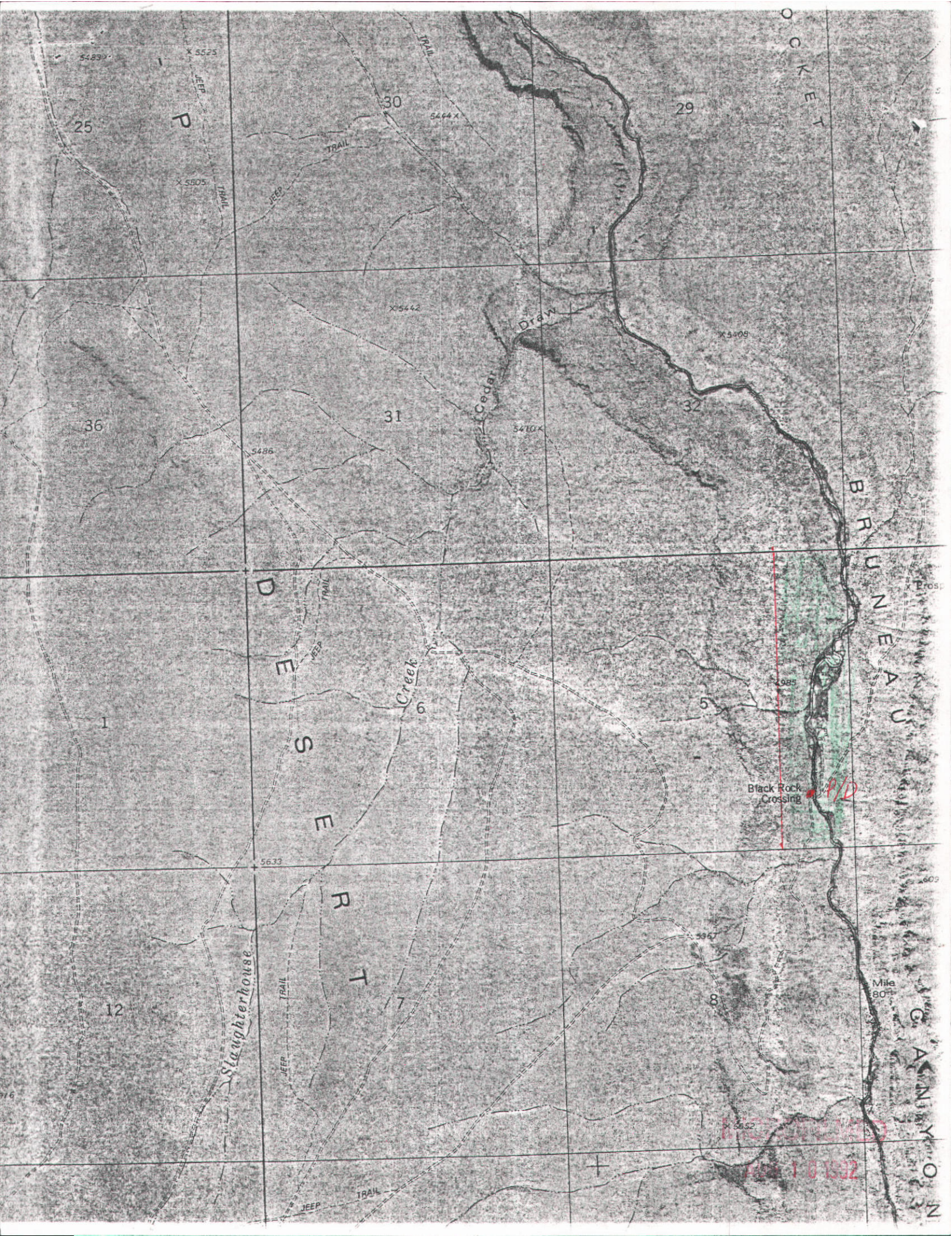




5483 X

X 5523

25

P

30

5444 X

29

X 5505

TRAIL

JEEP

X 5442

Draw

X 5409

36

31

5486

5470 X

32

D

E

S

E

R

T

Creek

Slaughterhouse

5633

5

Black Rock Crossing

P/D

1

12

8

Mile 80

RECEIVED

APR 10 1932

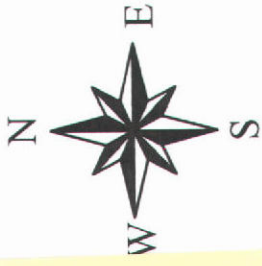
O C K E T

B R U N E A U

C A N Y O N

IDAHO DEPARTMENT OF WATER RESOURCES

T16S, R07E, S5



File

1987 NAPP PHOTO

SECTION LINES

POD

POU

1/4 1/4 LINES

6 ACRES

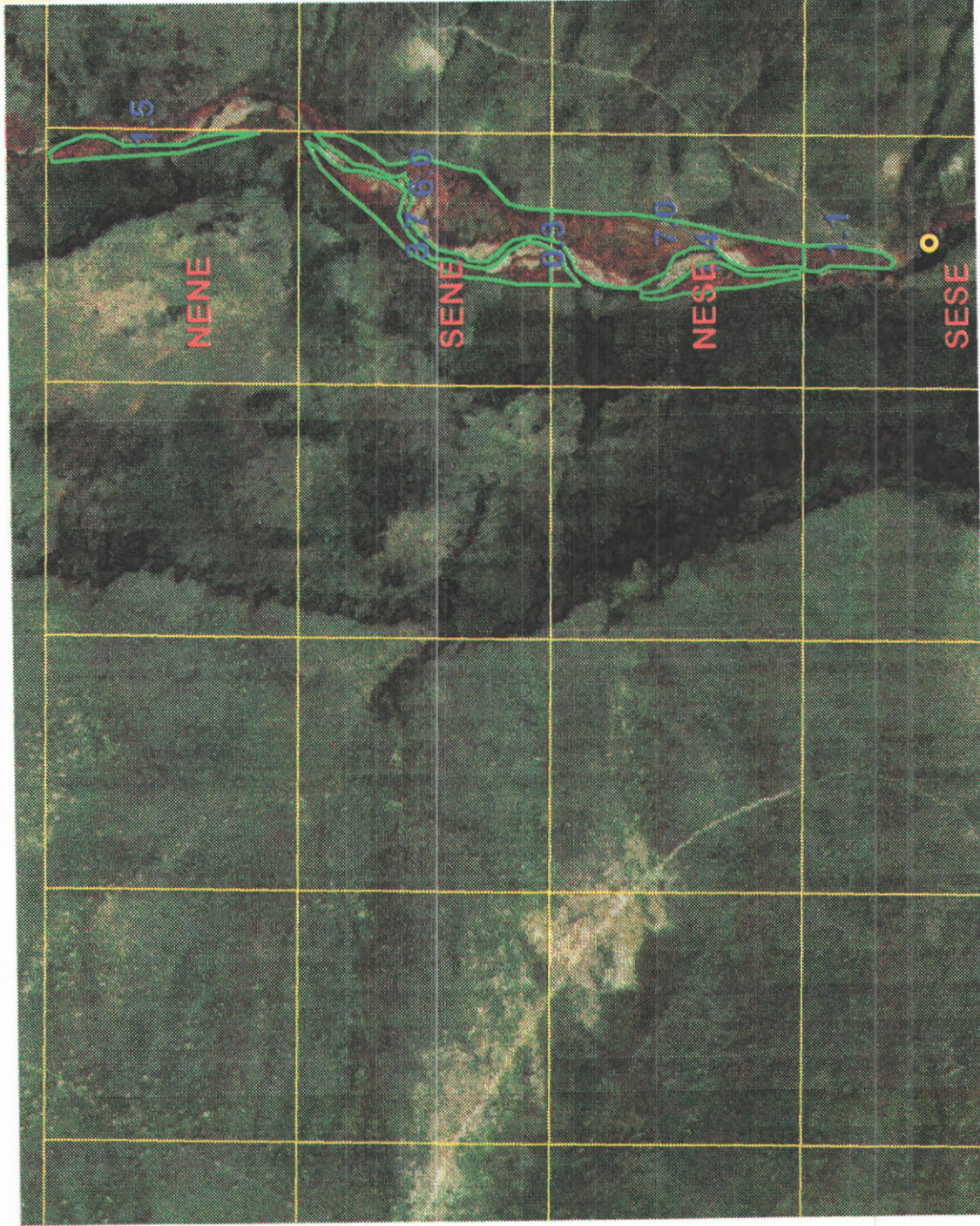
CLAIM(S) : 51-02072

OWNER(S): T M RANCH CO

Prepared by: Mel Schulte

Date: 5/4/1998

TOTAL ACRES = 21



39

5102072

Form 19

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 3rd day of June, 1925
at Bruneau County of Owyhee State of Idaho
before Charles Pascoe Notary Public, proof will be submitted
of the application to beneficial use of one and one (1) cubic feet per second of the
waters of Bruneau River in accordance with the terms and conditions of
Permit No. 14363 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
Frank Turner, Rowland, Nevada

