

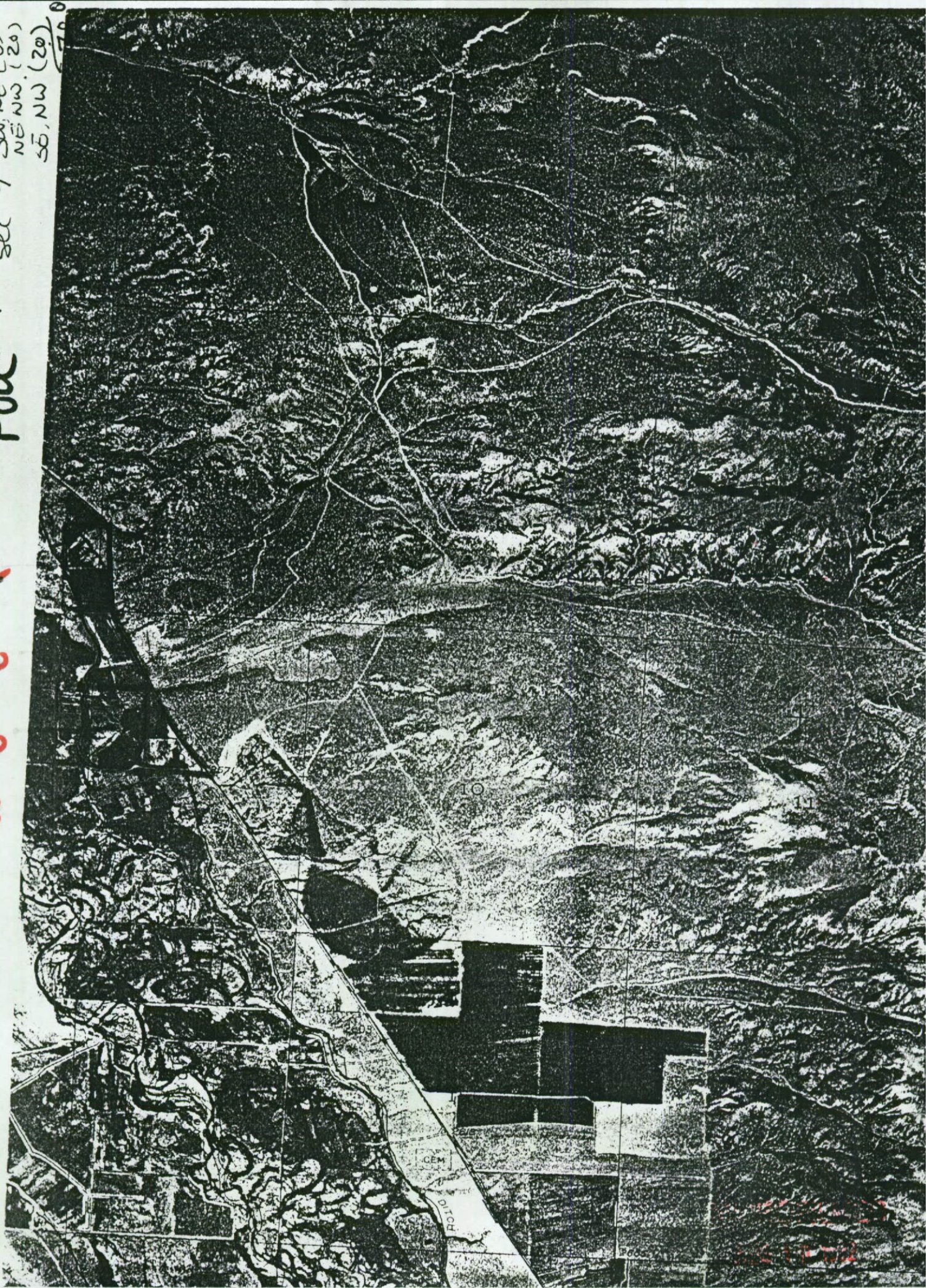
TS, 6E SEC 4 SE SW 22
sec 9 SW NE (8)
NE NW (20)
SW NW (20)

