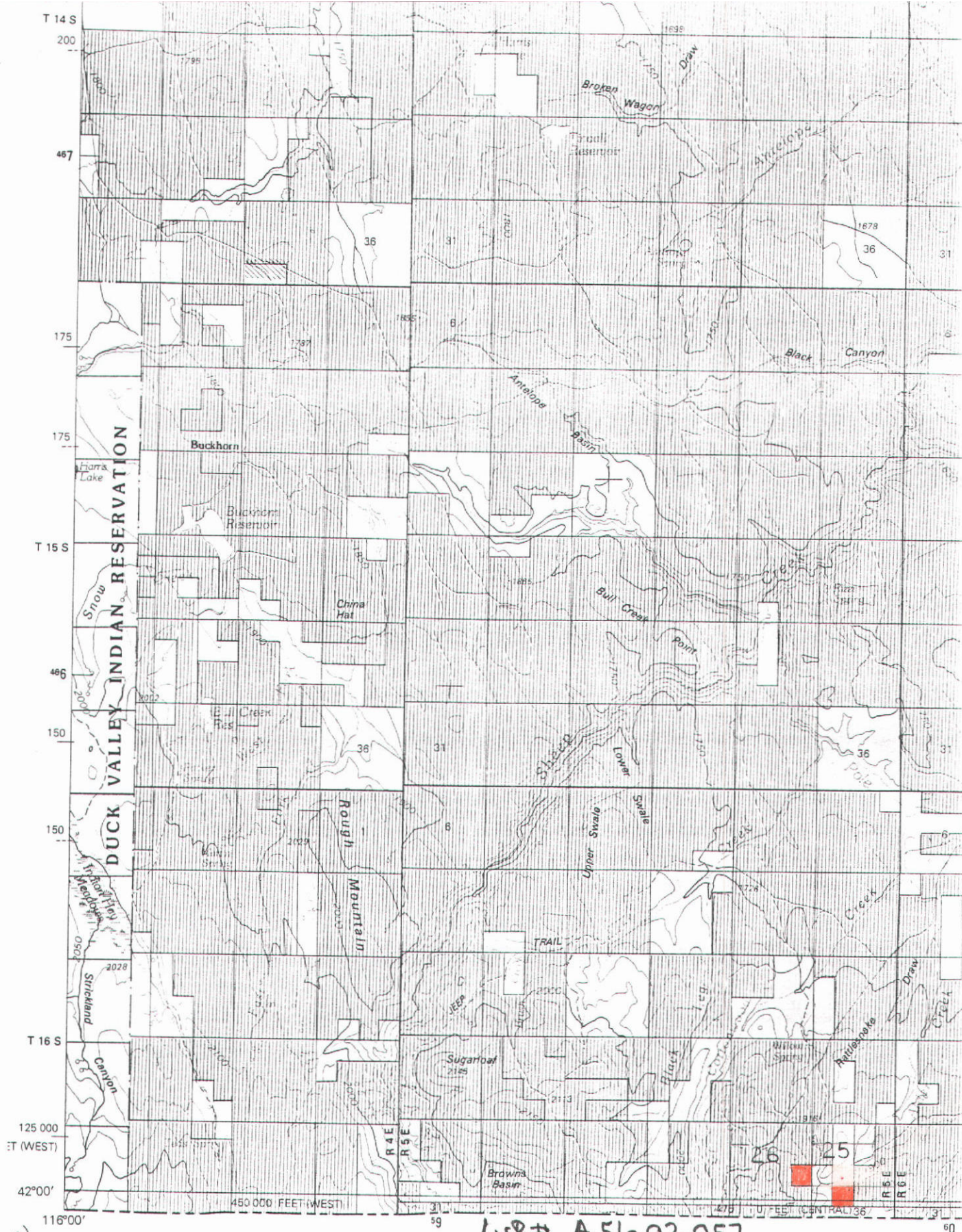




Edited and published by the Bureau of Land Management EX Doc Brunner Sharp #33

Base map prepared by the U.S. Geological Survey  
Compiled from USGS 1:24 000-scale topographic maps  
in progress. Map edited 1979

Projection and 10 000-meter grid, zone 11,  
Universal Transverse Mercator  
25 000-foot grid ticks based on Idaho coordinate  
system, west and central zones. 1927 North American datum

To place on the predicted North American Datum 1983, move  
the projection lines 14 meters north and 75 meters east

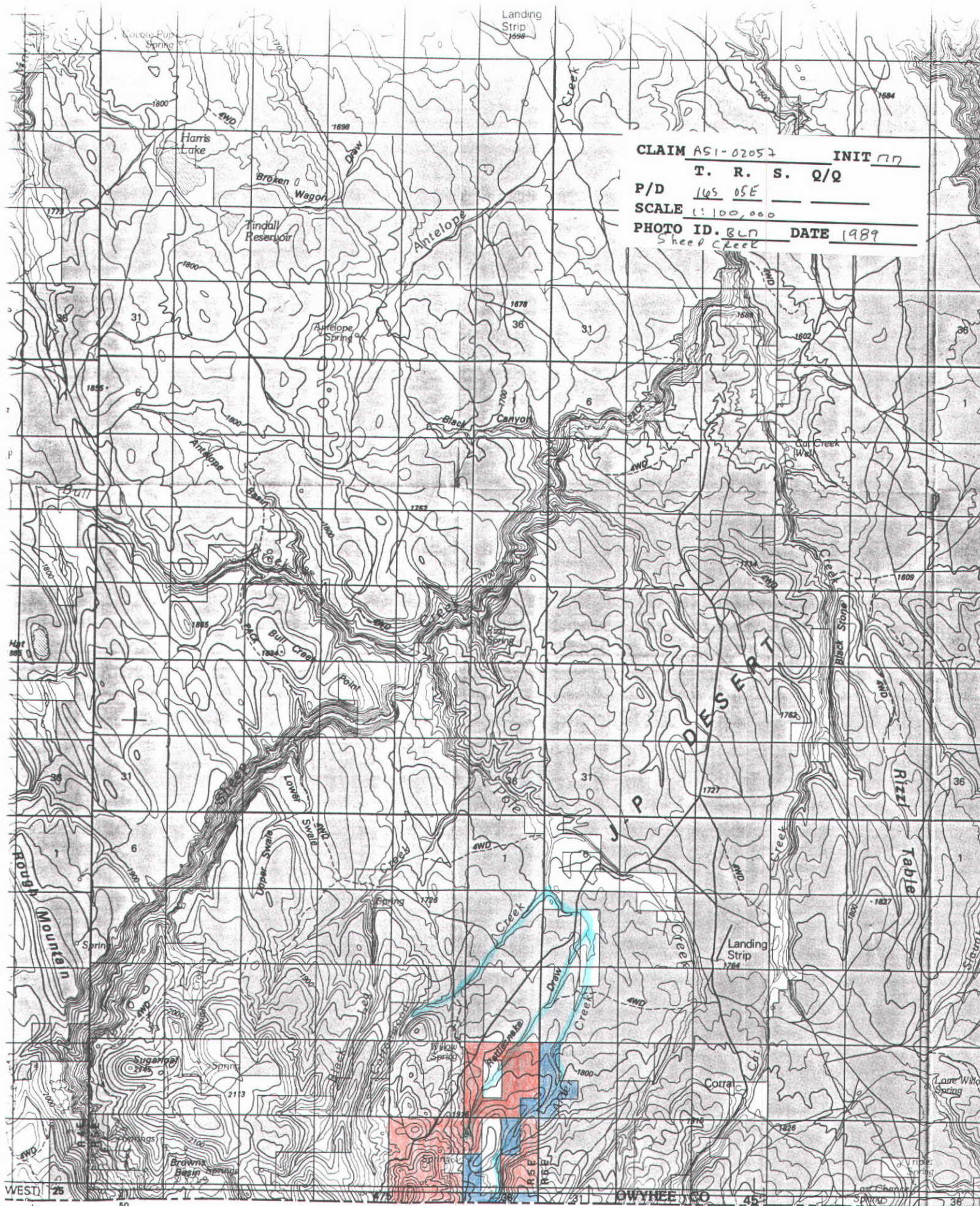
**MICROFILMED**

**AUG 10 1992**

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| 9  | 10 | 11 | 12 | 13 | 14 |
| 17 | 18 | 19 | 20 | 21 | 22 |

