



IDAHO DEPARTMENT OF WATER RESOURCES
T14S, R06E, S24 & S25
T14S, R07E, S30

Exp. Fee



1987 NAPP PHOTO

SECTION LINES



POD



POU



1/4 1/4 LINES



ACRES

6

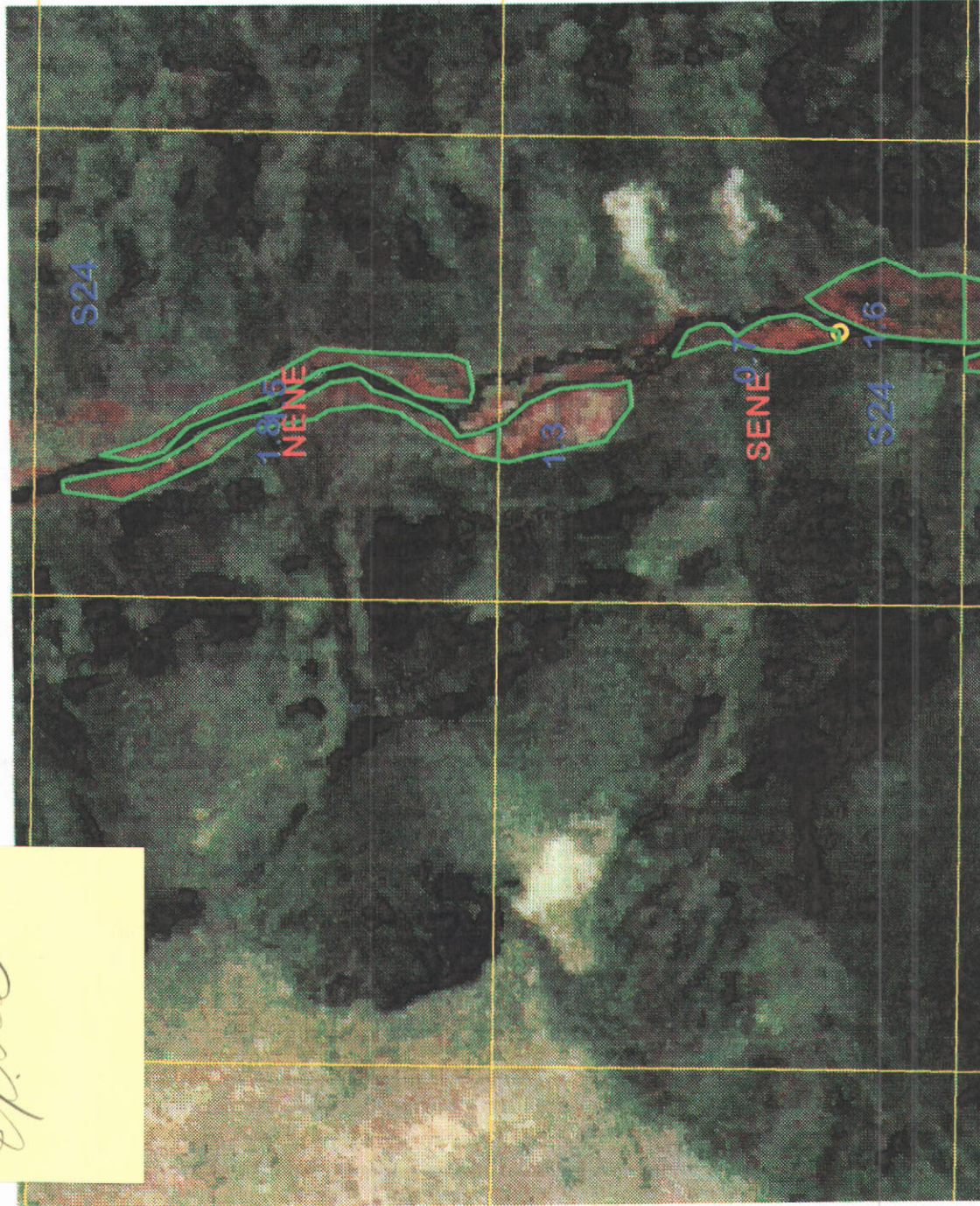
CLAIM(S) : 51-02075

OWNER(S): T M RANCH CO

Prepared by: Mel Schulte

Date: 4/29/1998

TOTAL ACRES = 29.3



0.5 Miles

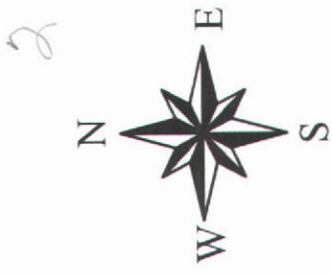
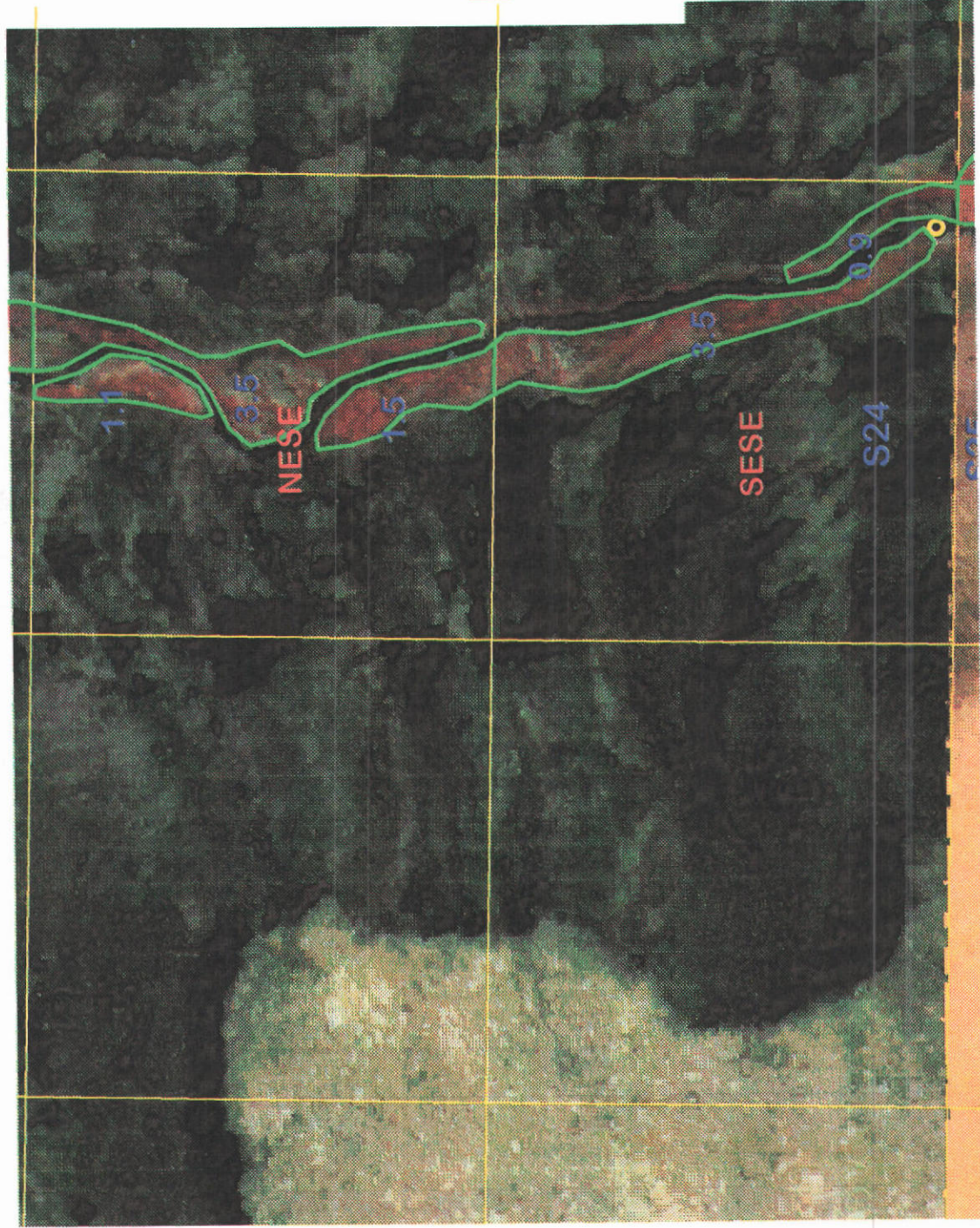
0.25

