

WR. A51-04090

Edgar Brunena sheep #33

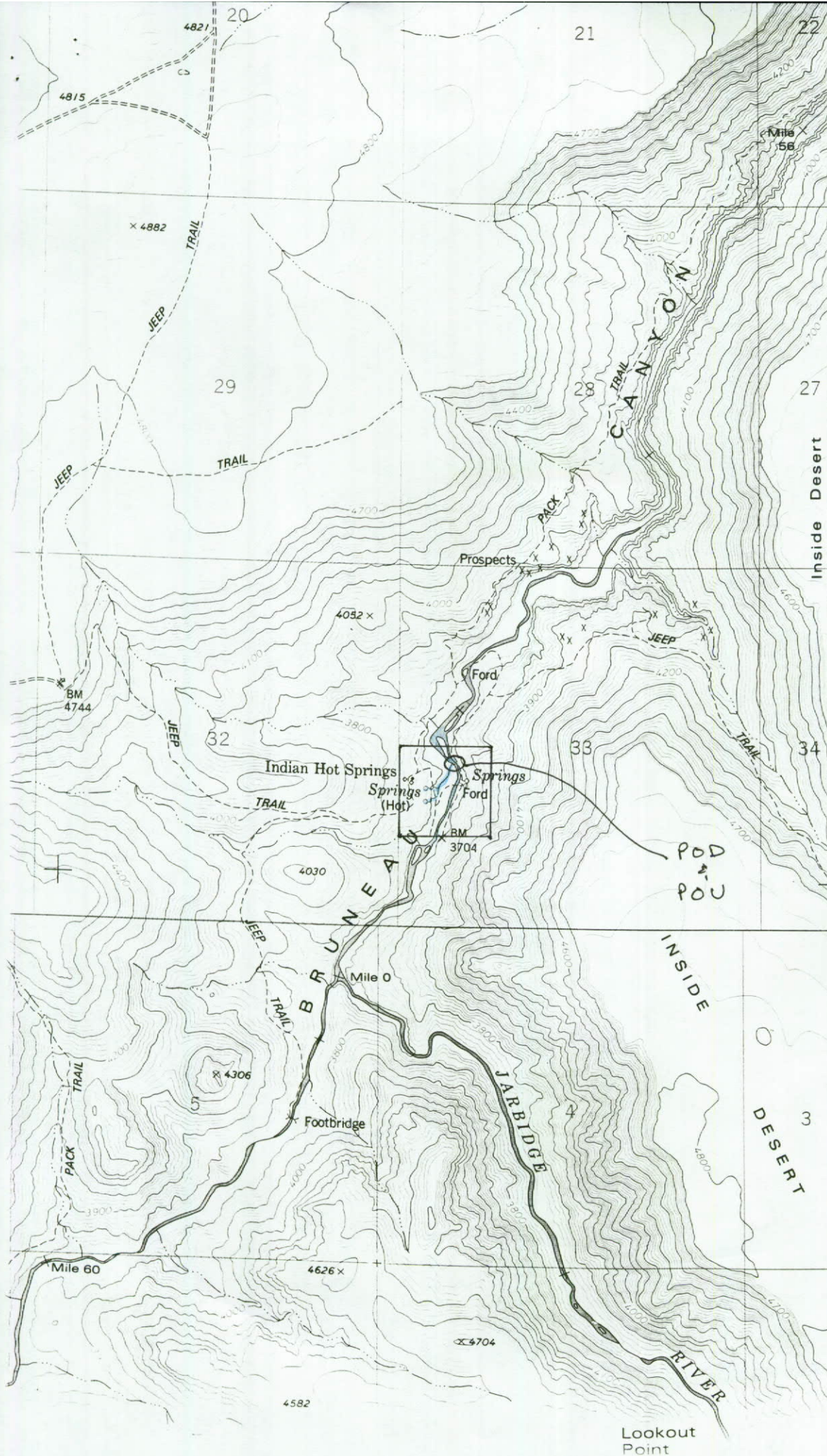


Indian Hot Springs
QUAD

CC 63

Edited 1979

T 12 S
R 07 E
S. 33



250 000
FEET

Inside Desert

POD
POU

20'
T 12 S
T 13 S

INSIDE
DESERT

(INSIDE LAKES)
2868 / SE

ASI-04090
SIMPLIFIED LIVESOCK

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: A51-04090

Date Received: 3/1/89

Receipt No: C005642

Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
MAR 01 1989

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

83707

2. Date of Priority: JAN 01, 1860

Department of Water Resources

3. Source: INDIAN HOT SPRINGS

Trib. to: BRUNEAU RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	07E	33	NW	SW			OWYHEE

5. Description of diverting works:
DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	1.000		
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

S/APPROX. 2000 HEAD CATTLE, D/1 HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	07E	33	NW	SW		DOMEST	
			NW	SW		STOCK	

A51-04090

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:

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: 1 Map

For Organizations:

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

Donald L. Hume
Signature of Authorized Agent

Secretary, Simplot Livestock Co.
Title and Organization

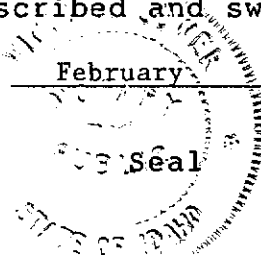
2-28-89

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 28th day

of February 19 89



Vicki A. Lowe