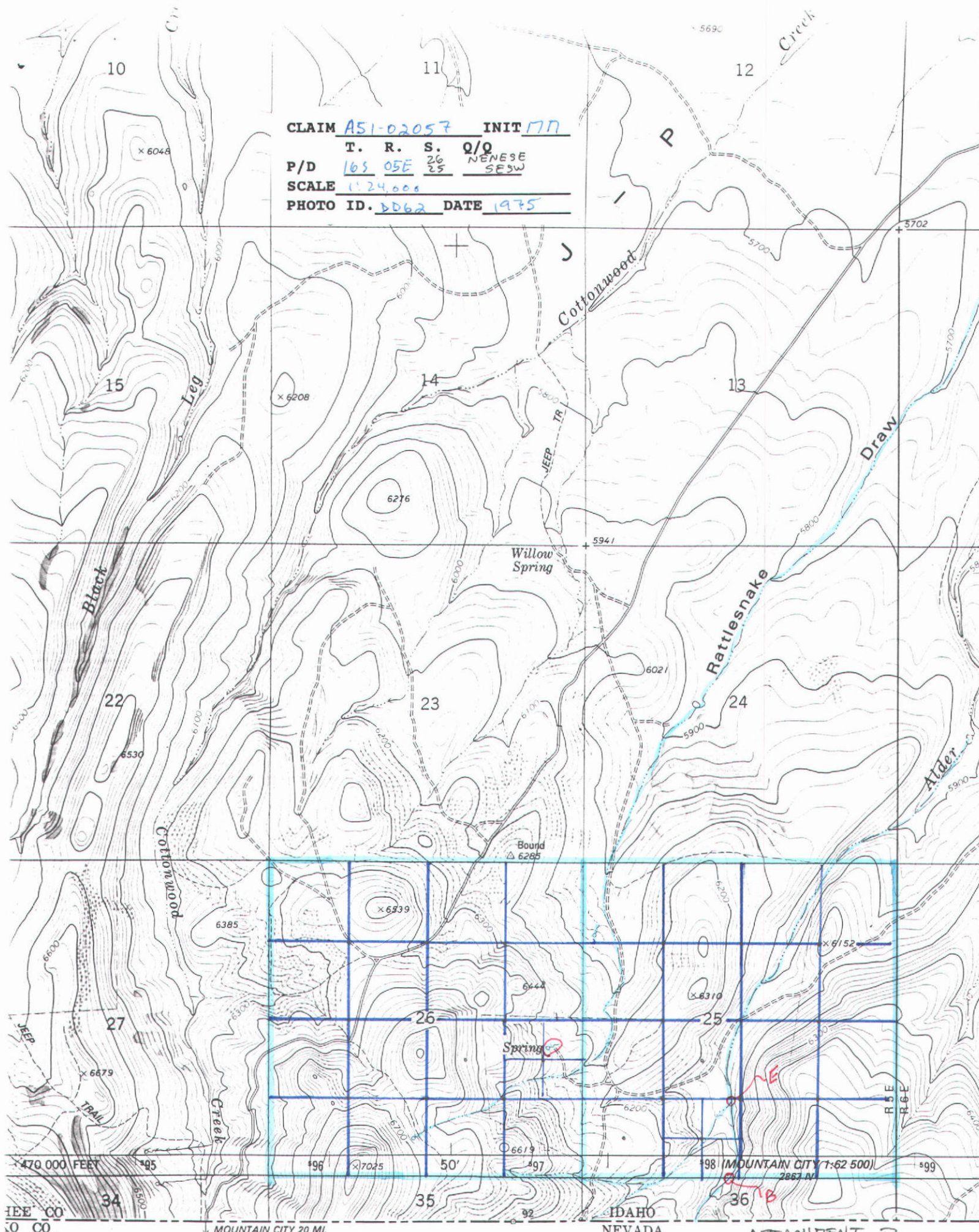
INDEX

(BULL RUN MTS.)



CLAIM ASI-02057 INIT 77  
T. R. S. Q/Q  
P/D 145 05E  
SCALE 1:100,000  
PHOTO ID. BLN DATE 1989  
Sheep Creek

WEST 25 59 60 45 38  
ORANGE = BLN  
BLUE = IDAHO  
WHITE = PRIVATE  
KILOMETERS 1 0 1 2 3 4 5 6 7 8 9  
MILES 1 0 1 2 3 4 5  
DOWNEY CO ELKO CO ATTACHMENT D



