



Overlap w/ A51-00029B
5600
5600

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: A51-00029B
Date Received: 3/27/1989
Receipt No: W002472
Received By: EJR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALBERT BLACK 208-845-2542
Address: 1/2 ACE BLACK
HC 85 BOX 101
BRUNEAU, ID 83604

2. Date of Priority: APR 01, 1905

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	0.580		
STOCKWATER	01/01	12/31	0.050		

7. Total Quantity Appropriated is:
0.580 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

A51-00029B

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:
51-00028B, 27B, 30.

14. 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 OMITED THIS 1/4 1/4 HAS BEEN FILED BY THE CLAIMAN
T 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: DECREED

Case Number:

Court :

Decree date:

GRANDVIEW IRR. DIST.
Decree Plaintiff

vs

BRUNEAU BUCKAROO CO-OP DITCH C
Decree Defendant

A51-00029B

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): *Robert Black* Date: Mar 23 1989
Gay Ann Black Date: _____

State of Idaho

County of Ada) SS.

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

of March 19 89

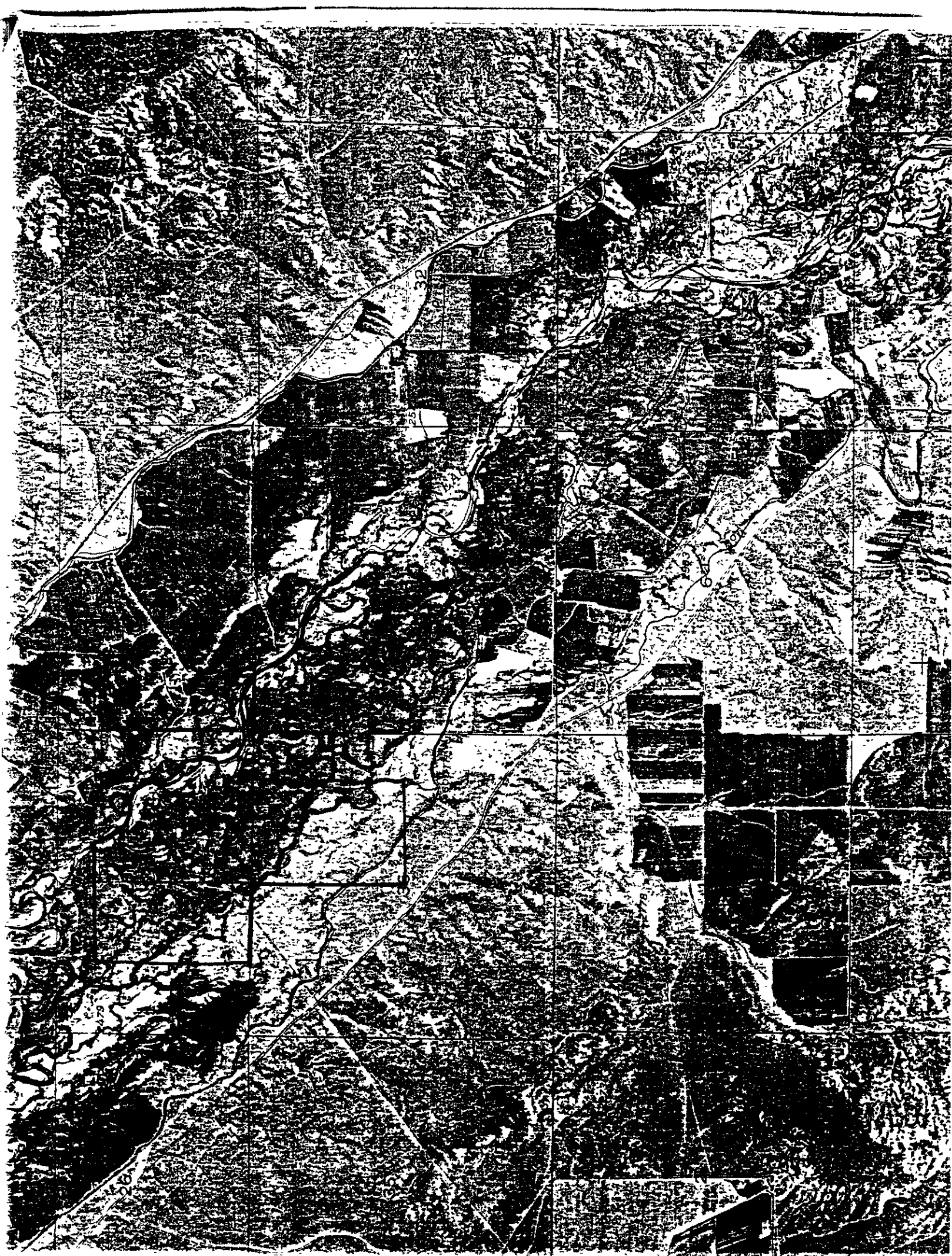
Eldon L. Roush
Notary Public

Seal

Residing at _____

My Commission Expires _____

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



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 106
Post Office Address

Bruneau Rd 836.000
City, State, Zip Code

Loghan
County(s) where Place of Use is located

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

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

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

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

Claimant requests an extension to March 31, 1989.

Albert Black
Signature

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby

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

Signed this 24 day of March, 1989.

Director or his designated agent

DAVID B. SHAW

MICROFILMED

AUG 10 1992

MAR 15 2000

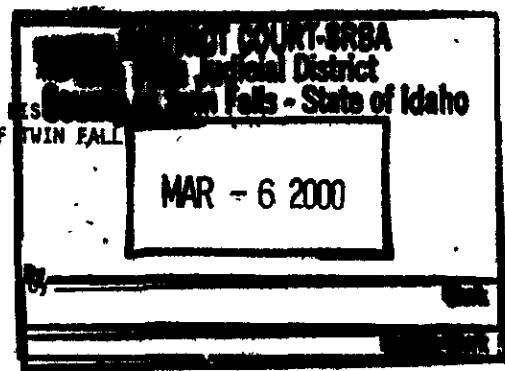
RECEIVED

APR 14 2000

200 MAR -6 PM 1:20

SRBA
IDAHO

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
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 51-000298

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

SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.18 CFS

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

PRIORITY DATE: 04/01/1905

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

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

Stockwater Same as Other Use

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 175 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 263.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-000278, 51-000288,
