

T

Harley's

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

115°45'
42°52'30"

SE 1/4 BRUNEAU 15' QUADRANGLE

440000
FEET

490000 FEET

2869 IV NE
(BRUNEAU)

4747

2479

25

28

29

30

B

R

U

N

E

36

33

32

31

37

BRUNEAU

2482

2490

2500

2510

2520

2530

2540

2550

2560

2570

2580

2590

2600

2610

2620

2630

2640

2650

2660

2670

2680

2690

2700

2710

2720

2730

2740

2750

2760

2770

2780

2790

2800

2810

2820

2830

2840

2850

2860

2870

2880

2890

2900

2910

2920

2930

2940

2950

2960

2970

2980

2990

3000

3010

3020

3030

3040

3050

3060

3070

3080

3090

3100

3110

3120

3130

3140

3150

3160

3170

3180

3190

3200

3210

3220

3230

3240

3250

3260

3270

3280

3290

3300

3310

3320

3330

3340

3350

3360

3370

3380

3390

3400

3410

3420

3430

3440

3450

3460

3470

3480

3490

3500

3510

3520

3530

3540

3550

3560

3570

3580

3590

3600

3610

3620

3630

3640

3650

3660

3670

3680

3690

3700

3710

3720

3730

3740

3750

3760

3770

3780

3790

3800

3810

3820

3830

3840

3850

3860

3870

3880

3890

3900

3910

3920

3930

3940

3950

3960

3970

3980

3990

4000

4010

4020

4030

4040

4050

4060

4070

4080

4090

4100

4110

4120

4130

4140

4150

4160

4170

4180

4190

4200

4210

4220

4230

4240

4250

4260

4270

4280

4290

4300

4310

4320

4330

4340

4350

4360

4370

4380

4390

4400

4410

4420

4430

4440

4450

4460

4470

4480

4490

4500

4510

4520

4530

4540

4550

4560

4570

4580

4590

4600

4610

4620

4630

4640

4650

4660

4670

4680

4690

4700

4710

4720

4730

4740

4750

4760

4770

4780

4790

4800

4810

4820

4830

4840

4850

4860

4870

4880

4890

4900

4910

4920

4930

4940

4950

4960

4970

4980

4990

5000

5010

5020

5030

5040

5050

5060

5070

5080

5090

5100

5110

5120

5130

5140

5150

5160

5170

5180

5190

5200

5210

5220

5230

5240

5250

5260

5270

5280

5290

5300

5310

5320

5330

5340

5350

5360

5370

5380

5390

5400

IDAHO DEPT OF WATER RESOURCES

1987 NAPP PHOTO

T06S, R06E, S31 & S32
T07S, R06E, S06

**CLAIM(S): 51-00042A,
51-00043A, 51-00044A
& 51-00045A**

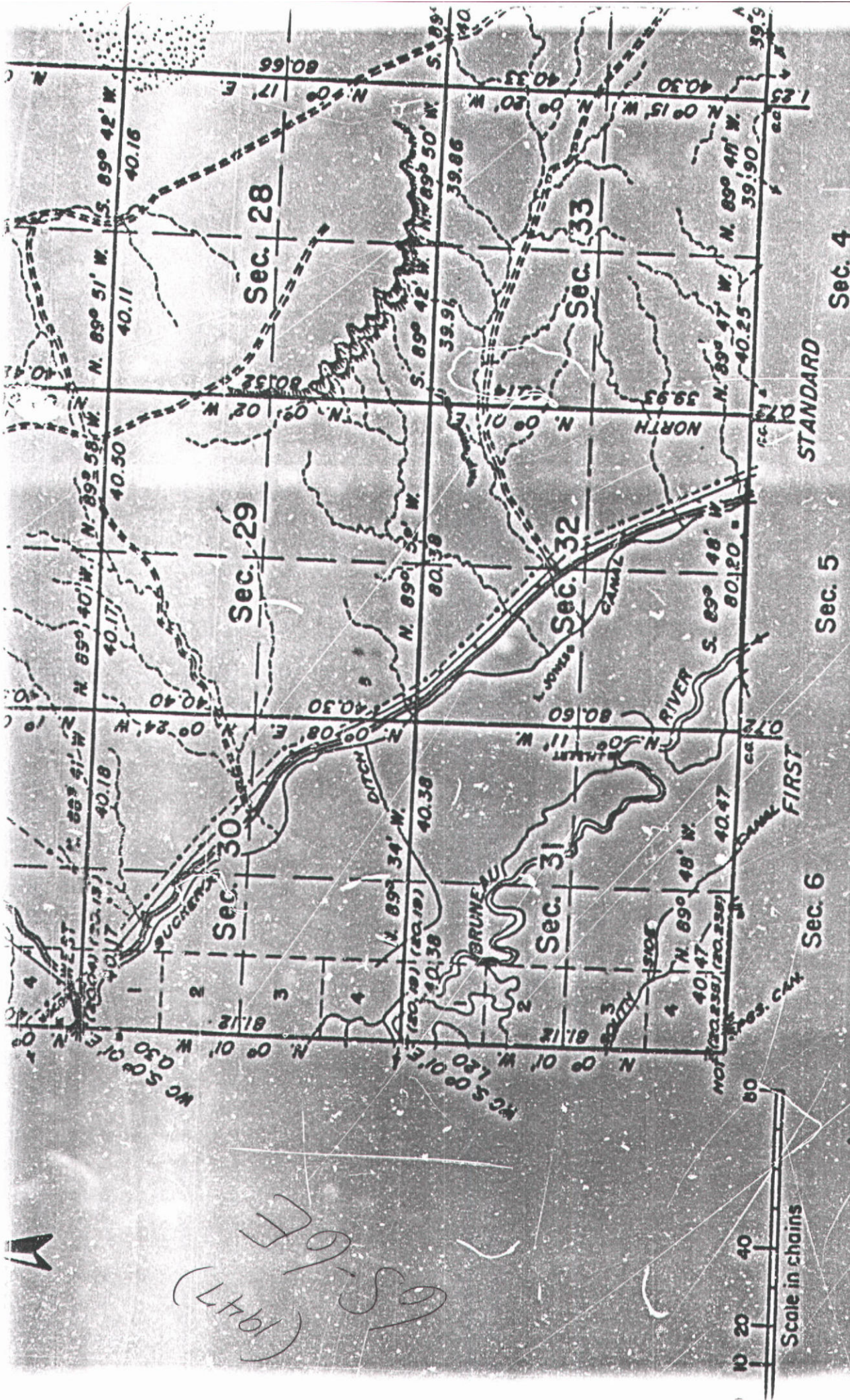
Owner(s): FISH & GAME

Prepared by: KAY WALKER
Date: September 22, 1998

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



0 0.25 0.5 0.75 Miles



(1947)
S-9-F

Mean Magnetic Declination 19° 30' E

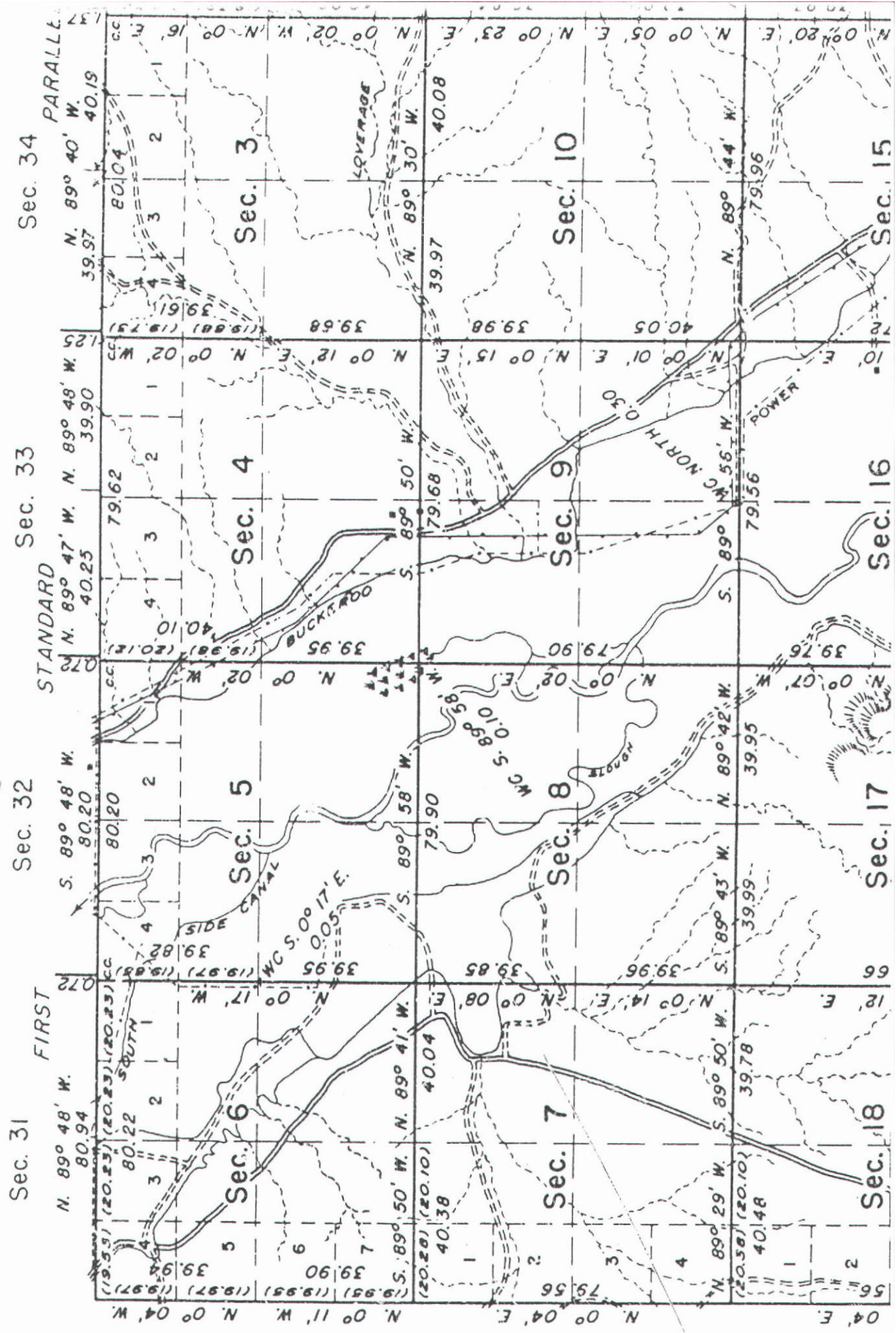
Area resurveyed: 22,689.15 acres.