CLAIM A51-02057 INIT MN

T. R. S. Q/O  
165 05E 26 NENESE  
SF3W

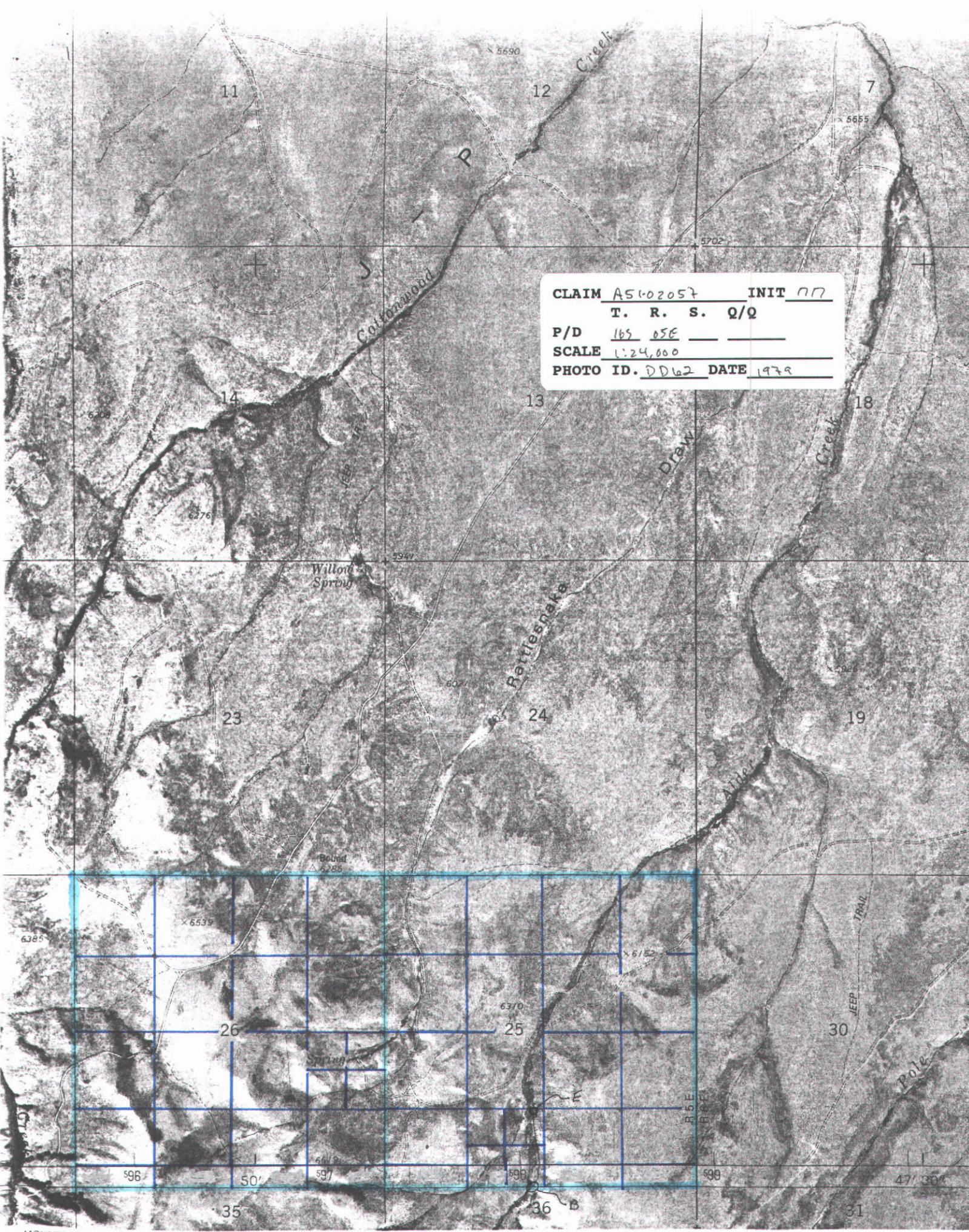
SCALE 1:24,000

PHOTO ID. 8062 DATE 1975

by the Geological Survey

SCALE 1:24 000

ATTACHMENT B

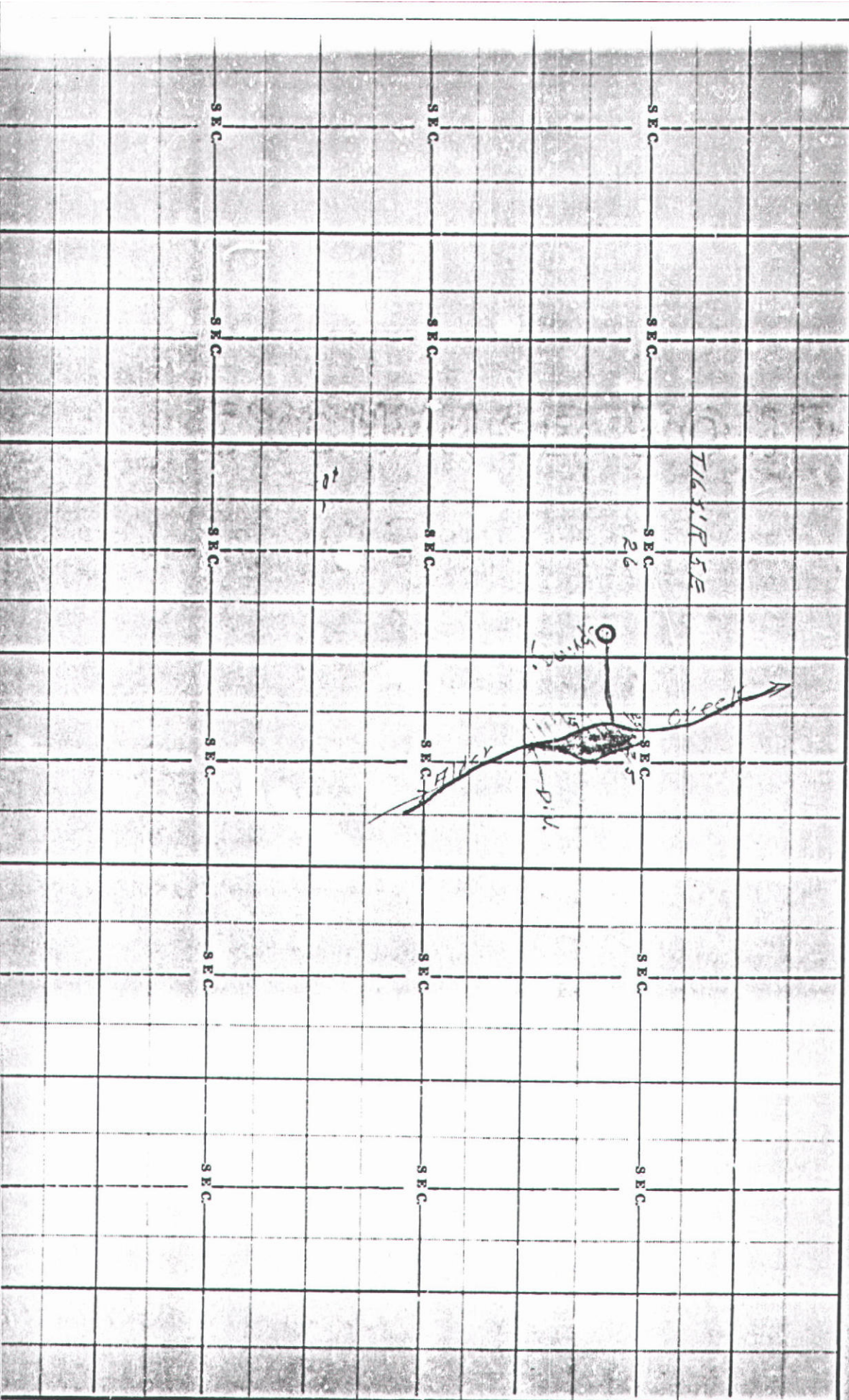


CLAIM A5102057 INIT nn  
T. R. S. Q/Q  
P/D 165 05E  
SCALE 1:24,000  
PHOTO ID. DD62 DATE 1979

MOUNTAIN CITY 20 MI.

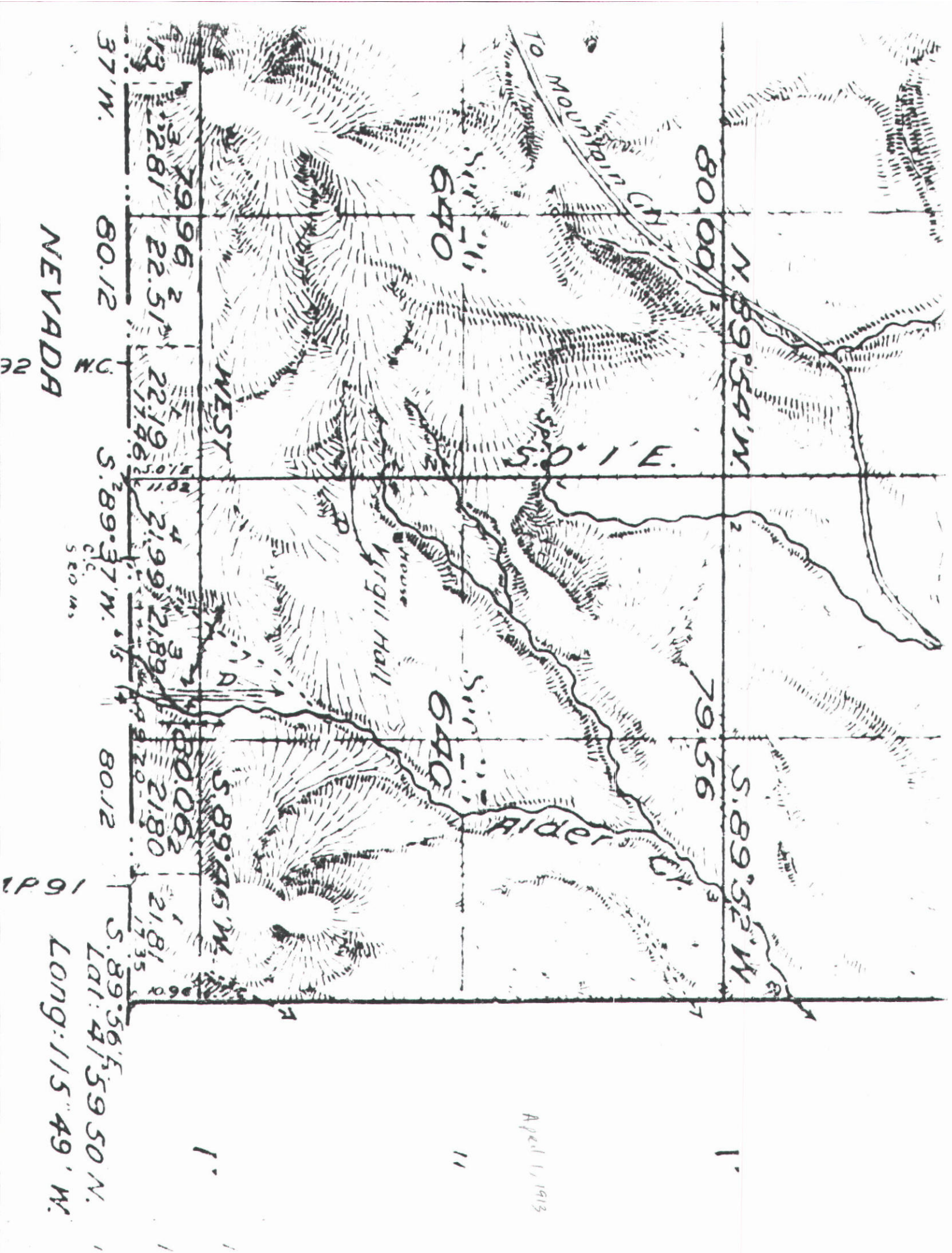
SCALE 1:24,000

Attachment C



SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK.

12301



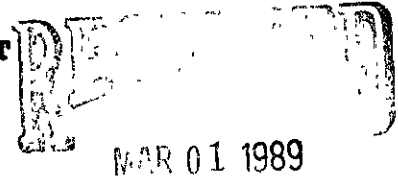
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

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: A51-02057  
Date Received: 3/1/89  
Receipt No: C005642  
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW



1. Name: SIMPLOT LIVESTOCK CO.  
Address: P.O. BOX 27  
BOISE, ID

83707

Department of Water Resources

2. Date of Priority: MAY 15, 1916

3. Source: ALDER CREEK  
RATTLESNAKE SPRING

Trib. to: COTTONWOOD CREEK  
RATTLESNAKE DRAW

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 16S      | 05E   | 25      | SE     | SW     |     |     | OWYHEE |
|          |       | 26      | NE     | SE     |     |     | OWYHEE |

5. Description of diverting works:  
TROUGH

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| STOCKWATER | 01/01 | 12/31 | 0.800  |      | 120.00 |

7. Total Quantity Appropriated is:  
0.800 C.F.S. (and/or) 120.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
S/2000 HEAD CATTLE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use   | Acres |
|----------|-------|---------|--------|-----|-----|-------|-------|
| 16S      | 05E   | 25      | SE     | SW  |     | STOCK |       |

A51-02057

Page 1

Date: 02/17/89

MICROFILMED  
AUG 10 1992

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use   | Acres |
|----------|-------|---------|--------|-----|-----|-------|-------|
| 16S      | 05E   | 26      | NE     | SE  |     | STOCK |       |

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:  
NONE

14. Remarks:

15. Basis of Claim: LICENSE  
Water Right Number: 12301

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: 1 Map

For Organizations:

