

WR# A51-04008

ExDoc Bruner Sheep # 33



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

MICROFILMED

AUG 10 1992

1	2	3	4	5	6
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24

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: A51-04008
Date Received: 3/1/89
Receipt No: C005642
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

MAR 01 1989

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

83707

2. Date of Priority: JUN 01, 1901

Department of Water Resources

3. Source: BASABE SPRING

Trib. to: BRUNEAU RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16S	05E	24	SE	NW			OWYHEE
			NE	SW			OWYHEE

5. Description of diverting works:
HEADBOX AND TROUGH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	03/01	11/30	0.310		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/750 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	05E	24	SE	NW		STOCK	
			NE	SW		STOCK	

A51-04008

Page 1

Date: 02/17/89

MICROFILMED

AUG 10 1992

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:
AC. DIV. RATE=140 GPM.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: 1 Map

For Organizations:

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

Donald L. Hume
Signature of Authorized Agent

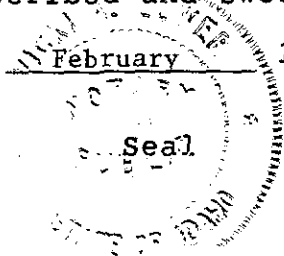
Secretary, Simplot Livestock Co.
Title and Organization

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



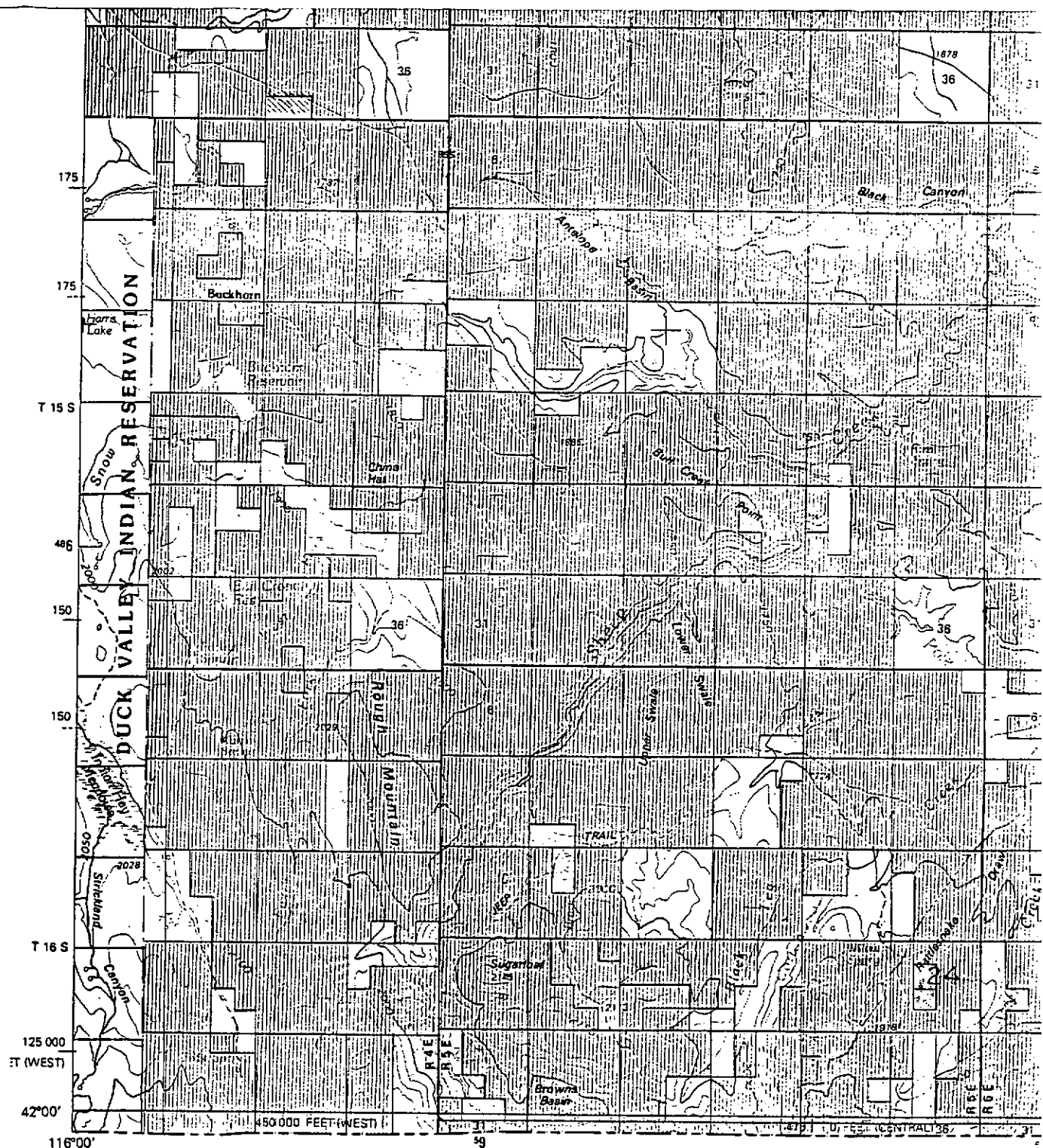
Wick A. Lamm
Notary Public

Residing at Meridian, Idaho

My Commission Expires 11-06-91

WR# A51-04008

5100 Bruner Sheep # 33



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

MICROFILMED

AUG 10 1992

1	2	3	4	5	6
10	11	12	13	14	15
16	17	18	19	20	21

(BULL RUN MTS.)

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

OWNER

C SIMPLOT LIVESTOCK CO
PO BOX 27
BOISE ID 83707

Water Source: SPRING

