-	✓ALBERT F.	✓C	A51-10165	12/31/1949	GROUNDWATER	0.060	43 DOMEST
-	ALBERT F.	✓C	A51-00028A	04/01/1897	BRUNEAU RIV	0.620	01 IRR
-							04 STOCK
-	ALBERT F.	✓C	A51-00029A	04/01/1905	BRUNEAU RIV	0.460	01 IRR
-							04 STOCK
-	ALBERT F.	✓C	A51-00042A	04/01/1875	BRUNEAU RIV	0.210	01 IRR
-							04 STOCK
-	ALBERT F.	✓C	A51-00043A	04/01/1876	BRUNEAU RIV	0.470	01 IRR
-							04 STOCK
-	ALBERT F.	✓C	A51-00044A	04/01/1897	BRUNEAU RIV	0.280	01 IRR
-							04 STOCK
-	ALBERT F.	✓C	A51-00045A	04/01/1905	BRUNEAU RIV	0.210	01 IRR
-							04 STOCK

(Enter-Continue)

(GOLD7-This Query)

(Menu _____)

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

(Enter-Continue)

(GOLD7-This Query)

(Menu _____)

Post-It™ brand fax transmittal memo 7671 # of pages = 5

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

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

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

WARRANTY DEED

For Value Received

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

the grantors, do hereby grant, bargain, sell and convey unto

BRUNEAU RIVER WILDLIFE RANCH, an Idaho limited partnership

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

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

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

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

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

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

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

204201

FILED-RECORDED

JAN 2 10 48 AM '91

BARBARA J. JO
OWYHEE COUNTY CLERK
BY *[Signature]*
DEPUTY

RECEIVED OF
O.T.C.
FEB 9 1991

INDEXED

RECORDED

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

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

[Signature]
Albert F. Harley

[Signature]
Ana M. Harley

STATE OF IDAHO, COUNTY OF Owyhee

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

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

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

STATE OF IDAHO, COUNTY OF

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

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

Ex-Officio Recorder

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

EXHIBIT "A"

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

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

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

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

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

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

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

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

AND

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

Section 31 and

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

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

(continued)

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

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

* * *

AH AH

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: A51-00028A
Date Received: 1/19/1989
Receipt No: W002030
Received By: ETH

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

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

83704

2. Date of Priority: APR 01, 1897

3. Source: BRUNEAU RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

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

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.620		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

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

10. Place of Use:

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

A51-00028A

Page 1

Date: 03/21/89

10. Place of Use: Continued

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

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
51-00027, 51-00029.

14. Remarks:

THIS IS A SPLIT RIGHT OF 51-00028.

WATER DELIVERED VIA SOUTH SIDE CANAL.

AMENDED 03/21/1989 TO REFLECT THE FOLLOWING:

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

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

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

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

GRANDVIEW IRR. DIST.
Decree Plaintiff

vs

BRUNEAU BUCKAROO CO-OP DITCH C
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

Date: _____

State of Idaho)
County of Ada) SS.

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

Eldon L. Roush
Notary Public

Seal

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

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A51-00028A

Date Received: 01/19/89

Receipt No: 600203062031

ER Received By: ER

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

83704

2. Date of Priority: APR 01, 1897

3. Source: BRUNEAU RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	06E	31	NW	SW			OWYHEE
			SE	SW			OWYHEE
07S	06E	5	SW	NE			OWYHEE

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.590	0.62	
STOCKWATER	01/01	12/31	0.050		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

S/INSTREAM STOCK WATER VARIABLE AMOUNTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	05E	36	SE	NE		IRR	~~40.0~~ 25
						Section Acres	~~40.0~~ 25
	06E	31	NW	NW		IRR	37.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	117.0
						Total Acres	~~157.0~~ 192.0

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:
51-00027, 51-00029.

14. Remarks:
THIS IS A SPLIT RIGHT OF 51-00028.
WATER DELIVERED VIA SOUTH SIDE CANAL.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

GRANDVIEW IRR. DIST. vs BRUNEAU BUCKAROO CO-OP DITCH C
Decree Plaintiff Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Albert F. Harley Date: 1/10/89

Date: _____

State of Idaho)
County of Ada) ss.