LINES DESIGNATED	BY WHOM SURVEYED	GROUP NO.	DATE OF SPECIAL INSTRUCTIONS	WHEN SURVEYED	
				BEGUN	COMPLETED

TOWNSHIP NO. 7 SOUTH, RANGE NO. 6 EAST

(1947)

DEPENDENT RESU



IDAHO DEPT OF WATER RESOURCES

T06S, R06E, S31 & 32

**CLAIM(S): 51-00042A,
51-00043A & 51-00044A**

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

Prepared by: KAY WALKER
Date: July 25, 1998



Place of Use



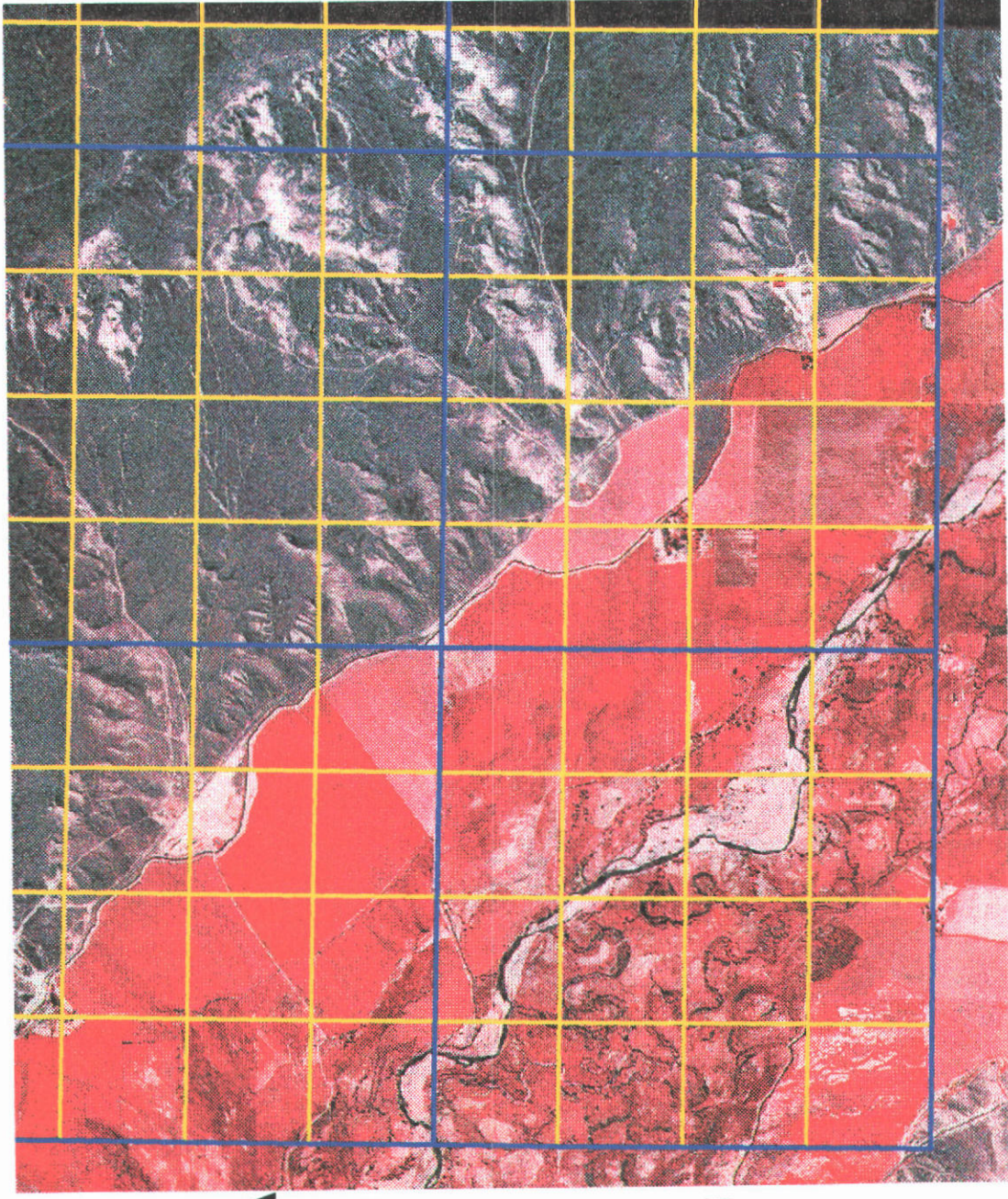
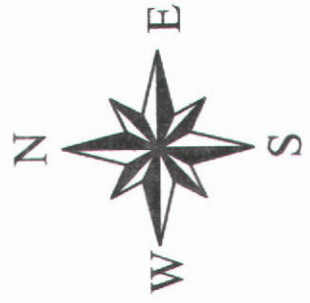
Point(s) of Diversion



Section Lines



1/4 1/4's



R5E R6E

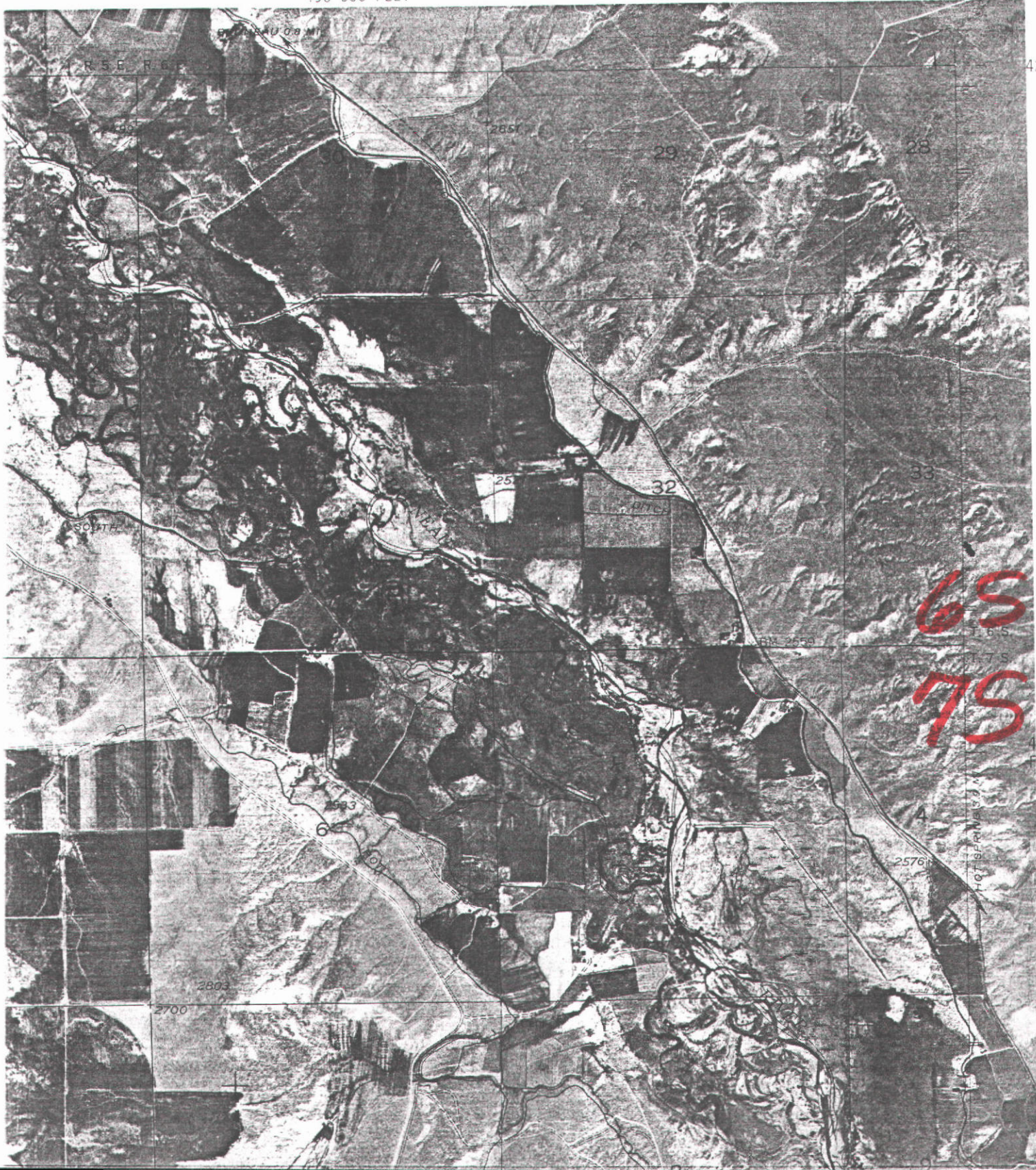
AA62
(1974)

SUGAR VALLEY ORTHOPHOTOQUAD
IDAHO

A

490 000 FEET

115°45'



42°52'30"

6S
7S

30 000
FEET

NN.27

Prox - last
farms - last
6-17 years

Farm & Farming

656
T 749
NHLE

Alfa Alfa
Well
253

measure
with palinob

Well

2

22.1

3

20

3

4.4

3

4.4

3

5.8

3

13.2

3

8.1

3

13.2

194

5.5

2

3

258

4

8.1

6

13.2

6

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: A51-00042A
Date Received: 1/19/1989
Receipt No: W002030
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

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

2. Date of Priority: APR 1, 1875

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

4. Point of Diversion:

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

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.210		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

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

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	06E	31	SE	SE		IRR	38.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	38.0
		32	SW	SW	IRR	20.0
					Section Acres	20.0
					Total Acres	58.0

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:
51-00043, 51-00044, 51-00045.