22

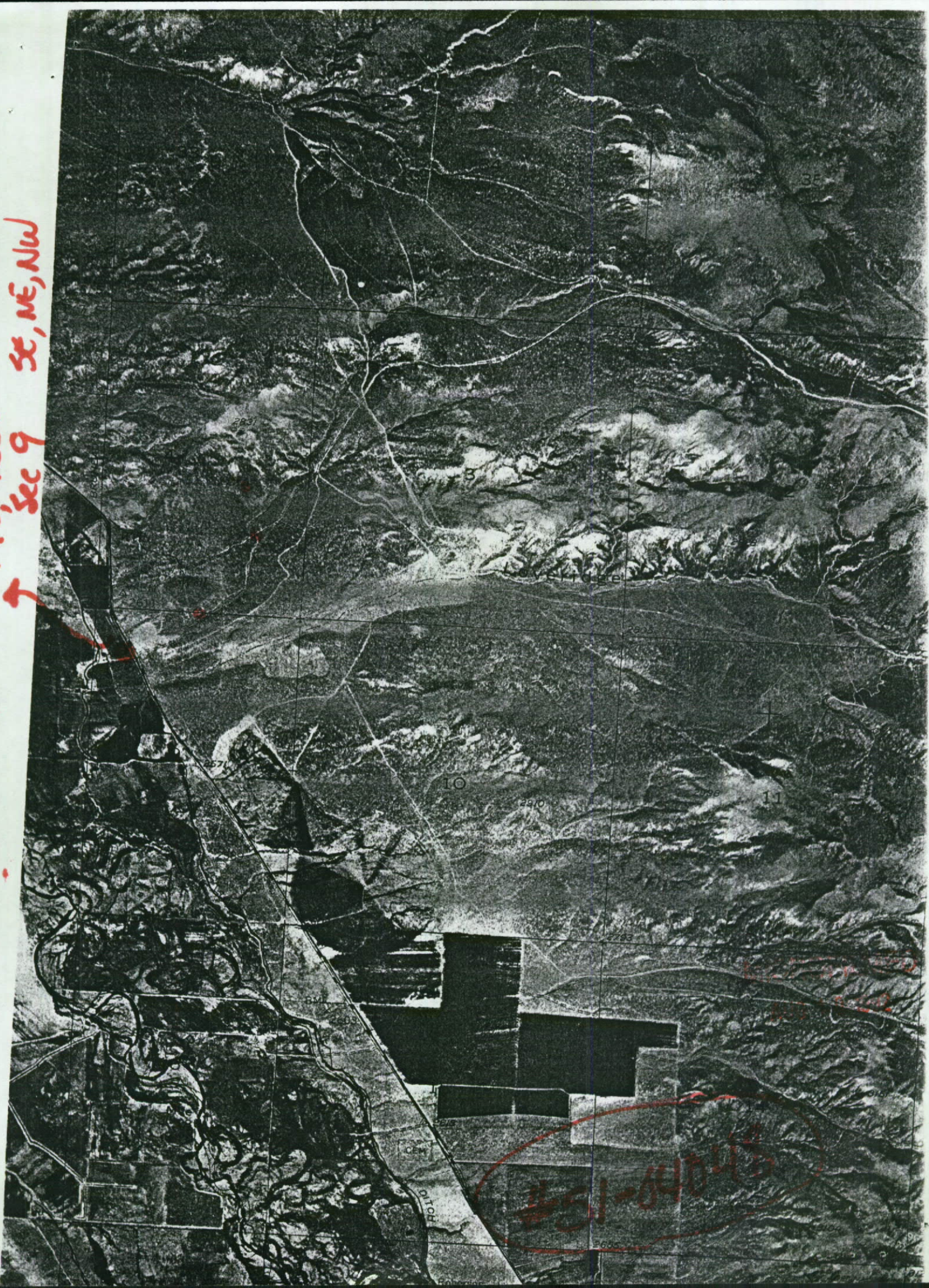
20

20

8



T7S, R8E
Sec 9 SE, NE, NW



51-64043

IDAHO DEPARTMENT OF WATER RESOURCES

T07S, R06E, S4 & S9

Capitol



1987 NAPP PHOTO

SECTION LINES



POD



POU



1/4 1/4 LINES



ACRES

6

CLAIM(S) : 51-04048 & 51-04049

OWNER(S): FRANK BACHMAN

Prepared by: Mel Schulte

Date: 5/5/1998

TOTAL ACRES = 84.6



1.25 Miles

1

0.75

0.5

0.25

0

CLAIM	A51-04048			INT	6E
P/D	T.	R.	S.	Q/Q	
SCALE	1:50,000			9	NEW
PHOTO ID.	AA63			DATE	1974

WATER CATCHMENT DISTRICT

WATER 10/5/1974

AA63

1974

66



SECTION LINES



POD



POU

1/4 1/4 LINES

ACRES

6

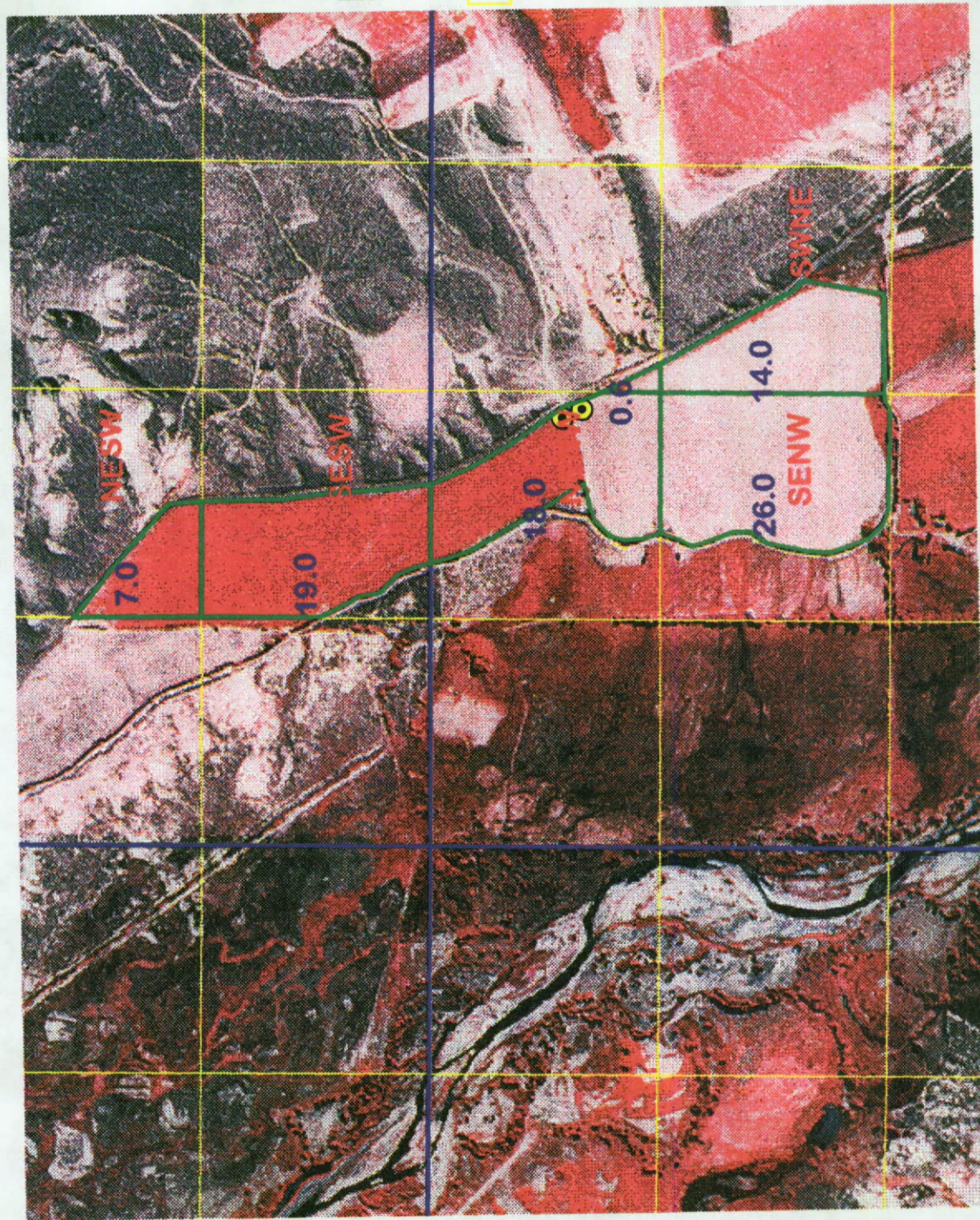
CLAIM(S): 51-04048 & 51-04049

OWNER(S): FRANK BACHMAN

Prepared by: Mel Schulte

Date: 5/5/1998

TOTAL ACRES = 84.6



1.25 Miles



A51-04048 & A51-04049



11-2-1993

Place of use - just north of driveway - looking north
Section 9, NEBW.



11-2-1993

Supplemental irrigation & domestic well site. (1912)
Place of use south of driveway - looking south

A51-04048 & A51-04049



11-2-1993

Artesian well, low temp. geothermal.

11-2-1993



Site tube measurement

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: **A51-04048**
Date Received: 12/ 5/1988
Receipt No: M002048
Received By: MTS

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: FRANK BACHMAN 208-845-2090
Address: PO BOX 186
BRUNEAU ID 83604
OR
Name: CINDY BACHMAN 208-845-2090
Address: PO BOX 186
BRUNEAU ID 83604

2. Date of Priority: APR 1, 1912

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	06E	9	SE	NE	NW		OWYHEE

5. Description of diverting works:
WELL 910', ART. 122 DEG, PIPE TO DITCH, MIX- W/ COLD WATER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.100		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 140.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/300 RANGE CATTLE._D/ SINGLE HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	06E	4	NE	SW		IRR	8.0
			SE	SW		IRR	20.0
			~~SE~~	~~NW~~		"	8.0
					Section Acres	~~28.0~~ 36.0	
		9	SW	NE		IRR	8.0
			NE	NW		IRR	20.0
			SE	NW		IRR	22.0
					Section Acres	50.0	
					Total Acres	~~78.0~~ 86.0	

4-22-98
JJB

4-29-98
JJB

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:

51-4049, AND BUCKAROO DITCH CO. SHARES

14. Remarks:

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:

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Frank J. Bachman Date: 12-20-96
Cindy A. Bachman Date: 12/20/96

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of December 19 96

Melvin T. Schulte
Notary Public

Seal



Residing at Bowse, Idaho

My Commission Expires 7-24-2001

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: A51-04048
Date Received: 12/05/1988
Receipt No: M002048
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK L. BACHMAN 208-845-2090
Address: P.O. BOX 186
BRUNEAU, ID 83604

OR
Name: CINDY L. BACHMAN 208-845-2090
Address: P.O. BOX 186
BRUNEAU, ID 83604

2. Date of Priority: JAN 01, 1912

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	06E	9	SE	NE	NW		OWYHEE

5. Description of diverting works:
WELL 910', ART. 122 DEG, PIPE TO DITCH, MIX- W/ COLD WATER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	10/15	0.100		
STOCKWATER	10/15	03/15	0.020		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 140.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/300 RANGE CATTLE._D/ SINGLE HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	06E	4	SE	SW		IRR	22.0
						Section Acres	22.0
		9	SW	NE		IRR	8.0
			NE	NW		IRR	20.0
			SE	NW		IRR	20.0
						Section Acres	48.0
						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:
51-4049, AND BUCKAROO DITCH CO. SHARES

14. Remarks:

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: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
 _____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

RECEIVED

JUL 16 1990

CHANGE IN OWNERSHIP

Page 1
Department of Water Resources
Western Regional Office

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[] Water Right Number(s): 51-4048, 51-4049

[] Name and Address of Former Claimant(s): COLYER CATTLE CO.

HC - 85 Box 896

BRUNEAU, IDAHO 83604

[] New Claimant(s): FRANK L. BACHMAN

CINDY L. BACHMAN

[] New Mailing Address: P.O. Box 186

BRUNEAU, IDAHO 83604

New Telephone Number: (208) 845-2090

[] Does the change in ownership result in a splitting of the water right claimed? yes X no
If yes, then describe the portion of the water right that is now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached: EXCHANGE AGREEMENT DATED JUNE 29, 1990
(Proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former claimant.)

[] Signature of New Claimant(s): Frank L. Bachman

Cindy L. Bachman

Date: 7-12-90

MICROFILMED

AUG 10 1992

CHANGE IN OWNERSHIP

Page 2

[] Signature of Former Claimant(s): _____

Date: _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

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AUG 10 1992

RECEIVED

JUL 16 1990

Department of Water Resources
Western Regional Office

EXCHANGE AGREEMENT

EXCHANGE AGREEMENT, made this 29th day of June, 1990,
between COLYER CATTLE CO., INC., an Idaho Corporation, herein-
after designated as Colyer, and FRANK L. BACHMAN and CINDY L.
BACHMAN, husband and wife, whose address is Box 223, Bruneau,
Idaho 83604, hereinafter designated in the singular and by
masculine gender as Bachman;

WITNESSETH: That for and in consideration of the
exchange of properties as hereinafter provided and in con-
sideration of the mutual promises and agreements herein con-
tained, IT IS HEREBY AGREED as follows:

1. At the time of closing as hereinafter set forth,
Colyer agrees to make, execute, acknowledge and deliver to
Bachman a warranty deed in standard form conveying to
Bachman marketable title to the real property located in
the County of Owyhee, State of Idaho, and particularly
described as follows:

The East Half of the Southwest Quarter;
the Northwest Quarter of the Southwest
Quarter of the Southeast Quarter and the
South Half of the Southwest Quarter of
the Southeast Quarter of Section Four;
and the East Half of the Northwest Quarter
and the West Half of the Northeast Quarter
of Section Nine, all in Township Seven
South, Range Six East, Boise Meridian;

TOGETHER with the tenements, hereditaments
and appurtenances thereunto belonging or
in anywise appertaining, and TOGETHER with
all water rights and ditch rights appurtenant
to said property, including but not limited
to, the following:

1625 shares of the capital stock of
Bruneau Buckaroo Cooperative Ditch
Company, as represented by Certificates
numbered 292 and 293;

Claim No. 51-4048 filed with the Idaho
Department of Water Resources, claiming
.10 cfs for irrigation, .04 cfs for
domestic use and .02 cfs for stock water;

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AUG 10 1992

Claim No. 51-4049 filed with the Idaho Department of Water Resources for 1.48 cfs groundwater from three artesian wells and two additional 2-inch wells;

The following described irrigation equipment now located on the above described real property:

7 handlines, 3-inch aluminum

Approximately 2,780 feet of portable mainline, 8-inch

1 40 hp Johnson electric motor with pump and cleaner, used for pumping water from the canal.

IT IS AGREED for the purpose of this exchange contract that the fair market value of the above described real property is the sum of \$135,000.

2. At the time of closing as hereinafter mentioned Bachman agrees to make, execute, acknowledge and deliver to Colyer a warranty deed in standard form conveying to Colyer marketable title to the real property located in the County of Owyhee, State of Idaho, and described as follows:

The South Half of the Southeast Quarter, the Northwest Quarter of the Southeast Quarter and the Southwest Quarter of the Northeast Quarter of Section Twenty-three, Township Six South, Range Five East, Boise Meridian;

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including all water rights and ditch rights appurtenant to said property.

3. It is understood that at the present time the real property owned by Bachmans and described in paragraph 2 above is encumbered by a mortgage held by Farm Home Administration. At the time of closing and in order to convey marketable title to said real property to Colyer free and clear of liens and encumbrances, Bachman agrees to cause to be filed with the County Recorder of Owyhee County, Idaho, a satisfaction of

MICROFILMED

AUG 10 1992

said mortgage. It is understood that Farm Home Administration has agreed to accept the mortgage from Bachmans upon the real property which Bachmans are to receive, described in paragraph 1 above, as the substitute for and in lieu of the mortgage which they are releasing on the real property described in paragraph 2 above.

4. At the time of closing it is understood and agreed between the parties hereto that Colyer will make, execute, acknowledge and deliver to the State of Idaho, for the use and benefit of the Idaho Fish and Game Department, a warranty deed in standard form conveying marketable title to the real property described in paragraph 2 above, together with an Owner's Policy of Title Insurance guaranteeing marketable title to said property, and IT IS AGREED that the net amount received by Colyers from the State of Idaho in the sum of \$ 94,835.60, shall be paid to Colyers at the time of closing, and said payments shall be applied upon the purchase price of \$135,000 to be paid to Colyer for the real property described in paragraph 1 above. Said purchase price shall be paid in the amounts and in manner as follows:

The sum of \$15,000 has been paid in cash leaving a balance of \$120,000. The amount received from the State of Idaho in the sum of \$ 94,835.60 shall be applied against this balance, and the amount of the purchase price remaining unpaid shall be paid by Bachmans to Colyer in five equal annual installments, the first of which shall be paid upon the 1st day of March, 1991, and a similar installment shall be paid upon the 1st day of March of each year thereafter until paid in full. Said balance shall bear interest at the rate of 9½% per annum from the date of closing until paid and the interest shall be paid annually on March 1 of each year, simultaneously with the payment of the annual installment upon the principal sum. Said balance shall be represented by a promissory note in a standard Idaho form payable in accordance with the terms herein mentioned, and granting to Bachmans the right to prepay all or any part of said sum at any time, without penalty.