The use to which said water has been applied is Irrigation and domestic use

The amount applied to beneficial use is 1 cubic foot per second.
one cubic foot

The place where said water is used (if for irrigation, give full and accurate description of the lands
irrigated) NE-NE $\frac{1}{4}$, SE-NE $\frac{1}{4}$, NE-SE $\frac{1}{4}$ and SE-SE $\frac{1}{4}$ Section 5, T. 16 S., R. 7 E.

The name of the canal or ditch or other works by which said water is conducted to such place of use
Turner Ditch

The right to take water from such works is based upon Permit No. 14363

The source of supply from which such water is diverted is Bruneau river

The date of the priority which said user is prepared to establish is Oct. 20, 1919

8685-5-123-72
6510

14363

H. G. Schenck,
State Engineer
Commissioner of Reclamation.

PERMIT NO. 51-02072

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Frank Turner, 35 years, farmer, Rowland, Nevada

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Acting for myself

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. No. 1436, October 31, 1919; October 23, 1919

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Bruneau river; SE-SE, Sec. 5, T. 16 S., R. 7 E., S.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Two ditches: No. 1 is a mile in length; No. 2 $\frac{3}{4}$ miles long; both are 2 1/2 feet wide; 3 feet wide at water line; 2 feet deep; made of earth and rock, and capable of conveying one cubic foot of water to the place of use

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivate or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. Irrigation; 15 acres in NE-NE, 20 acres in SE-NE, 10 acres in NE-SE and 5 acres in SE-SE, Sec. 5, T. 16 S., R. 7 E. Cultivated land; all cleared and plowed and levelled and seeded and hay crops harvested

Ques. 7. If for other than for irrigation purposes, state how applied, amount of horse power generated, etc.

Ans. No other purpose than irrigation and domestic

Ques. 8. What is the minimum amount of water required for the specified above?

Ans. One cubic foot

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. I am the person

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. June, July, August and September of each year for three years past have employed all the water granted by the terms of the permit—one cubic foot

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and right claimed thereunder.

Ans. None

(Sign)

Frank Turner

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me at my office in Bruneau County of Owyhee State of Idaho, on this 3rd day of June A. D. 1922.

Charles Pascoe

Notary Public

14363

RECEIVED

JUN 6 1922

DEPARTMENT OF REVENUE



14600

THIS MAP WAS PREPARED AND
SUBMITTED BY GEORGE MARTIN,
RANCH MANAGER AS A CONFIRMATION
OF THE POD'S AND POU.

CLAIM A51-02072 INIT

T. R. S. Q/Q

P/D 16S 7E 5 SESE

SCALE

PHOTO ID DDK3 DATE 1979

MEL:

ENCLOSED ARE THE
MAPS OF THE IRRIGATED
LANDS ALONG THE BRUNEAU
RIVER. THANK YOU FOR
YOUR HELP WITH THIS.

GEORGE MARTIN
TM RANCH
HC 74 BOX 7
BRUNEAU, ID
83604

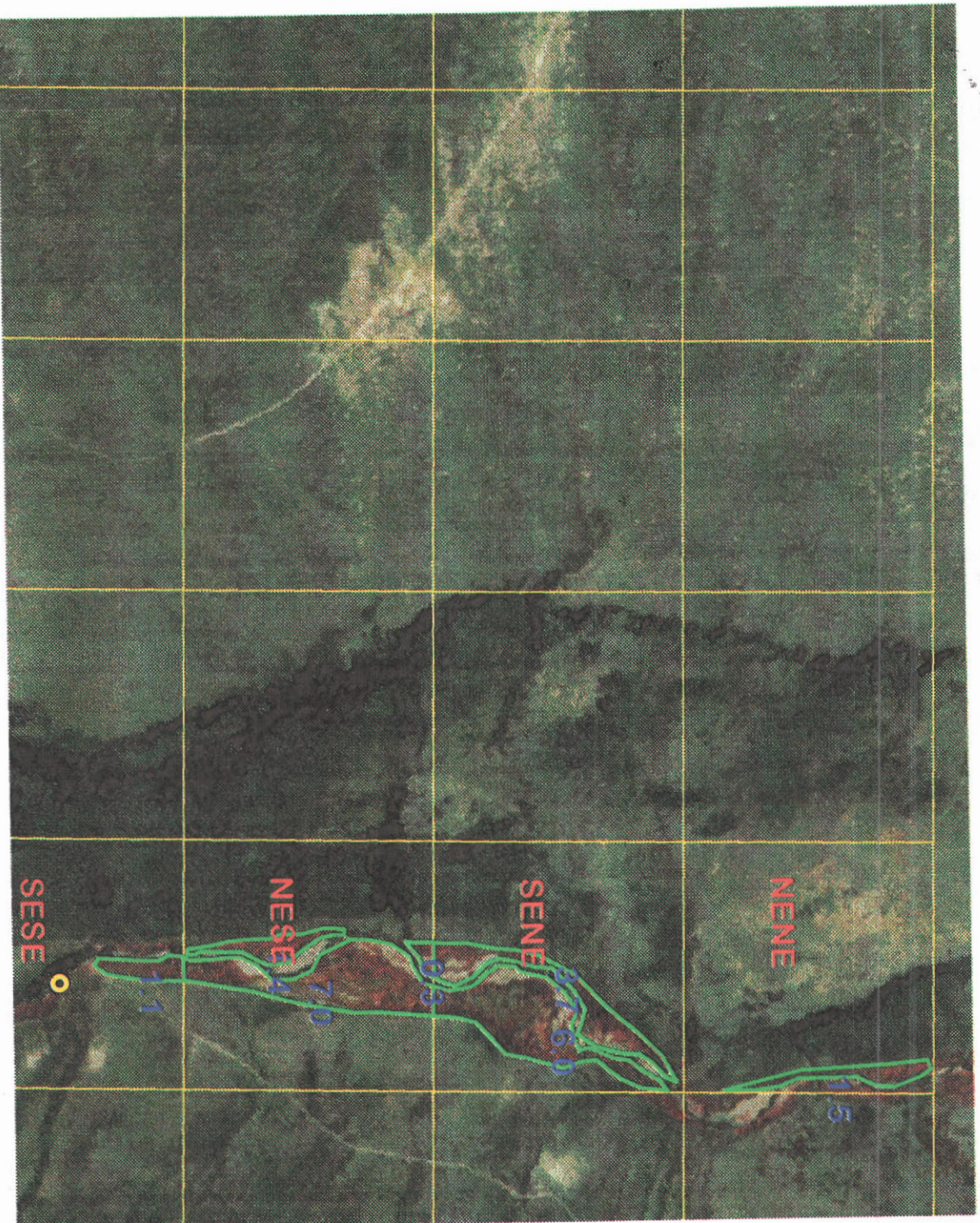


IDAHO DEPARTMENT OF WATER RESOURCES

T16S, R07E, S5



66



1987 NAPP PHOTO

SECTION LINES

POD

POU

1/4 1/4 LINES

6 ACRES

CLAIM(S) : 51-02072

OWNER(S): T M RANCH CO

Prepared by: Mel Schulte

Date: 5/4/1998

TOTAL ACRES = 21

bc

CLAIM A51-02072 INIT
T. R. S. Q/Q
P/D
SCALE
PHOTO ID. ASCS DATE 1987

ditch →
POH
← ditch
POD

REPORT OF ENGINEER

51-02072

This proof is for Beneficial Use In Water District No. 57-C

1. State name of applicant and number of permit: Frank Turner - Permit 14363

2. State source of water supply: Braneau River

3. Location of point of diversion: SE 1/4 Sec. 5, Twp. 16 S., R. 7 E., B.M.

4. Describe works as they exist, giving dimensions and capacities of same:

ditch one 1/2 in length 2 ft at top 3 ft at bottom Capacity
second foot Ditch 2 miles 2 ft wide 2 ft at bottom Capacity one and one
half second foot. Dam across Braneau 60 ft long 4 ft high

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 1/4, SE 1/4, NE 1/4 & SE 1/4 Sec. 5, Twp. 16 S., R. 7 E., B.M.