14. Remarks:

THIS IS A SPLIT RIGHT OF 51-00042.
AMENDED 03/21/1989 TO REFLECT POINT OF DIVERSION FOR SOUTH SIDE
CANAL AND NOT LATERALS AS IN ORIGINAL CLAIM.
QUANTITY OF WATER APPROPRIATED AMENDED TO ALIGN DECREED WATER IN
THE PROPER PROPORTION WITH OTHER SPLITS. ELR
OWNERSHIP CHANGED BY KW 10/27/92.
OWNERSHIP CHANGED BY KW 11/16/92.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

<u>GRANDVIEW IRR. DIST.</u>		<u>BRUNEAU BUCKAROO CO-OP DITCH</u>
Decree Plaintiff	vs	Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED
JUL 27 1992

DATE OF CLOSING: 06-17-92

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

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

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

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

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

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

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 11/16/92 By: kw

Further Action Needed

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A51-00042A
Date Received: 1/19/1989
Receipt No: W002030
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

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

2. Date of Priority: APR 1, 1875

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

4. Point of Diversion:

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

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.210		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

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

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	06E	31	SE	SE		IRR	38.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	38.0
		32	SW	SW	IRR	20.0
					Section Acres	20.0
					Total Acres	58.0

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:
51-00043, 51-00044, 51-00045.

14. Remarks:

THIS IS A SPLIT RIGHT OF 51-00042.
AMENDED 03/21/1989 TO REFLECT POINT OF DIVERSION FOR SOUTH SIDE
CANAL AND NOT LATERALS AS IN ORIGINAL CLAIM.
QUANTITY OF WATER APPROPRIATED AMENDED TO ALIGN DECREED WATER IN
THE PROPER PROPORTION WITH OTHER SPLITS. ELR
OWNERSHIP CHANGED BY KW 10/27/92.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

GRANDVIEW IRR. DIST.
Decree Plaintiff

BRUNEAU BUCKAROO CO-OP DITCH
vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

DATE OF CLOSING: 12/31/91

Department of Water Resources

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

Rec'd from
 So on
 4-21-92

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
 Assigned by IDWR: SEE ATTACHED
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): ALBERT F. HARLEY
9673 PATTIE COURT
BOISE, ID 83704
- ☐ New Owner/Claimant (Purchaser): BRUNEAU RIVER WILDLIFE RANCH, INC. DATED LTD. PARTNERSHIP
- ☐ New Mailing Address: P.O. Box 1560
SUN VALLEY
IDAHO 83383-83353 KW) 10/27/92
- ☐ New Telephone Number: (208) 326-2000
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

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

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

FOR IDWR USE ONLY:
 Initial Review and Data-Entry
 Date: _____ By: _____
 Further Action Needed:
 Further Action Taken
 Date: _____ By: _____
 Final Review and Data-Entry
 Date: _____ By: _____
 Claim Numbers of Split, if any:

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

See original
 in file
 A51-00027A

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

(Enter=Continue)

(GOLD7-This Query)

(Menu _____)

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

(Enter-Continue)

(GOLD7-This Query)

(Menu _____)

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

To	Charles J. Jordon	From	Daniel Smith
Co.		Co.	
Dept		Phone #	1-800-451-4129
Fax #	726-2002	Fax #	

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

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

WARRANTY DEED

For Value Received

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

the grantors, do hereby grant, bargain, sell and convey unto
BRUNEAU RIVER WILDLIFE RANCH, an Idaho limited partnership

the grantee, whose current address is, P.O. Box ⁷³² 1765, Sun Valley, ID 83353
the following described premises, to wit:

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

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

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

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

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

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

204201

FILED-RECORDED

JAN 2 10 48 AM '91

CLERK OF
COUNTY OF
IDaho

REQUEST OF

FE 9.00

INDEXED

RECORDED

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

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

Albert F. Harley

Ana M. Harley

STATE OF IDAHO, COUNTY OF Owyhee

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

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

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

STATE OF IDAHO, COUNTY OF

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

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

Ex-Officio Recorder

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

EXHIBIT "A"

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

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

Section 36: That portion of the SE½NE½ bounded and described
as follows: Beginning at the East quarter corner
of Section 36, T6S, R5E, B. M.; thence North 0°01'
West a distance of 1,065 feet to a point; thence
North 88°30' West a distance of 1,320.4 feet to a
point; thence South 0°01' East a distance of
1,102.5 feet to a fence line on the south line of
SE½NE½; thence North 89°52' East a distance of
1,320 feet, more or less, to the point of
beginning.

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

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

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

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

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

AND

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

Section 31 and

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

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

(continued)

AH-CH

Warrant Deed
Bruneau River Wildlife Ranch
Lot "A" continued

thence North 89°48' West a distance of 1,335 feet,
more or less, to the West boundary line of the
SE¼ of said Section 31;
thence South 00°11' East a distance of 1,320 feet,
more or less, to the South section line of said
Section 31;
thence South 89°48' East a distance of 1,287.5
feet, more or less, to the POINT OF BEGINNING;
EXCEPTING THEREFROM all that portion of the SE¼SW¼
of Section 32, T6S, R6E, B.M. lying North and East
of the Bruneau River.

IN TOWNSHIP 7 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 6:

That part of Lot 1 and Lot 2 lying North of the
centerline of the South Side Canal;

EXCEPTING AND EXCLUDING that portion thereof
bounded as follows: Beginning at the section
corner common to Sections 5 and 6, T7S, R6E, B. M.;
thence S 84°02' W a distance of 159.3 feet to the
Northwest corner of the barn located on said
premises; thence South 16°57' West a distance of
303.7 feet to the northwest corner of the corral;
thence South 0°17' West a distance of 118.5 feet
to a point on said corral; thence North 35°00'
East a distance of 127.9 feet to a point on said
corral; thence North 28°42' East a distance of
365.7 feet to the POINT OF BEGINNING.

ALSO EXCEPTING AND EXCLUDING that portion of
Lot 1 of Section 6 lying Easterly of the following
described line; Beginning at the Section corner
common to Sections 5 and 6, T7S, R6E, B. M., the
POINT OF BEGINNING; thence South 28°42' West a
distance of 365.7 feet; thence South 35°00' West a
distance of 160.5 feet; thence South 13°28' West a
distance of 302.0 feet; thence South 07°32' East a
distance of 316.0 feet to the South Side Canal and
terminus of said line.

* * *

A 17 QH

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: A51-00042A
Date Received: 1/19/1989
Receipt No: W002030
Received By: EAR

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

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

83704-0

2. Date of Priority: APR 01, 1875

3. Source: BRUNEAU RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

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

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.210		
STOCKWATER	01/01	12/31	0.050		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

S/INSTREAM STOCK WATER, VARIABLE AMOUNTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	06E	31	SE	SE		IRR	38.0

Section Acres 38.0

A51-00042A

Page

1

Date: 03/21/89

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	06E	32	SW	SW		IRR	20.0
Section Acres							20.0
Total Acres							58.0

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:
51-00043, 51-00044, 51-00045.

14. Remarks:
THIS IS A SPLIT RIGHT OF 51-00042.
AMENDED 03/21/1989 TO REFLECT POINT OF DIVERSION FOR SOUTH SIDE
CANAL AND NOT LATERALS AS IN ORIGINAL CLAIM.
QUANTITY OF WATER APPROPRIATED AMENDED TO ALIGN DECREED WATER IN
THE PROPER PROPORTION WITH OTHER SPLITS. ELR

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

GRANDVIEW IRR. DIST.
Decree Plaintiff

vs

BRUNEAU BUCKAROO CO-OP DITCH C
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

Date: _____

State of Idaho)
County of _____) SS.

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

Eldon L. Roush
Notary Public

Seal

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

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A51-00042A
Date Received: 01/19/89
Receipt No: WCC 203062031
Received By: ERR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

83704-0

2. Date of Priority: APR 01, 1875

3. Source: BRUNEAU RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
~~06S~~	~~06E~~	~~31~~		NW	SW		OWYHEE
				SE	SW		OWYHEE
07S	06E	65	swse	SE	NE		OWYHEE

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	~~0.160~~	0.21	
STOCKWATER	01/01	12/31	0.050		

7. Total Quantity Appropriated is:
~~0.160~~ C.F.S. (and/or)
0.21

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

S/INSTREAM STOCK WATER, VARIABLE AMOUNTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	06E	31	SE	SE		IRR	38.0
						Section Acres	38.0
		32	SW	SW		IRR	20.0
						Section Acres	20.0
						Total Acres	58.0

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:
51-00043, 51-00044, 51-00045.

14. Remarks:
THIS IS A SPLIT RIGHT OF 51-00042.

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

GRANDVIEW IRR. DIST.
Decree Plaintiff

vs

BRUNEAU BUCKAROO CO-OP DITCH C
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 10 day