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

[Signature]  
Signature of Authorized Agent

Secretary, Simplot Livestock Co.  
Title and Organization

2-28-89  
Date

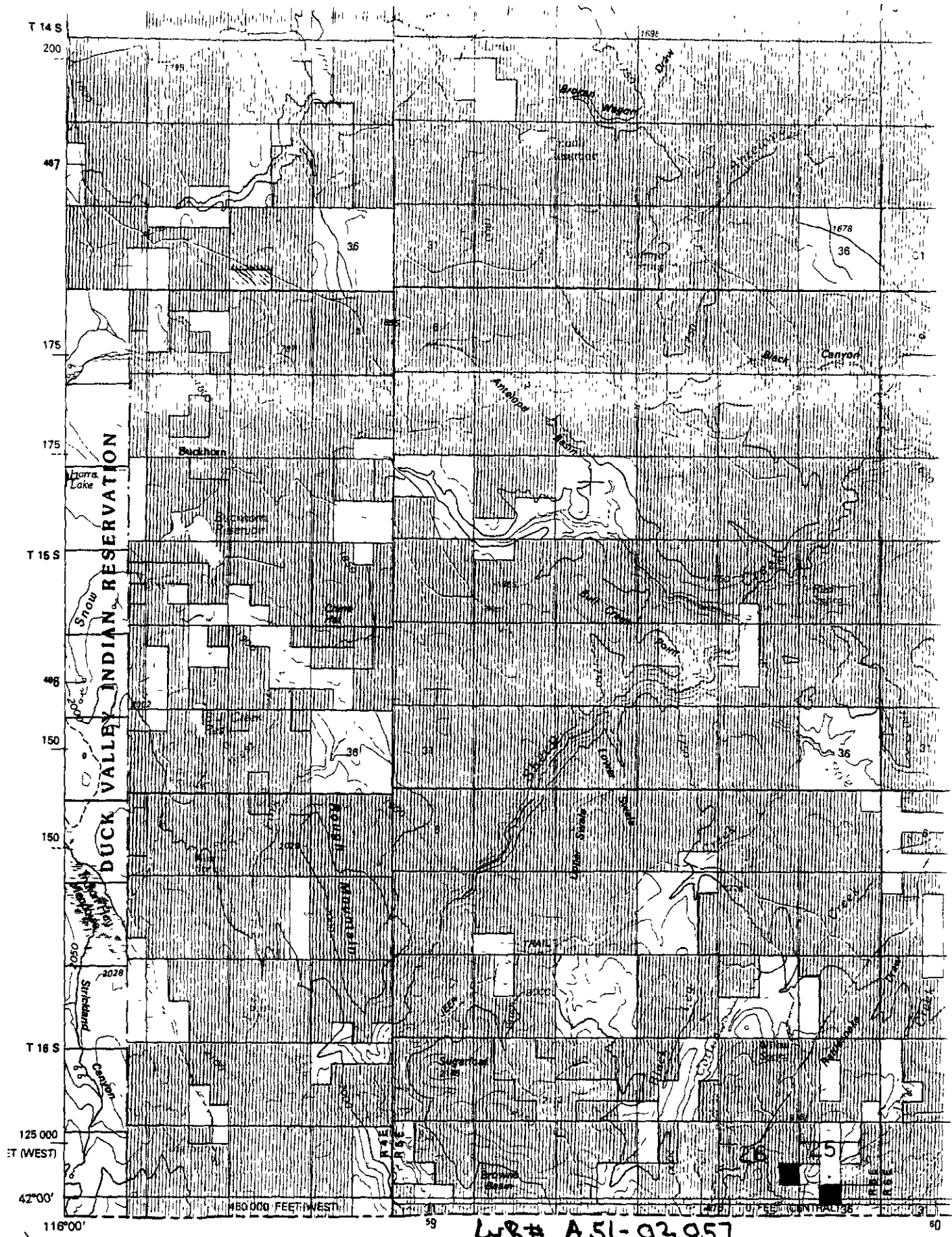
State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 28th day  
of February 19 89

[Signature]  
Notary Public

Seal

Residing at Meridian, Idaho  
My Commission Expires 11-06-91



(BULL RUN MTS.)

LR# A51-02057

Edited and published by the Bureau of Land Management Eldon Brunner Sharp #33

INDE

Base map prepared by the U.S. Geological Survey  
Compiled from USGS 1:24 000-scale topographic maps  
in progress. Map edited 1979

Projection and 10 000-meter grid, zone 11,  
Universal Transverse Mercator  
25 000-foot grid ticks based on Idaho coordinate  
system, west and central zones 1927 North American datum

To place on the predicted North American Datum 1983, move  
the projection lines 14 meters north and 75 meters east

MICROFILMED

AUG 10 1992

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| 9  | 10 | 11 | 12 | 13 | 14 |
| 17 | 18 | 19 | 20 | 21 | 22 |

DATE: 07/15/98  
PAGE: 1

|          |                        |                                                                                                  |            |                           |
|----------|------------------------|--------------------------------------------------------------------------------------------------|------------|---------------------------|
| Remarks: | GEN                    | THE REMAINDER OF THIS RIGHT HAS BEEN FORFEITED DUE TO NON-USE DURING THE PERIOD OF 1987 TO 1993. |            |                           |
|          | EXP                    | STOCKWATER, 2,000 RANGE CATTLE                                                                   |            |                           |
| Dates:   | Exam                   | Made Date:                                                                                       | 05/06/1996 | Verified Date: 07/15/1998 |
| Misc:    | Water District Number: | Field Inspection Flag: C<br>Presumption Flag:                                                    |            |                           |
|          |                        | Objection filed Date:                                                                            |            |                           |

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

DATE: 07/15/98  
PAGE: 2

Comments:

Date: 05/06/1996 User-ID: MMINICUC Subject: CHANGES  
PLACE OF USE IS NOW AT POINT OF DIVERSION. OR SUPPORTS CHANGE  
PREVIOUS TO NOV. 19, 1987.  
PRIORITY ADVANCED TO DAY AFTER DECREE CUT OFF DATE.  
USE IN S. 25 IS INSTREAM STOCK (AS PER F. BACHMAN); BEG. & ENDING  
POINTS ADDED TO POD.  
THE SPRING AKA RATTLESNAKE SPRING AND POSSIBLY VIRGIL HALL SPRING  
STATUS CHANGED TO B/U BECAUSE RIGHT WAS NOT DECREED BY BRUNEAU  
RIVER DECREE, AND PROOF OF B/U WAS SUBMITTED PREVIOUS TO DECREE.  
SEASON OF USE CURRENT IDWR STANDARD FOR IRRIGATION SEASON, BASED  
ON CHANGE IN USE FROM IRRIGATION TO STOCK WATER.

Date: 04/03/1998 User-ID: SBOCK Subject: CHANGES  
BECAUSE THIS CLAIM WAS CHANGED FROM IRRIGATION TO STOCKWATER,  
CLAIMANT CAN HAVE THE LICENSED DATE AND YEAR ROUND USE OF THE  
RIGHT. THE DIVERSION RATE HAS BEEN REDUCED TO 0.02 CFS AS PER  
BASIN WIDE ISSUE #12.

Audit: 07/15/98 SBOCK



AJ0749NP  
No. R51-02057

IDAH0 DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 05/06/96  
PAGE: 2

Comments: Date: 05/06/1996 User-ID: MMINICUC Subject: CHANGES

POINTS ADDED TO POD.

THE SPRING AKA RATTLESNAKE SPRING AND POSSIBLY VIRGIL HALL SPRING  
STATUS CHANGED TO B/U BECAUSE RIGHT WAS NOT DECREED BY BRUNEAU  
RIVER DECREE, AND PROOF OF B/U WAS SUBMITTED PREVIOUS TO DECREE.  
SEASON OF USE CURRENT IDWR STANDARD FOR IRRIGATION SEASON, BASED  
ON CHANGE IN USE FROM IRRIGATION TO STOCK WATER.

Audit: 05/06/96 MMINICUC

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

09:33:43  
05/06/96

PAGE: 15  
QUICKLOOK INFORMATION

15  
CLAIM NUMBER: A51-02057

| MR ELEMENT             | DATA DISCREPANCY Y/N | CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE | FIELD-ESUM 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          |                      | 11/08/1993                                | 05/06/1996              | Y                | 05/06/1996                   | 05/06/1996                 | 05/06/1996                     |                         |
| POINT OF DIV           |                      |                                           |                         | Y                |                              |                            |                                |                         |
| SOURCE                 |                      |                                           |                         | Y                |                              |                            |                                |                         |
| PLACE OF USE           | Y                    |                                           |                         | N                |                              |                            |                                |                         |
| DIV. AMOUNT CFS/VOLUME |                      |                                           |                         | Y                |                              |                            |                                |                         |
| CONSUMPTIVE USE        | -                    |                                           |                         |                  |                              |                            |                                |                         |
| PURPOSES OF USE        | Y                    |                                           |                         | N                |                              |                            |                                |                         |
| PERIOD OF USE          | Y                    |                                           |                         | Y                |                              |                            |                                |                         |
| BASIS OF CLAIM         |                      |                                           |                         | Y                |                              |                            |                                |                         |
| REMARKS                |                      |                                           |                         |                  |                              |                            |                                |                         |

BARCODE UPDATED  
WHOM/DATE

05/06/1996

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

09:36:49  
05/06/96  
16

PAGE: 16  
PROFILE REPORT

CLAIM NUMBER: A51-02057

| OWNER CODE | NAME & ADDRESS        | PRIORITY DATE            | WATER USE  | USE PERIOD FROM TO        | DIVERSION RATE               | DIVERSION VOLUME         |
|------------|-----------------------|--------------------------|------------|---------------------------|------------------------------|--------------------------|
| C          | SIMPLIST LIVESTOCK CO | 05/15/1916<br>04/03/1922 | STOCKWATER | 04-01 12-31<br>4-15 10-15 | 0.80 CFS. 44<br>0.80 CFS. 44 | 120.00 AFA<br>120.00 AFA |

Water Source: ALDER CREEK  
RATTLESNAKE SPRING

Point(s) of Diversion: T16S ROSE S25 ✓ S26 ✓  
Tributary to: COTTONWOOD CREEK  
SESESW 6 RATTLESNAKE DRAW  
RATTLESNAKE DRAW