Subscribed and sworn (or affirmed) before me this 10 day
of Jan 19 89 Edna J. Pugh
Notary Public

Seal

Residing at Bow
My Commission Expires 09/09/97

Harley's

SUGAR VALLEY QUADRANGLE
IDAHO-OWYHEE CO

7.5 MINUTE SERIES (TOPOGRAPHIC)

2869 IV NE
(BRUNEAU)

598 R 5 E R 6 E 47'30" 599 1490000 FEET

ENGINEAU, O B AN

005

SE/4 BRUNEAU 15' QUADRANGLE

115°45' 42°52'30"

2869 / NW
SAND DUNES)

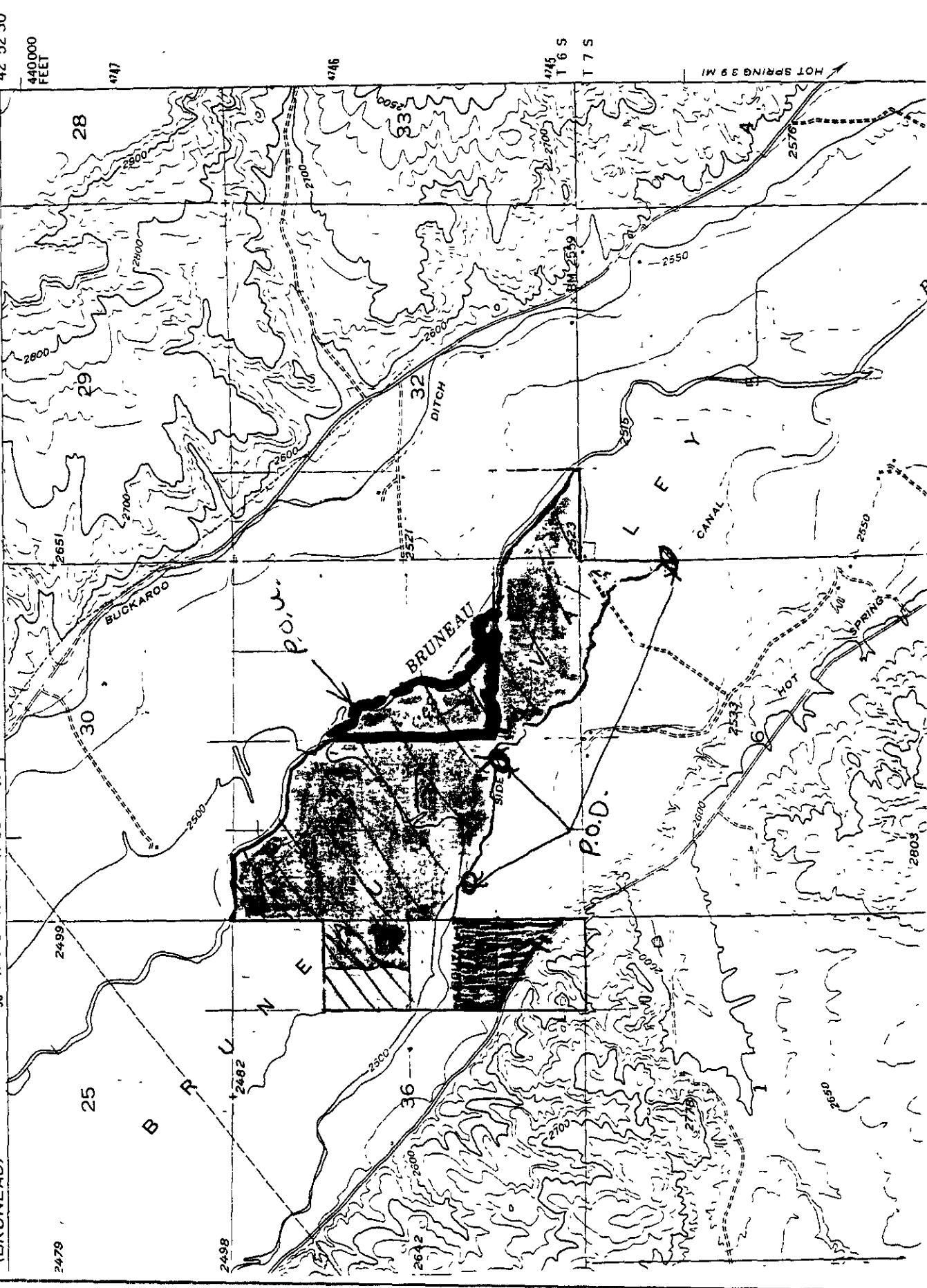


EXHIBIT A

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Affidavit for Change of Point of Diversion of Decreed Water Right .

51-0028

THE DOOR

IDAHO,
Shoshone

Testimony of [Name] first duly sworn, deposes and says: That on [Date] [Time] [Location] [Event]

My address is 113 Avenue C, Astoria; I am no in the United States Army.

amount of the waters of
the water rising bearing date of priority *August 1st 1881*

State of Idaho, decreed to William Lawrence

of the State of Indiana Judicial District of the
in the case of Franklin

11-2-14 A said decree bearing date of 11-2-14, in and for the County of Clark, in the case wherein

for the purpose of irrigating the following described lands, situate, lying

... in Water Dist. No. 57B, in the County of Summit, and State of Idaho

Feb 25 1925

Wright & E. B. M.

person (or representative of the corporation) to whom such right was issued, (or has been

The owner thereof in the following manner:

W 1/2 Sec. 14, T. 14 N., R. 14 E., S. 14 W., 1/4 of Sec. 5-

and conducted to the above described lands through the

ditch, as per map filed herewith, and of this affidavit made a part.

and different desires to change the point of diversion of said water from the point above described.

Point located in NE 1/4 of SW 1/4, Sec 5, Twp 7S, Range 6E

and hereafter conduct same to the above described land through the
.....

See page above referred to:

The Good Wife

For a good understanding of the reasons for desiring to make such changes see the accompanying letter.

point of determination at the point of difference

personally with the long side of front 6 in he made of effluvia over plank

That no one will be injured by such change and that such change will be made as