of Jan 19 89

Elda J. Hough
Notary Public

Seal

Residing at Boise

My Commission Expires 07/08/1999

Harley's

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

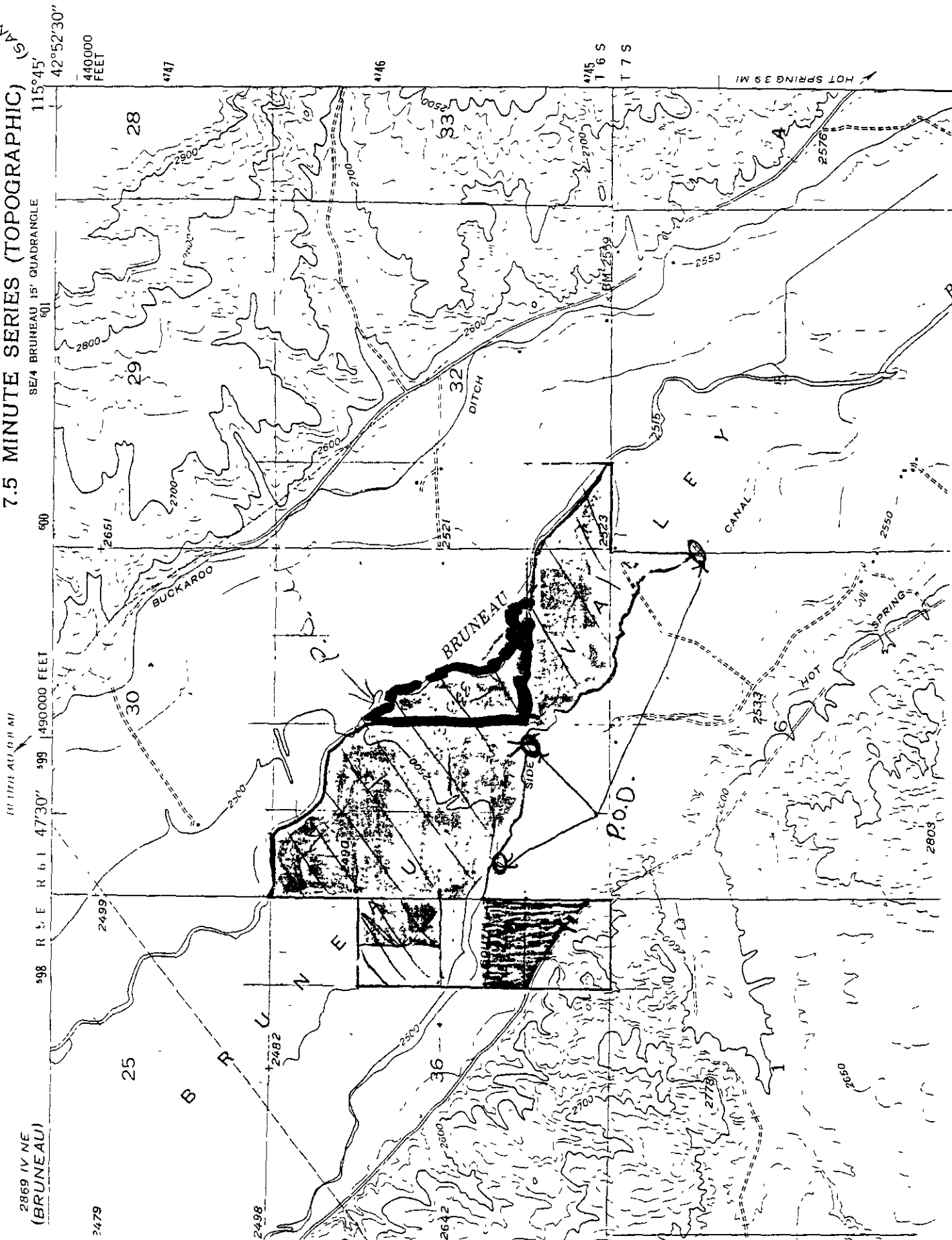


EXHIBIT A

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

WILLIAM TURNER: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, Township 6 South, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 5, NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, Township 7 South, all of Range 6 East, B.M. containing 560 acres. Out of the waters of the Bruneau River:

51 0042	50 inches as of April 1, 1875.
51 0047	110 inches as of April 1, 1876.
51 0048	65 inches as of April 1, 1897.
51 0049	50 inches as of April 1, 1905.
	<u>275</u>

JOSEPH E. HAWES: S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, Township 7 South, Range 6 East, B.M., containing 120 acres. Out of the waters of the Bruneau River:

51 0048	70 inches as of April 1, 1875.
51 0047	15 inches as of April 1, 1876.
51 0048	10 inches as of April 1, 1897.
51 0049	10 inches as of April 1, 1905.
	<u>105</u>

FLETCHER A. HAWES: SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, Township 6 South, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, Township 7 South, Range 6 East, B. M., containing 360 acres. Out of the waters of the Bruneau River:

51 0050	15 inches as of April 1, 1875.
51 0051	90 inches as of April 1, 1876.
51 0052	25 inches as of April 1, 1897.
51 0053	30 inches as of April 1, 1905.
	<u>160</u>

JOHN S. BLACK: N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, Township 6 South, Range 5 East, Boise Meridian, containing 120 acres. Out of the waters of the Bruneau River:

200 MAR -6 PM 1:19

FILED T-SRBA
TWIN FALLS CO., IDAHO

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

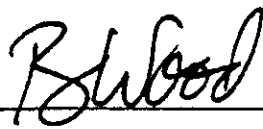
In Re SRBA	)	CONSOLIDATED ORDER FOR ENTRY OF
	)	PARTIAL DECREES
Case No. 39576	)	
	)	Subcases: 51-00024B, 51-00025B, 51-00026B,
	)	51-00027A, 51-00042A, 51-00043A, 51-10218,
	)	51-10219, 51-10225

On July 2, 1999, a *Special Master's Report and Recommendation* was filed for the above listed water rights. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that each of the water rights list above are hereby separately decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*. IT IS FURTHER ORDERED that this *Consolidated Order for Entry of Partial Decrees* is entered for the purpose of judicial economy so as to not require the Court to enter an individual order for each separate partial decree. Therefore, in the event of an appeal of a specific partial decree, the record on appeal will be limited to the record established in that specific subcase, and not all of the subcases enumerated in this Consolidated Order.

DATED MAR 6 2000


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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the CONSOLIDATED ORDER FOR ENTRY OF PARTIAL DECREES was mailed on March 06, 2000, with sufficient first-class postage to the following:

DEPT OF FISH & GAME

Represented by:

PETER J. AMPE

PO BOX 83720

BOISE, ID 83720-0010

Phone: 208-334-2400

SOUTH SIDE BRUNEAU CANAL CO

C/O EUGENE C DAVIS

HC 85 BOX 114

BRUNEAU, ID 83604

Phone: 208-845-2088

DEPT OF FISH & GAME

P O BOX 25

BOISE, ID 83707

Phone: 208-327-7025

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

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

In Re SRBA

Case No. 39576

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

Water Right 51-00042A

200 APR -6 PM 1:19

FILED
TWIN FALLS CO., IDAHO

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

SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.21 CFS

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

PRIORITY DATE: 04/01/1875

POINT OF DIVERSION: T07S R06E S05 NWSWSE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.21 CFS
	Stockwater	01-01 TO 12-31	0.05 CFS

PLACE OF USE: Irrigation Within Owyhee County
T06S R06E S31 SESE 41.0
S32 SWSW 5.8
T07S R06E S06 LOT 01 (NENE) 3.3
50.1 Acres Total

Stockwater Same as Other Use

USE OF THIS RIGHT WITH RIGHT 51-00043A IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 50.1 ACRES IN A SINGLE
IRRIGATION SEASON.

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

THE APROPRIATOR IS ENTITLED TO DIVERT UP TO THE QUANTITY OF
3.904 CFS AT THE FIELD HEADGATE TO MEET PEAK CROP DEMAND SO LONG
AS (1) THE APPROPRIATOR IS ABLE TO MAKE THAT QUANTITY AVAILABLE
THROUGH A VOLUNTARY ROTATION AGREEMENT AMONG SOME OR ALL OTHER
USERS OF WATER FROM THE SAME SOURCE OR BY ROTATING SOME OR ALL OF
THE APPROPRIATOR'S OTHER WATER RIGHTS FROM THE SAME SOURCE,
(2) DIVERSION OF ANY QUANTITY ABOVE 0.21 CFS WILL NOT INJURE
OTHER WATER RIGHTS, AND (3) ANY QUANTITY ABOVE 0.21 CFS WILL NOT
BE SUBJECT TO A PRIORITY CALL UNDER THIS WATER RIGHT ON JUNIOR
WATER RIGHTS.

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

RULE 54(b) CERTIFICATE

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



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

Department of Water Resources

WATER RESOURCES
WESTERN REGION

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

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

This water right should not exist

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

REASONS SUPPORTING OBJECTION (S): The suggested remarks reflect historical use of this water right.

VERIFICATION

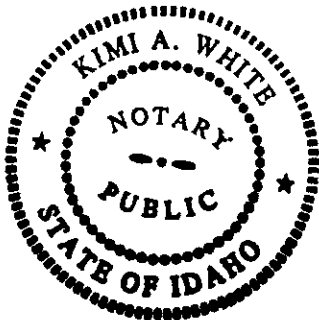
State of Idaho)
)
County of Ada)

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

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

Charles L. Honsinger
(Attorney signing in representative capacity)

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



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

CERTIFICATE OF MAILING

I certify that on 05/28, 199 9, 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

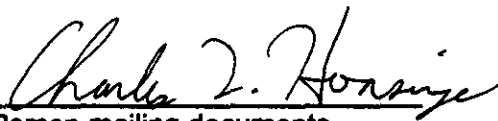
John Urquidi
HC 85, Box 135
Bruneau, ID 83604

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

RIGHTS FROM: SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 51-00042A

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

SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.21 CFS

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

PRIORITY DATE: 04/01/1875

POINT OF DIVERSION: T07S R06E S05 NWSWSE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	03-01 11-15	0.21 CFS
	STOCKWATER	01-01 12-31	0.05 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T06S R06E S31 SESE 41
S32 SWSW 5.8
T07S R06E S06 Lot 1 (NENE) 3.3
50.1 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 51-00043A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 50.1 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 50.1 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS./ 51/00043A, 51/00044A &
51/00045A

Place of use for STOCKWATER is same as IRRIGATION

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

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

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

51-00042A (CONT.)

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.

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

THE APPROPRIATOR IS ENTITLED TO DIVERT UP TO THE QUANTITY OF 3.904 CFS AT THE FIELD HEADGATE TO MEET PEAK CROP DEMAND SO LONG AS (1) THE APPROPRIATOR IS ABLE TO MAKE THAT QUANTITY AVAILABLE THROUGH A VOLUNTARY ROTATION AGREEMENT AMONG SOME OR ALL OTHER USERS OF WATER FROM THE SAME SOURCE OR BY ROTATING SOME OR ALL OF THE APPROPRIATOR'S OTHER WATER RIGHTS FROM THE SAME SOURCE, (2) DIVERSION OF ANY QUANTITY ABOVE 0.21 CFS WILL NOT INJURE OTHER WATER RIGHTS, (3) ANY QUANTITY ABOVE 0.21 CFS WILL NOT BE SUBJECT TO A PRIORITY CALL UNDER THIS WATER RIGHT ON JUNIOR WATER RIGHTS, AND (4) DIVERSION OF THAT QUANTITY DOES NOT CONSTITUTE WASTE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

WATER IS DELIVERED THROUGH SOUTH SIDE BRUNEAU CANAL COMPANY.

<u>Right #</u>	<u>Priority</u>	<u>Quantity</u>	<u>Acreage</u>	<u>Diversion Rate</u>
<u>Group #1</u>				
00042A	4/1/1875	10.5 = 0.21✓	50.1	.62 inches/acre
00043A	4/1/1876	21 = 0.42✓	50.1	.62 inches/acre
00044A	Does not exist			
00045A	Does not exist			
		<u>31.5</u>		
<u>Group #2</u>				
00027A	4/1/1875 ✓	75 = 1.5✓	138	.62 inches/acre
00028A	4/1/1897	10.7 ~~10.2~~ = 0.218✓	138	.62 inches/acre
00029A	Does not exist			
		<u>85.9</u> 65.7		
<u>Group #3</u>				
00024B	4/1/1881	12 = 0.24✓	24.4	.62 inches/acre
00025B	4/1/1897	2.5 = 0.05✓	24.4	.62 inches/acre
00026B	4/1/1905	<u>7</u> = 0.014✓	24.4	.62 inches/acre
		15.2		
<u>Group #4</u>				
10218	4/1/1875	8.5 = 0.17✓	101	.62 inches/acre
10219	4/1/1876	50 = 1.00✓	101	.62 inches/acre
10225	4/1/1897	4.3 ~~4.4~~ = 0.086✓	101	.62 inches/acre
00053A	Does not exist			
		<u>62.9</u> 62.8		
<u>Group #5</u>				
00034B	Do not exist			
00068B				
00035B				
00036B				
TOTAL		<u>195.2</u> 195.2		.62 inches/acre

195.2 = 3.904 cfs

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

AJ0749NP
No. R51-00042A

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

DATE: 05/27/99
PAGE: 1

OWNER
CODE
C
NAME & ADDRESS
STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83720
(208) 327-7025
PRIORITY
DATE
04/01/1875
WATER USE
IRRIGATION
STOCKWATER
DIVERSION
RATE
0.21 CFS
0.05 CFS
DIVERSION
VOLUME
0.21 CFS
TOTAL DIVERSION:
0.21 CFS

Water Source: BRUNEAU RIVER
Tributary to: SNAKE RIVER
Point(s) of Diversion: T07S R06E S05 NWSWE
Stage: DECREE
ONYHEE County

Place of use Legal Description for: IRRIGATION																																							
NE						NW						SW				SE																							
		MENE		MWNE		SWNE		SENE		NENW		MNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE							
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	SUM						
06S	06E	31	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	41.0					
06S	06E	32	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	5.8						
07S	06E	6	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	3.3						
																																TOTAL ACRES				50.1			

Remarks:

IRRIGATION OF A COMBINED TOTAL OF 50.1'ACRES IN A SINGLE
IRRIGATION SEASON.

GEN

THE APPROPRIATOR IS ENTITLED TO DIVERT UP TO THE QUANTITY OF
3.904 CFS AT THE FIELD HEADGATE TO MEET PEAK CROP DEMAND SO LONG
AS (1) THE APPROPRIATOR IS ABLE TO MAKE THAT QUANTITY AVAILABLE
THROUGH A VOLUNTARY ROTATION AGREEMENT AMONG SOME OR ALL OTHER
USERS OF WATER FROM THE SAME SOURCE OR BY ROTATING SOME OR ALL OF
THE APPROPRIATOR'S OTHER WATER RIGHTS, FROM THE SAME SOURCE, (2)
DIVERSION OF ANY QUANTITY ABOVE 0.21'CFS WILL NOT INJURE OTHER
WATER RIGHTS, (3) ANY QUANTITY ABOVE 0.21'CFS WILL NOT BE SUBJECT
TO A PRIORITY CALL UNDER THIS WATER RIGHT ON JUNIOR WATER RIGHTS,
AND (4) DIVERSION OF THAT QUANTITY DOES NOT CONSTITUTE WASTE.

EXP

WATER IS DELIVERED THROUGH SOUTH SIDE BRUNEAU CANAL COMPANY.

Dates:

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

Misc:

Water District Number: Field Inspection Flag:
Presumption Flag:

Comments:

Date: 06/27/1998 User-ID: KWALKER Subject: COPIED FROM REMARKS
THIS IS A SPLIT RIGHT OF 51-00042.
AMENDED 03/21/1989 TO REFLECT POINT OF DIVERSION FOR SOUTH SIDE
CANAL AND NOT LATERALS AS IN ORIGINAL CLAIM.
QUANTITY OF WATER APPROPRIATED AMENDED TO ALIGN DECREED WATER IN
THE PROPER PROPORTION WITH OTHER SPLITS. ELR
OWNERSHIP CHANGED BY KW 10/27/92.
OWNERSHIP CHANGED BY KW 11/16/92.

Date: 05/27/1999 User-ID: KWALKER Subject: CHANGES TO RECOMMENDATIONS
CHANGES MADE TO RECOMMENDATIONS PER STIPULATION BETWEEN CLAIMANT
& SOUTH SIDE CANAL.

Audit:

05/27/99 KWALKER

DRAFT

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

Right Number: 51-00042A

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

Source: BRUNEAU RIVER Tributary: SNAKE RIVER

Quantity: .21 CFS

Priority Date: 04/01/1875

Point of Diversion: T07S R06E S05 NWSWSE Within OWYHEE County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	IRRIGATION	03/01 to 11/15	0.21 CFS
	STOCKWATER	01/01 to 12/31	0.05 CFS

Place of Use: IRRIGATION Within OWYHEE County

T06S R06E S31	SESE 41
S32	SWSW 5.8
T07S R06E S06	LOT 1 (NENE) 3.3

50.1 ACRES TOTAL

STOCKWATER
SAME AS OTHER USE

USE OF THIS RIGHT WITH RIGHT NO. 51-00043A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 50.1 ACRES IN A SINGLE
IRRIGATION SEASON.

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

THE APPROPRIATOR IS ENTITLED TO DIVERT UP TO THE QUANTITY OF
3.904 CFS AT THE FIELD HEADGATE TO MEET PEAK CROP DEMAND SO

OFFER OF COMPROMISE
GOVERNED BY IDAHO RULE OF EVIDENCE 408

Page 1 of 2

DRAFT

LONG AS (1) THE APPROPRIATOR IS ABLE TO MAKE THAT QUANTITY AVAILABLE THROUGH A VOLUNTARY ROTATION AGREEMENT AMONG SOME OR ALL OTHER USERS OF WATER FROM THE SAME SOURCE OR BY ROTATING SOME OR ALL OF THE APPROPRIATOR'S OTHER WATER RIGHTS FROM THE SAME SOURCE, (2) DIVERSION OF ANY QUANTITY ABOVE 0.21 CFS WILL NOT INJURE OTHER WATER RIGHTS, (3) ANY QUANTITY ABOVE 0.21 CFS WILL NOT BE SUBJECT TO A PRIORITY CALL UNDER THIS WATER RIGHT ON JUNIOR WATER RIGHTS, AND (4) DIVERSION OF THAT QUANTITY DOES NOT CONSTITUTE WASTE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

WATER IS DELIVERED THROUGH SOUTH SIDE BRUNEAU CANAL COMPANY

CLAIM NUMBERS**AGENT**

DATE _____

TOTAL ACRES FROM RECOMMENDATION

GEOGRAPHIC INFO SYSTEM ACRES

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
<u>RECOM</u>																			
<u>GIS</u>																			
<u>RECOM</u>																			
<u>GIS</u>																			

POLYGON CREATED ON 80

POLYGON # (404) () () () _____ UPDATED BY

ATTRIBUTES OF B51-POU.SHP (404)() () () ()

ATTRIBUTES OF B51-POD.SHP (110) () () () ()

B51-DBPOU.DBF 9/30/98 UPDATED BY KW

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

RDH GPSTABLE

AJ0749NP
No. R51-00042A

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

DATE: 09/23/98
PAGE: 2

Remarks:

THE IRRIGATION OF A COMBINED TOTAL OF 50.1 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00043A, 51-00044A &
51-00045A

EXP WATER IS DELIVERED THROUGH SOUTH SIDE BRUNEAU CANAL COMPANY.

Dates:

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

Misc:

Water District Number: Field Inspection Flag:
Presumption Flag:

Comments:

Date: 06/27/1998 User-ID: KWALKER Subject: COPIED FROM REMARKS
THIS IS A SPLIT RIGHT OF 51-00042.
AMENDED 03/21/1989 TO REFLECT POINT OF DIVERSION FOR SOUTH SIDE
CANAL AND NOT LATERALS AS IN ORIGINAL CLAIM.
QUANTITY OF WATER APPROPRIATED AMENDED TO ALIGN DECREEED WATER IN
THE PROPER PROPORTION WITH OTHER SPLITS. ELR
OWNERSHIP CHANGED BY KW 10/27/92.
OWNERSHIP CHANGED BY KW 11/16/92.

Audit:

09/23/98 KWALKER

08:13:50
09/07/98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

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

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

LAST: HARLEY
ADDRESS: 9673 PATTIE COURT
CITY: BOISE ID ZIP: 837040
PHONE NUMBER: 208-000-0000
OWNER CODE: O

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS? Y
DATABASE Y
FIELD EXAMINER Y ()
CLAIM REMARKS: GEN THIS IS A SPLIT RIGHT OF 51-00042.
AMENDED 03/21/1989 TO REFLECT POINT OF DIVERSION FOR SOUTH SIDE
CANAL AND NOT LATERALS AS IN ORIGINAL CLAIM.
QUANTITY OF WATER APPROPRIATED AMENDED TO ALIGN DECREED WATER IN
THE PROPER PROPORTION WITH OTHER SPLITS. ELR
OWNERSHIP CHANGED BY KW 10/27/92.
OWNERSHIP CHANGED BY KW 11/16/92.

A. AJ CLAIM: # A51-00042A PRIORITY DATE: 04-01-1875 STAGE: D
B. WR RECORD: # 51-00042 PRIORITY DATE: 04-01-1875 STAGE: D
C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(✓) N()
D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N(✓)
E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? Y(✓) N()
F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?
PROOF OF BENEFICIAL USE SUBMITTED N/A() Y() N()
FIELD EXAM COMPLETED N/A() Y() N()
FIELD EXAM SENT TO STATE OFFICE N/A() Y() N()
LICENSE ISSUED N/A() Y() N()
* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.
G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A(✓) Y() N()
* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.
H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(✓) N()

NOTES: ad decreed

RECOMMENDED PRIORITY DATE:

04-01-1875

REVIEWED BY kw

DATE

9/23/98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	POD	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A51-00042A	07S	06E	5	SW	SE				ONTHEE		
OTHER AJ CLAIMS WITH SAME AJ POD											
A PREFIX R PREFIX											
* 46 A PREFIX CLAIMS WITH THIS POD											
** 41 R PREFIX CLAIMS WITH THIS POD											
WR RECORDS IN SAME 40 ACRE TRACT											
NONE											

SOURCE: BRUNEAU RIVER TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

5100042 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER ✓

SOURCE: BRUNEAU RIVER TRIB: SNAKE RIVER

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

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

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

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

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

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

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

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

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

AJ FIELD EXAM (DATE OF FIELD EXAM)

NAME OF EXAMINER

OTHER (DESCRIBE IN NOTES BELOW)

A. ROOT WATER RIGHT NUMBERS:		A51-00042A
		A51-00042C
		A51-00042B
		R51-00042C
		R51-00042B

B. POU LISTING				AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
TWP	RNG	SEC	1/4	LOT	NAME			
06S	06E	31	SE	SE	STATE OF IDAHO	A51-00042A / 38.0	/	34.0
			SE	SE	STATE OF IDAHO	A51-00043A / 38.0	/	
			SE	SE	STATE OF IDAHO	A51-00044A / 38.0	/	
			SE	SE	STATE OF IDAHO	A51-00045A / 38.0	/	
			SE	SE	STATE OF IDAHO	A51-10166 / 38.0	/	
			SE	SE	TURNER, WILLIAM	51-00042 / 40.0	/	
			SE	SE	TURNER, WILLIAM	51-00043 / 40.0	/	
			SE	SE	TURNER, WILLIAM	51-00044 / 40.0	/	
			SE	SE	TURNER, WILLIAM	51-00045 / 40.0	/	
06S	06E	32	SW	SW	STATE OF IDAHO	A51-00042A / 20.0	/	33.0
			SW	SW	BRUNEAU BUCKAROO DITCH CO	A51-10271 / 20.0	/	
			SW	SW	STATE OF IDAHO	A51-00043A / 20.0	/	
			SW	SW	STATE OF IDAHO	A51-00045A / 20.0	/	
			SW	SW	TURNER, GEORGE	A51-00042C / 11.0	/	
			SW	SW	TURNER, GEORGE	A51-00043C / 11.0	/	
			SW	SW	TURNER, GEORGE	A51-00044C / 11.0	/	
			SW	SW	TURNER, BETTY L	A51-00045C / 11.0	/	
			SW	SW	STATE OF IDAHO	A51-10166 / 20.0	/	
			SW	SW	STATE OF IDAHO	A51-00044A / 20.0	/	
			SW	SW	TURNER, GEORGE	R51-00042C / 10.7	/	
			SW	SW	TURNER, GEORGE	R51-00043C / 10.7	/	
			SW	SW	TURNER, GEORGE	R51-00044C / 10.7	/	
			SW	SW	TURNER, BETTY L	R51-00045C / 10.7	/	
			SW	SW	TURNER, GEORGE	A51-10266 / 11.0	/	
			SW	SW	BRUNEAU BUCKAROO DITCH CO	A51-00003 / 20.0	/	
			SW	SW	TURNER, GEORGE	R51-10266 / 10.7	/	
			SW	SW	BRUNEAU BUCKAROO DITCH CO	A51-00005 / 20.0	/	
			SW	SW	BRUNEAU BUCKAROO DITCH CO	A51-10350 / 20.0	/	
			SW	SW	TURNER, WILLIAM	51-00042 / 40.0	/	
			SW	SW	TURNER, WILLIAM	51-00043 / 40.0	/	
			SW	SW	TURNER, WILLIAM	51-00044 / 40.0	/	
			SW	SW	TURNER, WILLIAM	51-00045 / 40.0	/	

ADDITIONAL POU FOUND

TOTS, R06E, S06 NENE - 3.3 ac

TOTAL ACRES A51-00042A 58.00 67.00

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
A51-00042A	BRUNEAU RIVER	STATE OF IDAHO	0.210	0.003		
A51-00003	BRUNEAU RIVER	BRUNEAU BUCKAROO DITCH CO	20.000	0.009		
A51-00005	BRUNEAU RIVER	BRUNEAU BUCKAROO DITCH CO	16.400	0.007		
R51-00042C	BRUNEAU RIVER	TURNER, GEORGE	0.480	0.003		
A51-00042C	BRUNEAU RIVER	TURNER, GEORGE	0.480	0.003		
A51-00043A	BRUNEAU RIVER	STATE OF IDAHO	0.470	0.008		
A51-00043C	BRUNEAU RIVER	TURNER, GEORGE	1.040	0.007		
R51-00043C	BRUNEAU RIVER	TURNER, GEORGE	1.040	0.008		
A51-00044A	BRUNEAU RIVER	STATE OF IDAHO	0.280	0.004		
A51-00044C	BRUNEAU RIVER	TURNER, GEORGE	0.620	0.004		
R51-00044C	BRUNEAU RIVER	TURNER, GEORGE	0.620	0.004		
A51-00045A	BRUNEAU RIVER	STATE OF IDAHO	0.210	0.003		
A51-00045C	BRUNEAU RIVER	TURNER, BETTY L	0.480	0.003		
R51-00045C	BRUNEAU RIVER	TURNER, BETTY L	0.480	0.003		
A51-10166	FLOOD WATER	STATE OF IDAHO	7.460	0.020		
R51-10266	BRUNEAU RIVER	TURNER, GEORGE	9.250	0.041		
A51-10266	BRUNEAU RIVER	TURNER, GEORGE	9.250	0.038		
A51-10271	BRUNEAU RIVER	BRUNEAU BUCKAROO DITCH CO	42.600	0.013		
A51-10350	BRUNEAU RIVER	BRUNEAU BUCKAROO DITCH CO	13.540	0.006		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 51-00043, 51-00044, 51-00045.

Y(✓) N()

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

* 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.

N/A() Y() N(✓)

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?

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?

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

() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: 50.1 N/A()

REVIEWED BY:

DATE: 1/22/98

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

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A51-00042A IRRIGATION	FROM 03-15 TO 11-15	0.210 CFS	
A51-00042A STOCKWATER	FROM 01-01 TO 12-31	0.050 CFS	
TOTAL DIVERSION RATE/VOLUME		0.210 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
51-00042 IRRIGATION	FROM TO		
51-00042 STOCKWATER	FROM TO	1.000 CFS	
51-00042 DOMESTIC	FROM TO		
TOTAL DIVERSION RATE/VOLUME		1.000 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? ☒ Y ☒ ND. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? ☒ Y ☒ N

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

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? ☒ Y ☒ NF. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? ☒ Y ☒ NG. 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? ☒ Y ☒ N

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

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? ☒ Y ☒ NJ. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? ☒ Y ☒ N

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

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

AJ CLAIM TOTAL DIVERSION RATE: 0.210 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1.000 CFS

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

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

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

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

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

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

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

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 50.1 x 0.02 CFS/ACRE = 1.0 CFS
(Taken from pou review)

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = N/A AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = N/A AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

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

1b. CALCULATIONS

51-00042A-0.21

00043A-0.45

00044A-0.27

00045A-0.21

1.14

see
Docket
Repository
extensive gravel
in Brunell
Valley

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A		REC. CONS. USE	
			DATABASE	EXAMINER	DATABASE	EXAMINER
IRRIGATION	3/1 ~~03-15~~ 01-01	11-15 12-31	0.210 0.050	0.031 0.05	0.0 0.0	
STOCKWATER						
TOTAL FOR THIS RIGHT			0.21	N/A	N/A	N/A

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

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

REVIEWED BY: few

DATE: 9/23/98

FLAG: C

STANDARD CONDITIONS (CODE):

C05, C14, N05, N08

STANDARD REMARKS (CODE):

FOU1 - E14

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

FOI

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 51-00042

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE 1.000 EXAMINER 1.0 CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
51-00042	A51-00042A	0.210	R51-00042B	0.310	51-00042	1.000
-	A51-00042B	0.350	R51-00042C	0.480	-	-
-	A51-00042C	0.480	<u>00042A</u>	<u>0.21</u>	-	-

TOTAL CFS 1.040

~~0.790~~
1.0

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 ()

1.000 ✓

NOTES:

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

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

IDAHO DEPT OF WATER RESOURCES

1987 NAPP PHOTO

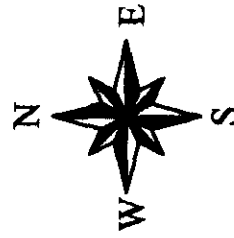
T06S, R06E, S31 & S32
T07S, R06E, S06

**CLAIM(S): 51-00042A,
51-00043A, 51-00044A
& 51-00045A**

Owner(s): FISH & GAME

Prepared by: KAY WALKER
Date: September 22, 1998

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



Memorandum

To: FILES

From: Kay Walker 

Date: 09/22/98

Re: IRRIGATION OF FISH & GAME LANDS

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

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

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

(1947)

This is a detailed cadastral map of a 6x3 grid of sections, labeled Sec. 31 through Sec. 36. The map is oriented with North at the top. The grid is defined by section lines, with bearings and distances noted along the boundaries. Key features include:

- Section Labels:** Sec. 31, Sec. 32, Sec. 33, Sec. 34, Sec. 35, Sec. 36.
- Section Numbers:** Each section is divided into numbered sub-sections (1-6).
- Boundaries:** Section boundaries are marked with bearings and distances. For example, the boundary between Sec. 31 and Sec. 32 is N. 89° 48' W. 80.94.
- Canals:** A 'SIDE CANAL' is shown flowing through the grid, with a 'BUCKEED' section labeled.
- Other Features:** 'LOVEAGE' and 'POWER' lines are indicated. Elevation contours are marked with values like 39.95, 40.04, and 40.19.
- Area Calculations:** Various area calculations are noted, such as 39.95, 40.04, and 40.19.