Point(s) of Diversion:

T16S R05E S24

Place of use Legal Description for: STOCKWATER

NE
NW

T	R	S	:	Lt	AC	Lt	AC	Lt	AC	Lt	AC	SENE
NENE NWNE SWNE												

16S 05E 24 :

POU County: OUYHEE

Other Rights: NONE

Conditions of Approval:

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: POD

POINT OF DIVERSION IS ON LINE DIVIDING T16S, R05E, S24, SWSEHW
AND NWNEHW.

GEN SOURCE IS ALSO KNOWN AS BASABE SPRING.

EXP
PARCEL NO. RP 16505E244200
STOCKWATER, 750 RANGE CATTLE

Dates: **Exam Made Date:** 10/28/1993

Verified Date:	04/06/1998	Objection Filed Date:
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Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 12/07/1993 User-ID: MINICUCC Subject: COPIED FROM REMARKS
AC. OIV. RATE=140 GPM.

Date: 07/10/1996 **User-ID:** MMINICUC **Subject:** PRIORITY

AJ0749NP
No. R51-04008

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

DATE: 04/06/98
PAGE: 2

Comments:

Date: 07/10/1996 User-ID: MMINICUC Subject: PRIORITY
PRIORITY PREDATES THE BRUNEAU RIVER DECREE BECAUSE THIS RIGHT IS
FOR STOCKWATER ONLY. CONVERSATION W/J. SHURTE DETERMINED THAT
DECREE DID NOT INCLUDE RIGHTS WHICH WERE(ARE) FOR STOCK ONLY.

Date: 04/06/1998 User-ID: SBOCK Subject: DIVERSION RATE
THE DIVERSION RATE FOR INSTREAM STOCKWATER IS .02 CFS AS PER
BASIN WIDE ISSUE #12. CONVERSATION WITH MR. BACHMAN INDICATED
THIS IS NOT A DEVELOPED SOURCE. CLAIMANT CLAIMED 750 RANGE
CATTLE, AND ARE NOT LIMITED TO AMOUNT ON STATUTORY CLAIM.

Audit: 04/06/98 SBOCK

AJ0749NP
No. R51-04008

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

DATE: 07/10/96
PAGE: 2

Comments:

Date: 07/10/1996 User-ID: MMINICUC Subject: PRIORITY
PRIORITY PREDATES THE BRUNEAU RIVER DECREE BECAUSE THIS RIGHT IS
FOR STOCKWATER ONLY. CONVERSATION W/J. SHURTE DETERMINED THAT
DECREE DID NOT INCLUDE RIGHTS WHICH WERE(ARE) FOR STOCK ONLY.