MICROFILMED

AUG 10 1992

5. Each of the parties to this agreement hereby states that all taxes levied and assessed against the real property to be conveyed by him under the terms hereof for the year 1989 and prior years have been paid in full. Taxes to be levied and assessed against each respective tract for the year 1990 shall be prorated between the parties as of the date of closing, it being understood that the present owner of said property shall be responsible for 1990 taxes to date of closing and that the grantee receiving each respective tract shall be responsible for taxes accruing from and after the date of closing.

6. At the time of closing Colyers shall purchase and deliver to Bachman an Owner's Policy of Title Insurance guaranteeing marketable title to the property which Bachman is to receive under this exchange and Colyer shall purchase and deliver to the State of Idaho an Owner's Policy of Title Insurance covering the real property which is to be conveyed to the State of Idaho under the terms of this agreement. Said title insurance shall be written in the amount of the values assigned to each respective tract as above mentioned, and said policy shall be written by a title insurance company authorized to write such insurance in the State of Idaho, written in the name of the person to whom the land is to be conveyed under the terms hereof and guaranteeing marketable title to said property, subject only to the standard printed exceptions in said policy, current taxes and patent reservations, if any.

7. It is anticipated that Ihli Title and Escrow Company will be the closing officer for this exchange and it is agreed that the closing fees charged by said company will be paid one-half by Colyer and one-half by Bachman. This Exchange Agreement shall be closed at the office of Ihli Title and Insurance Company in Murphy, Idaho, upon the 29th day of June, 1990.

MICROFILMED
AUG 10 1992

IN WITNESS WHEREOF, the said parties have caused this agreement to be executed as of the day and year herein first above written.

COLYER CATTLE CO., INC.,
an Idaho Corporation,

By Raymond J. Colyer
Its President

ATTEST:

Dannia C. Colyer
Its Secretary

Frank L. Bachman
Frank L. Bachman
Cindy L. Bachman
Cindy L. Bachman

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

On this 29th day of June, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared Raymond J. Colyer, known to me to be the President of COLYER CATTLE CO., INC., the corporation that executed the foregoing instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that said corporation 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.

Nicholas K. Shl.
Notary Public for Idaho
Residing at Murphy, ID

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

On this 29th day of June, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared FRANK L. BACHMAN and CINDLY L. BACHMAN, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they 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.

Nicholas K. Shl.
Notary Public for Idaho

MICROFILME

AUG 10 1992

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: A51-04048
Date Received: 12/05/1988
Receipt No: M002048
Received By: AS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: COLYER CATTLE CO. 208-845-2312
Address: HC - 85 BOX 896
BRUNEAU, ID 83604

2. Date of Priority: JAN 01, 1912

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	06E	9	SE	NE	NW		OWYHEE

5. Description of diverting works:
WELL 910', ART. 122 DEG, PIPE TO DITCH, MIX- W/ COLD WATER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/15	0.100		
STOCKWATER	10/15	03/15	0.020		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 140.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/300 RANGE CATTLE._D/ SINGLE HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	06E	4	SE	SW		IRR	22.0

Section Acres 22.0

A51-04048

Page 1

Date: 12/05/88

MICROFILMED
AUG 10 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	06E	9	SW	NE		IRR	8.0
			NE	NW		IRR	20.0
			SE	NW		IRR	20.0
						Section Acres	48.0
						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:
51-4049, AND BUCKAROO DITCH CO. SHARES

14. Remarks:

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 4

For Organizations:

I do solemnly swear or affirm that I am Secretary of

Colyer Cattle Co., that I have signed the foregoing
Organization

document in the space below as Secretary of

Colyer Cattle Co. and that the statements contained in the
Organization

foregoing document are true and correct.

Donnie C. Colyer
Signature of Authorized Agent

Secretary, Colyer Cattle Co.
Title and Organization

Dec. 5, 1988
Date

State of Idaho)
County of Owyhee) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of DEC 19 88

W. Gene Gibson
Notary Public

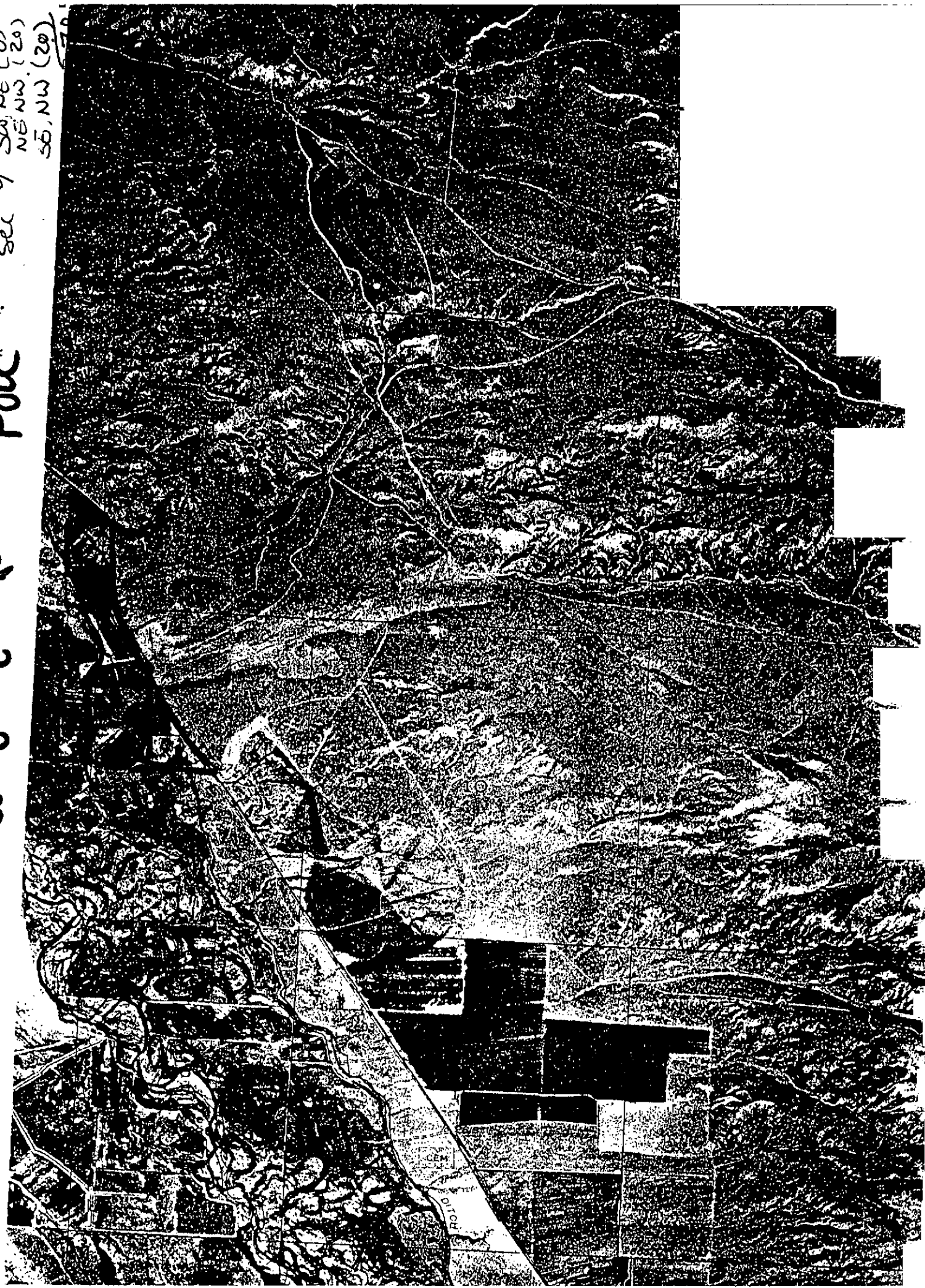
Seal

Residing at Boise, ID

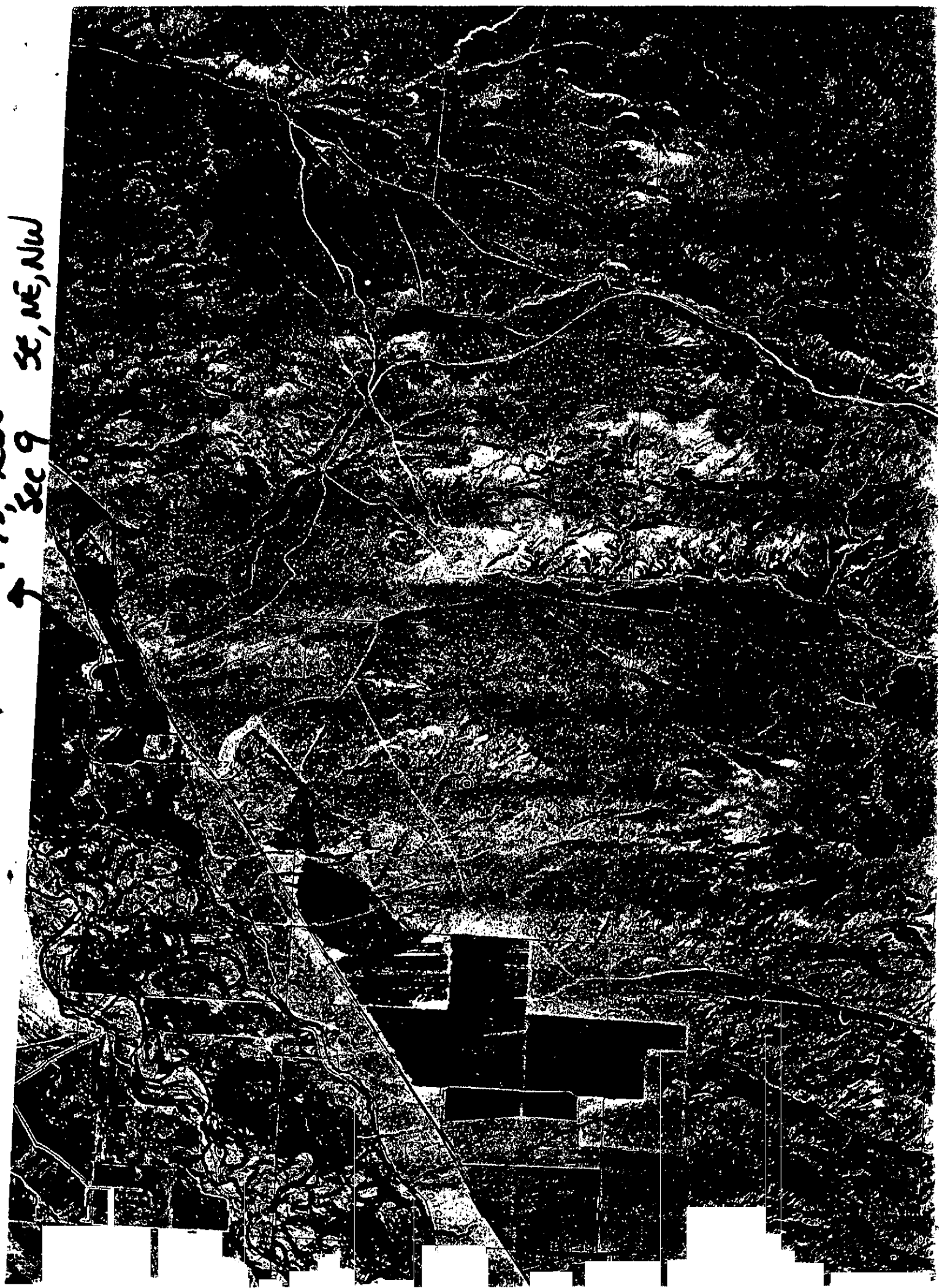
My Commission Expires 9-2-1994

75, 6E SEC 4 SE SW 22
POU. sec 9 SW NE (8)
NE NW (20)
SW, NW (20)