NE 1/4 15 A., SE 1/4 20 A., NE 1/4 10 A., SE 1/4 5 A.

7. Submit map on enclosed plat, showing location and details of above description.

8. How many parties conduct water in this system? Self

9. Give names and amount of each right:

10. What large stream would the water here appropriated finally reach? Snake

11. Describe the various tributaries en route from point of diversion to the principal drainage stream:

Remarks: Use will affect no one

This examination was made on the 2 day of August 1922 19

(Signed)

W. J. D. Smith

Examiner

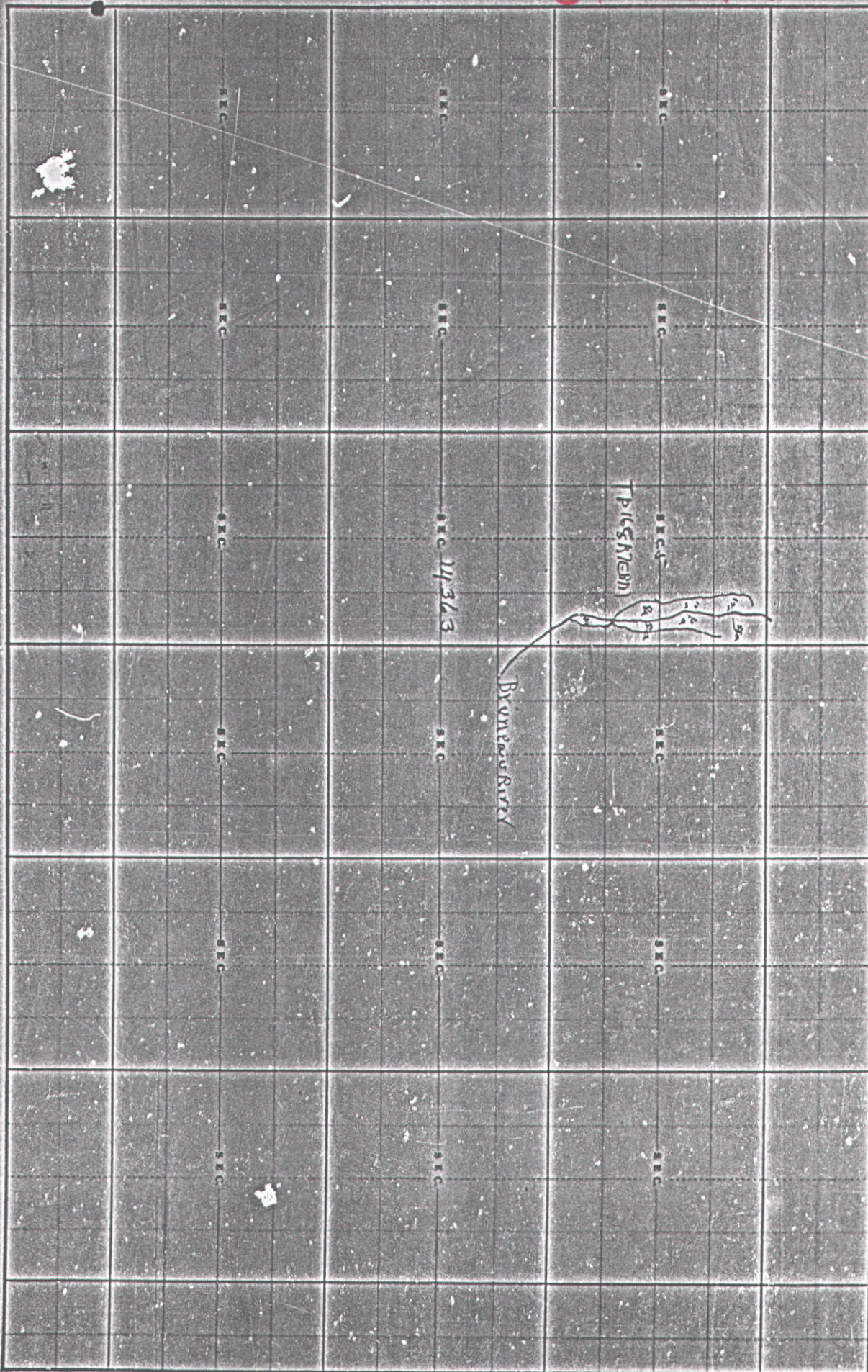
14363

COVER

NAME OF APPLICANT

Frank Turner 14363

51-02072



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

2994
51-02072

State of Idaho
License and Certificate of Water Right

Water License No. 14363

Water District No. 57-0

Amount one sec. ft.

Priority 19-23-9

THIS IS TO CERTIFY that FRANK TURNER of ROWLAND, NEVADA, made application for a permit to appropriate the public waters of the State of Idaho, dated October 23, 1919; that Permit No. 14363 was issued under said application; that Certificate of Completion of works, with a carrying capacity of one second feet, was issued thereunder on June 9, 1922, showing that said works were completed on the 3rd day of June, 1922; and that on the 3rd day of June, 1922,

FRANK TURNER of Rowland, State of Nevada, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Bruneau River, a tributary of Snake River, for the purpose of irrigation & domestic use under Use Permit No. 14363 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 2994, on the 27th day of October, 1922;

The right hereby confirmed dates from October 23, 1919.

The Point of Diversion is located in the SE 1/4 SE 1/4, Sec. 5, Tp. 16 S., R. 7 E., B. M.

County of Owyhee.
That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
16 S.	7 E.	5	NE 1/4 NE 1/4	15	15
			SE 1/4 NE 1/4	20	20
			NE 1/4 SE 1/4	10	10
			SE 1/4 SE 1/4	5	5

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 27th day of October, 1922.

W. G. STENLSEN,
Commissioner of Reclamation.

(SEAL)

51-02072

Cutoff date =

Complaint filed 9-10-1920

Proof filed 6-3-1922

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: A51-02072
Date Received: 1/ 9/1989
Receipt No: W001900
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: T M RANCH COMPANY 208-336-2110
Address: PO BOX 27
BOISE ID 83707

2. Date of Priority: OCT 23, 1919

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
16S	07E	5	SE	SE			OWYHEE

5. Description of diverting works:
ROCK DAM WITH HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	07E	5	NE	NE		IRR	15.0
			SE	NE		IRR	20.0
			NE	SE		IRR	10.0
			SE	SE		IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	50.0
					Total Acres	50.0

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:
NONE

14. Remarks:
RANCH PH. 759-3921
NAME/ADDRESS UPDATED 4/20/98 BY DB.

15. Basis of Claim: LICENSE

Water Right Number: 14363

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

APR 17 1998

**WATER RESOURCES
DIVISION**

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. **Water Right No(s):** 51-02062, 51-02243, 51-07313, 51-02069, 51-10343,
51-02075, 51-02042, 51-02072, 51-02068, 51-02070
Adjudication Claim No(s): A51-02062, A51-02243, ~~A51-10302~~, A51-02069, A51-10302, A51-10177
A51-10343, A51-12807, A51-02075, A51-02042, A51-10175, A51-02072
A51-02068, A51-10176, A51-02070