Donna Marie Co.
1800 W. 1st St.
St. Paul, Minn. 55102

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

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

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

51 0022	25 inches as of April 1, 1881.
51 0025	5 inches as of April 1, 1897.
51 0028	10 inches as of April 1, 1905.
	<u>40</u>

JOHN TURNER: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, Township 6 South, Range 6 East, Boise Meridian, E $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, Township 6 South, Range 5 East, Boise Meridian, containing 160 acres. Out of the waters of the Bruneau River:

51 0030 100 inches as of April 1, 1905.

Tractor JOHN TURNER: E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 25, E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 36, Township 6 South, Range 5 East, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 31, Township 6 South, Range 6 East, Boise Meridian, containing 320 acres. Out of the waters of the Bruneau River:

51 0022	165 inches as of April 1, 1875.
51 0028	50 inches as of April 1, 1897.
51 0029	45 inches as of April 1, 1905.
	<u>260</u>

200 MAR -6 PM 1:19
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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 51-00028A
_____	)	

On July 30, 1999, 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 51-00028A is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED MAR 8 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

In Re SRBA)
Case No. 39576)
_____)

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

Water Right 51-00028A

2000 MAR -6 PM 1:19

FILED
TWIN FALLS CO., IDAHO

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

SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.214 CFS

PRIORITY DATE: 04/01/1897

POINT OF DIVERSION: T07S R06E S05 NWSWSE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.214 CFS

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

USE OF THIS RIGHT WITH RIGHT 51-00027A IS LIMITED TO THE
THE IRRIGATION OF A COMBINED TOTAL OF 138.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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