0

IDAHO DEPARTMENT OF WATER RESOURCES

T14S, R06E, S24 & S25

T14S, R07E, S30



1987 NAPP PHOTO

SECTION LINES

POD

POU

1/4 1/4 LINES

ACRES

CLAIM(S) : 51-02075

OWNER(S): T M RANCH CO

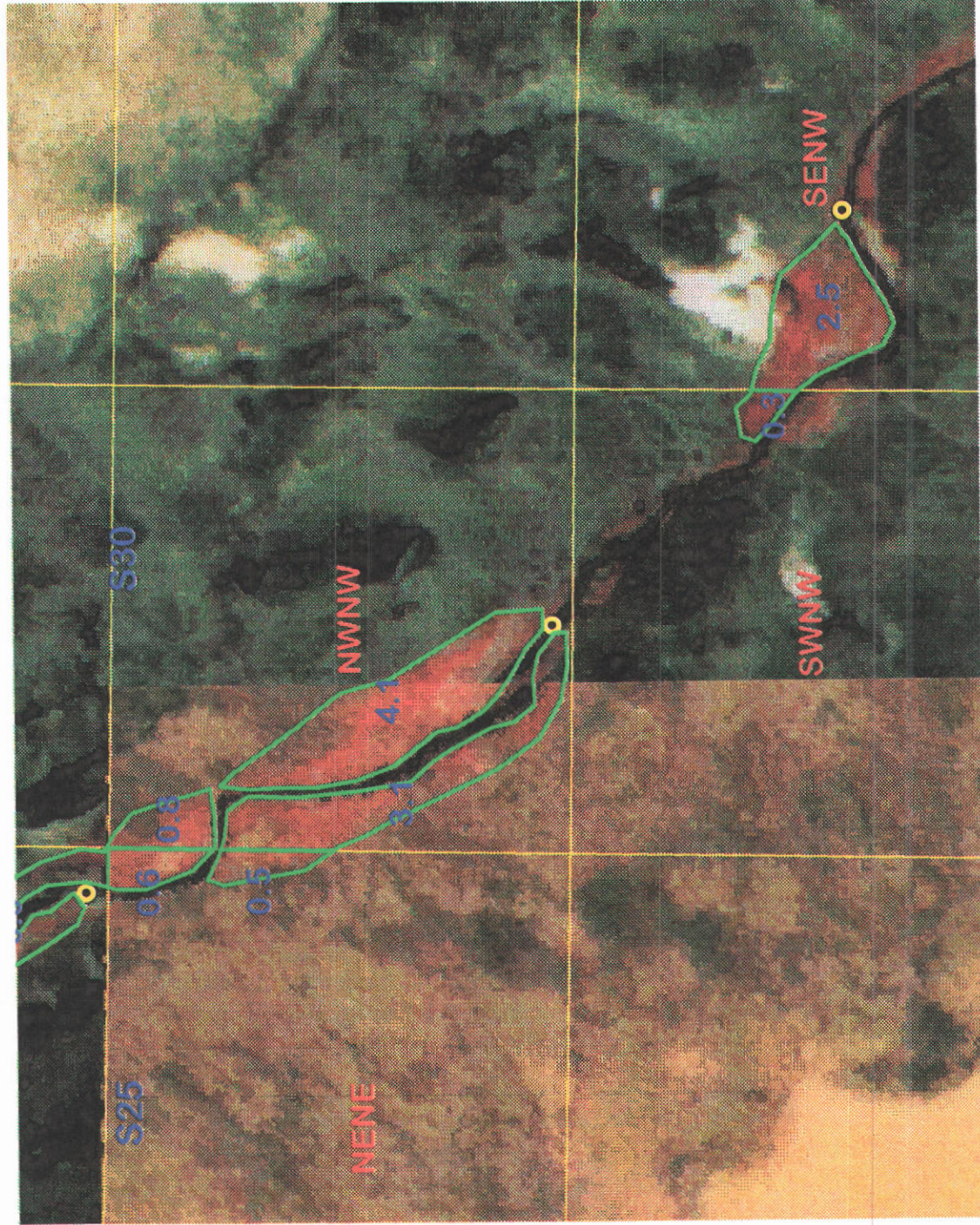
Prepared by: Mel Schulte

Date: 4/29/1998

TOTAL ACRES = 29.3

IDAHO DEPARTMENT OF WATER RESOURCES

T14S, R06E, S24 & S25 T14S, R07E, S30



1987 NAPP PHOTO

SECTION LINES

POD

POU

1/4 1/4 LINES

6 ACRES

CLAIM(S) : 51-02075

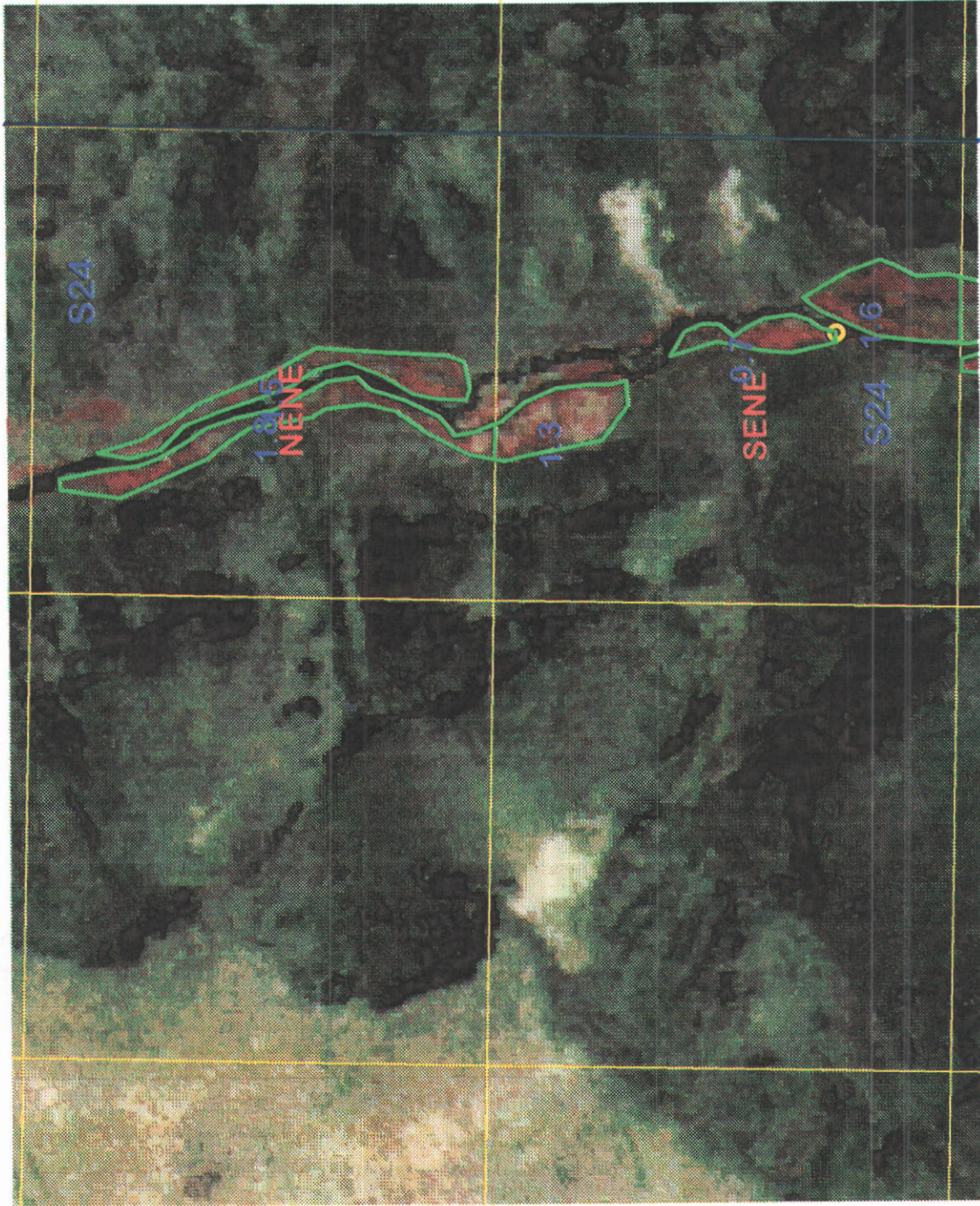
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Date: 4/29/1998

TOTAL ACRES = 29.3

IDAHO DEPARTMENT OF WATER RESOURCES
T14S, R06E, S24 & S25
T14S, R07E, S30



0

0.25

0.5 Miles

6a



1987 NAPP PHOTO

SECTION LINES

POD

POU

1/4 1/4 LINES

ACRES

6

CLAIM(S) : 51-02075

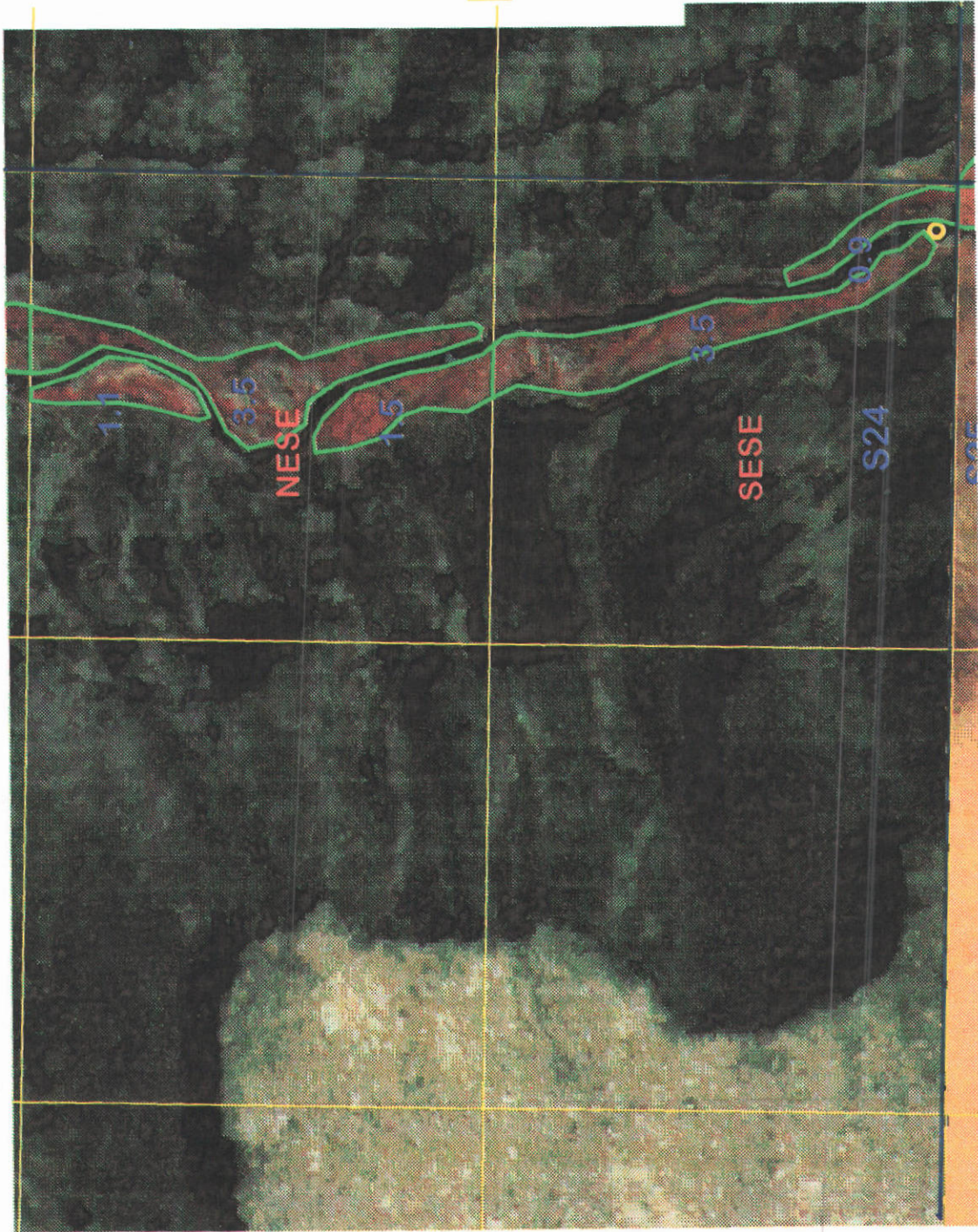
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IDAHO DEPARTMENT OF WATER RESOURCES
T14S, R06E, S24 & S25
T14S, R07E, S30