August 4, 1998

NOTICE OF ERROR
REPLY

RECEIVED

SEP 01 1998

WATER RESOURCES
WESTERN REGION

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

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

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

Water right number 51-00042A

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

Daytime Telephone Number: 334 2597

Evening Telephone Number

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

The disallowal of the claim

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

Recommend the water right as originally claimed

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

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

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

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

Old (D) Number -

+ - - - - Address

1 - DEPT OF FISH & GAME
2 - PO BOX 25
3 -

State- ID Zip- 83720

State- ID Zip- 0

1 - 9673 PATTIE COURT
2 -
3 -
City- BOISE
Phone - 208-000-0000

+ - - - Status - - - +
I - DISALLOWED

+

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

51

52

53

54

55

56

57

58

59

60

61

62

63

64

65

66

67

68

69

70

71

72

73

74

75

76

77

78

79

80

81

82

83

84

85

86

87

88

89

90

91

92

93

94

95

96

97

98

99

100

101

102

103

104

105

106

107

108

109

110

111

112

113

114

115

116

117

118

119

120

121

122

123

124

125

126

127

128

129

130

131

132

133

134

135

136

137

138

139

140

141

142

143

144

145

146

147

148

149

150

151

152

153

154

155

156

157

158

159

160

161

162

163

164

165

166

167

168

169

170

171

172

173

174

175

176

177

178

179

180

181

182

183

184

185

186

187

188

189

190

191

192

193

194

195

196

197

198

199

200

201

202

203

204

205

206

207

208

209

210

211

212

213

214

215

216

217

218

219

220

221

222

223

224

225

226

227

228

229

230

231

232

233

234

235

236

237

238

239

240

241

242

243

244

245

246

247

248

249

250

251

252

253

254

255

256

257

258

259

260

261

262

263

264

265

266

267

268

269

270

271

272

273

274

275

276

277

278

279

280

281

282

283

284

285

286

287

288

289

290

291

292

293

294

295

296

297

298

299

300

301

302

303

304

305

306

307

308

309

310

311

312

313

314

315

316

317

318

319

320

321

322

323

324

325

326

327

328

329

330

331

332

333

334

335

336

337

338

339

340

341

342

343

344

345

346

347

348

349

350

351

352

353

354

355

356

357

358

359

360

361

362

363

364

365

366

367

368

369

370

371

372

373

374

375

376

377

378

379

380

381

382

383

384

385

386

387

388

389

390

391

392

393

394

395

396

397

398

399

400

401

402

403

404

405

406

407

408

409

410

411

412

413

414

415

416

417

418

419

420

421

422

423

424

425

426

427

428

429

430

431

432

433

434

435

436

437

438

439

440

441

442

443

444

445

446

447

448

449

450

451

452

453

454

455

456

457

458

459

460

461

462

463

464

465

466

467

468

469

470

471

472

473

474

475

476

477

478

479

480

481

482

483

484

485

486

487

488

489

490

491

492

493

494

495

496

497

498

499

500

501

502

503

504

505

506

507

508

509

510

511

512

513

514

515

516

517

518

519

520

521

522

523

524

525

+
1
1
0
1
1
0
1
1
1
1
1
1

(73) DWYNEE

volume

03/01	11/15
01/01	12/31

se - + + - KW Usage - +

County

(73) OUYHEE

42.7

IRRIGATION.

+ - - Non-Irrigation Use -

Proff's

CLAIM NUMBER: A51-00042A

TOTAL DIVERSION: 0.21 CFS

ONLYHEE County

MS

AN

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

Other Rights: 51-00043, 51-00044, 51-00045.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
		12/26/13	

Misc: Water District Number: 116798
Field Inspection Flag: Presumption Flag:

10:04:58
07/25/98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A51-00042A

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

STATE: ID ZIP: 0

FIRST:

LAST: STATE OF IDAHO
ADDRESS: DEPT OF FISH & GAME
PO BOX 25
CITY: BOISE
PHONE NUMBER: 208-327-7025
OWNER CODE: C

STATE: ID ZIP: 83720

FIRST:

LAST: HARLEY
ADDRESS: 9673 PATTIE COURT
CITY: BOISE
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

STATE: ID ZIP: 837040

FIRST: ALBERT F.

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

CLAIM REMARKS: GEN THIS IS A SPLIT RIGHT OF 51-00042.
AMENDED 03/21/1989 TO REFLECT POINT OF DIVERSION FOR SOUTH SIDE
CANAL AND NOT LATERALS AS IN ORIGINAL CLAIM.
QUANTITY OF WATER APPROPRIATED AMENDED TO ALIGN DECREED WATER IN
THE PROPER PROPORTION WITH OTHER SPLITS. ELR
OWNERSHIP CHANGED BY KW 10/27/92.
OWNERSHIP CHANGED BY KW 11/16/92.

CONTACT PERSON: _____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y() N()

PHONE NUMBER: () - - - -

ACCOMPANIED BY: _____

TIME: ____:____ A() P()

RELATIONSHIP TO CLAIMANT: _____

PHONE NUMBER: () - - - -

DIRECTIONS TO PROPERTY / NOTES:

*Visited property 12/12/93 & 7/12/98 - No
sign of migration on property or
stock present.*

A. AJ CLAIM: # A51-00042A PRIORITY DATE: 04-01-1875 STAGE: D

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

Y(✓) N()

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

Y() N(✓)

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

Y(✓) N()

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

PROOF OF BENEFICIAL USE SUBMITTED

N/A() Y() N()

FIELD EXAM COMPLETED

N/A() Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A() Y() N()

LICENSE ISSUED

N/A() Y() N()

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

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

N/A(✓) Y() N()

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

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(✓) N()

NOTES:

RECOMMENDED PRIORITY DATE:

REVIEWED BY KW

DATE 8/5/98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A51-00042A	07S	06E	5		SW	SE		ONT/REE		

OTHER AJ CLAIMS WITH SAME AJ POD
WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

* 46 A PREFIX CLAIMS WITH THIS POD
** 41 R PREFIX CLAIMS WITH THIS POD

NONE

SOURCE: BRUNEAU RIVER

TRIB: SNAKE RIVER

NOTES:

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

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

SOURCE: BRUNEAU RIVER
TRIB: SNAKE RIVER

REVIEWED BY:

DATE:

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

A. ROOT WATER RIGHT NUMBERS: A51-00042A
A51-00042C

A51-00042B

R51-00042A

R51-00042C

R51-00042B

B. POW LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
06S	06E	31	SE	SE		STATE OF IDAHO	A51-00042A / 38.0	-	/		
06S	06E	32	SW	SW		STATE OF IDAHO	A51-00042A / 20.0	-	/		

ADDITIONAL POU FOUND

TOTAL ACRES	A51-00042A	58.00
--------------------	-------------------	--------------

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

YES ☒ NO ☐

* 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
A51-00042A	BRUNEAU RIVER	STATE OF IDAHO	0.210	0.003		
A51-00003	BRUNEAU RIVER	BRUNEAU BUCKAROO DITCH CO	20.000	0.009		
A51-00005	BRUNEAU RIVER	BRUNEAU BUCKAROO DITCH CO	16.400	0.007		
R51-00042A	BRUNEAU RIVER	FISH & GAME	0.210	0.004		
A51-00042C	BRUNEAU RIVER	TURNER, GEORGE	0.480	0.003		
R51-00042C	BRUNEAU RIVER	TURNER, GEORGE	0.480	0.003		
A51-00043A	BRUNEAU RIVER	STATE OF IDAHO	0.470	0.008		
R51-00043A	BRUNEAU RIVER	STATE OF IDAHO	0.450	0.010		

CLAIM NO.	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A51-00043C	BRUNEAU RIVER	TURNER, GEORGE	1.040	0.007		
R51-00043C	BRUNEAU RIVER	TURNER, GEORGE	1.040	0.008		
R51-00044A	BRUNEAU RIVER	STATE OF IDAHO	0.190	0.004		
A51-00044A	BRUNEAU RIVER	STATE OF IDAHO	0.280	0.004		
A51-00044C	BRUNEAU RIVER	TURNER, GEORGE	0.620	0.004		
R51-00044C	BRUNEAU RIVER	TURNER, GEORGE	0.620	0.004		
A51-00045A	BRUNEAU RIVER	STATE OF IDAHO	0.210	0.003		
R51-00045C	BRUNEAU RIVER	TURNER, BETTY L	0.480	0.003		
A51-00045C	BRUNEAU RIVER	TURNER, BETTY L	0.480	0.003		
A51-10166	FLOOD WATER	STATE OF IDAHO	7.460	0.020		
A51-10266	BRUNEAU RIVER	TURNER, GEORGE	4.760	0.020		
A51-10271	BRUNEAU RIVER	BRUNEAU BUCKAROO DITCH CO	42.600	0.013		
A51-10350	BRUNEAU RIVER	BRUNEAU BUCKAROO DITCH CO	13.540	0.006		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 51-00043, 51-00044, 51-00045.

Y(✓) N()

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

* 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?

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

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?

N/A() Y(✓) N()

N/A() Y() N(✓)

Y(✓) N()

Y(✓) N()

*Verified property 12/12/93 & 7/12/98-
No evidence of any use occurring.*

A. AJ CLAIMED USES:			
PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A51-00042A IRRIGATION	FROM 03-15 TO 11-15	0.210 CFS	
A51-00042A STOCKWATER	FROM 01-01 TO 12-31	0.050 CFS	
TOTAL DIVERSION RATE/VOLUME		0.210 CFS	

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.210 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1.000 CFS

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

N/A() Y() N()

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

N/A() Y() N()

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

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

Y() N()

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

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

Y() N()

FLOW MEASUREMENT

MEASUREMENT METHOD

SEE ATTACHED CALCULATIONS.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV RATE CFS	REC. DIV VOL. AF/A		REC. CONS. USE
	FROM	TO		DATABASE EXAMINER	DATABASE EXAMINER	
IRRIGATION	03-15	11-15	0.210			0.0
STOCKWATER	01-01	12-31	0.050			0.0
TOTAL FOR THIS RIGHT			0.210			0.0

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

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

REVIEWED BY: kw DATE: 8/13/98

FLAG: _____
STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

*Recommended disallowed -
POH*

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

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

AUTHENTICATION:

SIGNATURE: Ray Libalber DATE: 8/5/98
NAME OF FIELD EXAMINER: Ray Libalber TITLE: Sr. Agent

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO 1974 IDWR ID NO. 27662	Y() N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED IDWR ID NO.	Y() N()
☐ MAP	DATE OF PHOTO IDWR ID NO.	Y() N()
☒ Aerial PHOTO	DATE OF PHOTO 1988	Y() N()
☐ Aerial 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 <i>GIS data</i>	DATE 7/25/98	Y() N()
☐ OTHER	DATE	Y() N()
☐ OTHER	DATE	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM		
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED		
☐ 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		