THE APPROPRIATOR IS ENTITLED TO DIVERT UP TO THE QUANTITY OF
3.904 CFS AT THE FIELD HEADGATE TO MEET PEAK CROP DEMAND SO LONG
AS (1) THE APPROPRIATOR IS ABLE TO MAKE THAT QUANTITY AVAILABLE
THROUGH A VOLUNTARY ROTATION AGREEMENT AMONG SOME OR ALL OTHER
USERS OF WATER FROM THE SAME SOURCE OR BY ROTATING SOME OR ALL OF
THE APPROPRIATOR'S OTHER WATER RIGHTS FROM THE SAME SOURCE,
(2) DIVERSION OF ANY QUANTITY ABOVE 0.214 CFS WILL NOT INJURE
OTHER WATER RIGHTS, AND (3) ANY QUANTITY ABOVE 0.214 CFS WILL NOT
BE SUBJECT TO A PRIORITY CALL UNDER THIS WATER RIGHT ON JUNIOR
WATER RIGHTS.

RULE 54(b) CERTIFICATE

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



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

2000 MAR 06 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): 51-00028A

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 51-00028A was mailed
on March 06, 2000, with sufficient first-class postage prepaid
to the following:

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

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

DEPT OF FISH & GAME
P O BOX 25
BOISE, ID 83707
Phone: 208-327-7025

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
03/06/00

RECEIVED

JUN 01 1999

Department of Water Resources

RECEIVED

JUN 22 1999

WATER RESOURCES
WESTERN REGION

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

In Re SRBA)

Subcase No. 51- 00028A

Case No. 39576)

STANDARD FORM 1
OBJECTION

NAME AND ADDRESS OF PERSON OBJECTING

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

Name & Address of Attorney:

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

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTORS'S REPORT

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

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

Report.

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

This water right should not exist.

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

REASONS SUPPORTING OBJECTION (S): The quantity historically used under this water right is less than recommended. The suggested remarks reflect historical use of this water right.

VERIFICATION

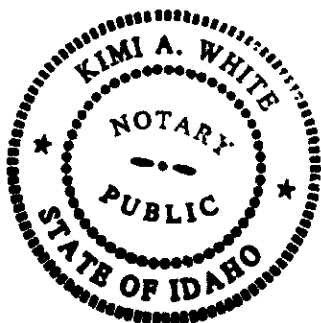
State of Idaho)
)
County of Ada)

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

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

Charles L. Honsinger
(Attorney signing in representative capacity)

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



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

CERTIFICATE OF MAILING

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

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

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

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

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

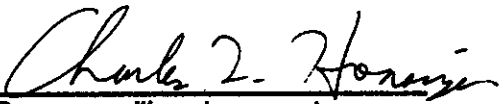
John Urquidi
HC 85, Box 135
Bruneau, ID 83604

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

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

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

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


Person mailing documents

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

DATE: MAY-27-1999
PAGE: A-1

RIGHTS FROM: SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 51-00028A

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

SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.214 CFS
~~0.134 CFS~~

PRIORITY DATE: 04/01/1897

POINT OF DIVERSION: T07S R06E S05 NWSWSE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		03-01 11-15	0.214 CFS
			~~0.134 CFS~~

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

USE OF THIS RIGHT WITH RIGHT NO. 51-00027A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 138.0 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BEYON IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 138.0 ACRES IN A SINGLE IRRIGATION SEASON/ COMBINED RIGHT NOS// 51/00027A/ 51/00028A

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

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

WATER RIGHT NO.	SOURCE
NONE	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:

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

DATE: MAY-27-1999

PAGE: A-2

51-00028A (CONT.)