2. **The following REQUIRED information must be submitted with this form:**

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. **Name and Address of Former Owner/Claimant** Alzola Brothers, an Idaho General Partnership
Eugene R. Alzola, Faustino Alzola Jr., and Arsen V. Alzola

P.O. Box 848, Mountain Home, ID 83647

4. **New Owner/Claimant(s)**

T M Ranch Company

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

P.O. Box 27

City, State and ZIP Code

Boise, ID 83707

New Telephone Number

(208) 336-2110

5. **Date you acquired the property**

March 2, 1990

6. **If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.**

Number of acres you irrigate _____ **Number and type of stock** _____

Diversion rate in CFS _____ **Number of homes** _____ **Other uses** _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. **Signature of New Owner or Claimant(s)**

T M Ranch Company

Ronald N. Graves, Secretary

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. **For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..**

T M RANCH COMPANY
List of Directors
as of
April 16, 1998

Stephen A. Beebe

P. O. Box 27
Boise, Idaho 83707

Dennis R. Mogensen

P. O. Box 27
Boise, Idaho 83707

Ronald N. Graves

P. O. Box 27
Boise, Idaho 83707

James D. Crawford

P. O. Box 27
Boise, Idaho 83707

T M RANCH COMPANY
List of Officers
as of
April 16, 1998

President	Stephen A. Beebe	P. O. Box 27 Boise, Idaho 83707
Vice President	Dennis R. Mogensen	P. O. Box 27 Boise, Idaho 83707
Secretary	Ronald N. Graves	P. O. Box 27 Boise, Idaho 83707
Treasurer	James D. Crawford	P. O. Box 27 Boise, Idaho 83707

PARCEL NO. 1:

IN TOWNSHIP 14 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO
 Section 32: ~~E₁SE₄~~, ~~SE₁NE₄~~ -2069.

IN TOWNSHIP 15 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO
 Section 5: ~~Lot 1 (NE₁SW₄)~~, ~~N₁SW₄~~, ~~SW₁SW₄~~
 Section 6: ~~E₁NE₄~~, ~~SE₁SW₄~~ 2042.

PARCEL NO. 2:

IN TOWNSHIP 13 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO
 Section 13: NE₁SW₄,

IN TOWNSHIP 14 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 13: E₁SE₄

Section 24: ~~E₁SE₄~~ -2075 } 2075

Section 25: ~~NE₁SE₄~~

IN TOWNSHIP 14 SOUTH, RANGE 7 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 30: ~~E₁SE₄~~, Lot 1 (~~NE₁SW₄~~), Lot 2 (~~SW₁SW₄~~)

Section 31: ~~E₁SE₄~~ -2070

IN TOWNSHIP 15 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 22: W₁SE₄

Section 27: W₁E₄, SE₁SW₄

Section 34: NW₁NE₄

IN TOWNSHIP 15 SOUTH, RANGE 7 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 6: Lot 1 (~~NE₁SW₄~~) -2070

Section 18: E₁

Section 19: SE₁SE₄, NE₁

Section 20: SW₁SW₄

Section 29: W₁W₄

Section 30: E₁E₄

Section 32: N₁W₄

Section 33: SW₁SW₄

IN TOWNSHIP 16 SOUTH, RANGE 5 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 1: NE₁NE₄

Section 27: E₁, SW₁

IN TOWNSHIP 16 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 6: ~~E₁SE₄~~, Lot 1 (~~NE₁SW₄~~), Lot 2 (~~SW₁SW₄~~), Lot 3 (~~NW₁SW₄~~), ~~NE₁SW₄~~

Section 7: ~~SE₁NE₄~~, Lot 1 (~~SW₁SW₄~~), ~~W₁SE₄~~ -10176

Section 18: ~~NW₁NE₄~~ -10176

IN TOWNSHIP 16 SOUTH, RANGE 7 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 4: W₁W₄

Section 5: E₁ -2072.

Section 8: W₁NE₄

Section 9: NW₁NW₄

EXHIBIT "A" - IDAHO PROPERTY (Continued)

PARCEL NO. 3:

IN TOWNSHIP 15 SOUTH, RANGE 5 EAST, B.M., OWYHEE COUNTY, IDAHO

Section 23: SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 26: NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$

Section 27: E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$

PARCEL NO. 4:

IN TOWNSHIP 14 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 28: SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 33:

¹⁰¹⁷⁵
¹²⁸⁰⁷
~~SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$~~ -10175
~~SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$~~ -10177-12807.
W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$

IN TOWNSHIP 15 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 3: S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 4: Lot 1 (NE $\frac{1}{4}$ SE $\frac{1}{4}$), (NE $\frac{1}{4}$ NE $\frac{1}{4}$), (NE $\frac{1}{4}$ SE $\frac{1}{4}$) -10175

PARCEL NO. 5:

IN TOWNSHIP 16 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 5: S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 6: Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), (SW $\frac{1}{4}$ SW $\frac{1}{4}$), (SW $\frac{1}{4}$ SW $\frac{1}{4}$)

NE $\frac{1}{4}$ SW $\frac{1}{4}$, (SW $\frac{1}{4}$ SW $\frac{1}{4}$) NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 8: (SW $\frac{1}{4}$ SW $\frac{1}{4}$), (SW $\frac{1}{4}$ SW $\frac{1}{4}$) NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL NO. 6:

IN TOWNSHIP 15 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 10: NE $\frac{1}{4}$ -2008

Section 15: N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$,
W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$

WARRANTY DEED

GRANTORS, ALZOLA BROTHERS, an Idaho General Partnership consisting of EUGENE R. ALZOLA, FAUSTINO ALZOLA, JR., and ARSEN V. ALZOLA; and the said EUGENE R. ALZOLA, FAUSTINO ALZOLA, JR. and ARSEN V. ALZOLA, acting individually, all being single and unmarried men, of the County of Owyhee, State of Idaho, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto T M RANCH COMPANY, an Idaho corporation whose current address is 999 Main Street, Boise, Ada County, Idaho 83702, as Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in Owyhee County, Idaho, described on Exhibit "A", attached hereto and incorporated herein.

Together with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances, specifically including but not limited to all mineral rights, hydrocarbon rights, geothermal rights, grazing rights and any and all additional rights, free and clear of all encumbrances, EXCEPT the lien for general taxes for the year 1990, and subject to an easement contained in Book 33 of Deeds, Page 7, Owyhee County Records, and subject to patent reservations.

Grantors, for themselves, their heirs and assigns, do hereby covenant, warranty and shall defend the quiet and peaceable possession of said premises by the Grantee and its successors and assigns forever against the lawful claims of all persons.

In construing this Deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantors have hereunto subscribed their names to this instrument this 28th day of February, 1990.

ALZOLA BROTHERS,
an Idaho General Partnership

By Eugene R. Alzola
Eugene R. Alzola, Partner

By Faustino Alzola
Faustino Alzola, Jr., Partner

By Arsen V. Alzola
Arsen V. Alzola, Partner

Eugene R. Alzola
Eugene R. Alzola

Faustino Alzola Jr.
Faustino Alzola, Jr.

Arsen V. Alzola
Arsen V. Alzola

201846

FILED-RECORDED

MAR 2 12 54 PM '90

BARBARA JAIO
OUTWEE COUNTY RECORDER
BY G. J. [Signature] DEPUTY

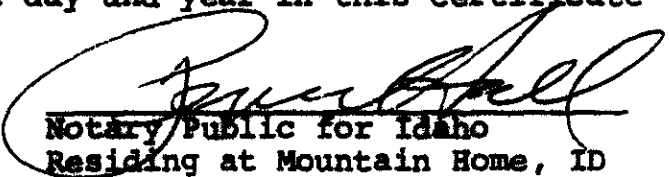
RECEIVED OF
JAN 2 1990
FEE 15.00

INDEXED
MICROFILMED

STATE OF IDAHO,)
) ss.
COUNTY OF ELMORE,)

On this 28th day of February, in the year 1990, before me, a Notary Public in and for said State, personally appeared EUGENE R. ALZOLA, FAUSTINO ALZOLA, JR. and ARSEN V. ALZOLA, known to me to be the partners of the partnership known as ALZOLA BROTHERS and the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

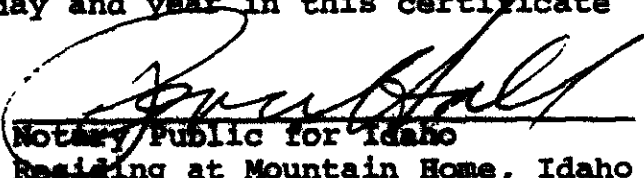
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.


Notary Public for Idaho
Residing at Mountain Home, ID

STATE OF IDAHO,)
) ss.
COUNTY OF ELMORE,)

On this 28th day of February, 1990, before me, a Notary public in and for said State, personally appeared EUGENE R. ALZOLA, ARSEN V. ALZOLA and FAUSTINO ALZOLA, JR., known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that said persons executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


Notary Public for Idaho
Residing at Mountain Home, Idaho

EXCEL : "A" - IDAHO PROPERTY

PARCEL NO. 1:

IN TOWNSHIP 14 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 32: E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$

IN TOWNSHIP 15 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 5: Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 6: S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$

PARCEL NO. 2:

IN TOWNSHIP 13 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 13: NE $\frac{1}{4}$ SW $\frac{1}{4}$,

IN TOWNSHIP 14 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 13: E $\frac{1}{2}$ SE $\frac{1}{4}$

Section 24: E $\frac{1}{2}$ E $\frac{1}{2}$

Section 25: NE $\frac{1}{4}$ NE $\frac{1}{4}$

IN TOWNSHIP 14 SOUTH, RANGE 7 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 30: SE $\frac{1}{4}$ NW $\frac{1}{4}$ Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Lot 2 (SE $\frac{1}{4}$ NW $\frac{1}{4}$)

Section 31: SE $\frac{1}{4}$ SE $\frac{1}{4}$

IN TOWNSHIP 15 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 22: W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 27: W $\frac{1}{2}$ E $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 34: NW $\frac{1}{4}$ NE $\frac{1}{4}$

IN TOWNSHIP 15 SOUTH, RANGE 7 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 6: Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)

Section 18: E $\frac{1}{2}$

Section 19: SE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$

Section 20: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 29: W $\frac{1}{2}$ W $\frac{1}{2}$

Section 30: E $\frac{1}{2}$ E $\frac{1}{2}$

Section 32: N $\frac{1}{2}$ NW $\frac{1}{4}$

Section 33: SW $\frac{1}{4}$ SW $\frac{1}{4}$

IN TOWNSHIP 16 SOUTH, RANGE 5 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 1: NE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 27: E $\frac{1}{2}$, SW $\frac{1}{4}$

IN TOWNSHIP 16 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 6: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Lot 1 (NW $\frac{1}{4}$ SW $\frac{1}{4}$), Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$), SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 7: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Lot 1 (NW $\frac{1}{4}$ SW $\frac{1}{4}$), W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 18: NW $\frac{1}{4}$ NE $\frac{1}{4}$

IN TOWNSHIP 16 SOUTH, RANGE 7 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 4: W $\frac{1}{2}$ W $\frac{1}{2}$

Section 5: E $\frac{1}{2}$

Section 8: N $\frac{1}{2}$ NE $\frac{1}{4}$

Section 9: NW $\frac{1}{4}$ NW $\frac{1}{4}$

EXHIBIT "A" - IDAHO PROPERTY (Continued)

PARCEL NO. 3:

IN TOWNSHIP 15 SOUTH, RANGE 5 EAST, B.M., OWYHEE COUNTY, IDAHO

Section 23: SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 26: NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$

Section 27: E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$

PARCEL NO. 4:

IN TOWNSHIP 14 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 28: SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 33: E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
W $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$,
W $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$

IN TOWNSHIP 15 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 3: S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$,
NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 4: Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL NO. 5:

IN TOWNSHIP 16 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 5: S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 6: Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 8: NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL NO. 6:

IN TOWNSHIP 16 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 10: W $\frac{1}{2}$ W $\frac{1}{2}$

Section 15: N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$,
W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$

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: A51-02072
Date Received: 1/09/1989
Receipt No: W001900
Received By: Pch

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: T.M. RANCH; ALSOLA BROTHERS 208-344-0190
Address: P.O. BOX 848
MOUNTAIN HOME, ID 83646
OR
Name: EUGENE R. ALSOLA 208-344-0190
Address: P.O. BOX 848
MOUNTAIN HOME, ID 83647
OR
Name: FAUSTINO ALSOLA 208-344-0190
Address: P.O. BOX 848
MOUNTAIN HOME, ID 83647
OR
Name: ARSEN V. ALSOLA 208-344-0190
Address: P.O. BOX 848
MOUNTAIN HOME, ID 83647

2. Date of Priority: OCT 23, 1919

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
16S	07E	5	SE	SE			OWYHEE

5. Description of diverting works:
ROCK DAM WITH HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		

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

A.F.A.

A51-02072

Page 1

Date: 01/09/89

MICROFILMED

AUG 10 1992

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "Now 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 Organizations:

I do solemnly swear or affirm that I am Partner of _____
Title

ALZOLA Brothers, that I have signed the foregoing
Organization
document in the space below as Partner of
Title

ALZOLA Brothers and that the statements contained in the
Organization
foregoing document are true and correct.

Ernest V. Alzola
Signature of Authorized Agent

Partner / ALZOLA Brothers
Title and Organization

1/9/89
Date

State of Idaho)
County of ADA) ss.

Subscribed and sworn (or affirmed) before me this 9 day
of JAN 19 89

Ron J. Jowerton
Notary Public

Seal

4200 Plum
Residing at BOISE, Idaho 83703

My Commission Expires 12-8-94

Acre Feet Per Annum.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	07E	5	NE	NE		IRR	15.0
			SE	NE		IRR	20.0
			NE	SE		IRR	10.0
			SE	SE		IRR	5.0

Section Acres 50.0

Total Acres 50.0

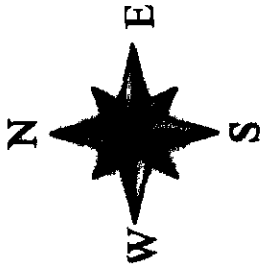
12. Do you own the property listed above as place of use? YES

14. Remarks:
RANCH PN. 759-3921

15. Basis of Claim: LICENSE
Water Right Number: 14363



IDAHO DEPARTMENT OF WATER RESOURCES
T16S, R07E, S5



Blue

1987 NAPP PHOTO

SECTION LINES

POD

POU

1/4 1/4 LINES

ACRES

6

CLAIM(S) : 51-02072

OWNER(S): T M RANCH CO

Prepared by: Mel Schulte

Date: 5/4/1988

TOTAL ACRES = 21



ADMINISTRATIVE CLAIM CHECKLIST

NOTICE OF CLAIM NO. 451-02072

MR CLAIMANT	FIELD TEAM Y/N-1P NO, DO OFFICE VERIFICATION	FIELD TEAM OR IN-OFFICE VERIFICATION	CLAIM VERIFIED BY NAME	CLAIM NUMBER	REVIEW COMPLETED MEMO/DATE	"R" RECORD
PRIORITY:		<u>MTS</u>	<u>See below</u>			
PT. OF DIV.		<u>8-13-90</u>	<u>1</u>			
SOURCE			<u>6</u>			
PL. OF USE			<u>6.1.4</u>			
DIV. AMOUNT DATE/MT			<u>6</u>			
CONSUMPTIVE USE			<u>6</u>			
NATURE OF USE			<u>6</u>			
PERIOD OF USE			<u>6</u>			
BASIS OF CLAIM			<u>6</u>			
REMARKS			<u>6</u>			

VERIFICATION SHEET
 YES/NO/UNSURE
 YES/NO
 VERIFICATION RECORDS
 MAP SOURCES
 FIELD TEAM
 OTHER (SEE COMMENTS)

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
 SUBMITTED - YES MTS NO

*IF CLAIMANT CONTACT IS NEEDED, COMPLETE
 CLAIMANT CONTACT CHECKLIST AND RETURN.

COMMENTS: Recommended as licensed - license / Dept standards, GTS.

Proof was filed after the Bynum River Decree and the Priority Date
Advanced to one day after the Decree Date. Cases were determined
by GTS

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

() ORTHOPHOTOGRAPH	DATE OF PHOTO	104R IS NO.	Y() N()
(X) TOPOGRAPHIC	DATE FIELD CHECKED	104R IS NO.	Y() N()
(X) MAP	<u>G-I-S</u>	<u>8-2-89</u>	<u>6a</u>
(X) AACS AERIAL PHOTO	DATE OF PHOTO	104R IS NO.	Y() N()
() AACS COLOR SLIDE	DATE OF PHOTO	<u>8-2-89</u>	<u>6b</u>
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO	<u>1987</u>	<u>6c</u>
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF PHOTO		Y() N()
() SCS SOIL SURVEY MAP	DATE OF PHOTO		Y() N()
() SUBDIVISION PLAT MAP	DATE OF PHOTO		Y() N()
(X) OTHER	DATE		Y() N()
<u>Memo To File</u>	<u>8-9-96</u>		Y() N()
(X) OTHER	DATE		Y() N()
<u>Proof of BU Documents</u>	<u>4 pages</u>	<u>Page 30-d</u>	<u>6d</u>
(X) OTHER	DATE		Y() N()
<u>G-I-S Table</u>	<u>5-4-98</u>		Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF PAGES

NOTES

(X) LICENSING FIELD EXAM	DATE OF FIELD EXAM	<u>8-2-1923</u>	<u>2</u>	
(X) WATER RIGHT LICENSE	DATE LICENSE SIGNED	<u>10-27-1923</u>	<u>1</u>	
() 104R APPROVED TRANSFER	DATE TRANSFER APPROVED			
() SYSTEM DESCRIPTION	DATE DRAIN			
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN			
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED			
() MURKLE ANALYSIS	DATE ANALYSIS COMPLETED			
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED			
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED			
(X) OTHER	DATE	<u>6-3-1922</u>	<u>3</u>	
<u>Proof of BU</u>				
() OTHER	DATE			

Used to confirm Proof of BU
was filed after Bunnely River
decree filing date 9-10-1920

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:48
02/26/93

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A51-02072

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY UNOM/DATE	FIELD EXAM BY UNOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW UNOM/DATE	COMPLETED DATA ENTRY UNOM/DATE	VERIFIED DATE UNOM/DATE
PRIORITY DATE			For office M75 8-13-96		6	M75 8-13-96		
POINT OF DIV	Y				1			
SOURCE					6			
PLACE OF USE	Y				6, 1, 4			
DIV. AMOUNT CFS/VOLUME	Y				6			
CONSUMPTIVE USE	-				6			
PURPOSES	Y				6			
PERIOD OF USE	Y				6			
BASIS OF CLAIM					6			
REMARKS	Y				6			

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

CLAIM NUMBER: A51-02072

[illegible]

POW County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: RANCH PH. 759-3921

Dates: _____ **Exam Made Date:** _____

Misc:

Verified Date:

Field Inspection Flag:
Presumption Flag:

Recommend as licensed and cleared.

00:00:48
02/26/93

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A51-02072

PAGE: 1
GENERAL INFORMATION

LAST: TURNER
ADDRESS:
CITY: ROLAND
PHONE NUMBER: 208-000-0000
OWNER CODE: 0
FIRST: FRANK
STATE: WY ZIP: 89509

LAST: T.M. RANCH
ADDRESS: P.O. BOX 848
CITY: MOUNTAIN HOME
PHONE NUMBER: 208-344-0190
OWNER CODE: C
FIRST:
STATE: ID ZIP: 83646

LAST: ALZOLA
ADDRESS: P.O. BOX 848
CITY: MOUNTAIN HOME
PHONE NUMBER: 208-344-0190
OWNER CODE: C
FIRST: EUGENE R.
STATE: ID ZIP: 83647

LAST: ALZOLA
ADDRESS: P.O. BOX 848
CITY: MOUNTAIN HOME
PHONE NUMBER: 208-344-0190
OWNER CODE: C
FIRST: FAUSTINO
STATE: ID ZIP: 83647

LAST: ALZOLA
ADDRESS: P.O. BOX 848
CITY: MOUNTAIN HOME
PHONE NUMBER: 208-344-0190
OWNER CODE: C
FIRST: ARSEN V.
STATE: ID ZIP: 83647

LAST: ALZOLA BROTHERS
ADDRESS:
CITY: XX
FIRST:
STATE: ID ZIP: 00

FIELD EXAM REQUIRED?

FIELD
EXAMINER

DATABASE
Y

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: RANCH PH. 759-3921

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

George Martin

DATE OF FIELD EXAM:

1/1/

APPOINTMENT MADE: Y() N()

TIME: 10:00 A() P()

PHONE NUMBER: 208 769-3215

PHONE NUMBER: () - -

ACCOMPANIED BY:

Ranch manager

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A51-02072 PRIORITY DATE: 10-23-1919 STAGE: L
B. WR RECORD: # 51-02072 PRIORITY DATE: 10-23-1919 STAGE: L

C. FIELD EXAM REQUIRED? DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE ☒ N FIELD EXAMINER _____

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

NOTES: Bureau Review decree cut off date was 9-17-1920.
Proof was filed 9-3-1922 - if priority date is advanced
to one day after decree date.

RECOMMENDED PRIORITY DATE: 5-17-1925 5-5-28
10-23-1919
REVIEWED BY Mel Schulte DATE 8-13-96

39

ON THE WATER

[illegible]

PERMIT NO.

Permit of Application of Water to Beneficial Use

Deposition of Holder

State your name, residence, occupation and postoffice address.
Frank N. ... years, Farmer, Rowland, Nevada

Quest. 1. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, name of postoffice of principal agent), your position with reference to same, and your authority for appearing in behalf.

Ans. Acting for myself.

Quest. 2. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. No. 1436, October 31, 1919; October 23, 1919

Quest. 3. State source of supply and give exact location of point of diversion.
Ans. Bruneau, SE 1/4 Sec. 5, T. 16 S., R. 7 E., S. M.

Quest. 4. Describe your mode of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Two ditches, No. 1, 1/2 mile in length; No. 2, 1/2 mile long; both are 2 feet wide at water line; 2 feet deep; made of earth and rock, and capable of conveying one cubic foot of water to the place of use.

Quest. 5. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether the nature of all improvement which have been made as a direct result of said

Ans. Irrigation of 20 acres in NE 1/4, 10 acres in NE 1/4, and 5 acres in SE 1/4 Sec. 5, T. 16 S., R. 7 E. Cultivated land, all cleared and plowed and seeded and hay crops harvested.

Quest. 6. State the purpose, and the amount of hay, power, agricultural or other purposes, for which the water is used, and the amount of water required for the purpose.

Ans. The purpose is for irrigation and domestic use. The amount of water required for the purpose is one cubic foot.

Quest. 7. If for water right, state the name of the corporation to whom above mentioned permit was issued, and the name of the person to whom the water right was acquired by the corporation.

Ans. Water right was acquired by the corporation.

...mission in water ...
...for three years ...
...of the permit one ...

...to the ... water ...
...beneficial use upon the land ...
...thereunder.

(Sign) *Frank ...*

...to the above subscribed before its signing, that I believe him
...said testimony was subscribed and sworn to before me at my
County of *Owyhee* State of *Idaho*

A.D. 1922

Charles ...