Stage: LICENSE B/U

OWNEE County  
OWNEE County

Place of use Legal Description for: STOCKWATER

| NE                                                                                                              | NW                                                                                                              | SE                                                                                                              | SW                                                                                                              |
|-----------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| MEME NAME SENE : MEMW NAME SENE : MEMW NAME SENE : MEMW NAME SENE :                                             | MEMW NAME SENE : MEMW NAME SENE : MEMW NAME SENE : MEMW NAME SENE :                                             | MEMW NAME SENE : MEMW NAME SENE : MEMW NAME SENE : MEMW NAME SENE :                                             | MEMW NAME SENE : MEMW NAME SENE : MEMW NAME SENE : MEMW NAME SENE :                                             |
| 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 Lt Ac : | 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 Lt Ac : | 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 Lt Ac : | 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 Lt Ac : |
| 16S 05E 25 :                                                                                                    | 16S 05E 26 :                                                                                                    | 16S 05E 27 :                                                                                                    | 16S 05E 28 :                                                                                                    |

POU County: OWNEE

Non-Irrigation Uses: S/2000 HEAD CATTLE

Other Rights: NONE

Conditions of Approval:

Dates: Exam Made Date: 05/06/1996

Misc: Water District Number:

Verified Date:

Field Inspection Flag: C  
Presumption Flag: C

Objection Filed Date:

GLD NO: 12301

AKA RATTLESNAKE SPRING + Possibly Viegal Hall Spring

09:33:43  
05/06/96

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1  
GENERAL INFORMATION

CLAIM NUMBER: A51-02057

LAST: HALL  
ADDRESS: PO BOX 2777  
CITY: BOISE  
PHONE NUMBER: 208-000-0000

FIRST: VIRGIL E

STATE: ID ZIP: 83701

OWNER CODE: O

LAST: SIMPLOT LIVESTOCK CO  
ADDRESS: PO BOX 27  
CITY: BOISE  
PHONE NUMBER: 208-000-0000

FIRST:

STATE: ID ZIP: 83707

OWNER CODE: C

LAST: SIMPLOT  
ADDRESS:  
CITY: BOISE  
PHONE NUMBER: 208-000-0000

FIRST:

STATE: ID ZIP: 83707

OWNER CODE: K

LAST: YOUNG OR TERRY UHLING  
ADDRESS: ENV AND REGULATORY AFFAIRS  
J R SIMPLOT COMPANY  
PO BOX 27

FIRST: GRAY

CITY: BOISE  
PHONE NUMBER: 208-389-7318

STATE: ID ZIP: 837070027

OWNER CODE: A

FIELD EXAM REQUIRED?

FIELD  
EXAMINER  
T.T.

DATABASE  
N

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

CONTACT PERSON: Frank Bachman PHONE NUMBER: ( ) - - -  
DATE OF FIELD EXAM: 10/29/1993 APPOINTMENT MADE: Y( ) N(X) TIME: - : - A( ) P( )  
ACCOMPANIED BY: - - - PHONE NUMBER: ( ) - - -

RELATIONSHIP TO CLAIMANT: Employee

DIRECTIONS TO PROPERTY / NOTES:

Mr. Bachman came into the office 10/29/1993 to review Simplex Livestock's claims. 177

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A. AJ CLAIM: # A51-02057 PRIORITY DATE: 05-15-1916 STAGE: L

B. WR RECORD: # 51-02057 PRIORITY DATE: 05-15-1916 STAGE: L

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

Y(X) N( )

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

Y(X) N( )

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

Y(X) 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(X) Y( ) N( )

FIELD EXAM COMPLETED

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

FIELD EXAM SENT TO STATE OFFICE

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

LICENSE ISSUED

N/A(X) 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(X)

\* 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(X)

NOTES: 05/06/1996: This water right was subject to the Bearneau River adjudication. It does not appear that the right was decreed. The cut-off date for the decree <sup>is</sup> 1922 about the same time the license was to be issued. The fee was not paid for the license nor was the right decreed. The license was subsequently issued (1971). Simplot livestock filed claim no. 51-0401 for 40 cfs from "Vigil Hall Spring" (original permit holder) in the same 40-acre tract as the licensed spring. The claimed use was stockwater; the claim <sup>was</sup> serve as evidence of the date of change from irrigation to stock water (spring source). Rec'd priority is day after cut-off day for the Bearneau River decree. 127

RECOMMENDED PRIORITY DATE:

05-15-1916

REVIEWED BY 07/03/1922 *[Signature]*

DATE 05/06/1996

**State Engineer.**

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT                            | TWP. RGE. | SEC. | 1/4 | 1/4 | 1/4 | 1/4 | POD    | LOT | FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|----------------------------------|-----------|------|-----|-----|-----|-----|--------|-----|------|--------|----------------|------------------|
| A51-02057                        | 16S 05E   | 25   | SE  | SW  |     |     | ONYHEE |     |      | ONYHEE |                |                  |
| A51-02057                        | 16S 05E   | 26   | NE  | SE  |     |     | ONYHEE |     |      | ONYHEE |                |                  |
| OTHER AJ CLAIMS WITH SAME AJ POD |           |      |     |     |     |     |        |     |      |        |                |                  |
| A PREFIX R PREFIX                |           |      |     |     |     |     |        |     |      |        |                |                  |
| NONE                             |           |      |     |     |     |     |        |     |      |        |                |                  |
| WR RECORDS IN SAME 40 ACRE TRACT |           |      |     |     |     |     |        |     |      |        |                |                  |
| 51-04011                         |           |      |     |     |     |     |        |     |      |        |                |                  |

SOURCE: ALDER CREEK  
RATTLESNAKE SPRING

TRIB: COTTONWOOD CREEK  
RATTLESNAKE DRAW

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT                             | TWP. RGE. | SEC. | 1/4 | 1/4 | 1/4 | 1/4 | POD    | LOT | FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|-----------------------------------|-----------|------|-----|-----|-----|-----|--------|-----|------|--------|----------------|------------------|
| 51-02057                          | 16S 05E   | 26   | NE  | SE  |     |     | ONYHEE |     |      | ONYHEE |                |                  |
| 51-02057                          | 16S 05E   | 25   | SE  | SW  |     |     | ONYHEE |     |      | ONYHEE |                |                  |
| OTHER WR RECORDS WITH SAME WR POD |           |      |     |     |     |     |        |     |      |        |                |                  |
| A PREFIX R PREFIX                 |           |      |     |     |     |     |        |     |      |        |                |                  |
| NONE                              |           |      |     |     |     |     |        |     |      |        |                |                  |
| AJ CLAIMS IN SAME 40 ACRE TRACT   |           |      |     |     |     |     |        |     |      |        |                |                  |
| 51-04011                          |           |      |     |     |     |     |        |     |      |        |                |                  |

State claim from  
"Vagil Hell" spring

SOURCE: ALDER CREEK  
RATTLESNAKE SPRING

TRIB: COTTONWOOD CREEK  
RATTLESNAKE DRAW

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

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

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

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

**I. HOW WAS THE POD AND SOURCE VERIFIED?**

LICENSING FIELD EXAM (DATE OF FIELD EXAM 07/31/1920)

[illegible]

NAME OF EXAMINER

Y( X )

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

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: 05/06/1996: Spring not identified as Rattlesnake Spring on USGS topo. 51-04011 references Viegil Hall Spring in the same QQ. Rec'd as Spring, tributary to sink as USGS topo does not show a surface connection between the Spring and Rattlesnake Draw. The QQ show apparent vegetation along the connecting gully but there are no connecting (dashed) lines (Non-perennial). Alder Creek appears to be Tail to Cottonwood Creek & Not *VISA versa* ~~as~~ B10

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

| TWP. | RGE. | SEC.            | 1/4 | 1/4 | 1/4 | LOT | POD<br>FLAG | COUNTY<br>OANYEE<br>OANYHEE | DIVERSION NAME | DIVERSION MBR |
|------|------|-----------------|-----|-----|-----|-----|-------------|-----------------------------|----------------|---------------|
| 16S  | 05E  | 25 <sup>w</sup> | SE  | SW  | SE  | —   | SE          | Oanyhee                     | —              | —             |
| 16S  | 05E  | 26 <sup>w</sup> | NE  | SE  | SW  | —   | B           | Oanyhee,                    | —              | —             |
| 16S  | 05E  | 25              | NE  | NE  | SE  | —   | —           | Oanyhee                     | —              | —             |
| 16S  | 05E  | 25              | —   | —   | —   | —   | —           | —                           | —              | —             |
| 16S  | 05E  | 26              | —   | —   | —   | —   | —           | —                           | —              | —             |
| 16S  | 05E  | 25              | —   | —   | —   | —   | —           | —                           | —              | —             |
| 16S  | 05E  | 26              | —   | —   | —   | —   | —           | —                           | —              | —             |

**SOURCE: ALDER CREEK**

Spelling

**TRIB: COTTONWOOD CREEK**

~~Sic R~~ Rattlesnake Draw

REVIEWED BY: Flanagan

DATE: 05/06/1993

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

05/06/1996: Frank Bachman has indicated that Simplot does not have any developed diversion to livestock use. Stock drink from area of spring + from creek.

ap), also U.S.G.S.,  
does show the  
Spring as being  
trib. to Rattle-  
Snake Draw.  
Since the BLN map  
is the most recent  
information  
available, the  
Spring will be  
Dec'd as trib to  
Rattlesnake Draw.

三

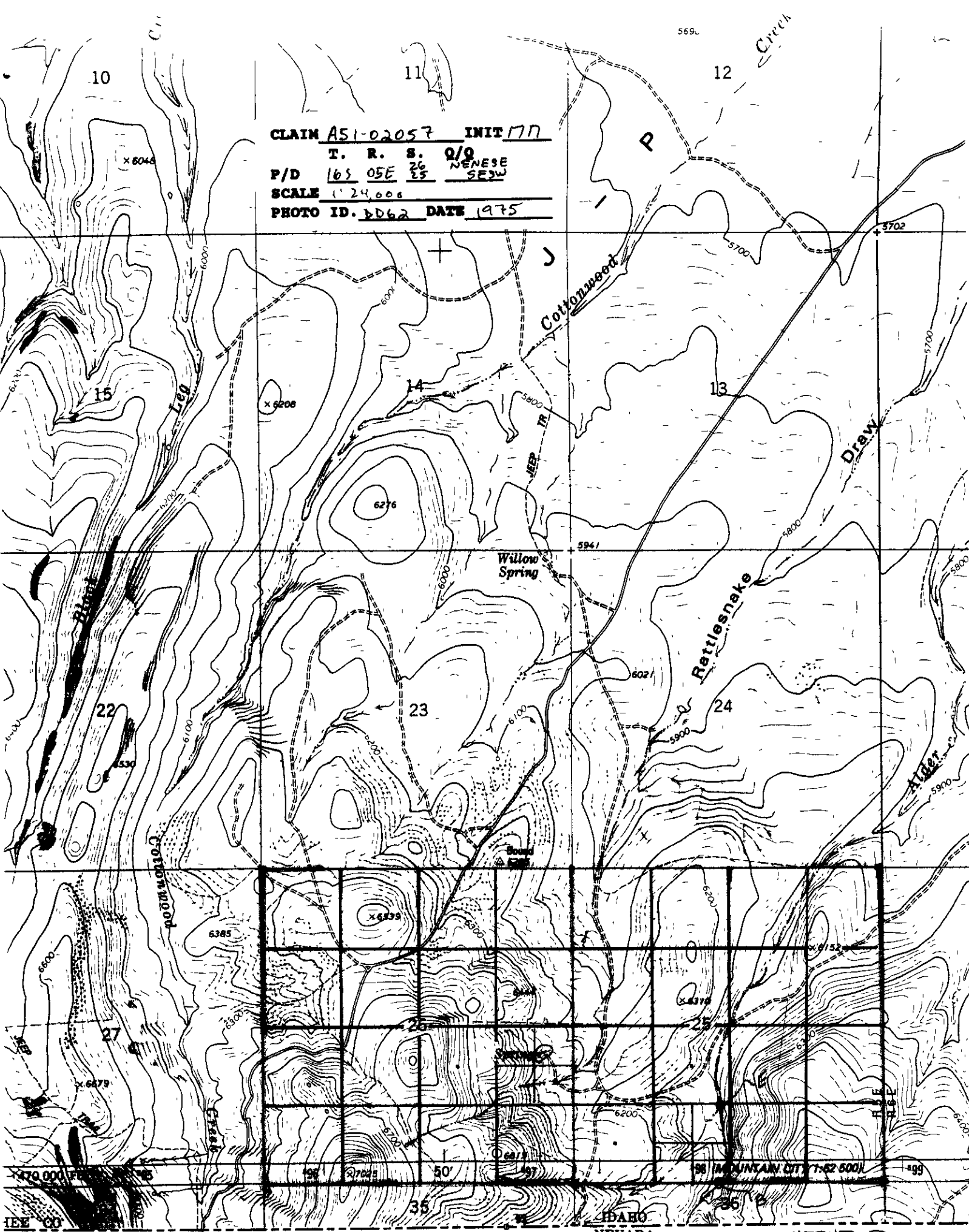
CLAIM AS1-02052 INIT nn  
T. R. S. Q/Q  
P/D 105 05E  
SCALE (100,000)  
PHOTO ID. 300 DATE 1989  
*Sheep Creek*

ELKO CO ATTACHMENT D

ORANGE = BLM  
BLUE = IDAHO  
WHITE = PRIVATE

KILOMETERS 1 0 1 2 3 4 5 6 7 8 9

MILES 1 0 1 2 3 4 5



CLAIM A51-02057 INIT 177  
T. R. S. Q/Q  
P/D 163 05E 26 NENESE SE3W  
SCALE 1:24,000  
PHOTO ID. D062 DATE 1975

A. ROOT WATER RIGHT NUMBERS: A51-02057

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME                  | AJ<br>#/ACRES | LR<br>#/ACRES   | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|-----------------------|---------------|-----------------|-----------------|----------------|------------------|
| 16S | 05E | 25  | SE  | SW  |     | SIMPLOT LIVESTOCK CO  | A51-02057 /   | 51-02057 / 15.0 |                 | Stock          |                  |
| 16S | 05E | 26  | NE  | SE  |     | SIMPLOT LIVESTOCK CO  | A51-02057 /   | 51-04011 /      |                 | Stock          |                  |
|     |     |     | NE  | SE  |     | SIMPLOT LIVESTOCK CO. |               |                 |                 |                |                  |

ADDITIONAL POU FOUND

TOTAL ACRES A51-02057 15.00

POU COUNTY: OUYHEE

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

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

Y( ) N(X)

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

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: NONE

Y( ) N(X)

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

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

\* 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(X) N( )

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

Y( ) N(X)

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(X) N( )

CHECK DOCUMENTS USED TO VERIFY POU: (X) ORTHOPHOTOQUAD, IDNR NO. DD62; (X) TOPOGRAPHIC QUAD, IDNR NO. DD62;

( ) NAPP, IDNR NO. \_\_\_\_\_;

( ) ASCS PHOTO; (X) OTHER RELI- Sheep Creek

NOTES: 05/06/1996: Place of use is now at the point of diversion. The use of Alder Creek  
is instream stock. Based on the OQ (1979) irrigation use has ceased and  
has changed to stock water use. Use is now non-consumptive. Claim no.  
51-04011, filed 11/1977, indicates that the use from the spring for  
stock water. The claim does not mention if the spring is also used  
for irrigation purposes. 1777

RECOMMENDATIONS:

TOTAL ACRES: WAD

REVIEWED BY: JTH DATE: 05/06/1996

CLAIM A5407057 INIT 07  
T. R. S. Q/Q  
P/D 165 05E  
SCALE 1:24,000  
PHOTO ID. DD62 DATE 1978

## 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 |
|-----------------------------|---------------------------|------------------------|------------------------|
| A51-02057 STOCKWATER        | FROM 01-01 TO 12-31       | 0.800 CFS              | 120.00 AF/A            |
| TOTAL DIVERSION RATE/VOLUME |                           | 0.800 CFS              | 120.00 AF/A            |

## B. WR RECORDED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| 51-02057 IRRIGATION         | FROM 04-01 TO 11-01       | 0.800 CFS              | 120.00 AF/A            |
| TOTAL DIVERSION RATE/VOLUME |                           | 0.800 CFS              | 120.00 AF/A            |

## C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(☒) N(☐)

## D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☐) N(☒)

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

## E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y(☐) N(☒)

## F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y(☒) N(☐)

## G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(☒) N(☐) Restrict to rain season

\* 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: 05/06/1996: DQ shows that use is no longer irrigation & presumably the use changed to ~~water~~ stock water at the time irrigation was stopped.

Field exam found spring's capacity of .50 cfs, and Alder Creek diversion @ 1.0 cfs. This claim was not split because the sources were licensed together. See SESA memo ~~18~~ - the two sources were developed together for the same use. ~~17~~ Period of use limited to summer IDWR standard for irrigation season. Year-round use may constitute an expansion in

State of Idaho  
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 51-2057 Priority 5-15-16 Amount 0.80 c.f.s.

THIS IS TO CERTIFY, that VIRGIL E. HALL  
of Rowland, Idaho, has complied with the terms and conditions of Permit  
No. 51-2057 issued pursuant to Application for Permit dated 5-15-16,  
and has submitted proof to the Department of Water Administration on 10-3-18,  
that he has applied water to a beneficial use; an examination by the Department indicates that the  
works have a capacity of 0.80 c.f.s., and that the water has in fact been applied to a  
beneficial use; a right to the use of water from Alder Creek and Rattlesnake Spring  
tributary of Sheep Creek, is hereby confirmed in the following amounts:  
Amount 0.80 c.f.s. for Irrigation from April 1 to Nov. 1 (both dates inclusive)  
Amount \_\_\_\_\_ for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
Amount \_\_\_\_\_ for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
Subject, however, to the condition that no more than 0.80 c.f.s. of water be diverted at  
any one time, said waters to be diverted within the \_\_\_\_\_

NE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 26; SE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 25, Twp. 16 S., Rge. 5 E., B.M.  
in the county of Owyhee, and that the amount of water so diverted and to which such  
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can  
actually be beneficially used and shall not exceed 120 acre feet per year or  
3 acre feet per acre.

Description and location of place of use:

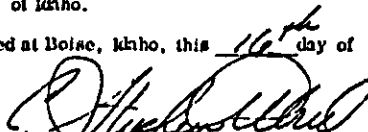
| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 16 S | 5 E   | 25   |                  |                  |                  |                  |                  |                  |                  |                  | 25               |                  |                  | 15               |                  |                  |                  |                  | 40     |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated 40

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands  
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 16<sup>th</sup> day of

March, 19 19.

