



RECEIVED
AUG 10 1962

50⁰⁰
overlap w/ A51-00027B
50⁰⁰

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: A51-00028B
Date Received: 3/27/1989
Receipt No: W002472
Received By: EDR

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, 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:
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	0.770		
STOCKWATER	01/01	12/31	0.050		

7. Total Quantity Appropriated is:
0.770 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

A51-00028B

Page 1

Date: 03/27/89

MICROFILMED

AUG 10 1992

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:
51-00027B, 29B, 30.

14. 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 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 # A51-00027B.
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: DECEED

Case Number:
Court :
Decree date:

GRANDVIEW IRR. DIST.
Decree Plaintiff

vs

BRUNEAU BUCKAROO CO-OP DITCH C
Decree Defendant

A51-00028B

Page 2

Date: 03/27/89

MICROFILMED

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: May 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

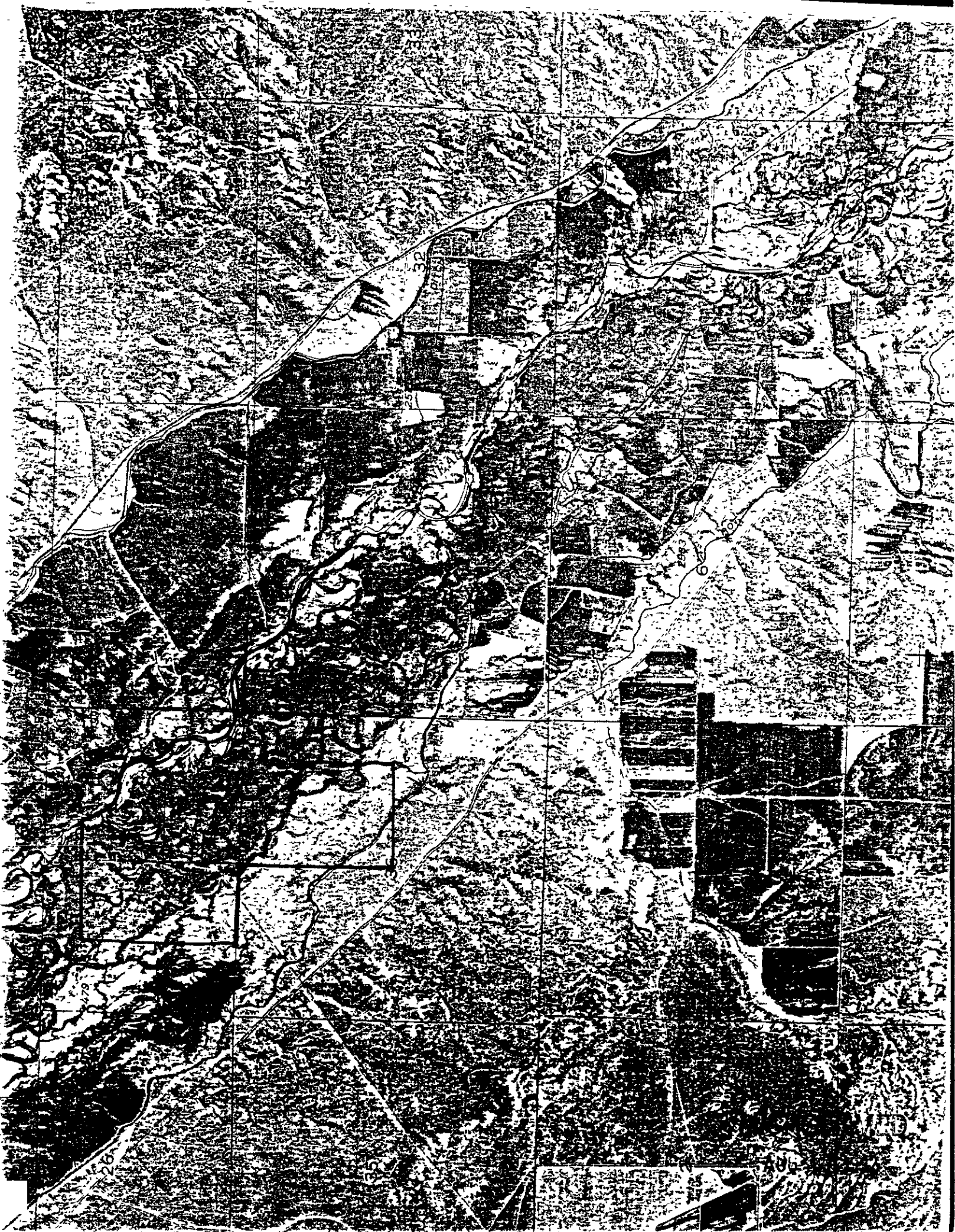
[Signature]
Notary Public

Seal

Residing at _____

My Commission Expires _____

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



Date Received

MAR 21 1989

State of Idaho
Department of Water Resources

Department of Water Resources

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

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 101
Post Office Address

Bruneau Rd 836.000
City, State, Zip Code

San Juan
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 03/29/89. 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

RECEIVED
MAR 15 2000
Department of Water Resources

RECEIVED

APR 14 2000

WATER RESOURCES
WESTERN REGION

2000 MAR -6 PM 1:21

FILED
TWIN FALLS CO., IDAHO
21-SRBA

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

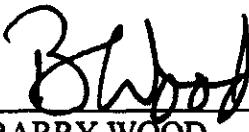
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 51-00028B
	)	

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 51-00028B 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

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

THE
MAR - 6 2000

Clerk

Deputy Clerk

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 51-000288

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

SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.66 CFS

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

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

PLACE OF USE:	Irrigation	Stockwater	Within Owyhee County
	T06S R05E S25	SWSE 41.0	NESE 3.9
		NWSE 33.0	SESE 15.0
		NESW 41.0	SESW 40.0
	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.: 51-000278, 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: 51-000278 AND 51-000298.