Notary Public

11/3/23

RECEIVED

25

NE		NW		SW		SE		E	
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

Verification of Completion of Work

Permit No. 14368

Completion of Work and Final Report

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A51-02072	16S	07E	5		SE	SE		ONTHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE

MR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: BRUNEAU RIVER

TRIB: SNAKE RIVER

B. MR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
51-02072	16S	07E	5		SE	SE		ONTHEE

OTHER MR RECORDS WITH SAME MR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE

SOURCE: BRUNEAU RIVER

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

	DUE TO POD DISCREPANCY?	DUE TO SOURCE DISCREPANCY?	DATABASE	FIELD EXAMINER
	(Y/N)	(Y/N)	Y N	_____

NOTES:

[illegible]

SOURCE: BRUNEAU RIVER

TRIB: SNAKE RIVER

REVIEW BY:

DATE: 8-13-96

SYSTEM DESCRIPTION:

CLAIM NUMBER: A51-02072

A. ROOT WATER RIGHT NUMBERS: A51-02072

B. POI LISTING

TRP RING	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	VR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
16S 07E	5	NE	NE		T.M. RANCH	A51-02072 / 15.0	51-02072 / 15.0			15
16S 07E	5	SE	NE		T.M. RANCH	A51-02072 / 20.0	51-02072 / 20.0			20
16S 07E	5	NE	SE		T.M. RANCH	A51-02072 / 10.0	51-02072 / 10.0			10
16S 07E	5	SE	SE		T.M. RANCH	A51-02072 / 5.0	51-02072 / 5.0			5
TOTAL ACRES						A51-02072	50.00	50.00		1.5

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()

21

C. FIELD EXAM REQUIRED?

POI COUNTY: OMYNEE

FIELD EXAMINER

DATABASE

DUE TO POI DISCREPANCY? (Y/N)

PRESUMPTION FLAG:

NOTES:

* Per GTS

RECOMMENDATIONS:

TOTAL ACRES:

50.21

REVIEWED BY:

Michael Schultz

DATE:

5-6-98

8-13-96

THIS MAP WAS PREPARED AND
SUBMITTED BY GEORGE MARTIN,
RANCH MANAGER AS A CONFIRMATION
OF THE POD'S AND POU.

CLAIM A-51-02072 INIT

T. R. S. Q/Q

P/D 16S 7E 5 SESE

SCALE

PHOTO ID 0063 DATE 1979

N ↑

5790 x

460

5'

34

459

D 4402 D 4 R 4 CH 15 W

(COWAN RESERVOIR)
2000 ft SE

457

10 456

2'30"

455

Black Rock

RECEIVED

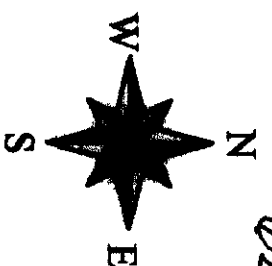
Aug 8 1980

Aug 8 1980

IDAHO DEPARTMENT OF WATER RESOURCES

T16S, R07E, S5

66



1987 NAPP PHOTO

SECTION LINES

• POD

POU

1/4 1/4 LINES

6 ACRES

CLAIM(S) : 51-02072

OWNER(S): T M RANCH CO

Prepared by: Mel Schulte

Date: 5/4/1988

TOTAL ACRES = 21



6c

CLAIM A51-02072 INIT _____
T. R. S. Q/Q _____
P/D _____
SCALE _____
PHOTO NO. ASCS DATE 1987

PAU

ditch

200

6d

WESTERN REGION

CLAIM NUMBER 151-02072

AGENT MS DATE 5-4-98

TOTAL ACRES FROM RECOMMENDATION 21

GEOGRAPHIC INFO SYSTEM ACRES _____

READY FOR DECREE _____ (YES)

SENT FOR DECREE _____ (YES)

RIGHT NO				NE				NW				SW				SE			
	TEN	END	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	165	7E	5	1.5			9.7									8.7			1.1
GIS																			
RECOM																			
GIS																			

POLYGON CREATED ON 80 _____

POLYGON # () () () () _____ 5-21-98
UPDATED BY MS

ATTRIBUTES OF B51-POU.SHP (26) (27) (28) (29) ()

ATTRIBUTES OF B51-POD.SHP (31) () () () ()

B51-DBPOU.DBF _____ UPDATED BY MS

B51-DBPOD.DBF _____ UPDATED BY MS

RDH GPTABLE

A. AJ CLAIMED USES:

PURPOSES
A51-02072 IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

DIVERSION QUANTITY

1.000 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.000 CFS

B. WR RECORDED USES:

PURPOSES
51-02072 IRRIGATION
51-02072 DOMESTIC

MONTH/DAY
FROM TO
FROM TO

DIVERSION QUANTITY

1.000 CFS

1.000 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.000 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER

Y
Y
Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()

Y() N() Explain in notes, below.

NOTES:

IPWR Standard for the area is 4-15 to 10-15

Y() N()

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

AJ TOTAL CLAIMED DIVERSION RATE: 1.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.000 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in notes. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) N

B. MEASUREMENT METHOD N/A FLOW MEASUREMENT, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POI AND IRRIGATION USAGE

NO RIGHTS WITH SAME POI BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE 21 ⁴² x 0.02 CFS/ACRE = 4.2 CFS
ACRES 50 (Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(X)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A
ACRES 50 x CONSUMPTIVE VOL. AF/A FOR AREA 45 = NA
TOTAL CONSUMPTIVE USE 125 AF/A

3. IRRIGATION DIVERSION VOLUME

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

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: NA.

SEE ATTACHED SHEET? Y() N(X)

NOTES: (Include limitations on CONSUMPTIVE USE for combined rights.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. COMS. USE
<i>Augation</i>	<i>4-15 10-15</i>	<i>10,42</i>	<i>10,42</i>	<i>NA</i>
		<i>10,42</i>	<i>10,42</i>	<i>NA</i>

TOTAL FOR THIS RIGHT

DATE: *8-13-96*

REVIEWED BY: *Mel Schulte*

56-98

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

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

- took to simplot Co several years ago - ownership change requested.

B. SPLIT WATER RIGHT REVIEW

NA

ROOT WATER RIGHT NUMBER: 51-02072

TOTAL DIVERSION RATE OF WR SPLITS
DATABASE 1.000
EXAMINER _____

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A51-02072	1.000	-	-	51-02072	1.000
TOTAL CFS		1.000				1.000

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 sheet attached? (Y/N)

DATABASE Y

FIELD EXAMINER _____

NOTES:

AUTHENTICATION:

SIGNATURE: *Mel Schulte*

NAME OF FIELD EXAMINER: _____

DATE: *8-13-96*

TITLE: _____

5-6-98



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

May 22, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Vic Conrad
Simplot Company
PO Box 27
Boise ID 83707

Re: T M Ranch Co. claims

Dear Vic:

Enclosed are profile reports with GIS maps that reflect my proposed recommendations for the T M Ranch Co. claims. Please review them and let me know if you find any changes or questions. I would like to complete your review of the recommendations before the Notice of Error period for Basin 51. If necessary, we can set up a meeting between you, Frank Bachman and myself to discuss and review the claims.

Sincerely,

Mel Schulte

ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

Enc.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 20, 1998

Re: Notice of Claim to a Water Right No. A51-02069, A51-02068, A51-02042,
A51-02070, [REDACTED], A51-02075, A51-10343, A51-10302, A51-10175,
A51-10177, A51-10176, A51-12807

T M RANCH COMPANY
PO BOX 27
BOISE ID 83707

Dear Claimant:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

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

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:d

Enclosure



J.R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300
P.O. BOX 27 BOISE, IDAHO 83707-0027 (208) 336-2110 FAX (208) 389-7515

CORPORATE HEADQUARTERS

April 17, 1998

HAND DELIVERY

Mel Shulte
Adjudication Bureau
State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

**Re: SRBA Claim No's A51-02062, A51-02243, A51-10302, A51-02069, A51-10302,
A51-10177, A51-10343, A51-12807, A51-02075, A51-02042, A51-10175, A51-
02072, A51-02068, A51-10176, A51-02070.**

Dear Mel:

On behalf of T M Ranch Company enclosed is a notice of change of water right ownership for the above referenced water rights filed in the Snake River Basin Adjudication. Should you have any questions please contact me. My phone number is 389-7359.