22
20
20
8

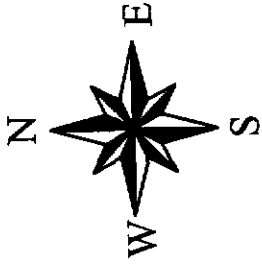


T75, R0E
Sec 9 SE, NE, NW



IDAHO DEPARTMENT OF WATER RESOURCES
T07S, R06E, S4 & S9

C. F. T. R. A.



1987 NAPP PHOTO

SECTION LINES



POD



POU



1/4 1/4 LINES

ACRES

6

CLAIM(S) : 51-04048 & 51-04049

OWNER(S): FRANK BACHMAN

Prepared by: Mel Schulte

Date: 5/5/1998

TOTAL ACRES = 84.6



1.25 Miles

1

0.75

0.5

0.25

0

OWNER NAME & ADDRESS
C FRANK L BACHMAN
C CINDY L BACHMAN
PO BOX 186
BRUNEAU ID 83604
(208) 845-2090

PRIORITY DATE 03/15/1912

WATER USE IRRIGATION
STOCKWATER
DOMESTIC

USE PERIOD FROM TO 03-01 11-15
01-01 12-31
01-01 12-31

DIVERSION RATE 0.10 CFS
0.02 CFS
0.04 CFS

DIVERSION VOLUME

TOTAL DIVERSION: 0.10 CFS

Water Source: GROUNDWATER

Tributary to: SENENW

Point(s) of Diversion: T07S R06E S09

Stage: BENEFICIAL USE

ONYHEE County

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE		SUM						
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
07S 06E	4	:	:	:	:	:	:	:	:	:	:	:	:	:
07S 06E	9	:	:	:	:	:	:	:	:	:	:	:	:	:
TOTAL ACRES														
26.0														
58.6														
84.6														

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use Legal Description for: DOMESTIC

NE		NW		SW		SE		SUM						
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
07S 06E	9	:	:	:	:	:	:	:	:	:	:	:	:	:
TOTAL ACRES														
26.0														
58.6														
84.6														

POU County: ONYHEE

Non-Irrigation Uses: ONE HOME

Other Rights: 51-04049 AND BRUNEAU BUCKAROO DITCH CO. SHARES

- Conditions of Approval:
- N09 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
 - N14 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.
 - W04 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM BRUNEAU BUCKAROO DITCH CO.
 - C14 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 51:
 - WATER RIGHT NO. SOURCE
 - NONE NONE
 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER

Conditions of Approval:

- IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
 - WATER RIGHT NO. SOURCE
 - NONE
- ALL WATER RIGHTS WITHIN BASIN 51 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

Remarks: QNT

USE OF THIS RIGHT WITH RIGHT NO. 51-04049 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.50 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 423 AF.

POD

TWO POINTS OF DIVERSION LOCATED IN T07S, R06E, S09, NENW.

POU1

USE OF THIS RIGHT WITH RIGHT NO. 51-04049 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 84.6 ACRES IN A SINGLE
IRRIGATION SEASON.

EXP

STOCKWATER, 500 RANGE CATTLE
WATER TEMPERATURE WAS MEASURED AT 120 DEGREES.

Dates: Exam Made Date:

Verified Date: 11/11/1998 Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments:

Date: 07/31/1998 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C14 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 11/11/1998 User-ID: JSHURTE Subject: SEASON OF USE CHANGE
CHANGED SEASON OF USE FROM 3-15 TO 11-15 TO 3-1 TO 11-15 PER IDWR
STANDARD FOR THIS AREA.

Audit: 11/11/98 JSHURTE

August 4, 1998

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: September 4, 1998

Water right number: 51-04048

FRANK L BACHMAN
CINDY L BACHMAN
PO BOX 186
BRUNEAU ID 83604

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ **I AGREE with this proposed recommendation; no changes need to be made.**

DATE: 8-18-98 SIGNATURE: Frank L. Bachman
Please print your name: _____

IDWR Western Regional Office, 2735 Airport Way, Boise, ID 83705-5082, (208) 334-2190

DATE: 05/12/98
PAGE: 1

DIVERSION
VOL. 11, NO. 1

04-01-10-34	0.10 CFS
01-01 12-31	0.02 CFS
01-01 12-31	0.04 CFS

TOTAL DIVERSION:

Stage: BENEFICIAL USE

OWYHEE COUNTY

						NE				NW				SW				SE									
		NENE		NNWE		SWE		SENE		NNW		SNW		SENW		NESW		WSW		SESW		NESE		SWSE			
T	R	S	Lt	AC	Lt	AC	Lt	AC	Lt	AC	Lt	AC	Lt	AC	Lt	AC	Lt	AC	Lt	AC	Lt	AC	Lt	AC	Lt	AC	SUM
07S	06E	4 :																									26.0
07S	06E	9 :	.6		14												07				19						58.6
											18				26												84.6
																							TOTAL ACRES				

AS1-00003	AS1-00004	AS1-00005	AS1-04006	AS1-04007	AS1-04008	AS1-04009	AS1-07052B	AS1-10271	AS1-10350	R51-00004B
-----------	-----------	-----------	-----------	-----------	-----------	-----------	------------	-----------	-----------	------------

- THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- USE OF THIS RIGHT IS COMBINED WITH WATER FROM BRUNEAU BUCKAROO DITCH CO.

ONT-525-

AJ0749NP
No. R51-04048

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

DATE: 05/12/98
PAGE: 2

Remarks: POD TWO POINTS OF DIVERSION LOCATED IN T07S, R06E, S09, N04W.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 51-04049 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 84.6 ACRES IN A SINGLE
IRRIGATION SEASON.

EXP STOCKWATER, 500 RANGE CATTLE
WATER TEMPERATURE WAS MEASURED AT 120 DEGREES.

Dates: Exam Made Date: Verified Date: 05/12/1998 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 05/12/1998 User-ID: MSCHULTE Subject: PRIORITY DATE ADVANCED
THIS RIGHT SHOULD HAVE BEEN CLAIMED IN THE BRUNEAU RIVER
ADJUDICATION BECAUSE THE CLAIMED PRIORITY DATE PRECEDES THE
DECREE. THEREFORE, THE PRIORITY DATE IS ADVANCED TO ONE DAY AFTER
THE DECREE DATE.

Audit: 05/12/98 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?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO <u>1974</u> IDWR ID NO. <u>AA63</u>	<u>6a</u>
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	<u>6b</u>
☒ ~~MAP~~ <u>GIS map</u>	DATE OF PHOTO <u>5-5-98</u> IDWR ID NO. _____	
☐ ASCS AERIAL PHOTO	DATE OF PHOTO _____	
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____	
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____	
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	
☒ OTHER <u>Memo and Affidavits</u>	DATE <u>4-29-98</u> <u>255-98</u> Re: <u>NESW, S4</u>	
☒ OTHER <u>Claim 5104048</u>	DATE <u>11-18-82</u>	
☐ OTHER _____	DATE _____	

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 DRAIN _____		
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN <u>11-2-93</u>	<u>2</u>	
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____		
☐ RUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____		
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____		
☒ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED <u>11-2-93</u>	<u>1</u>	<u>10a</u>
☐ OTHER _____	DATE _____		
☐ OTHER _____	DATE _____		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:09:27
11/01/93

PAGE: 13
QUICKLOOK INFORMATION

13
CLAIM NUMBER: A51-04048

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			L. Werner	Y	Affidavit			
POINT OF DIV	Y		11-2-93	N	1, 4, 5			
SOURCE				N	1, 4, 5			
PLACE OF USE	Y	Y-3-11-94		Y	1, 4, 5			
DIV. AMOUNT CFS/VOLUME				N	Dept. Std.			
CONSUMPTIVE USE								
PURPOSES				N	Dept. Std.			
PERIOD OF USE				Y	STAT.			
BASIS OF CLAIM								
REMARKS								

"VERIFIED BY" CODES

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:09:27
11/01/93

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A51-04048
1

LAST: COLYER CATTLE CO.
ADDRESS: HC - 85 BOX 896
CITY: BRUNEAU
PHONE NUMBER: 208-845-2312
OWNER CODE: O

FIRST:
STATE: ID ZIP: 83604

LAST: BACHMAN
ADDRESS: P.O. BOX 186
CITY: BRUNEAU
PHONE NUMBER: 208-845-2090
OWNER CODE: C

FIRST: FRANK L.
STATE: ID ZIP: 83604

LAST: BACHMAN
ADDRESS: P.O. BOX 186
CITY: BRUNEAU
PHONE NUMBER: 208-845-2090
OWNER CODE: C

FIRST: CINDY L.
STATE: ID ZIP: 83604

FIELD
EXAMINER

DATABASE
N

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM

CONTACT PERSON: _____

PHONE NUMBER: () - -

DATE OF FIELD EXAM: 1/12/93

APPOINTMENT MADE: Y() N()

TIME: - : - A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

See phone conversation memo.

A. AJ CLAIM: # A51-04048 PRIORITY DATE: 01-01-1912 STAGE: S

B. WR RECORD: # 51-04048 PRIORITY DATE: 01-01-1912 STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE N
FIELD EXAMINERARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)
IF YES EXPLAIN

NOTES:

*Affidavit submitted by Vera Bower supports usage
back to 1912 for the first well.*

See A51-04049

RECOMMENDED PRIORITY DATE: 4-18-1912

01-01-1912

4-1-1912 2725

REVIEWED BY

Linda Warner

DATE

3-1-94

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A51-04048	07S	06E	9	SE	NE	NW		OMYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A51-04049 NONE 51-04049
WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
51-04048	07S	06E	9	NE	NE	NW		OMYHEE

OTHER WR RECORDS WITH SAME WR POD
A PREFIX R PREFIX
A51-04049 NONE

51-04049

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	Y N	<u>N</u>

NOTES:

Supplemental well was drilled in 1926. The well (1912 one) is also supplemental to the Brunswick Buckaroo ditch.

POINT OF DIVERSION REVIEW SHEET CONTINUED			
RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:	1/4	1/4	1/4
TWP. RGE. SEC.			
TS 6E 9	SE NE	NW	—
TS 6E 9	SE NE	NW	—
—	—	—	—
—	—	—	—
—	—	—	—
—	—	—	—
—	—	—	—
—	—	—	—

SOURCE: GROUNDWATER

5-11-98

REVIEWED BY: *Sandra Werner* DATE: 3-1-94

SYSTEM DESCRIPTION:

1926 well — Artesian well, 6" pipeline, flood irrigation
1912 well — Oldest well used for domestic & irrigation (x stock)
before newer well was used.

System is not hooked together. The second well was used
in 1926 when it was drilled.

Well no. 1 is the oldest well & is located South of the claimant's
driveway & just west of the road.
Well no. 2 is the well drilled in 1926 & is located north of the
driveway & just west of the road.

Well no. 2 w has a temp of 120°F.

A. ROOT WATER RIGHT NUMBERS: A51-04048

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	LR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	06E	4	SE	SW		BACHMAN, FRANK L.	A51-04048 / 22.0	51-04048 / 22.0	17.0	22	22
			SE	SW		BACHMAN, CINDY L.	A51-04049 / 22.0	51-04049 / 22.0		21	22
			SE	SW		BRUNEAU BUCKAROO DITCH CO.	A51-00003 / 15.0	-			19
			SE	SW		BRUNEAU BUCKAROO DITCH CO.	A51-00005 / 15.0	-			
			SE	SW		BRUNEAU BUCKAROO DITCH CO.	A51-10271 / 15.0	-			
			SE	SW		BRUNEAU BUCKAROO DITCH CO.	A51-10350 / 15.0	-			
			SE	SW		BRUNEAU BUCKAROO COOPERATIVE D	51-000048 / 3.0	-		8	8
			NE	SW						14	14
07S	06E	9	SW	NE		BACHMAN, FRANK L.	A51-04048 / 8.0	51-04048 / 8.0	25.0		
			SW	NE		BACHMAN, CINDY L.	A51-04049 / 8.0	51-04049 / 8.0			
			SW	NE		BRUNEAU BUCKAROO DITCH CO.	A51-00003 / 10.0	-			
			SW	NE		BRUNEAU BUCKAROO DITCH CO.	A51-00005 / 10.0	-			
			SW	NE		BRUNEAU BUCKAROO DITCH CO.	A51-10271 / 10.0	-			
			SW	NE		BRUNEAU BUCKAROO DITCH CO.	A51-10350 / 10.0	-			
			SW	NE		BACHMAN, CINDY	51-07341 / 3.0	-		1	1
			SW	NE		BRUNEAU BUCKAROO COOPERATIVE D	51-000048 / 3.0	-			
			NW	NE							16
07S	06E	9	NE	NW		BACHMAN, FRANK L.	A51-04048 / 20.0	51-04048 / 20.0	30.0	18	18
			NE	NW		BACHMAN, CINDY L.	A51-04049 / 20.0	51-04049 / 20.0			
			NE	NW		BRUNEAU BUCKAROO DITCH CO.	A51-00003 / 20.0	-			
			NE	NW		BRUNEAU BUCKAROO DITCH CO.	A51-00005 / 20.0	-			
			NE	NW		BRUNEAU BUCKAROO DITCH CO.	A51-10271 / 20.0	-			
			NE	NW		BRUNEAU BUCKAROO DITCH CO.	A51-10350 / 20.0	-			
			SE	NW		BACHMAN, FRANK L.	A51-04048 / 20.0	51-04048 / 20.0	38.0	23	23
			SE	NW		BRUNEAU BUCKAROO DITCH CO.	A51-10271 / 40.0	-			
			SE	NW		BACHMAN, CINDY L.	A51-04049 / 20.0	51-04049 / 20.0			
			SE	NW		BRUNEAU BUCKAROO DITCH CO.	A51-00003 / 40.0	-			
			SE	NW		BRUNEAU BUCKAROO DITCH CO.	A51-00005 / 40.0	-			
			SE	NW		BRUNEAU BUCKAROO DITCH CO.	A51-10271 / 40.0	-			
			SE	NW		BRUNEAU BUCKAROO DITCH CO.	A51-10350 / 40.0	-			
			SE	NW		BRUNEAU BUCKAROO COOPERATIVE D	51-000048 / 1.0	-			
TOTAL ACRES							70.00	70.00	110.00	87	88

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(X) N()
IF YES SEE ATTACHED SHEET: Claimant contact necessary - L.R.W. 3-1-94

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

FIELD EXAMINER

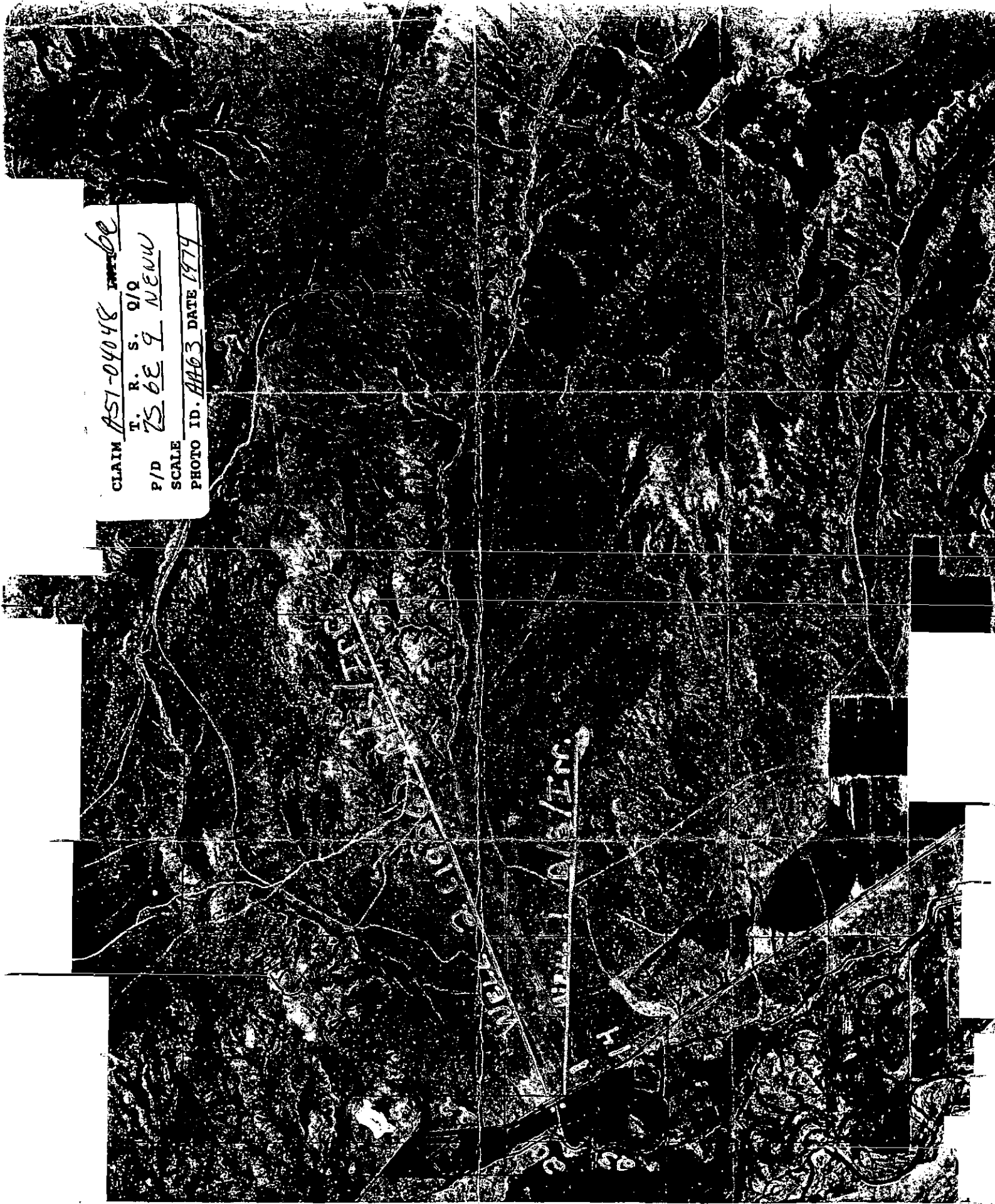
POU COUNTY: OMYHEE

* Based on GIS.

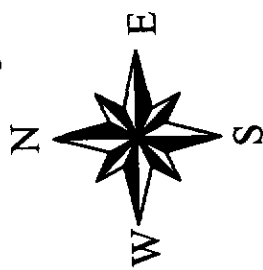
CLAIM AS1-04048 msbe
T. R. S. Q/Q
P/D 756E 9 NEWU
SCALE
PHOTO ID. AA63 DATE 1974