Notary Public

Residing at Meridian, Idaho

My Commission Expires 11-06-91

DATE: 04/06/98
PAGE: 1

Remarks: EXP STOCKWATER, 2,000 RANGE CATTLE

Dates: Exam Made Date: 11/29/1993 Verified Date: 04/06/1998 Objection Filed Date:

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

Comments: Date: 03/01/1994 User-ID: MINICUCC Subject: PRIORITY EVIDENCE OF PRIORITY SUBMITTED IN FORM OF OWYHEE COUNTY HISTORICAL SOCIETY PUBLICATION ABOUT EARLY RANCHING IN THE "JUP DESERT" AREA.

AJ0749NP
No. R51-04090

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

DATE: 04/06/98
PAGE: 2

Comments:

Date: 03/01/1994 User-ID: MINICUCC Subject: PRIORITY
AS PER JAN SHURTE (03/01/1994) THE BRUNEAU RIVER DECREE DID NOT
INCLUDE USES THAT WERE STRICTLY STOCK WATER. CONSEQUENTLY, THIS
RIGHT WOULD NOT HAVE BEEN INCLUDED IN THAT DECREE, AND SO THE
PRIORITY DATE OF THIS RIGHT CAN PREDATE THE DECREE.

Date: 03/01/1994 User-ID: MINICUCC Subject: SOURCE
FRANK BACHMAN OF SIMPLOT LIVESTOCK STATED DURING A VISIT TO MY
OFFICE (11/29/1993) THAT THE LIVESTOCK DRINK THE WATER WHERE THE
SPRINGS RUN INTO THE BRUNEAU RIVER (DUE TO TEMP CONSIDERATIONS).
SINCE THE SPRINGS ARE TOO HOT TO DRINK, THE SOURCE HAS PROBABLY
ALWAYS BEEN THE BRUNEAU RIVER, AND THERE HAS BEEN NO ACTUAL
CHANGE IN SOURCE.

Date: 04/06/1998 User-ID: SBOCK Subject: DIVERSION RATE
DIVERSION RATE HAS BEEN REDUCED TO 0.02 CFS AS PER BASIN WIDE
ISSUE #12 FOR INSTEAM STOCKWATER CLAIMS.