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 51-000288.

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

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

RECEIVED

MAR 15 2000

Department of Water Resources

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 51-00029B

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 51-00029B 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

RECEIVED

JUN 01 1993

Department of Water Resources

RECEIVED

JUN 22 1993

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- 00029B

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. X **Quantity**
Should be: As stipulated in the Standard Form Five for this water right submitted concurrently herewith.
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 submitted 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 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): This water right has historically been diverted through only one point of diversion, has historically been delivered in a lesser quantity than recommended and has historically irrigated a place of use in conjunction with other water rights.

VERIFICATION

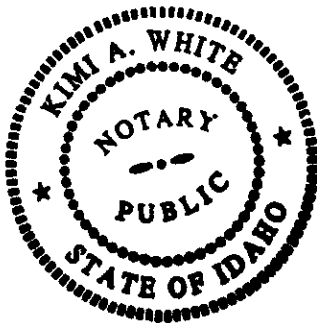
State of Idaho)
)
County of Ada)

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

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

Charles L. Honsinger
(Attorney signing in representative capacity)

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



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

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

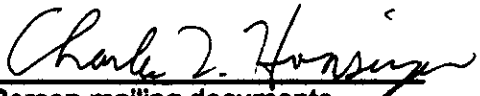
John Urquidi
HC 85, Box 135
Bruneau, ID 83604

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

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

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

Right #	Priority	Quantity	Acreage	Diversion Rate
00027B	4/1/1875 (1st)	90 <i>1.8</i>	175	.75 inch/acre
00028B	4/1/1897 (2nd)	33 <i>0.66</i>	175	.75 inch/acre
00029B	4/1/1905 (3rd)	9 <i>0.18</i>	175	.75 inch/acre
00030	4/1/1905 (3rd)	<i>38</i> <i>0.76</i>	51	.75 inch/acre
Total		170 <i>3.4</i>		

IDAH0 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: 51-000298

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

SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.18 CFS
0.169 CFS

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

PRIORITY DATE: 04/01/1905

POINT OF DIVERSION: T07S R06E S05 NWSWSE Within Owyhee County
T06S R05E S25 SWSE (R)
T06S R05E S25 SESE (R)
T06S R05E S36 NESE (R)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		03-01 11-15	0.18 CFS
			0.169 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.: 51-000278, 51-000288,
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 & 51-000288

51-00029B (CONT.)