IDAHO DEPT OF WATER RESOURCES

1987 NAPP PHOTO

T06S, R06E, S31 & 32

**CLAIM(S): 51-00042A,
51-00043A & 51-00044A**

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

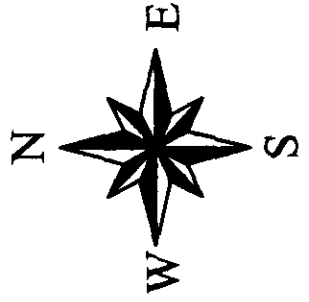
Prepared by: KAY WALKER
Date: July 25, 1998

 Place of Use

 Point(s) of Diversion

 Section Lines

1/4 1/4's



0 0.25 0.5 0.75 1 1.25 Miles



AA62
(1974)

A

SUGAR VALLEY ORTHOPHOTOQUAD
IDAHO

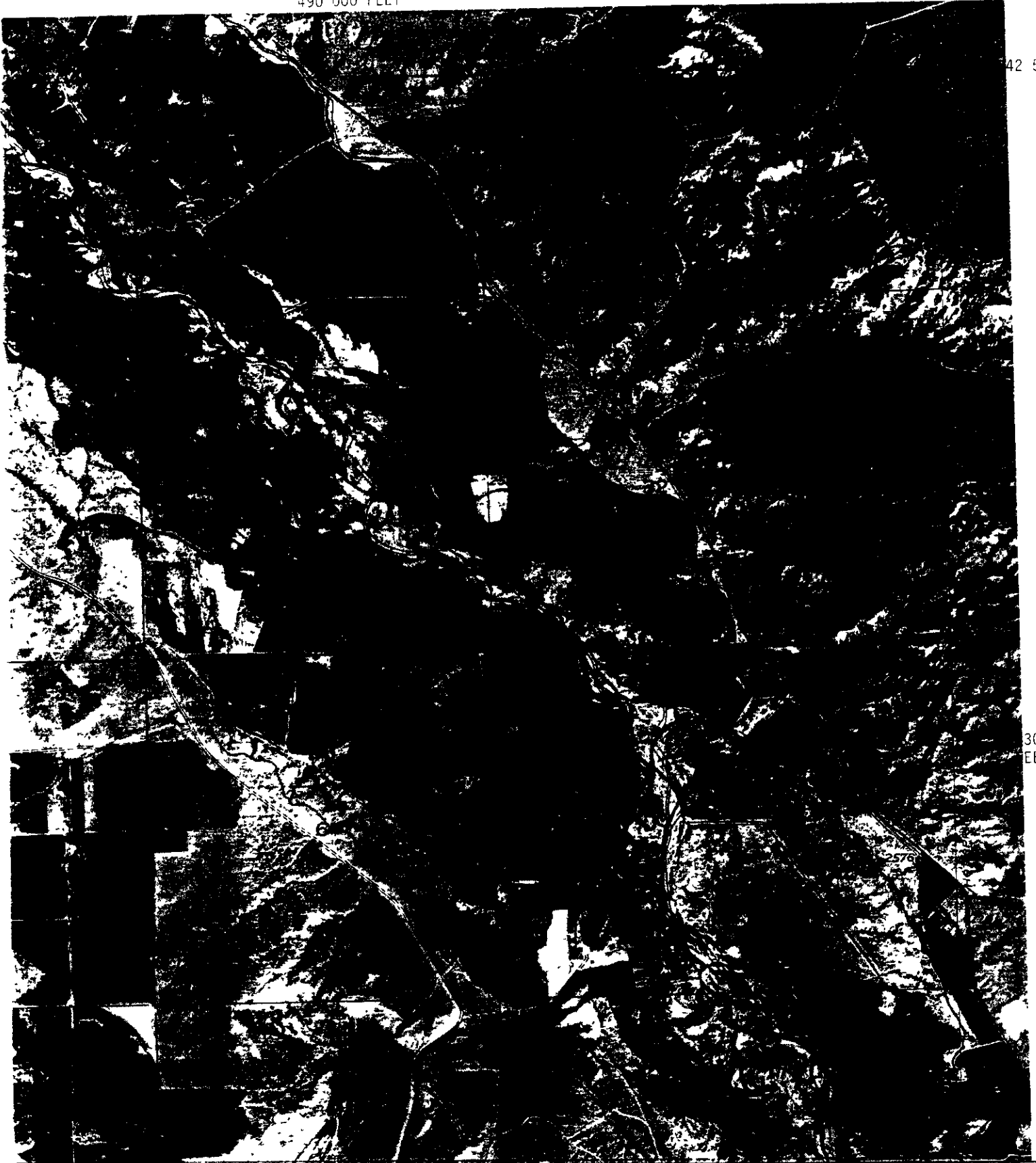
R5E R6E

490 000 FEET

115 45'

42 52' 31"

30 000
FEET





Split Analysis KW 6/27/98

$$\begin{aligned} 51-00042 &= 1.0 \text{ cfs} / \frac{266 \text{ found}}{366 \text{ ac}} = 0.0037 \text{ cfs/ac} \\ A51-00042A &= 0.21 - 55 \text{ ac.} \\ -00042B &= 0.31 - 83 \text{ ac.} \\ -00042C &= \frac{0.48}{1.0 \text{ cfs}} - \frac{128 \text{ ac.}}{266 \text{ ac.}} \end{aligned}$$

$$\begin{aligned} 51-00043 &= 2.2 \text{ cfs} / 266 \text{ ac.} = 0.0082 \text{ cfs/ac} \\ A51-00043A &= 0.45 - 55 \text{ ac} \\ 00043B &= 0.69 - 83 \text{ ac} \\ 00043C &= \frac{1.06}{2.20} - \frac{128 \text{ ac}}{266 \text{ ac}} \end{aligned}$$

$$\begin{aligned} 51-00044 &= 1.3 \text{ cfs} / 266 \text{ ac} = 0.0048 \text{ cfs/ac} \\ A51-00044A &= 0.27 - 55 \text{ ac} \\ -00044B &= 0.40 - 83 \text{ ac} \\ -00044C &= \frac{0.63}{1.30} - \frac{128 \text{ ac}}{266 \text{ ac}} \end{aligned}$$

$$\begin{aligned} 51-00045 &= 1.0 \text{ cfs} - 266 \text{ ac} = 0.0037 \text{ cfs/ac} \\ A51-00045A &= 0.21 - 55 \text{ ac} \\ 00045B &= 0.31 - 83 \text{ ac} \\ 00045C &= \frac{0.48}{1.0 \text{ cfs}} - \frac{128 \text{ ac}}{266 \text{ ac}} \end{aligned}$$

$$\begin{aligned} \text{Totals} &= 1.14 \text{ cfs} / 55 \text{ ac} \text{ F \& L} \\ &1.71 \text{ cfs} / 83 \text{ ac} \text{ Prow} \\ &2.65 \text{ cfs} / 128 \text{ ac} \text{ Turner} \\ &(\text{just over } 1''/\text{ac} - \text{ok allow conveyance loss}) \end{aligned}$$

Right 51-00042/00043/00044/00045
(360 acres)

Fish &
Game
A

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
	6S	6E	31																38		
			32											17							
																					55
																					56

Brow
B

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
	7S	6E	6	32	40	10	11														
																					83

Turner
C

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
	6S	6E	32											11							
	7S	6E	5					11	40												
			6	10		5	29									23					
																					128

Totals

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
	6S	6E	31																38		
			32											28							
	7S	6E	5					11	40												
			6	32	40	15	40									23					

266 ✓
as GIS shape
crossing

Water Right Number - 51-00042 Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - - + - - - - First Name - - - - + - - - - Address - - - - +

*** C - CURRENT OWNER ***
TURNER

WILLIAM

1 -
2 -
3 -
City-
Phone -

State- Zip-

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

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

+ - - - - - - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - +
TwN Rng Sec Tract Lot RFlg County

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

01 - IRRIGATION
04 - STOCKWATER
43 - DOMESTIC

1.000

+ - - Total Div. Rate - + - - Total Div. Volume - + - - Total Div. Capacity - +
1.000

| TwN | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|-----|-----|-----|-----------|-----|--------------|-------|-------------|-------------|
| 06S | 06E | 31 | SE SE F4G | | 40.0 | 01 | IRRIGATION | (73) ONYHIE |
| 06S | 06E | 32 | SW SW F4G | | 40.0 | 01 | IRRIGATION | (73) ONYHIE |
| 07S | 06E | 5 | NE NW | | 40.0 | 01 | IRRIGATION | (73) ONYHIE |
| 07S | 06E | 5 | NW NW | | 40.0 | 01 | IRRIGATION | (73) ONYHIE |
| 07S | 06E | 6 | NE NE | | 40.0 | 01 | IRRIGATION | (73) ONYHIE |
| 07S | 06E | 6 | NW NE | | 40.0 | 01 | IRRIGATION | (73) ONYHIE |
| 07S | 06E | 6 | SW NE | | 40.0 | 01 | IRRIGATION | (73) ONYHIE |
| 07S | 06E | 6 | SE NE | | 40.0 | 01 | IRRIGATION | (73) ONYHIE |
| 07S | 06E | 6 | NE SE | | 40.0 | 01 | IRRIGATION | (73) ONYHIE |
| | | | | | Total Acres: | 360.0 | | |

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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

MEMORANDUM

DATE: 10-Dec-1992 15:26

TO: FILE *A51-00042A*

FROM: KAY WALKER *KW*

RE: CONTACT PEOPLE FOR FIELD EXAMINATIONS

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

The number one contact is:
Tom Parker 334-2920

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

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



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 16, 1992

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

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

Dear Mr. Parker:

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

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

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

Sincerely,

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

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

PEREGRINE INVESTMENT MANAGEMENT CORPORATION

P.O. BOX 1560
SUN VALLEY, IDAHO 83353

TELEPHONE (208) 726-3384

NOV 12 1992

November 6, 1992

Department of Water Resources
Western Regional Office

Dear Mr. Walker,

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

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

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

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

cc: Charles P. Tyson
Mr. Tom Parker

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 27, 1992

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

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

Gentlemen:

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

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

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

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

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures