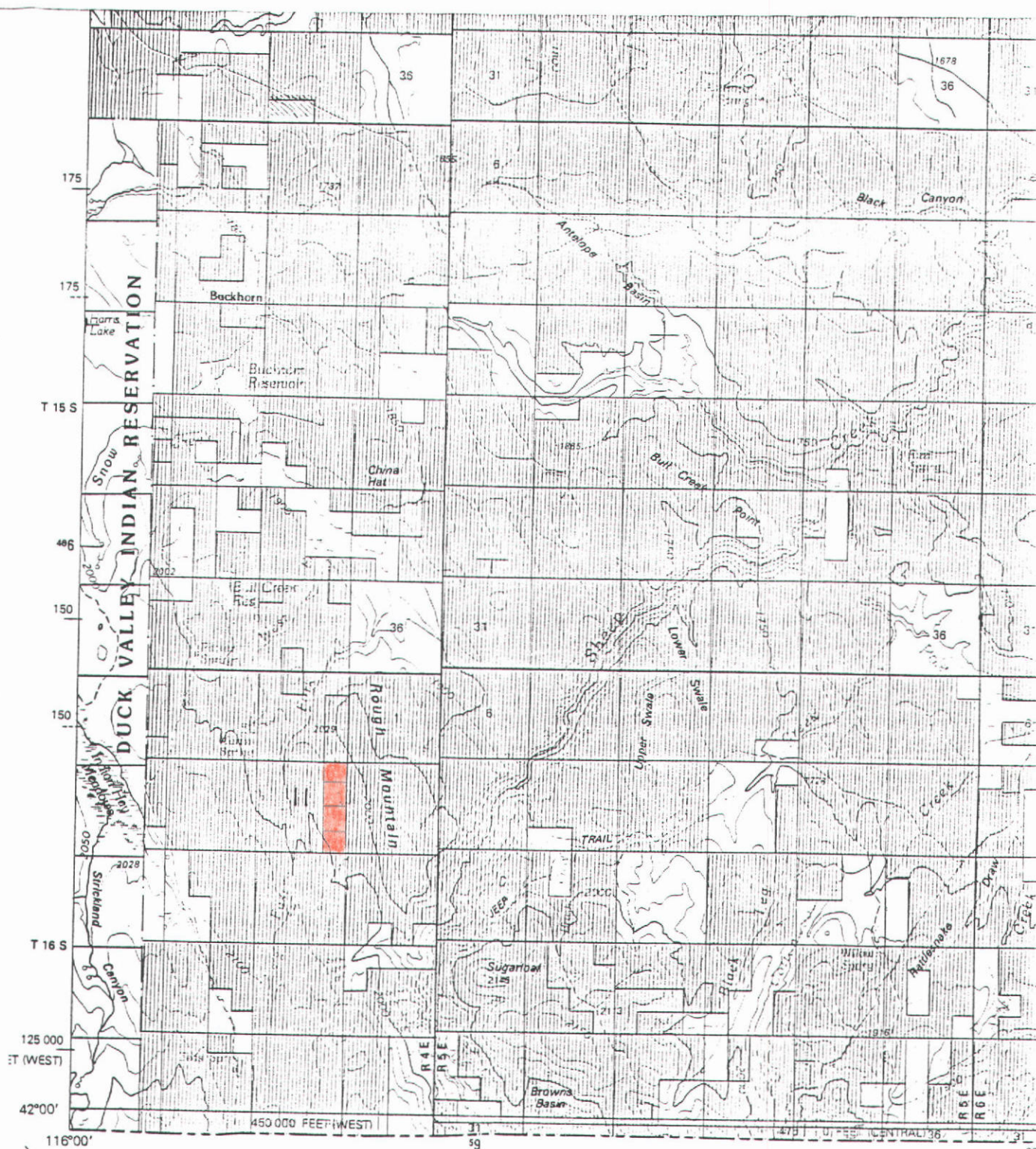




Edited and published by the Bureau of Land Management

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

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

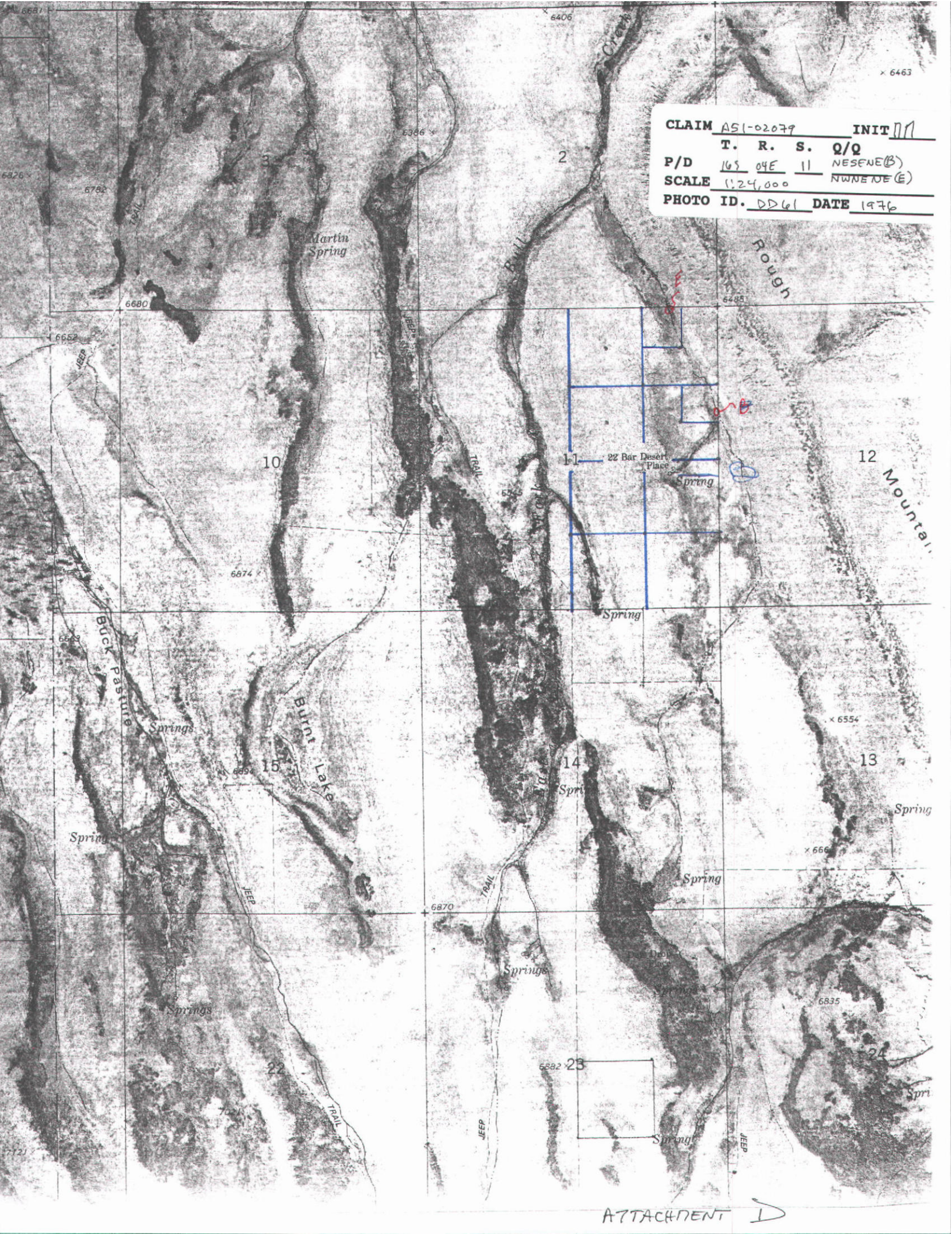
To place on the predicted North American Datum 1983, move
 the projection lines 14 meters north and 75 meters east

IND

MICROFILMED

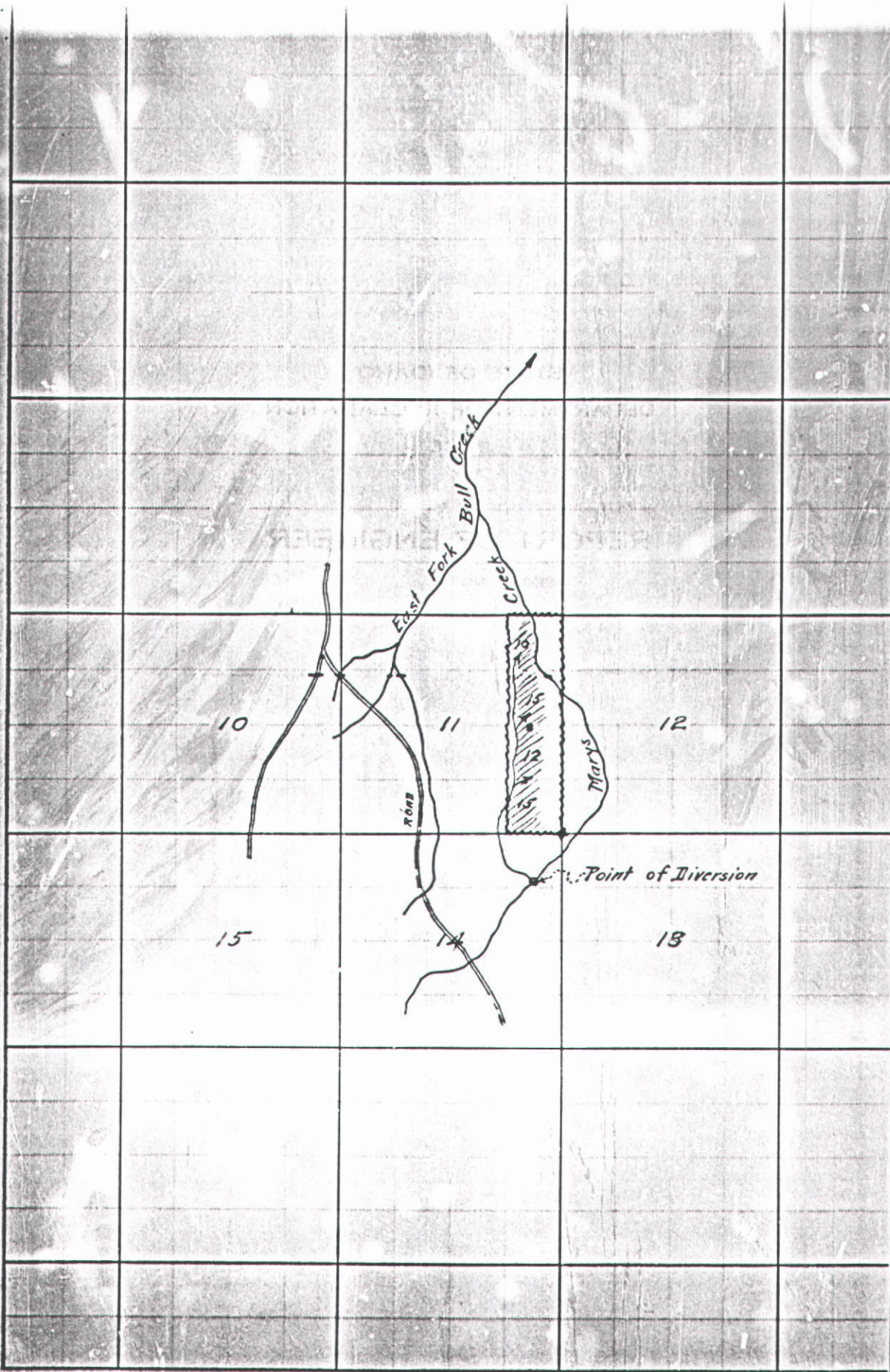
AUG 10 1992

1	2	3	4	5	6
9	10	11	12	13	14
15	16	17	18	19	20



CLAIM AS1-02079 INIT 11
T. R. S. Q/Q
P/D 169 04E 11 NESENE(B)
SCALE 1:24,000 NWNEDE(E)
PHOTO ID. DD61 DATE 1976

ATTACHMENT D



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

15307

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: A51-02079
Date Received: 3/1/89
Receipt No: C005642
Received By: 9p

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

83707

2. Date of Priority: APR 01, 1922

Department of Water Resources

3. Source: UNNAMED STREAM
SPRING

Trib. to: BULL CREEK, EAST FORK
BULL CREEK, EAST FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16S	04E	14	NE	NE	NE		OWYHEE

5. Description of diverting works:
DIVERSION DAM AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.700		

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

A.F.A.

8. Total consumptive use is 104.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/1000 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	04E	11	NE	NE		IRR	10.0
			SE	NE		IRR	15.0

A51-02079

Page 1

Date: 02/17/89

MICROFILMED
AUG 10 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	04E	11	NE	SE		IRR	12.0
			SE	SE		IRR	15.0
						Section Acres	52.0
						Total Acres	52.0

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:

15. Basis of Claim: LICENSE
Water Right Number: 15307

16. Signature(s)

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

Number of attachments: 1 Map

For Organizations:

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

James A. Lower
Signature of Authorized Agent
Secretary, Simplot Livestock Co.
Title and Organization

2-28-89
Date

State of Idaho)
County of Ada) SS.

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

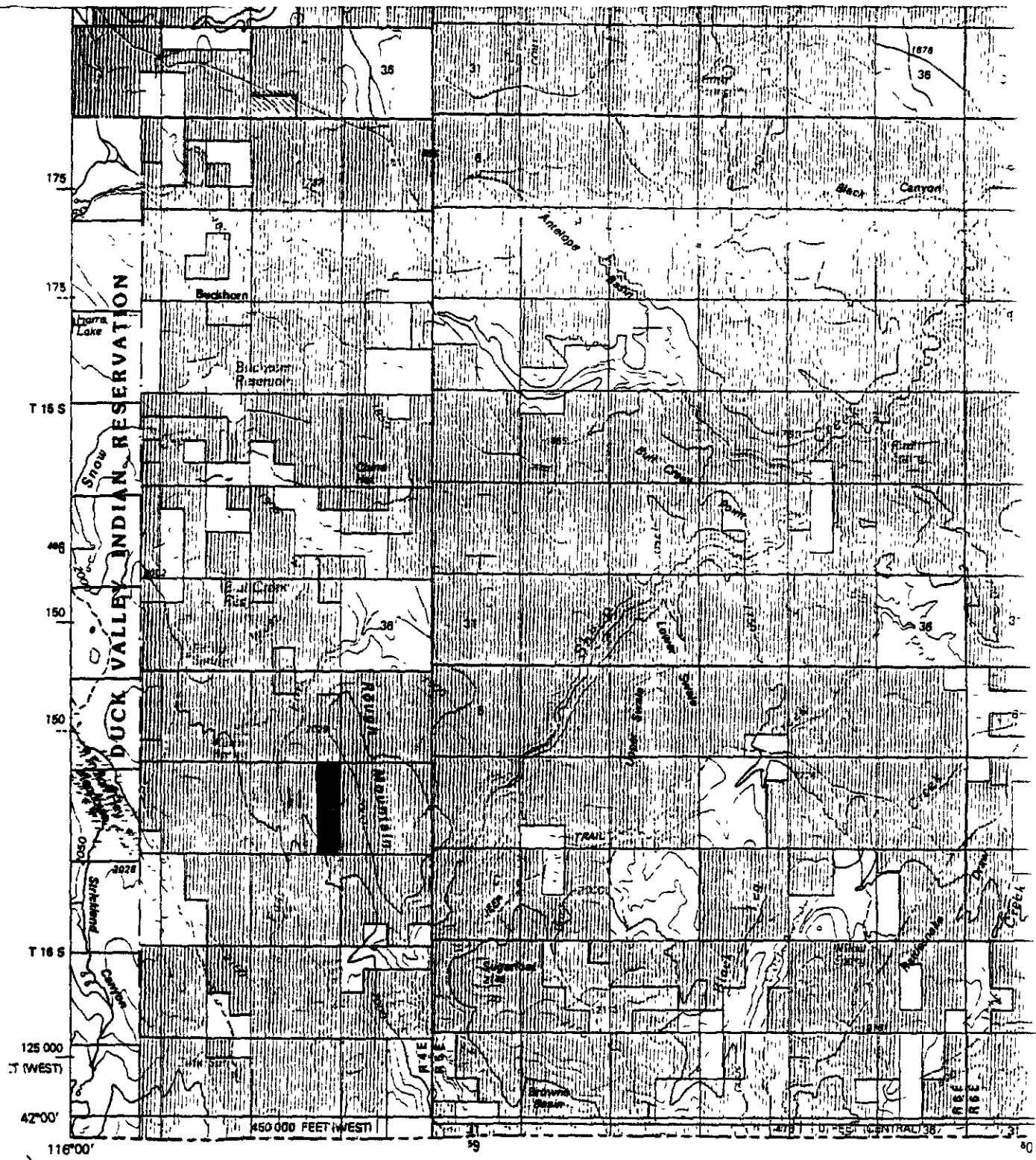
Vicki A. Lower
Notary Public

Seal

Residing at Meridian, Idaho

My Commission Expires 11-06-91

Water Right A51-02079
 ExDoc. S11 #8



(BULL RUN MTS.)

Edited and published by the Bureau of Land Management

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

Projection and 10 000-meter grid, zone 11,
 Universal Transverse Mercator
 25 000-foot grid ticks based on Idaho coordinate
 system, west and central zones 1927 North American datum
 To place on the predicted North American Datum 1983, move
 the projection lines 14 meters north and 75 meters east

IND

MICROFILMED
 AUG 10 1992

Comments:

Date: 05/08/1996 User-ID: MNINICUC Subject: CHANGES
POD WAS CHANGED TO REFLECT INSTREAM USE.
THERE IS NO SPRING WHICH IS TRIB. TO E.F. BULL CR ON OR.
CFS REDUCED TO IDWR STANDARD FOR 1,000 CATTLE.
POU REC'D IS LOCATION OF E.F. BULL CR.

Date: 04/02/1996 User-ID: S80CK Subject: CHANGES
THIS CLAIM HAS BEEN CHANGED TO STOCKWATER; THEREFORE, CLAIMANT
WILL RECEIVE THE LICENSED PRIORITY DATE, AND YEAR ROUNO USE OF
THE WATER. THE DIVERSION RATE HAS BEEN REDUCED TO 0.02 CFS AS
PER BASIN WIDE ISSUE #12.

Audit:

07/17/98 S80CK

AJ0749NP
No. R51-02079

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

DATE: 04/02/98
PAGE: 2

Comments: Date: 05/08/1996 User-ID: MNINICUC Subject: CHANGES
POD WAS CHANGED TO REFLECT INSTREAM USE.
THERE IS NO SPRING WHICH IS TRIB. TO E.F. BULL CR ON CO.
CFS REDUCED TO IDWR STANDARD FOR 1,000 CATTLE.
POU REC'D IS LOCATION OF E.F. BULL CR.

Date: 04/02/1998 User-ID: SBOCK Subject: CHANGES
THIS CLAIM HAS BEEN CHANGED TO STOCKWATER; THEREFORE, CLAIMANT
WILL RECEIVE THE LICENSED PRIORITY DATE, AND YEAR ROUND USE OF
THE WATER. THE DIVERSION RATE HAS BEEN REDUCED TO 0.02 CFS AS
PER BASIN WIDE ISSUE #12.

Audit: 04/02/98 SBOCK

AJ0749NP
No. R51-02079

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

DATE: 05/08/96
PAGE: 1

OWNER CODE NAME & ADDRESS
C SIMPLOT LIVESTOCK CO
PO BOX 27
BOISE ID 83707

PRIORITY DATE

04/01/1922 IRRIGATION

WATER USE

USE PERIOD FROM TO

04-15 10-15

DIVERSION RATE

0.22 CFS

DIVERSION VOLUME

0.22

TOTAL DIVERSION: 0.22 CFS

Water Source: UNNAMED STREAM

Tributary to: BULL CREEK, EAST FORK

Stage: LICENSE

Point(s) of Beginning Stream Reach: T16S R04E S11
Point(s) of Ending Stream Reach: T16S R04E S11

NESE S11
NESE - NENESE
NENE

ONTWEE County
ONTWEE County

POU County:

Non-Irrigation Uses: STOCKWATER, 1,000 HEAD-OF CATTLE

Other Rights: NONE

Dates: Exam Made Date: 05/08/1996 Verified Date:

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag: C
Presumption Flag: C

Comments: Date: 05/08/1996 User-ID: MNINICUC Subject: CHANGES
POD WAS CHANGED TO REFLECT INSTREAM USE.
THERE IS NO SPRING WHICH IS TRIB. TO E.F. BULL CR ON OG.
CFS REDUCED TO IDWR STANDARD FOR 1,000 CATTLE.
POU REC'D IS LOCATION OF E.F. BULL CR.

Audit: 05/08/96 MNINICUC

red info on P.O.D.
data is changed to
Stockwater + Spring info.

Can Partial Forfeiture
NAPP photos be
EXAM

12/11/13
C43, C44, C45

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:01:52
05/07/96

PAGE: 15
QUICKLOOK INFORMATION

15
CLAIM NUMBER: A51-02079

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				N			TR 05/08/1996	
POINT OF DIV			TR 11/08/1993	Y				
SOURCE	Y		TR 11/08/1993	Y				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME				Y				
CONSUMPTIVE USE	-							
PURPOSES OF USE				Y				
PERIOD OF USE	Y			Y				
BASIS OF CLAIM				N				
REMARKS								

BARCODE UPDATED
WHOM/DATE

TR 05/08/1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:05:53
05/07/96
16

PAGE: 16
PROFILE REPORT

CLAIM NUMBER: A51-02079

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SIMPLET LIVESTOCK CO	04/01/1922	IRRIGATION	04-01 11-01	0.20 CFS	2.2
			STOCK	04-15 10-15	0.20 CFS	2.2
			TOTAL DIVERSION: CONSUMPTIVE USE:			104.00-AFA

Water Source: UNNAMED STREAM
SPRING

Tributary to: BULL CREEK, EAST FORK
BULL CREEK, EAST FORK

Point(s) of Diversion: T16S R04E S1X 11 NW/4 (E)
NE/4 SE/4 NE (A)

Place of use Legal Description for: IRRIGATION
NE

T	R	S	NE/4	SW/4	SE/4	SW/4	SE/4	SW/4	SE/4	SUM
16S	04E	11	10	15	5					
TOTAL ACRES										52.0

POU County: OMYEE

Non-Irrigation Uses: S/1000 HEAD CATTLE

Other Rights: NONE

Conditions of Approval:

Dates: Exam Made Date: 05/08/1996

Misc: Water District Number:

Verified Date:

Field Inspection Flag:

Presumption Flag: C

Objection Filed Date:

OLD NO. 15307

NO GOVT LOTS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:01:52
05/07/96

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A51-02079

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

FIRST: GRAY

CITY: BOISE
PHONE NUMBER: 208-389-7318
STATE: ID ZIP: 837070027

OWNER CODE: A

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

FIRST:

STATE: ID ZIP: 83707

OWNER CODE: C

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

FIRST:

STATE: ID ZIP: 83707

OWNER CODE: K

LAST: SMITH
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000

FIRST: ALFRED

STATE: ID ZIP: 0

OWNER CODE: O

LAST: TINDALL
ADDRESS:
CITY: BRUNEAU
PHONE NUMBER: 208-000-0000

FIRST: ADA A

STATE: ID ZIP: 83604

OWNER CODE: O

FIELD EXAM REQUIRED?

FIELD
EXAMINER

DATABASE

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

777

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

DIRECTIONS TO PROPERTY / NOTES:

Mr. Bachman came into the office to discuss Simplot Livestock's Claims. On

PRIORITY DATE REVIEW PAGE

CLAIM NUMBER: A51-02079

A. AJ CLAIM: # A51-02079 PRIORITY DATE: 04-01-1922 STAGE: L

B. WR RECORD: # 51-02079 PRIORITY DATE: 04-01-1922 STAGE: L

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

Y(☒) N(☐)

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

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

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

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☒) Y(☐) N(☐)

LICENSE ISSUED

N/A(☒) Y(☐) N(☐)* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?N/A(☒) Y(☐) N(☐)* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☒) N(☐)

NOTES: 05/02/1996: Proof of beneficial use was submitted after the cut-off date of the Bureau River adjudication. This licensed water right was not subject to the decree (apparently), even though the priority date predates the cut-off date of the decree (04/02/1922). Irrigation use has ceased, as per Frank Bachmann, see Conv. Memo, attached. Nature of use has changed to stock water with a resulting partial forfeiture. DN

RECOMMENDED PRIORITY DATE:

04-01-1922

REVIEWED BY HT mason

DATE 05/08/1996

Form 16

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. _____

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Ada A. Tindall, 47, Bruneau, housewife, Bruneau, Idaho

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 self

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

Ans. No. 15307; Sept. 3, 1921; April 1, 1922

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

Ans. North fork of Bull creek, tributary of Larys creek which in turn is a tributary of Sheep creek, a statement which might differ with facts, but that's the way it looks to me

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. Dirt dam, rocks and dirt; 17 cubic foot; Salt Ditch; etc. etc. carries all the water allowed under the permit.

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; each forty acres in the range of Sec. 11, T. 16 S., R. 4 E., has approximately an equal number of acres under irrigation, about 9 acres, or a total of say 36 acres. Natural meadow. Recent irrigations have rendered it such.

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

Ans. for irrigation only

15307

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

Ans. 200 miner's inches

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. The water right was assigned to me by Alfred Smith.

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

Ans. May, June, July and August annually since 1922; all the water annually used since that date.

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.

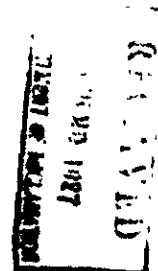
Ans. None

(Sign) *Ada A. Tindall*

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 Bureau, County of Owyhee, State of Idaho, on this 22nd day of April, A. D. 1927.

Charles Pearson
Notary Public

My commission expires June 27, 1927



MEMO TO SRBA CLAIM FILE NO. A51-02079CLAIMANT'S NAME: SIMPLOT LIVESTOCKDATE: 10/29/1993COUNTY: OwyheeEMPLOYEE: MM. MICHAEL

FRANK Bachman, SIMPLOT LIVESTOCK, came to the office this afternoon.

He stated that this acreage is no longer irrigated, but that there is instream stock use.

Water is also used from the spring in the NESW, S. 11, for stock as well.

I told Mr. Bachman that he ~~is~~ (Simplot) would have to provide IDWR with proof of the date of change in place of use (i.e., S. 14), ~~as well as~~ change to stockwater from irrigation, and date that the spring source was added.

I agreed to send a letter to him outlining all the paperwork that would be required for the Simplot Livestock claims.

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A51-02079	16S	04E	14	NE	NE	NE		ONTHEE		

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

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: UNNAMED STREAM
SPRING

TRIB: BULL CREEK, EAST FORK
BULL CREEK, EAST FORK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
51-02079	16S	04E	14	NE	NE	NE		ONTHEE		

OTHER WR RECORDS WITH SAME WR POD
A PREFIX R PREFIX
NONE NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
R PREFIX

SOURCE: UNNAMED STREAM

TRIB: BULL CREEK, EAST FORK

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

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

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

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

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

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

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

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

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM 07/13/1927)

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER Y(X) N()

OTHER (DESCRIBE IN NOTES BELOW)

A. ROOT WATER RIGHT NUMBERS: A51-02079

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
16S	04E	11	NE	NE		SIMPLOT LIVESTOCK CO	A51-02079	10.0	51-02079	10.0	570ct
16S	04E	11	SE	NE		SIMPLOT LIVESTOCK CO	A51-02079	15.0	51-02079	15.0	570ct
16S	04E	11	NE	SE		SIMPLOT LIVESTOCK CO	A51-02079	12.0	51-02079	12.0	Ø
16S	04E	11	SE	SE		SIMPLOT LIVESTOCK CO	A51-02079	15.0	51-02079	15.0	Ø

ADDITIONAL POU FOUND

TOTAL ACRES A51-02079 52.00 52.00

POU COUNTY: OMYHEE

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

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

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

Y() N(X)

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

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

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

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

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

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM? Y() N(☒)

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

CHECK DOCUMENTS USED TO VERIFY POU: (X) ORTHOPHOTOQUAD, IDNR NO. DD61; () TOPOGRAPHIC QUAD, IDNR NO. _____;

(X) NAPP, IDNR NO. DD61SE; () ASCS PHOTO; () OTHER _____

NOTES: 05/08/1996: Place of use is limited to locations of E.F. Bull Creek. If claimant had insisted that re-negotation is ongoing on the claimed POU a field exam would be necessary to confirm NAPP shows what appears to be sub-negotation from the creek and from springs. Land looks similar on O.G. Water fingers down to the creek - appears that the licensed acres are no longer renegated. This was confirmed by Frank Bachman, Simplot Levee Creek employees during office visit 10/29/1993. 1717

RECOMMENDATIONS:

TOTAL ACRES: _____ N/A(☒)
REVIEWED BY: [Signature] DATE: 05/08/1996

CLAIM ASL-02079 INIT 11
T. R. S. Q/Q
P/D 103 04E 11 NESENE(B)
SCALE 1,24,000 NINE DE (E)
PHOTO ID. DD61 DATE 1976



ATTACHMENT D

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

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A51-02079 IRRIGATION	FROM 04-01 TO 11-01	0.700 CFS	
TOTAL DIVERSION RATE/VOLUME		0.700 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
51-02079 IRRIGATION	FROM TO	0.700 CFS	
TOTAL DIVERSION RATE/VOLUME		0.700 CFS	

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

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

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

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

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

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

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

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

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

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

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

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

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

NOTES: 05/08/1996: Purpose of use is stockwater (instream), change was previous to commencement of SRA as supplied by NAPP & O.A. Diversion rates based on FOWR standard for stockwater. RTR Period of use is recommended to current FOWR standard for irrigation for the area. Orig. license was for irrigation and did not include year-round use - 170

AJ CLAIM TOTAL DIVERSION RATE: 0.700 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.700 CFS

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

N/A() Y() N()

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

N/A() Y() N()

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

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

Y() N()

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

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

Y() N()

E. FLOW MEASUREMENT

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

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

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

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME =

AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE =

104.0 AF/A

ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

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

1b. CALCULATIONS

From IOWA Field Examiners

handbook, Exhibit 15?

cfs = # of head of ~~stock~~ ^{cattle} x .00022

= 1,100 x .00022

= .22 025B

For Basin Wells
Discharge #12

Div. AMT Review sheet Cont

(pg 11) has been deleted from

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Special Agent

In Water District No.

Ada A. Tindall

Marys Creek

Point of origin of diversion is in the

NE 1/4

Section 14

Twp. 16 S., R. 4 E., S. 1 N.

County of

Owyhee

Describe works as they exist, giving dimensions and capacities of same: *Rock and dirt**dam is 15 ft high, no head gate, milled
ditch 8 ft wide 6 ft deep 1 1/2 miles long*

used for:

Irrigation

whether or not water has been turned into works of diversion: *yes*

The legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres

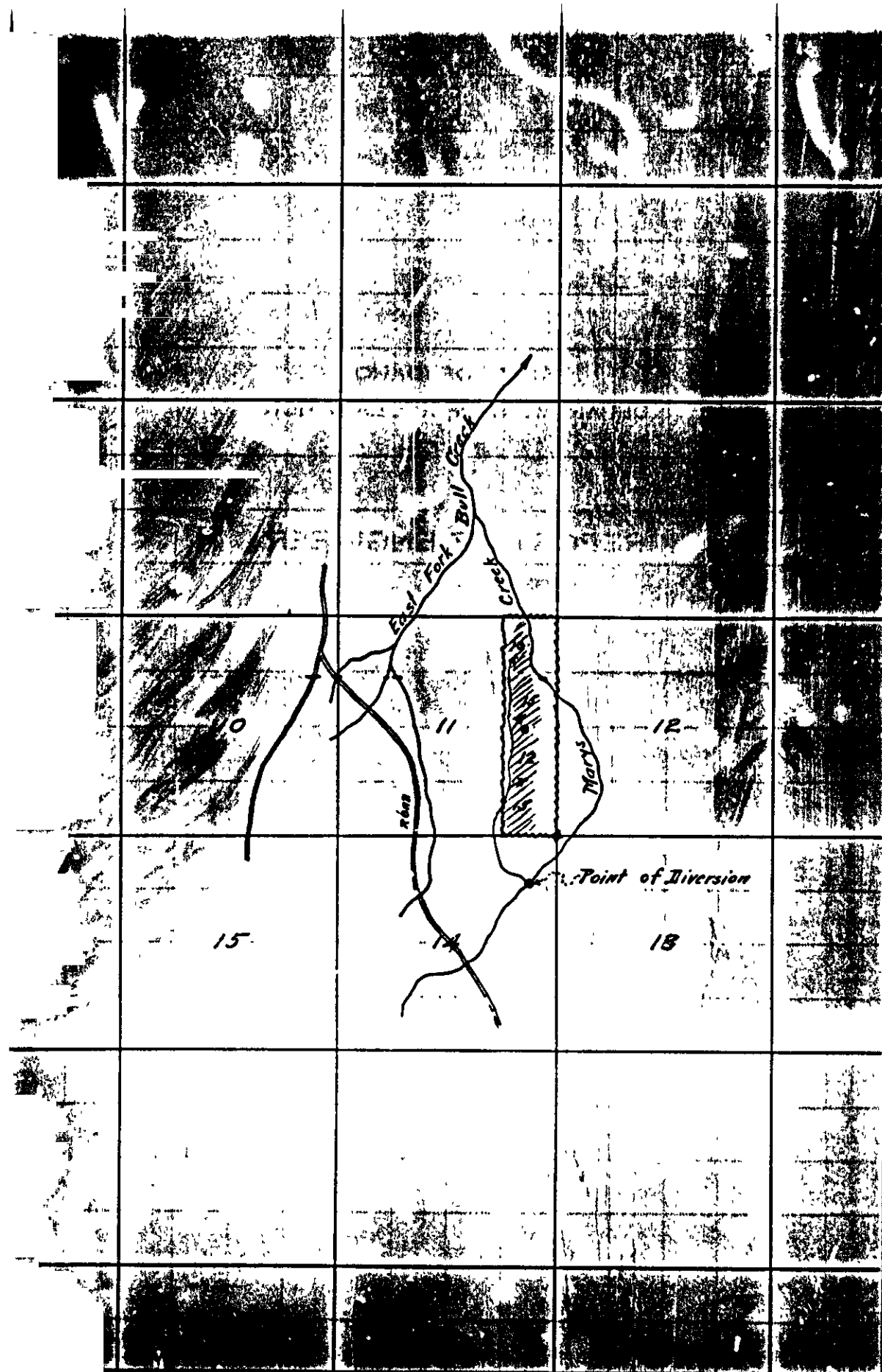
in each forty-acre tract. (Describe manner and place of use if for other than irriga-

NE 1/4 & E 1/4 Sec. 11, Twp. 16 S., R. 4 E., S. 1 N.

(Submit map on attached plat, showing location and details of above description.)

What large stream would the water here appropriated finally reach?

*Water is used to irrigate native pasture
ground**13th July*



RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. COMS. USE
IRRIGATION	04-01 11-01	DATABASE EXAMINER 0.700	DATABASE EXAMINER	DATABASE EXAMINER 104.0
12.2	04-15 10-15	<u>0.700</u>	<u>0.258</u>	
TOTAL FOR THIS RIGHT		0.700	<u>0.258</u>	104.0

NON-IRRIGATION USES CLAIMED: S/1000 HEAD CATTLE

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

REVIEWED BY: HP Lawrence DATE: 05/08/1996

FLAG: C
STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):
Includes accomplished change in Nature of use.
Includes accomplished change in POD.

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

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: 51-02079

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	EXAMINER	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A51-02079	0.700	0.700	22	51-02079	0.700
TOTAL CFS		0.700	0.700	22		0.700

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

FIELD EXAMINER
Y () N ()

NOTES:

05/08/1996: This water right has Not been split. There has been a partial forfeiture of the right when the use went from irrigation to stockwater. 22

AUTHENTICATION:

SIGNATURE: [Signature] DATE: 05/08/1996

NAME OF FIELD EXAMINER: MARIA Y. NICUCCI TITLE: Sr H₂O Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

November 8, 1993

R. KEITH HIGGINSON
DIRECTOR

FRANK BACHMAN
SIMPLOT LIVESTOCK CO
PO BOX 27
BOISE ID 83707

RE: Snake River Basin Adjudication Claims:

A51-00093	A51-02017	A51-02018	A51-02033
A51-02057	A51-02064	~~A51-02070~~	A51-02090A
A52-04008	A51-04090	A51-04091	

Dear Mr. Bachman:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

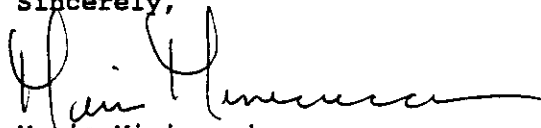
A51-04091: Required Document(s): (1) Evidence of priority date.
Wickahoney
Spring

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

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

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

Sincerely,


Maria Minicucci
Water Agent, Adjudication Bureau

Enc.s

MM/m

State of Idaho

License and Certificate of Water Right

Water License No. 15307

Water District No.

Amount 0.7 sec. ft.

Priority 4-1-1922

THIS IS TO CERTIFY that Alfred Smith, of Tindall, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 3, 1921; that Permit No. 15307 was issued under said application; that Certificate of Completion of work, with a carrying capacity of 0.7 second feet, was issued thereunder on June 14, 1924, showing that said works were completed on the 11th day of June, 1924, and that on the 22nd day of April, 1927.

Ada A. Tindall,

of Bruneau, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Marys Creek, a tributary of the _____, for the purpose of irrigation under Use Permit No. 15307 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 3444, on the 28th day of July, 1927.

The right hereby confirmed dates from April 1, 1922.

The Point of Diversion is located in the NE 1/4, NE 1/4, Sec. 14, Tp. 16 S., R. 4 E., B.M. Cwyhee County.

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 0.7 cubic feet per second.

Description and location of use:

Trwp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
16 S.	4 E.	11	NE-NE-1	5	10
			SE-NE-1	10	15
			NE-SE-1	10	12
			SE-SE-1	10	15
					Total 52

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 28th day of July, 1927.

GEO. H. CARTER,

Commissioner of Reclamation

(SEAL)

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO 1976 IDWR ID NO. DD61	Y(X) N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED	Y() N()
☐ MAP	DATE OF PHOTO IDWR ID NO.	Y() N()
☐ ASCS AERIAL PHOTO	DATE OF PHOTO IDWR ID NO.	Y() N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO	Y() N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO	Y() N()
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY	Y() N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED	Y() N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP	Y() N()
☐ OTHER	DATE	Y() N()
☐ OTHER	DATE	Y() N()
☐ OTHER	DATE	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☒ LICENSING FIELD EXAM	02/13/1927 2	Describes irrigation use
☒ WATER RIGHT LICENSE	07/28/1927 1	
☐ IDWR APPROVED TRANSFER		
☐ SYSTEM DESCRIPTION		
☐ PHOTOGRAPHS		
☐ SPLIT RIGHT REVIEW		
☐ HUBBLE ANALYSIS		
☐ CONVEYANCE LOSS ANALYSIS		
☐ FLOW MEASUREMENT CALCULATIONS		
☒ OTHER <i>Plan of Gen. Use</i>	04/22/1927 2	After cut-off date for B.E.D.
☒ OTHER <i>Conv. Memo</i>	10/29/1993 1	Nature of use
<i>IDWR CORA</i>	11/28/1993 3	Request for info