Place of use for STOCKWATER is same as IRRIGATION

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.

DATE: 05/14/99
PAGE: 1

CUSTOMER 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	04/01/1905	IRRIGATION STOCKWATER	03-01 11-15 01-01 12-31	0.18 CFS 0.05 CFS	
TOTAL DIVERSION:					0.18 CFS	

Stage: DECREED

DAYHEE County

SE

[illegible]

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

POU County: OUYHEE

Other Rights: 51-000288, 27B, 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 DECEDED 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, 51-000288,
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 & 51-000288

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

THIS CLAIM LISTS THE SWSSE 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 CLAIMAN
T 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
OF INCHES WITHIN THE DECREE FOR THOSE ADDITIONAL LANDS.
THIS 40 ACRES WAS NOT USED IN DETERMINING THE PROPORTION OF

AJ0749NP
No. R51-000298

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

DATE: 05/14/99
PAGE: 3

Comments:

Date: 07/06/1998 User-ID: SBOCK Subject: COPIED FROM REMARKS
WATER SPLIT AMID THIS AND OTHER CLAIMS. ELR *****
07/06/1998 - COULD NOT INCLUDE THIS LAND IF NOT INCLUDED IN
DECREE AND ALL LANDS EAST OF RIVER IRR. BY BRUNEAU BUCKAROO.

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

Date: 05/14/1999 User-ID: KWALKER Subject: 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 & 51-000288 BECAUSE THE THREE RIGHTS TOGETHER HAVE
HISTORICALLY IRRIGATED ONLY 175 ACRES.

Audit:

05/14/99 KWALKER

August 4, 1998

**NOTICE OF ERROR
REPLY**

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

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

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

Water right number: 51-00029B

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

Daytime Telephone Number:

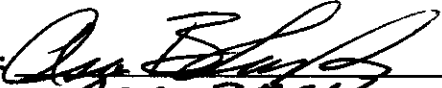
Evening Telephone Number:

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

IDWR Western Regional Office, 2735 Airport Way, Boise, ID 83705-5082, (208) 334-2190

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALBERT BLACK C/O ACE BLACK MC 85 BOX 101 BRUNEAU ID 83604 (208) 845-2542	04/01/1905	IRRIGATION STOCKWATER	03-01 11-15 01-01 12-31	0.49 CFS 0.05 CFS	
TOTAL DIVERSION:					0.49 CFS	

Stage: DECREED

DAYHEE County
DAYHEE County
DAYHEE County

Place of use Legal Description for: IRRIGATION												
		NE		NW		SW		SE				
T	R S	lt	Ac	lt	Ac	lt	Ac	lt	Ac	lt	Ac	SUM
06S 05E 25	:	:	:	:	:	:	:	:	:	:	:	173.9
06S 05E 36	:	41	40	:	08	:	:	41	40	:	03 33 41 15	89.8
TOTAL ACRES												263.7

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

POU County: OUYHEE

Other Rights: 51-000288, 27B, 30, 51-10252

Conditions of Approval:

- | | | | |
|-----|---|--------|--|
| C03 | - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION | | |
| | - PURSUANT TO SECTION 42-1425, IDAHO CODE. | | |
| N06 | - THE QUANTITY OF WATER DECIEED 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. | | |

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

DATE: 08/26/98
PAGE: 2

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

THIS CLAIM LISTS THE SAME 1/4 AS LANDS IRRIGATED UNDER THE PARENT
RIGHT WHICH DID NOT LIST THIS 1/4 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 CLAIMAN
T 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
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 *****

AJ0749NP
No. R51-000298

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

DATE: 08/26/98
PAGE: 3

Comments:

Date: 07/06/1998 User-ID: SBOCK Subject: COPIED FROM REMARKS
07/06/1998 - COULD NOT INCLUDE THIS LAND IF NOT INCLUDED IN
DECREE AND ALL LANDS EAST OF RIVER IRR. BY BRUNEAU BUCKAROO.