6b 2



1987 NAPP PHOTO

SECTION LINES

POD

POU

1/4 1/4 LINES

ACRES

6

CLAIM(S) : 51-02075

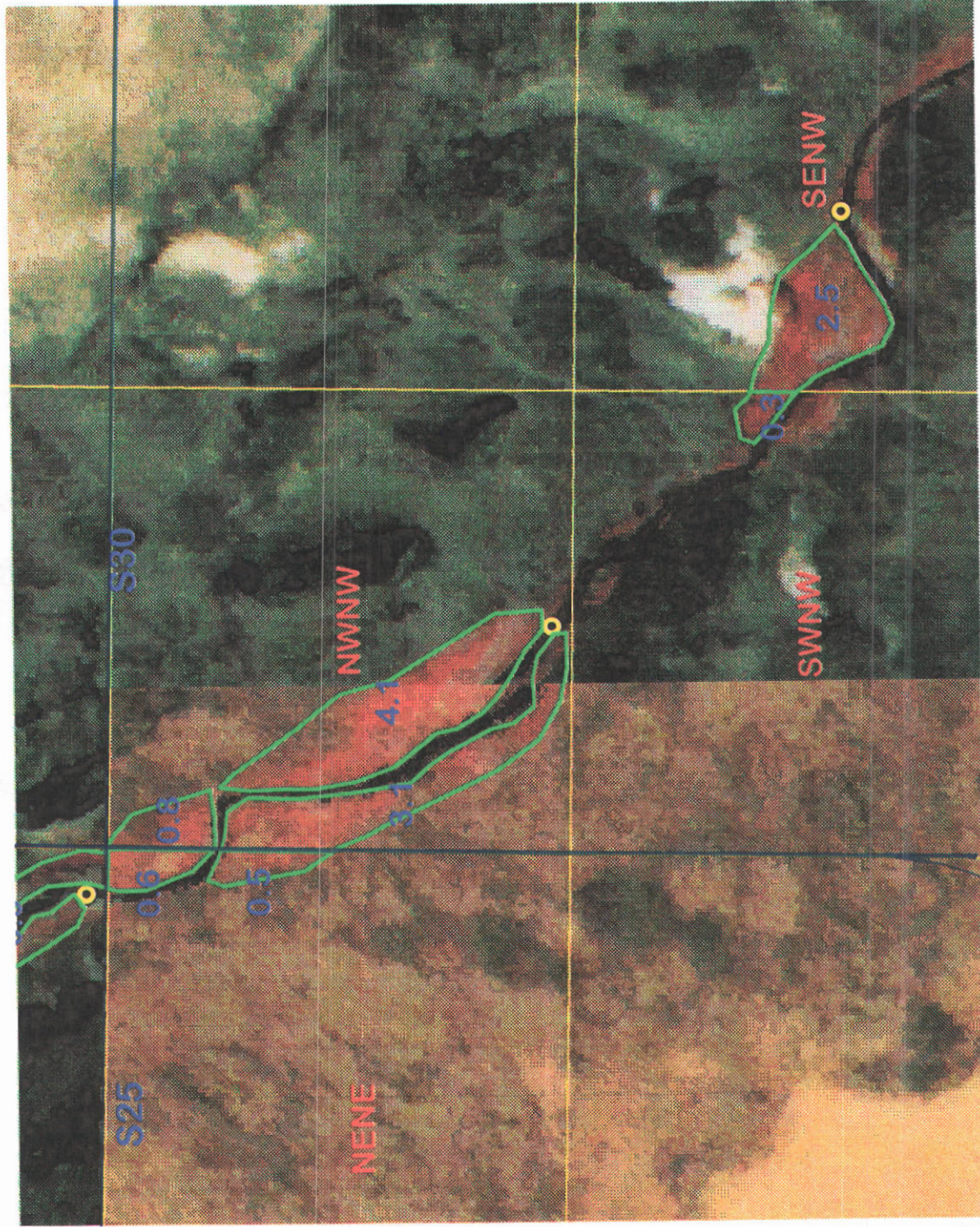
OWNER(S): T M RANCH CO

Prepared by: Mel Schulte

Date: 4/29/1998

TOTAL ACRES = 29.3

IDAHO DEPARTMENT OF WATER RESOURCES
T14S, R06E, S24 & S25
T14S, R07E, S30



1987 NAPP PHOTO

SECTION LINES

POD

POU

1/4 1/4 LINES

6 ACRES

CLAIM(S) : 51-02075

OWNER(S): T M RANCH CO

Prepared by: Mel Schulte

Date: 4/29/1998

TOTAL ACRES = 29.3

be 17

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

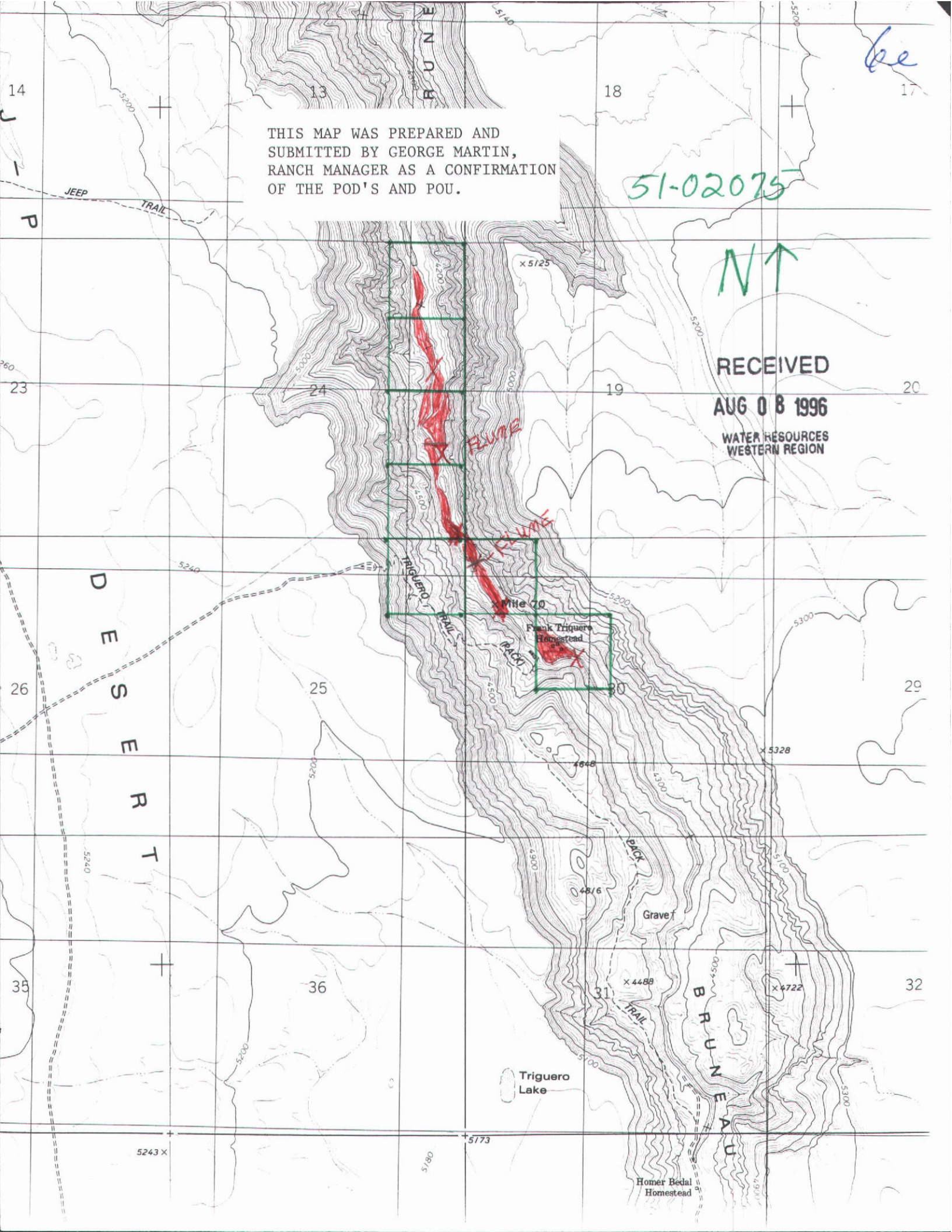
51-02075

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RECEIVED

AUG 08 1996

WATER RESOURCES
WESTERN REGION





CLAIM A51-02075 INIT GF
T. R. S. Q/Q

P/D _____

SCALE _____

PHOTO ID. 0013 DATE 1979

51-02075

State of Idaho License and Certificate of Water Right

Water License No. 14666

Amount 1 sec. ft.

Water District No. 57-0

Priority 2/21/20

THIS IS TO CERTIFY that FRANK TRIGURIO of Rowland Nevada made application for a permit to appropriate the public waters of the State of Idaho, dated February 21, 19 20; that Permit No. 14666 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1 second feet, was issued thereunder on June 26, 19 20, showing that said works were completed on the 15th day of June 19 20; and that on the 15th day of June 19 20,

FRANK TRIGURIO

of Rowland Nevada made proof to the satisfaction of the Commissioner of Reclamation State Engineer of Idaho, of a right to the use of the waters of Bruneau River a tributary of Snake River for the purpose of irrigation Domestic use under Use Permit No. 14666 of the State Engineer, 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 State Engineer of Idaho and entered of record in Volume B of Licenses at page 2731 on the 7th day of December 19 20;

The right hereby confirmed dates from February 21, 19 20;

(1) SW 1/4 NE 1/4 Sec. 30 T. 14 S. R. 7 E. (Unsur.)

The Point of Diversion is located (2) NW 1/4 NE 1/4 " " " " " "

(3) SE 1/4 SE 1/4 Sec. 24 T. 14 S. R. 8 E. B.M.

(4) SE 1/4 NE 1/4 " " " " " " 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
14 S.	6 E.	24	NE 1/4 NE 1/4	10	10
			SE 1/4 NE 1/4	5	10
			NE 1/4 SE 1/4	7	10
			SE 1/4 SE 1/4	7	10
		25	NE 1/4 NE 1/4	8	10
7 S.	30		NE 1/4 NE 1/4	5	10
			SE 1/4 NE 1/4	8	10

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.

Commissioner of Reclamation

WITNESS the seal and signature of the State Engineer, affixed at Boise, Idaho, this 7th day of December 19 20

W. O. SWENDSEN.

Commissioner of Reclamation State Engineer.

By: S. L. Baer, Deputy

(SEAL)

51 2075

51-02075

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Owyhee

Frank Triguero

being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 14666, and that his postoffice address is Rowland,

State of Nevada

Second: That the name of the stream from which said water is to be diverted is Bruneau River

Third: That the point of diversion of said water is are: No. 1, 0.20, SW $\frac{1}{4}$ NE $\frac{1}{4}$; No. 2, 8.28, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, T. 14 S., R. 7 E.; No. 3, 0.30, SE $\frac{1}{4}$ SE $\frac{1}{4}$; No. 4,

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Oct. 30, 1925

Fifth: That the use for which said water is intended is irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: Dams and ditches

(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work: (See statement attached.)

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit width at bottom feet, width at water line feet, depth of water feet; diameter of pipe inches.

(State whether ditch, flume or pipe.)

Average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use

one second foot of water.

Eighth: That water appropriated under said permit is available for 50 acres of land described as follows: T. 14 S., R. 6 E. B. M.: Sec. 24, NE $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres; SE $\frac{1}{4}$ NE $\frac{1}{4}$, 5 acres; NE $\frac{1}{4}$ SE $\frac{1}{4}$, 7 acres; SE $\frac{1}{4}$ SE $\frac{1}{4}$, 7 acres. Sec. 25, NE $\frac{1}{4}$ NE $\frac{1}{4}$, 8 acres. Twp. 14 S., R. 7 E. B. M.: Sec. 30, NW $\frac{1}{4}$ NW $\frac{1}{4}$, 5 acres; SE $\frac{1}{4}$ NW $\frac{1}{4}$, 8 acres.

Ninth: Remarks: That

Frank Triguero
(Sign here)

Subscribed and sworn to before me this 15th day of June, 1925.

Charles Mason
Notary Public

My commission expires June 27, 1925

14666

PERMIT NO 14666

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

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

Ans. Frank Arriguirro, age 38 years, farmer, post-office address,

Rom 2nd, Nevada, residence, Owyhee County, Idaho.

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

Ans. Not acting for a corporation.

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

Ans. 14666

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

Ans. Brunear River, No. 1, 0.20, SW 1/4 NE 1/4, No. 2, 0.30, NW 1/4 NW 1/4, Sec. 30, T. 14 S., R. 7 E. B. M., No. 3, 0.30, SE 1/4 SE 1/4, No. 4, 0.20, SE 1/4 NE 1/4, Sec. 24, T. 14 S., R. 6 E. B. 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. (See Statement attached.)

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 cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation, Township 14 S., R. 6 E. B. M., Sec. 24, -- NE 1/4 NE 1/4, 10

acres; SE 1/4 NE 1/4, 5 acres; NE 1/4 SE 1/4, 7 acres; SE 1/4 SE 1/4, 7 acres.

Sec. 25, -- NE 1/4 NE 1/4, 8 acres; Twp. 14 S., R. 7 E. B. M., Sec. 30,

NW 1/4 NW 1/4, 5 acres; SE 1/4 NW 1/4, 8 acres. All cultivated.

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

Ans. No use other than irrigation.

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

Ans. One miner's inch per acre.

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. Am person to whom permit was originally issued.

14666

51-02075

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

Ans. Water in an amount equal to one inch per acre has been used on
the land described in my answer to Question 6 for _____ years
last past.

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 rights claimed thereunder.

Ans. No other water has been diverted or used. I claim no other
water rights except that neither the permit nor this proof shall
be deemed to be a waiver by me of any rights which I may have
acquired by actual diversion and use prior to the filing of my
application for permit.

(Sign) Frank J. Inguire

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 15th day of June.

A. D. 19 20

Charles Pearson
Notary Public

14666

REPORT OF ENGINEER

51-02075

This proof is for Beneficial UseIn Water District No. 57-01. State name of applicant and number of permit: Frank Triguire- Permit: 146662. State source of water supply: Bruneau River3. Location of point of diversion: S. E. 1/4 Sec. 24, T. 14 S., R. 6 E.#2, NE 1/4 Sec. 20, T. 14 S., R. 7 E., B.M.

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

Rock and brush dam, 6' H., 100' L.Wood H.G., 3' x 3'Ditch, 2' B., 1' D., Cap. 2 S.F.No. 2.- Rock and brush dam, 7' H., 120' L., Wood H.G., 3' x 3'Ditch, 2' B., 1' D., Cap. 2 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 1/4 Sec. 24, NE 1/4 Sec. 25, T. 14 S., R. 6 E., B.M.NE 1/4, SE 1/4 Sec. 30, T. 14 S., R. 7 E., B.M.10 A. in cultivation in each forty.

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 Bruneau River, to Snake River.

Remarks:

This examination was made on the 31 day of July19 20.

(Signed)

L. E. Annett.

Examiner.

NAME OF APPLICANT

F. O. A. T. M. A.

51-02075

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

T145 R6E

SEC 24

19

flume

flume

PO #1

PO #2

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

14666

George Martin

HC 74 Box 7

Bureau 83004

Frank Jose Triguero

Complaint filed 9-10-1920

Proof filed 6-15-1920

License issued 12-7-1920

Decree entered 2-16-1925

Amended decree entered 12-8-1925

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: A51-02075
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: FEB 21, 1920

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
14S	06E	24	SE	NE			OWYHEE
			SE	SE			OWYHEE
	07E	30	NW	NW			OWYHEE
			SE	NW			OWYHEE

5. Description of diverting works:
ROCK DAMS WITH WOOD 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
14S	06E	24	NE	NE		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14S	06E	24	SE		NE		IRR	10.0
			NE		SE		IRR	10.0
			SE		SE		IRR	10.0
							Section Acres	40.0
		25	NE		NE		IRR	10.0
							Section Acres	10.0
	07E	30	NW		NW		IRR	10.0
			SE		NW		IRR	10.0
							Section Acres	20.0
							Total Acres	70.0

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: 14666

**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: ~~E $\frac{1}{2}$ SE $\frac{1}{2}$~~ , ~~SE $\frac{1}{2}$ NE $\frac{1}{2}$~~ - 2009.

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

Section 5: ~~Lot 1 (NE $\frac{1}{4}$ SW $\frac{1}{4}$)~~, ~~NW $\frac{1}{4}$ SW $\frac{1}{4}$~~ , ~~SW $\frac{1}{4}$ SW $\frac{1}{4}$~~
 Section 6: ~~E $\frac{1}{2}$ SE $\frac{1}{2}$~~ , ~~SE $\frac{1}{2}$ SW $\frac{1}{2}$~~ 2042.