AA63

1974



6b



IDAHO DEPARTMENT OF WATER RESOURCES

T07S, R06E, S4 & S9

1987 NAPP PHOTO

SECTION LINES

POD

POU

1/4 1/4 LINES

ACRES

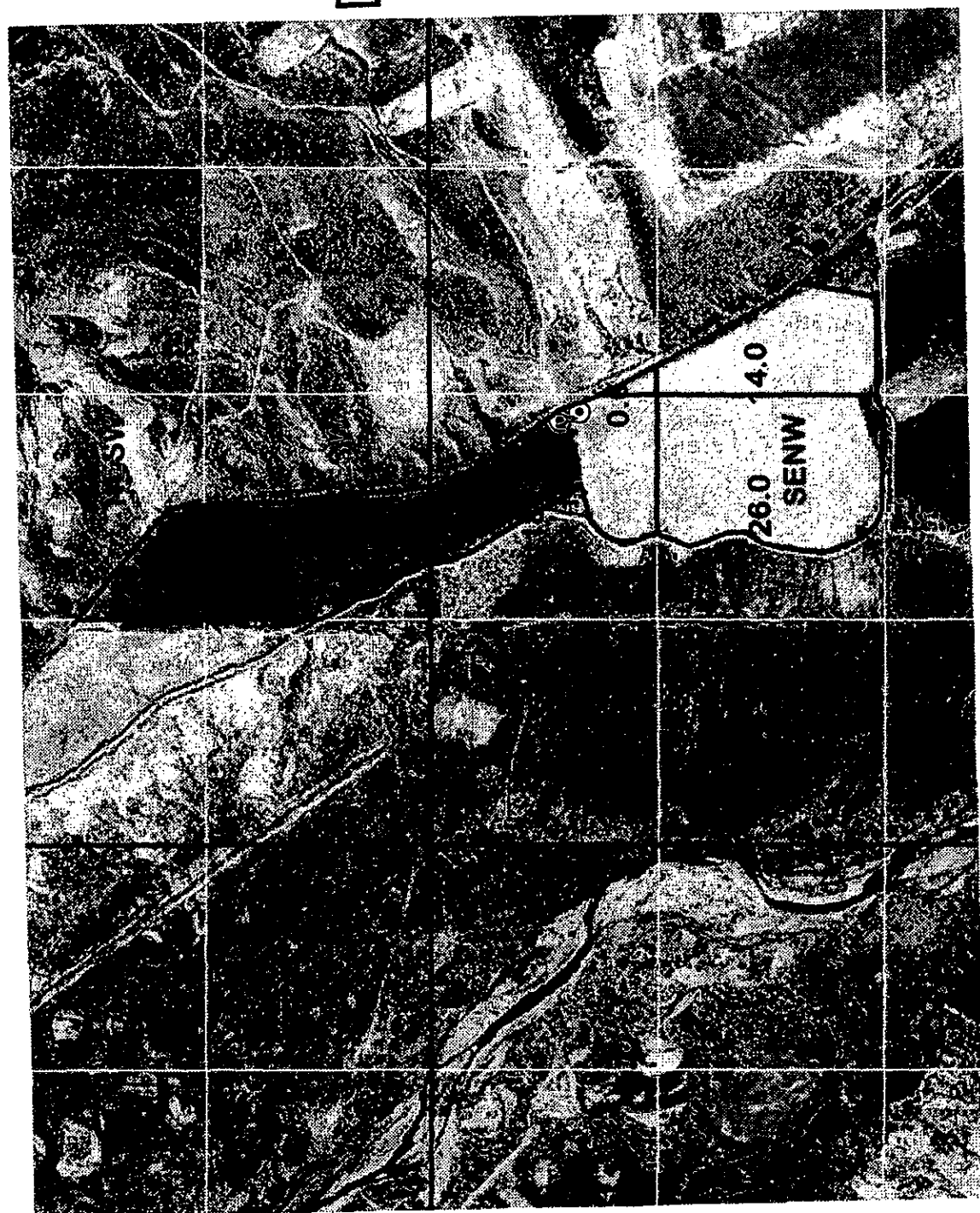
CLAIM(S) : 51-04048 & 51-04049

OWNER(S): FRANK BACHMAN

Prepared by: Mel Schulte

Date: 5/5/1998

TOTAL ACRES = 84.6



1.25 Miles



PRESUMPTION FLAG:

NOTES:

Gravages determined by use of O-P quad 1987 Napp & field team observations. Place of use was east of ditch & west of road. Also used ASCS map to help determine coverage.

RECOMMENDATIONS:

* TOTAL ACRES: 88 84.6 DATE: 5-11-98
REVIEWED BY: Spindler
Michael

Will need amended claim.

18 acres more found than what was claimed

1. Send letter & maps to claimant for verification
- a. if there has been no change will need evidence to support that there has been an increase. when did it occur? Will need evidence to support that info.
- b. This also applies to acreage found under A51-04049.

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY		DIVERSION QUANTITY
	FROM	TO	
A51-04048 IRRIGATION	03-15	10-15	.100 CFS
A51-04048 STOCKWATER	10-15	03-15	.020 CFS
A51-04048 DOMESTIC	01-01	12-31	.040 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			.100 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY		DIVERSION QUANTITY
	FROM	TO	
51-04048 IRRIGATION	03-15	10-15	.100 CFS
51-04048 STOCKWATER	10-15	03-15	.020 CFS
51-04048 DOMESTIC	01-01	12-31	.040 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			.100 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()

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

NOTES:

4-1 to 10-31

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

AJ TOTAL CLAIMED DIVERSION RATE: 0.100 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.100 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?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y FIELD EXAMINER Y: Type of claim

FLOW MEASUREMENT

B. MEASUREMENT METHOD Pitot tube, 6" Pipe x 5" orifice. SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: 51-4049, AND BUCKAROO DITCH CO. SHARES

LIST ALL RIGHTS WITH A SAME POI AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A51-04048	GROUNDWATER	BACHMAN, FRANK L.	0.100	0.001		
A51-00003	BRUNEAU RIVER	BRUNEAU BUCKAROO DITCH CO.	20.000	0.009		
A51-00005	BRUNEAU RIVER	BRUNEAU BUCKAROO DITCH CO.	16.400	0.007		
A51-04049	GROUNDWATER	BACHMAN, CINDY L.	1.480	0.021		
A51-10271	BRUNEAU RIVER	BRUNEAU BUCKAROO DITCH CO.	30.000	0.009		
A51-10350	BRUNEAU RIVER	BRUNEAU BUCKAROO DITCH CO.	13.540	0.006		

NO RIGHTS WITH SAME POI BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE 84.6 x 0.02 CFS/ACRE = 1.69 CFS
ACRES 88 (Taken from p/u review)

1b. CALCULATIONS

Pitot tube measurement results.
6" pipe x 5" orifice
Measured at 32.5"
Per water measurement
manual. Q = 697 gal./min.

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(X)
*** IF YES ADDITIONAL WATER USE FORM FILLED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 140.0 AF/A
ACRES 88 x CONSUMPTIVE VOL. AF/A FOR AREA 310 = NA
TOTAL CONSUMPTIVE USE 264.0 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 10 cfs x 1.9835 = 214.4
ACRES 88 x DIVERSION VOL. AF/A FOR AREA 440 = NA
TOTAL DIVERSION VOLUME 354.0 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

E02: Two POD's located in T7S R6E, Sec. 9 SE 1/4 NW
F05: Right no. 51-04049 is also diverted through POD's described above.

B08: Water temp. measured at 120°F from well no. 2

E01: Use of this right w/right no. 51-4049 & Bruneau Buckaroo
Ditch rights is limited to: 1.76 cfs, 88 acres,
C.U.: 264.0 AFA

Use of this right w/ 51-04049 is limited to a
total annual volume of 658.0 AFA.

Two measurements taken, first one
right after valve opened, measured
2.95 ft. (35.4 in.) & the second one
5 min. later measured 32.5"

$$\frac{697 \text{ gal/min}}{448.9 \text{ gal/min}} = 1.55 \text{ cfs}$$

10a

18.5	180	140	271	252	524	426	672	604	887	1336	1520	2089	18
19	183	144	275	256	530	432	681	612	899	1353	1540	2118	18.5
19.5	185	146	278	259	536	438	690	620	910	1370	1560	2146	19
			282	263	542	444	699	628	922	1387	1580	2175	19.5

*Courtesy of Layne and Bowler, Inc., Memphis, Tennessee, from original calibration by Purdue University.

Note: Capacities are given in nearest whole numbers.

Table 9 (Continued). Flow through pipe orifices with free discharge in gallons per minute.

Head in inches	3" Orifice		4" Orifice		5" Orifice		6" Orifice		7" Orifice		8" Orifice		9" Orifice		10" Orifice		Head in inches
	4 in. pipe	6 in. pipe	6 in. pipe	8 in. pipe	6 in. pipe	8 in. pipe	8 in. pipe	10 in. pipe	10 in. pipe	10 in. pipe	10 in. pipe	10 in. pipe	12 in. pipe	12 in. pipe	12 in. pipe		
20	187	148	285	266	548	449	708	636	933	1404	1600	2204	20				20
20.5	190	150	289	270	554	455	717	643	945	1421	1620	2232	20.5				20.5
21	192	152	292	273	560	460	726	650	956	1438	1640	2260	21				21
21.5	195	154	295	275	566	465	735	657	968	1455	1659	2288	21.5				21.5
22	197	156	299	279	572	470	744	664	979	1471	1677	2316	22				22
22.5	199	158	302	282	578	475	752	671	990	1486	1695	2343	22.5				22.5
23	201	160	305	285	584	479	760	678	1001	1500	1714	2360	23				23
23.5	203	162	307	288	590	484	768	685	1012	1515	1732	2382	23.5				23.5
24	205	164	310	291	596	488	776	692	1022	1529	1750	2409	24				24
24.5	207	165	314	294	602	492	784	699	1033	1543	1767	2435	24.5				24.5
25	210	167	317	297	608	496	791	706	1043	1557	1783	2461	25				25
25.5	212	169	320	300	614	500	798	713	1059	1571	1799	2487	25.5				25.5
26	214	171	323	303	620	504	805	720	1064	1585	1815	2513	26				26
26.5	216	173	326	305	626	508	812	727	1074	1599	1830	2539	26.5				26.5
27	219	174	329	308	632	512	818	734	1084	1613	1845	2565	27				27
27.5	221	176	332	311	638	516	825	741	1094	1627	1860	2590	27.5				27.5
28	222	177	335	314	644	520	831	747	1104	1641	1875	2610	28				28
28.5	224	179	337	317	650	524	838	754	1114	1655	1890	2630	28.5				28.5
29	226	180	340	320	656	528	844	760	1124	1669	1905	2650	29				29
29.5	228	182	343	323	662	532	851	767	1134	1683	1920	2670	29.5				29.5
30	230	183	346	325	668	536	857	773	1143	1697	1935	2690	30				30
30.5	232	185	348	328	674	540	863	780	1153	1711	1950	2713	30.5				30.5
31	235	186	351	330	680	544	869	786	1162	1725	1965	2736	31				31
31.5	236	188	354	333	686	548	876	793	1172	1739	1980	2759	31.5				31.5
32	239	189	357	335	692	552	882	799	1181	1753	2005	2782	32				32
32.5	240	191	360	338	697	556	889	806	1191	1767	2020	2805	32.5				32.5
33	242	192	363	340	703	560	895	812	1200	1791	2040	2828	33				33
33.5	244	194	366	342	709	564	901	818	1209	1795	2050	2850	33.5				33.5
34	246	195	369	345	715	568	907	824	1218	1809	2060	2873	34				34
34.5	248	196	372	347	720	572	913	830	1227	1823	2075	2896	34.5				34.5
35	250	197	375	349	726	576	919	836	1235	1837	2090	2919	35				35
35.5	252	198	377	351	732	580	925	842	1243	1851	2100	2941	35.5				35.5

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
X IRRIGATION	4-1 10-31	DATABASE EXAMINER 0.100 0.10	DATABASE EXAMINER	DATABASE EXAMINER
STOCKWATER	1-1 10-15	0.100 0.020		140.0
DOMESTIC	01-01 12-31	0.040 0.04		
TOTAL FOR THIS RIGHT		0.100 0.10		

REVIEWED BY: _____

DATE: _____

Recommendation
** Findings dependant on claimant contact, L.R.W.*
3-1-94

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED (X)
NEEDS REVIEW ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 51-04048

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE 0.100

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A51-04048	0.100	-	-	51-04048	0.100

TOTAL CFS 0.100

DIVERSION RATE REVIEW

FIELD EXAMINER

DATABASE Y

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)

NOTES:

AUTHENTICATION: _____

SIGNATURE: _____

NAME OF FIELD EXAMINER: _____

DATE: 5-11-98

TITLE: Sr. Agent

Old (D) Number -

1 - P.O. BOX 277
2 -
3 -
City- BRUNEAU
Phone -

State- ID Zip- 83604

Status	-	-	-	-	+
--------	---	---	---	---	---

January 1997

Stream Index (Blank if no Index Code)

3

in 1926

Water Use Period To

0.100
0.020
0.070

Div. Capacity - +

County

01 IRRIGATION
01 IRRIGATION
01 IRRIGATION
01 IRRIGATION

70.0

DITCH

- S/300 RANGE & HOGS.

for Same Use - 51-4049

- - Remarks - -
No Remarks found.