WATER RIGHT NO.	SOURCE
NONE	NONE

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

THE APPROPRIATOR IS ENTITLED TO DIVERT UP TO THE QUANTITY OF 3.904 CFS AT THE FIELD HEADGATE TO MEET PEAK CROP DEMAND SO LONG AS (1) THE APPROPRIATOR IS ABLE TO MAKE THAT QUANTITY AVAILABLE THROUGH A VOLUNTARY ROTATION AGREEMENT AMONG SOME OR ALL OTHER USERS OF WATER FROM THE SAME SOURCE OR BY ROTATING SOME OR ALL OF THE APPROPRIATOR'S OTHER WATER RIGHTS FROM THE SAME SOURCE, (2) DIVERSION OF ANY QUANTITY ABOVE 0.214 CFS WILL NOT INJURE OTHER WATER RIGHTS, (3) ANY QUANTITY ABOVE 0.214 CFS WILL NOT BE SUBJECT TO A PRIORITY CALL UNDER THIS WATER RIGHT ON JUNIOR WATER RIGHTS, AND (4) DIVERSION OF THAT QUANTITY DOES NOT CONSTITUTE WASTE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

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

WATER IS DELIVERED THROUGH SOUTH SIDE BRUNEAU CANAL COMPANY.

Remarks:

THROUGH A VOLUNTARY ROTATION AGREEMENT AMONG SOME OR ALL OTHER
USERS OF WATER FROM THE SAME SOURCE OR BY ROTATING SOME OR ALL OF
THE APPROPRIATOR'S OTHER WATER RIGHTS FROM THE SAME SOURCE, (2)
DIVERSION OF ANY QUANTITY ABOVE 0.214/CFS WILL NOT INJURE OTHER
WATER RIGHTS, (3) ANY QUANTITY ABOVE 0.214/CFS WILL NOT BE SUBJECT
TO A PRIORITY CALL UNDER THIS WATER RIGHT ON JUNIOR WATER RIGHTS,
AND (4) DIVERSION OF THAT QUANTITY DOES NOT CONSTITUTE WASTE.

EXP WATER IS DELIVERED THROUGH SOUTH SIDE BRUNEAU CANAL COMPANY.

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

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

Comments: Date: 06/27/1998 User-ID: KWALKER Subject: COPIED FROM REMARKS
THIS IS A SPLIT RIGHT OF 51-00028.
WATER DELIVERED VIA SOUTH SIDE CANAL.
AMENDED 03/21/1989 TO REFLECT THE FOLLOWING:
*P.O.D. IN ORIGINAL CLAIM LISTED LAND DESCRIPTION AS THAT OF THE
LATERALS. AMENDED TO REFLECT THAT OF THE SOUTH SIDE CANAL.
*ACRES CLAIMED IN SECTION 36 T6S R06S E12S LISTED 40 ACRES. PROPER
ACRES SHOULD HAVE BEEN 25. AMENDED ACCORDINGLY.
*QUANTITY OF WATER APPROPRIATED IN ORIGINAL CLAIM HAD REFLECTED
THE AMOUNT OF SPLIT BASED ON ERRONEOUS ACRES AS OUTLINED ABOVE.
AMENDED ACCORDINGLY. ELR
OWNERSHIP CHANGED BY KW 10/27/92.
OWNERSHIP CHANGED BY KW 11/16/92.

Date: 09/23/1998 User-ID: KWALKER Subject: STOCKWATER
REMOVED STOCKWATER FROM THIS RIGHT. SAME LANDS, EARLIER PRIORITY
UNDER 51-00027A.

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

Audit: 05/27/99 KWALKER

DRAFT

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

Right Number: 51-00028A

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

Source: BRUNEAU RIVER Tributary: SNAKE RIVER

Quantity: 0.214 CFS ✓

Priority Date: 04/01/1897

Point of Diversion: T07S R06E S05 NWSWSE Within OWYHEE County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	IRRIGATION	03/01 to 11/15	0.214 CFS

Place of Use:	IRRIGATION		Within OWYHEE County
	T06S R05E S36	SENE	25
	R06E S31 LOT 1	(NWNW)	32
		SENW	40

138 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 51-00027A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 138.0 ACRES IN A SINGLE IRRIGATION SEASON.