Sincerely,

Vic Conrad
Land and Development

Enclosures

MEMORANDUM TO FILE

TO: A51-02070, A51-02072, A51-02075

FROM: MEL SCHULTE

DATE: AUGUST 9, 1996

RE: IRRIGATION AND STATUS OF CLAIMS A51-02070, 02072 & 02075

During a field examination on July 3, 1996 at the T M Ranch operation on Pole Creek, I discussed the licensed rights in the Bruneau River canyon with George Martin the current ranch manager. This conversation was a follow up to some notes in the files that indicated the Bruneau River has not been used for irrigation.

During our conversation, Mr Martin explained that they had not abandoned the irrigation and use of the land but were not actively managing the irrigation. He said that due to very difficult access of the properties they decided to leave the ditches open and allow the natural flow of the river to irrigate whenever the flows in the river were sufficient. In normal years this period would only be during Spring and early Summer.

These rights were field examined and licensed in the early 1920's. Due to this fact they probably should be field examined as part of the SRBA review. However, due to the difficult access and the extraordinary amount of time that would be expended to field exam the claims combined with the possibility there has been little if any changes since the licenses were issued, in office exams will be conducted using NAPP, orthophoto and ASCS aerial maps. Mr Martin provided us with copies of topographic maps marked with the POD's and POU's which will be used as confirmation of the current systems.

Claim A51-02070 indicates the licensed POD, NESE, Sec.6, 15S, 7E is incorrect. This fact is confirmed by the map submitted by George Martin showing the POD in the SENE, Sec 6, 15S, 7E. The licensing error will be corrected by recognizing the POD as claimed and the one described by Mr Martin.

Claim A51-02072 is claimed the same as it was licensed. The topographical map in the file submitted by George Martin supports the current uses are the same or very similar to those licensed.

Claim A51-02075 is claimed the same as it was licensed with the exception of one POD. The licensed POD in the SWNE, S30 cannot be correct since this QQ encompasses the side walls of the river canyon. This POD was claimed as the SENW, S30 which is topographically more correct and is supported by the map submitted by George Martin. The SENW, S30 will be recommended.

ENGINE

DATE 187 187

CHART 1

1000 1000 1000 1000

1000

exact number of
for other than

principal drainage

10

Examiner

121
[Illegible text]

[Illegible text]

[Illegible text]

IDAHO DEPARTMENT OF WATER RESOURCES
ADJ. LISTING OF WATER RIGHTS

5807
(00-117)

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
AS1-02072	T.M. RANCH; ALSOLA BROTHERS P.O. BOX 848 MOUNTAIN HOME ID 83646	10/23/1919	IRRIGATION	04-01 11-01	1.00 CFS	LICENSE
	EUGENE R. ALSOLA FAUSTINO ALSOLA ARSEN V. ALSOLA P.O. BOX 848 MOUNTAIN HOME ID 83647					
SOURCE: BRUNEAU RIVER		TRIBUTARY: BRUNEAU RIVER				
OTHER RIGHTS: NONE						
CONDITIONS OF APPROVAL:						
REMARKS: RANCH PH. 759-3921						
POINT OF DIVERSION: T16S R07E S05		SESR 20.0				
PLACE OF USE/ IRRIGATION T16S R07E S05		SESR 10.0				
40.0 ACRES TOTAL		SESR 5.0				
		1.00 CFS TOTAL				
		0.00 AFA TOTAL				

Water Right Number - 51-02072

Prefix Translation: WATER RIGHT

Old (D) Number - 14363

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

*** C - CURRENT OWNER ***

TURNER

FRANK

1 -

2 -

3 -

City- ROWLAND

Phone -

State- NV

Zip- 89509

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

10/23/1919

14 WESTERN

L - LICENSE

Source - - - - - +

BRUNEAU RIVER

Tributary - - - - - +

SNAKE RIVER

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

County

Twn	Rng	Sec	Tract	Lot	Rflg	County	Stream Index (Blank if no Index Code)
16S	07E	5	SE SE		(73)	ONTWEE	

Code

Description

Period From

Period To

Water Use

Diversion Rate

Diversion Volume

01 - IRRIGATION

43 - DOMESTIC

1.000

1.000

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
16S	07E	5	NE NE	15.0	01	IRRIGATION	(73) ONTWEE	(73) ONTWEE
16S	07E	5	SE NE	20.0	01	IRRIGATION	(73) ONTWEE	(73) ONTWEE
16S	07E	5	NE SE	10.0	01	IRRIGATION	(73) ONTWEE	(73) ONTWEE
16S	07E	5	SE SE	5.0	01	IRRIGATION	(73) ONTWEE	(73) ONTWEE
Total Acres:				50.0				

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks -

No Remarks found.

Old Water Right Numbers -

No Old Water Right Numbers found.

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	-
Exam to S.O. Date	- 00/00/0000	Verified Date	- 03/12/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 06/21/1979	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		

MICROFILMED
AUG 10 1982

66-121577 66-121578 66-121579 66-121580 66-121581

[illegible]

30 72030-46 6410 36 00 32 341 0010

AUG 10 1992

Water Right Number - 51-02072

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 14363

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

*** C - CURRENT OWNER ***
TURNER

FRANK

1 -
2 -
3 -City- BOWLAND
Phone -

State- NV Zip- 89509

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
10/23/1919 14

1 - LICENSE

+ - - Source - - - - + + - - - - Tributary - - - - - +
BROOKDALE RIVER SHAKS RIVER+ - - - - - - - - - - Point of Diversion - - - - - +
Twp Rng Sec Tract Lot RPlg County Stream Index (Blank if no Index Code)

16S 07E 5 SE SE (73) OTHER 272.0 362.0 88.8

+ - - - - Description - - - - - Water Use - - - - - Diversion Rate - - - - - Diversion Volume - - - - - +
Code Period From Period To01 - IRRIGATION
43 - DOMESTIC

1.000

+ - - Total Div. Rate - - + + - Total Div. Volume - - + + - Total Div. Capacity - - + + - Total Consumptive Use - - + + - NW Usage - - +
1.000+ - - - - - - - - - - Place of Use - - - - - Description - - - - - County - - - - - +
Twp Rng Sec Tract Lot Acres Code

16S	07E	5	SE SE	15.0	01	IRRIGATION	(73) OTHER
16S	07E	5	SE SE	20.0	01	IRRIGATION	(73) OTHER
16S	07E	5	SE SE	10.0	01	IRRIGATION	(73) OTHER
16S	07E	5	SE SE	5.0	01	IRRIGATION	(73) OTHER

Total Acres: 50.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - Remarks - - - - - +
No Remarks found.+ - - - - - - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.MICROFILMED
AUG 10 1992

| + - - - Decree Plaintiff | - - + | - - + | + - - - Decree Defendant | - - + | + - Decree Date |
|--------------------------|-------|-------|--------------------------|-------|-----------------|
| | | | | | 00/00/0000 |

4 - - Audit Trail - 04/23/83

[illegible]

| | | |
|------------------|---|------------|
| Proof Due Date | - | 00/00/0000 |
| Approved/Denied | - | 00/00/0000 |
| Proof Made Date | - | 00/00/0000 |
| Start Work Date | - | 00/00/0000 |
| Order Show Cause | - | 00/00/0000 |
| Licensed Date | - | 05/21/1979 |
| Decree Date | - | 00/00/0000 |

| | | |
|-----------------|---|------------|
| Field Exam Made | - | 00/00/0000 |
| Protested Date | - | 00/00/0000 |
| Wearing Date | - | 00/00/0000 |
| Verified Date | - | 01/12/1983 |
| Receipt Number | - | |
| Appl Received | - | 00/00/0000 |

| | |
|------------------|---|
| Field Exam Fee | - |
| Swan Falls | - |
| Temporary Night | - |
| RD#/Carry Act | - |
| Water District | - |
| Transfer/Amended | - |

MICROFILMED
AUG 10 1992