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

Orifice plate size = 5" "
main line pipe size = 6"
chart in H₂O mannt. book

0.4-3
Brown Buckaroo
Head of the Dutch.
Dog manage to sit down
dutch capacity.

Temp. = 120°

Water Right Number - A51-04048 Prefix Translation: ADJUDICATION CLAIM Old (D) Number -
+ - - - - Last Name - - - - + - - - - First Name - - - - + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BACHMAN FRANK L.

1 - P.O. BOX 186
2 -
3 -
City- BRUNEAU
Phone - 208-845-2090
1 - P.O. BOX 186
2 -
3 -
City- BRUNEAU
Phone - 208-845-2090
State- ID Zip- 83604

BACHMAN CINDY L.

1 - HC - 85 BOX 896
2 -
3 -
City- BRUNEAU
Phone - 208-845-2312
State- ID Zip- 83604

*** O - ORIGINAL OWNER ***
COLVER CATTLE CO.

AA62NE

1 - P.O. BOX 186
2 -
3 -
City- BRUNEAU
Phone - 208-845-2090
State- ID Zip- 83604

1 - HC - 85 BOX 896
2 -
3 -
City- BRUNEAU
Phone - 208-845-2312
State- ID Zip- 83604

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Phone - 208-845-2312
State- ID Zip- 83604

Extra acres found - much amended claim

--- Diversion Means - WELL 910', ART. 122 DEG, PIPE TO DITCH, MIX- W/ COLD WATER.

*Remarks: 2 poos in NEW, Sec. 9
(2) Replacement well drilled in 1926*

Overlaps w/4049 & Brunnew Buckaroo ditch

Total Acres: 70.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07S	06E	4	SE SW	22.0	01	IRRIGATION	(73) OWYHEE	
07S	06E	9	SW NE	8.0	01	IRRIGATION	(73) OWYHEE	
07S	06E	9	NE NW	20.0	01	IRRIGATION	(73) OWYHEE	
07S	06E	9	SE NW	20.0	01	IRRIGATION	(73) OWYHEE	

--- Total Div. Rate --- + --- Total Div. Volume --- + --- Total Div. Capacity --- + --- Total Consumptive Use --- + --- KW Usage --- +
0.100 140.0

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	10/15		0.100	
04 - STOCKWATER		10/15	03/15		0.020	
43 - DOMESTIC		01/01	12/31		0.040	

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

--- Stage --- +
S - STATUTORY CLAIM

--- Region --- +
14 WESTERN

--- Source --- +
GROUNDWATER

--- Priority Date --- +
01/01/1912

--- Status --- +

Prefix Translation: ADJUDICATION CLAIM

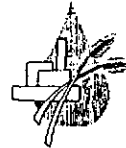
Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-	39576
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-		Old Case Number	-	
Response Filed Date	-	00/00/0000	Verified Date	-	00/00/0000	Old Judicial District	-	
Claim Received Date	-	12/05/1988	Last Amended Date	-	00/00/0000	Temporary Right	-	P
Proof Due Date	-	00/00/0000	Proof Made Date	-	00/00/0000	Water District	-	
Licensed Date	-	00/00/0000	Receipt Number	-	M002048	Federal/State Indicator	-	S
Claims Tape Error Flg	-		POU Ownership Flag	-	Y	Presumption Flag	-	
Fee Exempt Flag	-		Name Connector	-	OR	Notice of Error Flag	-	

For Headquarters -
Call Paul Castellon

^{or} Linda Chammel
387-1305
A.S.G.S.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that COLYER CATTLE COMPANY

(Name of Claimant)

Box 277, Bruneau, ID 83604

(Mailing Address)

(Zip Code)

Telephone No. 845-2312

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) _____ 1912

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

groundwater tributary to

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)	
Quantity	<u>.10</u>	Use <u>irrigation</u>	Period of Use From <u>3/15</u>	To <u>10/15</u>
Quantity	<u>.04</u>	Use <u>domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity	<u>.02</u>	Use <u>stockwater</u>	Period of Use From <u>10/15</u>	To <u>3/15</u>
Quantity		Use _____	Period of Use From _____	To _____
Quantity		Use _____	Period of Use From _____	To _____

(4) .10 TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)

NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9 Twp. 7S Rge. 6E B.M., County of Owyhee

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. groundwater, artesian flow, 910' deep, 5" steel pipe flow, some storage in

cooling pond as water is approx. 122° and mixed with cold water. Flows into open ditch and flood irrigated

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 70

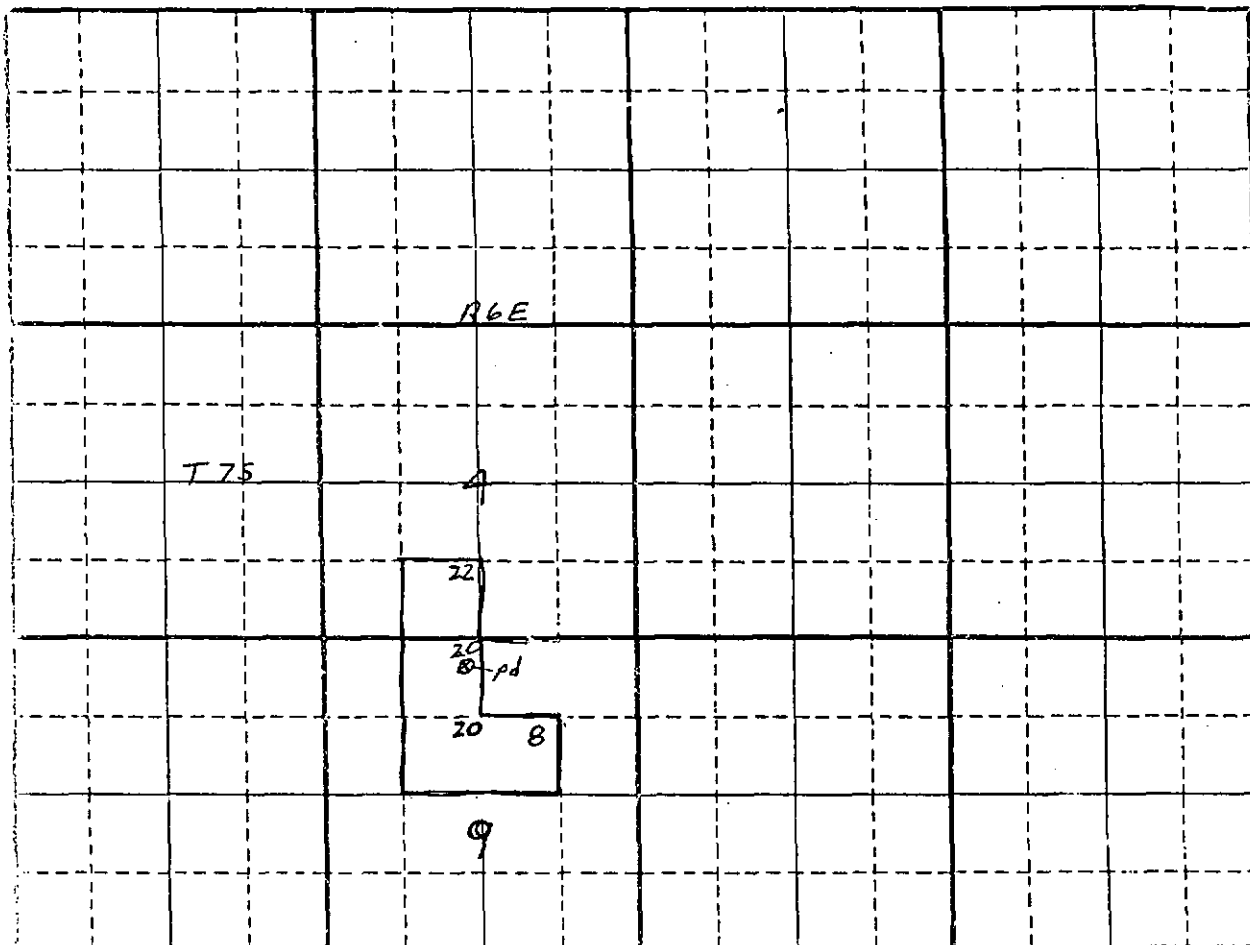
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Water used for one household plus stockwater in corrals and field stock water use for cattle in pasture. Water is mixed in adjoining well also for irrig. purposes.

NOTE: Include here the type and number of stock watered: Cattle, horses, hogs, approx. 300 hd.

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

18) 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)
County of Ada) ss.

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.

Sworn to before me this 18 day of November, 19 82.

Donnie C. Colyer, Sec.
Colyer Cattle Co.