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

THE APPROPRIATOR IS ENTITLED TO DIVERT UP TO THE QUANTITY OF 3.904 CFS AT THE FIELD HEADGATE TO MEET PEAK CROP DEMAND SO LONG AS (1) THE APPROPRIATOR IS ABLE TO MAKE THAT QUANTITY AVAILABLE THROUGH A VOLUNTARY ROTATION AGREEMENT AMONG SOME OR ALL OTHER USERS OF WATER FROM THE SAME SOURCE OR BY ROTATING SOME OR ALL OF THE APPROPRIATOR'S OTHER WATER RIGHTS FROM THE SAME SOURCE, (2) DIVERSION OF ANY QUANTITY ABOVE 0.214

OFFER OF COMPROMISE
GOVERNED BY IDAHO RULE OF EVIDENCE 408

Page 1 of 2

DRAFT

CFS WILL NOT INJURE OTHER WATER RIGHTS, (3) ANY QUANTITY ABOVE 0.214 CFS WILL NOT BE SUBJECT TO A PRIORITY CALL UNDER THIS WATER RIGHT ON JUNIOR WATER RIGHTS, AND (4) DIVERSION OF THAT QUANTITY DOES NOT CONSTITUTE WASTE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

WATER IS DELIVERED THROUGH SOUTH SIDE BRUNEAU CANAL COMPANY

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

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

DATE: 09/23/98
PAGE: 1

[illegible]

Other Rights: 51-00027, 51-00029.

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

C03

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 138.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00027A, 51-00028A

WATER IS DELIVERED THROUGH SOUTH SIDE BRUNEAU CANAL COMPANY.

AJ0749NP
No. R51-00028A

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

DATE: 09/23/98
PAGE: 2

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

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

Comments: Date: 06/27/1998 User-ID: KWALKER Subject: COPIED FROM REMARKS
THIS IS A SPLIT RIGHT OF 51-00028.
WATER DELIVERED VIA SOUTH SIDE CANAL.
AMENDED 03/21/1989 TO REFLECT THE FOLLOWING:
*P.O.D. IN ORIGINAL CLAIM LISTED AS THAT OF THE SOUTH SIDE CANAL.
*ACRES CLAIMED IN SECTION 36 T66S R05E LISTED 40 ACRES. PROPER
ACRES SHOULD HAVE BEEN 25. AMENDED ACCORDINGLY.
*QUANTITY OF WATER APPROPRIATED IN ORIGINAL CLAIM HAD REFLECTED
THE AMOUNT OF SPLIT BASED ON ERRONEOUS ACRES AS OUTLINED ABOVE.
AMENDED ACCORDINGLY. ELR
OWNERSHIP CHANGED BY KW 10/27/92.
OWNERSHIP CHANGED BY KW 11/16/92.

Date: 09/23/1998 User-ID: KWALKER Subject: STOCKWATER
REMOVED STOCKWATER FROM THIS RIGHT. SAME LANDS, EARLIER PRIORITY
UNDER 51-00027A.

Audit: 09/23/98 KWALKER

Memorandum

To: FILES

From: Kay Walker 

Date: 09/22/98

Re: IRRIGATION OF FISH & GAME LANDS

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

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

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

August 4, 1998

RECEIVED

SEP 01 1998

WATER RESOURCES
WESTERN REGION

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: 51-00028A

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

Daytime Telephone Number: 334-2597
Evening Telephone Number:

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

The disallowal of the claim

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

Recommend the water right as originally claimed.

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

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

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

DATE: 27 Aug 98 SIGNATURE: Cindy Robertson
Please print your name Cindy Robertson