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.

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): 51-00028B

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 51-00028B 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

1999 JUN 11 AM 11:07
DISTRICT COURT-SR3A
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 51-00028B
_____	)	

I. FINDINGS OF FACT

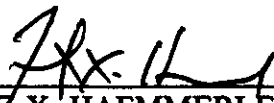
A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990). The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

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 51-00028B*.

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 51-000288

1999 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: 0.66 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	0.66 CFS
	Stockwater	01-01 TO 12-31	0.05 CFS

PLACE OF USE:	Irrigation	Within Owyhee County
	T06S R05E S25	SWSE 41.0 NWSE 33.0 NESW 41.0 NENE 41.0 SENE 8.8
	S36	NESE 3.9 SESE 15.0 SESW 40.0 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.: 51-00027B, 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: 51-00027B AND 51-00029B.

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

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JUN 22 1999

JUN 01 1999

WATER RESOURCES
WESTERN REGION

Department of Water Resources

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

In Re SRBA

Subcase No. 51- 00028B

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: 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

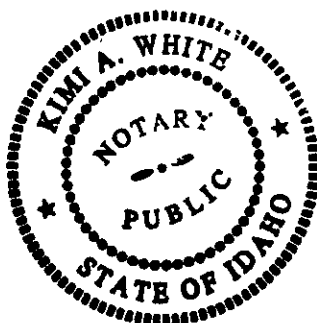
State of Idaho)
)
County of Ada)

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: 24/01/04

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

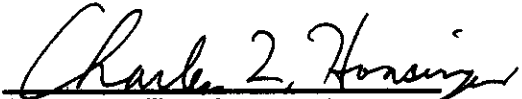
John Urquidi
HC 85, Box 135
Bruneau, ID 83604

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

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)	100	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.

✓ — 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)	38 0.76	51	.75 inch/acre
Total		170 3.4		

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: 51-000288

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

SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.66 CFS

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

PRIORITY DATE: 04/01/1897

POINT OF DIVERSION: T07S R06E S05 NWSWSE Within Owyhee County
~~T06S R05E S2S~~ ~~SWSE~~ ~~(R)~~
~~T06S R05E S2S~~ ~~SESE~~ ~~(R)~~
~~T06S R05E S36~~ ~~NESE~~ ~~(R)~~

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	03-01 11-15	0.66 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.: 51-00027B, 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 RIGHT NOS.: 51-00027B & 51-00029B

Place of use for STOCKWATER is same as IRRIGATION

51-000288 (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.