Nancy M. Nalbawag
Notary Public
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by GKS Date 11/18/82 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by jc Date 11/24/82 claimant by: _____
\$30.00 fee received by GKS Date 11/18/82 # 23025
Published in Boise Nugget
Dates 11/30/82 to 10/1/83

A51-04048 & A51-04049



11-2-1993

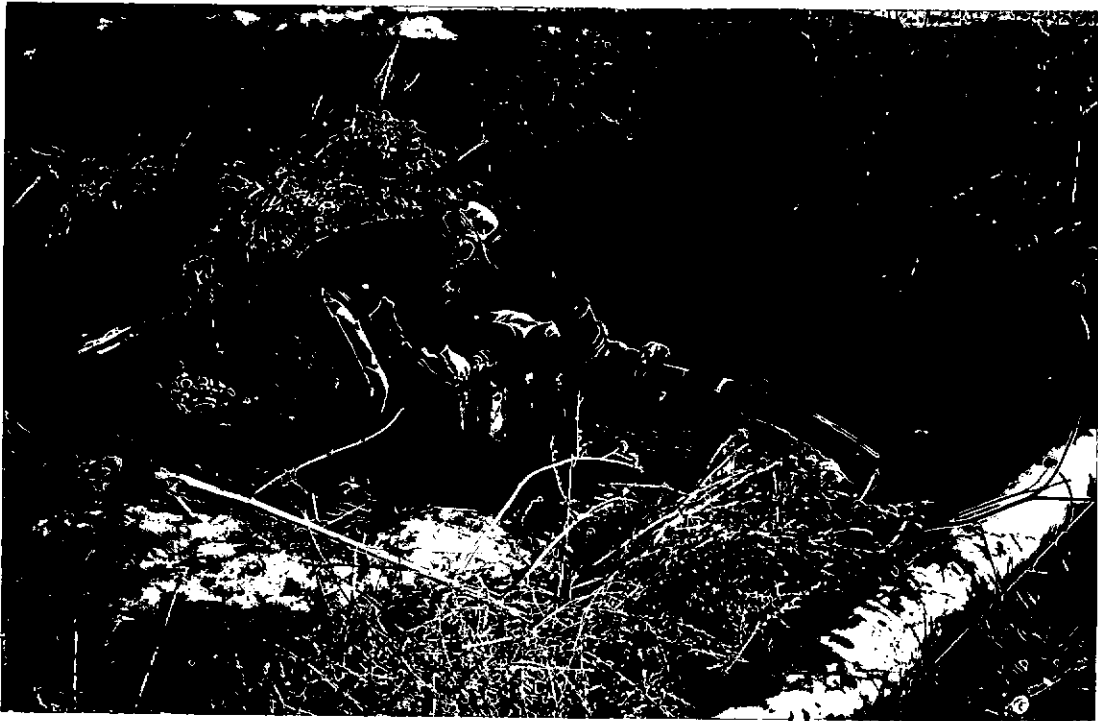
Place of use - just north of driveway - looking north
Section 9, NE10W.



11-2-1993

Supplemental irrigation & domestic well site. (1912)
Place of use south of driveway - looking south

A51-04048 & A51-04049



11-2-1993

Artesian well, low temp. geothermal.

11-2-1993



Site tube measurement



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 12, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FRANK & CINDY BACHMAN
PO BOX 186
BRUNEAU ID 83604

RE: 51-04048 & 51-04049

Dear Frank & Cindy:

Enclosed are two computer generated profile reports and one GIS map that describe my proposed recommendations for the above referenced SRBA claims. Please review them and let me know if you have any questions or concerns.

Sincerely,

A handwritten signature in cursive script that reads 'Mel Schulte'.

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

Enc.

MEMORANDUM

TO: A51-04048 & A51-04049

FROM: MEL SCHULTE *MS.*

DATE: MAY 5, 1998

RE: IRRIGATION OF 8 ACRES IN THE NESW, S4, T07S, R06E

On April 29, 1998 Frank Bachman brought to our office a copy of a 1964 ASCS aerial map and completed his own affidavit. This information supports his contention that two small artesian wells were historically used to irrigate the 8 acres referenced above. The map does in fact show a ditch going from the well sites to the parcel in question. A 1987 ASCS aerial map also shows the same ditch as the 1964 map.

Mr Bachman contends the subject 8 acres were irrigated by the two small wells as early as 1904 and 1915 when they were drilled but irrigation was later transferred to wells in Section 9 when the flows diminished in the small wells. He also believes the claims described above were filed in error and should have included the 8 acres in the NESW, Section 4. The claims were amended by Mr Bachman accordingly.

The 8 acres in question are currently and have been part of the irrigation system in use for A51-04048 and A51-04049. We do not have sufficient evidence to refute Mr Bachman's claims concerning the historical irrigation of the subject 8 acres. Therefore, it is my intention to include them and allow the notice of error and objection processes dispute Mr Bachman's claim and our recommendation.

MTS

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))

A51-04048

A51-04049

State of Idaho)
County of _____)

AFFIDAVIT

FRANK L. BACHMAN being first duly sworn,
deposes and says: By conducting research of old records

(deeds, newspaper clip, and affidavit of Vera Bowers)

it appears to me that the 8 acres of land in

T. 7S, R. 6E, Sec. 4, NE SW was irrigated by

2 wells located in section 4. The 2 wells were

drilled in 1904 and 1915. Both wells are artesian.

As additional wells were drilled in Brunner Valley

the flow decreased from these 2 wells. This farm

had 2 additional wells in section 9, T. 7S, R. 6E.

both with old priority (1912 and 1936). As the water

table dropped (Mr. Colyer, the landowner at the time)

a pump was installed in the Buckaroo Ditch which
used surface water and groundwater from section 9

Frank L. Bachman

(Signature)

Subscribed and sworn to before me this

day _____ of _____, 19____.

SEAL

(Notary Public)

Residing at _____.

My Commission Expires _____.

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))

A51-04048)

A51-04049)

State of Idaho)

County of _____)

AFFIDAVIT

FRANK L. BACHMAN being first duly sworn,
deposes and says: _____

to continue to irrigate the 8 acres located
in Section 4.

I feel the two above ref. claims were filed
in error. The 8 acre parcell has always been
farmed and is farmed today. Groundwater
and surface water (Buckaroo ditch) are commingled
to irrigate this land.

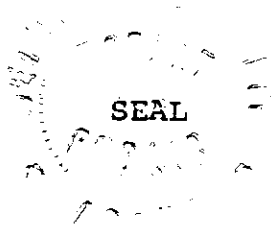
Frank L. Bachman
(Signature)

Subscribed and sworn to before me this
day 29th of April, 1998.

Melvin J. Schutte
(Notary Public)

Residing at Borai, Idaho.

My Commission Expires 7-24-2001.





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

FRANK & CINDY BACHMAN
PO BOX 186
BRUNEAU ID 83604

Re: A51-04048 & A51-04049

Dear Frank & Cindy:

When you were in my office on December 20, 1996, you amended the above referenced Snake River Basin Adjudication claims to include eight acres in the NESW, Section 4. You indicated you think the Statutory claims that are the basis for these two claims were in error.

You said during our meeting on December 20th you could obtain affidavits and other documents to support that well water has always been historically used on the eight acres. Before I can include these acres in my SRBA recommendations, I need the information you said you can provide.

I am now preparing recommendations for the Bruneau River Valley area. Our current deadline to complete our recommendations is May 1, 1998. If I don't receive any additional documentation by April 15th I will prepare recommendations without the eight acres.

Call me at the number below if you have any questions or discussion concerning this matter. Enclosed for your information is a copy of a map with the subject eight acres circled.

Sincerely,

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

Enc.

CONVERSATION MEMORANDUM

DATE: December 20, 1996

NAME OF PARTY: Frank & Cindy Bachman FILE: A51-04048, -04049,
-12815 & -12816

EMPLOYEE: Mel Schulte *MS*

During a conversation in my office on this date, Mr & Mrs Bachman informed me of some pertinent information relating to the use and location of the wells for the above referenced claims.

Frank Bachman said they had their property surveyed and the stock water well believed to be in the NE corner of the SESW, Section 4 is located in the SENESW, Section 4. A copy of the survey is available for our review if needed. This well was drilled in 1915 and was originally used for irrigation and stock water. The irrigation use was transferred to the wells in the NENW, Section 9 but the stock water use continued and is claimed in A51-12815.

They indicated the small artesian well in the SWSE, Section 4 was originally used for irrigation, stock water and domestic. The irrigation use was also transferred to the wells in the NENW, Section 9, the homestead appurtenant to the domestic use was destroyed and the well is now used only for stock water. The stock water use is claimed in A51-12816.

According to Mr & Mrs Bachman, the smaller wells described in the paragraphs above were used for irrigation until the 1950's when the irrigation system was changed. They said they can obtain affidavits and documents to support that well water from these wells irrigated the 8 acre parcel in the NESW, Section 4. They contend Statutory Claims 51-04048 & 51-04049 were in error when they were filed in 1982. The related SRBA claims were amended to included the 8 acre parcel. They indicated they would provide sufficient evidence to support the original claims were wrong and the amended claims are correct.

MTS

FIELD EXAM
TELEPHONE CONVERSATION MEMO

I.D. NUMBER A51-4048, 4049
NAME OF CONTACT Backman, Cindy
PHONE NO. 845-2090 ADJ. AGENT _____
DATE SET FOR EXAM 9:00 - 11-2 - Tue
LOCATION Mud at One Stop

Diverting at full rates? _____

Type of measuring devices? Pitot tube

Places to make measurements? _____

Type of system? (pipeline, ditches) _____

How many laterals are used? _____

Length and size of mainline? _____

Size of Motor used for each P/D? _____

Estimate of depth to water? _____

Pressure at well? _____

Pressure at sprinkler head? _____

COMMENTS Putting new pump in will be done
by Sept. 15

4 wells - 2 static, 1 dom, 1 irr



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

May 28, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

FRANK OR CINDY BACHMAN
PO BOX 186
BRUNEAU ID 83604

RE: Claim(s) filed in the Snake River Basin Adjudication.

Dear Mr. or Mrs. Bachman;

The Department of Water Resources will be conducting beneficial use and water right claim verification examinations in your area beginning in June. An examination is needed to verify your water use in order to issue a water right license and/or decree.

Information on your permit or claim which may need to be verified includes source of water, type of usage, amount of water used, number of acres irrigated, and legal descriptions of the point of diversion and/or place of use.

In order to expedite these field examinations, which need to be completed this season, we request that you contact our office at 334-2190 within one week to make an appointment at a time convenient for you. The amount of time required to conduct these exams depends on the number of water rights you have filed. An approximate time can be given when you call for an appointment.

Although it is not mandatory that you accompany the field examiner, it does insure that an accurate description of your system will be made. If either yourself, or someone familiar with the system, could accompany the examiner it would be beneficial.

To make an appointment, or if you have any questions or problems with scheduling the exam verification, please contact me as soon as possible.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

*6-16-93 Claimant came in to discuss Brunneau
Buckaroo Ditch. Requested we do his
field exam in August.*

INTER-DEPARTMENT MEMO

TO: Claim Files 57-04048 & 04049SUBJECT: Ext. to subgr. /
Evid. of PriorityFROM: Jan ThunteDATE: 3-1-93

Frank Bachman phoned this date to say he is still working on getting his evid. of priority info. He has sent to Salt Lake City, UT for some aerial photos & should be sending in info. within the next 2-3 weeks.

☒ For your information☐ Response required
signature



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

January 28, 1993

Re: Claim No(s). A51-04048

CECIL D. ANDRUS
GOVERNOR

A51-04049

R. KEITH HIGGINSON
DIRECTOR

FRANK L BACHMAN
CINDY L BACHMAN
PO BOX 186
BRUNEAU ID 83604

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

FROM Linda Warner

TO A51-04048

SUBJECT Chg. in ownership

On 8-20-90 I sent a copy of claims A51-4048 & A51-4049 to Frank Backman reflecting the ownership change.

INTER-DEPARTMENT MEMO — 1

DATE 8-20-90

MICROFILMED

AUG 10 1992



SIGNATURE