  
Deputy Director

51 2057

AJ CLAIM TOTAL DIVERSION RATE: 0.800 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.800 CFS

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

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

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

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

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

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

Y ( ) N (X)

E. FLOW MEASUREMENT

MEASUREMENT METHOD Theoretical - see B/v exam, SEE ATTACHED CALCULATIONS.

F.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE  
ACRES            x 0.02 CFS/ACRE =            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 = 120.00 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 ( )

1b. CALCULATIONS

From IDWR field examinee's handbook,

Exhibit 15:

$$cfs = head (feet) \times .00022$$

$$= 2,000 \times .00022$$

$$= .44$$

$$\underline{\quad\quad\quad}$$

Du AMT Review Sheet Cont deleted  
(pg. 11)

## REPORT OF ENGINEER

This proof is for Beneficial Use

In Water District No. 57-C

1. State name of applicant and number of permit: Virgil E. Hall- Permit 12301
2. State source of water supply: Alder Creek, Rattlesnake spring.
3. Location of point of diversion: Alder Cr. - SE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 25, T. 16 S., R. 5 E., S.M.  
Rattlesnake Spring- NE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 26, T. 16 S., R. 5 E., S.M.
4. Describe works as they exist, giving dimensions and capacities of same:  
Alder Creek. Earth & rock Dam, 7' H. 30' L. No H.G.  
Ditch, 1.5 x 1.5 Cap. 1 S.F.  
Rattlesnake Spring. Ditch, 0.5 x 0.5 Cap. 0.5 S.F.
5. State whether or not water has been turned into works of diversion: Yes.
6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): NE $\frac{1}{4}$  SW $\frac{1}{4}$  & SE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 25, T. 16 S., R. 5 E., S.M.  
NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 25 A. Cult. SE $\frac{1}{4}$  SW $\frac{1}{4}$ , 15 A. Cult.
7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system? One.
9. Give names and amount of each right:
10. What large stream would the water here appropriated finally reach? Snake River.
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: from land to Alder Creek, to Bruneau River to Snake River.

Remarks:

This examination was made on the 31<sup>st</sup> day of July 1920.

(Signed) L. P. Bennett

Examiner



RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ( )

| REC.<br>PURPOSE OF USE | REC. PERIOD<br>FROM TO | DATABASE<br>RATE CFS | EXAMINER | DATABASE<br>VOL. AF/A | EXAMINER | REC. CONS.<br>USE |
|------------------------|------------------------|----------------------|----------|-----------------------|----------|-------------------|
| STOCKWATER             | 01-01 12-31            | 0.800                |          | 120.00                |          | 0.0               |
| STOCK WATER            | 04-15 10-15            |                      | 44.0253  |                       |          |                   |
|                        |                        |                      |          |                       |          |                   |
|                        |                        |                      |          |                       |          |                   |
| TOTAL FOR THIS RIGHT   |                        |                      | 44.0253  |                       |          |                   |

NON-IRRIGATION USES CLAIMED: S/2000 HEAD CATTLE

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

REVIEWED BY: T. P. Lawrence DATE: 05/06/1996

FLAG: (C) 777  
STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):  
Accomplished change in nature of use  
Accomplished change in place of use

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP \_\_\_\_\_  
FORFEIT/ABANDON \_\_\_\_\_  
ADDITIONAL DIV. AMOUNT \_\_\_\_\_

ACCEPTED AS CLAIMED ( )  
NEEDS REVIEW (X)  
( )  
(X)  
( )

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 51-02057

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

| OLD RIGHT NUMBERS | CURRENT CLAIM NUMBERS | DIVERSION RATE | CURRENT "R" CLAIM NUM. | "R" DIV. RATE | WR RIGHT NUMBERS | DIVERSION RATE |
|-------------------|-----------------------|----------------|------------------------|---------------|------------------|----------------|
| -                 | A51-02057             | 0.800          | 1251 - 02057           | 44.0253       | 51-02057         | 0.800          |

EXAMINER YZZ  
DATABASE 0.800

TOTAL CFS 44.0253 0.800

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 ( )?

FIELD EXAMINER YZZ N( )  
DATABASE Y

NOTES:

05/06/1996: This water right has not been split. The right has been partially forfeited because the use has changed from irrigation to stock water. 1717  
05/06/1996: All ownership is private, as per BLD 7247-1717

AUTHENTICATION:

SIGNATURE: [Signature] DATE: 05/06/1996

NAME OF FIELD EXAMINER: Theresa Minicucci TITLE: State Water 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? |
|-------------------------------------------------------------|--------------------------------------------------------|------------------------|
| <input checked="" type="checkbox"/> ORTHOPHOTOGRAPH         | DATE OF PHOTO 1939 IDWR ID NO. DD62                    | Y(X) N( ) (C)          |
| <input checked="" type="checkbox"/> TOPOGRAPHIC             | DATE FIELD CHECKED 1975 IDWR ID NO. DD62               | Y(X) N( ) (B)          |
| <input type="checkbox"/> NAPP                               | DATE OF PHOTO IDWR ID NO.                              | Y( ) N( )              |
| <input type="checkbox"/> ASCS AERIAL PHOTO                  | DATE OF PHOTO                                          | Y( ) N( )              |
| <input type="checkbox"/> ASCS COLOR SLIDE                   | DATE OF PHOTO                                          | Y( ) N( )              |
| <input type="checkbox"/> BLM OR USFS AERIAL PHOTO           | DATE OF PHOTO                                          | Y( ) N( )              |
| <input type="checkbox"/> TOWNSHIP SURVEY (GOVERNMENT PLAT)  | DATE OF SURVEY                                         | Y( ) N( )              |
| <input type="checkbox"/> SCS SOIL SURVEY MAP                | DATE ISSUED                                            | Y( ) N( )              |
| <input type="checkbox"/> SUBDIVISION PLAT MAP               | DATE OF MAP                                            | Y( ) N( )              |
| <input checked="" type="checkbox"/> OTHER BLM - Sheep Creek | DATE 1989                                              | Y(X) N( ) (D)          |
| <input type="checkbox"/> OTHER                              | DATE                                                   | Y( ) N( )              |
| <input type="checkbox"/> OTHER                              | DATE                                                   | Y( ) N( )              |

| LIST OF ATTACHMENTS (CHECK IF ATTACHED)                  | IF ATTACHED, SUPPLY APPROPRIATE INFORMATION | PAGES | NOTES                             |
|----------------------------------------------------------|---------------------------------------------|-------|-----------------------------------|
| <input checked="" type="checkbox"/> LICENSING FIELD EXAM | DATE OF FIELD EXAM 07/31/1920               | 2     | Aldoe Co. located incorrectly (E) |
| <input checked="" type="checkbox"/> WATER RIGHT LICENSE  | DATE LICENSE SIGNED 03/16/1971              | 1     | Fee not paid until 1971 (F)       |
| <input type="checkbox"/> IDWR APPROVED TRANSFER          | DATE TRANSFER APPROVED                      |       |                                   |
| <input type="checkbox"/> SYSTEM DESCRIPTION              | DATE DRAWN                                  |       |                                   |
| <input type="checkbox"/> PHOTOGRAPHS                     | DATE(S) PHOTOS TAKEN                        |       |                                   |
| <input type="checkbox"/> SPLIT RIGHT REVIEW              | DATE REVIEW COMPLETED                       |       |                                   |
| <input type="checkbox"/> HUBBLE ANALYSIS                 | DATE ANALYSIS COMPLETED                     |       |                                   |
| <input type="checkbox"/> CONVEYANCE LOSS ANALYSIS        | DATE ANALYSIS COMPLETED                     |       |                                   |
| <input type="checkbox"/> FLOW MEASUREMENT CALCULATIONS   | DATE SYSTEM MEASURED                        |       |                                   |
| <input checked="" type="checkbox"/> OTHER Prop of BIV    | DATE 05/15/1916                             | 1     | Previous to decree date (A)       |
| <input checked="" type="checkbox"/> OTHER IDWR COR       | DATE 11/08/1993                             | 3     | Info on changes (G)               |



State of Idaho  
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

ATTACHMENT 6  
A51-02057

CECIL D. ANDRUS  
GOVERNOR

November 8, 1993

R. KEITH HIGGINSON  
DIRECTOR

FRANK BACHMAN  
SIMPLOT LIVESTOCK CO  
PO BOX 27  
BOISE ID 83707

RE: Snake River Basin Adjudication Claims:

|                      |           |           |            |
|----------------------|-----------|-----------|------------|
| A51-00093            | A51-02017 | A51-02018 | A51-02033  |
| <del>A51-02057</del> | A51-02064 | A51-02079 | A51-02090A |
| A52-04008            | A51-04090 | A51-04091 |            |

Dear Mr. Bachman:

IDWR's initial investigation of the Notices of Claims listed above indicates that there have been changes in various aspects as described below for each claim.

A water right owner who has made a change in use of a water right prior to commencement of the SRBA without prior IDWR approval may claim the change in the SRBA. IDWR may recommend a right as changed, however, only if the change meets certain requirements. One of those requirements is that the change not result in injury to other water rights, or that the change be conditioned to prevent injury to other water rights.

As per our conversation of October 29, 1993, in my office, I am sending a list to you of the claims and the documentation that is required for the above-referenced claims. This documentation must be received in this office by November 19, 1993.

A51-00093: The claimed place of use for this decreed right, Twp. 13S, Trout Cr. Rge. 04E, Section 33, NE 1/4 NE 1/4, is not one of the places of use which was decreed for this right.  
Required document(s): (1) Evidence of the date of change in the place of use.

A51-02017: Licensed point of diversion:  
Nit Creek Twp. 13S, Rge. 04E, Section 2, SW 1/4 SE 1/4  
Twp. 13S, Rge. 04E, Section 11, NW 1/4 NE 1/4  
Claimed point of diversion:  
Twp. 13S, Rge. 04E, Section 1, SW 1/4 SW 1/4

A51-02017      Licensed nature of use:  
(con't)          Irrigation and domestic  
                 Claimed nature of use:  
                 Stockwater

Required Document(s): (1) Evidence of the date of change in the  
point of diversion; (2) Evidence of the date of change in the  
nature of use.

A51-02018:      Licensed point of diversion:  
Spring           Twp. 13S, Rge. 04E, Section 1, SW 1/4 SW 1/4  
                 Claimed point of diversion:  
                 Twp. 13S, Rge. 04E, Section 1, SE 1/4 SE 1/4

Licensed nature of use:  
Irrigation and domestic  
Claimed nature of use:  
Stockwater

Required Document(s): (1) Evidence of the date of change in the  
point of diversion; (2) Evidence of the date of change in the  
nature of use.

A51-02033:      This claim is for a lapsed permit. You indicated during our  
Wickahoney      conversation that you would withdraw the claim.  
Creek

Required Document(s): (1) Signed and dated Request for Withdrawal  
Form (enclosed).

A51-02064:      Licensed nature of use:  
Brush Creek      Irrigation and domestic  
                 Claimed nature of use:  
                 Stockwater

Required Document(s): (1) Evidence of the date of change in  
nature of use.

~~051-02057~~ A51-02057:      Licensed nature of use:  
Alder Creek,      Irrigation  
Rattlesnake      Claimed nature of use:  
Spring           Stockwater

Licensed place of use:  
Twp. 16S, Rge. 05E, Section 25, E 1/2 SW 1/4  
Claimed place of use:  
Twp. 16S, Rge. 05E, Section 25, SE 1/4 SW 1/4  
Twp. 16S, Rge. 05E, Section 26, NE 1/4 SE 1/4

Required Document(s): (1) Evidence of the date of change in the  
nature of use; (2) Evidence in the date of the addition of  
Section 26, NE 1/4 SE 1/4 as a place of use.

A51-02079: Licensed nature of use:  
Unnamed Irrigation  
Stream, Claimed nature of use:  
Spring Stockwater

Licensed source:  
Unnamed stream  
Claimed sources:  
Unnamed stream; spring

You indicated during our conversation that there is stockwater use in Section 14, NE 1/4 NE 1/4. This place of use was not included in the license.

Required Document(s): (1) Evidence of the date of change in nature of use; (2) Evidence of date of addition of the spring as a source; (3) Evidence of the date of the addition of Section 14, NE 1/4 NE 1/4 as a place of use.

A51-04008: Required Document(s): (1) Evidence of priority date.  
Basabe Spring

A51-04090: Required Document(s): (1) Evidence of priority date.  
Indian  
Hot Springs

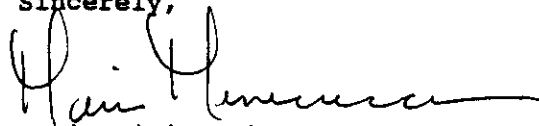
A51-04091: Required Document(s): (1) Evidence of priority date.  
Wickahoney  
Spring

I have enclosed a pamphlet entitled "Evidence of Priority". This pamphlet explains what type of evidence is required to document priority dates. I have also enclosed an IDWR INFORMATION SHEET - EVIDENCE OF DATE OF CHANGE. This information will help you to determine what documentation is required by IDWR.

THE REQUIRED DOCUMENTS MUST BE RECEIVED BY NOVEMBER 19, 1993, OR IDWR MAY NOT BE ABLE TO RECOMMEND THE CLAIMS OR THE PORTION OF THE CLAIMS WHICH HAVE CHANGED.

Please contact me at any time with any questions you have regarding any of these claims.

Sincerely,

  
Maria Minicucci  
Water Agent, Adjudication Bureau

Enc.s

MM/m

| RIGHT<br>NUMBER | NAME & ADDRESS                                         | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | MAXIMUM<br>DIVERSION | STAGE | LICENSE |
|-----------------|--------------------------------------------------------|------------------|------------|-----------------------|----------------------|-------|---------|
| A51-02057       | SIMPLOT LIVESTOCK CO.<br>P.O. BOX 27<br>BOISE ID 83707 | 05/15/1916       | STOCKWATER | 01-01 12-31           | 0.80 CFS             |       |         |

SOURCE: ALDER CREEK  
RATTLESNAKE SPRING  
OTHER RIGHTS: NONE  
CONDITIONS OF APPROVAL: 16

## REMARKS:

POINT OF DIVERSION:  
T16S R05E S25 SESW /  
S26 NESE /

PLACE OF USE: STOCKWATER  
T16S R05E S25 SESW /  
S26 NESE /

TRIBUTARY: COTTONWOOD CREEK  
RATTLESNAKE DRAW

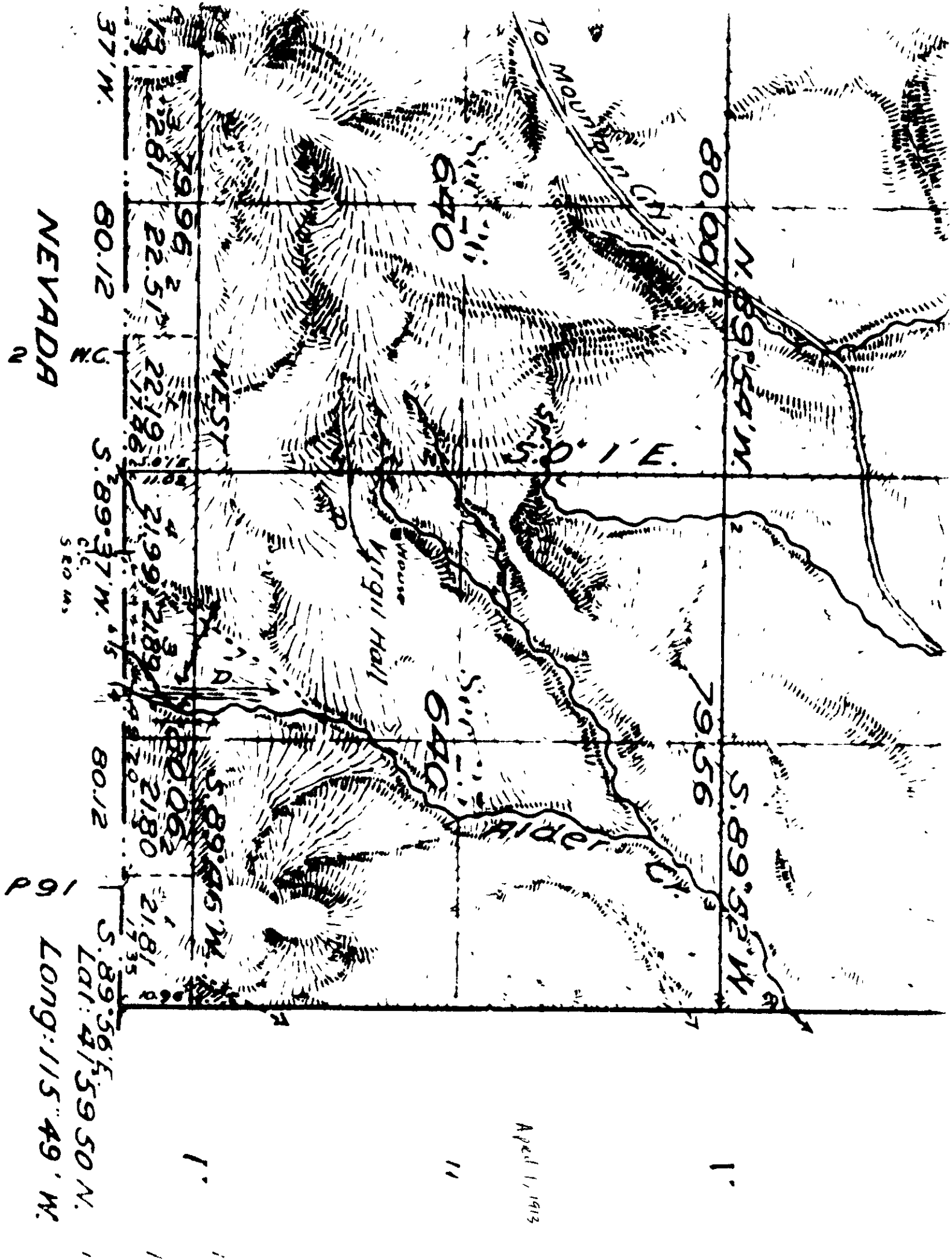
2,000 CATTLE

Instream stock

spaced to  
be brought  
to Rattlesnake

2,000 head x .00022 = .44 cfs

0.80 CFS TOTAL  
120.00 AFA TOTAL



April, 1913