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 SBOCK

WESTERN REGION

CLAIM NUMBERS 51-000278 000283 000293 00030 51-10252

AGENT SB DATE 7/6/98

TOTAL ACRES FROM RECOMMENDATION _____

GEOGRAPHIC INFO SYSTEM ACRES 2169.7

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 (07) (108) (109) () ()

B51-DBPOU.DBF SB UPDATED BY

B51-DBPOD.DBF SB UPDATED BY

Added to B51

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A51-000298

00:21:40
04/29/98
18

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALBERT BLACK	04/01/1905	IRRIGATION STOCKWATER	03-15 11-15 01-01 12-31	0.58 cfs 0.05 cfs	49 49

TOTAL DIVERSION: 0.58 cfs 49

Water Source: BRUHEAU RIVER
Tributary to: SNAKE RIVER
Point(s) of Diversion: 107S R06E S05 SWSE
Stage: DECREED
OWYHEE County

Place of use legal Description for: IRRIGATION											
NE			NW			SW			SE		
T	R	S	NE	SE	SW	NE	SE	SW	NE	SE	SUM
06S 05E 25	40	40	15	40	40	40	40	40	40	40	120.0
06S 05E 36	40	40	15	40	40	40	40	40	40	40	95.0
TOTAL ACRES											215.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION
POU County: OWYHEE
Non-Irrigation Uses: S/INSTREAM STOCK WATERING FOR VARIABLE AMOUNTS AND BREEDS.
Other Rights: 51-000288, 27B, 30.

Remarks: GEN 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 S/SE 1/4 AS LANDS IRRIGATED UNDER THE PARENT
RIGHT WHICH DID NOT LIST THIS 1/4 AS LANDS OWNED BY JOHN
TURNER. DOCUMENTATION SUPPORTING THAT THE BRUHEAU 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 BRUHEAU
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 *****

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: A51-000298

00:10:49
04/29/98

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

CLAIM REMARKS: GEN 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 SWS 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 CLR
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: # A51-000298 PRIORITY DATE: 04-01-1905 STAGE: D

B. WR RECORD: # 51-00029 PRIORITY DATE: 04-01-1905 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:

04-01-1905

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
A51-000298	07S	06E	5		SW	SE			ONTHEE		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX

*

R PREFIX
51-10253
R51-00034A
R51-00035A
R51-00036A
R51-00037

WR RECORDS IN SAME 40 ACRE TRACT

NONE

* 47 A PREFIX CLAIMS WITH THIS POD

SOURCE: BRUNEAU RIVER

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
51-00029	07S	06E	5		NE	SW			ONTHEE		

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: BRUNEAU RIVER

TRIB: SNAKE RIVER

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

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

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

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

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

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

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

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

1. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____)

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

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	1/4	LOT	POD	FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
07S	06E	5		SW	SE				OHYHEE		

SOURCE: BRUNEAU RIVER **TRIB: SNAKE RIVER**

REVIEWED BY:

DATE:

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

A. ROOT WATER RIGHT NUMBERS: A51-00029A
A51-00029B

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

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	MR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
SE	NE	NE	BLACK, ALBERT	A51-000288	/ 15.0	-	/				
SE	NE	NE	STATE OF IDAHO	A51-00027A	/ 25.0	-	/				
SE	NE	NE	STATE OF IDAHO	A51-00028A	/ 25.0	-	/				
SE	NE	NE	STATE OF IDAHO	A51-00029A	/ 25.0	-	/				
SE	NE	NE	STATE OF IDAHO	A51-10166	/ 40.0	-	/				
SE	NE	NE	BLACK, ALBERT	A51-12805	/ 15.0	-	/				
SE	NE	NE	TURNER, JOHN	51-00027	/ 40.0	-	/				
SE	NE	NE	TURNER, JOHN	51-00028	/ 40.0	-	/				
SE	NE	NE	TURNER, JOHN	51-00029	/ 40.0	-	/				

ADDITIONAL POU FOUND

TOTAL ACRES	A51-000298	215.00	240.00
-------------	------------	--------	--------

POU COUNTY: OMYHIE

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
A51-000298	BRUNEAU RIVER	BLACK, ALBERT	0.580	0.002		
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		
A51-00028B	BRUNEAU RIVER	BLACK, ALBERT	0.770	0.003		
A51-00029A	BRUNEAU RIVER	STATE OF IDAHO	0.460	0.003		
A51-10166	FLOOD WATER	STATE OF IDAHO	7.460	0.020		
A51-10252	BRUNEAU RIVER	BLACK, ALBERT	3.200	0.020		
A51-12805	BRUNEAU RIVER	BLACK, ALBERT	9.660	0.030		

NO RIGHTS WITH SAME 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: 51-000288, 278, 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()

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDMR NO. _____; () TOPOGRAPHIC QUAD, IDMR NO. _____;
() NAPP, IDMR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES:

TOTAL ACRES: _____ N/A(____)

REVIEWED BY: _____

DATE: _____

[illegible]

A. ALL CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A51-000298 IRRIGATION	FROM 03-15 TO 11-15	0.580 CFS	
A51-000298 STOCKWATER	FROM 01-01 TO 12-31	0.050 CFS	
TOTAL DIVERSION RATE/VOLUME		0.580 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
51-00029 IRRIGATION	FROM TO	0.900 CFS	
51-00029 STOCKWATER	FROM TO		
51-00029 DOMESTIC	FROM TO		
TOTAL DIVERSION RATE/VOLUME		0.900 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USER? Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

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

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y() N()

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

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

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

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

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

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

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

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.580 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.900 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
(Taken from pou review)

1b. CALCULATIONS

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 ()

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV RATE CFS	REC. DIV VOL. AF/A		REC. COMS. USE
	FROM	TO		EXAMINER	EXAMINER	
IRRIGATION	03-15	11-15	0.580	_____	_____	0.0 _____
STOCKWATER	01-01	12-31	0.050	_____	_____	0.0 _____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT	_____	_____	_____	_____	_____	_____

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

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

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE): _____

EXPLANATORY CONDITIONS (CODE): _____

EXPLANATORY REMARKS (CODE): _____

ACCEPTED
AS CLAIMED

CFS

DIVERSION
RATE

51-00029

0-900

FIELD	EXAMINER
Y() N()	

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 DRAIN		
() 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

00:10:49
04/29/96
17
CLAIM NUMBER: A51-000298

NR 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

Affidavit for Change of Point of Diversion of Decreed Water Right

51-0029

STATE OF IDAHO,

County of Owyhee ss.

John Turner Estate by H. W. Turner first duly sworn, deposes and says: That his postoffice address is Bruneau, Idaho; That he is the owner of and using a certain water right bearing date of priority of April 1, 1875; April 1, 1877; April 1, 1905, for 37.5, 1.2, 7.0 cubic feet per second of the waters of Bruneau River, County of Owyhee, State of Idaho, decreed to John Turner by decree of Judge John H. ... of the Third Judicial District of the State of Idaho, in and for the County of Idaho in the case of Turner vs. ... vs Bruneau Land & Cattle 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 Owyhee, and State of Idaho, to-wit: E 1/4 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 South Side ditch, as per map above referred to.

That his reasons for desiring to make such change are as follows: The South Side Bruneau Canal Co. representing interested parties has built its point of diversion at the point of diversion formerly made by the affiant.