Audit:

07/10/96 MMINICUC

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:35:58
04/18/96

PAGE: 16
QUICKLOOK INFORMATION

16
CLAIM NUMBER: A51-04008

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	Y	RR 11/08/1993	Dr. Office 07/09/1996	N		RR 07/10/1996	RR 07/10/1996	
POINT OF DIV				Y				
SOURCE				Y				
PLACE OF USE	Y			N				
DIV. AMOUNT CFS/VOLUME				Y				
CONSUMPTIVE USE				N/A				
PURPOSES OF USE				N				
PERIOD OF USE				N				
BASIS OF CLAIM								
REMARKS	Y			Y				

BARCODE UPDATED
WHOM/DATE

RR 07/10/1996

Water Source: BASABE SPRING
Point(s) of Diversion: T16S R05E S24
Tributary to: BRUNEAU RIVER
TOTAL DIVERSION: 0.31 CFS 10
Stage: STATUTORY CLAIM 5
OWNER: SENSEW
COUNTY: OMYHEE County
PROJECT: Rattlesnake Draw

[illegible]

Other Rights: NONE

Objection Filed Date:

750 CATS (1707) S

Spring is located on/near line between SWSENW + NWNESEW,

T165 ROSE, SECTION 24.

Sovere also known as Basabe spring.

14:35:58
04/18/96

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

LAST: YOUNG OR TERRY UHLING
ADDRESS: ENV AND REGULATORY AFFAIRS
PO BOX 27
CITY: BOISE
PHONE NUMBER: 208-389-7318
STATE: ID ZIP: 837070027
FIRST: GRAY

OWNER CODE: A
LAST: SIMPLOT LIVESTOCK CO
ADDRESS: PO BOX 27
CITY: BOISE
PHONE NUMBER: 208-000-0000
STATE: ID ZIP: 83707
FIRST:

OWNER CODE: C
LAST: SIMPLOT
ADDRESS:
CITY: BOISE
PHONE NUMBER: 208-000-0000
STATE: ID ZIP: 83707
FIRST:

OWNER CODE: K
LAST: SIMPLOT
ADDRESS:
CITY: BOISE
PHONE NUMBER: 208-000-0000
STATE: ID ZIP: 83707
FIRST:

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
CLAIM REMARKS: GEN AC. DIV. RATE=140 GPM.

DATABASE
Y

FIELD EXAMINER
Y (7/1) NC

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Frank Bachman PHONE NUMBER: (208) 834-2231DATE OF ~~FIELD~~ ^{office visit} EXAM: 10/28/1993 APPOINTMENT MADE: Y(☒) N(☐) TIME: 11:30 A(X) P(☐)

ACCOMPANIED BY: _____ PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

Mr. Bachman came into the office with Simplot's mgr (Albert) to
discuss Simplot Livestock's claims.

A. AJ CLAIM: # A51-04008 PRIORITY DATE: 06-01-1901 STAGE: S

B. WR RECORD: # 51-04008 PRIORITY DATE: 06-01-1901 STAGE: S

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y() N(X)

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

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? Y() N(X)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS? N/A(X) Y() N()

PROOF OF BENEFICIAL USE SUBMITTED N/A(X) Y() N()

FIELD EXAM COMPLETED N/A(X) Y() N()

FIELD EXAM SENT TO STATE OFFICE N/A(X) Y() N()

LICENSE ISSUED N/A(X) Y() N()

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

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED? N/A() Y() N(X)

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

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y() N(X)

NOTES: 04/17/1996: Claim to be recommended as de minimus for 750 cattle (17 CFS, less than 2500 gpd). No evidence of priority right. 07/09/1996: Right was not decreed in the Bear River Decree and it appears that not only were all surface water sources subject to the decree, but that the decree included stockwater. It appears that this right was subject to the Bear River Decree, and since the right was not included in that decree the priority date recommended is advanced to the day after the effective date of the decree. 07/09/1996: See notes in A51-04090 regarding cond. w/iss. Stockwater rights (no other uses) were not included in the decree. O.K. to recommend as claimed. 777

RECOMMENDED PRIORITY DATE:

06 - 01 - 1901

REVIEWED BY [Signature]

DATE 07/09/1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

A51-04008
ATTACHMENT A, pg. 1

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	A51-02079	A51-02090A
A51-04008	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.

Simplot Livestock
Page 3.

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

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

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

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

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

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

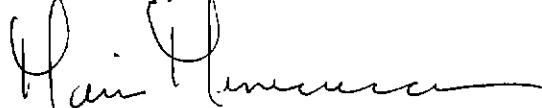
A51-04091: Required Document(s): (1) Evidence of priority date.
Wickahoney
Spring

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

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

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

Sincerely,



Maria Minicucci
Water Agent, Adjudication Bureau

Enc.s

MM/m



State of Idaho
DEPARTMENT OF WATER RESOURCES

AS(-04008
A-4

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

February 4, 1993

Re: Claim No(s). A51-04008, A51-04090

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

SIMPLIST LIVESTOCK CO
PO BOX 27
BOISE ID 83707

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area should be conducted this summer by Department personnel. Prior to conducting the field exams, we will contact you to discuss details and schedule a time convenient for you.

Please submit the required evidence supporting the priority date(s) by March 15, 1993, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the toll-free number listed on the back page of the pamphlet or the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	THP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A51-04008	16S 05E	24		SE	NW				ONYHEE		
A51-04008	16S 05E	24		NE	SW				ONYHEE		
OTHER AJ CLAIMS WITH SAME AJ POD											
A PREFIX R PREFIX											
NONE											
WR RECORDS IN SAME 40 ACRE TRACT											
NONE											

SOURCE: BASABE SPRING

TRIB: BRUNEAU RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	THP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
51-04008	16S 05E	24		SE	NW				ONYHEE		
51-04008	16S 05E	24		NE	SW				ONYHEE		
OTHER WR RECORDS WITH SAME WR POD											
AJ CLAIMS IN SAME 40 ACRE TRACT											
A PREFIX R PREFIX											
NONE											
NONE											

SOURCE: BASABE SPRING

TRIB: BRUNEAU RIVER

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

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

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

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

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

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

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

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

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER

OTHER (DESCRIBE IN NOTES BELOW)

ATTACANT B

SCALE 1:24 000

ished by the Geological Survey

methods from aerial
photography 1975

NOTES: 07/09/1996: Source was verified on NAPP. Topo does not show spring but NAPP clearly indicates the presence of some water source at the claimed legal. Source is spring, tributary to ~~interior~~ stream which is identified on topo map as Rattlesnake Draw. AKA Basabee Spring.

=====						RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)							=====							
TWP.	RGE.	SEC.		1/4	1/4	1/4	LOT	POD	COUNTY	DIVERSION NAME	DIVERSION NBR									
16S	05E	24		SE	NW			FLAG	Owyhee											
16S	05E	24		NE	SW				Owyhee											
<u>16S</u>	<u>05E</u>	<u>24</u>		<u>SW</u>	<u>SE</u>	<u>NW</u>	<u>---</u>	<u>---</u>	<u>Owyhee</u>	<u>---</u>	<u>---</u>	<u>---</u>								
<u>16S</u>	<u>05E</u>	<u>24</u>		<u>NW</u>	<u>NE</u>	<u>SW</u>	<u>---</u>	<u>---</u>	<u>Owyhee</u>	<u>---</u>	<u>---</u>	<u>---</u>								
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SOURCE: BASABE SPRING
TRIB: BRUNEAU RIVER

REVIEWED BY: THH DATE: 07/09/1996
 SYSTEM DESCRIPTION: DESCRIBED BELOW (X), SEE LICENSE FILE (), OR SEE ATTACHMENT ()
07/09/1996: Frank Bachman indicated during an office visit on 10/28/1993 that the cattle drank from the spring and the immediate area. He indicated that there is no "development" of the source. The NAPP indicates the water is controlled into a small pond ~~area~~ area. MN

A. ROOT WATER RIGHT NUMBERS: A51-04008
R51-04008

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
16S	05E	24	SE	NW		SIMPLOT LIVESTOCK CO	A51-04008 / R51-04008 /	51-04008 / - /			Stock
16S	05E	24	NE	SW		SIMPLOT LIVESTOCK CO	A51-04008 / R51-04008 /	51-04008 / - /			Stock

ADDITIONAL POU FOUND

TOTAL ACRES A51-04008

POU COUNTY: Owyhee

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

Y() N(X)

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

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A51-04008	STOCKWATER	SIMPLOT LIVESTOCK CO	FROM 03-01 TO 11-30	0.310 CFS	
R51-04008	STOCKWATER	SIMPLOT LIVESTOCK CO	FROM 03-01 TO 11-30	0.170 CFS	

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

Y() N(X)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

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(X)

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

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; (X) TOPOGRAPHIC QUAD, IDWR NO. DD623;

(X) NAPP, IDWR NO. DD625W; () ASCS PHOTO; () OTHER _____

NOTES: 07/09/1996: POU verified w/ topo & consultation w/ Frank Bachman.
Dwyer County Assessor's office indicated that this property is
Parcel No. R16505E244200 (12/07/1993). RD

RECOMMENDATIONS:

TOTAL ACRES: 0 N/A (X)
 REVIEWED BY: [Signature] DATE: 07/09/1996

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A51-04008 STOCKWATER	FROM 03-01 TO 11-30	0.310 CFS	
TOTAL DIVERSION RATE/VOLUME		0.310 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
51-04008 STOCKWATER	FROM 03-01 TO 11-30	0.310 CFS	
TOTAL DIVERSION RATE/VOLUME		0.310 CFS	

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

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(X) N()

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

* 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: 07/09/1996: Statutory claim filed in 1977 indicates use for 400 cattle and 2000 sheep. Based on Iowa field examiner's handbook, Exhibit 15, 400 cattle = .09 CFS, 2000 sheep = 2 gal/day (Exhibit 13) = .01 CFS. Total CFS = .10 CFS. The claimed 750 head of cattle is an apparent expansion. This may be the no ~~expansion~~

AJ CLAIM TOTAL DIVERSION RATE: 0.310 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.310 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(X) N()
B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N(X)

* 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(X)

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

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

E. MEASUREMENT METHOD None - Submetered 0.23 cfs, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

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

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()
IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

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

3. IRRIGATION CONSUMPTIVE USE
CLAIMED CONSUMPTIVE USE = AF/A
ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =
TOTAL CONSUMPTIVE USE AF/A

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

1b. CALCULATIONS
IDWR Field Examiner's Handbook
Exhibit # 13 + 15
400 cattle = .09 CFS
2000 sheep = .01 CFS
.10 CFS
.02 SB
Exhibit 15
.10 CFS = 475 CATTLE
Sheep no longer use this water -
all use by cattle (as claimed).

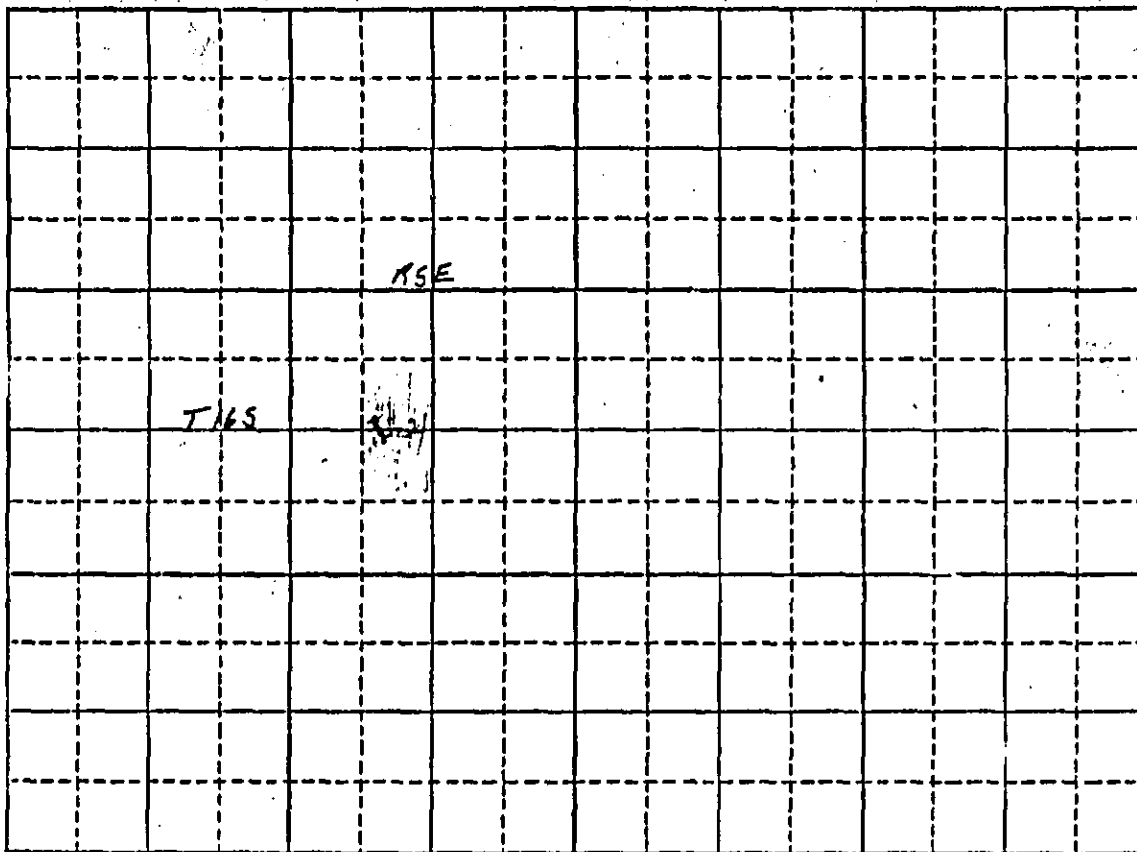
OD per wells
Borden
J D Dwyer #12

Div. AMT sheet Con't (pg. 12) has
been deleted.

CLAIM TO A WATER RIGHT

(7) If you are claiming water as a member of an organization, list name of organization: N/A

(R) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
 County of Ada)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

SIMPLON LIVESTOCK CO.

BY: [Signature]
 its (Claimant) Vice President

Sworn to before me this 22th day of April, 1977

Notary Public

Residing at Boise

My commission expires May 29, 1979

For Department Use Only

Received by [Signature] Date 5-2-77 Exception filed by: [Signature] Forwarded to [Signature] Date [Signature]
 Prelim. check by [Signature] Date 5-2-77 claimant by: [Signature]
 \$10.00 fee received by [Signature] Date 5-2-77 # 7710
 Approved for publication by CS 5-5-77
 Published in Owyhee Nugget
 Dates May 12, 1977 & May 19, 1977

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
STOCKWATER	03-01 11-30	DATABASE 0.310	DATABASE EXAMINER	DATABASE EXAMINER 0.0
<i>STOCKWATER</i>	<i>03-01 11-30</i>	<i>16 02 SB</i>		
TOTAL FOR THIS RIGHT		0.310	<i>16 02 SB</i>	0.0

NON-IRRIGATION USES CLAIMED: *54750-RANGE- 54750-RANGE 750 SB*

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

REVIEWED BY: *[Signature]* DATE: _____

FLAG: _____
STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE): *Spring is located on/inside line btwn SWSEW + NWNEW, S.24 T.16S R.05E*
Source ACA Barabe Spring

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

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

B. SPLIT WATER RIGHT REVIEW N/A

ROOT WATER RIGHT NUMBER: 51-04008

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
	A51-04008	0.310	R51-04008	0.170	51-04008	0.310

TOTAL CFS

0.310

0.170

0.310

DIVERSION RATE REVIEW

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

DATABASE X N
FIELD EXAMINER Y () N NO

NOTES:

07/10/1996: Claimed rate of diversion is higher than the recommended rate. There has not been a split of this right. First R record was based on claimed 750 cattle, but FWR records indicate that historical use was for 400 cattle + 2000 sheep. Recommendation has been reduced based on this information. Additional diversion may require an application for permit. 117

AUTHENTICATION:

SIGNATURE: [Signature]

DATE: 07/10/1996

NAME OF FIELD EXAMINER: MARIA TIMICUCCI

TITLE: SR WATER AGENT

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
(X) TOPOGRAPHIC	DATE FIELD CHECKED <u>1975</u> IDWR ID NO. <u>DD62</u>	Y() N()
(X) NAPP	DATE OF PHOTO <u>08/03/1987</u> IDWR ID NO. <u>DD62SW</u>	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	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	_____	DATE OF FIELD EXAM _____
() WATER RIGHT LICENSE	_____	DATE LICENSE SIGNED _____
() IDWR APPROVED TRANSFER	_____	DATE TRANSFER APPROVED _____
() SYSTEM DESCRIPTION	_____	DATE DRAWN _____
() PHOTOGRAPHS	_____	DATE(S) PHOTOS TAKEN _____
() SPLIT RIGHT REVIEW	_____	DATE REVIEW COMPLETED _____
() HUBBLE ANALYSIS	_____	DATE ANALYSIS COMPLETED _____
() CONVEYANCE LOSS ANALYSIS	_____	DATE ANALYSIS COMPLETED _____
() FLOW MEASUREMENT CALCULATIONS	_____	DATE SYSTEM MEASURED _____
(X) OTHER <u>IDWR CORR</u>	<u>4</u>	<u>11/08/1993, 02/04/1993</u>
(X) OTHER <u>CONV. Nemo</u>	<u>1</u>	<u>11/01/1993</u>
X <u>Statutory Claim</u>	<u>2</u>	<u>05/02/1977</u>
		<u>Request for evidence of priority</u>
		<u>Dwyhee County</u>
		<u>400 CATTLE 2000 sheep</u>
		<u>131 CFS</u>