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 $\frac{1}{2}$

Section 24: ~~E $\frac{1}{2}$ SE $\frac{1}{2}$~~ - 2075
 Section 25: ~~NE $\frac{1}{4}$ SE $\frac{1}{2}$~~ " } 2075

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

Section 30: ~~Lot 1 (NE $\frac{1}{4}$ SW $\frac{1}{4}$)~~, Lot 2 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)

Section 31: ~~SW $\frac{1}{4}$ SW $\frac{1}{4}$~~ - 2070

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

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

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

Section 34: NW $\frac{1}{4}$ NE $\frac{1}{2}$

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

Section 6: Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{2}$) - 2070

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

Section 19: SE $\frac{1}{2}$ SE $\frac{1}{2}$, NE $\frac{1}{2}$

Section 20: SW $\frac{1}{2}$ SW $\frac{1}{2}$

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

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

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

Section 33: SW $\frac{1}{2}$ SW $\frac{1}{2}$

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

Section 1: NE $\frac{1}{2}$ NE $\frac{1}{2}$

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

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

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

Section 7: ~~SW $\frac{1}{4}$ SW $\frac{1}{4}$~~ , Lot 1 (NE $\frac{1}{4}$ NW $\frac{1}{4}$), ~~SW $\frac{1}{4}$ SW $\frac{1}{4}$~~ - 10176

Section 8: ~~NW $\frac{1}{4}$ NE $\frac{1}{2}$~~ - 10176

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

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

Section 5: E $\frac{1}{2}$ - 2072.

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

Section 9: NW $\frac{1}{4}$ NW $\frac{1}{2}$

EXHIB. "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 $\frac{1}{4}$, 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
~~SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$~~ -10175
~~SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$~~ -10177-12807.
W $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$

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

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

Section 4: ~~Lot 1 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)~~, ~~SE $\frac{1}{4}$ SW $\frac{1}{4}$~~ , ~~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: ~~SW $\frac{1}{4}$ SW $\frac{1}{4}$~~ , ¹⁰³⁴³SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 6: Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), ¹⁰³⁴³SW $\frac{1}{4}$ SW $\frac{1}{4}$, ¹⁰³⁴³SW $\frac{1}{4}$ SW $\frac{1}{4}$

NE $\frac{1}{4}$ SW $\frac{1}{4}$, ~~SW $\frac{1}{4}$ SW $\frac{1}{4}$~~ , NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 8: ¹⁰³⁴³NW $\frac{1}{4}$ SW $\frac{1}{4}$, ¹⁰³⁴³NE $\frac{1}{4}$ 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: NW $\frac{1}{4}$ -2008

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

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 JAYO
CITY OF IDAHO
BY [Signature] DEPUTY

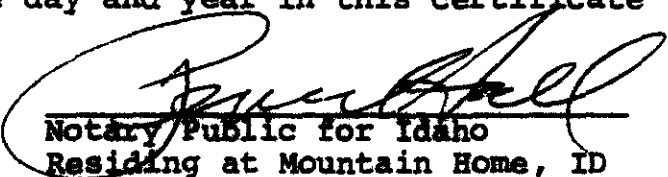
RECORDED
INDEXED
FEB 15 1990

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.

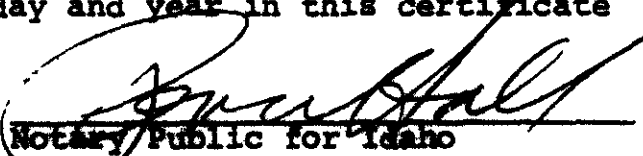
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.


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

EXH. "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 (SW $\frac{1}{4}$ 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 $\frac{1}{4}$ NW $\frac{1}{4}$), 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 $\frac{1}{4}$ NW $\frac{1}{4}$), 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 $\frac{1}{4}$

EXHIB. "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 $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ 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 $\frac{1}{4}$

NW $\frac{1}{4}$ 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: A51-02075
Date Received: 1/09/1989
Receipt No: W00190
Received By: 20h

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: T.H. RANCH; ALSOLA BROTHERS 208-344-0190
Address: P.O. BOX 848
MOUNTAIN HOME, ID 83647
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: FEB 21, 1920

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
14S	06E	24	SE	NE			OWYHEE
			SE	SE			OWYHEE
	07E	30	NW	NW			OWYHEE
			SE	NW			OWYHEE

5. Description of diverting works:
ROCK DAMS WITH WOOD 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		

A51-02075

Page 1

Date: 01/09/89

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AUG 10 1992

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
145	06E	24	NE	NE		IRR	10.0
			SE	NE		IRR	10.0
			NE	SE		IRR	10.0
			SE	SE		IRR	10.0
						Section Acres	40.0
		25	NE	NE		IRR	10.0
						Section Acres	10.0
	07E	30	NW	NW		IRR	10.0
			SE	NW		IRR	10.0
						Section Acres	20.0
						Total Acres	70.0

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

15. Basis of Claim: LICENSE
Water Right Number: 14666

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

Steven 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

Seal

Ron Howerton
Notary Public
4200 PULL
Residing at 1305E, Idaho 83703
My Commission Expires 12-8-94



Water Right Number - 51-02075

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 14666

*** C - CURRENT OWNER ***

TRIGURINO

FRANK

1 -
2 -
3 -

City- HOWLAND State- NV Zip-
Phone -

Priority Date - 82/21/1920 Region - 14 Stage - L - LICENSE Status -

Source - Snake River Tributary - Snake River

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

Twn	Rng	Sec	Tract	Lot	Rflg	County	Water Use	Period From	Period To	Diversion Rate	Diversion Volume
14S	06E	24	SE SE	(73)	OWENSE	272.0	362.0	77.6			
14S	06E	24	SE SE	(73)	OWENSE	272.0	362.0	77.1			
14S	07E	30	SW SE	(73)	OWENSE	272.0	362.0	78.5			
14S	07E	30	SW SW	(73)	OWENSE	272.0	362.0	77.9			

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

01 - IRRIGATION
03 - DOMESTIC

1.000

Total Div. Rate - 1.000 Total Div. Volume - Total Div. Capacity - Total Consumptive Use - KW Usage -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
14S	06E	24	SE SE	10.0	01	IRRIGATION	(73) OWENSE	
14S	06E	24	SE SE	10.0	01	IRRIGATION	(73) OWENSE	
14S	06E	24	SE SE	10.0	01	IRRIGATION	(73) OWENSE	
14S	06E	24	SE SE	10.0	01	IRRIGATION	(73) OWENSE	
14S	06E	25	SE SE	10.0	01	IRRIGATION	(73) OWENSE	
14S	07E	30	SW SW	10.0	01	IRRIGATION	(73) OWENSE	
14S	07E	30	SE SW	10.0	01	IRRIGATION	(73) OWENSE	

Total Acres: 70.0

- Diversion Means -

- Non-Irrigation Use -

- Other Rights for Same Use -

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AUG 10 1992

Water right number - 51-02075 Adj. flag translation: Standard Water Right Number

+ - - - - - Remarks - - - - - +
+ - - - - - No Remarks found. - - - - - +
+ - - - - - Conditions of Approval - - - - - +
+ - - - - - Decree Plaintiff - - - +
+ - - - - - Decree Defendant - - - +
+ - - - - - Decree Date - - - +
00/00/0000

+ - - Microfilm Rolls -

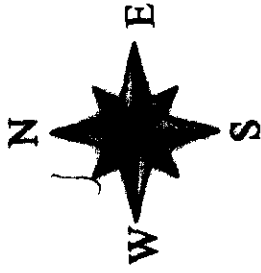
+ - - Audit Fields - 03/12/85 04/30/88 CONVERT

+ - - - - - Water Rights Dates and Flays Area - - - - - +
+ - - - - - Pref Due Date - 00/00/0000 Field Exam Made - 00/00/0000 Field Exam Fee -
+ - - - - - Approved/Denied - 00/00/0000 Pretented Date - 00/00/0000 Swan Falls -
+ - - - - - Pref Made Date - 00/00/0000 Hearing Date - 00/00/0000 Temporary Right - P
+ - - - - - Start Work Date - 00/00/0000 Verified Date - 01/12/1985 BULL/Carrey 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

MICROFILMED
AUG 10 1992

IDAHO DEPARTMENT OF WATER RESOURCES
T14S, R06E, S24 & S25
T14S, R07E, S30

C. T. ...



1987 NAPP PHOTO

 **SECTION LINES**

 **POB**

 **POU**

 **1/4 1/4 LINES**

 **ACRES**

CLAIM(S) : 51-02075

OWNER(S): T M RANCH CO

Prepared by: Mel Schulte

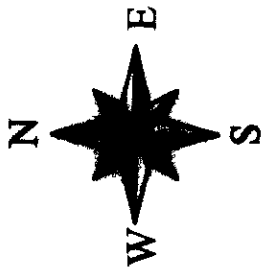
Date: 4/28/1988

TOTAL ACRES = 29.3



IDAHO DEPARTMENT OF WATER RESOURCES
T14S, R06E, S24 & S25
T14S, R07E, S30

2



1987 NAPP PHOTO

SECTION LINES

POD



POI



1/4 1/4 LINES

6

ACRES

CLAIM(S): 51-02075

OWNER(S): T M RANCH CO

Prepared by: Mel Schulte

Date: 4/28/1988

TOTAL ACRES = 29.3

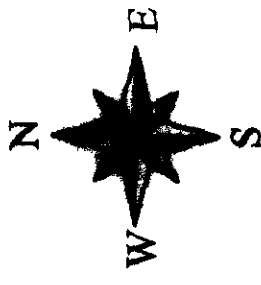
0.5 Miles

0.25

0

IDAHO DEPARTMENT OF WATER RESOURCES
T14S, R08E, S24 & S25
T14S, R07E, S30

3



1987 NAPP PHOTO

 **SECTION LINES**

 **POD**

 **POU**

 **1/4 1/4 LINES**

 **ACRES**

CLAIM(S) : 51-02075

OWNER(S): T M RANCH CO

Prepared by: Mel Schulte

Date: 4/29/1998

TOTAL ACRES = 29.3



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

AJ0749NP
No. R51-02075

Comments: Date: 08/27/1996 User-ID: MSCHULTE Subject: PRIORITY DATE CHANGE
DATE.

Date: 04/20/1998 User-ID: DBUFFING Subject: NAME/ADDRESS UPDATE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS A
NAME/ADDRESS UPDATE.

Audit: 07/18/98 MSCHULTE

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?
☒ ORTHOPHOTOGRAPH	DATE OF PHOTO <u>1979</u> IDAR ID NO. <u>DD13</u>	☒ <u>6F</u>
☒ TOPOGRAPHIC	DATE FIELD CHECKED <u>8-3-87</u> IDAR ID NO. <u>DD1354</u>	☒ <u>6e</u>
☒ MAP	DATE OF PHOTO <u>1987 - Not a good copy</u> IDAR ID NO. <u>DD1354</u>	☒ <u>6e</u>
☒ AERIAL PHOTO	DATE OF PHOTO <u>4-29-98 (3 pages)</u> IDAR ID NO. <u>DD1354</u>	☒ <u>6e</u>
☒ AERIAL PHOTO	DATE OF PHOTO <u>4-29-98 (3 pages)</u> IDAR ID NO. <u>DD1354</u>	☒ <u>6e</u>
☐ BLN OR UNFS AERIAL PHOTO	DATE OF PHOTO _____ IDAR ID NO. _____	☐ _____
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____ IDAR ID NO. _____	☐ _____
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____ IDAR ID NO. _____	☐ _____
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____ IDAR ID NO. _____	☐ _____
☐ OTHER <u>Notes to file</u>	DATE <u>8-9-96</u> IDAR ID NO. _____	☐ _____
☐ OTHER <u>Memorandum</u>	DATE <u>8-15-96</u> IDAR ID NO. _____	☐ _____
☐ OTHER <u>GIS label</u>	DATE <u>4-29-98</u> IDAR ID NO. _____	☐ <u>Page 6d</u>

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☒ LICENSING FIELD EXAM	DATE OF FIELD EXAM <u>7-31-1920</u>	<u>2</u>	
☒ WATER RIGHT LICENSE	DATE LICENSE SIGNED <u>12-7-1920</u>	<u>1</u>	
☐ IDAR APPROVED TRANSFER	DATE TRANSFER APPROVED _____		
☐ SYSTEM DESCRIPTION	DATE DRAIN _____		
☐ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____		
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____		
☐ MIDDLE ANALYSIS	DATE ANALYSIS COMPLETED _____		
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____		
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____		
☒ OTHER <u>Plan of Completion</u>	DATE <u>6-15-1920</u>	<u>1</u>	
☒ OTHER <u>Deposition of Holder</u>	DATE <u>6-15-1920</u>	<u>1</u>	

ADMINISTRATIVE CLAIM CHECKLIST

FIELD ITEM I/N-IF NO. NO OFFICE VERIFICATION	FIELD ITEM OR IS-OFFICE VERIFICATION NUMBER	CLAIM VERIFIED BY CODE	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N	REVIEW COMPLETED HIGH/DATE	NOTICE OF CLAIM NO.
PRIORITY	1175	6	Y	NEEDED - Y/N	1175	451-02075
PT. OF DIV.	8-27-96	1,6	N		8-27-96	
EDUCATION		6	N			
EL. OF RES.		6	N			
DIV. AMOUNT CST/IF		1,6	N			
CONJUNCTIVE RES		6	N			
NATURE OF RES		6	Y			
PERIOD OF RES		6	N			
BASIS OF CLAIM		6	Y			
REMARKS		6	N-Y			
		6	N			

VERIFICATION CODES	VERIFICATION CODES
TYPE RES/COMMENTS	1
ACCS MAP	2
WATERMETER RECORDS	3
HAFT PHOTOS	4
FIELD TEAM	5
OTHER (SEE COMMENTS)	6

IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN SUBMITTED - YES Y/N NO

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

COMMENTS: See memo dated 8-15-96 concerning priority date change.

"R" RECORD

DATA ENTRY COMPI BY DATE

FINAL RECOMMEND BY DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:14:19
10/18/93

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A51-02075

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY UNKNOWN/DATE	FIELD EXAM BY UNKNOWN/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW UNKNOWN/DATE	COMPLETED DATA ENTRY UNKNOWN/DATE	VERIFIED DATE UNKNOWN/DATE
PRIORITY DATE				Y		8-27-96 MIS		
POINT OF DIV	Y			N				
SOURCE				N				
PLACE OF USE	Y			N				
DIV. AMOUNT CFS/VOLUME	Y			N				
CONSUMPTIVE USE	-			Y				
PURPOSES	Y			N				
PERIOD OF USE	Y			Y				
BASIS OF CLAIM				Y-N				
REMARKS	Y			Y				

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 MAPS 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: A51-02075

Stage: LICENSE
OWYNEE County
OWYNEE County

Tributary to: SNAKE RIVER

Point(s) of Diversion:

T14S R04E \$24
R07E \$30

40- 110-	PM335 3536	40- 110-	PM335 3535
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Place of use Legal Description for: IRRIGATION

三三三

ज

33

NE						NW						SW						SE								
NAME		NAME		NAME		NAME		NAME		NAME		NAME		NAME		NAME		NAME		NAME		NAME		NAME		SUM
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
14S	06E	24	:	10	:	10	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	40.0	
14S	06E	25	:	10	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	10.0	
14S	07E	30	:	:	:	:	:	10	:	:	:	10	:	:	:	:	:	:	:	:	:	:	:	:	20.0	
																								TOTAL ACRES	70.0	

POU County: Owyhee

Non-Irrigation Uses: NONE

Other Rights: NONE

Conditions of Approval:

Remarks: RANCH PH. 759-3921 - *Del Rio*

Dates: _____ **Exam Month Date:** _____

Verified Date:

Water District Number:

Field Inspection Flag:
Presumption Flag:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:14:19
10/18/93

PAGE: 1
GENERAL INFORMATION

27
CLAIM NUMBER: A51-02075

LAST: T.M. DAMCH
ADDRESS: P.O. BOX 848
CITY: MOUNTAIN HOME
PHONE NUMBER: 208-344-0190
OWNER CODE: C

FIRST:
STATE: ID ZIP: 83647

LAST: TRIGUERO
ADDRESS:
CITY: RONLAND
PHONE NUMBER: 208-000-0000
OWNER CODE: D

FIRST: FRANK
STATE: NV ZIP: XXXXX

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

VERIFICATION REQUIRED DUE TO REMARKS?

Y

CLAIM REMARKS: RANCH PH. 759-3921

FIELD EXAMINATION INFORMATION

CONTACT PERSON: George Martin PHONE NUMBER: 208, 258-3215
DATE OF FIELD EXAM: 1/1 APPOINTMENT MADE: Y() N() TIME: --- A() P()
ACCOMPANIED BY: --- PHONE NUMBER: () - -
RELATIONSHIP TO CLAIMANT: Ranch manager
DIRECTIONS TO PROPERTY / NOTES:
In office exam - See memo dated 8-9-96

A. AJ CLAIM: # A51-02075 PRIORITY DATE: 02-21-1920 STAGE: L
B. LR RECORD: # 51-02075 PRIORITY DATE: 02-21-1920 STAGE: L

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

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? YES () NO ()

NOTES: See memo dated 8-15-96 re 8-13-96

RECOMMENDED PRIORITY DATE: 2-21-1925

REVIEWED BY Mel Scholtz DATE 8-27-96

RECEIVED
AUG 27 1996
WATER RESOURCES
WESTERN REGION

To: Mel Schulte
From: J. Andrew Helminger
Re: Priority date after amended default judgment
Claims A51-02070 and A51-02075
Date: August 15, 1996

MEMORANDUM

I. Issue

1. Whether, when a licensed claim defaulted in an adjudication, and the court subsequently modified the particular claims in the adjudication decree, the claim's priority changes to that of a beneficial use beginning one day after the date of the modified adjudication decree?

II. Short answer

1. No. Because the amended decree was not a revision of the entire decree, the original adjudication decree was the effective decree for severing claims of defaulted defendants.

III. Facts

The claims listed above, now both owned by the Alzola brothers, originally belonged to Homer Bedell and Frank Triguero.

On September 20, 1920, the District Court of the Third District of Idaho accepted a complaint to adjudicate the water rights stemming from the Bruneau River. The adjudication included the rights of Bedell and Triguero. On August 28, 1922 the court issued an Order for Entry of Default naming all the parties who had failed to appear in the adjudication, which included Bedell and Triguero. The court issued its decree on February 16, 1925. The decree found no rights in Bedell and Triguero. On

December 8, 1925, the court amended the rights of particular claimants through an Amended Decree. The amended decree granted no rights in Bedell and Triguriro.

IV. Discussion

1. Whether, when a licensed claim defaulted in an adjudication, and the court subsequently modified particular rights in the adjudication decree, the claim's priority changes to that of a beneficial use beginning one day after the date of the modified adjudication decree?

No. Because the amended decree was not a revision of the entire decree, the original adjudication decree was the effective decree for severing claims of defaulted defendants.

a. The effect of the February 16, 1925 Decree.

The *Claims Investigation Manual* states generally that if a right was subject to a prior decree but that court did determine the right, then the claim becomes one of beneficial use with a priority from the day following the prior adjudication decree.

CIM, Priority, 23. A decree or judgment is the final determination of the rights of the parties in an action or proceeding. State v. McNichols, 62 Idaho 616, 622, 115 P.2d 104 (1941); I.R.C.P. 54(a). An entry of default is not a final judgment or order, unlike the default judgment. McFarland v. Curtis, 123 Idaho 931, 935, 854 P.2d 274 (1993). Therefore, the August 28, 1922 order was not final judgment on the default. The final default judgment in the case was the original decree, which states in relevant portion: "[U]pon the complaint of the plaintiff, ..., the default of non-appearing defendants

having heretofore been entered, ... IT IS HEREBY ORDERED, ADJUDGED AND DECREED, ..." The decree then continues, stating the water rights as judged for the Bruneau River.

Whether an instrument is a judgment turns upon its content and substance, not its title. Valley Bank v. Dakon, 110 Idaho 87, 90, 714 P.2d 56 (1985). The substance of the February 16, 1925 decree precluded defaulting defendants from appearing and having the court adjudicate their water rights claims. Typically, a judgment is effective when it is entered. I.C.R. 58. The effect of a judgment is to ascertain the rights of all named parties. Beecher v. Cassia Creek Irr. Co., 66 Idaho 1, 10, 154 P.2d 507 (1943); See also Crow v. Carlson, 107 Idaho 461, 465, 690 P.2d 916 (1984). The decree fixed the rights of the named parties February 16, 1925.

The Doctrine of Res Judicata precludes a claimant from asserting a claim for a water right against competing claimants when a court previously reviewed that claim against the competing claims. Lambrix v. Frazier, 31 Idaho 382, 386, 171 P. 1134 (1918); State v. Gusman, 125 Idaho 805, 807, 874 P.2d 1112 (1994). "The former adjudication concludes parties and privities not only as to every matter offered and received to sustain or defect the claim but also as to every matter which might and should have been litigated in the first suit." State v. Gusman, 125 Idaho at 807. The rule precludes a claimant even if they were not original parties to the action but stand in privity of the claim. Sun Valley Land and Minerals, Inc. v. Burt, 123 Idaho 862, 869, 853 P.2d 607 (1993); Schuler v. Ford, 10 Idaho 739, 80 P. 219 (1905). Privity exists where one party derives its interest from another who was a party to the former action.

Weldon v. Bonner Tax Coalition, 124 Idaho 31, 35, 855 P.2d 868 (1993). In the present case, the Alzola brothers stand in privity of the claims of Bedell and Triguriro and are therefore precluded from asserting priority against other claims named in the Bruneau River adjudication.

b. The effect of the December 8, 1925 Amended Decree.

A court has jurisdiction to amend its judgment so that the judgment accurately reflects the court's action. **Ward v. Lupinacci, 111 Idaho 40, 41, 720 P.2d 223 (1986).** Here, however, the amendment did not affect the rights of the defaulted defendants. Only the original decree precludes the defaulted defendants from asserting rights prior to the decree date. Accordingly, where an original claimant defaulted in the Bruneau River adjudication, present claims based upon those rights will assume the status of a beneficial use claim with a priority one day after the date of the original decree.

V. Conclusion

Based upon the above discussion, the Alzola brothers' claims originating with Homer Bedell or Frank Triguriro defaulted in the Bruneau River adjudication and became beneficial use claims with a priority one day after the date of the decree that foreclosed all claims. The date for the Bruneau River decree is February 16, 1925, and the date for Bedell and Triguriro's claims should be February 17, 1925.

MEMORANDUM TO FILE

TO: A51-02070, A51-02072, A51-02075
FROM: MEL SCHULTE *MS*
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 to 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 required to field exam the claims, 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 described by Mr Martin.

Claim A51-02072 is claimed the same as the license. 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.

MEMORANDUM

To: Andrew Helmlinger
Legal Services
State Office

From: Mel Schulte
Western Region Adjudication

MTA

Date: August 13, 1996

Re: Claims A51-02070 & A51-02075

My review of the above referenced claims developed some questions and issues to which we need your written opinion. The basis of both claims are licenses developed through permits issued prior to the initiation of the Bruneau River decree, #51A.

Some of the facts pertinent to the Bruneau River adjudication are as follows:

1. The parties to the action are Grandview Irrigation District, Plaintiff VS Bruneau Buckaroo Co-operative Ditch Company, etal, Defendants.
2. It appears the adjudication was intended to include all users of water from the Bruneau River and its major tributaries.
3. The complaint was file 9/20/1920.
4. An Order of Default was entered 8/28/1922 naming the parties that failed to answer the complaint in a timely manner.
5. A Stipulation for Decree was entered (date unknown).
6. The Decree was entered 2/16/1925.
7. An amended decree was entered 12/8/1925.

The pertinent facts for SRBA claim A51-02070 are as follows:

1. Application for Permit was approved 10/8/1919 in the name of Homer Bedell for the irrigation of 25 acres with the Bruneau River as the source.
2. Proof of Beneficial Use was filed 4/16/1920.
3. The permit was field examined 7/31/1920.
4. A Pre-cancellation Order was issued 1/25/1971 to Alzola Brothers for failure to pay an examination fee.
5. A license issued 11/9/1971 in the name of Homer Bedell with a

priority date of 10/8/1919 for the irrigation of 25 acres from the Bruneau River.

6. SRBA claim A51-02070 was filed 1/9/1989 by Alzola Brothers based on license 51-02070 claiming 25 acres of irrigation from the Bruneau River with a priority date of 10/8/1919. The claim specifies a different POD than the license indicating the licensed POD is incorrect.

7. No field examination for the claim has been conducted. The current plan is to conduct an in-office review of the claim based on the statements and information presented by the current ranch manager that the irrigation of the land is the same as was originally licensed.

The pertinent facts for SRBA claim A51-02075 are as follows:

1. Application for Permit was approved 4/30/1920 in the name of Frank Triguriro for the irrigation of 50 acres with the Bruneau River as the source.

2. Proof of Beneficial Use was filed 6/15/1920.

3. The permit was field examined 7/31/1920.

4. The license was issued 12/7/1920 in the name of Frank Triguriro with a priority date of 2/21/1920 for the irrigation of 70 acres from the Bruneau River.

5. SRBA claim A51-02075 was filed by Alzola Brothers based on license 51-02075 claiming 70 acres of irrigation from the Bruneau River with a priority date of 2/21/1920.

6. No field examination of the claim has been conducted for the same reasons specified for claim A51-02070.

Some additional facts that impact the review of claims A51-02070 and A51-02075 are (1) Homer Bedell and Frank Triguriro were both named as defendants in the original Bruneau River complaint; (2) Homer Bedell and Frank Triguriro were both named in the Order of Default entered in the Bruneau River adjudication; (3) Neither Homer Bedell nor Frank Triguriro were named in the original and amended Bruneau River decrees (4) None of the land descriptions specified in licenses 51-02070 & 51-02075 and SRBA claims A51-02070 & A51-02075 are described in the original and amended Bruneau River decrees.

Based on the information we can obtain at this time it appears that both licenses were defaulted in the Bruneau River adjudication. Therefore, the basis of the corresponding SRBA claims filed for these rights should not be recognized as licenses. Our Claim Investigation Manual (Page 20) suggests these claims should be reviewed as beneficial use claims with the priority advanced to the date after the decree date. This approach appears to be acceptable

but our question is: should we use the day after the original decree date or the day after the amended decree date?

Even though the basis for claims A51-02070 & A51-02075 may be incorrect, we think there are historical water rights that should be recognized in the SRBA. We also think the review and recommendation of these rights can be made using the current claim filings rather than requiring the current owners to file new claims based on beneficial use. Please let us know if you concur or disagree with our opinions on this matter.

We have in our files copies of some Bruneau River Decree filings that may not be available at the State Office. If you need to review these documents let me know. If you need copies of any documents relating to the licensing processes or the SRBA filings for the subject claims I can provide them. Call me if you would like to discuss these matters in more detail.

After you have had an opportunity to review the information above, we would appreciate your written opinion for our files to support our forthcoming recommendations.

MTS

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A51-02075	14S	06E	24	SE	NE			DAYNEE
A51-02075	14S	06E	24	SE	SE			DAYNEE
A51-02075	14S	07E	30	NW	NW			DAYNEE
A51-02075	14S	07E	30	SE	NW			DAYNEE

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

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: BRUNEAU RIVER

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
51-02075	14S	07E	30	SW	NE			DAYNEE
51-02075	14S	07E	30	NW	NW			DAYNEE
51-02075	14S	06E	24	SE	SE			DAYNEE
51-02075	14S	06E	24	SE	NE			DAYNEE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

SOURCE: BRUNEAU RIVER

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
		1	

NOTES:

See memo dated 8-9-96

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:		1/4	1/4	LOT	COUNTY	DIVERSION NAME
TWP.	RGE.	SEC.				
14S	0E	24	SE	NE	Owyhee	
		24	SE	SE	"	
14S	7E	30	NW	NW	"	
		30	SE	NW	"	
SOURCE: BRUNEAU RIVER			TRIB: SNAKE RIVER			
REVIEWED BY: <i>W. H. Schultz</i>			DATE: 8-27-96			
SYSTEM DESCRIPTION:						

A. ROOT WATER RIGHT NUMBERS: A51-02075

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
14S	06E	24	NE	NE		T.M. RANCH	A51-02075	/10.0	51-02075	/10.0	10
14S	06E	24	SE	NE		T.M. RANCH	A51-02075	/10.0	51-02075	/10.0	10
14S	06E	24	NE	SE		T.M. RANCH	A51-02075	/10.0	51-02075	/10.0	10
14S	06E	24	SE	SE		T.M. RANCH	A51-02075	/10.0	51-02075	/10.0	10
14S	06E	25	NE	NE		T.M. RANCH	A51-02075	/10.0	51-02075	/10.0	10
14S	07E	30	NW	NW		T.M. RANCH	A51-02075	/10.0	51-02075	/10.0	10
14S	07E	30	SE	NW		T.M. RANCH	A51-02075	/10.0	51-02075	/10.0	10
TOTAL ACRES							A51-02075	70.00	70.00		

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

IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

PRESUMPTION FLAG:

NOTES:

POU COUNTY: OMYHEE

FIELD EXAMINER

DATABASE Y

See GIS table
Dated 4-29-98
70 - Same as
licensed

RECOMMENDATIONS:

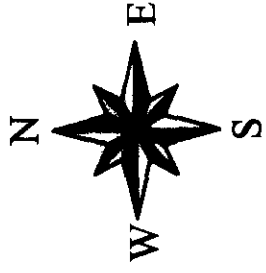
TOTAL ACRES:

REVIEWED BY:

407 29.3
Mel Schulte
5-4-98
DATE: 8-27-96

IDAHO DEPARTMENT OF WATER RESOURCES
T14S, R06E, S24 & S25
T14S, R07E, S30

6a 1



1987 NAPP PHOTO

 **SECTION LINES**

• **POD**

 **POU**

 **1/4 1/4 LINES**

6 ACRES

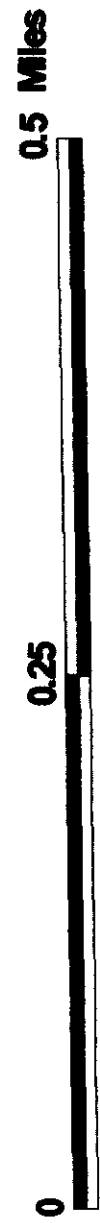
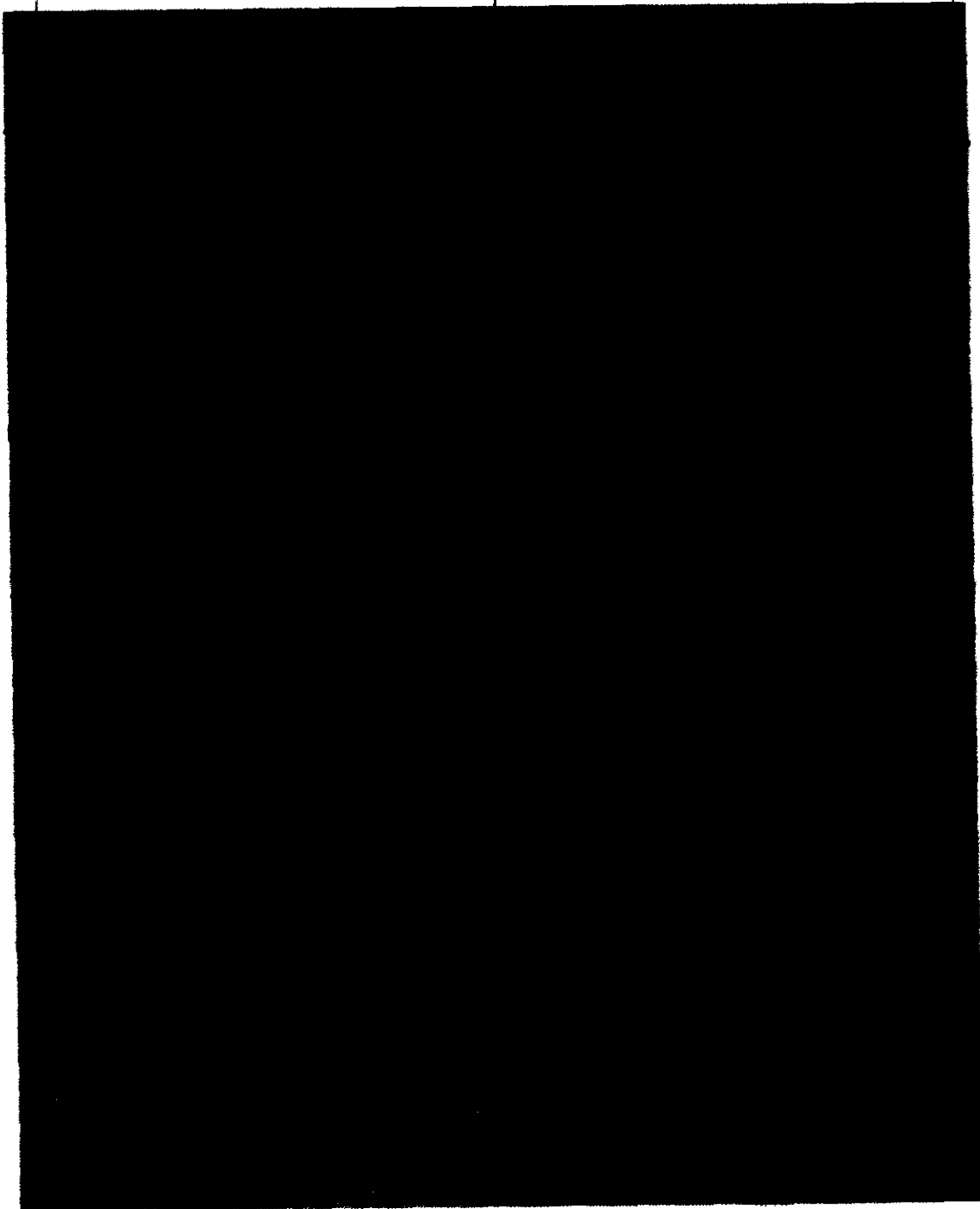
CLAIM(S) : 51-02075

OWNER(S): T M RANCH CO

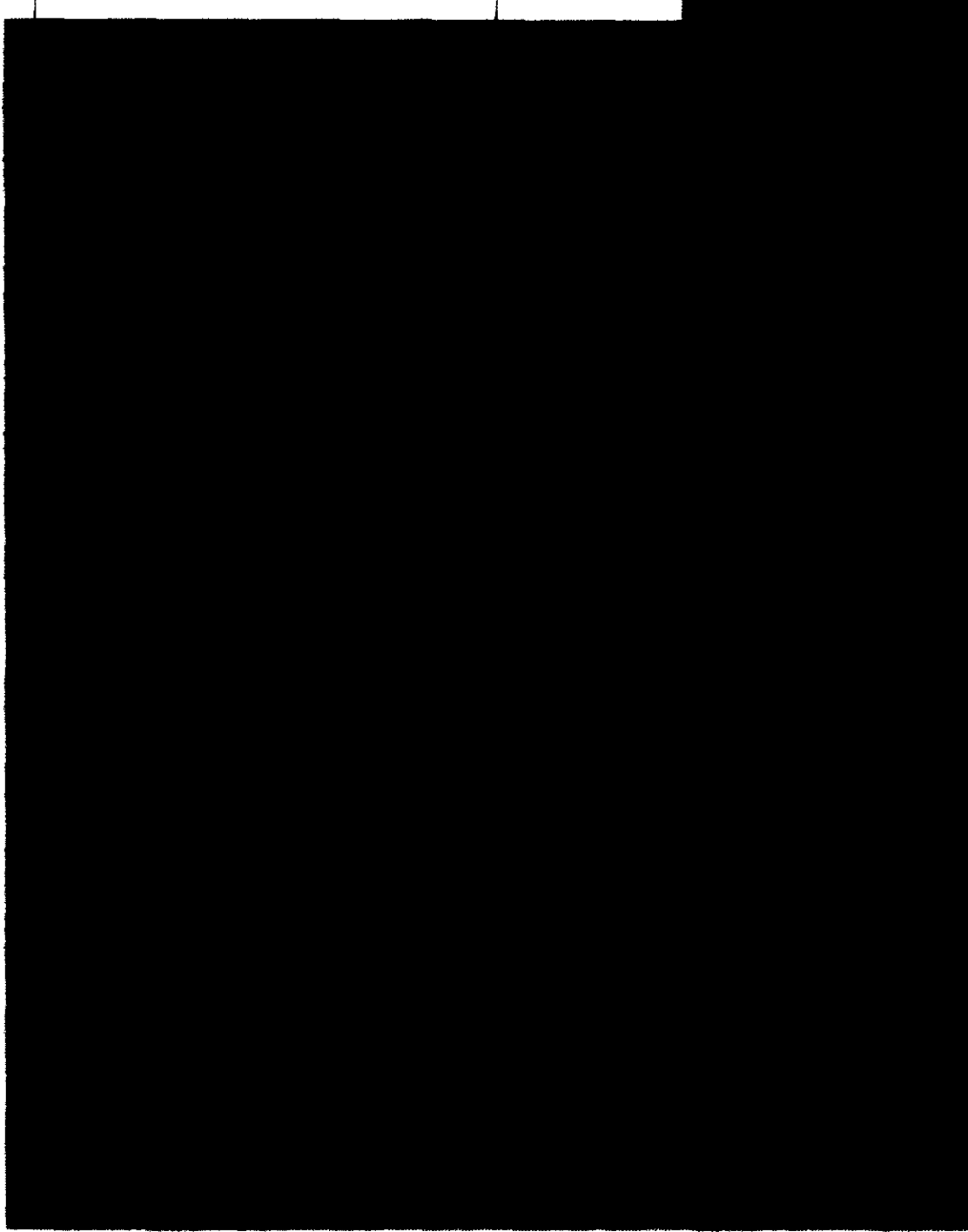
Prepared by: Mel Schulte

Date: 4/29/1998

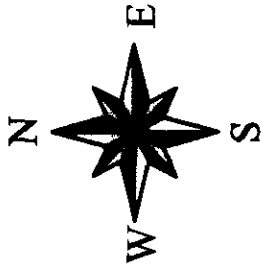
TOTAL ACRES = 29.3



IDAHO DEPARTMENT OF WATER RESOURCES
T14S, R06E, S24 & S25
T14S, R07E, S30



6b 12



1987 NAPP PHOTO

 **SECTION LINES**

• **POD**

 **POU**

1/4 1/4 LINES

6 ACRES

CLAIM(S) : 51-02075

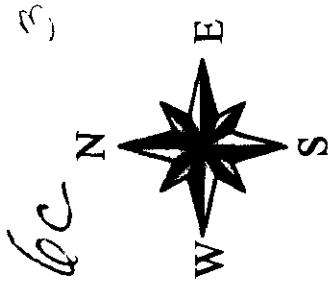
OWNER(S): T M RANCH CO

Prepared by: Mel Schulte

Date: 4/29/1998

TOTAL ACRES = 29.3

IDAHO DEPARTMENT OF WATER RESOURCES
T14S, R06E, S24 & S25
T14S, R07E, S30

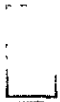


1987 NAPP PHOTO

 **SECTION LINES**

• **POD**

 **POU**

 **1/4 1/4 LINES**

6 **ACRES**

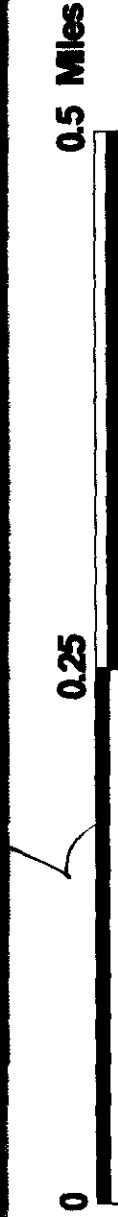
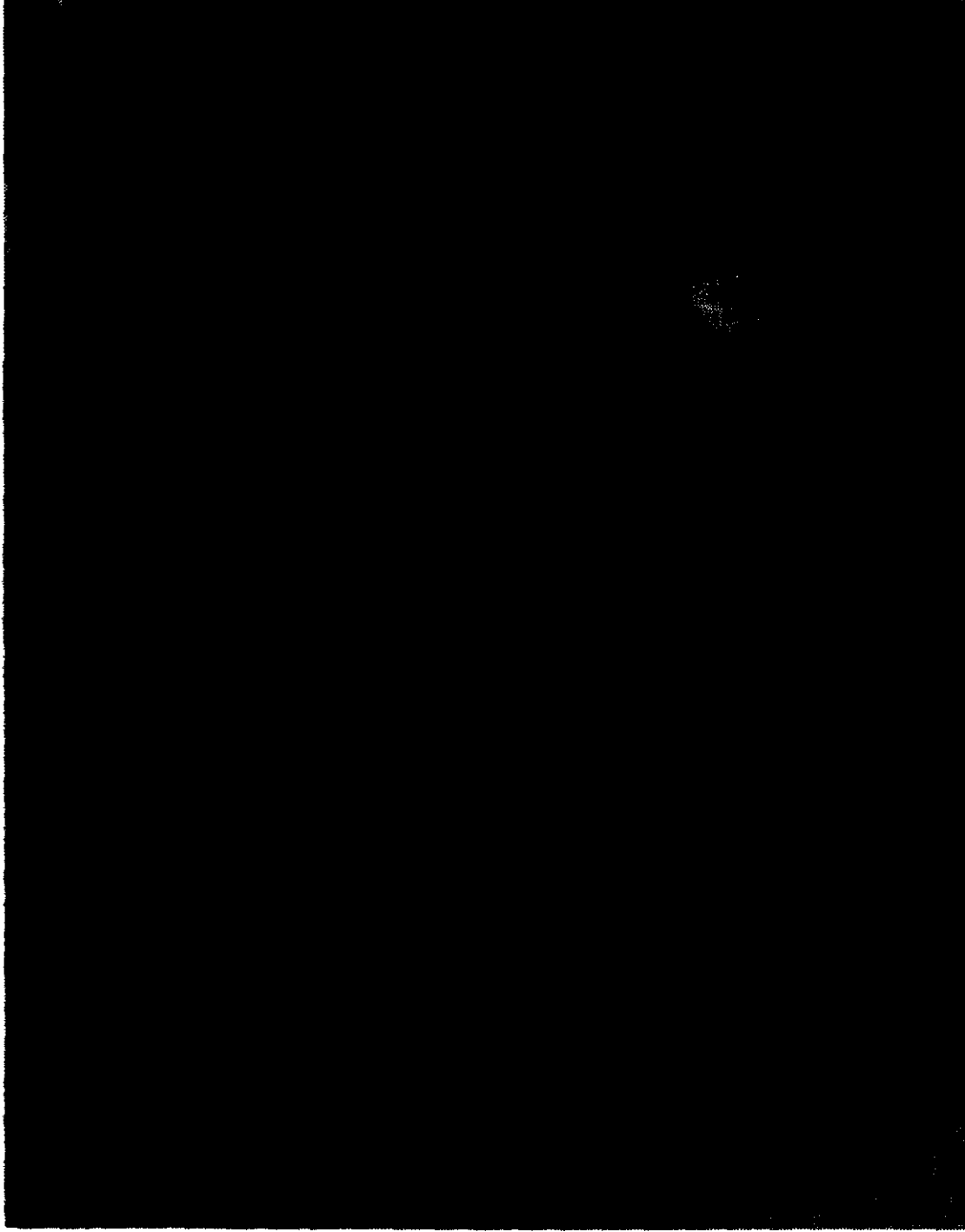
CLAIM(S) : 51-02075

OWNER(S) : T M RANCH CO

Prepared by: Mel Schulte

Date: 4/29/1998

TOTAL ACRES = 29.3



6d

WESTERN REGION

CLAIM NUMBERS A51-02075

AGENT MS DATE 4-29-98

TOTAL ACRES FROM RECOMMENDATION 29.3

GEOGRAPHIC INFO SYSTEM ACRES 29.3

READY FOR DECREE (YES)

SENT FOR DECREE (YES)

RIGHT NO				NE				NW				SW				SE				
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
RECOM	145	6E	24	3.3			3.6									6.1			4.4	17.4
GIS			25	1.1																1.1
		7E	30					8	.3	2.5										10.8
RECOM																				29.3
GIS																				

POLYGON CREATED ON 80 3

5-21-98

POLYGON # () () () () UPDATED BY MS

ATTRIBUTES OF B51-POU.SHP (14,15) (16,17) (18,19) (20,21) (22,23)

ATTRIBUTES OF B51-POD.SHP (20) (21) (22) (23) ()

B51-DBPOU.DBF UPDATED BY

B51-DBPOD.DBF UPDATED BY

RDH GPSTABLE

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

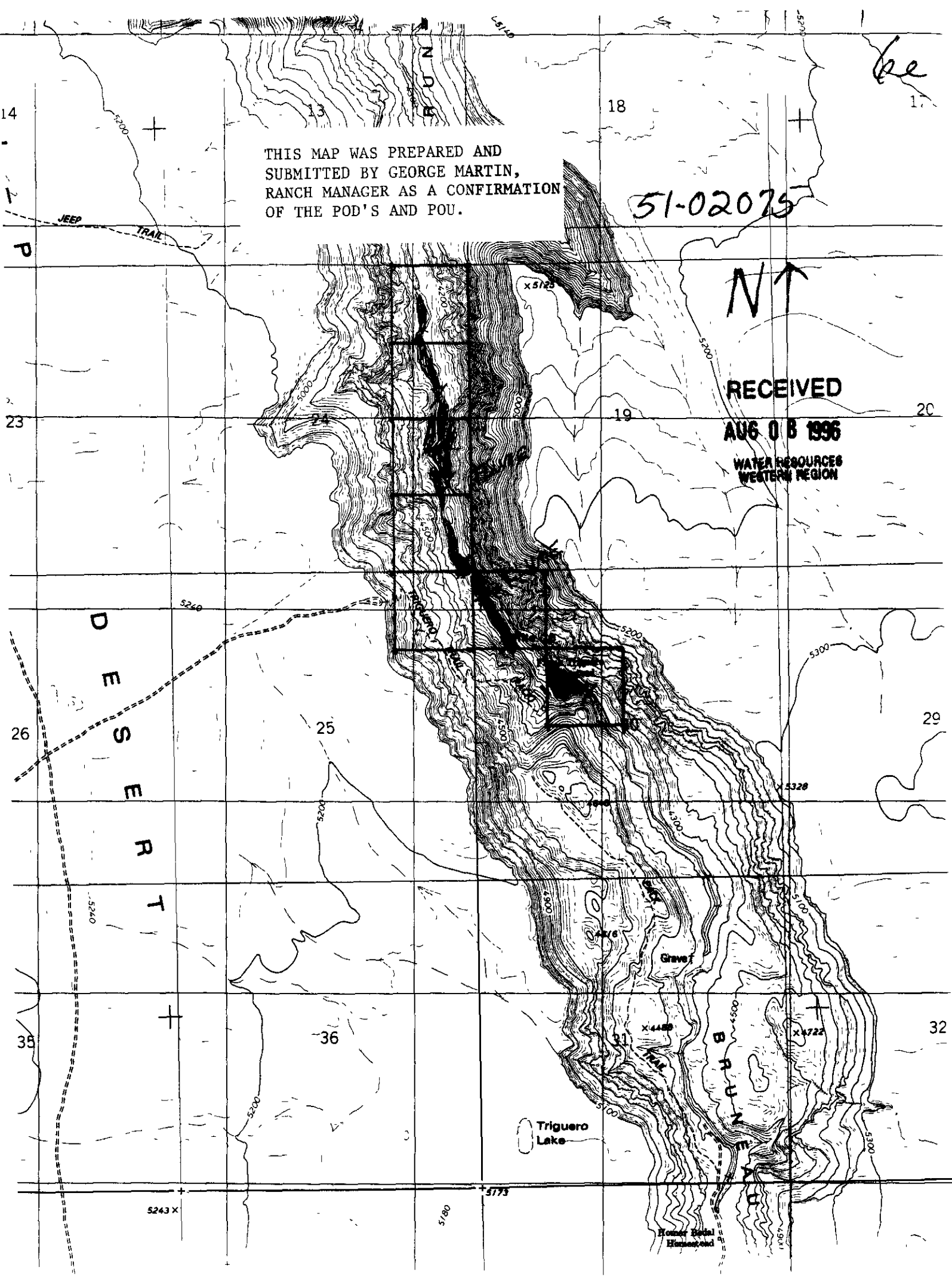
51-02075

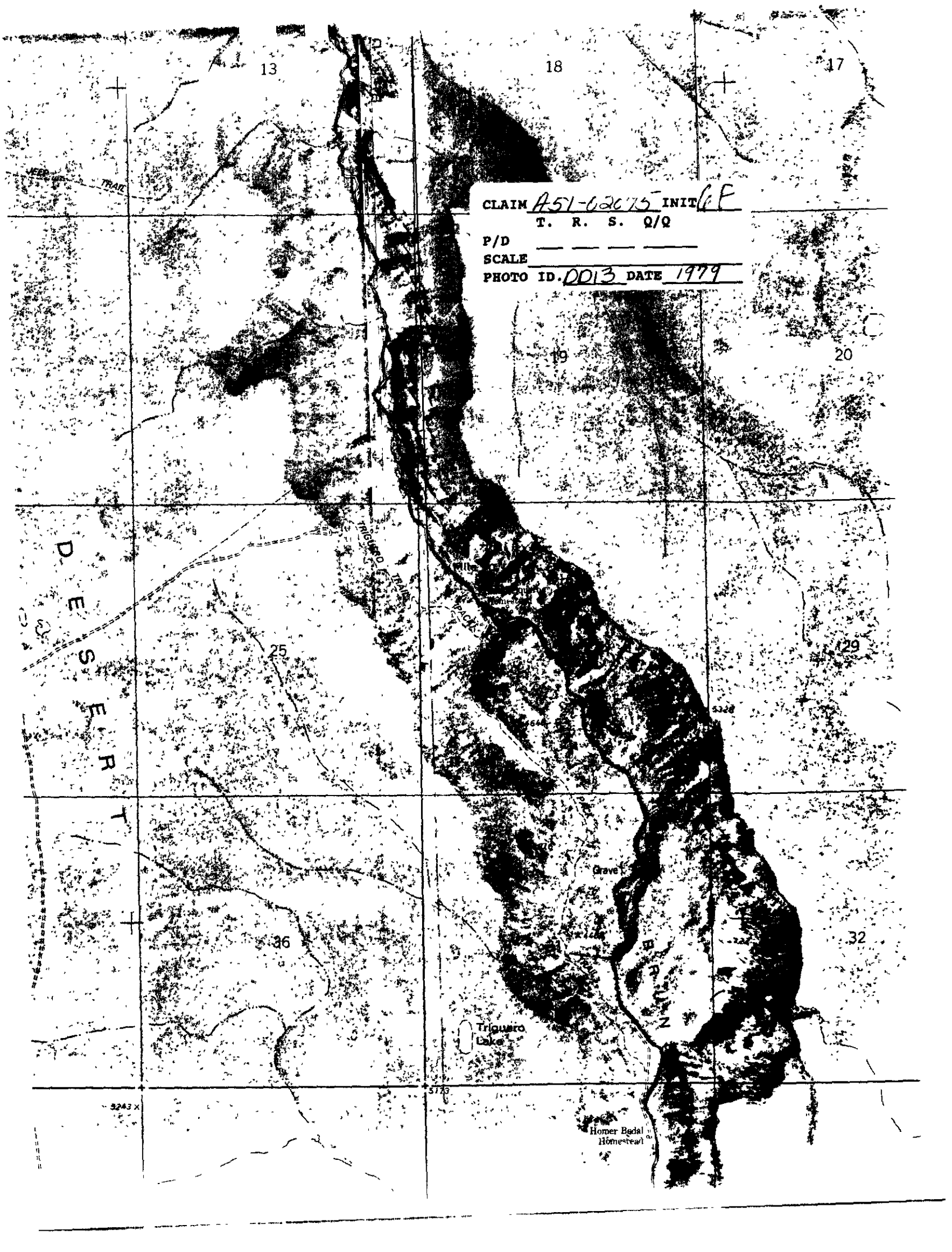
N ↑

RECEIVED

AUG 08 1996

WATER RESOURCES
WESTERN REGION





CLAIM A51-02075 INIT 66F
T. R. S. Q/Q

P/D _____

SCALE _____

PHOTO ID. DD13 DATE 1979

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A51-02075 IRRIGATION	FROM 04-01 TO 11-01	1,000 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED	1,000 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
51-02075 IRRIGATION	FROM TO	1,000 CFS
51-02075 DOMESTIC	FROM TO	1,000 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED	1,000 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N(☒)

Y(☒) N() Explain in notes, below.

NOTES:

1
4-8-65 10-15-65

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(✓) N()

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.

FLOW MEASUREMENT

MEASUREMENT METHOD NA, 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 POJ AND IRRIGATION USAGE

NO RIGHTS WITH SAME POJ BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 29.3 x 0.02 CFS/ACRE = 0.59 CFS
(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 20 x CONSUMPTIVE VOL. AF/A FOR AREA 20 = NA

TOTAL CONSUMPTIVE USE 170 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()

WR RECORD CONDITIONS/REMARKS:
016 - See remarks for additional conditions of approval.

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. CONS. USE
<i>Brigade</i>	<i>4-15 10-15</i>	<i>10.59</i>	<i>10.59</i>	<i>NA</i>
		<i>10.59</i>		<i>NA</i>

TOTAL FOR THIS RIGHT

REVIEWED BY:

DATE: *8-27-96*

5-4-98

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 51-02075

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.000

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A51-02075	1.000	-		51-02075	1.000

TOTAL CFS 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:

NAME OF FIELD EXAMINER:

DATE:

TITLE:

5-4-98

8-27-96

NA

IDAHO DEPARTMENT OF WATER RESOURCES
ADJ. LISTING OF WATER RIGHTS

AJ5807NP
(OD-117)

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
851-02075	T.M. RANCH; ALZOLA BROTHERS EUGENE R. ALZOLA FAUSTINO ALZOLA ARSEN V. ALZOLA P.O. BOX 848 MOUNTAIN HOME ID 83647	02/21/1920	IRRIGATION	04-91 11-01	1.00 CFS	LICENSE

TRIBUTARY: ~~Snake River~~

SOURCE: ~~BRUNEAU RIVER~~
OTHER RIGHTS: NONE
CONDITIONS OF APPROVAL: 16
REMARKS: RANCH PH. 759-3921

POINT OF DIVERSION:

T14S R06E S24

R07E S30

~~SENE~~
~~SESE~~
~~SENE~~
~~SENE~~

PLACE OF USE: IRRIGATION

T14S R06E S24

R07E S30

70.0 ACRES TOTAL

~~SENE 10.0~~
~~SENE 10.0~~
~~SENE 10.0~~

~~NESE 10.0~~

~~SESE 10.0~~

~~1.00 CFS TOTAL~~
~~0.00 AFA TOTAL~~

DD13-mid section
NW & SE

chg in PAD. PAD chg from source -
Sec. 30 to SE NW, Sec. 30.
when?

Water Right Number - 51-02075 Prefix Translation: WATER RIGHT Old (D) Number - 14666
+ - - - - Last Name - - - - + + - - - - First Name - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
TRIGUIRO

FRANK

1 -

2 -

3 -

City- ROWLAND

State- NV Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
02/21/1920 14 WESTERN L - LICENSE

+ - - Source - - - - - + + - - Tributary - - - - - + + - - Snake River

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

Twn	Rng	Sec	Tract	Lot	Rflg	County	Stream Index (Blank if no Index Code)
14S	06E	24	SE NE	(73)	ONYHEE		
			SE SE	(73)	ONYHEE		
	07E	30	SW NE	(73)	ONYHEE		
			NW NW	(73)	ONYHEE		

+ - - Code Description Period From Water Use Period To Diversion Rate Diversion Volume
01 - IRRIGATION 1.000
43 - DOMESTIC

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

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
14S	06E	24	NE NE	10.0	01	IRRIGATION	(73)	ONYHEE
14S	06E	24	SE NE	10.0	01	IRRIGATION	(73)	ONYHEE
14S	06E	24	NE SE	10.0	01	IRRIGATION	(73)	ONYHEE
14S	06E	24	SE SE	10.0	01	IRRIGATION	(73)	ONYHEE
14S	06E	25	NE NE	10.0	01	IRRIGATION	(73)	ONYHEE
14S	07E	30	NW NW	10.0	01	IRRIGATION	(73)	ONYHEE
14S	07E	30	SE NW	10.0	01	IRRIGATION	(73)	ONYHEE
Total Acres:						70.0		

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

WRS808MP
(00-26)

Water right number - 51-02075 Prefix Translation: WATER RIGHT

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

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +
016 - See remarks for additional conditions of approval.

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

+ - - - - - Comments - - - - - +
No Comments Found

+ - - - - - Audit Fields - 03/12/85 04/30/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - - +

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	- P
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	-		

State of Idaho
Certificate of Water Right

Amount 25000 Gt
Priority 12/21/15

FRANK TRIGUERO

made application for permit to appropriate
February 21 1920 that Permit No. 161
date of Completion of works with a carrying capacity of
June 26 1920 showing that said work
June 26 1920 and that for the 11th

FRANK TRIGUERO

Nevada made proposal for appropriation of
of the waters of Brunson River
for the purpose of Irrigation Domestic
Commissioner of Reclamation
of the State Engineer and that said right is the nearest
in the laws of Idaho and is hereby confirmed by the
Volume 3 of Records page 2751

February 21 1920

1. 1st 1/2 Sec 30 T. 4 N. R. 10 E. Co. 1 S.

To 14.5 A. M. B.M. County of Owyhee

said right is entitled and hereby confirmed for the purpose
collected and beneficially used for all purposes and shall not

Water Lic
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Commission
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Commission
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(4)

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23

24

25

26

27

28

No. Acres	No. Acres
Described in Permit	Actually Irrigated
10	20
11	11
12	11
13	11
14	11
15	11
16	11
17	11
18	11
19	11
20	11
21	11
22	11
23	11
24	11
25	11
26	11
27	11
28	11

and hereby confirmed
Idaho
Commissioner of Reclamation
State Engineer
Commissioner of Reclamation
State Engineer
By: State Engineer
Deputy

12/21/15

STATE OF ILLINOIS
Department of Reclamation

OF COMPLETION OF WORKS

PIDAVIT OF HOLDER

State of Illinois

County of [illegible]

First

Second

Third

Fourth

Fifth

Sixth

Seventh

Eighth

Ninth

Tenth

Eleventh

Twelfth

Thirteenth

Fourteenth

Fifteenth

Sixteenth

Seventeenth

Eighteenth

Nineteenth

Twentieth

Twenty-first

Twenty-second

Twenty-third

Twenty-fourth

Twenty-fifth

Twenty-sixth

Twenty-seventh

Twenty-eighth

Twenty-ninth

Thirtieth

Thirty-first

Thirty-second

Thirty-third

Thirty-fourth

Thirty-fifth

Thirty-sixth

Thirty-seventh

Thirty-eighth

Thirty-ninth

Fortieth

Being first duly sworn upon oath that I am the owner of Permit to Appropriation No. [illegible] for office address at [illegible] Florida

stream from which said water is to be diverted is [illegible] River

version of said water is [illegible] No. 1, 0.20, SW 1/4, No. 2, 14 S. 1/4, R. 7 E., No. 3, 0.20, SW 1/4, No. 4, 14 S. 1/4, R. 7 E.

and conditions of said permit construction thereunder [illegible] 1925

said water is intended is [illegible] irrigation

mentioned, the works constructed under said permit were of the following:

Dams and ditches

of dam ditch, dam, pipe or otherwise

(Attachment attached)

feet length of dam at top feet length of dam at bottom

Material used in construction

of earth, stone or concrete

acres feet

feet height feet

width at bottom feet

feet diameter of pipe

feet length of conduit

feet of conducting to the place of intended use

said permit is available for [illegible] acres of land

6 S. B. M. Sec. 24, NE 1/4, 10 acres; SE 1/4, NE 1/4, 5

Sec. 25, NE 1/4, NE 1/4, 8 acres; SE 1/4, NE 1/4, 8 acres

Sec. 30, NE 1/4, NE 1/4, 5 acres; SE 1/4, NE 1/4, 8 acres

Mark J. [illegible]

John [illegible]

Alfred [illegible]

U.S. 10

less address

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IV-1, Sec.
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acres.

10-30

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42

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NAME OF _____

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5



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, A51-02072, ~~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



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

February 26, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

VIC CONRAD
J R SIMPLOT CO
PO BOX 27
BOISE ID 83707

Re: Ownership changes: Alzola Bros to Simplot Co.

Dear Vic:

Our records indicate ownership changes need to be filed for the SRBA claims filed by TM Ranch/Alzola Brothers. It's my understanding the Simplot Company purchased all of the property to which the claims are appurtenant.

The claims we currently have on file in the names of TM Ranch/Alzola Brothers are as follows:

A51-10302	A51-10343	A51-02042	A51-02068
A51-02069	A51-12807	A51-10175	A51-10176
A51-10177	A51-02075	A51-02072	A51-02070

Enclosed is a change of ownership form. When you complete and return the form, be sure to include a copy of the deed(s) that conveys the property from the Alzola Brothers to the Simplot Company.

I am ready to prepare our recommendations for the above claims. To avoid having the court decree the rights in the name of Alzola Brothers, I need the ownership change as soon as possible.

Sincerely,

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

Enc.