AJ0749NP
No. R51-000288

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

DATE: 05/14/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALBERT BLACK C/O ACE BLACK HC 85 BOX 101 BRUNEAU ID 83604 (208) 845-2542	04/01/1897	IRRIGATION STOCKWATER	03-01 11-15 01-01 12-31	0.66 CFS 0.05 CFS	
TOTAL DIVERSION:					0.66 CFS	

Water Source: BRUNEAU RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T07S ROGE S05

MMSUSE

OWNTEE County

Place of use Legal Description for: IRRIGATION

NE	NU	SW	SE	SUM
T R S : Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac				
06S 05E 25 : 41 40 08 :		41	40	33 41 15
06S 05E 36 : 41 40 08 :				173.9 89.8 263.7
TOTAL ACRES				

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

POU County: OWNTEE

Other Rights: 51-000278, 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 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.

Remarks: POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 175 ACRES WITHIN

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.: 51-000278, 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.: 51-000278 & 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: SBROCK 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. E.L.R.

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 BUREAU RIVER DECREE
HAD ERRONEOUSLY OMITTED THIS 1/4 1/4 HAS BEEN FILED BY THE
CLAIMANT AND CAN BE FOUND IN FILE # A51-000278.
THIS CLAIM REPRESENTS THE ADDITION OF THIS 1/4 1/4 TO THE BUREAU

Comments:

Date: 07/06/1998 User-ID: SBOCK 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 *****
7/02/1998 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: KMAKER Subject: REVISED RECOMMENDATIONS
REVISED RECOMMENDATIONS 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
51-000278 AND 51-000298 BECAUSE THE THREE RIGHTS TOGETHER HAVE
HISTORICALLY IRRIGATED ONLY 175 ACRES.

Audit:

05/14/99 KMAKER

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: 51-00028B

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:



Please print your name:

ASA BLACK

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.: 51-000278, 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: SBOCK 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 SHARE 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 # A51-000278.
THIS CLAIM REPRESENTS THE ADDITION OF THIS 1/4 1/4 TO THE BRUNEAU
RIVER DECREE AS IRRIGATED LANDS BUT DOES NOT REPRESENT ADDITION

AJ0749NP
No. R51-000288

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

DATE: 08/26/98
PAGE: 3

Comments:

Date: 07/06/1998 User-ID: SBCK 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 *****
7/02/1998 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 SBCK

WESTERN REGION

CLAIM NUMBERS 51-00279 000283 000293 00030 51-10252

AGENT SB DATE 7/6/98

TOTAL ACRES FROM RECOMMENDATION _____

GEOGRAPHIC INFO SYSTEM ACRES 2109.7

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

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	1S	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 (NESE SESE SWSE) (07) (108) (109) () ()

B51-DBPOU.DBF SB UPDATED BY

B51-DBPOD.DBF SB UPDATED BY

added to B51

RDH GPSTABLE

0.77 CFS - 44

OWYHEE County

ME

TOTAL ACRES

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 SASE 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 # A51-00027B.

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. EIR *****

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag: Y	
		Presumption flag:	

PAGE: 1
GENERAL INFORMATION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A51-000288

08:49:34
04/27/98

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? DATABASE 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 # A51-00027B.
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 *****

See CVR
51-00027B

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____) TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A51-000288 PRIORITY DATE: 04-01-1897 STAGE: D

B. WR RECORD: # 51-00028 PRIORITY DATE: 04-01-1897 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:

04-01-1897

REVIEWED BY _____ DATE _____

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
A51-000288	07S	06E		5					SW	SE	

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX

*

R PREFIX

51-10253

R51-00034A

R51-00035A

R51-00036A

R51-00037

NONE

WR RECORDS IN SAME 40 ACRE TRACT

* 47 A PREFIX CLAIMS WITH THIS POD

SOURCE: BRUMEAU 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
51-00028	07S	06E		5					NE	SW	

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX

R PREFIX

NONE

NONE

**** 14 WR RECORDS WITH SAME WR POD

SOURCE: BRUMEAU 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()

1. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____)

$\gamma(\underline{\quad})N(\underline{\quad})$

AD FIELD EXAM	(DATE OF FIELD EXAM
---------------	---------------------

NAME OF EXAMINER _____

$$Y(\underline{\quad})N(\underline{\quad})$$

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

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

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

SOURCE: BRUNEAU RIVER

TRIB: SNAKE RIVER

REVIEWED BY:

DATE:

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

A. ROOT WATER RIGHT NUMBERS: A51-00028A
A51-000288

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	MR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECON. ACRES
06S	05E	25	NE	SW		BLACK, ALBERT	A51-000288 / 40.0	-		39.0	
			NE	SW		BLACK, ALBERT	A51-000278 / 40.0	-	/		
			NE	SW		BLACK, ALBERT	A51-000298 / 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	A51-000288 / 40.0	-	/	42.0	
			SE	SW		BLACK, ALBERT	A51-000278 / 40.0	-	/		
			SE	SW		BLACK, ALBERT	A51-000298 / 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	A51-000288 / 40.0	-	/	42.0	
			SW	SE		BLACK, ALBERT	A51-000278 / 40.0	-	/		
			SW	SE		BLACK, ALBERT	A51-000298 / 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	A51-000288 / 40.0	-	/	39.0	
			NE	NE		BLACK, ALBERT	A51-000278 / 40.0	-	/		
			NE	NE		BLACK, ALBERT	A51-000298 / 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	A51-000288 / 40.0	-	/	39.0	
			NW	NE		BLACK, ALBERT	A51-000278 / 40.0	-	/		
			NW	NE		BLACK, ALBERT	A51-000298 / 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	A51-000288 / 15.0	-	/	39.0	
			SE	NE		BLACK, ALBERT	A51-000278 / 15.0	-	/		

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	NR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
SE	NE					BLACK, ALBERT	A51-000288 / 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			

ADDITIONAL POU FOUND

TOTAL ACRES	A51-000288	215.00	240.00
-------------	------------	--------	--------

POU COUNTY: OMYHEE

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

Y() N()

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

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A51-000288	BRUNEAU RIVER	BLACK, ALBERT	0.770	0.003		
A51-00027A	BRUNEAU RIVER	STATE OF IDAHO	1.690	0.012		
A51-00027B	BRUNEAU RIVER	BLACK, ALBERT	2.140	0.009		
A51-00028A	BRUNEAU RIVER	STATE OF IDAHO	0.620	0.004		
A51-00029A	BRUNEAU RIVER	STATE OF IDAHO	0.660	0.003		
A51-000298	BRUNEAU RIVER	BLACK, ALBERT	0.580	0.002		
A51-10166	FLOOD WATER	STATE OF IDAHO	7.660	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 POU BUT NOT USED FOR IRRIGATION

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

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 51-000278, 298, 30.

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

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

N/A() Y() N()

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

Y() N()

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

Y() N()

A. ALL CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A51-000288 IRRIGATION	FROM 03-15 TO 11-15	0.770 CFS	
A51-000288 STOCKWATER	FROM 01-01 TO 12-31	0.050 CFS	
TOTAL DIVERSION RATE/VOLUME		0.770 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
51-00028 IRRIGATION	FROM TO	1.200 CFS	
51-00028 STOCKWATER	FROM TO		
51-00028 DOMESTIC	FROM TO		
TOTAL DIVERSION RATE/VOLUME		1.200 CFS	

- C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? ☐ YES ☐ NO
- D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? ☐ YES ☐ NO
- * IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INQUIRY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.
- E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? ☐ YES ☐ NO
- F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? ☐ YES ☐ NO
- G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? ☐ YES ☐ NO
- * 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? ☐ YES ☐ NO
- * 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? ☐ YES ☐ NO
- J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? ☐ YES ☐ NO
- * 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? ☐ YES ☐ NO

NOTES: _____

AJ CLAIM TOTAL DIVERSION RATE: 0.770 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1.200 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N()

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

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

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

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

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS 1b. CALCULATIONS
(Taken from pou review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()
IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

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 ()

NOTES:

MR RECORD CONDITIONS/REMARKS:

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____ ACCEPTED AS CLAIMED _____
FORFEIT/ABANDON _____ () ()
ADDITIONAL DIV. AMOUNT _____ () ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 51-00028
TOTAL DIVERSION RATE OF WR SPLITS DATABASE 1.200 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A51-00028A	0.620	-	-	51-00028	1.200
-	A51-00028B	0.770	-	-	-	-
TOTAL CFS					1.390	1.200

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:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

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()
() MAP	DATE OF PHOTO	IDWR ID NO.	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO		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

NO. OF
PAGES

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		
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED		
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED		
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED		
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED		
() OTHER	DATE		
() OTHER	DATE		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A51-000288
17

08:49:34
06/27/98

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								
POINT OF DIV								
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
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ALBERT BLACK
ACE BLACK
HC 85 BOX 101
BRUNEAU ID 83604

04/01/1897 IRRIGATION
STOCKWATER

03-15 11-15
01-01 12-31

8.77 CFS
8.05 CFS

0.77 CFS TOTAL
0.00 AFA TOTAL

SOURCE: BRUNEAU RIVER
OTHER RIGHTS: 51-00027B, 29B, 30.
CONDITIONS OF APPROVAL:

TRIBUTARY: SNAKE RIVER

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 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 # A51-00027B.
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 *****

POINT OF DIVERSION:
T07S R06E S05

SWSE

PLACE OF USE: IRRIGATION
T06S R05E S25
S36

NESE 40.0
WENE 40.0

SESW 40.0
NWSE 40.0

SWSE 40.0
SENE 15.0

PLACE OF USE: STOCKWATER
SAME AS OTHER USE

*Split right
changed POU, decrease acreage & POU
Chg. POU*

A51-284-ID State

Decreed amt. = 60 in. = 1.2 cfs

A51-284 = .62 cfs ~ 138.5 ac.
288 = .77 cfs
1.39 cfs

DIVERSION
VOLUME

1.20 CFS

TOTAL DIVERSION: 1.20 CFS

Stage: DECREED

MEMS

TOTAL ACRES

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

Pou County: OMYHEE

Other Water Rights With Same Point(s) of Diversion and Source:

51-00006	51-00007	51-00008	51-00027	51-00029	51-00043	51-00044	51-00045	51-00047	51-00049
51-000508	51-00051A	51-000528	51-04096						

Other Water Rights Listing Overlapping Place(s) of use:
51-00027 51-00029

Dates: **App. Received:** **Priority Date:** 04/01/1897

Exam Made Date: **Exam Sent to S.O.:**

Licensed Date:

Misc: **Water District Number:** **Field Exam Fee:**

Audit: 05/20/80 04/30/88 CONVERT

Affidavit for Change of Point of Diversion of Decreed Water Right

51-0028

STATE OF IDAHO,

County of Blaine } ss.

John Turner Estate by W. 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 Apr. 1, 1875; Apr. 1, 1877; Apr. 1, 1905, for 3.75 cfs to 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 Third Judicial District of the State of Idaho, in and for the County of Blaine, in the case of Grand Union Irrigation District vs. Blaine Bank & Construction Co. et al. 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 N 1/2 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 ^{were} ~~are now~~ diverted from said stream in the NE 1/4 SW 1/4 of Sec. 5, Twp. 7 S, Range 6 E, and conducted to the above described lands through the 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 Smith Side ditch, as per map above referred to:

That his reasons for desiring to make such change are as follows: The Smith Side Blaine Canal Corporation, Inc. has done it 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 Aug, 1929

John Turner Est.
W. Turner

Charles Pascoe
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.

... 7, Township 6 South, Range 6 East, Boise Meridian, con-
taining 160 acres. Out of the waters of the Bruneau River:

51 0024	7 inches as of February 21, 1879.
51 0025	55 inches as of November 1, 1881.
51 0026	23 inches as of April 1, 1905.
	85

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

51 0024	25 inches as of April 1, 1881.
51 0025	5 inches as of April 1, 1897.
51 0026	10 inches as of April 1, 1905.
	40

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.

JOHN TURNER: E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 23, N $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
Section 36, Township 6 South, Range 5 East, NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ 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, 1876.
51 0028	60 inches as of April 1, 1897.
51 0029	45 inches as of April 1, 1905.
	270

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

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

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

51 0025 25 inches as of April 1, 1881.
51 0026 5 inches as of April 1, 1897.
51 0028 10 inches as of April 1, 1905.
40

JOHN TURNER: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 20, Township 6
South, Range 6 East, Boise Meridian, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, 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: E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 25, NW $\frac{1}{4}$ 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 $\frac{1}{4}$ NE $\frac{1}{4}$, 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.
270