Audit: 04/06/98 SBOCK

DATE: 04/29/96
PAGE: 1

DIVERSION RATE DIVERSION VOLUME

~~0.44 CFS~~ ~~0.44 CFS~~

Stage: BENEFICIAL USE

OWYHEE County

ES

```

: SE SE
: SW SE
: Lt AC Lt AC
: - - - - -

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Objection Filed Date:

2

$$\frac{2}{2} \cdot \frac{2}{2}$$

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

AJ0749NP
No. R51-04090

Comments: Date: 03/01/1994 User-ID: MINICUC Subject: PRIORITY
PRIORITY DATE OF THIS RIGHT CAN PREDATE THE DECREE.
PRIORITY DATE HAS BEEN ADJUSTED TO AFTER THE RAILROAD LAND SCRIPT
ACT WAS PASSED IN 1865. THE DEVELOPMENT OF THE PROPERTY WAS AS A
RESULT OF LAND USE AS PER AN APPLICATION FOR RAILROAD SCRIPT.
04/29/1996 MM.

Date: 03/01/1994 User-ID: MINICUC Subject: SOURCE
FRANK BACHMAN OF SIMPLOT LIVESTOCK STATED DURING A VISIT TO MY
OFFICE (11/29/1993) THAT THE LIVESTOCK DRINK THE WATER WHERE THE
SPRINGS RUN INTO THE BRUNEAU RIVER (DUE TO TEMP CONSIDERATIONS).
SINCE THE SPRINGS ARE TOO HOT TO DRINK, THE SOURCE HAS PROBABLY
ALWAYS BEEN THE BRUNEAU RIVER, AND THERE HAS BEEN NO ACTUAL
CHANGE IN SOURCE.

Audit: 04/29/96 MMINICUC

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:36:38
12/02/93

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A51-04090

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	IN OFFICE	Western 02/04/1993 MM 11/08/1993	N/A	N	6	MM 12/02/1993	MM 12/02/1993	MM 03/11/1994
POINT OF DIV	Y			N	1	MM 03/11/1994	MM 03/11/1994	MM 03/11/1994
SOURCE				Y	1			
PLACE OF USE	Y			N	1			
DIV. AMOUNT CFS/VOLUME	Y			Y	PROCESSING MEMO #3			
CONSUMPTIVE USE	-			N/A	N/A			
PURPOSES	Y			N				
PERIOD OF USE	Y			N				
BASIS OF CLAIM	Y			N				
REMARKS								

Adl.
04/29/1996
TMM

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1 CC 6 3

ASCS MAP = 2

WATERMASTER RECORDS = 3

NAPP PHOTOS = 4

FIELD EXAM = 5

OTHER (SEE REMARKS) = 6

OFFICE VISIT 11/29/1993
Owyhee County Historical Publication

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

PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	VOLUME
C	SIMPLOT LIVESTOCK CO PO BOX 27 BOISE ID 83707	01/01/1860	STOCKWATER DOMESTIC	01-01 12-31 01-01 12-31	1.00 CFS 6-04 CFS	28.6

AFA

NOTES ON ASSISTANCE

Bureau R
Water Source: ~~INDIAN HOT SPRINGS~~

Water Source:	INDIAN HOLE SPRINGS	T12S R07E S33	✓	NUSU	Tributary to:	BROWN RIVER	Stage:	STATUTORY CLAIM
						SNAKE R	OWYHEE County	

OWYHEE County

point(s) of Diversion: T12S R07E S33 ✓
NWSW

Place of use Legal Description for: STOCKWATER

[illegible]

Place of use Legal Description for: DOMESTIC

[illegible]

POU County: OWYHEE

Non-Irrigation Uses: S/APPROX. 2000 HEAD CATTLE, D/1 HOUSEHOLD

Other Rights: NONE

Dates: Exam Made Date: 11/7/99 Verified Date:

Misc: _____
Water District Number: _____

Field Inspection Flag:
Presumption Flag:

~~Remark: Pol~~

~~Comment: p 21~~

~~status~~

2000 head $\times .0022 = .44 \text{ CFS}$
2000 head $\times .0134 = 26.8 \text{ AFA}$

14:36:38
12/02/93

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A51-04090

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

FIRST:
STATE: ID ZIP: 83707

LAST: SIMPLOT LIVESTOCK CO.
ADDRESS: P.O. BOX 27
CITY: BOISE
PHONE NUMBER: 208-000-0000
OWNER CODE: C

FIRST:
STATE: ID ZIP: 83707

FIELD EXAM REQUIRED?

DATABASE
N FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

CONTACT PERSON: Frank Bachman PHONE NUMBER: (208) 834-2331

DATE OF FIELD EXAM: 11/29/1993 APPOINTMENT MADE: Y() N(X) TIME: : A() P()

ACCOMPANIED BY: IN IDWR - Western Office PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

12/02/1993: No evidence of property submitted
03/01/1994: Evidence has been submitted by Frank Bachman of Simplet
Livestock. Source document is the Dwyhee Outpost, a publication of
the Dwyhee Historical Society, dated May, 1985, No. 16. This
document was received by L. Warner @ IDWR 02/11/1994
for proof on additional claims (Alzola Ranch?)

A. AJ CLAIM: # A51-04090 PRIORITY DATE: 01-01-1860 STAGE: S
B. WR RECORD: # 51-04090 PRIORITY DATE: 01-01-1860 STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE N
FIELD EXAMINER h/m

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? YES (X) NO ()
IF YES EXPLAIN.

NOTES: 12/02/1993: No evidence of priority submitted

02/28/1994: Evidence submitted in form of historical publication from Owyhee Historical Society. (The Owyhee Outpost, No. 16, DATED May 1985). This document was submitted 02/11/1994 by Frank Bashman of Simplot Livestock to Linda Werner of IDWR - Western Region. As per Jan Shute, waiting legal review on questions regarding Benneau River Decree & whether or not all tabs were included in that decree. Copy of pertinent section of document attached.

RECOMMENDED PRIORITY DATE:
01-01-1860

REVIEWED BY [Signature]

DATE 03/11/1994

03/11/1994: Since springs are so hot, cattle drink out of Benneau River when the springs enter the river. Since the springs have always been hot, the true source has probably always been the River.

stockwater

04/29/1996: Priority adjusted to after enactment of the RR Land Script Act in 1865. This Act appears to have spurred development of this land.

4/10/1996 Stockwater can be taken as per Decree of this land. No provisions of original to

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A51-04090	12S	07E	33		NW	SW		OWYHEE

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

SOURCE: INDIAN HOT SPRINGS

TRIB: BRUNEAU RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
51-04090	12S	07E	33		NW	SW		OWYHEE

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

SOURCE: INDIAN HOT SPRINGS

TRIB: BRUNEAU RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
FIELD EXAMINER
HM

NOTES:

12/22/1993: Point of diversion is point where run-off from springs hit
the Bruneau River (as per F. Bachman & Albert ~~10/28/1993~~ 10/28/1993) MEMO
03/01/1994: The source is actually Bruneau River. ATTACHED
No Gov't lots

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:				DIVERSION NAME	
TWP.	RGE.	SEC.	1/4	1/4	LOT
12S	07E	33	NW	SW	Anyher
—	—	—	—	—	—
—	—	—	—	—	—
—	—	—	—	—	—
—	—	—	—	—	—
—	—	—	—	—	—
—	—	—	—	—	—
—	—	—	—	—	—
—	—	—	—	—	—
SOURCE: INDIAN HOT SPRINGS			TRIB: BRUNEAU RIVER		
Bruneau R			State R		

REVIEWED BY: M. Hansen DATE: 03/11/1994
SYSTEM DESCRIPTION:

Instream stockwater at point where hot water from Indian Hot Springs enters the BrunEAU River.

MEMO TO SRBA CLAIM FILE NO. AS1-64090

CLAIMANT'S NAME: SIMPLET LIVESTOCK

DATE: 11/29/1993

COUNTY: Owyhee

EMPLOYEE: M. H. WILCOX

Meeting w/ FRANK Bachman of SIMPLET LIVESTOCK

No domestic use on this property

2,000 head of cattle

Place of use is instream where flow from
springs hit the Bruneau River

A. ROOT WATER RIGHT NUMBERS: A51-04090

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
12S	07E	33	NW	SW	SIM	PLOT	A51-04090 /	51-04090 /40.0			
12S	07E	33	NW	SW	SIM	PLOT	A51-04090 /	51-04090 /40.0			
TOTAL ACRES							A51-04090		80.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N (X)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED? FIELD EXAMINER POU COUNTY: OMYHEE

DUE TO POU DISCREPANCY? (Y/N)

DATABASE

PRESUMPTION FLAG:

NOTES:

POU is where springs (hot) flow into the Breunau R.
02/28/1994: No irrigation - stockwater only.

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

DATE: 02/28/1994

Indian Hot Springs
QUAD

CC 63

Edited 1979

T 12 S
R 07 E
S. 33

250 000
FEET

Inside Desert

20'
T 12 S
T 13 S

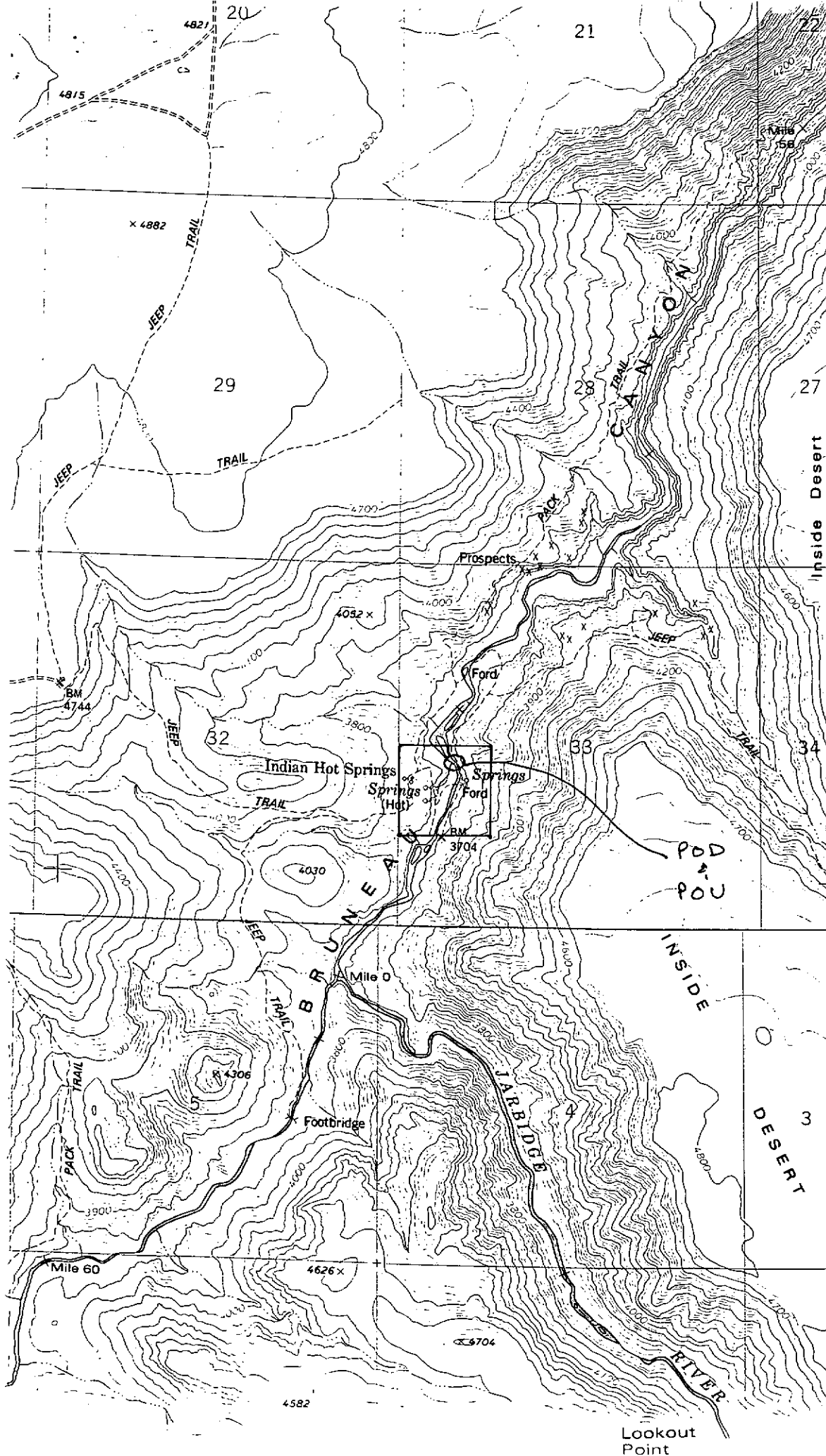
4887

3
DESERT

4886

(INSIDE LAKES)
2888 / SE

ASI-04090
Simplot Livestock



A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A51-04090 STOCKWATER	FROM 01-01 TO 12-31	1.000 CFS
A51-04090 DOMESTIC	FROM 01-01 TO 12-31	.040 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED	1.000 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
51-04090 IRRIGATION	FROM 01-01 TO 12-31	4.000 CFS
51-04090 STOCKWATER	FROM 01-01 TO 12-31	4.000 CFS
51-04090 DOMESTIC	FROM 01-01 TO 12-31	4.000 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED	4.000 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	<i>Y</i>	<i>HM</i>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	<i>Y</i>	<i>HM</i>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	<i>Y</i>	<i>HM</i>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(*X*)

RECOMMEND TO WR STANDARDS OR OTHER?

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

NOTES:

*No domestic use (per F. Bachman 10/28/1993).
CFS recommended as per processing Memo for CFS + DIV VOL.*

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

AJ TOTAL CLAIMED DIVERSION RATE:	1.000	CFS
WR ROOT RIGHT TOTAL DIVERSION RATE:	4.000	CFS

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

FLOW MEASUREMENT REQUIRED?

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

FIELD DATABASE EXAMINER
HH

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

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

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

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

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

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

2. IRRIGATION CONSUMPTIVE USE

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

3. IRRIGATION DIVERSION VOLUME

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

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

No irrigation

1b. CALCULATIONS

2,000 head x .00022 CFS/head =

.022 CFS 44 CFS
S.B.

2,000 head x .0134 AFA/head = 26.8 AFA

As per Application Processing

Memo No. 3

04/07/1975

0.02 CFS Per Basin Water
Issue #12

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
Stockwater	01-01 12-31	44,028.7	26.8	
		44,028.7	26.8	

TOTAL FOR THIS RIGHT

REVIEWED BY: *[Signature]*

DATE: 03/11/1994

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 51-04090

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE 4.000
EXAMINER _____
CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A51-04090	1.000	-		51-04090	4.000
TOTAL CFS		1.000				4.000

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE N
FIELD EXAMINER MM
MM

NOTES:

No splits

AUTHENTICATION:

SIGNATURE: [Signature]

DATE: 03/11/1994

NAME OF FIELD EXAMINER: MARIA M. MURIEL

TITLE: WATER AGENT

451-04090



Hauling wool sacks from Cat Creek shearing pens to Mountain Home.

Photo: Viola Robertson Allison

and Goicoechea, Patsy Haley, John Van Huizen, Manuel Triguero, and Jose Bengoechea.

The three consecutive drought years of 1886 to 1889 climaxed with the record-breaking hard winter of 1890 and put an end to the early-day range cattle and sheep era. Most of the operators lost two-thirds of their livestock and many went bankrupt. Ranchers on the JP were not exempt and room was now available for the homesteaders.

The homestead culture started with the enactment of several federal land acts designed to encourage the settlement of our western frontier. The Squatter's Right Act of 1860 and the Homestead Act of 1862 were the first. Several other acts were passed to increase the acreage allowance through the years. There was also a Railroad Script Land Act passed in 1865 to generate income for railroad construction.

These land acts were passed by mostly eastern lawmakers without knowing the economic realities of trying to make a living on western lands. The acreage limitation was the main factor in the many failures by the homesteaders. Historians have never truly documented the heartaches that this oversight brought to homestead families when failure for many of them was inevitable. The JP country was not immune from this problem as by 1940, most of the homesteads were in the hands of three operators—the Bruneau Sheep Company, George Rizzi, and the Tindall family.

HOMESTEADS IN THE JP COUNTRY

For the sake of continuity, I will attempt to describe the various camp sites and homesteads by following each water drainage from north to south beginning with the Bruneau River and then west to Sheep Creek.

The Indian Hot Springs (Bruneau Canyon)

This site was first used by the Indians as a winter campground. There is a natural hot spring with a large flow of boiling hot water that keeps the river ice-free in the winter. It was used as a pack trail by early white men as it is one of the few places where the canyon can be crossed. Early cattle and sheepmen used it to trail livestock from the JP to the

by application for Railroad Script. They built the buildings, the bridge, and improved on the original road across the canyon. They also established hay meadows, an orchard, and used it as a headquarters camp.

The Bruneau Sheep Company was an outfit that was organized by Frank Gedney, Faustino Alzola, and their associates. They ran 1,200 sheep from their main headquarters at Grand View, Idaho, through the Bruneau and 71 deserts, the JP country, and on to their summer ranges in the Humboldt Mountains near Mountain City, Nevada. They were very prominent on the JP and ended up buying many of the original homesteads. The Bruneau Sheep Company was sold to J. R. Simplot in 1945.

Indian Batt Camp (Bruneau Canyon)

Indian Batt was an early-day Indian who preferred to live off of the reservation. He spent most of his life in the Bruneau Canyon squatting at different camp sites. He would make a dugout for a home and lived mostly off of the land. He always raised a garden by diverting water from the river and would also plant poplar trees at each site. Remnants of his dugouts, irrigation system, and poplar trees still remain to prove his occupancy. Indian Batt's sister, Magee, was married to Joe Taylor and they lived at Rowland, Nevada.

Manuel Triguero Camp (Bruneau Canyon)

Manuel Triguero was a Portuguese emigrant who came to the JP country sometime before 1880. Manuel and his wife ran sheep on the JP and summered their flocks on Sunflower Flat near Gold Creek, Nevada. In 1900, they sold their business and retired in California.

The Bruneau Sheep Company later applied for Railroad Script land at this site. They built the buildings, the existing road, and developed meadow land. This property was later traded to Homer Bedell for his homestead on Cat Creek. Bedell sold it to George Rizzi in 1930 and the Alzola brothers acquired the property in 1946.

Frank Triguero Homestead (Bruneau Canyon)

Frank Triguero came from Portugal before 1900 to work for his brother, Manuel. He purchased Manuel's interest when Manuel retired in 1900. In 1903, Frank filed for a homestead in the canyon. He later proved up on an enlarged homestead at lower Black Rock. He continued to buy up other property to put together a substantial cattle operation on the JP.

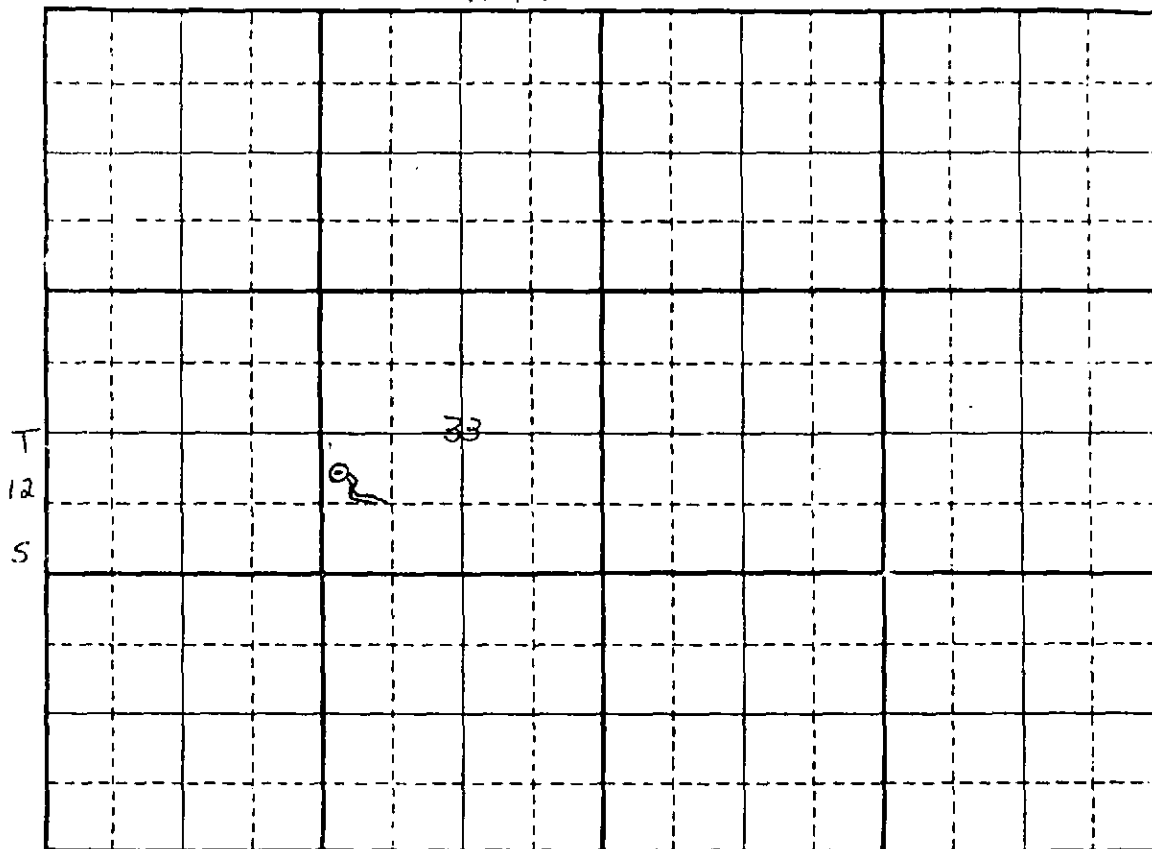
Frank was blessed with many talents as he was a natural builder. He also possessed the proverbial green thumb to raise the finest garden, orchard, and hay crops in the area. Other accomplishments were his unique irrigation system with diversion dams, cement ditches, and flumes that were very efficient. One can but wonder how he managed to do what he did when you consider that there was no other access to his property than a pack horse trail that zigzagged over 1,000 feet down to the floor of the canyon. Everything he needed from the basic necessities for living, farm equipment, cement, lumber, tools, and all the many items required to run a ranch had to be packed in by animals. One must see

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

(7) If you are using water as a medium of an organized or systematic campaign to:

B. Remarks

R 7 E



Scale: 2 inches equal 1 mile.

② Spring

~ ditch

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 19th day of June, 1923.

Robert H. H. Secretary
(Claimant)

Samuel G. Walker
Notary Public

Residing at Butte, Idaho

My commission expires Indefinite

FOR DEPARTMENT USE ONLY

Received by

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\$30.00 fee received by

Published in

Dates

Date

Date

Date

Date

Date

Exception filed by

Forwarded to

claimant by

Date

6/19/23

6/25

7/2/23

7/11/24

269116



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

November 8, 1993

R. KEITH HIGGINSON
DIRECTOR

FRANK BACHMAN
SIMPLOT LIVESTOCK CO
PO BOX 27
BOISE ID 83707

RE: Snake River Basin Adjudication Claims:

A51-00093	A51-02017	A51-02018	A51-02033
A51-02057	A51-02064	A51-02079	A51-02090A
A52-04008	A51-04090	A51-04091	

Dear Mr. Bachman:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

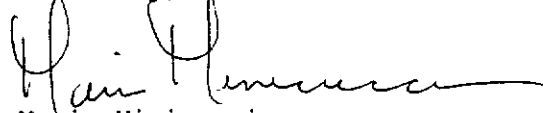
A51-04091: Required Document(s): (1) Evidence of priority date.
Wickahoney
Spring

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

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

SIMPLOT 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