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

Subscribed and sworn to before me this 20th day of August, 19 39

Charles Brown
Notary Public:

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

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

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

JOHN TURNER: E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 23, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
Section 36, Township 6 South, Range 5 East, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ 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, 1875.
51 0028	60 inches as of April 1, 1897.
51 0029	45 inches as of April 1, 1905.
	<u>270</u>

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

51 0025 7 inches as of February 21; 1879.
55 inches as of November 1; 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 0027 25 inches as of April 1; 1881.
51 0028 5 inches as of April 1; 1897.
51 0028 10 inches as of April 1, 1905.
40

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

51 0030 100 inches as of April 1, 1905.

JOHN TURNER: E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 33, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$,
Section 36, Township 6 South, Range 6 East, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec-
tion 31, Township 6 South, Range 6 East, Boise Meridian, contain-
ing 320 acres. Out of the waters of the Bruneau River:

51 0027 165 inches as of April 1; 1878.
51 0028 60 inches as of April 1; 1897.
51 0029 45 inches as of April 1, 1905.
270

AC5807NP
(OD-117)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJ. LISTING OF WATER RIGHTS

DATE: 01/30/91
PAGE: 14

RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATE

WATER USE

USE PERIOD
FROM TO

MAXIMUM
DIVERSION

STAGE

A51-00028B

ALBERT BLACK
& ACE BLACK
HC 85 BOX 101
BRUNEAU ID 83604

01/01/1905
STOCKWATER

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

0.58 CFS
0.05 CFS
DECREED

0.58 CFS TOTAL
0.00 AFA TOTAL

SOURCE: BRUNEAU RIVER
OTHER RIGHTS: 51-00028B, 278, 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
T 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:
T075 R06E S05

SWSE

PLACE OF USE: IRRIGATION
T06S R05E S15
S36
215.0 ACRES TOTAL

SWSE 40.0
S36 40.0

SWSE 40.0
S36 15.0

PLACE OF USE: STOCKWATER
SAME AS OTHER USE

chg. in prod, decreased quantity, acres
added prod

Split right A51-29A-20 State

Decreed amt. = 45' = 0.90 cfs

A51-00029A = .46 cfs ~ 138.50 ac
29B = .58 cfs
1.04 cfs

WR5809NP
No. 51-00029

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/05/93
PAGE: 5

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN TURNER	04/01/1905	IRRIGATION STOCKWATER DOMESTIC	00-00 00-00 00-00 00-00 00-00 00-00	0.90 CFS	

TOTAL DIVERSION: 0.90 CFS

Water Source: BRUNEAU RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

TOTS ROSE SOS

NE SW

Place of use Legal Description for: IRRIGATION

	NE	SE	SW	SE	SUM
T R S	NE NE	SE NE	SW NE	SE NE	
06S 05E 25	40	40	40	40	80.0
06S 05E 36	40	40	40	40	120.0
06S 06E 31	40	40	40	40	120.0
TOTAL ACRES					320.0

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

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	51-00028	51-00043	51-00044	51-00045	51-00047	51-00049
----------	----------	----------	----------	----------	----------	----------	----------	----------	----------

Other Water Rights Listing Overlapping Place(s) of use:

51-00027 51-00028

Dates: App. Received: 04/01/1905

Proof Due Date: 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

1999 JUN 11 AM 11:07
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA	)	SPECIAL MASTER'S REPORT
	)	
Case No. 39576	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHT 51-00029B
_____	)	

I. FINDINGS OF FACT

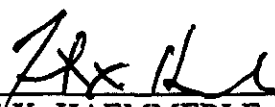
A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990). The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

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 51-00029B*.

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 51-000298

1999 JUN 11 AM 11:07
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.18 CFS

PRIORITY DATE: 04/01/1905

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

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

Stockwater

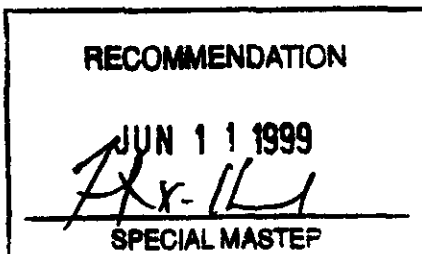
Same as Other Use

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 175 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 263.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-000278, 51-000288,
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 51-000288.

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