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)07/25/98 10:04:44
Page 1

Water Right Number - R51-00028A		Prefix Translation: RESEARCH		Old (D) Number -	
+ - - - - Last Name - - - +		+ - - - - First Name - - +		+ - - - - Address - - - - - +	
*** C - CURRENT OWNER ***					
STATE OF IDAHO					
1 - DEPT OF FISH & GAME					
2 - PO BOX 25					
3 -					
City- BOISE					
Phone - 208-327-7025					
State- ID Zip- 83720					
*** K - ALSO KNOWN AS ***					
FISH & GAME					
1 -					
2 -					
3 -					
City- X					
Phone - 208-000-0000					
State- ID Zip- 0					
*** O - ORIGINAL OWNER ***					
TURNER					
1 -					
2 -					
3 -					
City- XXXXXXXX					
Phone - 208-000-0000					
1 - 9673 PATTIE COURT					
2 -					
3 -					
City- BOISE					
Phone - 208-000-0000					
State- ID Zip- 83704					
+ - - Priority Date - - +					
04/01/1897					
+ - - - - Region - - - +					
14 WESTERN					
+ - - - - Source - - - - +					
BRUNEAU RIVER					
+ - - - - Tributary - - - - +					
SNAKE RIVER					
+ - - - - Point of Diversion - - - - +					
Tun Rng Sec Tract Lot Rflg County					
07S 06E 5 SM SE (73) OMWEE					
+ - - - - Water Use - - - - +					
Code Description Period From Period To Diversion Rate Diversion Volume					
01 - IRRIGATION 03/01 11/15 0.540					
04 - STOCKWATER 01/01 12/31 0.050					
+ - Total Div. Rate - +					
0.540					
+ - Total Consumptive Use - +					
0.0					
+ - - - - Place of Use - - - - +					
Tun Rng Sec Tract Lot Acres Code Description County					
06S 05E 36 SE NE 25.0 01 IRRIGATION (73) OMWEE					
06S 06E 31 NW NW 1 32.0 01 IRRIGATION (73) OMWEE					
06S 06E 31 SW NW 2 41.0 01 IRRIGATION (73) OMWEE					
06S 06E 31 SE NW 40.0 01 IRRIGATION (73) OMWEE					

NOTICE OF ELIM FLOYD

Water Right Number - 51-00028

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

TURNER

JOHN

1 -

2 -

3 -

City-

Phone -

State-

Zip-

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +

04/01/1897

14 WESTERN

D - DECREED

+ - - - - Source - - - - - +

BRUNEAU RIVER

- - - - - Tributary - - - - - +

SNAKE RIVER

+ - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code)

TwN Rng Sec Tract Lot Rflg County

07S 06E 5 NE SW (73) OMYHEE

+ - - - - Description - - - - - Water Use - - - - - Diversion Rate - - - - - Diversion Volume - - - - - +

Code

Period From Period To

1.200

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - +

1.200

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06S	05E	25	NE SW	40.0	01	IRRIGATION	(73) OMYHEE	(73) OMYHEE
06S	05E	25	SE SW	40.0	01	IRRIGATION	(73) OMYHEE	(73) OMYHEE
06S	05E	36	NE NE	40.0	01	IRRIGATION	(73) OMYHEE	(73) OMYHEE
06S	05E	36	NW NE	40.0	01	IRRIGATION	(73) OMYHEE	(73) OMYHEE
06S	05E	36	SE NE	40.0	01	IRRIGATION	(73) OMYHEE	(73) OMYHEE
06S	06E	31	NW NW	40.0	01	IRRIGATION	(73) OMYHEE	(73) OMYHEE
06S	06E	31	SW NW	40.0	01	IRRIGATION	(73) OMYHEE	(73) OMYHEE
06S	06E	31	SE NW	40.0	01	IRRIGATION	(73) OMYHEE	(73) OMYHEE

Total Acres: 320.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +

Mo Remarks found.

MEMORANDUM

DATE: 10-Dec-1992 15:26

TO: FILE *AS1-00028A*

FROM: KAY WALKER *KW*

RE: CONTACT PEOPLE FOR FIELD EXAMINATIONS

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

The number one contact is:
Tom Parker 334-2920

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

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



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 16, 1992

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

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

Dear Mr. Parker:

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

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

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

Sincerely,

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

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

PEREGRINE INVESTMENT MANAGEMENT CORPORATION

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

NOV 12 1992

November 6, 1992

Department of Water Resources
Western Regional Office

Dear Mr. Walker,

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

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

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

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

cc: Charles P. Tyson
Mr. Tom Parker

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

October 27, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

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

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

Gentlemen:

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

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

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

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

Sincerely,

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

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures